

ORDINANCE NO. 1785

**AN ORDINANCE AMENDING ORDINANCE NO. 1253 KNOWN AS THE ZONING
ORDINANCE AND ORDINANCE NO. 1736: A PLANNED UNIT DEVELOPMENT
KNOWN AS THE HILL TOP PUD**

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

Whereas, the City of Fairhope, Alabama, has approved a request to rezone property to PUD – Planned Unit Development, with Ordinance No. 1736 on the 22nd day of December 2021 to establish the Hill Top PUD;

Two Hands Design and Development, LLC, made an application to amend Ordinance No. 1736 to amend said Ordinance, and

Now Therefore, after appropriate public notice and hearing, the Planning Commission of the City of Fairhope, Alabama, has forwarded a **favorable** recommendation to amend the Hill Top PUD;

The Hill Top PUD, is generally located on the west side of South Section Street, South of Petiole Drive, in Fairhope, Alabama.

Hill Top PUD

PPIN #: 389630 and all parcels included in Slide 0002746-D and Slide 0002893-F

Legal Description: (Case number ZC 23.05)

COMMENCING AT THE NORTHEAST CORNER OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00°-04'-39" WEST ALONG THE EAST LINE OF SAID SECTION 30 A DISTANCE OF 979.00 FEET; THENCE RUN SOUTH 89°-54'-50" WEST A DISTANCE OF 40.00 FEET TO A 1/2" REBAR ON THE WEST RIGHT-OF-WAY LINE OF SECTION STREET (AKA COUNTY HIGHWAY NO. 3)(80' R/W), SAID POINT BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE RUN SOUTH 89°-54'-50" WEST A DISTANCE OF 621.70 FEET TO A CAPPED REBAR (CA0092LS); THENCE RUN NORTH 00°-02'-30" EAST A DISTANCE OF 328.94 FEET TO A CAPPED REBAR (FAIRHOPE); THENCE RUN SOUTH 89°-19'-16" WEST A DISTANCE OF 457.81 FEET TO A CAPPED REBAR (HMR); THENCE RUN SOUTH 00°-16'-30" WEST A DISTANCE OF 457.43 FEET TO A CAPPED REBAR (MOORE); THENCE RUN SOUTH 89°-53'-32" WEST A DISTANCE OF 201.05 FEET TO A CAPPED REBAR (WATTIER) ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30; THENCE RUN SOUTH 00°-16'-36" WEST ALONG SAID WEST LINE A DISTANCE OF 645.05 FEET TO A CRIMP TOP PIPE; THENCE RUN SOUTH 89°-41'-54" EAST A DISTANCE OF 1,284.76 FEET TO A CAPPED REBAR (KOUNTZ) ON THE WEST RIGHT-OF-WAY LINE OF SAID SECTION STREET; THENCE RUN NORTH 00°-03'-43" EAST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 787.02 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 25.88 ACRES, MORE OR LESS.

1. **That**, in Case Number ZC 23.05, Lot 29 of the Hill Top PUD shall develop in substantial conformity with the attached site plans attached as "Exhibit B". Any substantial deviation from the attached site plan, as determined by the Director of Planning, will require re-approval by the Planning Commission and the City Council of the City of Fairhope, Alabama, as a PUD amendment.
2. **That**, the following amendments have been made to the PUD:

Lot 29:

Use: Lot 29 will have its own access from South Section Street. Developer proposes a unique opportunity to create within a similar footprint, and in accordance with the Hilltop Building Standards, a Community House. Designed to foster connections and serve as common ground for the surrounding neighborhoods. Allowed uses within the Community House would include a café (potentially offering coffee, bakery goods, beer and wine, and limited food items), bed and breakfast suits, fitness, yoga, arts, crafts, small gallery, or professional office space. This development strategy allows the opportunity to create community green space and outdoor dining possibilities.

In design of the Lot 29 structures with the topography and shape of the lot, the second floor may be below the main floor. The structures on Lot 29 shall have a maximum structure height of two stories. Residential uses will be restricted to above or below the main floor. Main floor shall be designated as the floor at street level. Structures shall have a maximum building footprint of 3,600 square feet or a total 5,600 square feet (both floors). Café and market use shall provide for no more than 65% of the total density. No other use shall provide for more than 50% of the total density.

The intent is to create a design that is compatible with the unique environment of this site. The setback is being reduced to 30' to allow the building to have a better relationship with both the street and the pedestrian access from the existing sidewalk. At least one portion of the building is encouraged to be adjacent to the 30' setback. This building location also ensures the parking will occur either on the side or behind the building. This will also retain a landscape zone between the building and the street, surrounding the building in trees similar to the current landscape setting. By placing the building closer to the street it also helps maintain the integrity of the existing waterway located west of the property.

The building may be residential, commercial or a mixture of both. The building will complement the adjoining residential development by incorporating residential scale, proportions, rooflines and details on the primary building elements. Creativity to introduce commercial design elements into the residential aesthetic will be encouraged. Building height shall be a maximum of 30' to the mean roof of the primary roof area, and measured from the average existing grade along the 30' setback for the length of the building.

Landscaping for Lot 29 shall meet the design requirements of the City of Fairhope based off the determined use. Additional planting buffers will be installed along adjacent property lines as buffers to preserve privacy.

In the event that this development strategy is determined not to be feasible Lot 29 would revert to the same designation as the remaining lots.

Setbacks: Front -30', Rear - 30', Side - 10', and Street Side - 20'.

Principle Structure Lot Coverage: 3,600 SF.

Building Height: Maximum building height shall not exceed two stories.


Lot Size: 49,258 SF.

The Planned Unit Development (PUD) known as Hill Top PUD is hereby amended. It shall hereafter be lawful to construct on such property any structures permitted by Ordinance No. 1253 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 structure be erected only in compliance with such laws, including the requirements of Ordinance No. 1253.

