



**City of Fairhope  
Board of Adjustments Agenda  
5:00 PM  
Council Chambers  
March 18, 2024**

Sherry Sullivan  
*Mayor*

*Council Members*

Kevin G. Boone

Jack Burrell, ACMO

Jimmy Conyers

Corey Martin

Jay Robinson

Lisa A. Hanks, MMC  
*City Clerk*

Kimberly Creech  
*City Treasurer*

1. Call to Order
2. Approval of Minutes
  - November 20, 2023
3. Consideration of Agenda Items
  - A. BOA 24.02** Public hearing to consider the request of the Applicant, Laura Ashleigh Strickland d/b/a Insight Counseling, LLC, on behalf of the Owner, FST and Don E. Mason, for a Use Not Accounted For – to operate a Professional Medical Office on property zoned as a PUD – Planned Unit Development. The property is approximately 0.78 acres and is located at 19973 State Highway 181, Suite B-4. **PPIN#: 262315**
4. Old/New Business
5. Adjourn

161 North Section Street

P.O. Drawer 429

Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax

[www.fairhopeal.gov](http://www.fairhopeal.gov)

*Printed on recycled paper*

The Board of Adjustments met Monday, November 20, 2023, at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present: Anil Vira, Chairman; Cathy Slagle, Vice-Chair; Frank Lamia; Donna Cook; Ryan Baker; Mike Jeffries, Development Services Manager; Michelle Melton, City Planner; and Cindy Beaudreau, Planning Clerk.

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

### **Approval of Minutes**

Cathy Slagle made a motion to approve the minutes from the October 16, 2023, meeting.

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

Aye: Chairman Vira, Cathy Slagle, Frank Lamia, Donna Cook, and Ryan Baker.

Nay: None.

**BOA 23.12** Public hearing to consider the request of the Owner, Utilities Board of the City of Foley dba Riviera Utilities, for a Special Exception – Use on Appeal – to build a substation on property located east of North Station Drive and south of Gayfer Road Extension. The property is approximately 1.74 acres. **PPIN#: 14972**

Michelle Melton, City Planner, presented the request of the Owner, Utilities Board of the City of Foley dba Riviera Utilities, for a Special Exception – Use on Appeal – to build a substation on property located east of North Station Drive and south of Gayfer Road Extension. Ms. Melton shared the zoning and aerial maps along with the proposed layout. The applicant states that the site was chosen because of its relation to the existing transmission line located along Gayfer Road Extension. The new site will allow Riviera to shed load off two other electrical substations and allow for additional capacity around the AL Hwy 104 and 181 locations. There are no wetlands on the property and the subject property is already devoid of any trees; thus, neither a tree survey nor a tree protection plan is necessary. The applicant has provided a 10' landscape buffer which will screen the subject property from the directly adjacent incompatible uses.

### **Recommendation:**

Staff recommends approval of Case BOA 23.12.

Scott Sligh, Riviera Utilities, reiterated what Ms. Melton shared, specifically their need for capacity due to growth.

Donna Cook asked if most of the lines were underground. Mr. Sligh responded that coming out of the substation, they will be underground. The existing line runs from County Road 13 behind Majors Run, crosses 181 near the Resner property, comes down Blueberry, hits Gayfer and goes in a straight line all the way to Silverhill. Mr. Sligh continued that their board has enacted a policy that anything new be placed underground.

Cathy Slagle asked where the western limit or border where Riviera goes, and Fairhope Utilities begins. Mr. Sligh stated that they will feed from the Animal Clinic on 181 just south of Vance Cabinets then feed from there north and west along Mosley Road. When you get to Majors Run, that will be Fairhope again. When you get north on County Road 13, that's Baldwin EMC and south of the intersection to the Marathon Gas Station, Riviera picks up there all the way to Barnwell.

Mr. Jeffries stated that with the different electrical territories, there is not a distinct, clear, or easy way to explain where the separations exist. Every project that is reviewed, no matter which board it goes in front of, the applicant is required to provide a utility availability letter to ensure that staff has all the appropriate utilities responsible for servicing any new development or application that is received.

