



COMMUNITY DEVELOPMENT DEPARTMENT

200 NORTH ALSTON STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

FAX (251) 971 -3442

October 27, 2016

Mayor and City Council
City of Foley
407 East Laurel Avenue
Foley, Alabama 36535

RE: Request for Rezoning

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on October 19, 2016 and the following action was taken:

Mattie DiBenedetto –Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to Mayor (Single Family), proposed zoning is PO (Preferred Office District). Property is located at 214 W. Camellia Ave. Applicant is Mattie DiBenedetto.

Action Taken:

Commissioner Hellmich made a motion to approve the requested rezone contingent upon if the neighboring property is combined with this parcel (214 W. Camellia Ave and 1605 N Alston St.) the access be restricted to Alston St. or the alley. Commissioner Rouzie seconded the motion. All Commissioners voted aye.

Motion to approve the requested rezone contingent upon if the neighboring property is combined with this parcel (214 W. Camellia Ave and 1605 N Alston St.) the access be restricted to Alston St. or the alley passes.

Please let me know if you have any questions or concerns.

Respectfully,

Melissa Ringler
Planning & Zoning Coordinator
mringle@cityoffoley.org

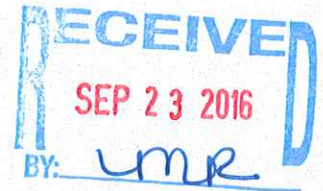
MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Vickey Southern

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III

Foley



**CITY OF FOLEY, ALABAMA
APPLICATION FOR
ZONING OF PROPERTY**

1. LOCATION OF PROPERTY (ADDRESS, PIN #, LEGAL DESCRIPTION, MAP/SURVEY, DEED, AND CORPORATION OWNERSHIP INFORMATION):

214 CAMELLIA AVENUE W - SEE ATTACHED pin 55827

2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:

SEE ATTACHED

3. APPROXIMATE SIZE OF PROPERTY:

1.40 ACRES

4. PRESENT ZONING OF PROPERTY:

R-2A

5. REQUESTED ZONING:

PO - PREFERRED OFFICE

6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE PROPERTY:

SINGLE FAMILY HOME

7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED (TYPE OF DEVELOPMENT, DENSITY, ETC.)

OFFICE, MEDICAL

8. PROCESSING FEE OF \$500.00 FOR 20 ACRES OR LESS, PLUS \$15.00 PER ADDITIONAL ACRE OVER 20.

ENCLOSED

I CERTIFY THAT I AM THE PROPERTY OWNER AND ATTEST THAT ALL FACTS AND INFORMATION SUBMITTED ARE TRUE AND CORRECT.

DATE: 9-23-16

Marie P. DiBenedetto
PROPERTY OWNER/APPLICANT

214 W. Camellia Ave. Foley
PROPERTY OWNER ADDRESS

943-5809
PHONE NUMBER

EMAIL ADDRESS

STATE OF ALABAMA

BALDWIN COUNTY

WARRANTY DEED

THIS INDENTURE, made and entered into by and between CHARLES J. EBERT and EVELYN T. EBERT, his wife, hereinafter referred to as parties of the first part, and VINCENT S. DIBENEDETTO and MATTIE P. DIBENEDETTO, husband and wife, hereinafter referred to as parties of the second part, WITNESSETH:

That for and in consideration of the sum of One Hundred Dollars (\$100.00) and other good and valuable consideration this day cash in hand paid to parties of the first part by parties of the second part, receipt whereof is hereby acknowledged, parties of the first part have granted, bargained, sold and by these presents do hereby GRANT, BARGAIN, SELL and CONVEY unto the parties of the second part, as joint tenants with right of survivorship, together with every contingent remainder and right of reversion, the following described real estate in Baldwin County, Alabama, to-wit:

Lots Thirty-five (35) and Thirty-six (36) of Kuhn's Park Addition to the Town of Foley, a Subdivision of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 20, Township 7 South, Range 4 East, according to a plat thereof of record in the Office of the Judge of Probate of Baldwin County, Alabama, Map Book 3, page 11.

This conveyance made subject to the following covenants and restrictions:

Said Lots Thirty-five and Thirty-six shall, in their entirety, be considered as one lot and only one residence shall be constructed thereon. The residence must have a minimum of 1,500 square feet of floor space under oneroof, exclusive of purchs and patio. There must be no out buildings, or dog kennels, and the entrance to the carport must not face Southward toward Camellia Street.

Together with, all and singular, the rights, benefits, privileges, improvements, tenements, hereditaments and appurtenances unto the same belonging or in any wise appertaining.

TO HAVE AND TO HOLD unto the said VINCENT S. DIBENEDETTO and MATTIE P. DIBENEDETTO, husband and wife, as joint tenants with right of survivorship, together with every contingent remainder and right of reversion, and to the heirs and assigns of such survivor, FOREVER.