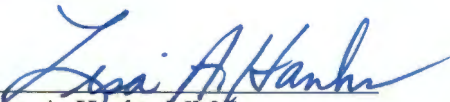
Severability Clause - if any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

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

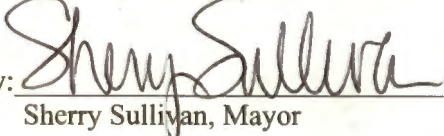
Adopted and approved this 13th day of November, 2023

By: 
Corey Martin, Council President

Attest:

By: 
Lisa A. Hanks, MMC
City Clerk

Adopted and approved this 13th day of November, 2023

By: 
Sherry Sullivan, Mayor

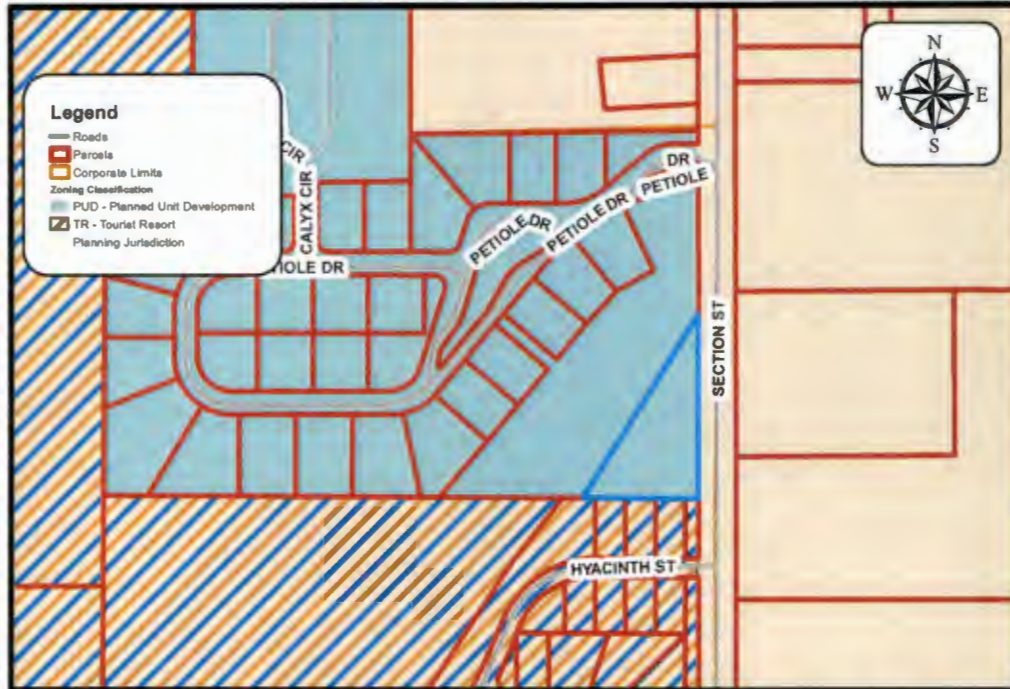
City of Fairhope City Council



October 23, 2023

Planning Commission unanimously (5 Ayes, 0 Nays) voted to recommend approval of ZC 23.05

ZC 23.05 - Hill Top PUD



Project Name:	PUD Amendment
Site Data:	0.15 Acres
Project Type:	Setback Adjustment from 100' to 30'
Jurisdiction:	Fairhope Planning Jurisdiction
Zoning District:	PUD
PPIN Number:	389630
General Location:	West side of South Section Street, South of Petiole Drive
Surveyor of Record:	Jade Consulting LLC
Engineer of Record:	Jade Consulting LLC
Owner / Developer:	Two Hands Design
School District:	Fairhope Elementary School Fairhope Middle and High Schools
Recommendation:	Approval
Prepared by:	Michelle Melton





APPLICATION FOR ZONING DISTRICT CHANGE

Property Owner / Leaseholder Information

Name: Two Hands Design and Development LLC Phone Number: 251-209-5533
 Street Address: 23389 Main St.
 City: Fairhope State: AL Zip: 36532

Applicant / Agent Information
If different from above.
Notarized letter from property owner is required if an agent is used for representation.

Name: JADE Consulting, LLC Phone Number: 251-928-3443
 Street Address: 208 N. Greeno Rd, Ste. C
 City: Fairhope State: AL Zip: 36532

Current Zoning of Property: City PUD, District 17
 Proposed Zoning/Use of the Property: PUD amendment
 Property Address: Hill Top Phase I & II
 Parcel Number: 05-46-09-30-0-000-040.031
 Property Legal Description: LOT 29 HILL TOP SUBDIVISION PHASE ONE SLIDE 2746-C & D
 Reason for Zoning Change: See Introduction/Summary

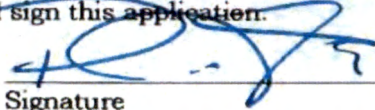
- Property Map Attached YES NO
- Metes and Bounds Description Attached YES NO
- Names and Address of all Real Property Owners within 300 Feet of Above Described Property Attached. YES NO

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.

Perry C. Jinright, III, PE (agent)
 Property Owner/Leaseholder Printed Name
7/21/27
 Date


 Signature
 NA
 Fairhope Single Tax Corp. (If Applicable)



PROPERTY TAX
Baldwin County, Alabama

Current Date: 7/12/2023 Tax Year: 2023

⚠ Values and Taxes are estimates and are subject to change. [Click here](#) for the current amount due.

Parcel Info

PIN 389630
PARCEL 46-09-30-0-000-040.031
ACCOUNT NUMBER 347177

OWNER TWO HANDS DESIGN AND DEVELOPMENT
L L C
MAILING ADDRESS P O BOX 700, MONTROSE, AL 36559
PROPERTY ADDRESS 0

LEGAL DESCRIPTION 396.4' X 466.9' IRR LOT 29 HILL TOP
SUBDIVISION PHASE ONE SL IDE 2746-C &
D SEC 30-T6S-R2E (WD) IN#1824659
IN#1840265

EXEMPT CODE
TAX DISTRICT Fairhope - Fairhope School Tax



Tax Information

TAXES ARE DUE ON 10/1/2023

PPIN	YEAR	TAX TYPE	TAX DUE	PAID	BALANCE
389630	2023	REAL	\$ 2,033.20	\$ 0.00	\$ 2,033.20

Total Due: \$ 2,033.20

LAST PAYMENT DATE **N/A**
PAID BY

Property Values

Total Acres
Use Value \$0
Land Value \$221,000
Improvement Value \$0
Total Appraised Value \$221,000
Total Taxable Value \$221,000
Assessment Value \$44,200

Subdivision Information

Code HILLTOPPH1
Name HILL TOP SUB PHASE ONE
Lot 29
Block
Type / Book / Page IN / N/A / 1738698
S/T/R 30-6S-2E

Detail Information

TYPE	REF	DESCRIPTION	LAND USE	TC	HS	PN	APPRAISED VALUE
LAND	1	0.000 Acres	9110-VACANT RESIDENTIAL	2	N	N	\$221,000

Building Components

Tax Sales

****NO TAX SALES FOUND****

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NOTARIZED AUTHORIZATION OF OWNER

I/We, Two Hands Design & Development, LLC. as the sole or joint fee simple title holder(s) of the property described as parcel 05-46-09-30-0-000-038.000, approximately 4.8 acres, in City of Fairhope, Baldwin County, Alabama authorize, Two Hands Design and Development, LLC & JADE Consulting, LLC and/or their consultants to act as our agent to seek City and/or County PUD, subdivision, Rezone, site plan/development, DOT, DEP approvals, and/or all regulatory approvals in connection therewith, on the above referenced property.

Two Hands Design & Development, LLC.