Ryan Baker stated that is it unusual for another utility to be placing a substation on City of Fairhope property. Mr. Sligh agreed.

Frank Llamia asked how many properties were notified of this project. Mr. Jeffries stated that properties within 300' of the project were notified and staff received no comment letters in response.

Ms. Slagle asked what is south of this property. Mr. Sligh stated that there is a wooded lot south of the project with a house.

Mr. Baker asked, if this item is approved, what is the next step. Mr. Jeffries replied that Riviera would submit for building permits. Mr. Jeffries stated that the property was recently annexed into the City of Fairhope.

Ms. Slagle asked if this has advantages for the City of Fairhope and why did the City annex it. Mr. Jeffries explained that this will allow the properties adjacent to this property to annex into the City also. Mr. Sligh added that Riviera wants to work with Fairhope and that was the plan when the property was purchased. When the law changed and the lines changed, the property ended up in the County, but it was always the plan to permit this project with the City of Fairhope.

Chairman Vira opened the public hearing at 5:11pm.

Bryan Flowers, alternate Board of Adjustments member, asked what the timeline from construction to completion would be. Mr. Sligh responded that he would like to start the site work immediately, but he is unable to get the major pieces of equipment until July 2024. Mr. Sligh stated that, realistically, the project would be complete near November 2024.

The public hearing was closed at 5:12pm.

**Motion:**

Donna Cook made a motion to approve BOA 23.12.

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

Aye: Chairman Vira, Cathy Slagle, Frank Lamia, Donna Cook, and Ryan Baker.  
Nay: None.

**Old/New Business**

Mr. Vira asked if there was a December meeting. Mr. Jeffries stated no and that staff will notify them if there is a meeting in January.

**Adjournment**

Cathy Slagle made a motion to adjourn.

The motion carried unanimously with the following vote:

Aye: Chairman Vira, Cathy Slagle, Frank Lamia, Donna Cook, and Ryan Baker.  
Nay: None.

Adjourned at 5:13 p.m.

