



*Sherry Sullivan*  
Mayor

*Council Members*

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

*Lisa A. Hanks, MMC*  
City Clerk

*Kimberly Creech*  
City Treasurer

# Fairhope Planning Commission Agenda

September 10, 2026 – 5:00 PM

## COMMISSIONERS

---

|                               |                  |               |
|-------------------------------|------------------|---------------|
| Lee Turner, Chairman          | Harry Kohler     | Kim McCormick |
| Rebecca Bryant, Vice Chairman | Hollie MacKellar | John Worsham  |
| Janine Saykes, Secretary      | Paul Fontenot    | Erik Cortinas |
| Joshua Gammon (CC)            |                  |               |

(CC) City Council Representative

## 1. CALL TO ORDER

---

## 2. CONSENT AGENDA

---

- Approval of Minutes – August 3, 2026

## 3. REGULAR AGENDA

---

### OLD BUSINESS

- A. ZC 26.08** Continuation of discussion and public hearing regarding potential amendment to Building Height.
- B. UR 26.05** Request of Verizon Wireless for the installation of a new small cell tower in downtown Fairhope. Located within the right-of-way near 5 North Church Street.
- C. UR 26.07** Request of Verizon Wireless for the installation of a new small cell tower in downtown Fairhope. Located within the right-of-way near 100 North Bancroft Street.
- D. UR 26.08** Request of Verizon Wireless for the installation of a new small cell tower in downtown Fairhope. Located within the right-of-way near 319 Magnolia Avenue.

### NEW BUSINESS

- E. UR 26.14** Request of C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of 21,739± LF fiber cable at 9020 Morphy Avenue.



*Sherry Sullivan*  
Mayor

*Council Members*

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

*Lisa A. Hanks, MMC*  
City Clerk

*Kimberly Creech*  
City Treasurer

**F. ZC 26.09** Public hearing to consider the request of the Applicant, Oletha and Samuel Curry Sr., to rezone property from R-4, Low Density Multi-Family Residential District to B-4, Business and Professional District. The property is located at 763 Northrop Avenue and is 0.19± acres. **PPIN#: 47629**

**G. ZC 26.10 Eastlake Village** – Tabled at the Applicants request

**H. SD 26.16** Public hearing to consider the request of the Applicant Goodwyn Mills Cawood, LLC, on behalf of the owner, Eastpark LLC, for Preliminary and Final Plat Approval of South Section Townhouse Condominium, a 3-lot Minor Subdivision on property zoned R-3TH, High Density Single-Family Townhouse Residential District. The property is located on the east side of Section Street, south of Fels Avenue and is 0.39± acres. **PPIN#: 41038**

#### **4. ADJOURN**

---

# Fairhope Planning Commission Minutes

August 3, 2026 – 5:00 PM

## ADMINISTRATIVE

The Planning Commission met Monday, August 3, 2026, at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present:

|                                  |                               |   |                    |
|----------------------------------|-------------------------------|---|--------------------|
| X                                | Lee Turner, Chairman          | X | Paul Fontenot      |
| x                                | Rebecca Bryant, Vice Chairman |   | Kim McCormick      |
| X                                | Janine Saykes, Secretary      | X | John Worsham       |
| X                                | Harry Kohler                  | X | Erik Cortinas      |
| X                                | Hollie MacKellar              | X | Jimmy Conyers (CC) |
| (CC) City Council Representative |                               |   |                    |

Staff: Hunter Simmons, Planning and Zoning Director; Mike Jeffries, Development Services Manager; Payton Rogers, Planning and Zoning Manager; Michelle Melton-Null, City Planner; Chris Williams, City Attorney; and Janine Saykes, Planning Clerk.

Chairman Lee Turner called the meeting to order at 5:02.

## CONSENT AGENDA

- Approval of the Minutes – July 6, 2026

Jimmy Conyers made a motion to approve the minutes.

Erik Cortinas seconded the motion, and the motion carried unanimously with the following vote:

AYE: Lee Turner, Paul Fontenot, John Worsham, Jimmy Conyers, Harry Kohler, Hollie MacKellar, Rebecca Bryant, and Erik Cortinas

NAY: None

ABSTAIN: None

## OLD BUSINESS

- A. ZC 25.08** Holdover Extension Request by the Applicant, Core Development and Construction of Alabama, LLC on behalf of the Owner, FST and Bertolla Properties LLC, for Conditional Annexation to PUD, Planned Unit Development for Colony Village. The property is located at 10504 State Highway 104 and is 148± acres. **PPINS#: 5499, 20948, 286294**

Chairman Turner recused himself from ZC 25.08. Vice Chairman Bryant assumed the chair for ZC 25.08.

Hunter Simmons, Planning and Zoning Director, presented a request on behalf of the Applicant for a holdover extension.

Attorney Doug Anderson, representative for the Applicant, stated he would like to request an additional six (6) months to continue working on the plan. They are also working on a better storm water plan and a site plan with less density that he thinks would work best for everyone.

Hollie MacKellar asked how many extensions are typical. Hunter Simmons stated that there is not a set number of extensions, but this is not an approved plan. Mr. Simmons stated Staff would not recommend indefinite extensions. The Planning Commission members and Mr. Simmons discussed the extension process in detail. Mr. Simmons stated that Staff approves the extension.

John Worsham made a motion to approve the holdover extension for ZC 25.08 for up to six (6) months.

Erik Cortinas seconded the motion, and the motion carried with the following vote.

AYE: Erik Cortinas, Paul Fontenot, John Worsham, Jimmy Conyers, Harry Kohler, Hollie MacKellar, and Kim McCormick

NAY: None

ABSTAIN: Lee Turner

## **NEW BUSINESS**

- B. SR 26.05** Request of the Applicant, Murphy Oil USA, Inc., on behalf of the Owner, RW Battles, LLC, for Site Plan Approval of Murphy Oil Automobile Service Station. The property is located at 18186 Wright Blvd. and is 1.14 ± acres. **PPIN#: 391372**

Payton Rogers, Planning and Zoning Manager, presented the request on behalf of the Applicant. Mr. Rogers shared the zoning and aerial maps. In 2021 The Planning Commission approved an MOP for the Shoppes at Pointe Clear, which was then located in the county, within Fairhope Planning jurisdiction. In 2022 the Commission approved Conditional Annexation in to the City for B-2, General Business District. In 2023, the Commission approved a final MOP. And in April 2026, the Board of Adjustment approved a Special Exception to allow an automobile service station. The proposed development is subject to Site Plan Review due to the extent of the proposed impervious surfacing.

Staff recommends Approval of SR 26.05 – Murphy Oil USA, with the following conditions:

1. Revision of all pertinent plans to illustrate sidewalk along the entirety of the western property line where the subject site abuts Wright Blvd., and tying into the existing sidewalk and crosswalk, south of the subject site;
2. Revision of all pertinent plans to address all Water Utility comments provided in this report; and
3. If it is determined that the site will pursue a shared access agreement between Lots A and B, the following is required: Lot B shall be limited to a single access onto Wright Blvd. which shall be satisfied by the shared access between the two lots; and a non-exclusive ingress/egress easement shall be recorded in Baldwin County Probate and submitted to staff.

Chairman Turner asked if the Applicant would like to speak.

Wesley Miller - RAM Engineering, representative for Murphy Oil USA, stated they will address all contingencies and will resolve all issues before going before City Council.

John Worsham made a motion to recommend SR 26.05 - Murphy Oil USA to City Council, with Staff recommendations 1 and 2, and the third being revised to the shared access agreement



between Lots A and B and will be required. Lot B shall be limited to a single access onto Wright Boulevard.

Jimmy Conyers seconded the motion, and the motion carried unanimously with the following vote.

AYE: Lee Turner, Erik Cortinas, Paul Fontenot, John Worsham, Jimmy Conyers, Harry Kohler, Hollie MacKellar, and Rebecca Bryant

NAY: None

ABSTAIN: None

- C. ZC 26.07** Public hearing to consider the request of the Applicant, Jade Consulting, LLC, on behalf of the Owner, Michael Jason Tickle 2020 Trust for Conditional Annexation to R-1, Low Density Single-Family District for Windrow Phase 2. The property is located on the east side of South Section Street, south of Twin Beech Road and is 20.11± acres. **PPIN#: 28640**

Michelle Melton-Null, City Planner, presented the request on behalf of the Applicant. Ms. Melton-Null shared the zoning and aerial maps. The subject site is currently located in Baldwin County jurisdiction.

Staff recommends Approval of ZC 26.07 – Windrow SD, Phase 2, conditional annexation with request to rezone property from Baldwin County Base County Zoning (BCZ) to City of Fairhope zoning district, R-1, Low Density Single Family Residential.

Chairman Turner asked if the Applicant would like to speak.

Will Graham - Jade Consulting, representative for the Applicant, stated that this will be an extension of Windrow Phase 1.

Chairman Turner opened the public hearing at 5:28pm.

Brandy White – 18940 Frank Sledge Ln., asked is the property in the county, and will she receive another letter when the next phase comes. Chairman Turner explained the process. If this is approved and the Applicant returns and submits a Subdivision request, the notification will go out according to the regulations. Mr. Simmons clarified that a Subdivision request notification letter is only mailed to adjacent property owners, unlike a zoning change request that is mailed to property owners within 300 feet of the subject property.

Chairman Turner closed the public hearing at 5:33pm.

John Worsham made a motion to recommend ZC 26.07 – Windrow SD Phase 2 to the City Council.

Rebecca Bryant seconded the motion, and the motion carried unanimously with the following vote:

AYE: Lee Turner, Erik Cortinas, Paul Fontenot, John Worsham, Jimmy Conyers, Harry Kohler, Hollie MacKellar, and Rebecca Bryant

NAY: None

ABSTAIN: None

- D. ZC 26.08** Public hearing to consider the request from the City of Fairhope Planning and Zoning Department, for proposed amendments to the City of Fairhope's Zoning Ordinance pertaining to Building Height.

Payton Rogers, Planning and Zoning Manager, presented the proposed Building Height Amendment. Staff recommends the Planning Commission submit the proposed amendments back to Staff for continued discussion and further study.

Mr. Rogers presented the Staff Primary Goals:

- To preserve the "Scale and Character" of the City of Fairhope.
- To improve clarity and update development standards.
- Help ensure that future growth is compatible with existing neighborhoods.

Mr. Rogers presented a Summary of Proposed Amendment:

1. Introduce a new "general" Building Height definition applicable outside the CBD which provides clear guidance on how to calculate building height while also supporting the goals of the city of Fairhope in preserving the scale and character of the city.
2. Consolidate various building height regulations into a centralized location within the Zoning Ordinance to mitigate confusion and improve ease of use.
3. Revise existing language regarding Rooftop Terraces to clarify the original intent and introduce new regulations which can provide flexibility for development within the CBD while preserving the scale and character of the City of Fairhope.

Mr. Rogers shared the history of Building Height definitions and how they have been calculated since 1998. Mr. Rogers also shared the current definition and the definition that is proposed.

Chairman Turner suggested having three separate public hearings to discuss each issue individually.

Chairman Turner opened the public hearing to discuss the building height calculations at 5:45pm.

Trey Cordi – 53 South School St., stated he is totally against this because you cannot build a two-story house with these regulations. Mr. Cordi feels that this needs to be completely redone. He is shocked that Staff is proposing this because it is just ridiculous. The Ordinance penalizes anyone with a sloped lot. Mr. Cortinas asked Mr. Cordi what kind of roof pitches he is talking about, because saying a house cannot be built is incorrect. You may not be able to build a massively steep roof, but you can still build the house.

Bob Chatham – 78 South Section St., Mr. Chatham shared handouts detailing houses in the area and the issues with roof lines and sloping lots, with Planning Commission members and Staff. He showed problems that would arise with the new height calculations that are being proposed. Mr. Chatham asks that Staff look at the real-life problems that these impose for citizens that want to build a new home. Mr. Chatham suggests that the measurement start at the finished grade and not the existing grade.

Ryan Baker – 460 Dogwood Ave., stated the current definition is very confusing and needs clarification. The proposed definition is extremely hard to design around, due to all the different topography on lots.

Chairman Turner stated that we have seen a lot of negative examples tonight but he would also like to see constructive ideas that can be sent to Staff while this is still being worked on. Suggestions for Staff that do not create new problems are welcome by the Staff.

Lee Verneuille – 732 South Mobile St., shared handouts with Members and Staff. Mr. Verneuille stated he would like to see a sensible solution that does not punish people trying to build on a slope. Mr. Verneuille offered a definition: The vertical distance measured from the proposed finished grade at the front of the principal building as established by a site plan to the mean height between the eave and ridge of the highest roof plane. For flat roofs, building height shall be measured to the highest point of the roof or parapet. Mr. Verneuille stated he thinks this has all become overly complicated.

Mac Walcott – 1 South School St., shared a handout with Members and Staff. Mr. Walcott stated that we are creating the same non-conforming issue. Mr. Walcott shared pictures of several houses that cannot be built today with what is being proposed.

The public hearing was closed at 6:06pm.

Payton Rogers presented the proposed changes to Rooftop Terraces in the Zoning Ordinance.

Chairman Turner opened the public hearing at 6:09pm.

Ryan Baker – 460 Dogwood Ave., stated that what is allowable on a rooftop terrace compared to a balcony is confusing in the changes. With a rooftop terrace the furniture must be removed at night. Mr. Baker stated there is no difference if furniture is on a rooftop terrace and below a parapet or on a balcony. Chairman Turner stated that furniture is more secure on a balcony because there is a wall behind it to prevent as much wind. The wind is higher on a rooftop. Mr. Simmons clarified that the regulation on rooftop terraces states you cannot have a rooftop terrace above a third floor because we do not allow a fourth floor.

The public hearing was closed at 6:13pm.

Payton Rogers presented CBD Height. Mr. Rogers shared the history of Building Height within the CBD, starting in 1999. Mr. Rogers stated over the years each increase in the CBD Building Height, was intended to encourage redevelopment, but resulted in taller flat-roofed buildings being able to maximize allowable height, rather than reinforcing the village scale and character that was envisioned for downtown Fairhope. Mr. Rogers stated that the proposed amendments do not sufficiently address these issues. Mr. Rogers offered possible solutions that could include:

1. Unique definitions for Building Height within the CBD which provide varied building heights based on roof pitch.
2. Establishment of form-based codes within the CBD which could provide requirements for a building's form which align much more precisely with the established vision for the district.

Chairman Turner opened the public hearing at 6:18pm.

Mac Walcott – 1 South School St., stated that there are three other components that affect the yield on downtown buildings. The FAR, the parking requirements, and the commercial use requirements. They all need to be looked at with the building height in the CBD. He would like to look at all this together before any final decisions are made.

Ryan Baker – 460 Dogwood Ave., stated most small-town CBD's have an archetype of a storefront building, which the majority are parapet type buildings. We have a variation of that in Fairhope. Mr.

Baker stated he is not sure if it is the character of a village district that has been discussed, and he is not sure if that has ever been the character of our CBD. Rebecca Bryants stated it is her understanding that we are not trying to promote sloped roof, but when previous appeals to raise the height were brought with the argument that there would be more architectural expression if the height was raised. Erik Cortinas stated that previously when the height was 35 feet, it was recommended they could have more interesting architectural features if it was raised higher but all that happened was the vast majority built 40-foot flat roofs to maximize space and the interesting architectural features were not included. Chairman Turner also discussed how we could include more creativity in the CBD.

The public hearing was closed at 6:26pm.

Rebecca Bryant made a motion to table ZC 26.08 – Building Height, for further discussion.

John Worsham seconded the motion, and the motion carried unanimously with the following vote:

AYE: Lee Turner, John Worsham, Jimmy Conyers, Harry Kohler, Hollie MacKellar, Paul Fontenot, Rebecca Bryant, and Erik Cortinas

NAY: None

ABSTAIN: None

- E. Resolution 2026-03** Public hearing to consider the request of the City of Fairhope’s Planning and Zoning Department to accept Resolution 2026-03 adopting the temporary suspension of consideration of certain residential multiple occupancy project and subdivision applications under the City of Fairhope Subdivision Regulations as set forth in Ordinance 1866.

Hunter Simmons, Planning and Zoning Director, stated that City Council has adopted Ordinance No. 1866 and as a follow-up the Planning Commission has passed a Resolution in support of that. There was an incorrect Ordinance Number on the Agenda but the Resolution before you has the correct number, which is Ordinance 1866, which expires on August 17, 2026.

John Worsham made a motion to adopt Resolution 2026-03.

Jimmy Conyers seconded the motion, and the motion carried unanimously with the following vote:

AYE: Lee Turner, John Worsham, Jimmy Conyers, Harry Kohler, Hollie MacKellar, Paul Fontenot, Rebecca Bryant, and Erik Cortinas

NAY: None

ABSTAIN: None

- F. Discussion of “Open-Air Structures” and the applicability of the Zoning Ordinance regarding site coverage and setback requirements.**

Hunter Simmons, Planning and Zoning Director, stated that Open-Air Structures as defined in our Zoning Ordinance is anything coming out of the ground vertically. There are prescribed areas where those can be located as well as lot coverage.

The Planning Commission members and Mr. Simmons discussed in detail, pool coverings, patios, sail cloth coverings, arbors, and what is considered a structure. The discussion also included setbacks.

Rebecca Bryant stated she would like to see all the different example of Open-Air Structure, and she would like to see how other municipalities deal with pool enclosures.

Paul Fontenot discussed the differences of a structure being over impermeable vs. permeable surfaces and how that would be managed.

Mr. Simmons stated this presentation is for feedback and will come back with more information at a later date.

Jimmy Conyers asked to speak. He stated that today was his last Planning Commission meeting and Councilman Joshua Gammon will be replacing him, starting in September. Mr. Conyers thanked Staff and Planning Commissioners. He also stated that Planning Commission members are doing a great job and he realizes they volunteer their time and he appreciates all that they do.

## **ADJOURNMENT**

John Worsham made a motion to adjourn.

The motion carried unanimously with the following vote:

AYE: Lee Turner, John Worsham, Jimmy Conyers, Harry Kohler, Paul Fontenot, Hollie MacKellar, Rebecca Bryant, and Erik Cortinas

NAY: None

ABSTAIN: None

Adjourned at 6:39pm.

---

Lee Turner, Chairman

---

Janine Saykes, Secretary



**THIS DIGITAL PACKET HAS BEEN CONDENSED IN SIZE AND SOME DOCUMENTS MAY NOT CONTAIN ALL THE ORIGINAL PAGES.**

**ALL SUBMITTAL DOCUMENTS CAN BE MADE AVAILABLE TO THE PUBLIC UPON REQUEST AND HAVE BEEN REVIEWED IN FULL BY PLANNING STAFF IN PREPARATION FOR THE REPORTS PREPARED FOR PLANNING COMMISSION.**

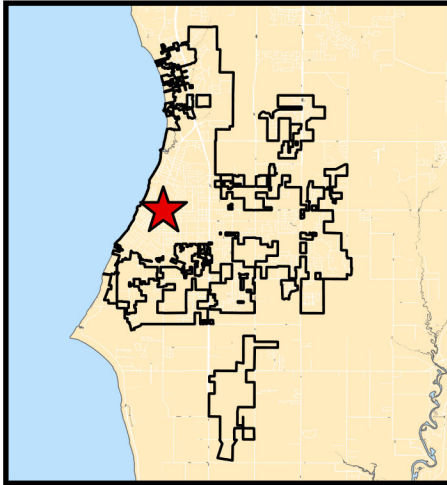
# City of Fairhope

## Planning Commission

September 10, 2026



### UR 26.05 - 5 North Church Street



**Project Name:**

5 North Church Street

**Site Data:**

N/A

**Project Type:**

New small cell tower

**Jurisdiction:**

Fairhope Planning Jurisdiction

**Zoning District:**

N/A

**PPIN Number:**

N/A

**General Location:**

NW corner of the intersection of Church Street and Fairhope Avenue

**Surveyor of Record:**

N/A

**Engineer of Record:**

N/A

**Owner / Developer:**

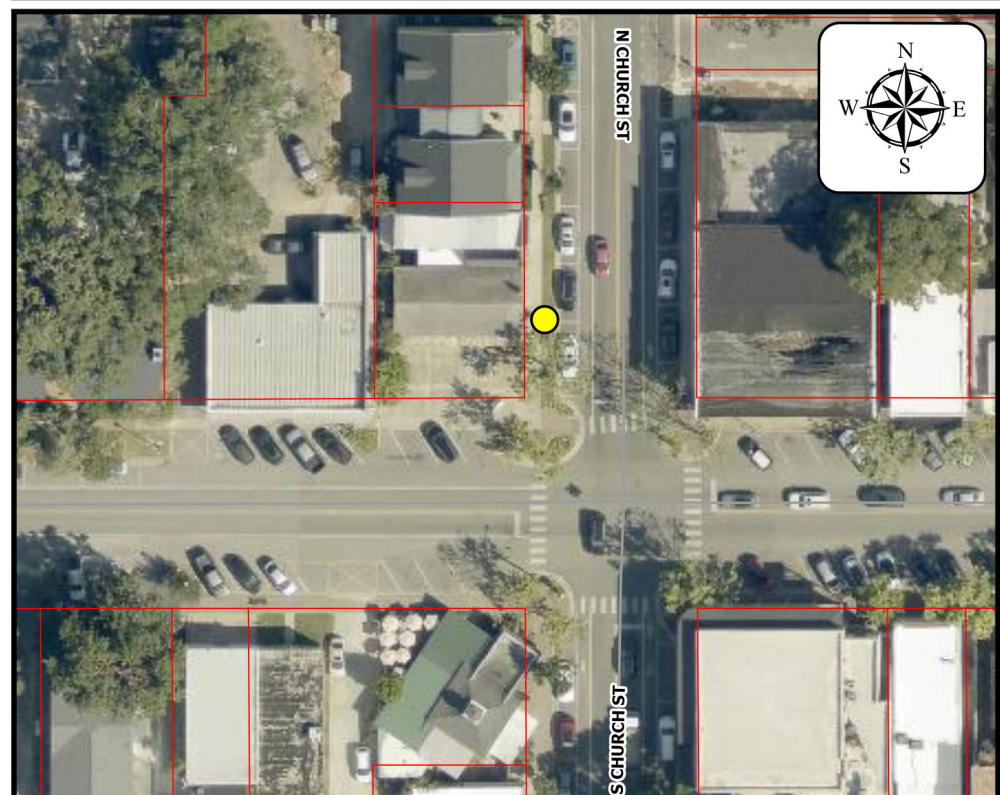
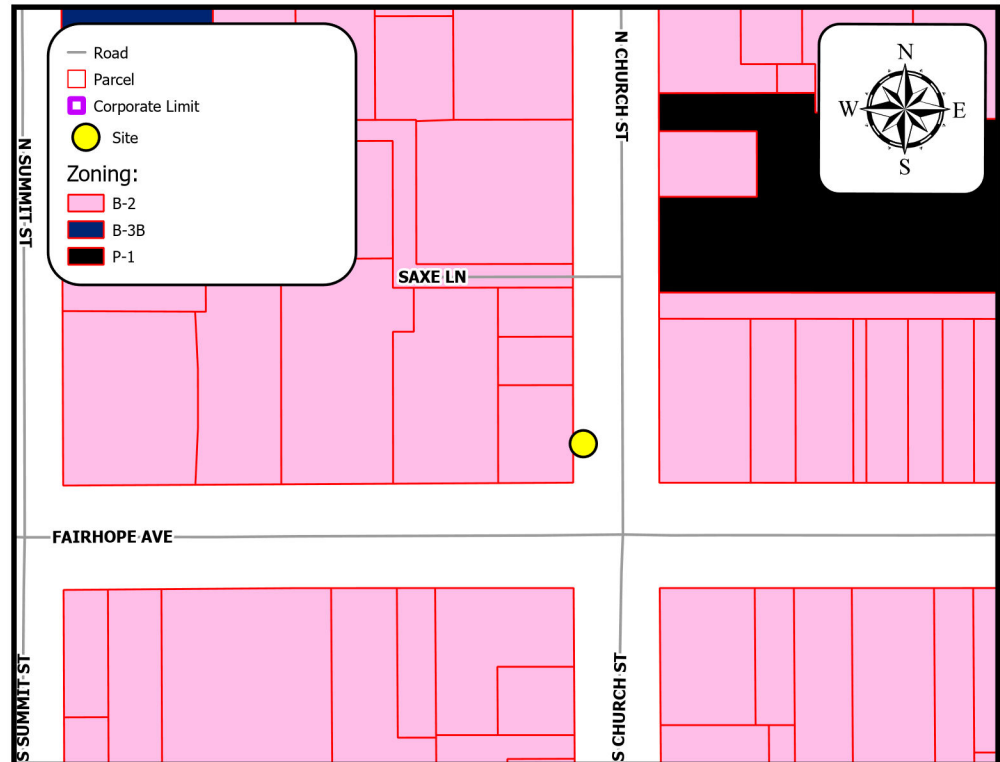
Verizon