J. Tickle

By: Jason Tickle
As Its: Owner

Address: ~~6567 Hawthorne Lane~~ 23389 Main St,
Fairhope, AL, 36532

Phone: 251-278-5533 Fax: _____

Email: pointclearfarm@gmail.com

STATE OF Alabama
COUNTY OF Baldwin

The forgoing instrument was acknowledged before me this 27th day of March, 2023 by Two Hands Design & Development / Jason Tickle as its Owner, who is personally known to me or who has produced _____ (type of ID) as identification and who did not take an oath.

Leslie Vickers Knox



NOTARY PUBLIC - STATE OF Alabama

Leslie Vickers Knox

NAME OF NOTARY - TYPED OR PRINTED

COMMISSION NO: 20754

My Commission Expires September 6, 2026

Summary of Request:

JADE Consulting, on behalf of the Owner, Two Hands Design and Development, LLC, requests an amendment to the Hill Top PUD originally approved in December 2021 by Ordinance 1736 concurrent with annexation. The amendment pertains to Lot 29 only and more specifically to the Front Setback. Lot 29 is a standalone lot within the subdivision that is to be developed in accordance with Ordinance 1736. Ordinance 1736 states that the Front Setback for Lot 29 is "100' from Section Street centerline." Applicant desires to amend the Front Setback to "20' from Section Street centerline."

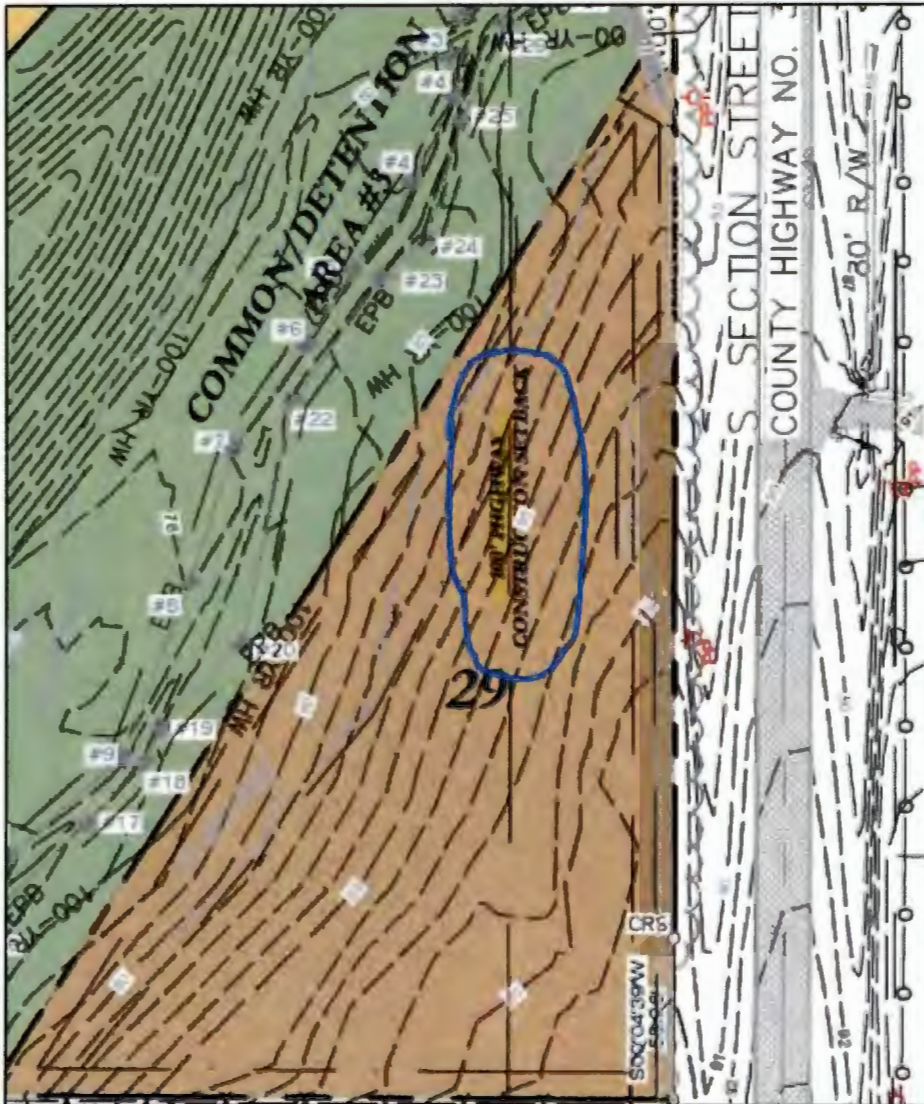


Figure 1: Original Site Plan excerpt with 100ft front setback line.

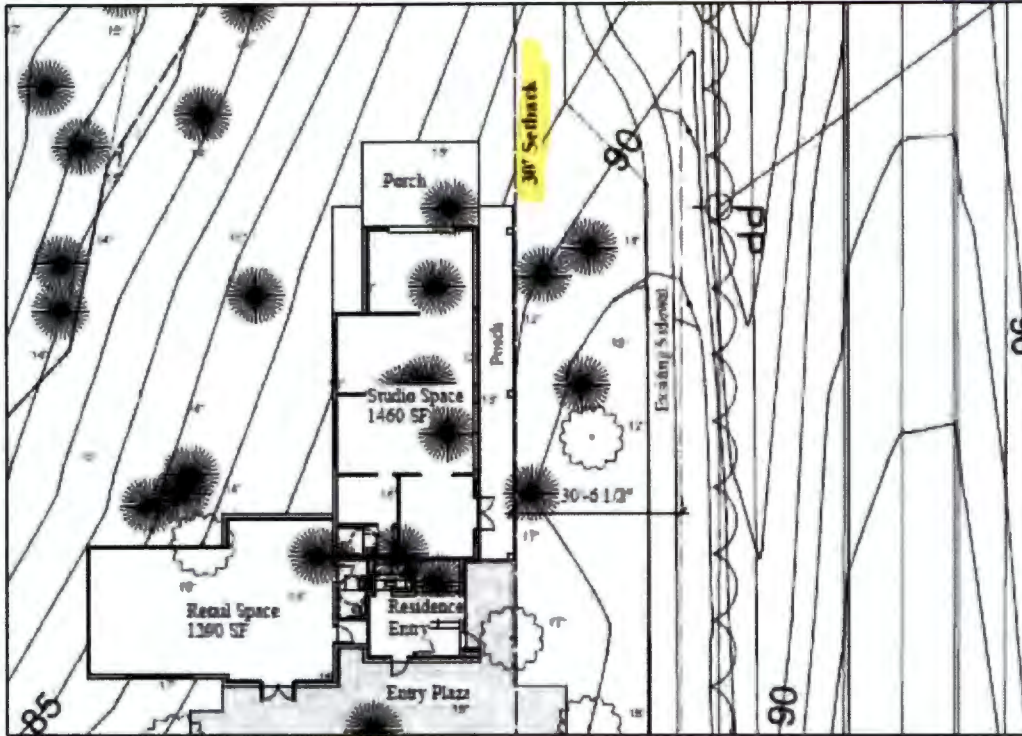


Figure 2: Potential Amended 30ft front setback line.