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Anil Vira, Chairman

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Cindy Beaudreau, Secretary

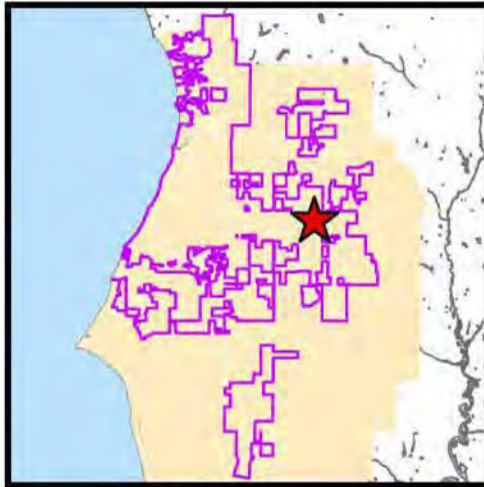
# City of Fairhope

## Board of Adjustments

March 18, 2024



### BOA 24.02 - Insight Counseling



**Project Name:**

Insight Counseling

**Site Data:**

0.78 acres

**Project Type:**

Use Not Accounted For

**Jurisdiction:**

Fairhope Planning Jurisdiction

**Zoning District:**

PUD

**PPIN Number:**

262315

**General Location:**

Southwest corner of the intersection of  
Windmill Road and State Highway 181

**Surveyor of Record:**

**Engineer of Record:**

**Owner / Developer:**

FST and Don E. Mason

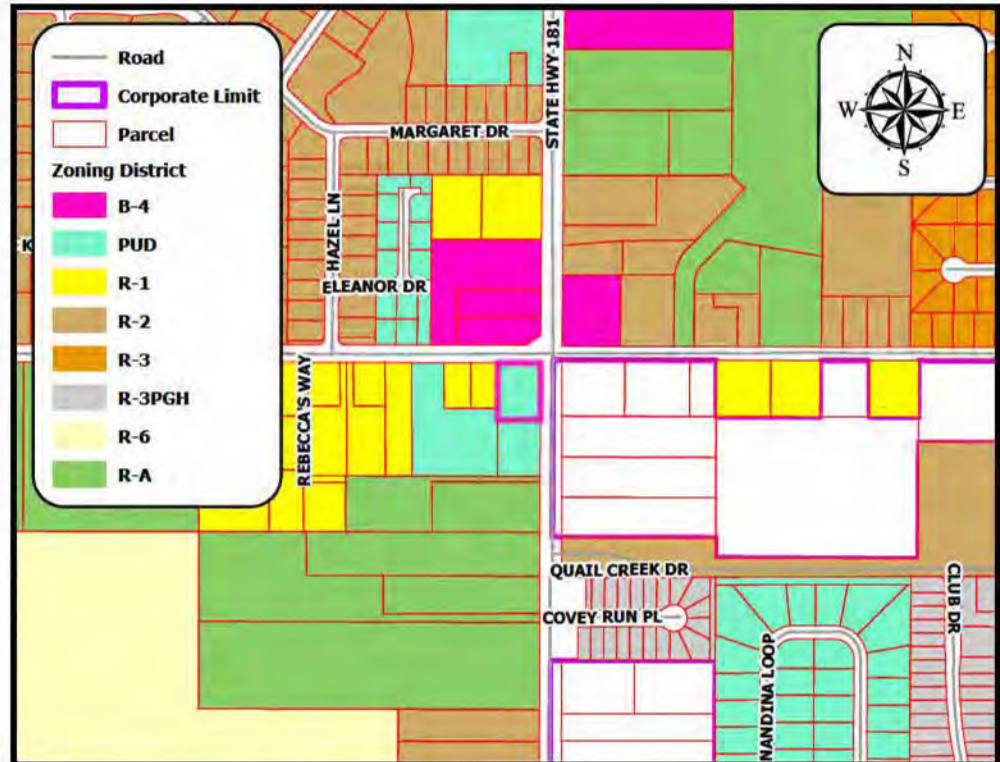
**School District:**

Fairhope Elementary School  
Fairhope Middle and High Schools

**Recommendation: Approval**

**Prepared by:**

Michelle Melton





### APPLICATION FOR BOARD OF ADJUSTMENTS

Application Type: ☐ Administrative Appeal ☒ Special Exception ☐ Variance

#### Property Owner / Leaseholder Information

Name: DON E. MASON Phone Number: (228) 861-7571  
 Street Address: 5 COLONEL WINK DR.  
 City: GULFPORT State: MS Zip: 39507

#### Applicant / Agent Information

*If different from above.*

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

Name: Lava Ashleigh Shuckland Phone Number: 205-393-0009  
 Street Address: 27821 HWY 181, Unit 3501  
 City: Daphne State: AL Zip: 36526

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

PPIN  
262315  
Suite B-4

#### 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.

Don E. Mason  
 Property Owner/Leaseholder Printed Name

1/27/24  
 Date

DON E. MASON  
 Signature

Fairhope Single Tax Corp. (If Applicable)

FSTC Secretary  
Ed Davidson



### VARIANCE REQUEST INFORMATION

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

- |                                      |                                    |                                          |
|--------------------------------------|------------------------------------|------------------------------------------|
| <input type="checkbox"/> Too Narrow  | <input type="checkbox"/> Elevation | <input type="checkbox"/> Soil            |
| <input type="checkbox"/> Too Small   | <input type="checkbox"/> Slope     | <input type="checkbox"/> Subsurface      |
| <input type="checkbox"/> Too Shallow | <input type="checkbox"/> Shape     | <input type="checkbox"/> Other (specify) |