**School District:**

Fairhope Elementary School  
Fairhope Middle and High Schools

**Prepared by:**

Mike Jeffries

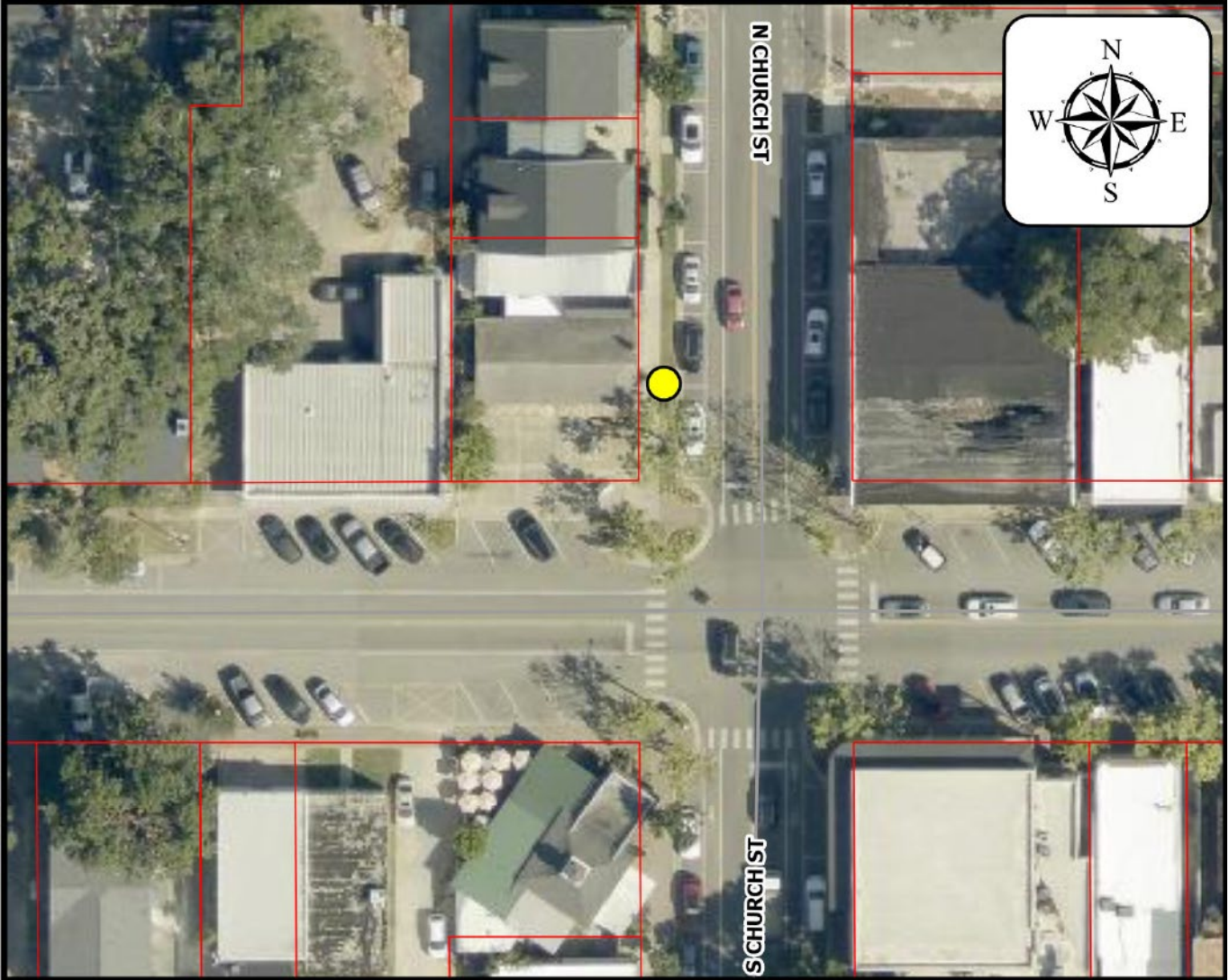




SUMMARY OF REQUEST

Request of Verizon Wireless for the installation of a new small cell tower in downtown Fairhope. Located within the right-of-way near 5 N. Church St.

Locator Image







## Page 13 of 65

**Permitting, Locating, and Phasing**

- Subsurface Utility Engineering may be required for sensitive locations within the city as required by the ROW supervisor.
- An additional right-of-way permit may be required for the potholing procedures needed for SUE.
- A traffic control plan shall be submitted with all permits that affect the flow of traffic.
- No work shall begin until a ROW permit is issued by the City of Fairhope Building Department. Permit not valid until approved and paid for on Citizen Serve online portal.
- The City's ROW inspector is to be notified 24 hours prior to any activity within the ROW. The prior notice applied to all activity within the ROW including but not limited to trenching, boring, concrete placement.
- Hand holes/boxes shall not be allowed to be installed in sidewalks. The applicant shall review the sidewalk plan to determine if there are any conflicts. The applicant shall coordinate with the ROW inspector to resolve any conflicts.
- The applicant shall contact Alabama One Call 811 to locate all existing utilities in the ROW (750 LF maximum daily allocation for COF utility locates per day).
- A pre-construction meeting shall be held with the City prior to issuance of any permits.

**Construction**

- A minimum horizontal clearance (separation) of 36" must be maintained from water, sewer, gas, stormwater, and other city utility infrastructure.
- A minimum depth for all telecommunication lines shall be 30".
- Conduit shall match the 811-color code for communication, electric, gas etc. No blue/blue striped conduit is to be used for telecommunications.
- The contractor responsible for \*excavating inside right of way will be required to provide video documentation of the integrity of any sanitary sewer line (including laterals) within 3 feet of work being performed. This can be videoed prior to work being performed if locations, including depths, are clearly established by contractor, and said work is not within 3 ft of sewer mains or laterals within right of way. This does not apply to laterals on private property not "publicly maintained" (Private infrastructure).
- Water, sewer, and gas mains/services must be potholed prior to bore/missile crossings. If street cuts are necessary please contact Right of Way inspector for restoration.
- If sidewalk panels need to be removed, the subgrade must be compacted to the satisfaction of the ROW inspector. Cold patch asphalt shall be used as a temporary walking surface until the permanent repair can be done.
- Sidewalk panels shall be a minimum of 4000 psi and be inspected within 24 hours of pouring concrete. Anything over one sidewalk panel shall be poured via concrete truck (no bag mix allowed).

**Horticultural**

- Handholes shall not be located within driplines of trees within City property, to include the right of ways, without explicit written permission from the City Horticulturalist.
- Any proposed trenching shall not be within the dripline of trees.
- If within tree dripline, consult the City of Fairhope Horticulturist prior to earth work.
- Trees shall not be negatively impacted.
- Consultation with the City's horticulturalist, to determine if the required depth of bore must be increased so that no trees are impacted by the project. The contractor is responsible for any damaged trees.
- Any work done within the critical root zone shall be done to meet or exceed Internal Society Arboriculture (ISA) standards.
- All roots to be removed shall be severed cleanly at the perimeter of the protected radius.

- Protective barriers shall be used for all trees, barricades shall be erected a minimum of 20' from the trunk.

**Erosion Control**

- Any ROW cuts shall be stabilized (covered) at the end of each day & disturbed areas shall be re-vegetated with sod within ten (10) days of completion of the project. Sod shall be watered to ensure survival.
- Any excess soil shall be removed and disposed of properly. Dumping on private property without approval will not be tolerated.
- Mulch / seed shall only be acceptable as temporary cover.
- Inlets shall be protected. BMPs shall be placed at all affected storm inlets.
- If the site is within 100' of a critical area (wetland, etc.), red soil/clay shall not be allowed as fill material, per the City's Red Clay/Soil Ordinance.
- BMPs shall be installed at boring sites and trench locations.
- Ground conditions in the ROW's shall be returned to original preconstruction condition(s) or better.
- No open trenches shall be allowed. Directional boring shall be used in sensitive areas, such as under roads, in proximity to trees, on finished lots, etc.

**Project Completion, Punch List Walk, and As-Built**

- The applicant shall provide as-built drawings of all installed lines depicting depths.
- Damage to any City's infrastructure (storm, sewer, water, ditches etc. shall be the responsibility of the permittee to repair to city standards at no cost to the city.
- Any damage that occurs needs to be reported to the city as soon as possible.
- Pedestals shall be placed in a manner as to avoid obstructing visibility of motorists and to allow vehicles to exit the roadway during an emergency..

## UTILITY REVIEW CONSIDERATIONS

---

### Standards of Review:

Alabama Code Section 11-52-11 grants review authority to the Planning Commission for all proposed construction of utilities within public right-of-way.

### Recommendation:

Staff recommends **APPROVAL** of UR 26.05 – 5 N. Church St. Utility Review with the following conditions:

1. Install a street light arm on the pole as required by ROW and Utilities.
2. A pre-construction meeting shall be held with the City prior to issuance of any permits;
3. Follow-up activities below required by staff and the applicant:
  - a. Upon satisfactory review and approval by ROW Construction Inspector, as-builts will be submitted to the GIS technician for inclusion in GIS utility maps;
4. Provide a Traffic Control Plan to ROW Inspector prior to commencement of any work.
5. Applicant shall contact Alabama One Call to locate all existing utilities (1000ft max per day).



Navigate to...



## VIEW PERMIT

[Home](#) / [Services](#) / [Permits](#) / [View Permit](#)

**Permit #:** ROW26-000020

**Project #:** 26-000452

**Status:** Under Review

**Address:** 5 N Church St (closest adress to ROW)

**Description:** Verizon Wireless / Downtown Fairhope SC1: Install of new small cell metal pole in "Fairhope Green" color with luminaire attachment. See drawing submitted for full details.

Permit

Reviews

Documents

Inspections

**Permit #:**

**ROW26-000020**

Permit Type:

Right of Way (City Limits)

Sub Type:

Fiber Optics

Issue Date:

Expiration Date:

Project Information

Project Contact:

Satya Acquisition Management, - Bob Chopra

*Project Contact must be the Property Owner or Contractor*

Contractor:

Verizon Wireless - Willis Willcox

General Contractor:

Electrical Contractor:

Is the owner completing the work?:

Yes

ADEM Permit Number:

Is property located in a flood zone?:

No

*Search flood zones by address (<https://msc.fema.gov/portal/search>)*

Is property located in a Wetland?:

No

Current Fair Market Value of land by purchase or appraisal:

*Fairhope Corporate Limits only for new construction*

Utility Name:

n/a

Utility being worked on:

Other

Describe:

Installation of NEW small cell antenna metal pole with luminaire

Linear Feet Installing:

0

Number of Handholes/Peds:

Date to Begin Work:

07/01/2026

Date of Completion:

07/20/2026

*Min of 72 hrs later*

Cost of Work to be Performed:

20000.00

Tree Species

| TREE TYPE | DIAMETER AT BREAST HEIGHT (DBH) | NUMBER OF TREES |
|-----------|---------------------------------|-----------------|
|-----------|---------------------------------|-----------------|

#### SUBMITTAL DOCUMENTS

Additional Document Attachments:

Downtown+Fairhope+SC1+Final+CDs+Rev0+2026-01-14.pdf

*I agree to hold the City of Fairhope harmless from any and all liability, claims, costs and expenses whatsoever arising out of or related to any loss, damage, or injury, that may be sustained by work commencing in the Right of Way at or near*

Signature:

signature.png

---

© 2003 - 2026 ONLINE SOLUTIONS, LLC



Terms of Use (<https://www4.citizenserve.com/Portal/TermsOfUse.pdf>)

Privacy Policy (<https://www4.citizenserve.com/Portal/PrivacyPolicy.pdf>)

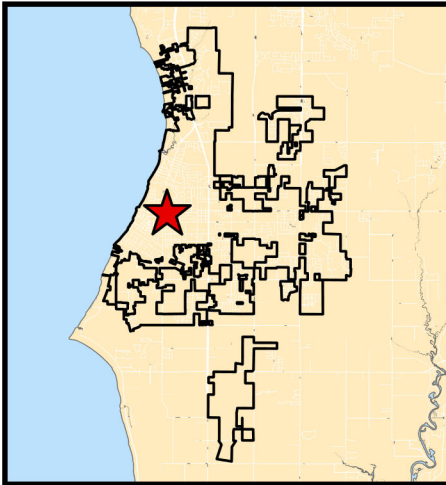
# City of Fairhope

## Planning Commission

September 10, 2026



### UR 26.07 - 100 North Bancroft Street



**Project Name:**

100 N Bancroft St

**Site Data:**

N/A

**Project Type:**

New small cell tower

**Jurisdiction:**

Fairhope Planning Jurisdiction

**Zoning District:**

N/A

**PPIN Number:**

N/A

**General Location:**

North of the intersection of Equality Street and Bancroft Street

**Surveyor of Record:**

N/A

**Engineer of Record:**

N/A

**Owner / Developer:**

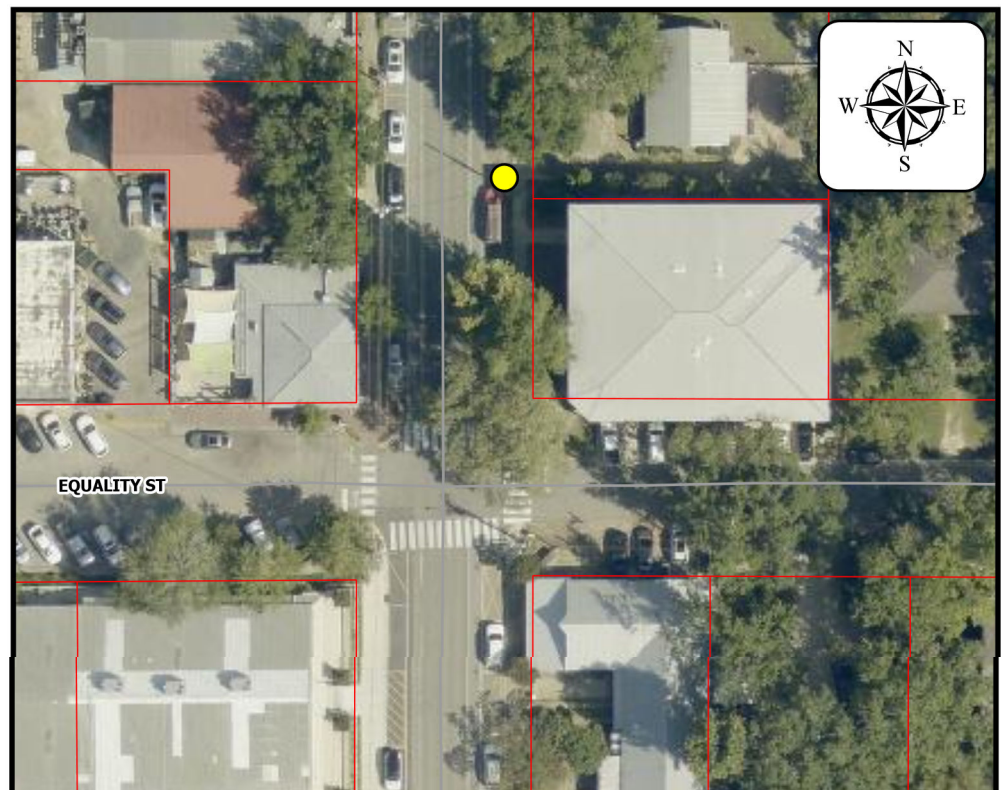
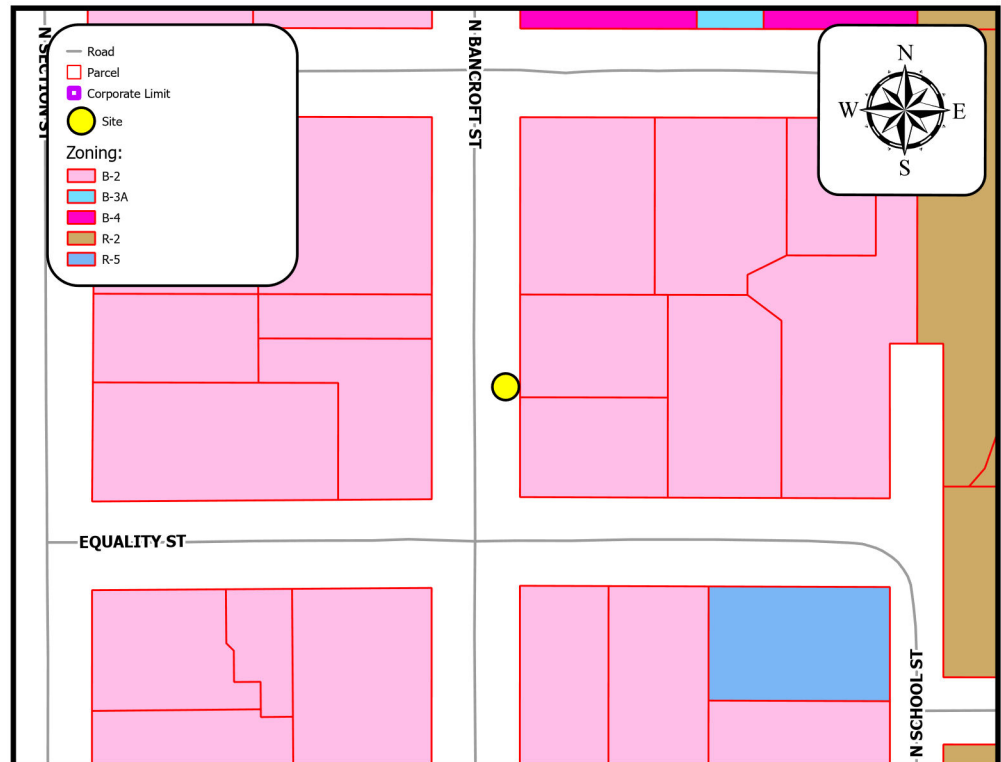
Verizon

**School District:**

Fairhope Elementary School  
Fairhope Middle and High Schools

**Prepared by:**

Mike Jeffries

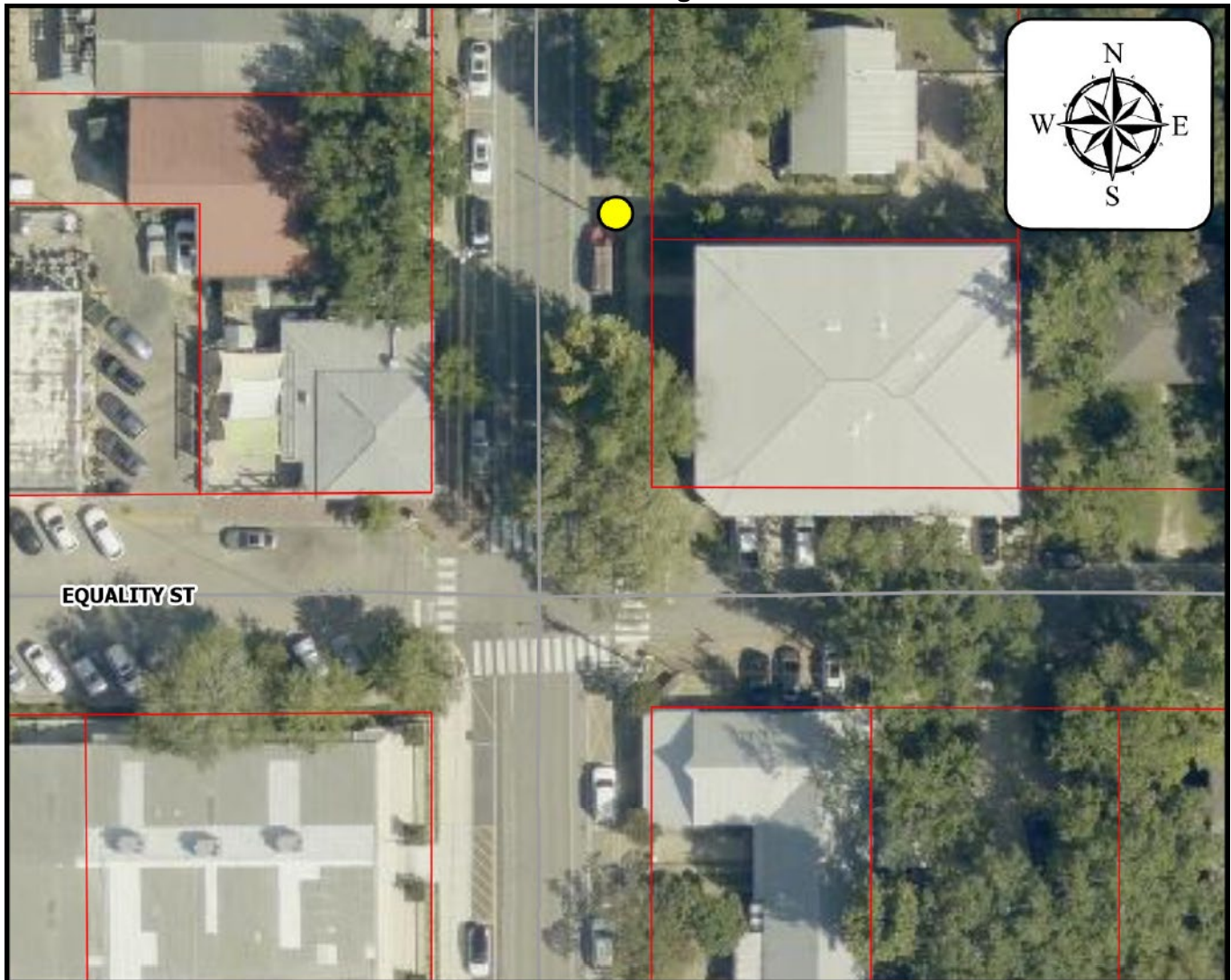




## SUMMARY OF REQUEST

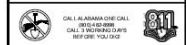
Request of Verizon Wireless for the installation of a new small cell tower in downtown Fairhope. Located within the right-of-way near 100 North Bancroft Street.