Comments:

The Hill Top Subdivision was approved by the City of Fairhope Planning Commission although it was not within the corporate limits of Fairhope at the time. As such, Baldwin County Highway Construction setbacks were in effect for South Section Street (aka County Highway 3). The rights-of-ways were intended to be dedicated to Baldwin County for maintenance prior to the subject property’s annexation. Now that the subject property is within Fairhope’s corporate limits, the City’s setbacks are applicable.

The Applicant originally requested a 20’ setback. However, at the Development Review Committee (“DRC”) meeting on August 9, staff suggested a 30’ setback and the Applicant accepted this change. A 30’ front setback is in sync with the front setbacks for the rest of the lots within the subdivision and aligns with the highway setbacks of developments to the south along Section Street.



Figure 3: Aerial with 30ft setback at The Colony.

Lot 29 has its own access from South Section Street. The use for Lot 29 is thoroughly described in Ordinance 1736 and is not changing. Lot 29 will have a “Community House” designed to “foster connections and serve as common ground for the surrounding neighborhoods.” Potential uses are a combination of café, art and/or fitness studio, residential, and professional office space. Nothing beyond the front setback is being amended on Lot 29.



Figure 4: Rendering of Community House.

Recommendation:

- ~~Staff recommends APPROVAL for Case ZC 23.05 to amend the front setback to Lot 29 from 100' to 30'.~~

Staff and Planning Commission recommends APPROVAL for Case ZC 23.05 to amend the front setback for Lot 29 from 100' as measure from the centerline of Section St to 30' as measured from the property line; AND add the two proposed paragraphs clarifying the intent of Lot 29.

Viewer Map



July 12, 2023

polygonLayer



Override 1

polygonLayer



Override 1

polygonLayer



Override 1

Misc



Parcels



Centerlines



Coastal Control Line



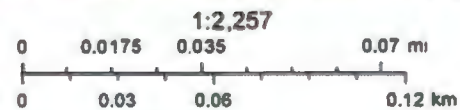
Lot Lines



Conflicts



County Boundary



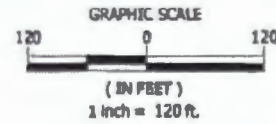
KCS Baldwin County, Pictometry



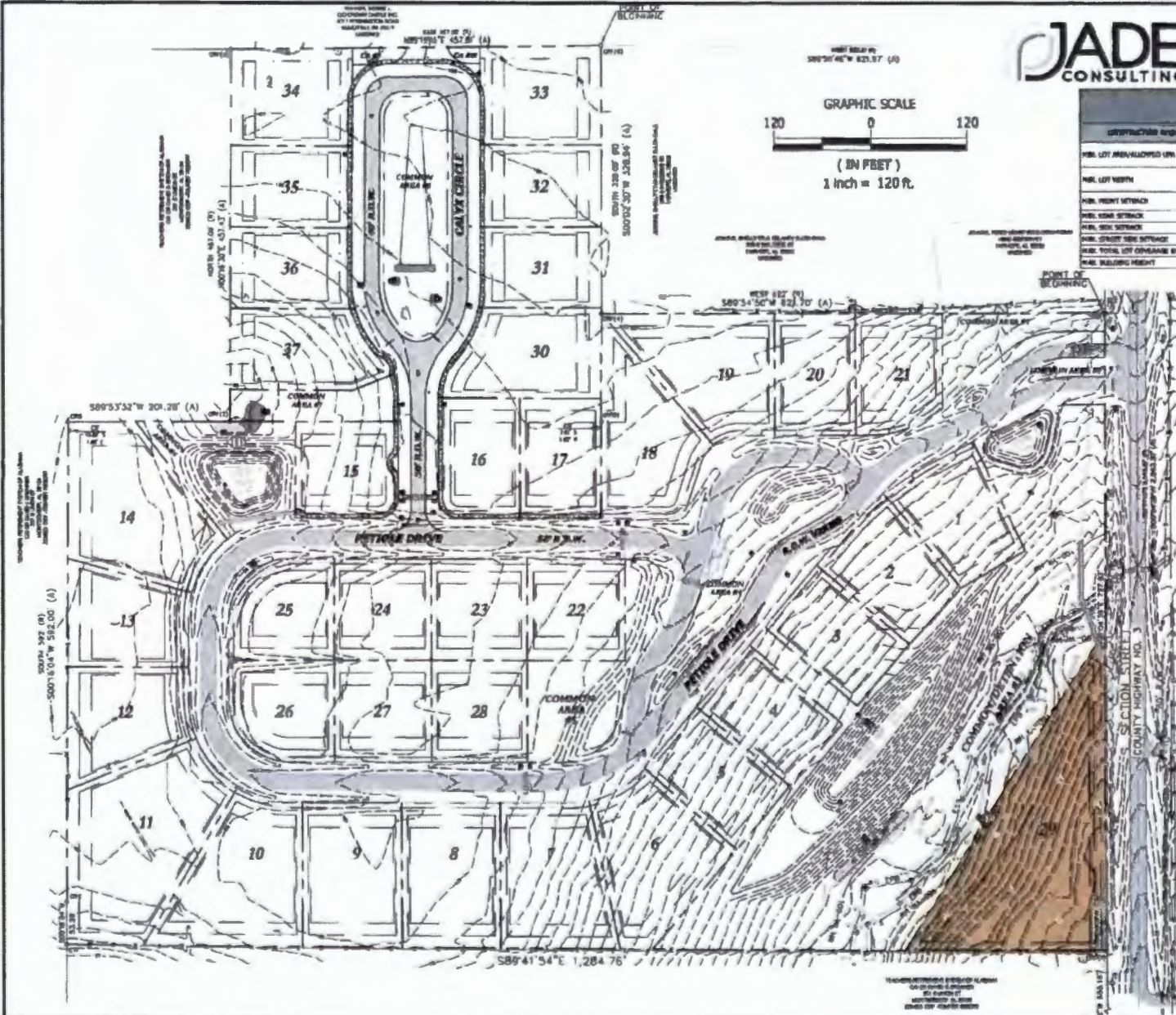


JINRIGHT & ASSOCIATES DEVELOPMENT ENGINEERS
 298 Geneva Road N., Ste. C Fairhope, Alabama 36532
 P.O. Box 1929 Fairhope, Alabama 36533
 Phone: (251) 928-3443 Fax: (251) 928-3665
 jade@jades.com

