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Council Members

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

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City Clerk

Kimberly Creech
City Treasurer

Fairhope Board of Adjustment Agenda

September 21, 2026 – 5:00 PM

BOARD MEMBERS

Anil Vira, Chairman

Frank Lamia, Vice Chairman

Janine Saykes, Secretary

Cathy Slagle

Andrew Belcher

Ryan Baker

Donna Cook

1. CALL TO ORDER

2. APPROVAL OF MINUTES

- August 17, 2026

3. OLD/NEW BUSINESS

OLD BUSINESS

None

NEW BUSINESS

A. BOA 26.11 – 23 N Section St

Public hearing to consider the request of the Applicant, Casey Pipes, on behalf of the Owner, HH Section Street Hospitality LLC, for a Special Exception for a Hotel on property zoned B-2, General Business District. The property is located at 23 N. Section Street and is a total of 0.47± acres.

PPIN#: 15311,15195

4. ADJOURN

Fairhope Board of Adjustment Minutes

August 17, 2026 – 5:00 PM

ADMINISTRATIVE

This Board of Adjustment met on Monday, August 17, 2026 at 5:00 p.m. at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present:

X	Anil Vira, Chairman	X	Ryan Baker
X	Frank Lamia, Vice Chairman	X	Donna Cook
X	Andrew Belcher		Cathy Slagle
	Janine Saykes, Secretary		

Staff: Hunter Simmons, Planning and Zoning Director; Payton Rogers, Planning & Zoning Manager, and Assistant City Clerk Jenny Opal Wilson.

Chairman Vira called the meeting to order at 5:00 p.m.

APPROVAL OF MINUTES

Approval of the Minutes – July 20, 2026

Frank Lamia made a motion to approve minutes from the July 20, 2026, meeting.

Andrew Belcher seconded the motion and the motion carried unanimously with the following vote:

AYE: Anil Vira, Frank Lamia, Andrew Belcher, Donna Cook, and Ryan Baker

NAY: None

ABSTAIN: None

OLD BUSINESS

None

NEW BUSINESS

- A. **BOA 26.09** Public hearing to consider the request of the Owner, David Johnson MD, for a Special Exception for a Clinic on property zoned PUD, Planned Unit Development. The property is located at 880 Holcomb and is Blvd, Ste 2B and is 0.45± acres. **PPIN#: 343646**

Payton Rogers, Planning & Zoning Manager, presented the above request made by the Applicant. Mr. Rogers shared the aerial and zoning maps. Most surrounding properties are in the County. The site is included in the North Village at Stone Creek Planned Unit Development which was recommended for approval by the Planning Commission and subsequently approved by the City Council in 2006. There have been no other Board of Adjustment cases affiliated with this site.

Mr. Rogers stated existing conditions are a standard office building broken into a few different units. In this PUD all commercial properties are allowed to be utilized for any use allowable under B1, B2, B3, and B4 Zoning Districts. Zoning Ordinance permits clinics to be in Zoning Districts B1, B2, and B3A, but it requires Special Exception approval of this application. The Zoning Ordinance defines a clinic as a place used for care, diagnosis, and treatment of ailing, infirm, or injured persons, and those who need medical and surgical attention, but who are not provided with room or board.

The Applicant is proposing a Family Medicine Direct Primary Care Clinic operating primarily via telehealth appointments. In person patients are only by appointment. Dr. Johnson has two part-time staff members. There is only 770± square feet within the unit.

Mr. Rogers stated Staff received several letters. One of which was co-signed by numerous property owners that had concerns about the type of Clinic and the services being offered as well as numerous letters from other citizens that were in support of the Clinic. All have been provided in your Staff Report package or via email. There was one over the weekend that I provided a copy of today.

Staff recommends approval of the Special Exception BOA 26.09 located at 880 Holcomb Boulevard. Staff is available for any questions.

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

Dr. David Johnson stated he lives at 16311 Woodacres Rd. S., Fairhope - Dr. Johnson thanked everyone for this opportunity. Dr. Johnson discussed his business as a Direct Primary Care Clinic. He stated that he would be the third physician in Baldwin County to open a clinic in this area. This is a membership style model of medicine so that patients know what to expect with no hidden fees or costs. Dr. Johnson stated his cell phone is his office line. He has taken care of thirty-one hundred (3100) patients at the Infirmary for the past eleven (11) years. Dr. Johnson is looking to work with a small number of patients.

Hunter Simmons, Planning & Development Director, stated the board approved another Direct Primary Care Clinic about a year ago at Walmart.

Dr. Johnson asked if there were any questions.

Frank Lamia, Vice Chairman, stated he was concerned with issues of parking and the amount of traffic turnover. Dr. Johnson stated his appointments are set for one (1) hour. One (1) vehicle per hour. Dr. Johnson and one (1) part-time staff member park in the back of the Clinic. The other part-time employee works from home. Patients will come into office for less than an hour. Dr. Johnson has four (4) parking spots. Most appointments will be over the phone. Turnover is less than a hair salon or eyelash extension office.

Mr. Simmons clarified the letters that were sent out to citizens referring to the Clinic, which is a Zoning Category. A Clinic can be five hundred (500) people on a big campus or it can be a small six hundred (600) to seven hundred (700) square foot unit with one (1) employee. There are uses by right that could be here that would have a bigger parking demand and generate more traffic.

These offices were built around 2016. No new construction. No new units operating as commercial. There have been other businesses there that generated a lot more vehicles and traffic.

Andrew Belcher inquired about the hours of operation.

Dr. Johnson stated the hours would be from 9:00 a.m. – 4:00 p.m. Most traffic would be in the morning with appointments, follow-up calls, and paperwork in the afternoon.

Andrew Belcher inquired about medical supplies and equipment deliveries.

Dr. Johnson stated he has ordered enough supplies for two years (2) which has been delivered.

Chairman Vira opened the public hearing at 5:14 p.m.

Ella Darnell - 789 Serpentine Dr., Fairhope - a resident of the Stone Creek Villas Subdivision. Ms. Darnell stated she is concerned with the word Clinic being used. It sounds like a walk in methadone clinic that hands out drugs. The word Clinic has a negative connotation. Ms. Darnell asked why a Variance is needed. She also stated the concern for more traffic in the area. Ms. Darnell stated the “Fairhope Medical Overlay District” is a special zoning designation centered around Thomas Hospital designed to streamline healthcare facility growth, ease property conversions, and manage surrounding commercial residential transactions that permits healthcare practices and medically related businesses to expand or locate within the zone with fewer traditional zoning hurdles. Why is this not a location option for Dr. David Johnson’s Clinic?

Ryan Baker appreciates Ms. Darnell’s traffic concerns and the terminology of Clinic and its connotation. If the Applicant does not go into this location someone else might and could create more traffic.