Locator Image



[illegible]

### SMALL CELL NODE CONSTRUCTION PLANS FOR PROPOSED ANTENNA SITES



|           |     |        |              |
|-----------|-----|--------|--------------|
| DESIGNED: | EAK | JOB #: |              |
| DRAWN:    | EAK |        |              |
| CHECKED:  | DC  |        | 25VW_01S-022 |



**PHOTO  
SIMULATION**

4 OF 13



EXISTING VIEW



PROPOSED VIEW

## STAFF COMMENTS

This application was heard at the June 1<sup>st</sup> Planning Commission meeting and tabled for further study of viability to find an option on adjacent buildings or other options. The applicant has stated another option was not available. The request is for a new pole at the proposed location.

The City of Fairhope adopted Ordinance No. 1679 on April 13<sup>th</sup>, 2020, regulations for small cell technology facilities. The site shall comply with all applicable provisions of this ordinance.

ROW and utilities met at the proposed location with Verizon to evaluate whether colocation was feasible. After review, it was determined that colocation was not possible. Based on that, we recommended installing a street light arm on all poles.

The proposed utility construction falls within the corporate limits of the City of Fairhope. Any portions of the project affecting public right-of-way (ROW) maintained by Baldwin County or the Alabama Department of Transportation (ALDOT) shall require permits through the respective agency.

This site shall comply with all State, Federal and local requirements, including, but not limited to the following City of Fairhope Ordinances:

- 1) City of Fairhope Wetland Ordinance (#1370), which regulates activity within 20' of wetlands;

- 2) City of Fairhope Red Soil & Clay Ordinance (#1423), which prohibits the use of red soil / clay within 100' of critical areas;
- 3) City of Fairhope Erosion and Sediment Control Ordinance (#1398); and
- 4) Chapter 19 Article VI: ROW Construction and Administration, Ordinance (1754).

### **Permitting, Locating, and Phasing**

- Subsurface Utility Engineering may be required for sensitive locations within the city as required by the ROW supervisor.
- An additional right-of-way permit may be required for the potholing procedures needed for SUE.
- A traffic control plan shall be submitted with all permits that affect the flow of traffic.
- No work shall begin until a ROW permit is issued by the City of Fairhope Building Department. Permit not valid until approved and paid for on Citizen Serve online portal.
- The City's ROW inspector is to be notified 24 hours prior to any activity within the ROW. The prior notice applied to all activity within the ROW including but not limited to trenching, boring, concrete placement.
- Hand holes/boxes shall not be allowed to be installed in sidewalks. The applicant shall review the sidewalk plan to determine if there are any conflicts. The applicant shall coordinate with the ROW inspector to resolve any conflicts.
- The applicant shall contact Alabama One Call 811 to locate all existing utilities in the ROW (750 LF maximum daily allocation for COF utility locates per day).
- A pre-construction meeting shall be held with the City prior to issuance of any permits.

### **Construction**

- A minimum horizontal clearance (separation) of 36" must be maintained from water, sewer, gas, stormwater, and other city utility infrastructure.
- A minimum depth for all telecommunication lines shall be 30".
- Conduit shall match the 811-color code for communication, electric, gas etc. No blue/blue striped conduit is to be used for telecommunications.
- The contractor responsible for \*excavating inside right of way will be required to provide video documentation of the integrity of any sanitary sewer line (including laterals) within 3 feet of work being performed. This can be videoed prior to work being performed if locations, including depths, are clearly established by contractor, and said work is not within 3 ft of sewer mains or laterals within right of way. This does not apply to laterals on private property not "publicly maintained" (Private infrastructure).
- Water, sewer, and gas mains/services must be potholed prior to bore/missile crossings. If street cuts are necessary please contact Right of Way inspector for restoration.
- If sidewalk panels need to be removed, the subgrade must be compacted to the satisfaction of the ROW inspector. Cold patch asphalt shall be used as a temporary walking surface until the permanent repair can be done.
- Sidewalk panels shall be a minimum of 4000 psi and be inspected within 24 hours of pouring concrete. Anything over one sidewalk panel shall be poured via concrete truck (no bag mix allowed).

### **Horticultural**

- Handholes shall not be located within driplines of trees within City property, to include the right of ways, without explicit written permission from the City Horticulturalist.
- Any proposed trenching shall not be within the dripline of trees.
- If within tree dripline, consult the City of Fairhope Horticulturist prior to earth work.
- Trees shall not be negatively impacted.

- Consultation with the City's horticulturalist, to determine if the required depth of bore must be increased so that no trees are impacted by the project. The contractor is responsible for any damaged trees.
- Any work done within the critical root zone shall be done to meet or exceed International Society Arboriculture (ISA) standards.
- All roots to be removed shall be severed cleanly at the perimeter of the protected radius.
- Protective barriers shall be used for all trees, barricades shall be erected a minimum of 20' from the trunk.

#### **Erosion Control**

- Any ROW cuts shall be stabilized (covered) at the end of each day & disturbed areas shall be re-vegetated with sod within ten (10) days of completion of the project. Sod shall be watered to ensure survival.
- Any excess soil shall be removed and disposed of properly. Dumping on private property without approval will not be tolerated.
- Mulch / seed shall only be acceptable as temporary cover.
- Inlets shall be protected. BMPs shall be placed at all affected storm inlets.
- If the site is within 100' of a critical area (wetland, etc.), red soil/clay shall not be allowed as fill material, per the City's Red Clay/Soil Ordinance.
- BMPs shall be installed at boring sites and trench locations.
- Ground conditions in the ROW's shall be returned to original preconstruction condition(s) or better.
- No open trenches shall be allowed. Directional boring shall be used in sensitive areas, such as under roads, in proximity to trees, on finished lots, etc.

#### **Project Completion, Punch List Walk, and As-Built**

- The applicant shall provide as-built drawings of all installed lines depicting depths.
- Damage to any City's infrastructure (storm, sewer, water, ditches etc. shall be the responsibility of the permittee to repair to city standards at no cost to the city.
- Any damage that occurs needs to be reported to the city as soon as possible.
- Pedestals shall be placed in a manner as to avoid obstructing visibility of motorists and to allow vehicles to exit the roadway during an emergency..

## UTILITY REVIEW CONSIDERATIONS

---

### Standards of Review:

Alabama Code Section 11-52-11 grants review authority to the Planning Commission for all proposed construction of utilities within public right-of-way.

### Recommendation:

Staff recommends **APPROVAL** of UR 26.07 - 100 North Bancroft Street Utility Review with the following conditions:

1. Install a street light arm on the pole as required by ROW and Utilities.
2. City Council approval of the proposed small cell.
3. A pre-construction meeting shall be held with the City prior to issuance of any permits;
4. Follow-up activities below required by staff and the applicant:
  - a. Upon satisfactory review and approval by ROW Construction Inspector, as-builts will be submitted to the GIS technician for inclusion in GIS utility maps;
5. Provide a Traffic Control Plan to ROW Inspector prior to commencement of any work.
6. Applicant shall contact Alabama One Call to locate all existing utilities (1000ft max per day).
7. Co-location shall be required if a viable option is determined.



Navigate to...



## VIEW PERMIT

[Home](#) / [Services](#) / [Permits](#) / [View Permit](#)

**Permit #:** ROW26-000023

**Project #:** 26-000455

**Status:** Under Review

**Address:** 100 N Bancroft St (closest address to ROW)

**Description:** Verizon Wireless / Downtown Fairhope SC3: Install of new small cell metal pole in "Fairhope Green" color with luminaire attachment. See drawing submitted for full details.

Permit

Reviews

Documents

Inspections

**Permit #:**

**ROW26-000023**

Permit Type:

Right of Way (City Limits)

Sub Type:

Fiber Optics

Issue Date:

Expiration Date:

Project Information

Project Contact:

Satya Acquisition Management, - Bob Chopra

*Project Contact must be the Property Owner or Contractor*

Contractor:

Verizon Wireless - Willis Willcox

General Contractor:

Electrical Contractor:

Is the owner completing the work?:

Yes

ADEM Permit Number:

Is property located in a flood zone?:

No

*Search flood zones by address (<https://msc.fema.gov/portal/search>)*

Is property located in a Wetland?:

No

Current Fair Market Value of land by purchase or appraisal:

*Fairhope Corporate Limits only for new construction*

Utility Name:

n/a

Utility being worked on:

Other

Describe:

Installation of NEW small cell antenna metal pole with luminaire

Linear Feet Installing:

0

Number of Handholes/Peds:

Date to Begin Work:

07/01/2026

Date of Completion:

07/20/2026

*Min of 72 hrs later*

Cost of Work to be Performed:

20000.00

Tree Species

| TREE TYPE | DIAMETER AT BREAST HEIGHT (DBH) | NUMBER OF TREES |
|-----------|---------------------------------|-----------------|
|-----------|---------------------------------|-----------------|

#### SUBMITTAL DOCUMENTS

Additional Document Attachments:

Downtown+Fairhope+SC3+Final+CDs+Rev0+2026-01-14.pdf

*I agree to hold the City of Fairhope harmless from any and all liability, claims, costs and expenses whatsoever arising out of or related to any loss, damage, or injury, that may be sustained by work commencing in the Right of Way at or near*

Signature:

signature.png



---

© 2003 - 2026 ONLINE SOLUTIONS, LLC



Terms of Use (<https://www4.citizenserve.com/Portal/TermsOfUse.pdf>)

Privacy Policy (<https://www4.citizenserve.com/Portal/PrivacyPolicy.pdf>)



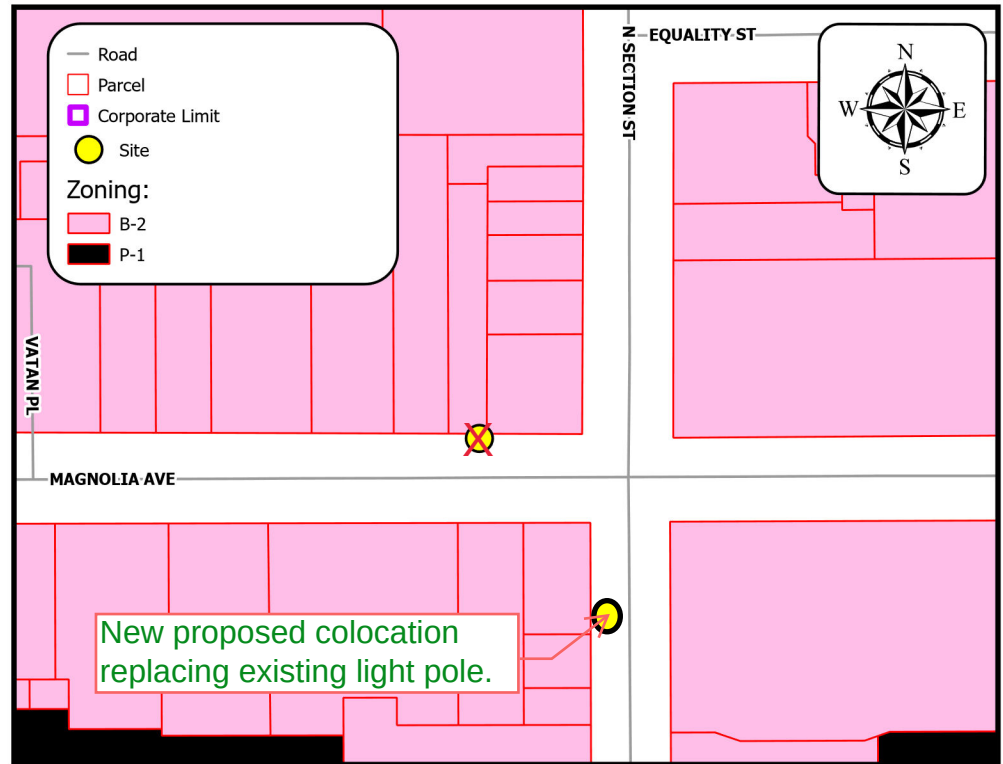
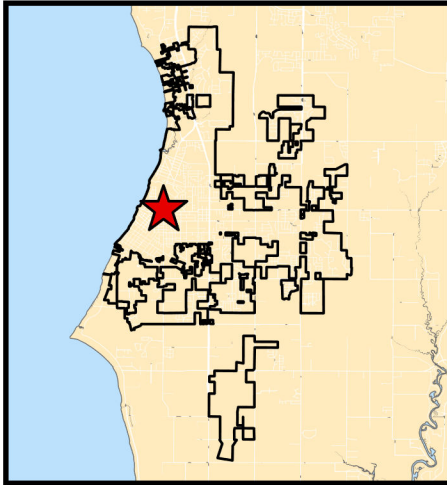
# City of Fairhope

## Planning Commission

September 10, 2026



### UR 26.08 - 319 Magnolia Avenue



**Project Name:**

319 Magnolia Avenue

**Site Data:**

N/A

**Project Type:**

New small cell tower

**Jurisdiction:**

Fairhope Planning Jurisdiction

**Zoning District:**

N/A

**PPIN Number:**

N/A

**General Location:**

On N Section Street south of Magnolia Ave.

**Surveyor of Record:**

N/A

**Engineer of Record:**

N/A

**Owner / Developer:**

Verizon

**School District:**

Fairhope Elementary School  
Fairhope Middle and High Schools

**Prepared by:**

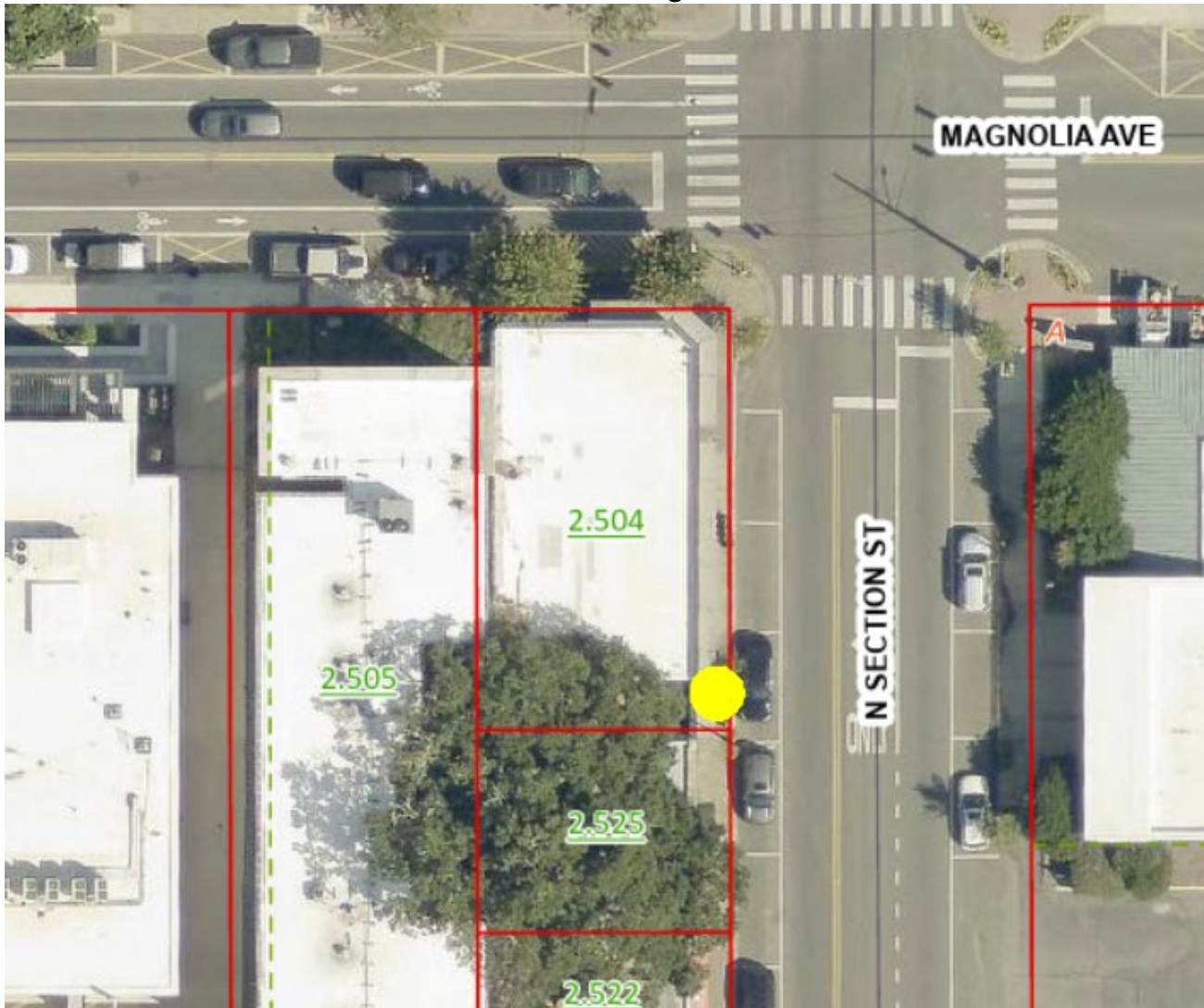
Mike Jeffries



## SUMMARY OF REQUEST

Request of Verizon Wireless for the installation of a new small cell tower in downtown Fairhope. Located within the right-of-way on N Section St. south of Magnolia Ave.

Locator Image



## STAFF COMMENTS

This application was heard at the June 1<sup>st</sup> Planning Commission meeting and tabled for further study of viability to find an option on adjacent buildings or other options. The applicant is proposing to replace an existing light pole on N Section south of Magnolia Ave.

The City of Fairhope adopted Ordinance No. 1679 on April 13<sup>th</sup>, 2020, regulations for small cell technology facilities. The site shall comply with all applicable provisions of this ordinance.

ROW and utilities met at the proposed location with Verizon to evaluate whether colocation was feasible. After review, it was determined that colocation was not possible. Based on that, we recommended installing a street light arm on all poles.

The proposed utility construction falls within the corporate limits of the City of Fairhope. Any portions of the project affecting public right-of-way (ROW) maintained by Baldwin County or the Alabama Department of Transportation (ALDOT) shall require permits through the respective agency.

This site shall comply with all State, Federal and local requirements, including, but not limited to the following City of Fairhope Ordinances:

- 1) City of Fairhope Wetland Ordinance (#1370), which regulates activity within 20' of wetlands;
- 2) City of Fairhope Red Soil & Clay Ordinance (#1423), which prohibits the use of red soil / clay within 100' of critical areas;
- 3) City of Fairhope Erosion and Sediment Control Ordinance (#1398); and
- 4) Chapter 19 Article VI: ROW Construction and Administration, Ordinance (1754).

#### **Permitting, Locating, and Phasing**

- Subsurface Utility Engineering may be required for sensitive locations within the city as required by the ROW supervisor.
- An additional right-of-way permit may be required for the potholing procedures needed for SUE.
- A traffic control plan shall be submitted with all permits that affect the flow of traffic.
- No work shall begin until a ROW permit is issued by the City of Fairhope Building Department. Permit not valid until approved and paid for on Citizen Serve online portal.
- The City's ROW inspector is to be notified 24 hours prior to any activity within the ROW. The prior notice applied to all activity within the ROW including but not limited to trenching, boring, concrete placement.
- Hand holes/boxes shall not be allowed to be installed in sidewalks. The applicant shall review the sidewalk plan to determine if there are any conflicts. The applicant shall coordinate with the ROW inspector to resolve any conflicts.
- The applicant shall contact Alabama One Call 811 to locate all existing utilities in the ROW (750 LF maximum daily allocation for COF utility locates per day).
- A pre-construction meeting shall be held with the City prior to issuance of any permits.