DATE: 7/12/2023



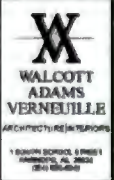
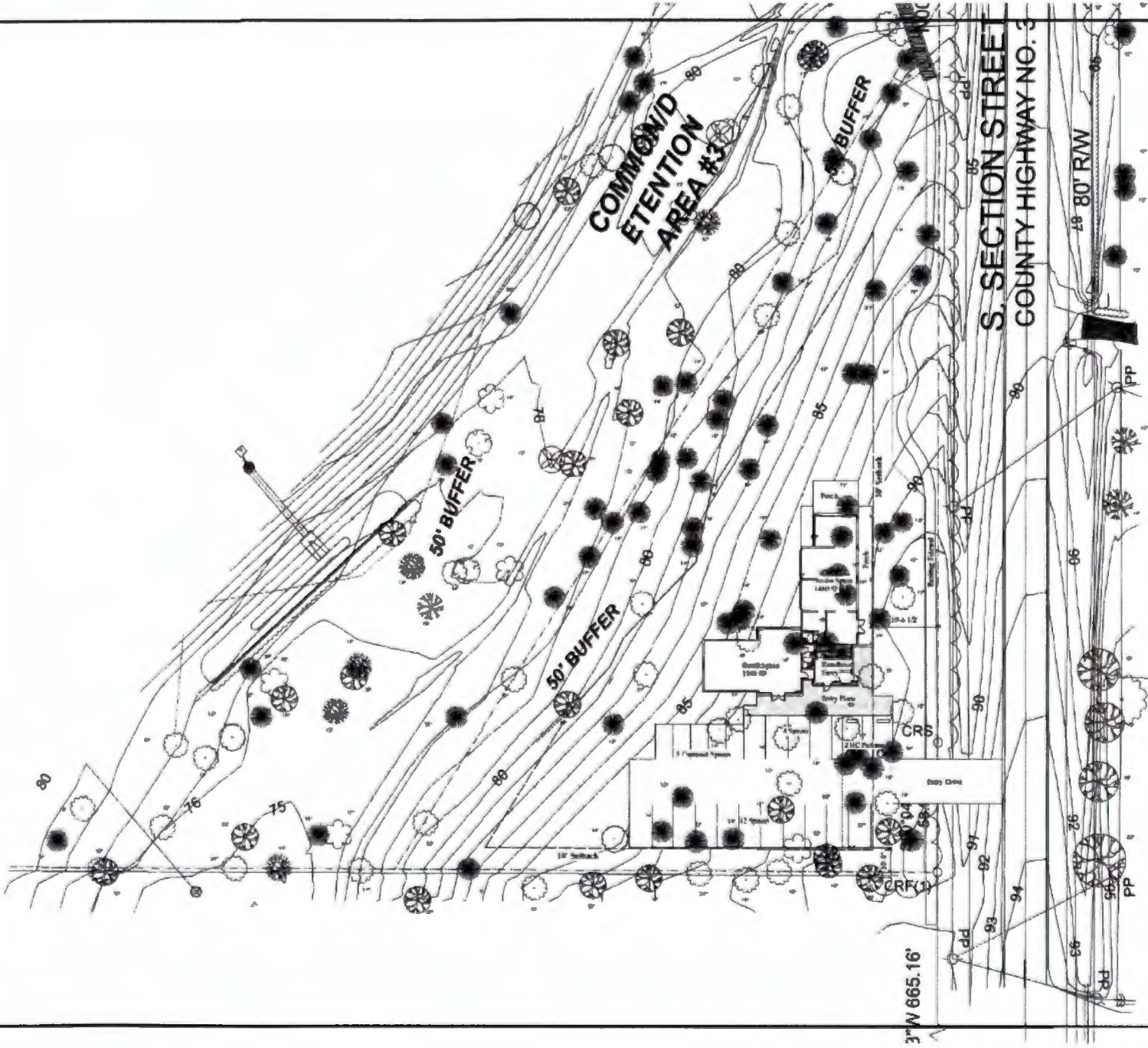
ZONING DIMENSIONS TABLE				
STRUCTURED REQUIREMENT	A-1 RESIDENTIAL	RESIDENTIAL	PLANNED AREA RES.	INDICATED TABLE 28
MIN. LOT AREA/ALLOWED USE	SLAB 5,750	3,400	20,000 AC / 1-40 UPG (15,000 SF MIN. LOT)	MIN. LOT AREA
MIN. LOT WIDTH	100'		100'	100'
MIN. FRONT SETBACK	40'		30'	20'
MIN. SIDE SETBACK	20'		30'	20'
MIN. REAR SETBACK	20'		15'	20'
MAX. TOTAL LOT COVERAGE BY ALL STRUCTURES	40%		40%	MAX. LOT COVERAGE
MAX. BUILDING HEIGHT	30'		30'	MAX. BUILDING HEIGHT



NOTES

1. LOTS 1-26 AND 30-37 SHALL BE RESTRICTED TO SINGLE-FAMILY RESIDENTIAL USES AND ARE SUBJECT TO THE COVENANTS AND RESTRICTIONS OF HILL TOP HOA.
2. SEE LOT 29 SUMMARY IN THE REZONING NARRATIVE FOR ALLOWABLE USES.

PUD SITE PLAN
 HILL TOP SUBDIVISION - LOT 29
 ±1.13 AC
 S. SECTION STREET
 FAIRHOPE, AL



A New Mixed Use Development
Hilltop - Lot 29
Preliminary

Date	August 14, 2012
Drawn	
Checked	
Reviewed	
Approved	
Client	

A1





JINRIGHT & ASSOCIATES DEVELOPMENT ENGINEERS

August 14, 2023

Mr. Hunter Simmons
City Planning Director
City of Fairhope
451 Pecan Street, Ste. 200
Fairhope, AL 36533

RE: Hill Top PUD Amendment – Lot 29 Set back
JADE No.: TICKLE-1642A
Ordinance No. 1736

Dear Mr. Simmons,

We respectfully request the City to consider amending the Hill Top PUD. We specifically want to amend the language under the LOT 29 section of the referenced ordinance. Now that the property has been annexed into the City Limits, this, amendment would add the ability to reduce the front set back of Lot 29 and encourage the building to be more pedestrian oriented. We have enclosed example site plans and renderings of the proposed development.

We request this below paragraphs be inserted below the 2nd paragraph of the LOT 29 section of the ordinance.

"The intent is to create a design that is compatible with the unique environment of this site. The setback is being reduced to 30' to allow the building to have a better relationship with both the street and the pedestrian access from the existing sidewalk. At least one portion of the building is encouraged to be adjacent to the 30' setback. This building location also ensures the parking will occur either on the side or behind the building. This will also retain a landscape zone between the building and the street, surrounding the building in trees similar to the current landscape setting. By placing the building closer to the street it also helps maintain the integrity of the existing waterway located west of the property.