Ms. Darnell ask why you need a Variance.

Mr. Simmons stated this is a Special Exception not a Variance. A Special Exception is a safeguard to keep out a methadone clinic. The Clinic name is a definition which has been in the Zoning Ordinance since 2005. It encompasses a wide range of what could be allowed. From a 500-square-foot dentist office to a 500-patient facility. This Board is here to decide if this is compatible with the surrounding area.

Ms. Darnell asked how you assure the people what is going to happen in the location.

Mr. Simmons stated that is what this meeting is for. This is what the job of the Board of Adjustment is.

Ms. Patricia Litchfield, 785 Serpentine Dr. Fairhope - stated she was concerned with the Special Exception and would the next tenant require approval if they requested a Medical Clinic.

Mr. Rogers confirmed a Special Exception runs only with this specific business. This approval does not continue with the property like a Variance would.

Ms. Camille Brecht, 669 Turquoise Dr. Fairhope - stated that she and the neighbors are concerned with traffic and drugs on site as a target for theft, a bus stop nearby, and the children in the area. Ms. Brecht commented that she thought there were three (3) meetings needed before an approval. Ms. Brecht asked for clarification on meetings..

Mr. Simmons stated this is a Board of Adjustment meeting, which is different than a Planning Commission meeting. Mr. Simmons clarified the process and that there is only one (1) meeting.

Mr. Jim Lety, 217 Pecan Ave. Fairhope - stated he has been a patient of Dr. Johnson for the past nine (9) years and applauds him for his work and thinks we all should.

Ms. Judith Steele, Secretary of HOA in Stone Creek Villas, Fairhope - requested more transparency in the letters. She was concerned that not everyone in the subdivision received a letter. She posted the letter on the HOA website and Facebook. Ms. Steele is worried about the traffic and children. Ms. Steele has spoken with Dr. David Johnson referencing his practice and he was very polite.

Ms. Savannah Hannon, 7196 Wood Acres Rd. Fairhope - voiced concern with the new Direct Primary Model. Ms. Hannon would like Dr. Johnson to share his insight on guidelines that he follows as a physician with DEA regulations and controlled substances.

Chairman Vira closed public hearing at 5:38 p.m.

Dr. Johnson thanked all for the dialogue and discussed how Direct Primary Care works straight with the patient, not insurance. There are no narcotics or controlled substances onsite. Prescriptions are electronic and/or handwritten that are within regulatory practice. Dr. Johnson stated he has his Alabama Medical License and DEA and has consulting privileges at Thomas Hospital where he served as Credential Chair. He is held to the same regulatory procedures and standards. Dr. Johnson also provides home visits. Dr. Johnson has followed all ADA regulations for his office.

Ryan Baker thanked Dr. Johnson for answering questions. We are trying to make a judgment for a Special Exception and not to answer every question about your practice today.

Dr. David Johnson asked if there are any further questions and thanked everyone.

Chairman Vira asked Board Members do we have a motion or any other questions.

Ryan Baker made a motion to approve the Special Exception for a Clinic for BOA 26.09.

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

AYE: Anil Vira, Frank Lamia, Andrew Belcher, Donna Cook, and Ryan Baker

NAY: None

ABSTAIN: None

ADJOURNMENT

Chairman Vira made a motion to adjourn.

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

AYE: Anil Vira, Frank Lamia, Andrew Belcher, Donna Cook, and Ryan Baker

NAY: None

ABSTAIN: None

Adjourned at 5:48 p.m.

Anil Vira, Chairman

Jenny Opal Wilson, Assistant City Clerk

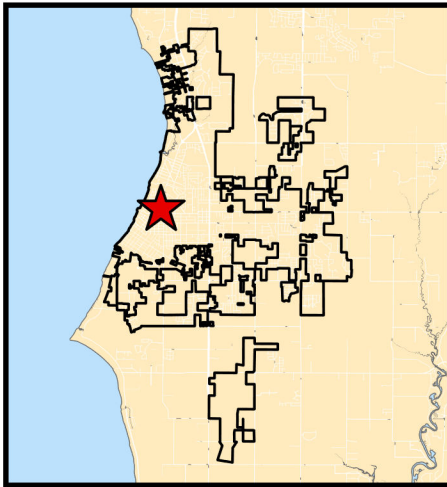
City of Fairhope

Board of Adjustments

September 21, 2026



BOA 26.11 - Hampton Inn



Project Name:

Hampton Inn

Site Data:

0.47 acres

Project Type:

Special Exception for a Hotel on property zoned B-2, General Business District

Jurisdiction:

Fairhope Planning Jurisdiction

Zoning District:

B-2, General Business District

PPIN Number:

15311, 15195

General Location:

Southwest corner of the intersection of Section Street and Magnolia Avenue

Surveyor of Record:

Blew & Associates, P.A

Engineer of Record:

Blew & Associates, P.A

Owner / Developer:

HH Section Street Hospitality LLC

School District:

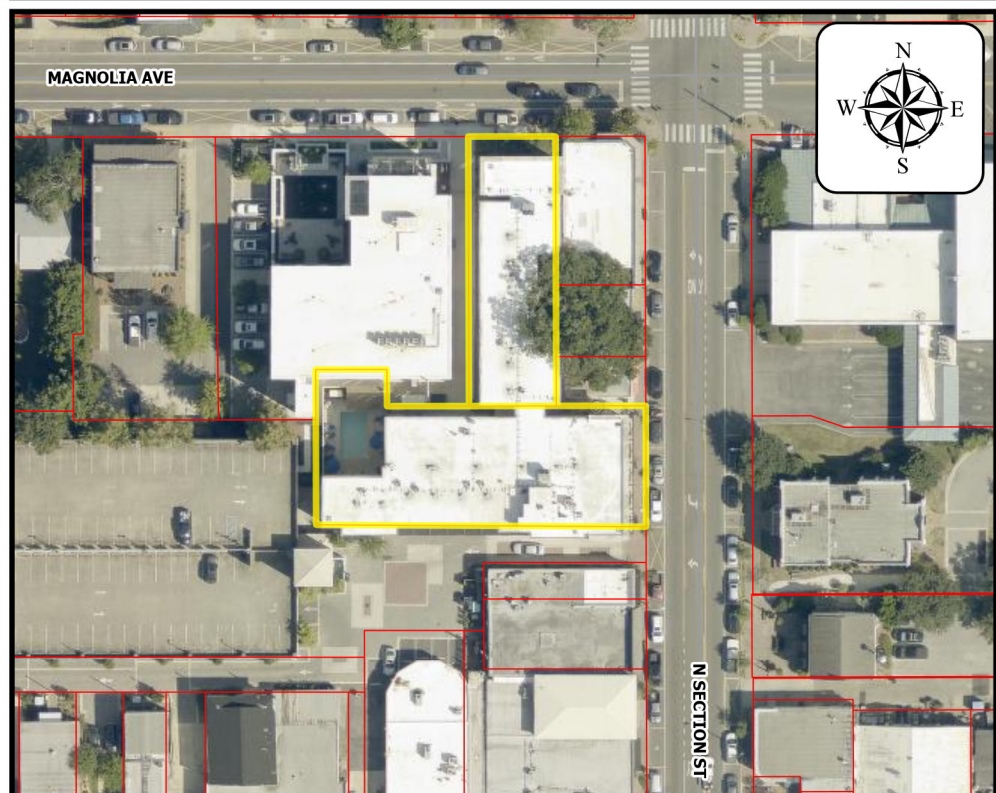
Fairhope Elementary School
Fairhope Middle and High Schools