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

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

\_\_\_\_\_  
 \_\_\_\_\_

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

\_\_\_\_\_  
 \_\_\_\_\_

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

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

BOA Fee Calculation:

|               | Residential | Commercial           |
|---------------|-------------|----------------------|
| Filing Fee:   | \$100       | \$500 - <i>check</i> |
| Publication:  | \$20        | \$20                 |
| <b>TOTAL:</b> | <b>\$</b>   |                      |

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

*Don E. Mason*  
 Property Owner/Leaseholder Printed Name

1/27/24  
 Date

*DON E. MASON*  
 Signature

*FSTC Secretary*  
 Fairhope Single Tax Corp. (If Applicable)

*Ed Davidson*

### Summary of Request:

The applicant, Laura Ashleigh Strickland, is requesting a use not provided for within the Fairhope Zoning Ordinance and PUD Ordinance No. 1181 ("Moorehaven Village" Subdivision) for the property located at 19973 State Highway 181, Suite B-4. The subject property is zoned PUD. Applicant desires to operate a mental health consulting office, InSight Counseling, LLC, at this location.

### Comments:

The Fairhope Zoning Ordinance does not provide for the use "mental health counseling office."

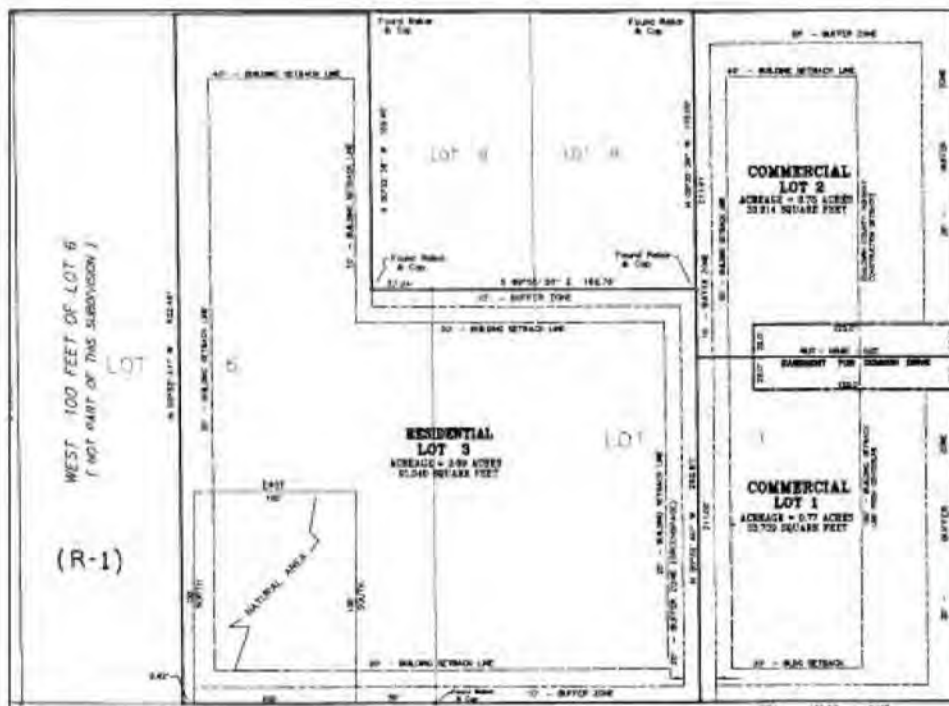
Article II, Section A(4)(d)(4) describes the duty and power of the BOA that is applicable to this case.

- (4) *Uses Not Provided For:* Whenever, in any district established under this ordinance, a use is neither specifically permitted or denied and an application is made by a property owner to the Director of Planning and Building for use, the Director shall refer the application to the board of adjustment which shall have the authority to permit the use or deny the use. The use may be permitted if it is similar to and compatible with permitted uses in the district and in no way is in conflict with the general purpose and intent of this ordinance.