The building may be residential, commercial or a mixture of both. The building will complement the adjoining residential development by incorporating residential scale, proportions, rooflines and details on the primary building elements. Creativity to introduce commercial design elements into the residential aesthetic will be encouraged. Building height shall be a maximum of 30' to the mean roof of the primary roof area, and measured from the average existing grade along the 30' setback for the length of the building."

We also need to amend the Setbacks section of the ordinance;
~~Front – 100' from Section Street Centerline~~ 30'

Would you please advise on what additional information you would like for us to provide so that this amendment may be present to the City of Fairhope's Planning Commission and City Council for consideration.

Respectfully,

JADE CONSULTING, LLC

A handwritten signature in blue ink, appearing to read "Perry C. Jinright, III", is written over the printed name.

Perry C. Jinright, III, P.E., LEED AP
Managing Member

ORDINANCE NO. 1736

**AN ORDINANCE AMENDING ORDINANCE NO. 1253
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. 1253), adopted 27 June 2005, 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:

After the appropriate public notice and hearing of the Planning Commission of the City of Fairhope, Alabama has forwarded a **favorable** recommendation,

The property of Hilltop Fairhope, LLC, generally located on the west side of Section Street on Petiole Drive and north of Petiole Drive, Fairhope, Alabama.

Hill Top Subdivision Phase One and Two

PPIN # 40591 and all parcels included in Slide 0002746-D

Legal Description: (Case number ZC 21.14)

COMMENCING AT THE NORTHEAST CORNER OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00°-04'-39" WEST ALONG THE EAST LINE OF SAID SECTION 30 A DISTANCE OF 979.00 FEET; THENCE RUN SOUTH 89°-54'-50" WEST A DISTANCE OF 40.00 FEET TO A 1/2" REBAR ON THE WEST RIGHT-OF-WAY LINE OF SECTION STREET (AKA COUNTY HIGHWAY NO. 3)(80' R/W), SAID POINT BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE RUN SOUTH 89°-54'-50" WEST A DISTANCE OF 621.70 FEET TO A CAPPED REBAR (CA00921.S); THENCE RUN NORTH 00°-02'-30" EAST A DISTANCE OF 328.94 FEET TO A CAPPED REBAR (FAIRHOPE); THENCE RUN SOUTH 89°-19'-16" WEST A DISTANCE OF 457.81 FEET TO A CAPPED REBAR (HMR); THENCE RUN SOUTH 00°-16'-30" WEST A DISTANCE OF 457.43 FEET TO A CAPPED REBAR (MOORE); THENCE RUN SOUTH 89°-53'-32" WEST A DISTANCE OF 201.05 FEET TO A CAPPED REBAR (WATTIER) ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30; THENCE RUN SOUTH 00°-16'-36" WEST ALONG SAID WEST LINE A DISTANCE OF 645.05 FEET TO A CRIMP TOP PIPE; THENCE RUN SOUTH 89°-41'-54" EAST A DISTANCE OF 1,284.76 FEET TO A CAPPED REBAR (KOUNTZ) ON THE WEST RIGHT-OF-WAY LINE OF SAID SECTION STREET; THENCE RUN NORTH 00°-03'-43" EAST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 787.02 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 25.88 ACRES, MORE OR LESS.

1. **That**, attached as "Exhibit A" is an approved site plan. The property must develop in substantial conformance with the approved site plan and supporting documents. Any substantial deviation from the attached site plan, as determined by the Director of Planning, will require re-approval by the Planning Commission and the City Council of the City of Fairhope, Alabama, as a PUD amendment.
2. **That**, the following development regulations shall govern:

Overall Development:

Lots: There shall be 37 lots total.

Ordinance No. 1736

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Use: In general, the project is restricted for residential use. The uses are specifically described within the Site Plan and Master Development Plan that include:

36	Single Family Residential Lots
1	Mixed-Use Lot

Dimension Standards: Dimensional standards shall follow the layout on the approved site plan.

Single Family Residential Development:

Density: 1.43 UPA.

Lots: Lots 1-28 & Lots 30-37 shall be based on R-1, Low Density Single-Family Residential District, with minor differences illustrated on the Site Plan.

Use: Lots shall be single family residential.

Setbacks: Front – 30', Rear – 30', Side – 10', and Street Side – 20'.

Principle Structure Lot Coverage: Shall not exceed 48% of the total lot.

Building Height: Maximum building height shall not exceed 30'.

Lot Size: Minimum lot size shall be 15,000 square feet.

Lot 29:

Use: Lot 29 will have its own access from South Section Street. Developer proposes a unique opportunity to create within a similar footprint, and in accordance with the Hilltop Building Standards, a Community House. Designed to foster connections and serve as common ground for the surrounding neighborhoods. Allowed uses within the Community House would include a café (potentially offering coffee, bakery goods, beer and wine, and limited food items), bed and breakfast suits, fitness, yoga, arts, crafts, small gallery, or professional office space. This development strategy allows the opportunity to create community green space and outdoor dining possibilities.

In design of the Lot 29 structures with the topography and shape of the lot, the second floor may be below the main floor. The structures on Lot 29 shall have a maximum structure height of two stories. Residential uses will be restricted to above or below the main floor. Main floor shall be designated as the floor at street level. Structures shall have a maximum building footprint of 3,600 square feet or a total 5,600 square feet (both floors). Café and market uses shall provide for no more than 65% of the total density. No other use shall provide for more than 50% of the total density.

Landscaping for Lot 29 shall meet the design requirements of the City of Fairhope based off the determined use. Additional planting buffers will be installed along adjacent property lines as buffers to preserve privacy.

In the event that this development strategy is determined not to be feasible Lot 29 would revert to the same designation as the remaining lots.

Setbacks: Front – 100' from Section Street centerline, Rear – 30', Side – 10', and Street Side – 20'.

Principle Structure Lot Coverage: 3,600 SF.

Ordinance No. 1736
Page -3-

Building Height: Maximum building height shall not exceed two stories.

Lot Size: 49,258 SF.

The property is hereby initially zoned Planned Unit Development (PUD) concurrent with annexation into the City of Fairhope. This property shall hereafter be lawful to construct on such property any structures permitted by Ordinance No. 1253 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 structure be erected only in compliance with such laws, including the requirements of Ordinance No. 1253.

Severability Clause - if any part, section or subdivision of this ordinance shall be held unconstitutional or invalid 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.

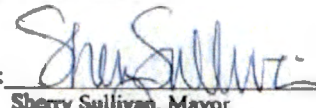
Adopted and approved this 22nd day of December, 2021.

By: 
James Reid Conyers, Jr.,
Council President

Attest:

By: 
Lisa A. Hanks, MMC
City Clerk

Adopted and approved this 22nd day of December, 2021.