Recommendation:

Approved

Prepared by:

Payton Rogers



SUMMARY OF REQUEST

Public hearing to consider the request of the Applicant, Casey Pipes, on behalf of the Owner, HH Section Street Hospitality LLC, for a Special Exception for a Hotel on property zoned B-2, General Business District. The property is located at 23 N. Section Street and is a total of 0.47± acres.

SITE HISTORY

At its meeting on August 1, 2005, the Planning Commission unanimously recommended approval of SR 05.04, Site Plan Review of Charlie Bassett for a proposed hotel. The Site Plan Review was subsequently approved by the City Council at its September 26, 2005 meeting.

Development of the subject site with the existing Hampton Inn began shortly thereafter sometime between 2006 to 2007.

There have been no other Planning Commission or Board of Adjustment cases affiliated with this site.

STAFF COMMENTS

The Applicant has requested a Special Exception to allow a hotel use in a B-2, General Business District located within the Central Business District (CBD). The subject site consists of two parcels that are currently developed with an existing 15,447± square-foot Hampton Inn hotel, swimming pool, and pool house. No change to the existing use, and no new construction, expansion, or alteration of the existing hotel, is being proposed as part of this application.

The Zoning Ordinance defines Hotel as follows:

Hotel: *a business where lodging services, including accessory uses such as eating and drinking facilities, recreation facilities and parking, are provided. Lodgings may consist of sleeping rooms only or may include cooking facilities also, but are not intended for long-term occupancy.*

Development of the existing hotel began prior to the current City of Fairhope Zoning Ordinance which was adopted by the City Council on June 27, 2005. Applications for a Site Plan Review (SR 05.04) associated with the Hampton Inn were submitted before June 2005 which allowed SR 05.04 to be reviewed in accordance with the previous 1992 Zoning Ordinance. Under the '92 Zoning Ordinance a hotel was allowed by right within B-2 districts, hence the approval of the Hampton Inn Site Plan. However, the '05 Zoning Ordinance removed this use from B-2 districts entirely, making the Hampton Inn a legal non-conforming use essentially as soon as construction began. As a legal non-conforming use the hotel was allowed to continue with construction and operate under the approved Site Plan, but any future additions/expansions of the use and/or additions/expansions to the approved structures would necessitate additional reviews by the Board of Adjustment. It was not until the adoption of a zoning amendment in 2014 that the hotel use was added back into the Use Table. This time as a use allowed within B-2 districts via Special Exception approval by the Board.

As previously mentioned, the applicant does not propose any change to the existing hotel use or structures at this time. The purpose of this application is to request approval of the hotel use so that the site may operate under a Special Exception rather than as a legal non-conforming use.

If approved, the subject site will be able to be redeveloped with a future hotel use under the current standard conditions listed within the Zoning Ordinance in addition to any conditions of approval the Board sees fit to

require with this application. It should be noted, however, that with the adoption of the recent amendments to the Zoning Ordinance in July 2026, Site Plan review is now required for any hotel being proposed within any zoning district. Meaning that, if approved, while the Board of Adjustment will not have a chance to weigh in on any future hotel use on the subject site, the City Council will review any future site plans should the existing hotel be altered or the site redeveloped.

Lastly, it should be noted that this application is a Special Exception request for the hotel Use only. Any and all future signage must be separately permitted in full compliance with the City of Fairhope Sign Ordinance.

The complete application, including the applicant's narrative/description, can be found included within the agenda packet.

Citizen Comments

During the public comment period staff did not receive any citizen comments.

SPECIAL EXCEPTION CONSIDERATIONS

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

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

Recommendation:

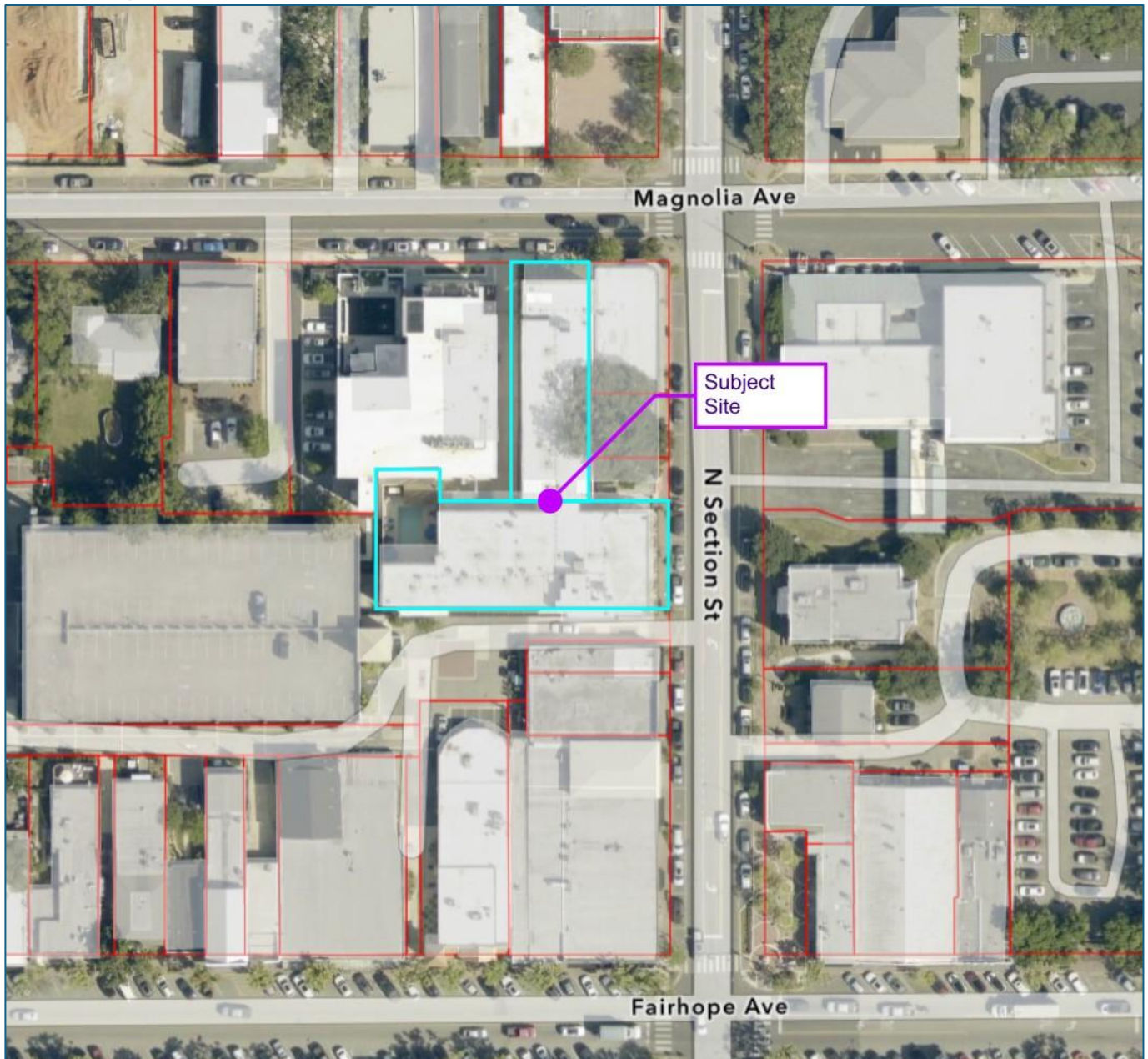
Based on the preceding, Staff recommends **APPROVAL** of BOA 26.11 – 23 N Section St.