#### **Construction**

- A minimum horizontal clearance (separation) of 36" must be maintained from water, sewer, gas, stormwater, and other city utility infrastructure.
- A minimum depth for all telecommunication lines shall be 30".
- Conduit shall match the 811-color code for communication, electric, gas etc. No blue/blue striped conduit is to be used for telecommunications.
- The contractor responsible for \*excavating inside right of way will be required to provide video documentation of the integrity of any sanitary sewer line (including laterals) within 3 feet of work being performed. This can be videoed prior to work being performed if locations, including depths, are clearly established by contractor, and said work is not within 3 ft of sewer mains or laterals within right of way. This does not apply to laterals on private property not "publicly maintained" (Private infrastructure).
- Water, sewer, and gas mains/services must be potholed prior to bore/missile crossings. If street cuts are necessary please contact Right of Way inspector for restoration.

- If sidewalk panels need to be removed, the subgrade must be compacted to the satisfaction of the ROW inspector. Cold patch asphalt shall be used as a temporary walking surface until the permanent repair can be done.
- Sidewalk panels shall be a minimum of 4000 psi and be inspected within 24 hours of pouring concrete. Anything over one sidewalk panel shall be poured via concrete truck (no bag mix allowed).

#### **Horticultural**

- Handholes shall not be located within driplines of trees within City property, to include the right of ways, without explicit written permission from the City Horticulturalist.
- Any proposed trenching shall not be within the dripline of trees.
- If within tree dripline, consult the City of Fairhope Horticulturist prior to earth work.
- Trees shall not be negatively impacted.
- Consultation with the City's horticulturalist, to determine if the required depth of bore must be increased so that no trees are impacted by the project. The contractor is responsible for any damaged trees.
- Any work done within the critical root zone shall be done to meet or exceed Internal Society Arboriculture (ISA) standards.
- All roots to be removed shall be severed cleanly at the perimeter of the protected radius.
- Protective barriers shall be used for all trees, barricades shall be erected a minimum of 20' from the trunk.

#### **Erosion Control**

- Any ROW cuts shall be stabilized (covered) at the end of each day & disturbed areas shall be re-vegetated with sod within ten (10) days of completion of the project. Sod shall be watered to ensure survival.
- Any excess soil shall be removed and disposed of properly. Dumping on private property without approval will not be tolerated.
- Mulch / seed shall only be acceptable as temporary cover.
- Inlets shall be protected. BMPs shall be placed at all affected storm inlets.
- If the site is within 100' of a critical area (wetland, etc.), red soil/clay shall not be allowed as fill material, per the City's Red Clay/Soil Ordinance.
- BMPs shall be installed at boring sites and trench locations.
- Ground conditions in the ROW's shall be returned to original preconstruction condition(s) or better.
- No open trenches shall be allowed. Directional boring shall be used in sensitive areas, such as under roads, in proximity to trees, on finished lots, etc.

#### **Project Completion, Punch List Walk, and As-Built**

- The applicant shall provide as-built drawings of all installed lines depicting depths.
- Damage to any City's infrastructure (storm, sewer, water, ditches etc. shall be the responsibility of the permittee to repair to city standards at no cost to the city.
- Any damage that occurs needs to be reported to the city as soon as possible.
- Pedestals shall be placed in a manner as to avoid obstructing visibility of motorists and to allow vehicles to exit the roadway during an emergency..

## UTILITY REVIEW CONSIDERATIONS

---

### Standards of Review:

Alabama Code Section 11-52-11 grants review authority to the Planning Commission for all proposed construction of utilities within public right-of-way.

### Recommendation:

Staff recommends **APPROVAL** of UR 26.08 - 319 Magnolia Avenue Utility Review with the following conditions:

1. Install a street light arm on the pole as required by ROW and Utilities.
2. A pre-construction meeting shall be held with the City prior to issuance of any permits;
3. Follow-up activities below required by staff and the applicant:
  - a. Upon satisfactory review and approval by ROW Construction Inspector, as-builts will be submitted to the GIS technician for inclusion in GIS utility maps;
4. Provide a Traffic Control Plan to ROW Inspector prior to commencement of any work.
5. Applicant shall contact Alabama One Call to locate all existing utilities (1000ft max per day).





Navigate to...



## VIEW PERMIT

[Home](#) / [Services](#) / [Permits](#) / [View Permit](#)

**Permit #:** ROW26-000024

**Project #:** 26-000456

**Status:** Under Review

**Address:** 319 Magnolia Ave (closest address to ROW)

**Description:** Verizon Wireless / Downtown Fairhope SC4: Install of new small cell metal pole in "Fairhope Green" color with luminaire attachment. See drawing submitted for full details.

Permit

Reviews

Documents

Inspections

**Permit #:**

**ROW26-000024**

Permit Type:

Right of Way (City Limits)

Sub Type:

Fiber Optics

Issue Date:

Expiration Date:

Project Information

Project Contact:

Satya Acquisition Management, - Bob Chopra

*Project Contact must be the Property Owner or Contractor*

Contractor:

Verizon Wireless - Willis Willcox

General Contractor:

Electrical Contractor:

Is the owner completing the work?:

No

ADEM Permit Number:

Is property located in a flood zone?:

No

*Search flood zones by address (<https://msc.fema.gov/portal/search>)*

Is property located in a Wetland?:

No

Current Fair Market Value of land by purchase or appraisal:

*Fairhope Corporate Limits only for new construction*

Utility Name:

n/a

Utility being worked on:

Other

Describe:

Installation of NEW small cell antenna metal pole with luminaire

Linear Feet Installing:

0

Number of Handholes/Peds:

Date to Begin Work:

07/01/2026

Date of Completion:

07/20/2026

*Min of 72 hrs later*

Cost of Work to be Performed:

20000.00

Tree Species

| TREE TYPE | DIAMETER AT BREAST HEIGHT (DBH) | NUMBER OF TREES |
|-----------|---------------------------------|-----------------|
|-----------|---------------------------------|-----------------|

#### SUBMITTAL DOCUMENTS

Additional Document Attachments:

Downtown+Fairhope+SC4+Final+CDs+Rev0+2026-01-14.pdf

*I agree to hold the City of Fairhope harmless from any and all liability, claims, costs and expenses whatsoever arising out of or related to any loss, damage, or injury, that may be sustained by work commencing in the Right of Way at or near*

Signature:

signature.png

---

© 2003 - 2026 ONLINE SOLUTIONS, LLC



Terms of Use (<https://www4.citizenserve.com/Portal/TermsOfUse.pdf>)

Privacy Policy (<https://www4.citizenserve.com/Portal/PrivacyPolicy.pdf>)



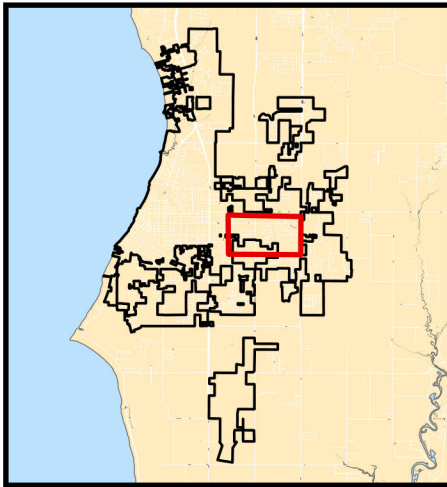
# City of Fairhope

## Planning Commission

September 10, 2026



### UR 26.14 - 9020 Morphy Avenue



**Project Name:**

9020 Morphy Avenue

**Site Data:**

21,739 linear feet of fiber cable

**Project Type:**

Fiber cable installation

**Jurisdiction:**

Fairhope Planning Jurisdiction

**Zoning District:**

N/A

**PPIN Number:**

N/A

**General Location:**

Mostly between Troyer Boothe Road and State Highway 181 and south of Fairhope Avenue

**Surveyor of Record:**

N/A

**Engineer of Record:**

N/A

**Owner / Developer:**

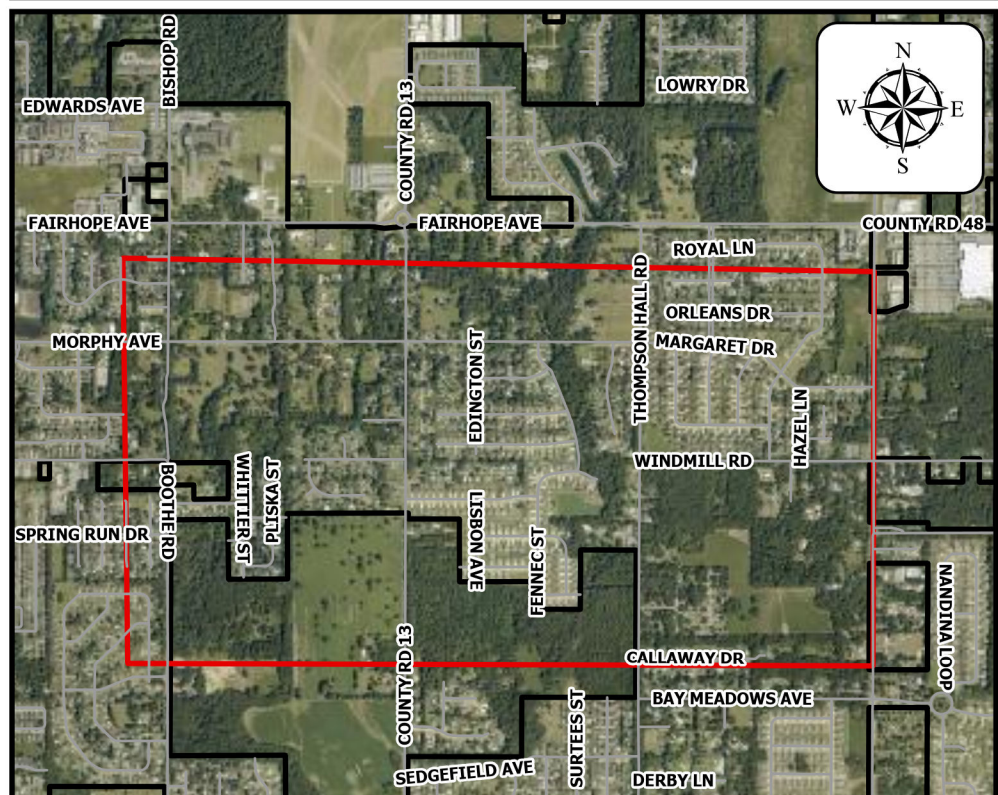
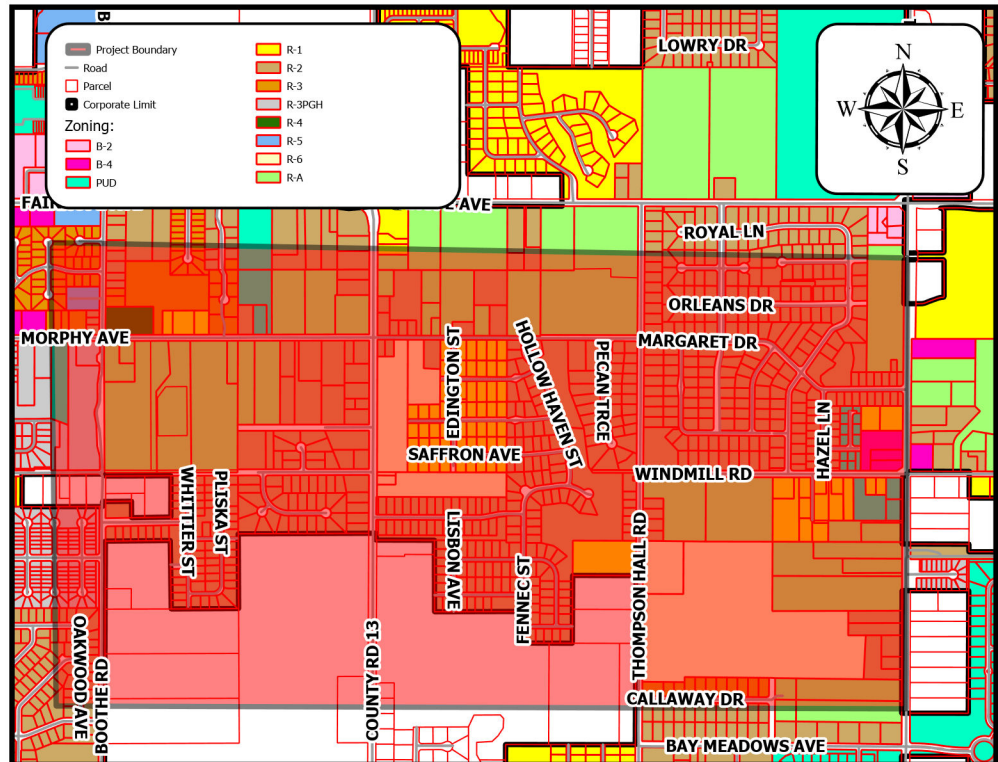
C-Spire

**School District:**

Fairhope Elementary School  
Fairhope Middle and High Schools

**Prepared by:**

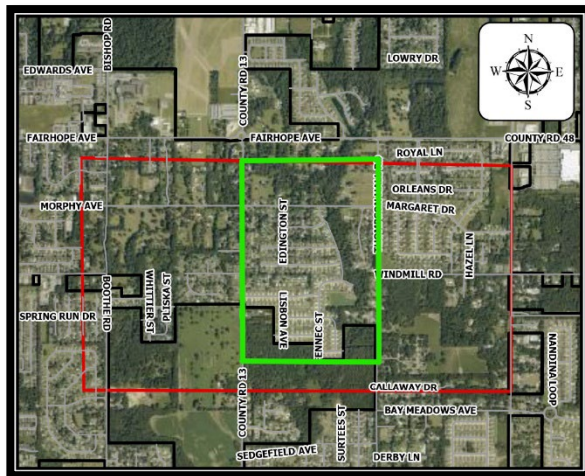
Mike Jeffries



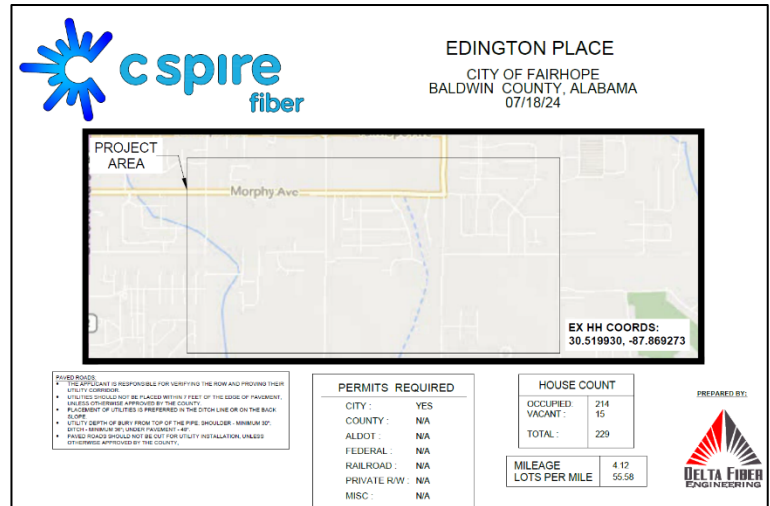
## SUMMARY OF REQUEST

Request of C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of 21739± LF fiber cable at 9020 Morphy Avenue. The Edington Place and Fox Hollow neighborhoods.

**Locator Image**



**Excerpt from Construction Plans**



## STAFF COMMENTS

The proposed utility construction falls within the corporate limits of the City of Fairhope. Any portions of the project affecting public right-of-way (ROW) maintained by Baldwin County or the Alabama Department of Transportation (ALDOT) shall require permits through the respective agency.

This site shall comply with all State, Federal and local requirements, including, but not limited to the following City of Fairhope Ordinances:

- 1) City of Fairhope Wetland Ordinance (#1370), which regulates activity within 20' of wetlands;
- 2) City of Fairhope Red Soil & Clay Ordinance (#1423), which prohibits the use of red soil / clay within 100' of critical areas;
- 3) City of Fairhope Erosion and Sediment Control Ordinance (#1398); and
- 4) Chapter 19 Article VI: ROW Construction and Administration, Ordinance (1754).

### Permitting, Locating, and Phasing

- Subsurface Utility Engineering may be required for sensitive locations within the city as required by the ROW supervisor.
- An additional right-of-way permit may be required for the potholing procedures needed for SUE.
- A traffic control plan shall be submitted with all permits that affect the flow of traffic.
- No work shall begin until a ROW permit is issued by the City of Fairhope Building Department. Permit not valid until approved and paid for on Citizen Serve online portal.
- The City's ROW inspector is to be notified 24 hours prior to any activity within the ROW. The prior notice applied to all activity within the ROW including but not limited to trenching, boring, concrete placement.
- Hand holes/boxes shall not be allowed to be installed in sidewalks. The applicant shall review the sidewalk plan to determine if there are any conflicts. The applicant shall coordinate with the ROW inspector to resolve any conflicts.

- The applicant shall contact Alabama One Call 811 to locate all existing utilities in the ROW (750 LF maximum daily allocation for COF utility locates per day).
- A pre-construction meeting shall be held with the City prior to issuance of any permits.

### **Construction**

- A minimum horizontal clearance (separation) of 36" must be maintained from water, sewer, gas, stormwater, and other city utility infrastructure.
- A minimum depth for all telecommunication lines shall be 30".
- Conduit shall match the 811-color code for communication, electric, gas etc. No blue/blue striped conduit is to be used for telecommunications.
- The contractor responsible for \*excavating inside right of way will be required to provide video documentation of the integrity of any sanitary sewer line (including laterals) within 3 feet of work being performed. This can be videoed prior to work being performed if locations, including depths, are clearly established by contractor, and said work is not within 3 ft of sewer mains or laterals within right of way. This does not apply to laterals on private property not "publicly maintained" (Private infrastructure).
- Water, sewer, and gas mains/services must be potholed prior to bore/missile crossings. If street cuts are necessary please contact Right of Way inspector for restoration.
- If sidewalk panels need to be removed, the subgrade must be compacted to the satisfaction of the ROW inspector. Cold patch asphalt shall be used as a temporary walking surface until the permanent repair can be done.
- Sidewalk panels shall be a minimum of 4000 psi and be inspected within 24 hours of pouring concrete. Anything over one sidewalk panel shall be poured via concrete truck (no bag mix allowed).

### **Horticultural**

- Handholes shall not be located within driplines of trees within City property, to include the right of ways, without explicit written permission from the City Horticulturalist.
- Any proposed trenching shall not be within the dripline of trees.
- If within tree dripline, consult the City of Fairhope Horticulturist prior to earth work.
- Trees shall not be negatively impacted.
- Consultation with the City's horticulturalist, to determine if the required depth of bore must be increased so that no trees are impacted by the project. The contractor is responsible for any damaged trees.
- Any work done within the critical root zone shall be done to meet or exceed Internal Society Arboriculture (ISA) standards.
- All roots to be removed shall be severed cleanly at the perimeter of the protected radius.
- Protective barriers shall be used for all trees, barricades shall be erected a minimum of 20' from the trunk.

### **Erosion Control**

- Any ROW cuts shall be stabilized (covered) at the end of each day & disturbed areas shall be re-vegetated with sod within ten (10) days of completion of the project. Sod shall be watered to ensure survival.
- Any excess soil shall be removed and disposed of properly. Dumping on private property without approval will not be tolerated.
- Mulch / seed shall only be acceptable as temporary cover.
- Inlets shall be protected. BMPs shall be placed at all affected storm inlets.
- If the site is within 100' of a critical area (wetland, etc.), red soil/clay shall not be allowed as fill material, per the City's Red Clay/Soil Ordinance.

- BMPs shall be installed at boring sites and trench locations.
- Ground conditions in the ROW's shall be returned to original preconstruction condition(s) or better.
- No open trenches shall be allowed. Directional boring shall be used in sensitive areas, such as under roads, in proximity to trees, on finished lots, etc.

**Project Completion, Punch List Walk, and As-Built**

- The applicant shall provide as-built drawings of all installed lines depicting depths.
- Damage to any City's infrastructure (storm, sewer, water, ditches etc. shall be the responsibility of the permittee to repair to city standards at no cost to the city.
- Any damage that occurs needs to be reported to the city as soon as possible.
- Pedestals shall be placed in a manner as to avoid obstructing visibility of motorists and to allow vehicles to exit the roadway during an emergency..

## UTILITY REVIEW CONSIDERATIONS

---

### Standards of Review:

Alabama Code Section 11-52-11 grants review authority to the Planning Commission for all proposed construction of utilities within public right-of-way.

### Recommendation:

Staff recommends **APPROVAL** of UR 26.14 – 9020 Morphy Avenue Utility Review with the following conditions:

1. A pre-construction meeting shall be held with the City prior to issuance of any permits;
2. Follow-up activities below required by staff and the applicant:
  - a. Upon satisfactory review and approval by ROW Construction Inspector, as-builts will be submitted to the GIS technician for inclusion in GIS utility maps;
3. Provide a Traffic Control Plan to ROW Inspector prior to commencement of any work.
4. Applicant shall contact Alabama One Call to locate all existing utilities (1000ft max per day).





Navigate to...

▼



VIEW PERMIT

Home / Services / Permits / View Permit

Permit #: ROW26-000067

Project #: 26-001785

Status: Under Review

Address: 9020 morphy ave 

**Description:** CSpire Job: Edington Place of Fairhope. C-spire internet facility will be placed by method of directional bore at 42" unless otherwise noted. Proposed work will be done in and around residential areas, as shown in the attached plans. Please refer to the plans for additional details.