The PUD, Moorehaven Village Ordinance No. 1181 provides the following as Uses:

**Uses:** Only 7 duplex residential structure and 2 B4 - business and professional buildings shall be allowed.

Slide 2162E shows three (3) lots: Lots 1 and 2 are Commercial and compose the "2 B4" components of the PUD; and Lot 3 is Residential.



The residential structure and business and professional buildings exist.

Applicant desires to operate a mental health counseling office out of an office space located in the building on Lot 2.

The Fairhope Zoning Ordinance defines B-4 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.

Article III, Section A(14).

The Fairhope Zoning Ordinance does not provide for the use “medical office” either in Table 3-1.

“Professional Office” is the most relevant existing use to the aforementioned requested use. The City of Fairhope Zoning Ordinance defines “Professional Office” as follows:

- b. *Professional* – a building occupied by a profession and offering professional services to clients, customers, or patrons which may involve occasional on-site contact with clients, customers or patrons. Examples include architect, accountant, real estate, engineer, lawyer, or other similar professions.

Article XI, Section 3(b)(3) under “Office Use Category.”

Professional counseling services may easily fall under “other similar professions.” There is a common confidentiality that goes with a lawyer and accountant (financial advisor) and their clients that professional counseling also requires to its patrons/patients/clients. Also, InSight Counseling requires appointments and does not take walk-ins.

The requested use that is not provided for does not fall under the definition of a clinic because InSight Counseling does not diagnose people, it offers professional services to help people post diagnoses.

The Zoning Ordinance defines a Clinic as “a place used for the care, diagnosis and treatment of ailing, infirm, or injured persons, and those who are in need of medical and surgical attention, but who are not provided with board.” Article XI, Section B(5)(b) under “Service Use Category.”

**The review criteria for this case is as follows:**

**Article II. Section C.e(2)**

**Any other application to the Board shall be reviewed under the following criteria and relief granted only upon the concurring vote of four Board members:**

**(a) Compliance with the Comprehensive Plan:**

**Response:** Complies

**(b) Compliance with any other approved planning document;**

**Response:** Complies with PUD Ord. 1181.

**(c) Compliance with the standards, goals, and intent of this ordinance;**

**Response:** Complies

**(d) The character of the surrounding property, including any pending development activity;**

**Response:** Already developed in accordance with three (3) lot PUD with commercial (B-4) zoning. B-4 zoning is also across Windmill Ave. Opposite side of AL Hwy 181 is Baldwin County.

**(e) Adequacy of public infrastructure to support the proposed development;**

**Response:** Already developed. Suite within an existing building.

**(f) Impacts on natural resources, including existing conditions and ongoing post-development conditions;**

**Response:** The site utilizes an existing drainage system.

**(g) Compliance with other laws and regulations of the City;**

**Response:** Complies.

**(h) Compliance with other applicable laws and regulations of other jurisdictions;**

**Response:** No issues noted.

**(i) Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values;**

**Response:** No issues noted.

**(j) Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values.**

**Response:** No issues noted.

**(k) Overall benefit to the community;**

**Response:** The use proposed will provide mental health counseling services for the community.

**(l) Compliance with sound planning principles;**

**Response:** Complies.

**(m) Compliance with the terms and conditions of any zoning approval; and**

**Response:** Complies.

**(n) Any other matter relating to the health, safety, and welfare of the community.**

**Response:** No issues noted.

**Staff Recommendation:**

Staff recommends **APPROVAL** of the request for a use not provided for, for InSight Counseling, LLC, to provide mental health counseling services in a B-4 Business and Professional District.



Dear City of Fairhope and the Board of Adjustments,

I am writing to formally request a special exception for the establishment of a mental health counseling office at 19973 Highway 181, Suite B-4. As an experienced mental health professional, I am dedicated to providing vital services to individuals in need within our community. The proposed counseling office aims to create a supportive and confidential environment for clients to address a spectrum of mental health concerns, including but not limited to anxiety, depression, trauma, and relationship issues. The services provided will encompass individual counseling, group therapy, and workshops designed to promote emotional well-being and personal growth. The office will operate during standard business hours, with minimal disruption to the surrounding area. I believe that the establishment of this counseling office will contribute positively to the overall health and resilience of our community. I am committed to adhering to all zoning regulations and ensuring that the counseling office operates in harmony with the neighborhood. Your consideration of this special exception is greatly appreciated, and I am open to any further discussions or clarifications required to move this application forward.