EXHIBITS

BOA 26.11 – Hampton Inn

September 21, 2026

Locator Map





APPLICATION FOR BOARD OF ADJUSTMENTS

Application Type: ☐ Administrative Appeal ☒ Special Exception ☐ Variance

Property Owner / Leaseholder Information

Name: Fairhope Single Tax Colony / HH Section Street Hospitality, LLC

Phone Number: 415-350-6779

Street Address: 2132 Bissonnet Street, Suite 301

City: Houston State: Texas Zip: 77005

Applicant / Agent Information

If different from above.

Notarized letter from property owner is required if an agent is used for representation.

Name: Casey Pipes

Phone Number: 251-432-5521

Street Address: 150 Government Street, Suite 2000

City: Mobile State: Alabama Zip: 36602

Site Plan with Existing Conditions Attached: YES NO

Site Plan with Proposed Conditions Attached: YES NO

Variance Request Information Complete: YES NO

Names and Address of all Real Property Owners
within 300 Feet of Above Described Property Attached: YES NO

Applications for Administrative Appeal or Special Exception:

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

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

ADAM LAIR
Property Owner/Leaseholder Printed Name

7/24/26
Date

[Signature]
Signature
* Fairhope Single Tax Corp. (If Applicable)

Reuben E. Davidson, III
FSTC Secretary



VARIANCE REQUEST INFORMATION

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

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

Describe the indicated conditions: Special Exception for hotel use

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

see attached

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

see attached

Hardship (taken from Code of Alabama 1975 Section 11-52-80):

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

BOA Fee Calculation:

	Residential	Commercial
Filing Fee:	\$100	\$500
Publication:	\$20	\$20
TOTAL:	\$	

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.

FSTC / HH Section Street Hospitality
Property Owner/Leaseholder Printed Name

[Signature]
Signature

8/5/2026
Date

Fairhope Single Tax Corp. (If Applicable)

I. Description of the Request

The Applicant is representing the owner of an existing, operating Hampton Inn hotel located at 23 North Section Street / 318 Magnolia Avenue, Fairhope, Alabama, identified as Baldwin County Parcel Nos. 05-46-03-37-0-601-002.503 and 05-46-03-37-0-601-002.505 (PINs 15195 and 15311) (the "Property"). The Property is located within the City of Fairhope corporate limits and is zoned B-2, General Business District, and it is located in the Central Business District overlay.

The Applicant respectfully requests that the Board grant a special exception authorizing the hotel use on the Property, so that the existing hotel is recognized as a use permitted by special exception in the B-2 district. No change to the existing use, and no new construction, expansion, or alteration of the existing improvements, is proposed as part of this application.

II. Background and Existing Legal Non-Conforming Status

The hotel use was developed prior to the adoption of the current Zoning Ordinance in 2005, at a time when a hotel use was allowed by right within B-2 districts. The Property's development was formally reviewed and approved. On August 1, 2005, the Planning Commission unanimously recommended approval of SR 05-04, the site plan review for the proposed hotel, and the City Council approved that recommendation on September 26, 2005. Under the current Ordinance, a hotel use in the B-2 district is "permitted only on appeal and subject to special conditions," and the City has confirmed that no special exception request has previously been associated with the Property. Accordingly, the hotel currently exists as a lawful, legal non-conforming use — a use "that legally existed prior to the adoption of th[e] ordinance, but which could not be initiated under the terms of th[e] ordinance". The City has further confirmed that there are no outstanding zoning code violations at the site and that it has not been the subject of any prior variance or special exception approvals.

III. Purpose of the Request — Eliminating Non-Conforming Status Risk

The sole purpose of this application is to obtain approval of the existing hotel as a use permitted by special exception, thereby removing the risk associated with the continuation limits on legal non-conforming uses. The Ordinance provides that "[a] lawful non-conforming use that ceases for any reason for a period of more than 180 consecutive days shall not be reinitiated unless it is in compliance with all ordinances," and that if a legal non-conforming use is replaced by a conforming use, the non-conforming use may not be reinitiated. Relatedly, the City has advised that, in the event of a casualty, any legal non-conforming use may be restored within its current footprint only "so long as there has not been a cessation of said use for a period of more than 180 consecutive days". Granting the special exception would cause the hotel to be an authorized special exception use rather than a mere non-conforming use, protecting the continued operation of a longstanding community asset against inadvertent loss of use rights. This purpose is fully consistent with the Ordinance's stated policy that lawful non-conformities "that came into existence lawfully should be allowed to exist," while the City works toward securing compliance with the comprehensive plan.

IV. The Special Exception Satisfies the Applicable Review Criteria

The criteria for granting a special exception are set out in Article II, Section C.3.e(2), and this request satisfies each applicable criterion:

(a) Compliance with the Comprehensive Plan. The hotel use is consistent with the 2024 Fairhope Comprehensive Plan, as detailed in Section V below.