By: 
Sherry Sullivan, Mayor

Ord. No. 1736 Published in
FAIRHOPE COURIER
on Wednesday, January 5, 2022
 City Clerk



CITY OF FAIRHOPE
 P.O. DRAWER 429
 FAIRHOPE, AL 36533
 251/928-2136

PETITION FOR ANNEXATION

STATE OF ALABAMA X
 COUNTY OF BALDWIN X

We, the undersigned PETITIONER(S), owner(s) of the lands in fee simple described in the attached EXHIBIT A, such property being without the Corporate Limits of the City of Fairhope, Alabama, but being contiguous to the said Corporate Limits; and such property not lying within the corporate limits or police jurisdiction of any other municipality, do, by these presents, hereby petition the City of Fairhope, a municipal corporation, that said property be annexed into the City of Fairhope, Alabama.

The subject land is delineated on the map attached hereto as EXHIBIT B.

This petition is filed under authority of Section 11-42-21, Code of Alabama, 1975, as amended.

- This petition is for R-1 Zoning
- The condition of the Petition is that zoning be established as PUD
 Concurrent with Annexation. (Zoning Request)

Is this property colony property _____ Yes No. If this property is colony property the Fairhope Single Tax Office must sign as a petitioner.

 Signature of Petitioner

Jason Tickle

 Print petitioner's name

 Signature of Petitioner

 Print petitioner's name

 Signature of Petitioner

 Print petitioner's name

Physical Address of property being annexed: Hill Top Phase I & II

Petitioner's Current Physical Address:
23389 Main Street
Montrose, Alabama 36532

Petitioner's Current Mailing Address:
23389 Main Street
Montrose, Alabama 36532

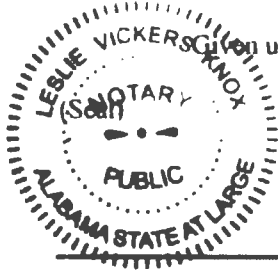
Telephone Number(s): 251-278-5533
Home Work

County Tax Parcel Number: See list

U.S JUSTICE DEPARTMENT INFORMATION

- Size of property (acres or square feet) 25.88 ac
- If property is occupied, give number of housing units 13 lots sold, some under construction
- Number of Persons residing in each unit, and their race 0
- If property is unoccupied, give proposed use _____
- If property is being developed as a subdivision, give subdivision name
Hill Top Phase I & II
- Number of lots within proposed subdivision 37

I, Leslie Vickers Knox a Notary Public in and for said State and County, hereby certify that Jason Tickle whose name(s) is/are signed to the forgoing Petition and who is/are known to me, this day appeared before me and, being first duly sworn, acknowledge that he/she/they have voluntarily executed this Petition on this day same bears date.



Given under my Hand and Seal this 27th day of September, 2021.

Leslie Vickers Knox
Notary Public

My commission expires September 4, 2022

I, _____ a Notary Public in and for said State and County, hereby certify that _____ whose name(s) is/are signed to the forgoing Petition and who is/are known to me, this day appeared before me and, being first duly sworn, acknowledge that he/she/they have voluntarily executed this Petition on this day same bears date.

Given under my Hand and Seal this _____ day of _____, 20____,

(Seal)

Notary Public

My commission expires _____

I, _____ a Notary Public in and for said State and County, hereby certify that _____ whose name(s) is/are signed to the forgoing Petition and who is/are known to me, this day appeared before me and, being first duly sworn, acknowledge that he/she/they have voluntarily executed this Petition on this day same bears date.

Given under my Hand and Seal this _____ day of _____, 20____,

(Seal)

Notary Public

My commission expires _____

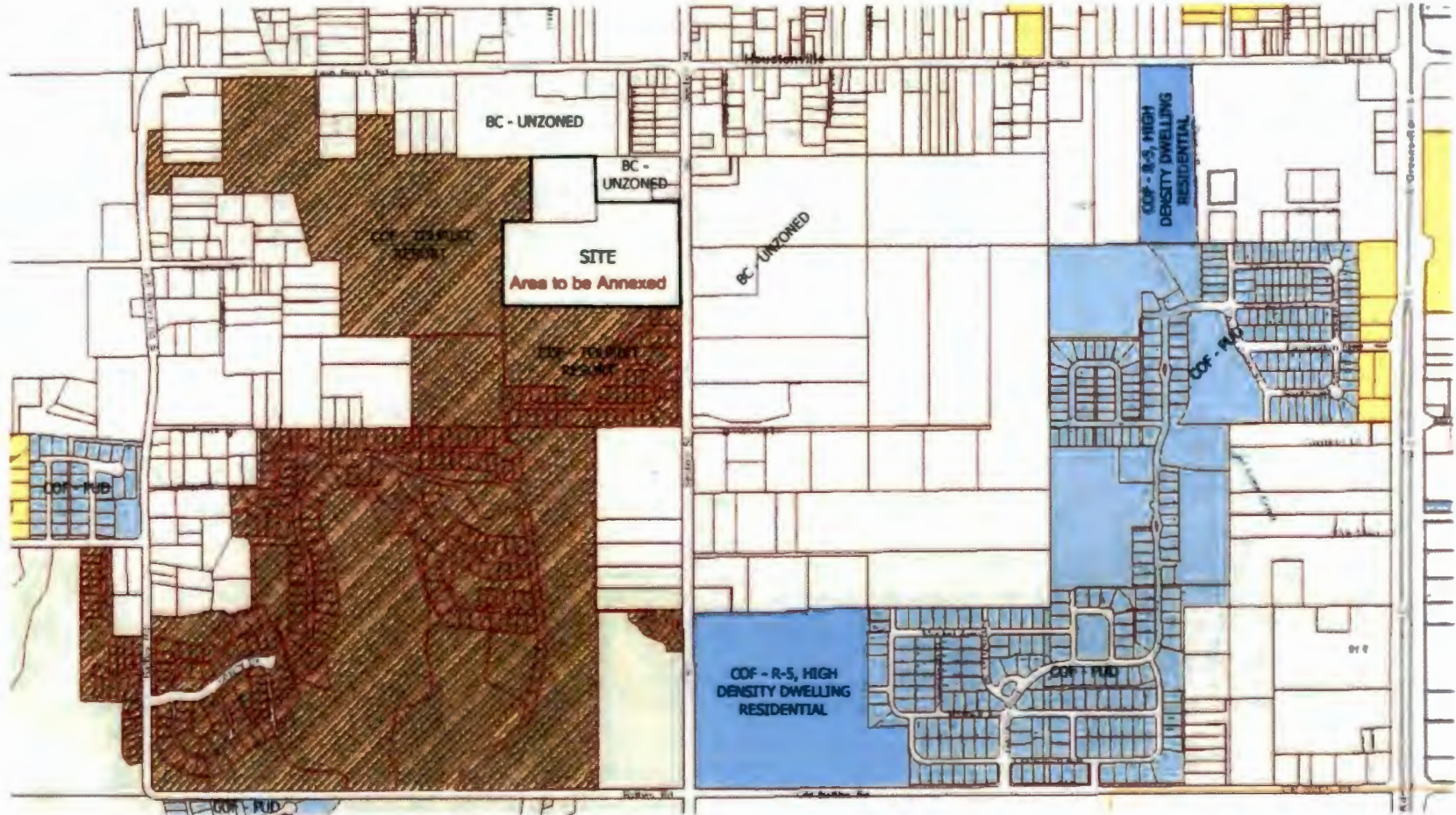
Exhibit A



JINRIGHT & ASSOCIATES DEVELOPMENT ENGINEERS

270 Green Road N. Ste C Fairhope, Alabama 36532
P O Box 1929 Fairhope, Alabama 36533
Phone (251) 928-1441 Fax (251) 928-1665
jdcengineering.com