Sincerely,

Ashleigh Strickland

[ashleigh@theinsightcounseling.com](mailto:ashleigh@theinsightcounseling.com)

205-393-0009

**ORDINANCE NO. 1181**

**AN ORDINANCE AMENDING ORDINANCE NO. 557  
KNOWN AS THE ZONING ORDINANCE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

The ordinance known as the Zoning Ordinance (No. 557), adopted 11 August 1975, together with the Zoning Map of the City of Fairhope, be and the same hereby is changed and altered in respect to that certain property described below:

The appropriate public notice and hearing of, the Planning and Zoning Commission of the City of Fairhope, Alabama, has forwarded a favorable recommendation.

The property of William J. Manifold located at the Southwest corner of County Road 27 and Windmill Road.

**Legal Description:** (Case number ZC 03.11) Moorehaven Retirement Village

Lot 1 and Lot 6 of the Division of Lot 2 of the Doris Manifold Estate as recorded on slide 2116-C in the records of the Office of the Judge of Probate, Baldwin County, Alabama, less and except the west 100 feet of said Lot 6. Property located in the Northeast quarter of the Northeast quarter of Section 22, Township 6 South, Range 2 East, Baldwin County, Alabama.

A map of the property to be re-zoned is attached as Exhibit A

**The classification of said property is hereby changed from R2 Single Family Residential To Planned Unit Development (PUD).** This property shall hereafter be lawful to construct on such property any structures permitted by Ordinance No. 557 and to use said premises for any use permitted or building sought to be erected on said property shall be in compliance with the building laws of the City of Fairhope and that any structure shall be approved by the Building Official of The City of Fairhope and that any such structure be erected only in compliance with such laws, including the requirements of Ordinance No. 557.

The property shall be developed in substantial conformity with the attached site plan attached as "Exhibit A". Any substantial deviation from the attached site plan, as determined by the Director of Planning and Building will require re-approval by the Planning Commission and the City Council of the City of Fairhope, Alabama as a PUD amendment;

**That,** the following development regulations shall govern:

Lot sizes: The sizes are specified on the site plan.

Uses: Only 7 duplex residential structure and 2 B4 - business and professional buildings shall be allowed.

Building Height: All structures shall be no more than 30 feet measured as defined in the Zoning Ordinance.

Lot Coverage: Lot 1 impervious area to be 13.2%. Lot 2 impervious area to be 13.1%. Duplex lot impervious area to be 17.8%.

Setbacks: These are indicated on the site plan.

Ordinance No. 1181  
Moorehaven Retirement Village  
Page 02-

**That,** 5 foot sidewalks and street trees as required by the Subdivision Regulations will be required around the perimeter of the total property

**That,** the primary exterior construction materials shall be brick, wood, and hardiplank.

**That,** the only accessory building will be the community center as shown on the site plan.

**That,** all signs must meet City requirements.

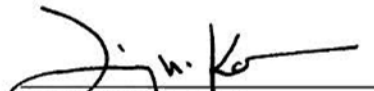
**That,** the 2 office buildings as shown on the site plan shall be either screened from Windmill with evergreen vegetation and/or shall have a 2 sided front so the back of the building does not face Windmill Rd..

**That,** all landscaping requirements will be met or exceeded.

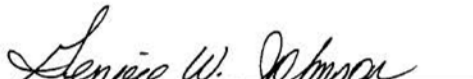
**Severability Clause** - If any part, section of subdivision of this ordinance shall be held unconstitutional or in valid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

**Effective Date** - This ordinance shall take effect immediately upon its due adoption and publication as required by law.