Permit

Reviews

Documents

Inspections

Permit #:

**ROW26-000067**

Permit Type:

Right of Way (City Limits)

Sub Type:

Fiber Optics

Issue Date:

Expiration Date:

**PROJECT INFORMATION**

Project Contact:

David Grumpy Farmer, Inc - David Farmer

*Project Contact must be the Property Owner or Contractor*

Contractor:

David Grumpy Farmer, Inc - David Farmer

General Contractor:

Electrical Contractor:

Is the owner completing the work?:

No

ADEM Permit Number:

Is property located in a flood zone?:

No

***CLICK HERE TO SEARCH FLOOD ZONES BY ADDRESS*** (<https://msc.fema.gov/portal/search>)

Is property located in a Wetland?:

No

Current Fair Market Value of land by purchase or appraisal:

*Fairhope Corporate Limits only for new construction*

Utility Name:

Telepak Networkds DBA C-Spire

Utility being worked on:

Underground Utility

Linear Feet Installing:

21739

Number of Handholes/Peds:

90

Date to Begin Work:

08/26/2026

Date of Completion:

09/16/2026

*Min of 72 hrs later*

Cost of Work to be Performed:

324487.54

Tree Species

| TREE TYPE | DIAMETER AT BREAST HEIGHT (DBH) | NUMBER OF TREES |
|-----------|---------------------------------|-----------------|
|-----------|---------------------------------|-----------------|

**SUBMITTAL DOCUMENTS:** *Please provide all documents. Those marked as required MUST be provided.*

Additional Document Attachments:

Edington Place of Fairhope.pdf

*I agree to hold the City of Fairhope harmless from any and all liability, claims, costs and expenses whatsoever arising out of or related to any loss, damage, or injury, that may be sustained by work commencing in the Right of Way at or near*

Signature:

signature.png



---

© 2003 - 2026 ONLINE SOLUTIONS, LLC



Terms of Use (<https://www4.citizenserve.com/Portal/TermsOfUse.pdf>)

Privacy Policy (<https://www4.citizenserve.com/Portal/PrivacyPolicy.pdf>)

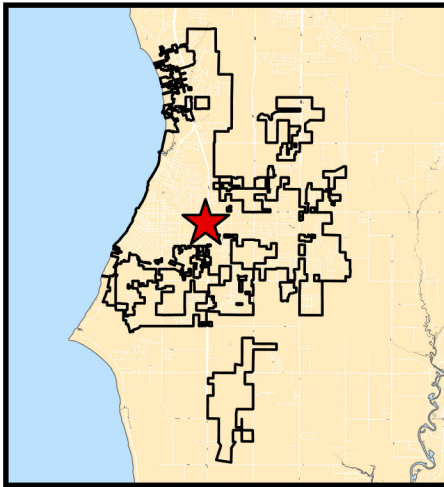
# City of Fairhope

## Planning Commission

September 10, 2026



### ZC 26.09 - 763 Northrop Avenue



**Project Name:**

763 Northrop Avenue

**Site Data:**

0.19 acres

**Project Type:**

Rezone property from R-4, Low Density Multi-Family Residential District to B-4, Business and Professional District.

**Jurisdiction:**

Fairhope Planning Jurisdiction

**Zoning District:**

R-4, Low Density Multi-Family Residential District

**PPIN Number:**

47629

**General Location:**

East of intersection of Northrop Street and South Ingleside Street

**Surveyor of Record:**

N/A

**Engineer of Record:**

N/A

**Owner / Developer:**

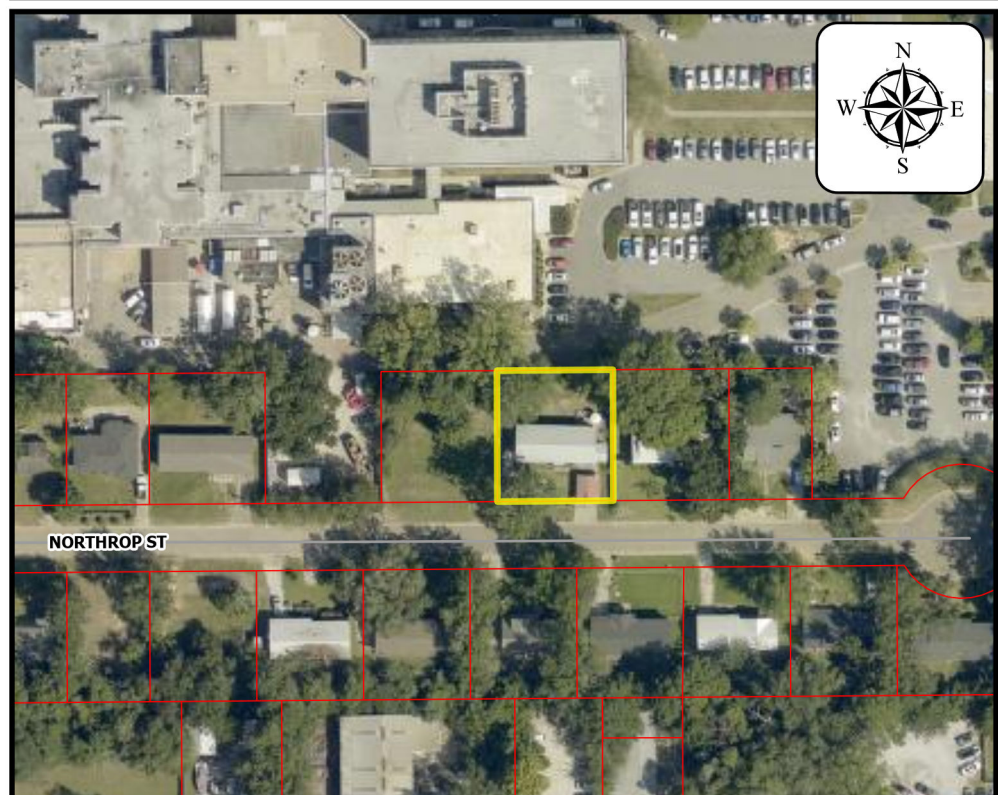
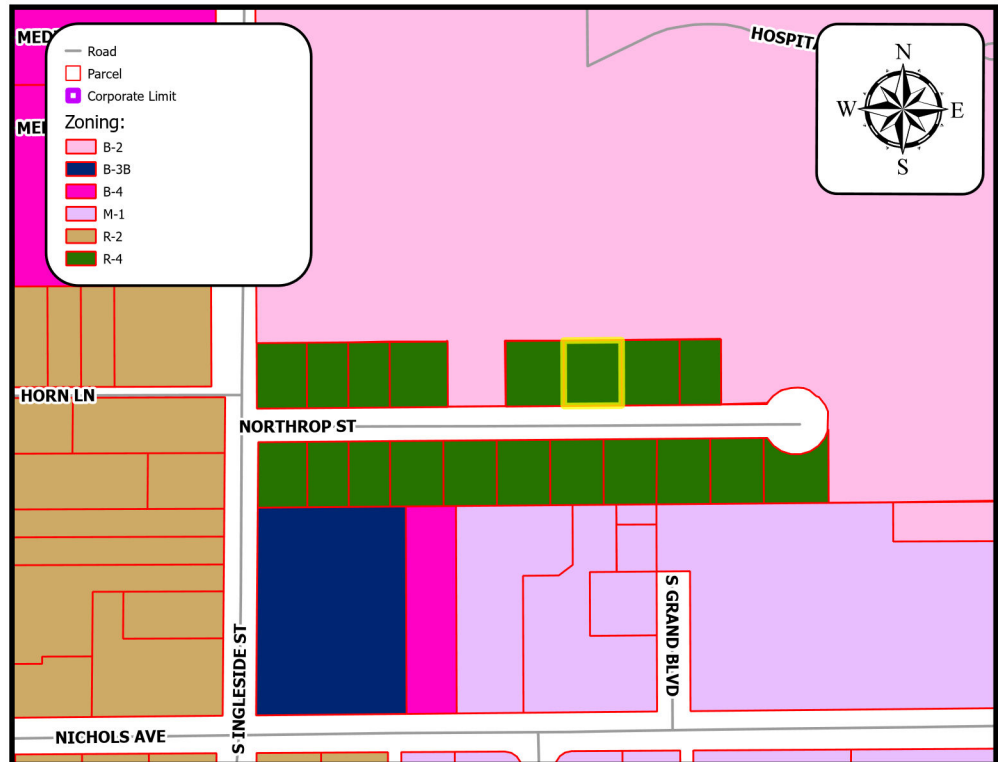
Oletha & Samuel Curry Sr.

**School District:**

Fairhope Elementary School  
Fairhope Middle and High Schools

**Prepared by:**

Name : Michelle Melton-Null



## SUMMARY OF REQUEST

---

Public hearing to consider the request of the Applicants, Oletha and Samuel Curry Sr., to rezone property from R-4, Low Density Multi-Family Residential District to B-4, Business and Professional District. The property is located at 763 Northrop Avenue and is 0.19± acres.

## SITE HISTORY

---

Subject site has no prior history with the Planning Commission or Board of Adjustment.

There have been recent zoning changes approved nearby. The Planning Commission and City Council recently approved a zoning change of 751 and 757 Northrop Avenue from R-4 to B-2 in June and July 2026, respectively.

## STAFF COMMENTS

---

The current application is a zoning change request rezoning subject property from R-4, Low Density Multi-Family Residential District to B-4, Business and Professional District.

The subject property is Lot 104 Azalea Woods Subdivision (Slide 650-A). See *Exhibits*. Subject property is located on the North side of Northrop Avenue and abuts directly to the south of the existing Thomas Hospital site. Subject property is located within the Medical Overlay District.

Article III of the City of Fairhope Zoning Ordinance defines B-4 Districts and addresses lot dimension and allowed Uses as follows:

***“B-4, Business and Professional District: This district is intended to provide opportunity for business establishments of a professional nature and is restricted to offices and businesses, which provide specific corporate functions or professional services to the general public.”***

Subject property is located within the Medical Overlay District and is subject to full compliance with Article V, Section H of the City of Fairhope Zoning Ordinance. The Medical Overlay District requires that the area and dimensional requirements and development standards of B-4 districts be applied to all lots within the overlay regardless of a lot’s underlying zoning district. As such, staff is not concerned with the proposed zoning change as the site is currently already required to comply with the same standards required of the proposed zoning district.

Article V Section H.1 allows all properties within the Medical Overlay district to be utilized for any use allowed by right by the underlying zoning district in addition to the uses allowed by the Medical Overlay. As such, Staff is not concerned with the proposed use of the property or potential uses. It should be noted, however, that there are three (3) uses within Table 3-2 which under the current R-4 base zoning district are not allowed on the subject site and which, if approved, would be allowed if the property were rezoned to B-4. Those uses and a description of each are as follows:

- **Accessory Dwelling Unit** – This use is not allowed within R-4. If rezoned to B-4 this use would be allowed by right subject to special conditions within the Zoning Ordinance.
  - Definition: A Dwelling Unit that is associated with and incidental to a principal use, and is on the same lot as the principal use.

- **Office, General** – This use is not allowed within R-4. If rezoned to B-4 this use would be allowed by right subject to standard conditions within the Zoning Ordinance.
  - Definition: Any building used for the administrative affairs of a firm, organization or government.
- **Personal Storage** - This use is not allowed within R-4. If rezoned to B-4 this use would be allowed by right subject to special conditions within the Zoning Ordinance.
  - Definition: A business offering separate storage areas leased or rented on an individual basis.

A complete list of permitted uses within the Medical Overlay District is attached to this staff report as an exhibit.

It should be noted that the applicant has stated their reasoning for the request is to potentially increase the property's value so that it may be sold for a higher amount at a later date. The applicant has not stated any current intent to sell the property. While potential financial gains is not typically sufficient reasoning for consideration of a zoning change, in this case staff is not concerned due to the fact that the property is already governed by the requested B-4 dimensional standards and has access to numerous additional "non-standard" uses due to being located within the Medical Overlay District.

#### **Citizen Comments**

No public comments received.

## REZONING CONSIDERATIONS

---

### Standards of Review:

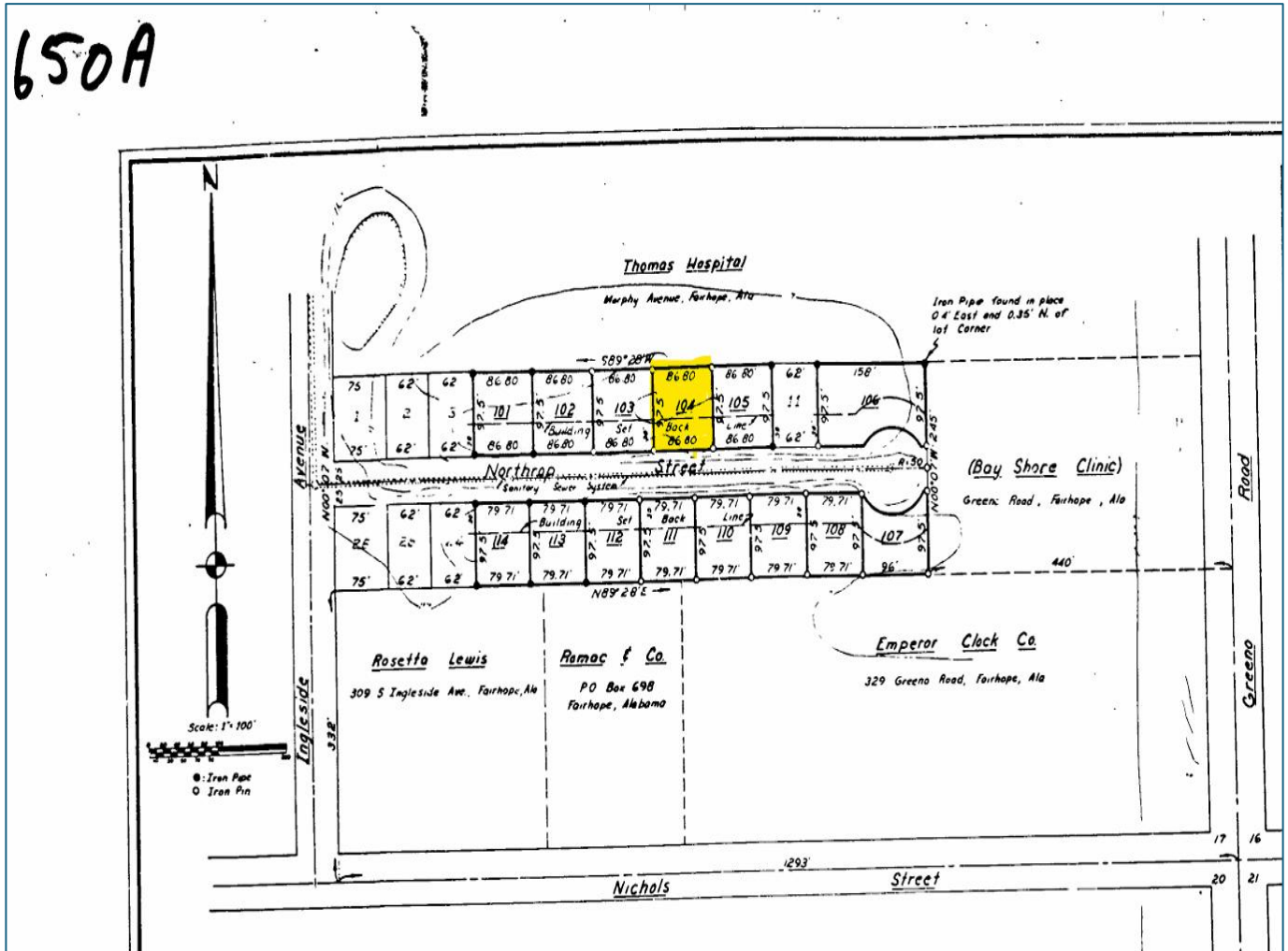
The Zoning Ordinance and its associated zoning map are derived from long-range comprehensive planning studies intended to promote orderly, desirable development. Casual or unsupported amendments to the Zoning Ordinance can undermine this purpose. Therefore, rezoning requests are evaluated according to the following criteria:

1. Compliance with the Comprehensive Plan;
2. Compliance with the standards, goals, and intent of this ordinance;
3. The character of the surrounding property, including any pending development activity;
4. Adequacy of public infrastructure to support the proposed development;
5. Impacts on natural resources, including existing conditions and ongoing post-development conditions;
6. Compliance with other laws and regulations of the City;
7. Compliance with other applicable laws and regulations of other jurisdictions;
8. Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values; and
9. Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values.

### Recommendation:

Staff recommends **APPROVAL** of ZC 26.09 –763 Northrop Avenue, request to rezone property from R-4, Low Density Multi-Family Residential District to B-4, Business and Professional District.

Slide 650-A circa 1971

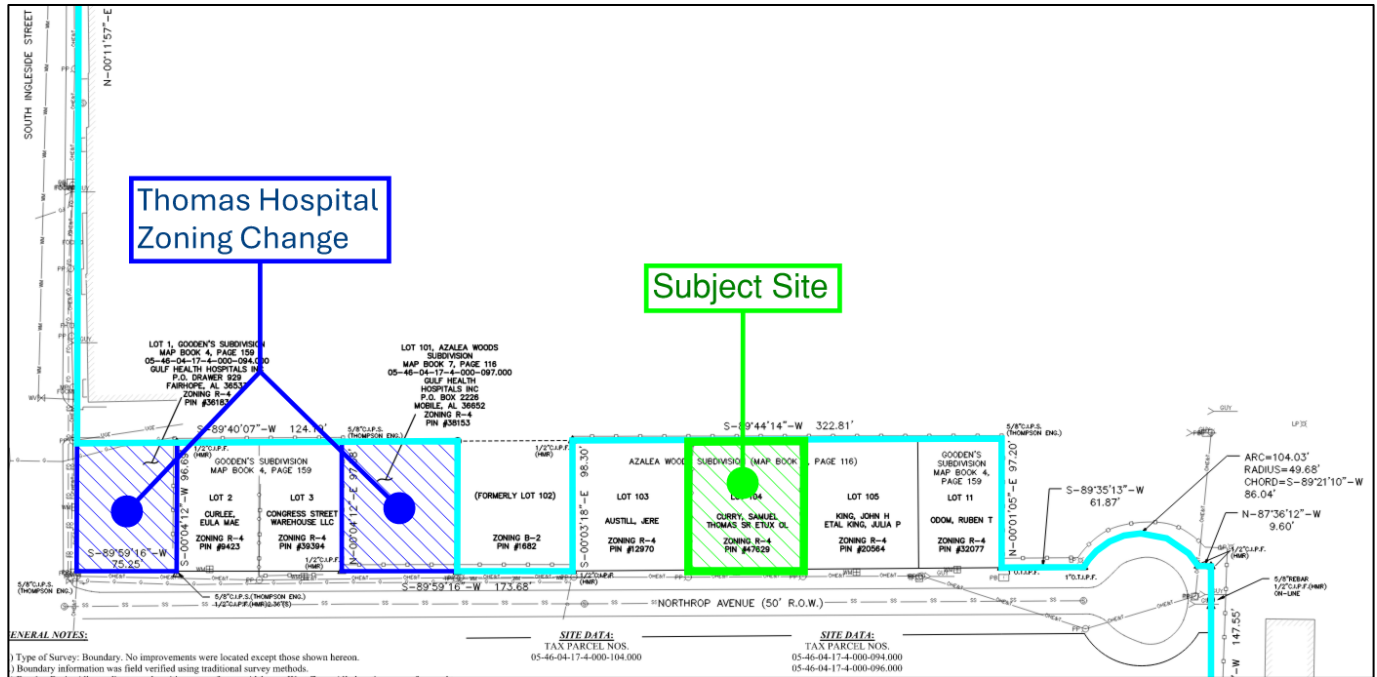


# EXHIBITS

ZC 26.09 – 763 Northrop Avenue

September 10, 2026

751 and 757 Northrop Avenue “Subject Properties” re-zoned R-4 to B-4 in ZC 26.05





**Excerpts from Table 3-2: Dimension Table – Lots and Principle Structure**

| Zoning District | Min. Lot Area /<br>Allowed Units Per<br>Acre (UPA) | Min. Lot Width | Front<br>Setback | Rear<br>Setback | Side<br>Setback  | Street<br>Side<br>Setback | Max. Impervious<br>Area <sup>k</sup> | Max. Total Lot<br>Coverage by All<br>Structures | Max.<br>Height |
|-----------------|----------------------------------------------------|----------------|------------------|-----------------|------------------|---------------------------|--------------------------------------|-------------------------------------------------|----------------|
| <b>R-4</b>      | 10,500 s.f.                                        | 75'            | 30'              | 35'             | 10' <sup>b</sup> | 20'                       |                                      | 30%                                             | 30'            |
| <b>B-4</b>      | None/ -                                            | none           | 20'              | 20'             | 10'              |                           |                                      |                                                 | 30'            |

- b. Where a driveway is in the side, and extends past the front of the principal structure, the side setback shall be 15 feet. Driveways shall not be within three (3) feet of the side lot line. The area between the side lot line and driveway shall be vegetated and remain pervious.

**Excerpt from Article V.H. Medical Overlay District**

**Permitted Uses:** The following uses and structures are permitted in this district

1. Medical offices
2. Hospitals and nursing homes
3. Medical and dental clinics
4. Laboratories for medical and dental uses
5. Funeral homes
6. Animal hospitals, provided the boarding of animals occurs in completely enclosed buildings
7. Child and adult day care facilities and group home facilities
8. Adult congregate living facilities
9. Helistop in conjunction with hospitals
10. Emergency services
11. Parking structures
12. Colleges and universities
13. Vocational, trade or business schools with all associated uses including dormitory facilities related to the medical field
14. Essential services
15. Hospital related out-patient services (Ambulatory Surgery and Diagnostic Clinics)
16. Independent Living Facilities
17. Bed and Breakfast Facilities to accommodate families of patients
18. Retail business which sell, lease and repair prosthetic or ambulatory devices used for patient rehabilitation, mobility or installation/modification of handicap unique support aids
19. Places of Worship
20. Mixed use with residential – The residential use shall make up at least 33% of the total area of the building and be located on the upper floors only.