(b) Compliance with other approved planning documents;

(c) Compliance with the standards, goals, and intent of the Ordinance. The Property lies within the Central Business District (CBD) Overlay, which is "intended to preserve downtown Fairhope as the 'Regional Village Center' and focal point for the City" and to "provide an environment for shopping, restaurant and entertainment, cultural and artistic institutions, offices, governmental functions, and residential uses". An established downtown hotel serves that mix-of-uses purpose and supports the pedestrian activity the CBD is designed to generate. The use also satisfies the Ordinance's definition of a hotel.

(d) Character of the surrounding property. The surrounding area is predominantly commercial. Adjacent properties to the north, south, and east are zoned B-2, General Business District, and properties to the west are zoned P-1, Parking District, and B-2. A hotel is a commercial lodging use consistent with the character of these surrounding business-zoned properties.

(e) Adequacy of public infrastructure. The hotel is an existing, fully developed and served use requiring no new or expanded infrastructure, because no changes to the improvements or use are proposed. The Property's existing site characteristics, including parking, are recognized as legal under the Ordinance.

(f) Impacts on natural resources. Because the application contemplates no construction, land disturbance, or change in operations, there are no new or ongoing post-development impacts on natural resources.

(g)–(h) Compliance with other laws and regulations. The City has confirmed there are no outstanding zoning code violations at the site, and the use will continue to operate in compliance with all applicable municipal codes and ordinances.

(i)–(j) Impacts on adjacent property and the surrounding neighborhood (noise, traffic, visible intrusions, physical impacts, and property values). The hotel has operated at this location since it was developed and approved in 2005, and no change in use, intensity, traffic, or appearance is proposed; approval will therefore introduce no new impacts on adjacent property or the surrounding neighborhood.

(k) Overall benefit to the community. Downtown lodging supports Fairhope's tourism-based and small-business economy, as described in Section V.

(l) Compliance with sound planning principles. Recognizing an existing, established, and previously City-approved use as a permitted special exception use — with no physical change — reflects sound planning by directing activity to existing infrastructure in the historic downtown.

(m) Compliance with the terms and conditions of any zoning approval. The use was previously approved through Site Plan Review SR 05-04 and has operated consistently with that approval.

(n) Any other matter relating to the health, safety, and welfare of the community. Confirming the lawful status of an existing, well-maintained hotel promotes orderly development and protects established property rights, which the Ordinance identifies as matters of public health, safety, and general welfare.

V. Consistency with the 2024 Fairhope Comprehensive Plan

The requested special exception is consistent with, and affirmatively advances, the goals and policies of the 2024 Fairhope Comprehensive Plan. The Plan identifies the "Downtown Core" — the roughly 20-block area straddling Section Street — as the densest, most walkable part of Fairhope, and it expressly lists "lodging" among the primary land uses for the Downtown Core, alongside retail, dining, services, offices, institutional uses, and housing. The Property, located on North Section Street within the CBD Overlay, sits squarely within this downtown context.

The Plan also prioritizes strengthening downtown Fairhope, which it describes as "the hub for commercial activity in the city" and the City's "brand," and it emphasizes tourism and destination visitation as ways to "diversify and expand the market for local businesses". The Plan specifically recognizes a "gap in the supply of small-scale purpose-built lodging" downtown and, in its Implementation Matrix, adopts Recommendation J-5 to "[e]ncourage more small-scale lodging or inns". An existing downtown hotel directly supports these lodging, tourism, and economic-development objectives. Finally, the Plan's guiding development principles call for maximizing and leveraging Fairhope's existing community assets — including "the historic downtown and its buildings, existing infrastructure" — and steering "future development toward areas already developed with existing infrastructure, including the historic downtown area," in order to "capitalize on tourism revenue". Confirming the status of an established hotel already served by downtown infrastructure is fully consistent with that principle.

VI. Required Findings — Compatibility, No Adverse Impact, and Public Interest

For the reasons above, the Board can make the findings necessary to grant the special exception. The use is **compatible** with surrounding uses, which are commercially zoned B-2 and P-1, and with the mixed-use, pedestrian-oriented character the CBD Overlay is designed to foster. Approval will cause **no adverse impact**, because the application proposes no change to the existing improvements, operations, intensity, or footprint, and thus introduces no new impacts relating to noise, traffic, visible intrusions, physical effects, or property values. And approval serves the **public interest** by protecting an established, lawfully developed community

asset, promoting orderly development and settled property rights, and advancing the Comprehensive Plan's downtown, lodging, and tourism objectives.

Additionally, granting the special exception — rather than allowing the hotel to remain as a mere legal non-conforming use — will materially enhance the Property owner's ability to obtain favorable financing and attract future investment in the site. Lenders and institutional investors routinely disfavor properties whose uses rest on non-conforming status, viewing such properties as carrying elevated risk due to the possibility of involuntary use termination upon a cessation of operations or casualty event. By contrast, a use specifically authorized by special exception provides a more secure and marketable legal foundation, improving the Property's eligibility for conventional financing, refinancing, and recapitalization. This improved access to capital serves the community's interest in two important ways. First, it ensures that the property owner will have the financial resources necessary to maintain and invest in the hotel over time, reducing the likelihood of deferred maintenance, physical deterioration, and the attendant risk of blight — outcomes that the Ordinance and Comprehensive Plan are designed to prevent. Second, it supports the continued vitality of an established downtown use, reinforcing the Central Business District as a well-maintained and economically active hub. Approval of the special exception therefore advances the public interest not only by protecting the use rights of the property owner, but also by helping ensure that the hotel remains a well-capitalized, properly maintained asset that contributes positively to the surrounding neighborhood and the City as a whole.

Granting the special exception also serves the public interest by eliminating a potential constitutional cloud that would otherwise hang over the Property. Courts have recognized that a lawful nonconforming use may constitute a vested property right entitled to constitutional protection. Where, as here, the Property was developed with formal City approval at a time when the hotel use was permitted by right, the owner has substantial investment-backed expectations in the continuation of that use. An ordinance provision that automatically terminates use rights upon a cessation of more than 180 consecutive days — without regard to the cause of the cessation — raises serious questions under the Fifth Amendment's regulatory takings framework, particularly if the cessation results from an involuntary casualty event rather than voluntary abandonment. Although the Applicant does not seek to litigate these constitutional questions, their existence underscores why approval of the special exception is sound policy: it protects the City from potential constitutional challenge, provides certainty to the property owner, and ensures that a lawfully established community asset is not inadvertently lost to a forfeiture provision that was never intended to punish owners who suffer casualties beyond their control.

VII. Conclusion

The Applicant respectfully requests that the Board grant a special exception authorizing the hotel use on the Property. The hotel is an existing, lawfully established use with an unbroken history of operation and a clean compliance record. The request seeks no physical change to the existing improvements. The use satisfies each applicable special exception criterion under Article II, Section C.3.e(2), and the use is consistent with and advances the goals of the 2024 Fairhope Comprehensive Plan.