DATE: 9/14/2021



VICINITY MAP & UNDERLYING ZONING
HILL TOP SUBDIVISION
±25.88 AC
SINGLE-FAMILY RESIDENTIAL DEVELOPMENT
S. SECTION STREET
FAIRHOPE, AL

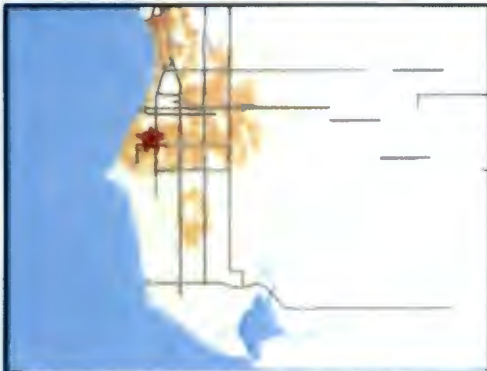
City of Fairhope City Council



December 13, 2021

Planning Commission unanimously (7 Ayes, 0 Nays) voted to recommend approval of ZC 21.14

ZC 21.14 - Hill Top PUD



Project Name:

Hill Top Subdivision Phase I and II

Site Data:

25.88 acres

Project Type:

Zoning Change with Conditional Annexation

Jurisdiction:

Fairhope Planning Jurisdiction

Zoning District:

Unzoned to PUD (Planned Unit Development)

PPIN Number:

PH1 on Slide 2746-C; PH2 is PPIN 40591

General Location:

West side of Section Street on Petiole Drive and north of Petiole Drive

Surveyor of Record:

Engineer of Record:

Trey Junright, Jade Engineering

Owner / Developer:

Hilltop Fairhope, LLC

School District:

Fairhope West Elementary School,
Fairhope Middle and High Schools

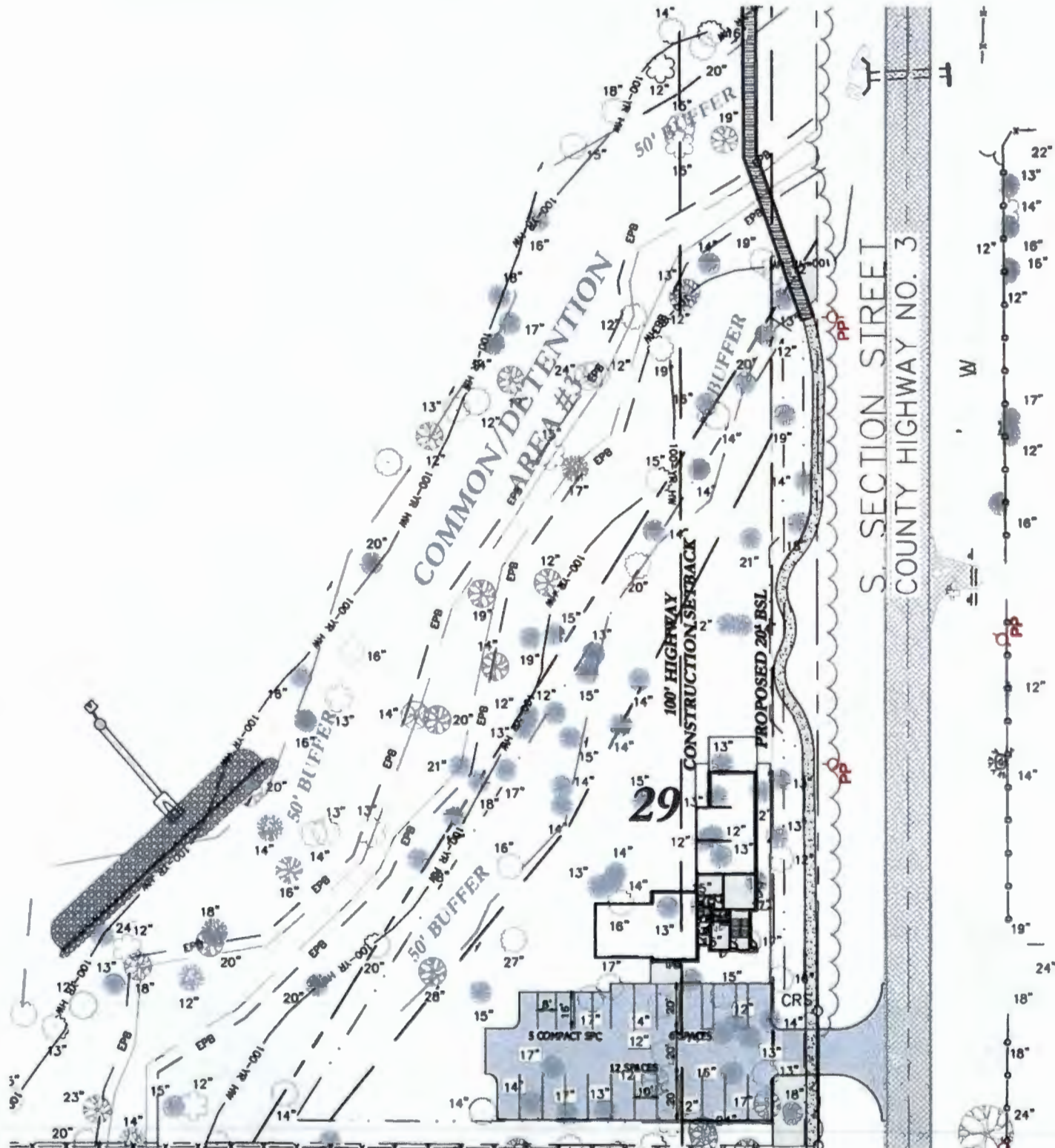
Recommendation:

Approved w/ Conditions

Prepared by:

Hunter Simmons





	TAX PARCEL
	EXISTING ZONING
	TOTAL TRACT AREA
	PROJ
	SE
	PROJ
	SE
	RE









Locator Map: The Property of Hill Top PUD (ZC 23.05)