**Permitted Accessory Uses and Structures:**

1. Uses and structures which are customarily incidental and subordinate to permitted uses
2. Such other uses as determined by the Zoning Official or his/her designee to be:
  - a. Appropriate by reasonable implication and intent of the district
  - b. Similar to another use either explicitly permitted in that district or allowed by special exception.

**Uses Permitted Subject to Appeal and with Conditions:**

1. Commercial communication towers
2. Detoxification centers and substance abuse centers associated primarily with the primary medical facility
3. Retail, restaurant, personal services, branch banks, offices, conference facilities, clinics and similar workplace support uses when within any individual structure, gross floor area shall be limited to 10 percent of the total gross floor area
4. Crematorium

**Prohibited Uses and Structures**

1. Any use or structure not specially, provisionally or by reasonable implication permitted herein.
2. Automotive repair garages, pool halls and game rooms
3. Gasoline or diesel filling stations shall not be located within 100 feet from in-patient care or treatment facilities

# EXHIBITS

ZC 26.09 – 763 Northrop Avenue

September 10, 2026

## Permitted Use Matrix – R-4 vs B-4 vs Medical Overlay

| Zoning Districts                      | R-4 | B-4 | MO |
|---------------------------------------|-----|-----|----|
| <b>Use Categories / Specific Uses</b> |     |     |    |
| <b>Dwelling</b>                       |     |     |    |
| Single-Family                         | ●   | ●   |    |
| Two-Family                            | ●   |     |    |
| Townhouse                             | 3   |     |    |
| Patio Home                            |     |     |    |
| Multiple-Family / Apartment           | 3   |     |    |
| Manufactured Home                     |     |     |    |
| Mixed-Use Building                    |     | 3   | ●  |
| Accessory Dwelling                    |     | 3   |    |
| Estate                                |     |     |    |
| <b>Civic</b>                          |     |     |    |
| Elementary School                     | ●   | ●   |    |
| Secondary School                      | ●   | ●   | ●  |
| Education Facility                    | ●   | ●   | ●  |
| Library                               | ●   | ●   |    |
| Place of Worship                      |     |     | ●  |
| Cemetery                              | ○   |     |    |
| Hospital                              |     | ○   | ●  |
| Public Open Space                     | ●   | ●   |    |
| Common Open Space                     | ●   | ●   |    |
| Community Center or Club              | ○   |     |    |
| Public Utility                        | ○   | ○   | ○  |
| <b>Office</b>                         |     |     |    |
| General                               |     | ●   |    |
| Professional                          |     | ●   | ●  |
| Home Occupation                       | 3   | 3   |    |
| <b>Retail</b>                         |     |     |    |
| Grocery                               |     |     |    |
| Convenience Store                     |     |     |    |
| General Merchandise                   |     |     | ●  |
| Shopping Center                       |     |     |    |
| Automobile Service Station            |     |     |    |
| Outdoor Sales Limited                 |     |     |    |
| Outdoor Sales Lot                     |     |     |    |
| Garden Center                         |     |     |    |
| <b>Service</b>                        |     |     |    |
| Convalescent or Nursing Home          | ○   | ○   | ●  |
| Clinic                                | ○   |     | ●  |
| Outdoor Recreation Facility           | ○   | ○   |    |
| Day Care                              | ○   | ○   | ●  |
| General Personal Services             |     |     |    |
| Mortuary or Funeral Home              |     | ○   | ●  |
| Automobile Repair                     |     |     |    |
| Indoor Recreation                     |     |     |    |
| Dry Cleaner / Laundry                 |     |     |    |
| Personal Storage                      |     | 3   |    |
| Bed & Breakfast                       |     |     | ●  |
| Hotel / Motel                         |     |     | ○  |
| Boarding House or Dormitory           |     |     |    |
| Recreational Vehicle Park             |     |     |    |
| Restaurant                            |     |     |    |
| Bar                                   |     |     |    |
| Entertainment Venue                   |     |     |    |
| Marina                                |     |     |    |
| Kennel or Animal Hospital             |     |     | ●  |
| Warehouse                             |     |     |    |
| Junk Yard or Salvage Yard             |     |     |    |
| <b>Manufacturing</b>                  |     |     |    |
| Limited                               |     |     |    |
| Light                                 |     |     |    |
| General                               |     |     |    |
| Food Processing                       |     |     |    |
| <b>Rural</b>                          |     |     |    |
| Agriculture                           |     |     |    |
| Rural Market                          |     |     |    |
| Plant Nursery                         |     |     |    |



### APPLICATION FOR ZONING DISTRICT CHANGE

#### Property Owner / Leaseholder Information

Name: Samuel & Cletha Curry Phone Number: (251) 372-6911  
 Street Address: 763 Northrop Ave  
 City: Fairhope, AL 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: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
 Street Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Current Zoning of Property: Low density R-4  
 Proposed Zoning/Use of the Property: Commercial Purpose  
 Property Address: 763 Northrop Ave Fairhope, AL 36532  
 Parcel Number: 05-46-04-174.4-000-100.000  
 Property Legal Description: [REDACTED]  
 Reason for Zoning Change: [REDACTED] B-4

Property Map Attached

☒ YES ☐ NO

Metes and Bounds Description Attached

☒ YES ☐ NO

Names and Address of all Real Property Owners  
 within 300 Feet of Above Described Property Attached.

☒ YES ☐ NO

Character of Improvements to the Property and Approximate Construction Date: \_\_\_\_\_

Zoning Fee Calculation:

**Reference: Ordinance 1269**

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.

Samuel and Cletha Curry, Sr Samuel & Cletha Curry, Sr  
 Property Owner/Leaseholder Printed Name Signature

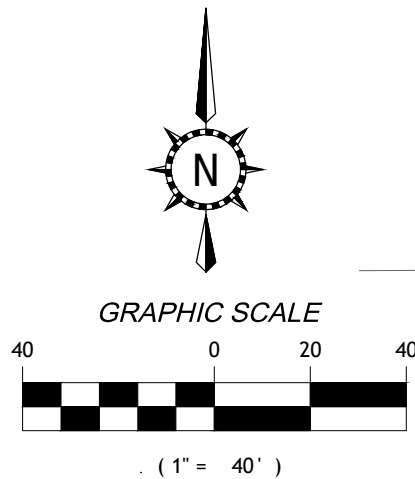
6/25/2026  
 Date

Fairhope Single Tax Corp. (If Applicable)

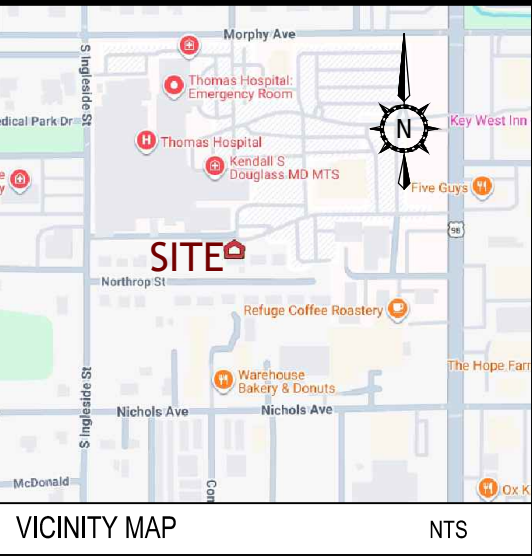
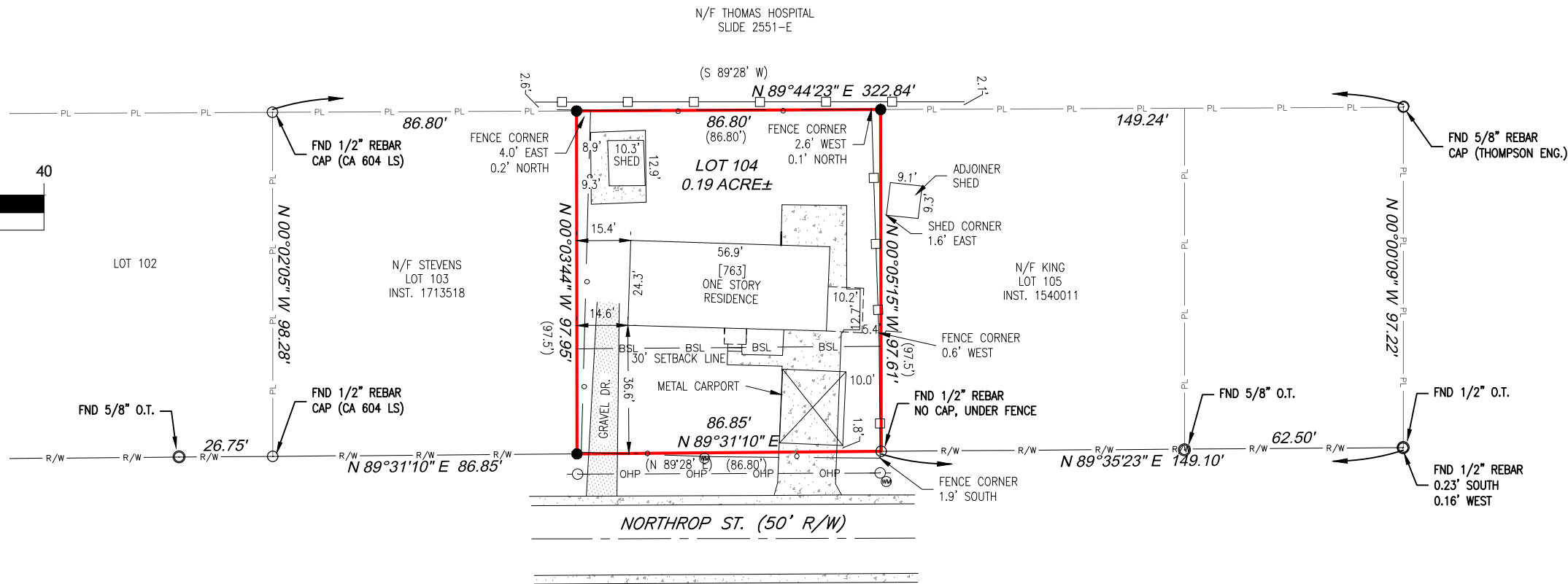
RECEIVED  
 JUL 10 2026

BY: .....

\$1,000 Fee



FOR THE REZONING FROM  
RS1 TO B2



NOTES:

1. NO REQUEST FOR, OR ATTEMPT MADE TO LOCATE ANY IMPROVEMENTS OR UNDERGROUND INSTALLATIONS, OTHER THAN SHOWN.
2. THIS SURVEY, PLAT OR DRAWING WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH, AND WAS SOLELY BASED ON THE INFORMATION OBTAINED FROM PUBLIC RECORDS AND/OR PROVIDED TO THE SURVEYOR. DEED REFERENCE MADE TO INSTRUMENT 873419.
3. BEARINGS SHOWN HEREON ARE BASED ON ALABAMA STATE PLANE COORDINATES WEST ZONE AS DERIVED FROM A GEODETIC SOLUTION USING RTK GPS. ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES.
4. THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY WHERE THE PROPERTY IS LOCATED.
5. HORIZONTAL DATUM (NAD83)( 2011) EPOCH 2010.00, VERTICAL DATUM: (NAVD88)
6. REPRODUCTIONS OF THIS DRAWING ARE NOT VALID UNLESS SEALED WITH A ORIGINAL SEAL AND LIVE SIGNATURE OF AN ALABAMA LICENSED SURVEYOR. ELECTRONIC COPIES OF COPIES OF THIS DRAWING ARE NOT VALID WITHOUT A DIGITAL SIGNATURE OF AN ALABAMA LICENSED SURVEYOR. ANY MODIFICATIONS TO ORIGINAL DOCUMENTS, OTHER THAN BY THE SIGNING SURVEYOR, SHALL INVALIDATE THIS DOCUMENT.
7. LIABILITY TO THE SURVEYOR SHALL NOT EXCEED THE AMOUNT PAID FOR THIS SURVEY.
8. THIS COPYRIGHTED © PLAT OF SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT FOR THE ENTITIES AND/OR INDIVIDUALS LISTED HEREON, ON THE MOST CURRENT DATE, AND SHALL NOT BE RELIED ON BY ANY OTHER ENTITIES AND/OR INDIVIDUALS WHOMSOEVER. THIS DRAWING IS INVALID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND EMBOSSED SEAL. THIS SURVEY SHOULD NOT BE RELIED UPON 6 MONTHS AFTER THE ORIGINAL SIGNATURE BY ANY PARTY OR ENTITY AND SHALL NOT BE USED IN ANY OTHER CLOSING OR TRANSACTION OTHER THAN OLETHA CURRY, AS IT WAS ORIGINALLY INTENDED OR PREPARED FOR.
9. THE USE OF THIS BOUNDARY SURVEY IN CONJUNCTION WITH AN "OWNERS AFFIDAVIT" OR ANY OTHER INSTRUMENT WHICH IS DESIGNED TO TRANSFER TITLE WITHOUT A CURRENT SURVEY IS NOT PERMITTED OR SUPPORTED BY THIS SURVEYOR, AND WILL INVALIDATE THIS SURVEY.
10. THIS DRAWING IS INTENDED TO BE PRINTED ON 11X17. IF PRINTED ON A DIFFERENT SIZE THE SCALE WILL BE INACCURATE.
11. REZONING FROM RS1 TO B2.

LEGAL DESCRIPTION (AS RECORDED IN INSTRUMENT 873419)

LOT 104, AZALIA WOODS SUBDIVISION, AS RECORDED IN MAP BOOK 4, PAGE 159, AND RE-RECORDED IN MAP BOOK 7, PAGE 116 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

STATE OF: ALABAMA  
COUNTY OF: BALDWIN

I SARAH E. LYLE A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALABAMA HEREBY CERTIFY TO OLETHA CURRY THAT ALL PARTS OF THIS SURVEY AND DRAWING 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 THIS THE 2ND DAY OF JULY, 2026.

SARAH E. LYLE, PLS AL. LICENSE #30011

LEGEND OF ABBREVIATIONS

- O.T. — OPEN TOP PIPE  
R/W — RIGHT OF WAY  
N/F — NOW OR FORMERLY  
PL — PROPERTY LINE  
INST. — INSTRUMENT  
PG — PAGE  
N — NORTH  
S — SOUTH  
E — EAST  
W — WEST  
BSL — BUILDING SETBACK LINE  
[123] — STREET ADDRESS  
FND — FOUND

LEGEND

- SET PROPERTY CORNER  
1/2" REBAR WITH CAP  
STAMPED PLS CA#1067-LS
- FOUND IRON PIN  
TYPE AND SIZE AS SHOWN
- ⊕ POWER POLE AND GUY (TYPICAL)
- WM WATER METER
- ' FEET / MINUTES
- " INCHES / SECONDS
- N 16°39'36" E AS MEASURED THIS SURVEY
- (N 00°00'00" E) RECORD INFORMATION,  
DEED OR OTHER
- Gravel Gravel
- Concrete Concrete
- R/W RIGHT OF WAY LINE
- PL CENTERLINE
- Approximate Adjoining Property Lines
- Wood Fence
- Chain Link Fence
- BSL BSL BUILDING SETBACK LINE PER  
SLIDE 650-A/MB 7 PG 116
- OHP OVERHEAD POWER LINE
- Property Line (THIS SURVEY)

**PLS** GROUP, INC.  
SURVEYING, MAPPING AND SOLUTIONS

LB#8096 LSF#1260 CA-1067-LS

4417 COUNTY ROAD 2214  
TROY, AL 36079  
OFFICE: 334-403-4204  
FAX: 334-400-9851

17799 PANAMA CITY BEACH PARKWAY  
PANAMA CITY BEACH, FL 32413  
OFFICE: 334-403-4204

179 HONEYSUCKLE ROAD SUITE 5  
DOTHAN, AL 36305  
OFFICE: 334-661-4030

34565 U.S. HIGHWAY 31, SUITE C  
STAPLETON, AL 36578  
OFFICE: 251-937-1434

SHEET TITLE: RETRACEMENT SURVEY

SHEET NUMBER: 01 OF 01

SURVEY END DATE: 6/25/2026  
DRAWING SCALE: 1"=40'  
DRAWING END DATE: 7/2/2026

PROJECT NO: 26-0423  
DRAWN BY: AJA  
CHECKED BY: SEL

763 NORTHROP AVENUE  
OLETHA CURRY  
FAIRHOPE  
BALDWIN COUNTY, ALABAMA

PLS GROUP, INC. COPYRIGHT © 2026. ALL RIGHTS RESERVED



# THE CITY OF FAIRHOPE, ALABAMA

## PLANNING & ZONING DEPARTMENT

### Notification Letter

August 28, 2026

Sherry Sullivan  
Mayor

#### Council Members

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

Lisa A. Hanks, MMC  
City Clerk

Kimberly Creech  
City Treasurer

RE: ZC 26.09  
Public hearing to rezone property  
PPIN #: 47629  
Description: Applicant, Oletha and Samuel Curry Sr., to rezone property from R-4, Low Density Multi-Family Residential District to B-4, Business and Professional District. The property is located at 763 Northrop Avenue.

Dear Fairhope Resident,

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

The City of Fairhope Planning Commission will hold a public hearing at **5:00 PM in the Council Chambers located in the Municipal Complex at 161 N. Section Street on September 10, 2026**. All written comments and/or presentation materials **MUST** be received by the Planning Department by no later than noon on September 3, 2026, to ensure adequate time for review and distribution to the Planning Commission 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.

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*  
Janine Saykes  
Planning Clerk



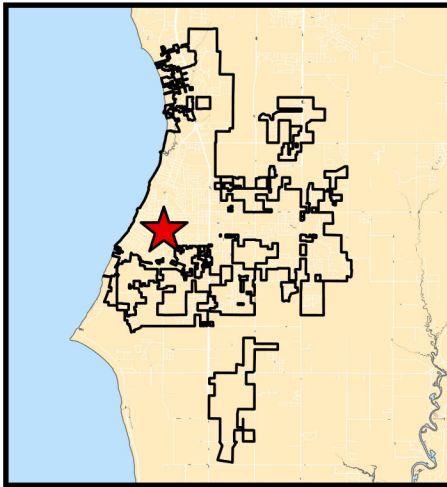
# City of Fairhope

## Planning Commission

September 10, 2026



### SD 26.16 - South Section Townhouse Condominium



**Project Name:**

South Section Townhouse  
Condominium

**Site Data:**

0.39 acres

**Project Type:**

Preliminary and final plat approval

**Jurisdiction:**

Fairhope Planning Jurisdiction

**Zoning District:**

R-3TH, High Density Single-Family  
Townhouse Residential District

**PPIN Number:**

41038

**General Location:**

East side of Section Street, south of Fels  
Avenue

**Surveyor of Record:**

Goodwyn Mills Cawood, LLC

**Engineer of Record:**

Goodwyn Mills Cawood, LLC

**Owner / Developer:**

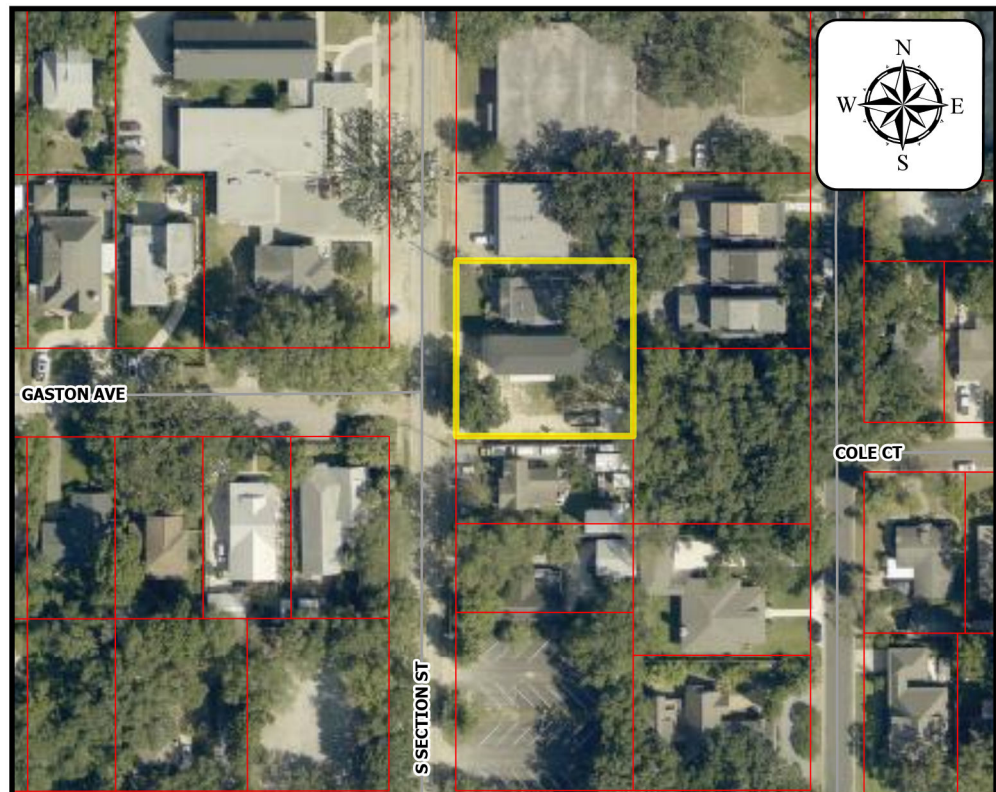
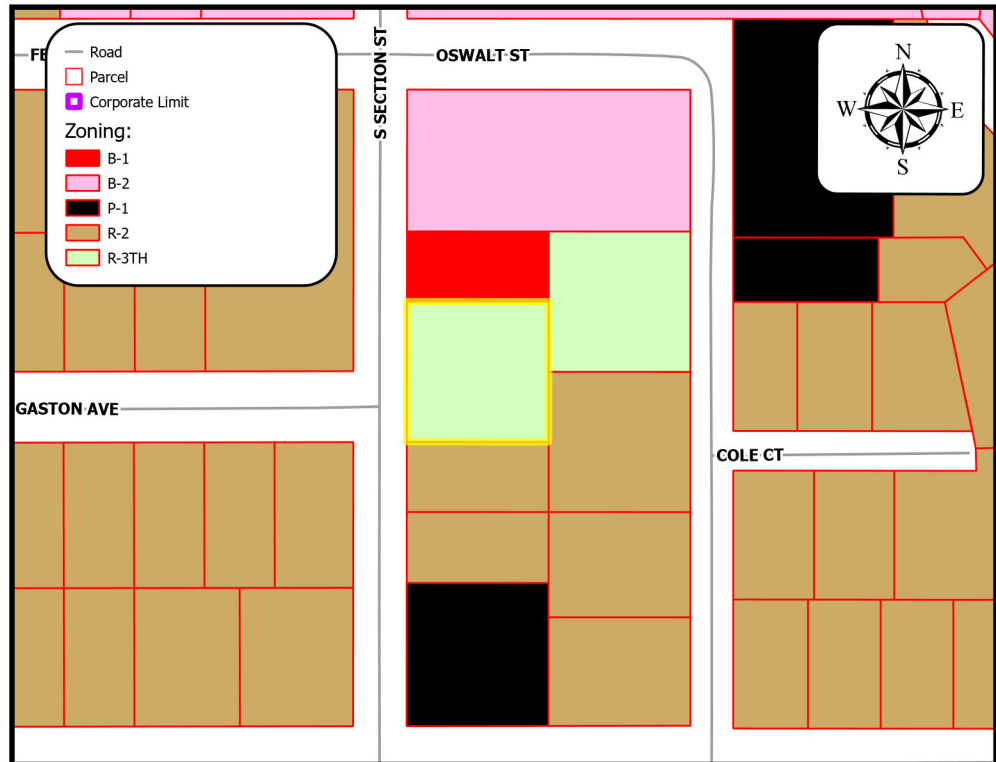
Eastpark, LLC

**School District:**

Fairhope Elementary School  
Fairhope Middle and High Schools

**Prepared by:**

Mike Jeffries





## SUMMARY OF REQUEST

---

Public hearing to consider the request of the Applicant Goodwyn Mills Cawood, LLC, on behalf of the owner, Eastpark LLC, for Preliminary and Final Plat Approval of South Section Townhouse Condominium, a 3-lot Minor Subdivision on property zoned R-3TH, High Density Single-Family Townhouse Residential District. The property is located on the east side of Section Street, south of Fels Avenue and is 0.39± acres.