And the said parties of the first part, for themselves and their heirs, executors and administrators, hereby covenant and warrant with and unto the said parties of the second part, their heirs and assigns, that they are seized of an indefeasible estate in fee simple in and to all of the property hereinabove conveyed; that the same is free from all liens and encumbrances; that they have a good right to sell and convey the same as herein conveyed; that they will guarantee the peaceable possession thereof and that they will and their heirs, executors and administrators shall forever warrant and defend the same unto the said parties of the second part, their heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and affixed their seals on this the 8 day of January, 1971.

C. G. C.

Charles J. Ebert (SEAL)
Evelyn T. Ebert (SEAL)

RECEIVED
SEP 23 2016
BY: umr

BOOK 410 " 52

STATE OF ALABAMA

BALDWIN COUNTY

I, Richard M. Dinkins, a Notary Public in and for said County in said State, hereby certify that CHARLES J. EBERT and EVELYN T. EBERT, his wife, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and Notarial Seal hereto affixed, by me, on this the 8 day of January, 1971.

Richard M. Dinkins
Notary Public, Baldwin County
State of Alabama
MY COMMISSION EXPIRES JUNE 9, 1973

(Affix Seal)

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C. G. C.

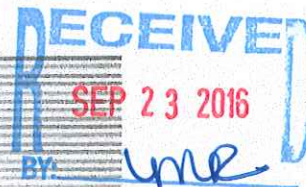
STATE OF ALABAMA,
BALDWIN COUNTY
I certify that this instrument was filed
and the following tax collected on

JAN 13 1971 8AM

Deed \$ 52.00 Recorded in deed
Book 410
Page 53
By Henry Dinkins Judge of Probate



Baldwin County Revenue Commissioner



Property Appraisal Link BALDWIN COUNTY, AL

Current Date 9/22/2016

Tax Year 2016

Valuation Date October 1, 2015

OWNER INFORMATION

PARCEL	54-04-20-1-000-017.000	PPIN 055827	TAX DIST 07
NAME	DIBENEDETTO, MATTIE P		
ADDRESS	214 CAMELLIA AVE W FOLEY AL 36535		
DEED TYPE	BOOK 0410	PAGE 0000052	
PREVIOUS OWNER	DIBENEDETTO, VINCENT & MATTIE		
LAST DEED DATE	/ /0000		

DESCRIPTION

200' X 306' KUHNS PARK ADDITION SUB SEC 20 LOT 35 AND 36
PB3 PAGE 11 (DEATH CERT)

PROPERTY INFORMATION

PROPERTY ADDRESS	214 CAMELIA AVE W		
NEIGHBORHOOD	FOLEY	FOLEY AREA	
PROPERTY CLASS		SUB CLASS	
SUBDIVISION	01KP	SUB DESC	KUHN PARK
LOT 35,36 BLOCK			
SECTION/TOWNSHIP/RANGE	00-00 -00		
LOT DIMENSION	200X306	ZONING R-1A	

PROPERTY VALUES

LAND:	55000	CLASS 1:	TOTAL ACRES:
BUILDING:	222100	CLASS 2:	TIMBER ACRES:
		CLASS 3: 277100	
TOTAL PARCEL VALUE:	277100		
ESTIMATED TAX:	\$391.23		

DETAIL INFORMATION

<u>CODE</u>	<u>TYPE</u>	<u>REF</u>	<u>METHOD</u>	<u>DESCRIPTION</u>	<u>LAND USE</u>	<u>TC</u>	<u>Hs</u>	<u>Pn</u>	<u>MARKET USE</u>	<u>VALUE</u>	<u>VALUE</u>
M	LAND	1	BV	BS-25000 X	1110-RESIDENTIAL	3	Y	N	55000		
	BLDG	1	R	111 SINGLE FAMILY RESIDENCE	-	3	Y	N	217700		
	BLDG	2	O	26 WCC UTILITY, WOOD OR C.B.	-	3	Y	N	4400		

[View Tax Record](#)



PUBLIC NOTICE



The City of Foley Planning Commission has received a request to recommend to Mayor and Council the re-zoning of 2 parcels each consisting of 1.40 +/- acres. Property is currently zoned R-1A (Residential Single Family), proposed zoning is PO (Preferred Office District). Property is located at 1605 N. Alston St. and 214 W. Camellia Ave. Applicants are Mattie DiBenedetto and Evelyn Cadenhead.

Anyone interested in this re-zoning request may be heard at a public hearing scheduled for Wednesday, October 19, 2016 in the Council Chambers of City Hall located at 407 E. Laurel Ave. at 5:30 p.m. or may respond in writing to 200 N. Alston St., Foley, AL 36535.

Roderick Burkle
Planning Commission Chairman