ALTA/NSPS LAND TITLE SURVEY

23 N. SECTION STREET

BALDWIN COUNTY, FAIRHOPE, ALABAMA 36532

LOCATED IN: SECTION 13, TOWNSHIP 06 SOUTH, RANGE 02 EAST,

SITE INFORMATION

NF: 1/4 SECTION STREET HOSPITALITY, LLC
23 NORTH SECTION STREET, FAIRHOPE, ALABAMA 36532
TOTAL AREA:
15,477 ± SQUARE FEET, OR 0.355 ± ACRES

PARCEL A:
APN: 4603370601002505
5,947 ± SQUARE FEET

PARCEL B:
APN: 4603370601002503
9,501 ± SQUARE FEET

TITLE COMMITMENT INFORMATION

THE PROPERTY HEREON DESCRIBED IS THE SAME AS THE PERTINENT PROPERTY AS DESCRIBED IN COMMONWEALTH LAND TITLE INSURANCE COMPANY, TITLE COMMITMENT NO. 26157, WITH A COMMITMENT DATE OF MAY 3, 2026 AT 8:00 AM.

SCHEDULE A DESCRIPTION

THE LAND IS DESCRIBED AS FOLLOWS:

PARCEL A:
FROM A POINT WHERE THE SOUTH RIGHT-OF-WAY OF MAGNOLIA AVENUE AND THE WEST RIGHT-OF-WAY OF SAID SECTION STREET INTERSECT, THENCE RUN SOUTH ALONG THE WEST RIGHT-OF-WAY OF SAID SECTION STREET, A DISTANCE OF 150 FEET TO A RAILROAD SPIKE FOR THE POINT OF BEGINNING; THENCE RUN WEST, A DISTANCE OF 135 FEET TO A RAILROAD SPIKE AT A FENCE CORNER; THENCE RUN NORTH, A DISTANCE OF 15 FEET TO AN IRON PIPE; THENCE RUN WEST, A DISTANCE OF 40 FEET TO AN IRON PIPE; THENCE RUN SOUTH, A DISTANCE OF 83 FEET TO AN IRON PIPE; THENCE RUN EAST, A DISTANCE OF 94 FEET TO AN IRON PIPE; THENCE RUN SOUTH, A DISTANCE OF 1 FOOT 1 INCH; THENCE RUN EAST, A DISTANCE OF 81 FEET; THENCE RUN NORTH, A DISTANCE OF 69.08 FEET TO THE POINT OF BEGINNING, BEING PARTS OF LOTS 5, 6 AND 7, BLOCK 7, DIVISION 1, OF THE LANDS OF THE FAIRHOPE SINGLE TAX CORPORATION IN THE CITY OF FAIRHOPE, ALABAMA, AS PER MAP OR PLAT THEREOF RECORDED SEPTEMBER 13, 1911, IN MISCELLANEOUS BOOK 1, PAGES 320 THROUGH 321, IN THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, PARCEL LIES IN FRACTIONAL SECTION 18, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

PARCEL B:
FROM A POINT WHERE THE SOUTH RIGHT-OF-WAY OF MAGNOLIA AVENUE AND THE WEST RIGHT-OF-WAY OF SAID SECTION STREET INTERSECT, THENCE RUN SOUTH ALONG THE WEST RIGHT-OF-WAY OF SAID SECTION STREET, A DISTANCE OF 150 FEET TO A RAILROAD SPIKE FOR THE POINT OF BEGINNING; THENCE RUN WEST, A DISTANCE OF 135 FEET TO A RAILROAD SPIKE AT A FENCE CORNER; THENCE RUN NORTH, A DISTANCE OF 15 FEET TO AN IRON PIPE; THENCE RUN WEST, A DISTANCE OF 40 FEET TO AN IRON PIPE; THENCE RUN SOUTH, A DISTANCE OF 83 FEET TO AN IRON PIPE; THENCE RUN EAST, A DISTANCE OF 94 FEET TO AN IRON PIPE; THENCE RUN SOUTH, A DISTANCE OF 1 FOOT 1 INCH; THENCE RUN EAST, A DISTANCE OF 81 FEET; THENCE RUN NORTH, A DISTANCE OF 69.08 FEET TO THE POINT OF BEGINNING, BEING PARTS OF LOTS 5, 6 AND 7, BLOCK 7, DIVISION 1, OF THE LANDS OF THE FAIRHOPE SINGLE TAX CORPORATION IN THE CITY OF FAIRHOPE, ALABAMA, AS PER MAP OR PLAT THEREOF RECORDED SEPTEMBER 13, 1911, IN MISCELLANEOUS BOOK 1, PAGES 320 THROUGH 321, IN THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA AND COUNCIL ACTION ADDING 10 FEET FROM THE POINT OF SAID BLOCK 7 TO THE WIDTH OF SECTION STREET, PARCEL LIES IN FRACTIONAL SECTION 18, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

NOTES CORRESPONDING TO SCHEDULE B

- 9 — ALL OF THE TERMS AND CONDITIONS OF THE NINETY-NINE (99) YEAR GROUND LEASE FROM THE FAIRHOPE SINGLE TAX CORPORATION TO FAIRHOPE HOSPITALITY GROUP, LLC, DATED APRIL 13, 2007 AND RECORDED APRIL 15, 2007, AS INSTRUMENT NUMBER 104355, PAGES 1 THROUGH 2, THE TERMS AND CONDITIONS OF THE CONSTITUTION AND BYLAWS OF THE FAIRHOPE SINGLE TAX CORPORATION AND THE PROVISIONS OF THE CODE OF ALABAMA (1975) SECTIONS 10-4-190 THROUGH 10-4-194, (THIS APPLIES TO PARCEL A) (AFFECTS, CONTAINS NO PLOTTABLE EASEMENT ITEMS)
- 10 — ALL OF THE TERMS AND CONDITIONS OF THE NINETY-NINE (99) YEAR GROUND LEASE FROM THE FAIRHOPE SINGLE TAX CORPORATION TO FAIRHOPE HOSPITALITY GROUP, LLC, DATED JUNE 9, 2008 AND RECORDED JUNE 12, 2008, AS INSTRUMENT NUMBER 104355, PAGES 1 THROUGH 2, THE TERMS AND CONDITIONS OF THE CONSTITUTION AND BYLAWS OF THE FAIRHOPE SINGLE TAX CORPORATION AND THE PROVISIONS OF THE CODE OF ALABAMA (1975) SECTIONS 10-4-190 THROUGH 10-4-194, (THIS APPLIES TO PARCEL B) (AFFECTS, CONTAINS NO PLOTTABLE EASEMENT ITEMS)
- 15 — TERMS AND CONDITIONS OF REMOVAL OF ADJACENT BY AND BETWEEN THE PARKING AUTHORITY OF CITY OF FAIRHOPE, ALABAMA AND FAIRHOPE HOSPITALITY GROUP, LLC EXECUTED JUNE 9, (AFFECTS, CONTAINS NO PLOTTABLE EASEMENT ITEMS)

PARKING INFORMATION

REGULAR: 00
HANDICAP: 00
COVERED: 02
TOTAL: 02

FLOOD ZONE INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 010030644M, WHICH BEARS AN EFFECTIVE DATE OF 04/19/2019 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

ZONE "X" - AREA OF MINIMAL FLOOD HAZARD, USUALLY DEPICTED ON FIRMS AS ABOVE THE 500-YEAR FLOOD LEVEL. ZONE "X" IS THE AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD AND PROTECTED BY LEVEE FROM 100-YEAR FLOOD.