## SITE HISTORY

---

The current project has been before the Planning Commission April 4, 2022, and July 1, 2024. The project was approved both times but also never had a plat recorded to finalize the project.

## STAFF COMMENTS

---

The purpose of this request is as exactly as before. To create three condominium lots. An existing residence was modified, one new townhome is almost complete, and one condominium lot has not started construction.

### Utilities

Fairhope utilities are available to service the proposed development. A flow model was conducted to determine whether the supply and pressure is adequate to provide fire protection for the proposed development and it does not meet the required flow. The City engaged a third party consultant to review the project and provide possible solutions to meet the fire protection requirements. The townhome under construction chose to sprinkler the building to meet the fire protection requirements.

### Drainage

The drainage has been installed. The site will utilize a pervious drive. At the conclusion of the recent construction additional drainage was needed. The applicants engineer provided a solution to add a modular block wall to better control the water onto adjacent properties. This work will need to be done as a condition of approval.

### Tree & Landscaping

Street trees and sidewalk will be installed along Section St., and the landscape plan shows landscaping along the east and south property lines. The sidewalk and street trees shall be installed as a condition of approval.

### General Comments

The development meets the intent of the Zoning Ordinance.

- Each unit has the required rear yard
- Each unit is rear loaded with an internal drive aisle.

The proposed development can keep and modify the existing house on the north and add the additional two units to the south.

## SUBDIVISION CONSIDERATIONS

---

### Standards of Review:

In accordance with Article V.B.2 of the City of Fairhope Subdivision Regulations the Planning Commission shall not approve the subdivision of land if the Commission makes a finding that such land is not suitable for platting and development as proposed, due to any of the following:

- a) The proposed subdivision is not consistent with the City's Comprehensive Plan, and/or the City's Zoning ordinance, where applicable;
- b) The proposed subdivision is not consistent with the City's Comprehensive Plan or any other plan or program for the physical development of the City including but not limited to a Master Street Plan, a Parks Plan, a Bicycle Plan, a Pedestrian Plan, or the Capital Improvements Program;
- c) The proposed subdivision is not consistent with these Regulations;
- d) The proposed subdivision is not consistent with other applicable state or federal laws and regulations; or
- e) The proposed subdivision otherwise endangers the health, safety, welfare or property within the planning jurisdiction of the City."

### Recommendation:

Staff recommends **APPROVAL** of SD 26.16 South Section Townhomes Minor Subdivision with the following conditions:

1. Provide a solution for fire protection as proposed by the consultant.
2. Sidewalk and landscaping shall be installed before issuance of C/O.
3. Add the additional drainage infrastructure at the rear of the driveway per the EOR recommendation.



### APPLICATION FOR SUBDIVISION PLAT APPROVAL

Application Type: ☐ Village Subdivision ☐ Minor Subdivision ☐ Informal (No Fee)  
☐ Preliminary Plat ☒ Final Plat ☐ Multiple Occupancy Project

Attachments: ☒ Articles of Incorporation or List all associated investors  
 Date of Application: 7/28/26

Matt Sankey  
 Chris Brewer  
 Craig Dyas

#### Property Owner / Leaseholder Information

Name of Property Owner: Eastpark, LLC Phone Number: 251-422-6000  
 Address of Property Owner: 25369 US Highway 98, Suite B  
 City: Fairhope State: AL Zip: 36532

Proposed Subdivision Name: South Section Townhouse Condominium  
 No. Acres in Plat: 0.40 No. Lots/Units: 3  
 Parcel No: 05-46-03-37-0-008-012.000 Current Zoning: R-3TH

#### Authorized Agent Information

*Plat must be signed by the property owner before acceptance by the City of Fairhope*

Name of Authorized Agent: Goodwyn Mills Cawood, LLC Phone Number: 251-626-2626  
 Address: 2039 Main St  
 City: Daphne State: AL Zip: 36526  
 Contact Person: Scott Hutchinson

#### Surveyor/Engineer Information

Name of Firm: Goodwyn Mills Cawood, LLC Phone Number: 251-626-2626  
 Address: 2039 Main St  
 City: Daphne State: AL Zip: 36526  
 Contact Person: Scott Hutchinson

Plat Fee Calculation:

**Reference: Ordinance 1269**

Signatures:

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

SCOTT HUTCHINSON

Property Owner/Leaseholder Printed Name

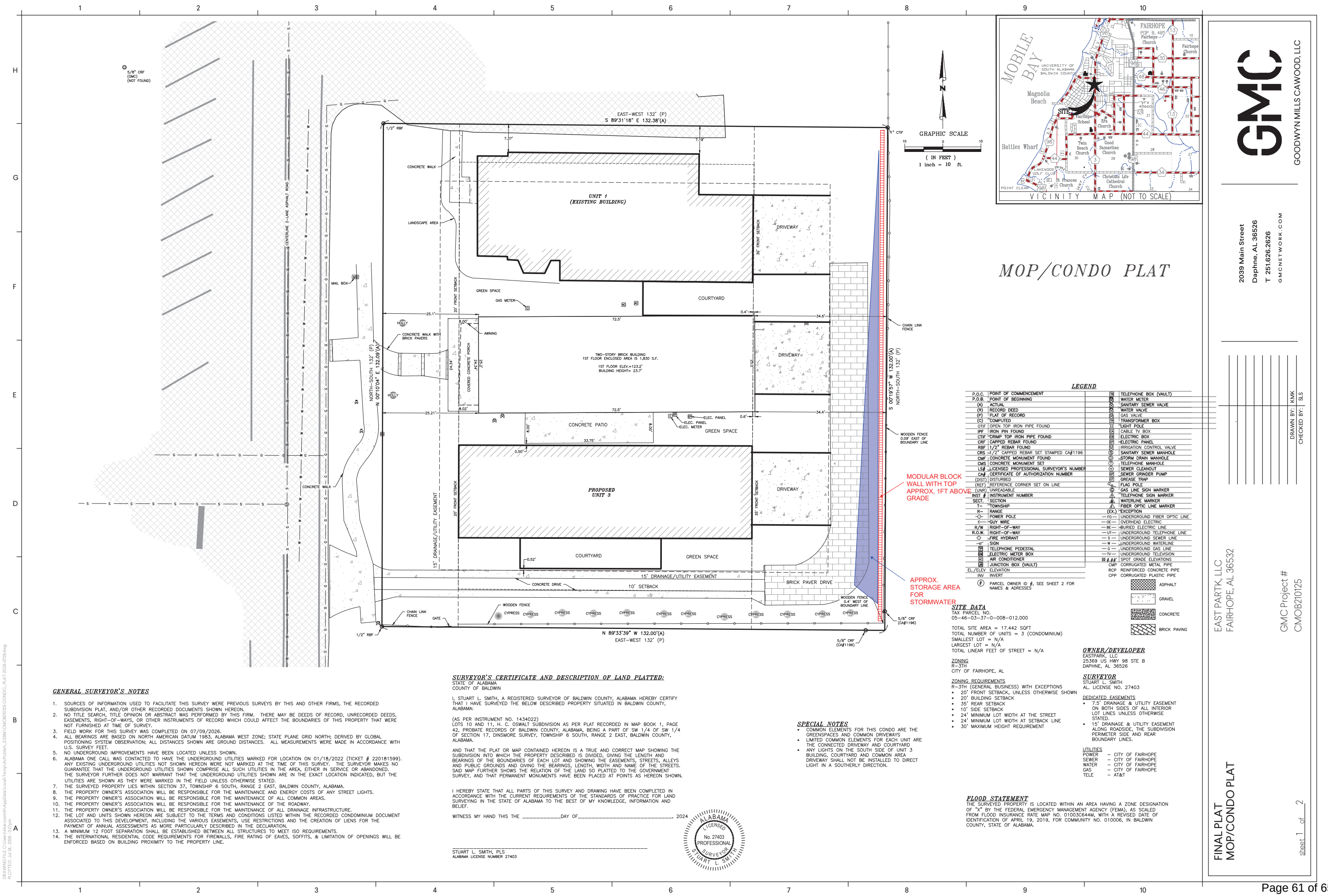
Signature

07.28.26

Date

Fairhope Single Tax Corp. (If Applicable)





GENERAL SURVEYOR'S NOTES

- SOURCES OF INFORMATION USED TO FACILITATE THIS SURVEY WERE PREVIOUS SURVEYS BY THIS AND OTHER FIRMS, THE RECORDED SUBDIVISION PLAT, AND/OR OTHER RECORDED DOCUMENTS SHOWN HEREON.
- NO TITLE SEARCH, TITLE OPINION OR ABSTRACT WAS PERFORMED BY THIS FIRM. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS OF RECORD WHICH COULD AFFECT THE BOUNDARIES OF THIS PROPERTY THAT WERE NOT FURNISHED AT TIME OF SURVEY.
- FIELD WORK FOR THIS SURVEY WAS COMPLETED ON 07/09/2026.
- ALL BEARINGS ARE BASED ON NORTH AMERICAN DATUM 1983, ALABAMA WEST ZONE; STATE PLANE GRID NORTH; DERIVED BY GLOBAL POSITIONING SYSTEM OBSERVATION; ALL DISTANCES SHOWN ARE GROUND DISTANCES. ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. SURVEY FEET.
- NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS SHOWN.
- ALABAMA ONE CALL WAS CONTACTED TO HAVE THE UNDERGROUND UTILITIES MARKED FOR LOCATION ON 01/18/2022 (TICKET # 220181599). ANY EXISTING UNDERGROUND UTILITIES NOT SHOWN HEREON WERE NOT MARKED AT THE TIME OF THIS SURVEY. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, BUT THE UTILITIES ARE SHOWN AS THEY WERE MARKED IN THE FIELD UNLESS OTHERWISE STATED.
- THE SURVEYED PROPERTY LIES WITHIN SECTION 37, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.
- THE PROPERTY OWNER'S ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE AND ENERGY COSTS OF ANY STREET LIGHTS.
- THE PROPERTY OWNER'S ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL COMMON AREAS.
- THE PROPERTY OWNER'S ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF THE ROADWAY.
- THE PROPERTY OWNER'S ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE INFRASTRUCTURE.
- THE LOT AND UNITS SHOWN HEREON ARE SUBJECT TO THE TERMS AND CONDITIONS LISTED WITHIN THE RECORDED CONDOMINIUM DOCUMENT ASSOCIATED TO THIS DEVELOPMENT, INCLUDING THE VARIOUS EASEMENTS, USE RESTRICTIONS AND THE CREATION OF LIENS FOR THE PAYMENT OF ANNUAL ASSESSMENTS AS MORE PARTICULARLY DESCRIBED IN THE DECLARATION.
- A MINIMUM 12 FOOT SEPARATION SHALL BE ESTABLISHED BETWEEN ALL STRUCTURES TO MEET ISO REQUIREMENTS.
- THE INTERNATIONAL RESIDENTIAL CODE REQUIREMENTS FOR FIREWALLS, FIRE RATING OF EAVES, SOFFITS, & LIMITATION OF OPENINGS WILL BE ENFORCED BASED ON BUILDING PROXIMITY TO THE PROPERTY LINE.

SURVEYOR'S CERTIFICATE AND DESCRIPTION OF LAND PLATTED:

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, STUART L. SMITH, A REGISTERED SURVEYOR OF BALDWIN COUNTY, ALABAMA HEREBY CERTIFY THAT I HAVE SURVEYED THE BELOW DESCRIBED PROPERTY SITUATED IN BALDWIN COUNTY, ALABAMA:

(AS PER INSTRUMENT NO. 1434022)

LOTS 10 AND 11, H. C. OSWALT SUBDIVISION AS PER PLAT RECORDED IN MAP BOOK 1, PAGE 42, PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA, BEING A PART OF SW 1/4 OF SW 1/4 OF SECTION 17, DINSMORE SURVEY, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

AND THAT THE PLAT OR MAP CONTAINED HEREON IS A TRUE AND CORRECT MAP SHOWING THE SUBDIVISION INTO WHICH THE PROPERTY DESCRIBED IS DIVIDED, GIVING THE LENGTH AND BEARINGS OF THE BOUNDARIES OF EACH LOT AND SHOWING THE EASEMENTS, STREETS, ALLEYS AND PUBLIC GROUNDS AND GIVING THE BEARINGS, LENGTH, WIDTH AND NAME OF THE STREETS. SAID MAP FURTHER SHOWS THE RELATION OF THE LAND SO PLATTED TO THE GOVERNMENT SURVEY, AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED AT POINTS AS HEREON SHOWN.

I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

WITNESS MY HAND THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024

STUART L. SMITH, PLS  
ALABAMA LICENSE NUMBER 27403



SPECIAL NOTES

- COMMON ELEMENTS FOR THIS CONDO ARE THE GREENSPACES AND COMMON DRIVEWAYS
- LIMITED COMMON ELEMENTS FOR EACH UNIT ARE THE CONNECTED DRIVEWAY AND COURTYARD
- ANY LIGHTS ON THE SOUTH SIDE OF UNIT 3 BUILDING, COURTYARD AND COMMON AREA DRIVEWAY SHALL NOT BE INSTALLED TO DIRECT LIGHT IN A SOUTHERLY DIRECTION.

SITE DATA

TAX PARCEL NO.  
05-46-03-37-0-008-012.000

TOTAL SITE AREA = 17,442 SQFT  
TOTAL NUMBER OF UNITS = 3 (CONDOMINIUM)  
SMALLEST LOT = N/A  
LARGEST LOT = N/A  
TOTAL LINEAR FEET OF STREET = N/A

ZONING

R-3TH  
CITY OF FAIRHOPE, AL

ZONING REQUIREMENTS

- R-3TH (GENERAL BUSINESS) WITH EXCEPTIONS
- 20' FRONT SETBACK, UNLESS OTHERWISE SHOWN
  - 20' BUILDING SETBACK
  - 35' REAR SETBACK
  - 10' SIDE SETBACK
  - 24' MINIMUM LOT WIDTH AT THE STREET
  - 24' MINIMUM LOT WIDTH AT SETBACK LINE
  - 30' MAXIMUM HEIGHT REQUIREMENT

OWNER/DEVELOPER

EASTPARK, LLC  
25369 US HWY 98 STE B  
DAPHNE, AL 36526

SURVEYOR

STUART L. SMITH  
AL LICENSE NO. 27403

DEDICATED EASEMENTS

- 7.5' DRAINAGE & UTILITY EASEMENT ON BOTH SIDES OF ALL INTERIOR LOT LINES UNLESS OTHERWISE STATED.
- 15' DRAINAGE & UTILITY EASEMENT ALONG ROADSIDE, THE SUBDIVISION PERIMETER SIDE AND REAR BOUNDARY LINES.

UTILITIES

- POWER - CITY OF FAIRHOPE
- SEWER - CITY OF FAIRHOPE
- WATER - CITY OF FAIRHOPE
- GAS - CITY OF FAIRHOPE
- TELE - AT&T

FLOOD STATEMENT

THE SURVEYED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION OF "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), AS SCALED FROM FLOOD INSURANCE RATE MAP NO. 010030644M, WITH A REVISED DATE OF IDENTIFICATION OF APRIL 19, 2019, FOR COMMUNITY NO. 010006, IN BALDWIN COUNTY, STATE OF ALABAMA.

LEGEND

|                                                      |                              |
|------------------------------------------------------|------------------------------|
| P.O.C. POINT OF COMMENCEMENT                         | TELEPHONE BOX (VAULT)        |
| P.O.B. POINT OF BEGINNING                            | WATER METER                  |
| (A) ACTUAL                                           | SANITARY SEWER VALVE         |
| (R) RECORD DEED                                      | WATER VALVE                  |
| (P) PLAT OF RECORD                                   | GAS VALVE                    |
| (C) COMPUTED                                         | TRANSFORMER BOX              |
| OTF OPEN TOP IRON PIPE FOUND                         | LIGHT POLE                   |
| IPF IRON PIN FOUND                                   | CABLE TV BOX                 |
| CTIF CRIMP TOP IRON PIPE FOUND                       | ELECTRIC BOX                 |
| CRF CAPPED REBAR FOUND                               | ELECTRIC PANEL               |
| RRF 1/2" REBAR FOUND                                 | IRRIGATION CONTROL VALVE     |
| CRS 1/2" CAPPED REBAR SET STAMPED CA#1196            | SANITARY SEWER MANHOLE       |
| CMF CONCRETE MONUMENT FOUND                          | STORM DRAIN MANHOLE          |
| CMS CONCRETE MONUMENT SET                            | TELEPHONE MANHOLE            |
| LS# LICENSED PROFESSIONAL SURVEYOR'S NUMBER          | SEWER CLEANOUT               |
| CAF CERTIFICATE OF AUTHORIZATION NUMBER              | SEWER GRINDER PUMP           |
| (DIST) DISTURBED                                     | GREASE TRAP                  |
| (REF) REFERENCE CORNER SET ON LINE                   | FLAG POLE                    |
| (UNR) UNREADABLE                                     | GAS LINE SIGN MARKER         |
| INST # INSTRUMENT NUMBER                             | TELEPHONE SIGN MARKER        |
| SECT. SECTION                                        | WATERLINE MARKER             |
| T TOWNSHIP                                           | FIBER OPTIC LINE MARKER      |
| R RANGE                                              | (EX) EXCEPTION               |
| PO POWER POLE                                        | UNDERGROUND FIBER OPTIC LINE |
| GW GUY WIRE                                          | OVERHEAD ELECTRIC            |
| R/W RIGHT-OF-WAY                                     | BURIED ELECTRIC LINE         |
| R.O.W. RIGHT-OF-WAY                                  | UNDERGROUND TELEPHONE LINE   |
| SH SIGN                                              | UNDERGROUND SEWER LINE       |
| TE TELEPHONE PEDESTAL                                | UNDERGROUND WATERLINE        |
| EM ELECTRIC METER BOX                                | UNDERGROUND GAS LINE         |
| AC AIR CONDITIONER                                   | UNDERGROUND TELEVISION       |
| JB JUNCTION BOX (VAULT)                              | SPOT GRADE ELEVATIONS        |
| EL/ELEV ELEVATION                                    | CMF CORRUGATED METAL PIPE    |
| INV INVERT                                           | RCP REINFORCED CONCRETE PIPE |
| PARCEL OWNER ID #, SEE SHEET 2 FOR NAMES & ADDRESSES | CPP CORRUGATED PLASTIC PIPE  |

SITE DATA

TAX PARCEL NO.  
05-46-03-37-0-008-012.000

TOTAL SITE AREA = 17,442 SQFT  
TOTAL NUMBER OF UNITS = 3 (CONDOMINIUM)  
SMALLEST LOT = N/A  
LARGEST LOT = N/A  
TOTAL LINEAR FEET OF STREET = N/A

ZONING

R-3TH  
CITY OF FAIRHOPE, AL

ZONING REQUIREMENTS

- R-3TH (GENERAL BUSINESS) WITH EXCEPTIONS
- 20' FRONT SETBACK, UNLESS OTHERWISE SHOWN
  - 20' BUILDING SETBACK
  - 35' REAR SETBACK
  - 10' SIDE SETBACK
  - 24' MINIMUM LOT WIDTH AT THE STREET
  - 24' MINIMUM LOT WIDTH AT SETBACK LINE
  - 30' MAXIMUM HEIGHT REQUIREMENT

OWNER/DEVELOPER

EASTPARK, LLC  
25369 US HWY 98 STE B  
DAPHNE, AL 36526

SURVEYOR

STUART L. SMITH  
AL LICENSE NO. 27403

DEDICATED EASEMENTS

- 7.5' DRAINAGE & UTILITY EASEMENT ON BOTH SIDES OF ALL INTERIOR LOT LINES UNLESS OTHERWISE STATED.
- 15' DRAINAGE & UTILITY EASEMENT ALONG ROADSIDE, THE SUBDIVISION PERIMETER SIDE AND REAR BOUNDARY LINES.