APPROVED BY THE CITY COUNCIL THIS 27<sup>th</sup> DAY OF October, 2001

  
Timothy M. Kaht, Mayor

Attest:

  
Geniece W. Johnson, City Clerk /Treasurer

Ord. No. 1181 Published in  
FAIRHOPE COURIER  
on 11/16/01  
Geniece W. Johnson City Clerk

FAIRHOPE PLANNING COMMISSION  
FINAL REPORT OF ZONING AMENDMENT

9/02/03

☐ Text Change to Zoning Ordinance

☒ Request for change of Zoning District

By R2 - to PAD - Bobby Clark / Pat Aiken  
(Applicant)

Description and Map is attached

The Commission has held a public hearing on this matter prior to this final report and wishes to report to the Fairhope City Council as follows:

☐ We (Do) (Do Not) recommend the proposed zoning text changes as wise, expedient and necessary for the benefit of the City

☒ We find that the proposed zoning district change (Is) (Is Not) in conformity with the comprehensive plan and in the best interests of the City as a whole, and

☐ (Do) (Do Not) Recommend that the City Council adopt an ordinance implementing the proposed changes as provided by law.

Members Present

Voting Aye

Voting Nay

Abstain

L Green  
B Gentle  
B Clark  
B McCrory  
D Charles  
E Turner  
E Brunson

|                                     |                          |                          |
|-------------------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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Respectfully submitted:

L. B. Green  
Chairman

**CITY OF FAIRHOPE  
PLANNING AND ZONING COMMISSION COVER SHEET**

**2 September 2003**

**ZC 03.11      Public Hearing to Consider the Request of Bobby Clark and Pat Achee for a Zoning Change from R2-Single Family Residential to PUD-Planned Unit Development for Moorehaven Retirement Village (Generally Located at Windmill and Co. Rd. 27)**

Bobby Clark and Pat Achee came before the Commission previously on this project as an informal review. At that time the Commission gave, generally speaking, positive input. Based on that input, they have made formal application to zone the property as a Planned Unit Development.

The property contains approximately 3.6 acres. It is located at the Southwest corner of Windmill Rd. and County Rd. 27.

Setbacks: Residential lots setbacks between the buildings will be a minimum of 10 feet; 40 feet from Windmill Rd.; and 20 feet from all other property lines. The office lot will meet the 100 foot 27 setback and 40' from Windmill Road and 20 feet from all other property lines. See the map attached.

Access: A cut is proposed from 27. The developer has contacted the County regarding the proposal. They should participate in the cost of construction the turn lane in 27.

Drainage: The developer has been advised that the project will have to be engineered.

Building Height: All buildings are proposed as single story. However, no height number has been proposed.

Sidewalks: The developer will be constructing sidewalks on 27 and Windmill that meet City requirements.

Uses: Only multifamily residential and B4 uses will be permitted, no retail will be allowed.

Landscaping and Elevations: The developer has provided maps that show the landscaping and buildings elevations.

All other information is required or requested has been provided.

**STAFF RECOMMENDATION:**

The Commission gave the developer positive feedback at the informal meeting. Based on that input, the developer has gone forward.

However, there are some concerns regarding allowing offices uses on 27. It is purely strip commercial development, although the developer has made some pedestrian connections.

Nevertheless, all of the property that is out of the City can develop commercially tomorrow because there is no land use control. How realistic is it for us to not allow office development when next door could be anything? This is a quandary that the City faces all over, not just on 27 – although it is more prominent on 27.

Certainly, if the City approves this proposal commercial will fill in from Fairhope Ave. South.

The Commission already gave tacit approval. Should the project be approved then it is important that the commercial building that is proposed to back to Windmill should either be totally screened from view or have 2 sided architecture (2 fronts).

Respectfully Submitted for Consideration,

A handwritten signature in black ink, appearing to read "Christopher D. Baker", followed by a long horizontal line extending to the right.