BASIS OF BEARING

THE BASIS OF BEARING OF THIS SURVEY IS GRID NORTH BASED ON NORTH LINE OF SUBJECT PROPERTY. THE BEARING IS DENOTED AS N89°41'37"W PER GPS COORDINATE OBSERVATIONS ALABAMA STATE PLANE, WEST ZONE NAD83.
LATITUDE = 30°17'25.23"N
LONGITUDE = -87°54'12.66"W
CONVERGENCE ANGLE = 00°12'17.776"

SIGNIFICANT OBSERVATIONS

NONE OBSERVED AT THE TIME OF ALTA/NSPS SURVEY.

UTILITY INFORMATION

THE UTILITIES SHOWN ON THIS DRAWING HEREON HAVE BEEN LOCATED BY FIELD MEASUREMENTS, & CLIENT-PROVIDED UTILITY MAP DRAWINGS. BLEW & ASSOCIATES MAKES NO WARRANTY TO THE EXACT LOCATION OF ANY UNDERGROUND UTILITIES SHOWN OR NOT SHOWN ON THIS DRAWING. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ANY AND ALL UTILITIES PRIOR TO CONSTRUCTION. CALL (ALABAMA) ONE-CALL AT 811 OR (800) 282-4325 FOR FIELD LOCATIONS (REQUEST FOR GROUND MARKINGS) OF UNDERGROUND UTILITY LINES BEFORE DIGGING.

ZONING INFORMATION

PROPERTY IS CURRENTLY ZONED: "B-2" GENERAL BUSINESS DISTRICT			
OBSERVED USE: RETAIL	USE PERMITTED BY ZONE: YES		
ITEM	REQUIRED	OBSERVED	
MIN. SETBACKS FRONT	SEE NOTE 2	4.2'	
MIN. SETBACKS SIDE	SEE NOTE 3	0.5'	
MIN. SETBACKS REAR	SEE NOTE 4	1'	
MAX. BUILDING HEIGHT	SEE NOTE 5	30'	
MIN. LOT AREA	NONE	SEE NOTE 8	
MIN. LOT WIDTH	NONE	49'	
MAX. BLDG COVERAGE	NOT STATED	SEE NOTE 7	
PARKING REGULAR	NONE STATED	02	
PARKING HANDICAP	NONE STATED	00	
PARKING TOTAL	SEE NOTE 8	02	

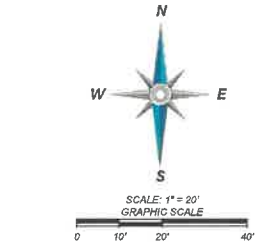
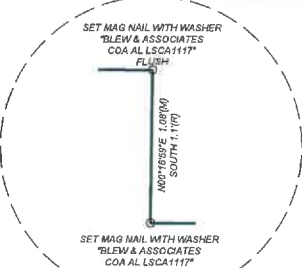
PARKING INFORMATION:
PARKING SPACE FORMULA: HOTELS, MOTELS, BOARDING HOUSES/DORMITORY, MANUFACTURED HOME DEVELOPMENTS, RECREATIONAL VEHICLE PARKS: 1 SPACE PER BEDROOM. MOBILE HOME, OR TRAVEL TRAILER SPACE, PLUS 1 SPACE PER 5 EMPLOYEES.
PARKING SPACE CALCULATION: 89 KEYS (ROOMS) X 1 = 89 SPACES EMPLOYEE COUNT: PENDING

ZONING NOTES:
1) BECAUSE THERE MAY BE A NEED FOR INTERPRETATION OF THE APPLICABLE ZONING CODES, WE REFER YOU TO THE MUNICIPALITY FOR ZONING LAWS AND APPLICABLE CODES.
2) 20' WHEN ADJUTING A RESIDENTIAL PROPERTY ON BOTH SIDES. THE FRONT SETBACK SHALL BE IN LINE WITH ADJACENT STRUCTURES.
3) NONE IF WHERE A LOT ADJUTS A RESIDENTIAL PROPERTY 4) NONE IF WHERE A LOT ADJUTS A RESIDENTIAL PROPERTY 5) 30' 35' FOR CENTRAL BUSINESS DISTRICT; 35' FOR A BUILDING LOCATED IN ANY COMMERCIAL ZONE IF IT CONTAINS BOTH RESIDENTIAL AND COMMERCIAL SPACE.
6) 15,457 ACRES OR 15,447 SQUARE FEET
7) 17,176 ACRES OR 15,447 SQUARE FEET
8) PENDING ADDITIONAL INFORMATION

LEGEND & SYMBOLS

- FOUND MONUMENT AS NOTED
○ SET MONUMENT AS NOTED
⊙ COMPUTED POINT
⊕ GAS METER
⊖ ELECTRIC VAULT
⊗ ELECTRIC METER
⊘ ELECTRIC CABINET
⊙ WATER METER
⊖ WATER VALVE
⊗ DRAIN GRATE
⊘ SEWER VALVE
⊙ FIRE HYDRANT
⊖ FIBER OPTIC VAULT
⊗ CLEANOUT
⊘ NATURAL GROUND
OVH OVERHANG
CC CONCRETE
(M) MEASURED/CALCULATED DIMENSION
(R) RECORD DIMENSION
(N) NOW OR FORMERLY
N.F. BUILDING HEIGHT LOCATION
P.O.B. POINT OF BEGINNING
BG BELOW GRADE
CPS COVERED PARKING SPACE
--- BOUNDARY LINE
--- EASEMENT LINE
--- RAW RIGHT-OF-WAY LINE
--- FENCE LINE
--- WATER LINE

BOUNDARY DETAIL "A:"