UTILITIES

- POWER - CITY OF FAIRHOPE
- SEWER - CITY OF FAIRHOPE
- WATER - CITY OF FAIRHOPE
- GAS - CITY OF FAIRHOPE
- TELE - AT&T

FLOOD STATEMENT

THE SURVEYED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION OF "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), AS SCALED FROM FLOOD INSURANCE RATE MAP NO. 010030644M, WITH A REVISED DATE OF IDENTIFICATION OF APRIL 19, 2019, FOR COMMUNITY NO. 010006, IN BALDWIN COUNTY, STATE OF ALABAMA.

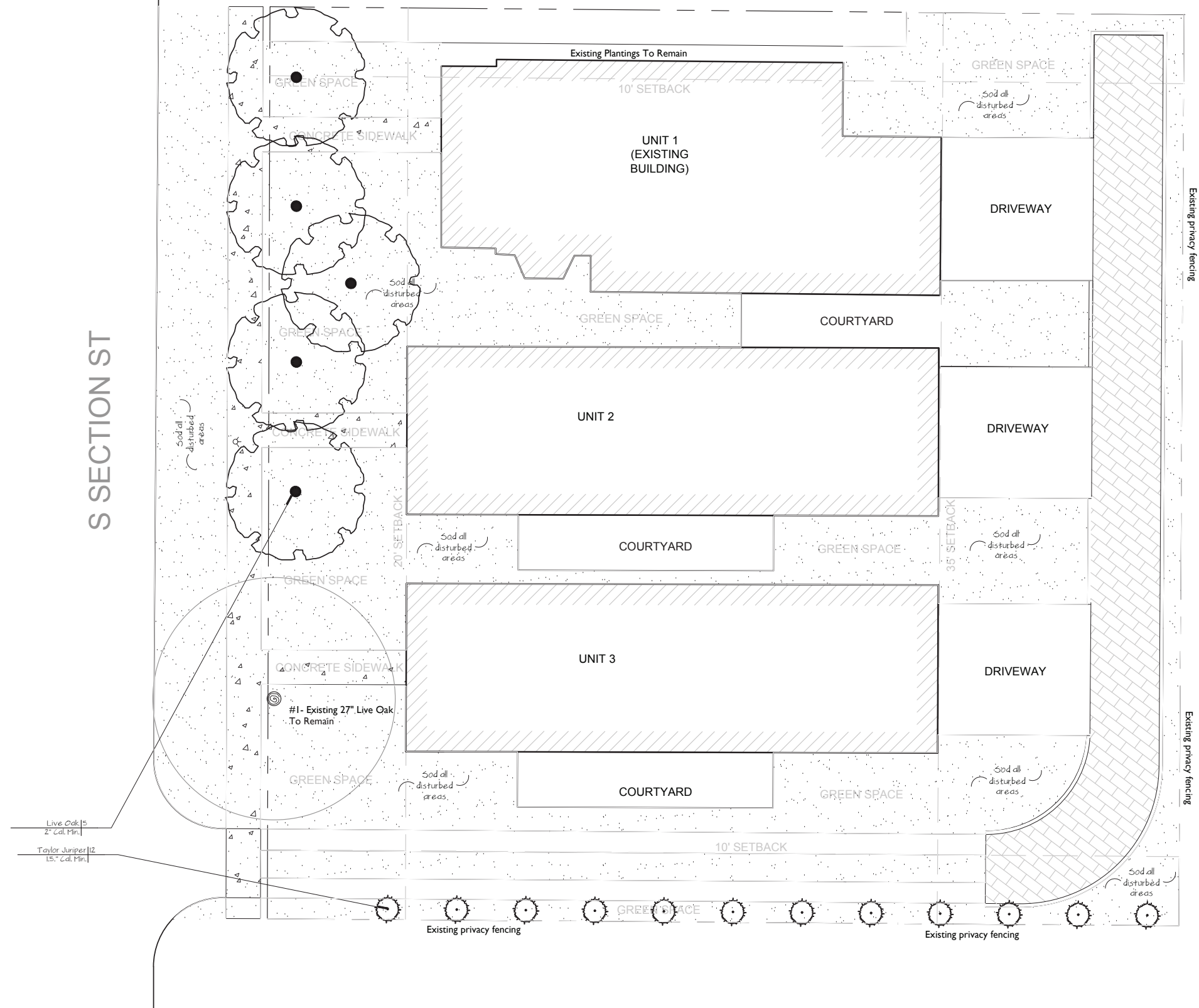


2039 Main Street  
Daphne, AL 36526  
T 251.626.2626  
GMCNETWORK.COM

GOODWYN MILLS CAWOOD, LLC

GMC Project #  
CMOB20125

Sheet 1 of 2

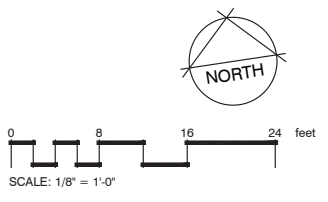


- NOTES:
1. BASE SURVEY PROVIDED BY GMC.
  2. LOCATION OF STRUCTURES, HARDSCAPE, AND EXISTING VEGETATION SHALL BE FIELD VERIFIED.
  3. VERIFY ALL LAYOUT AND DIMENSIONS IN FIELD.
  4. PLANT COUNTS ARE FOR CONVENIENCE ONLY. FIELD VERIFY ACCORDINGLY.
  5. CONTRACTOR IS RESPONSIBLE FOR ENSURING POSITIVE DRAINAGE.
  6. CONTRACTOR TO OBTAIN ALL REQUIRED PERMITS.
  7. NOTIFY LANDSCAPE ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES IN DRAWINGS OR FIELD CONDITIONS.
  8. REFER TO ARCH. / CIVIL FOR ALL UTILITIES, GRADING, DRAINAGE, & HARDSCAPE.

All areas disturbed by construction shall be sodded unless otherwise noted. (Typ.)

NOTE:  
NO WORK SHALL BE PERFORMED WITHIN THE RIGHT OF WAY WITHOUT WRITTEN PERMISSION FROM THE GOVERNING AUTHORITY.

REFER TO CIVIL & ARCHITECTURAL DRAWINGS FOR ALL GRADING, DRAINAGE, UTILITIES, HARDSCAPE, & STRUCTURES.



Espalier, LLC  
P.O. Box 1247  
Fairhope, Alabama 36533  
P: 251.454.3500  
espalierdesign.com

Copyright: This drawing and its contents are the property of Espalier, LLC and may not be copied or used in anyway without written permission from Espalier.

SOUTH SECTION TOWNHOUSE CONDOMINIUM

South Section St.  
Fairhope, AL

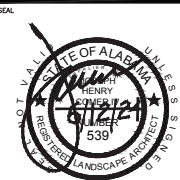


| ISSUED/REVISED |         |
|----------------|---------|
| Permitting     | 6/12/24 |
|                |         |
|                |         |
|                |         |
|                |         |
|                |         |

LANDSCAPE PLAN

| DESIGNED BY | FILE NAME |
|-------------|-----------|
| JC          | DYASLA    |
| DRAWN BY    | SHEET     |
| JC          | L-1.1     |
| CHECKED BY  |           |
| JC          |           |
| PROJECT NO. | 2437      |
| DATE        | 6/12/24   |





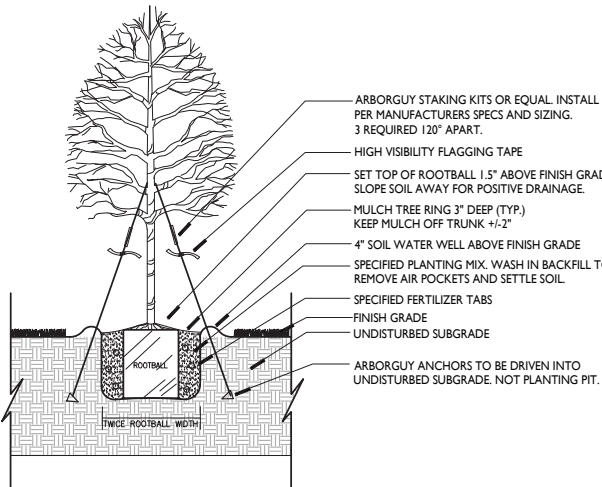
|                    |
|--------------------|
| ISSUED/REVISED     |
| Permitting 6/12/24 |
|                    |
|                    |
|                    |
|                    |
|                    |
|                    |

LANDSCAPE  
PLAN

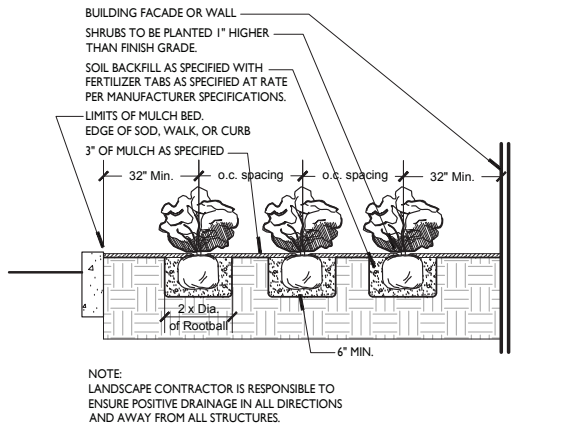
|                     |                    |
|---------------------|--------------------|
| DESIGNED BY<br>JC   | FILE NAME<br>DYSLA |
| DRAWN BY<br>JC      | SHEET              |
| CHECKED BY<br>JC    | L-1.1              |
| PROJECT NO.<br>2437 |                    |
| DATE<br>6/12/24     |                    |

- LANDSCAPE NOTES:
1. This section covers furnishing and installing all landscape plants and non-plant materials covered by the drawings and these specifications. The work shall include materials, labor, equipment and services as described herein and indicated on the drawings. Also, the work shall include the maintenance of all plants and planting areas until acceptance by the Owner, and fulfillment of all guarantee provisions as herein specified.
  2. Before beginning work, the contractor shall thoroughly acquaint himself with the existing site conditions and proposed plans. The intent is to provide a smooth transition between existing conditions that are to remain and the new site features with minimal damage to existing trees and vegetation.
  3. Contractor is made aware of active existing underground utilities. It is the contractors responsibility to familiarize himself with the location of said utilities and other obstructions. The contractor shall investigate and verify, in the field, the existence and location of all utilities and any existing irrigation piping, and take necessary precautions to prevent their disturbance and avoid interruption of service. Contractor is responsible for calling appropriate line location service. All damaged utilities shall be replaced to owners satisfaction by contractor with no additional charge to owner.
  4. Discrepancies between site conditions and conditions on plans shall be call to the attention of the Owner immediately.
  5. Existing grades shall be verified in field prior to beginning any work. Discrepancies shall be brought to the landscape architects attention immediately. Landscape contractor to provide fine grading to ensure positive drainage.
  6. The landscape architect shall have the right to reject any and all work and/or materials at any stage of progress which in his opinion do not meet the requirements of these plans and specifications. Such rejected material shall be removed from the site immediately and replaced with acceptable materials.
  7. Landscape contractor is responsible for obtaining all state and local permits and licenses required to perform this work.
  8. Landscape contractor shall abide by all state and local laws and ordinances. Contractor shall also conform to POA or ARB guidelines if applicable.
  9. All work shall comply with the current edition of the Standard Building Code published by the Southern Building Code Congress International, Inc.
  10. Topsoil shall be sandy/loam natural, friable, and fertile with a PH of 5.5 to 6.5. Topsoil shall be free from roots, stones, debris, noxious weeds, or any substance harmful to plant growth. Quality of Topsoil to be approved by Landscape Architect.
  11. Once delivered to the site, the contractor is responsible for the protection, including theft, of all materials.
  12. The landscape plan is to serve as a guide for installation. Field adjustment and changes to layout may be made by Landscape Architect.
  13. Contractor shall layout all plant material per planting plans and schedule a site meeting with landscape architect for approval with a minimum of 48 hours notice.
  14. Quantities shown on plant list are for convenience only.
  15. All groundcover & flower beds shall receive 3" minimum of planting mix consisting of decomposed pinebark or mushroom compost and blended into the top 6" of existing soil. Rake beds smooth and top dress with 2" min. of ground pinebark prior to planting.
  16. All tree and shrub planting pits shall be backfilled with 75% excavated soil & 25% planting mix consisting of decomposed pinebark or mushroom compost.
  17. All trees shrubs and groundcovers shall be planted with Woodace fertilizer tabs at rates per manufactures recommendations. All planting beds shall also be top dressed with a slow release Osmocote fertilizer or equal per manufactures recommendations prior to mulching.
  18. All beds shall receive Freehand pre-emergent herbicide or equal.
  19. Unless otherwise noted, all beds shall receive 3" compacted depth of fresh Long Leaf pine straw free from sticks and pine cones. Groundcover areas with 4" plants or plugs shall be mulched with pulverized pinebark mulch unless otherwise noted.
  20. All bed lines shall have 3" V-Shaped trenches. See detail.
  21. All plant material shall meet or exceed federal, state, and county laws requiring inspection for plant disease and insect control.
  22. All plant material shall be Florida #1 or better and meet the latest standards of the "American Standards for Nursery Stock".
  23. All trees shall be staked with arbor guy (or equal) tree stakes per manufactures recommendations.
  24. All disturbed areas shall be irrigated and sodded.
  25. Contractor shall maintain all plantings and lawn areas until final acceptance by owner and landscape architect. Unless specified otherwise, maintenance includes mowing, edging, weeding, blowing, pruning, watering, mulching, etc.
  26. Brown or defoliated plants shall be removed and replaced immediately.
  27. All materials and workmanship for landscape and irrigation shall be guaranteed for a minimum of one year from final acceptance.
  28. No work shall be performed in any R.O.W. without approval by the appropriate Federal, State, County, or City authority.

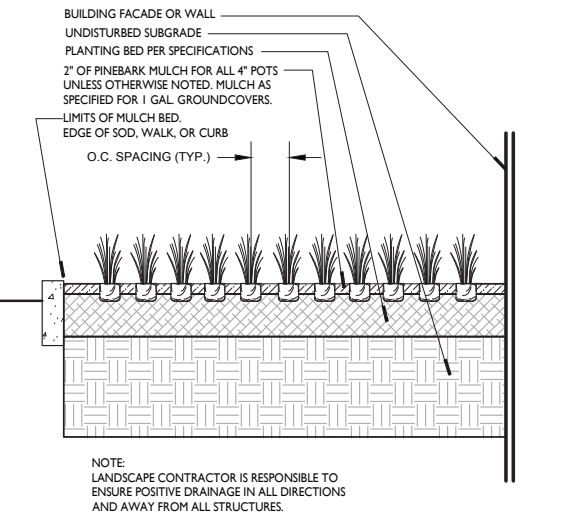
1 LANDSCAPE NOTES  
NTS LA-16



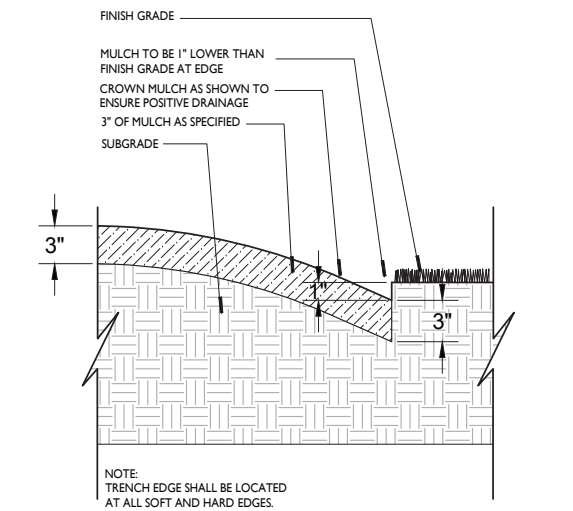
2 TREE PLANTING  
NTS. LA-01



3 SHRUB PLANTING DETAIL  
NTS. LA-02



4 GROUNDCOVER PLANTING DETAIL  
NTS. LA-03



5 TRENCH BED EDGE  
NTS. LA-04

PLANT SCHEDULE

| SYMBOL              | QTY | BOTANICAL NAME                | COMMON NAME    | SIZE           | HEIGHT       | DETAIL | REMARKS                                                       |
|---------------------|-----|-------------------------------|----------------|----------------|--------------|--------|---------------------------------------------------------------|
| CITY REQUIRED TREES |     |                               |                |                |              |        |                                                               |
|                     | 12  | Juniperus virginiana 'Taylor' | Taylor Juniper | 1.5" Cal. Min. | 8' Ht. Min.  |        | Green Forest Nursery                                          |
|                     | 5   | Quercus virginiana            | Live Oak       | 2" Cal. Min.   | 10' Ht. Min. |        | Specimen, Cherry Lake Nursery, Provide photo for LA approval. |

| SYMBOL        | QTY      | BOTANICAL NAME             | COMMON NAME       | SIZE | SPACING | DETAIL | REMARKS |
|---------------|----------|----------------------------|-------------------|------|---------|--------|---------|
| GROUND COVERS |          |                            |                   |      |         |        |         |
|               | 7,028 sf | Cynodon dactylon 'Tif 419' | 419 Bermuda Grass | sod  |         |        |         |

NOTE:  
Trees shall meet caliper & height specifications regardless of container size.

- NOTES:
1. LONG LEAF PINESTRAW ALL TREE RINGS & BEDS EXCEPT 4" & 1 GAL. POTS.
  2. 4" & 1 GAL. POTS TO BE PLANTED IN 3" OF PLANTING MIX AND TOP DRESSED WITH GROUND PINEBARK.
  3. USE WOODACE FERTILIZER TABS IN ALL PLANTING PITS. SEE NOTES.
  4. PREP. PLANTING PITS & GROUNDCOVER AREAS WITH PLANTING MIX. SEE NOTES.
  5. THIS PLANT LIST IS FOR CONVENIENCE ONLY. CONTRACTOR TO VERIFY.
  6. SEE LANDSCAPE NOTES.
  7. ALL LANDSCAPE AREAS ALONG ROAD FRONTAGE SHALL BE MAINTAINED & GROOMED TO THE LANDSCAPE REVIEW STANDARDS.
- APPROVED NURSERIES:
1. GREEN FOREST NURSERY
  2. FLOWERWOOD NURSERY
  3. CHERRY LAKE NURSERY
- Other nurseries may be approved at the discretion of the landscape architect.

CITY OF FAIRHOPE LANDSCAPE REQUIREMENTS:

PERIMETER REQUIREMENTS:  
Road Frontage Feet =  $178.89/30' = 6$  Trees in First 25' regardless of tree credits.  
Remaining Perimeter Feet =  $396.45/30' = 13$  Trees  
Parking Requirements (1 Tree/12 Spaces) =  $0$  Spaces/12 =  $0$  Trees  
Total Existing Tree Credits =  $3$   
Total Trees Required =  $6$  Frontage (Overstory) &  $10$  Perimeter/parking lot Trees (At Least 50% Overstory)

EXISTING TREE CREDIT TABLE

|                                    |        |
|------------------------------------|--------|
| EXISTING FRONTAGE TREES TO REMAIN: |        |
| #1-22" Oak                         | #8 = 3 |
| Total Frontage Credits             | = 3    |

All areas disturbed by construction  
shall be sodded unless otherwise  
noted. (Typ.)

NOTE:  
NO WORK SHALL BE PERFORMED WITH IN THE  
RIGHT OF WAY WITHOUT WRITTEN PERMISSION  
FROM THE GOVERNING AUTHORITY.

REFER TO CIVIL & ARCHITECTURAL DRAWINGS  
FOR ALL GRADING, DRAINAGE, UTILITIES,  
HARDSCAPE, & STRUCTURES.



**Goodwyn Mills Cawood**

2039 Main Street  
Daphne, AL 36526

T (251) 626-2626

[www.gmcnetwork.com](http://www.gmcnetwork.com)

July 24, 2026

Fairhope Planning Department

RE: South Section Townhouse Condominiums

Please accept this letter as confirmation that the driveway and paver system, which constitutes the drainage system, has been installed in substantial conformance with the approved plan and the City's detail for Permeable Pavers.

Sincerely,

GOODWYN MILLS CAWOOD, LLC

A handwritten signature in black ink, appearing to read "Scott A. Hutchinson".

Scott A. Hutchinson, P.E.  
Vice President, Engineering





# THE CITY OF FAIRHOPE, ALABAMA

## PLANNING & ZONING DEPARTMENT

### Notification Letter

August 28, 2026

RE: SD 26.15  
South Section Townhouse Condominium  
3-lot Minor Subdivision, 0.39± acres  
PPIN #: 41038  
Description: Applicant, Goodwyn Mills Cawood, LLC, on behalf of the owner, Eastpark LLC, for Preliminary and Final Plat Approval of South Section Townhouse Condominium, a 3-lot Minor Subdivision on property zoned R-3TH, High Density Single-Family Townhouse Residential District. The property is located on the east side of Section Street, south of Fels Avenue.

Sherry Sullivan  
Mayor

#### Council Members

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

Lisa A. Hanks, MMC  
City Clerk

Kimberly Creech  
City Treasurer

Dear Fairhope Resident,

State law requires all property owners adjacent to property to be considered for subdivision approval to be notified by certified mail. The Baldwin County Revenue Office provided your information as a current adjacent property owner to the subdivision request detailed above and illustrated on the attached preliminary plat.

The City of Fairhope Planning Commission will hold a public hearing at **5:00 PM in the Council Chambers located in the Municipal Complex at 161 N. Section Street on September 10, 2026**. All written comments and/or presentation materials MUST be received by the Planning Department by no later than noon on September 3, 2026, to ensure adequate time for review and distribution to the Planning Commission 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.

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*  
Janine Saykes  
Planning Clerk