Christopher D. Baker, AICP  
Director of Planning and Building



## APPLICATION FOR ZONING DISTRICT CHANGE

### Applicant / Agent Information

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

Name: Robert A. Clark Phone Number: (251) 928-1913  
 Street Address: 19940 Co. Rd. 27  
 City: Fairhope State: AL Zip: 36532

### Property Owner Information

If different than above.

Name of Property Owner: William J. Manifold Phone Number: (850) 556-8600  
 Address of Property Owner: 3506 Limerick Drive  
 City: Tallahassee State: FL Zip: 32308

Current Zoning of Property: single family residential  
 Property Address: SW corner of Co. Rd. 27 and Windmill Rd.  
 Proposed Use of the Property: offices and duplexes  
 Property Legal Description: see attached  
 Reason for Zoning Change: compliance with proposed use

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:

Single story office space and duplexes, construction beginning in Fall, 2003.

### Zoning Change Fee Calculation

See Revised Fee Schedule

Filing Fee: \_\_\_\_\_  
 Certified Letters: \_\_\_\_\_  
 Publication: \_\_\_\_\_  
 Total: \_\_\_\_\_

Certification: I certify that I am the property owner, or authorized agent, and attest that all facts are true and correct.

Signature: Robert A. Clark

Date: 7-21-03

NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT BOBBY CLARK AND PAT ACHEE OF CAD, LLC, WHOSE NAMES AS OWNERS, AS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003.

NOTARY PUBLIC

**SURVEYOR'S CERTIFICATE AND DESCRIPTION OF LAND PLATTED**

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, MATTHEW S. KOUNTZ, A REGISTERED LAND SURVEYOR OF BALDWIN COUNTY, ALABAMA HEREBY STATE THAT I HAVE SURVEYED THE PROPERTY OF BOBBY CLARK & PAT ACHEE OF CAD, LLC, SITUATED IN BALDWIN COUNTY, ALABAMA AND DESCRIBED AS FOLLOWS:

LOT 1 AND LOT 6 OF THE DIVISION OF LOT 2 OF THE DORIS MANIFOLD ESTATE AS RECORDED ON SLIDE 2116-C IN THE RECORDS OF THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA, LESS & EXCEPT THE WEST 100 FEET OF SAID LOT 6. PROPERTY LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, 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 EASEMENT AND ITS NUMBER AND SHOWING THE STREETS, ALLEYS AND PUBLIC GROUNDS GIVING THE BEARINGS, LENGTH, WIDTH AND NAMES OF THE STREET, SAID MAP FURTHER SHOWS THE RELATION OF THE LAND SO PLATTED TO THE GOVERNMENT SURVEY, AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED AT POINTS MARKED THUS (O) AS HEREON SHOWN.

WITNESS MY HAND THIS THE 23<sup>RD</sup> DAY OF JULY, 2003.

*Matthew S. Kountz*  
MATTHEW S. KOUNTZ, P.L.S.  
ALA. REG. NO. 20359

**CERTIFICATION OF FLOOD HAZARD ZONE**

THIS IS TO STATE THAT WE HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP 015000, PANEL NO. 0540-K, DATED JUNE 17, 2002 AND FOUND THAT THE ABOVE DESCRIBED PROPERTY DOES NOT LIE IN AN IDENTIFIED FLOOD HAZARD ZONE.

*Matthew S. Kountz*  
MATTHEW S. KOUNTZ, P.L.S.  
ALA. REG. NO. 20359



S 00°32' 41" E 422.34'

LO.

2136E      2162E

2162E

[illegible]



Authorization Letter

To Whom it May Concern:

I, DON E. MASON, hereby authorize  
Owner of Record

ASHLEIGH STRICKLAND of IN/SIGHT COUNSELING LLC  
Authorized Agent Company

to represent me and to act on my behalf in regard to the application for

BOARD OF ADJUSTMENTS.  
Name of Development/Application

Sincerely,

Don E. Mason, 2/19/24  
Owner of Record Date