VICINITY MAP

NOT TO SCALE



GENERAL NOTES

- SOME FEATURES SHOWN ON THIS PLAT MAY BE SHOWN OUT OF SCALE FOR CLARITY.
- DIMENSIONS ON THIS PLAT ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED. MONUMENTS WERE FOUND AT POINTS WHERE INDICATED.
- IN REGARD TO TABLE A ITEM 16, THERE WAS NO OBSERVABLE EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR ADDITIONS.
- IN REGARD TO TABLE A ITEM 17, THERE WERE NO KNOWN PROPOSED CHANGES IN RIGHT-OF-WAY LINES, RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- AT THE TIME OF THE ALTA/NSPS SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, GUMP, OR SANITARY LANDFILL.
- AT THE TIME OF THE ALTA/NSPS SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF SITE USE AS A CEMETERY, ISOLATED GRAVE SITE OR BURIAL GROUND.
- COMPLETED FIELD WORK WAS APRIL 06, 2026.
- THE DISTANCES SHOWN HEREON ARE GRID. COMBINED SCALE FACTOR (GRID TO GROUND) = 1.00005402427455.
- THE NEAREST INTERSECTING STREET IS THE INTERSECTION OF SECTION STREET AND MAGNOLIA AVENUE, WHICH IS APPROXIMATELY 1/2 FROM THE NORTHEAST CORNER OF THE SUBJECT PROPERTY.
- THE SUBJECT PROPERTY HAS PEDESTRIAN & VEHICULAR ACCESS TO SECTION STREET, BEING A PUBLICLY DEDICATED RIGHT-OF-WAY.
- NO SURVEYOR OR ANY OTHER PERSON OTHER THAN A LICENSED ALABAMA ATTORNEY MAY PROVIDE LEGAL ADVICE CONCERNING THE STATUS OF TITLE TO THE PROPERTY DESCRIBED IN THIS SURVEY (THE SUBJECT PROPERTY). THE PURPOSE OF THIS SURVEY, AND THE COMMENTS RELATED TO THE SCHEDULE B-I EXCEPTIONS, IS ONLY TO SHOW THE LOCATION OF BOUNDARIES AND PHYSICAL OBSTRUCTIONS IN RELATION THEREOF. TO THE EXTENT THAT THE SURVEY INDICATES THAT THE LEGAL INSTRUMENT "AFFECTS" THE SUBJECT PROPERTY, SUCH STATEMENT IS ONLY INTENDED TO INDICATE THAT PROPERTY BOUNDARIES INCLUDED IN SUCH INSTRUMENT INCLUDE SOME OR ALL OF THE SUBJECT PROPERTY. THE SURVEYOR DOES NOT PURPORT TO DESCRIBE HOW SUCH INSTRUMENT AFFECTS THE SUBJECT PROPERTY OR THE ENFORCEABILITY OR LEGAL CONSEQUENCES OF SUCH INSTRUMENT.
- NAMES AND ADDRESSES OF ADJOINING PROPERTY OWNERS WERE TAKEN FROM BALDWIN COUNTY GIS.
- THE SUBJECT PROPERTY SHOWN HEREON FORMS A MATHEMATICALLY CLOSED FIGURE AND IS CONTIGUOUS WITH THE ADJOINING PUBLIC RIGHT-OF-WAY AND/OR ADJOINING PARCELS WITH NO GAPS OR OVERLAPS.
- IN REGARD TO TABLE A ITEM 16, NO VISIBLE DIVISION OR PARTY WALLS WITH RESPECT TO ADJOINING PROPERTIES WERE OBSERVED AT THE TIME THE FIELD SURVEY WAS PERFORMED, NOR WERE ANY DESIGNATED BY THE CLIENT.
- IN REGARD TO TABLE A ITEM 18, ANY PLOTTABLE OFFSITE (E.E., APPURTENANT) EASEMENTS DISCLOSED IN DOCUMENTS PROVIDED TO OR OBTAINED BY THE SURVEYOR HAVE BEEN SHOWN AND/OR NOTED HEREON.

SURVEYOR'S CERTIFICATE

TO: WESTERN UNITED LIFE INSURANCE COMPANY, 1/4 SECTION STREET HOSPITALITY, LLC, AND COMMONWEALTH LAND TITLE INSURANCE COMPANY.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2025 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(A), 6(B), 7(A), 7(B)(1), 7(B)(2), 7(C), 8, 9, 10(A), 11(A), 12, 14, 16, 17, 18, 19, AND 20 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 04/06/2026.

DATE OF PLAT OR MAP: 04/16/2026

I, BRYAN A. SHIRLEY, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY 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.

BRYAN A. SHIRLEY
PROFESSIONAL LAND SURVEYOR NO.: 28447
STATE OF ALABAMA
ALABAMA C.O.A. 1117-L5



BLEW

Surveying | Engineering | Environmental

3825 N. SHILOH DRIVE - FAYETTEVILLE, AR 72703

EMAIL: SURVEY@BLEWINC.COM

OFFICE: 479.443.4506 FAX: 479.582.1883

WWW.BLEWINC.COM

DATE	REVISION HISTORY	BY
05/13/26	CLIENT COMMENTS	GGF
05/14/26	UPDATED TITLE COMMITMENT	GGF

SURVEYOR JOB NUMBER:
26-3433

SURVEY REVIEWED BY:
YTM

SURVEY PREPARED FOR:
LRCZ CAPITAL

SURVEY DRAWN BY:
GGF - 04/14/2026

SHEET:
1 OF 1



THE CITY OF FAIRHOPE, ALABAMA

PLANNING & ZONING DEPARTMENT

Notification Letter

September 4, 2026

Sherry Sullivan
Mayor

RE: **BOA 26.11**

Address: 23 N. Section Street

PPIN #: 15311, 15195

Description: Owner, HH Section Street Hospitality LLC, for a Special Exception for a Hotel on property zoned B-2, General Business District.

Council Members

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

Dear Property Owner,

State law requires that all property owners within 300' of a property that is the subject of an application before the Board of Adjustment to be notified by mail. The Baldwin County Revenue Office provided your information as a current property owner within 300' of the request detailed above.

Lisa A. Hanks, MMC
City Clerk

This letter is to notify you that the City of Fairhope Board of Adjustment will hold a public hearing regarding the above request at **5:00 PM in the Council Chambers located in the Fairhope Municipal Complex at 161 N. Section Street on September 21, 2026**. Should any desire to provide written comments prior to the public hearing **ALL** written comments and/or presentation materials **MUST** be received by the Planning Department by no later than noon on September 16, 2026, in order to ensure adequate time for review and distribution to the Board members. Written comments/materials received after this deadline may not be included in the advance report packet but may be submitted for the record at the public hearing.

Kimberly Creech
City Treasurer

A detailed staff report and application materials will be posted online during the week prior to the public hearing at 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