



COMMUNITY DEVELOPMENT DEPARTMENT

120 S. MCKENZIE STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

January 20, 2022

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

RE: Request for Pre-Zoning

Dear Mayor Hellmich and City Council Members,

The City of Foley Planning Commission held a meeting on January 19, 2022 and the following action was taken:

Terry Grant- Pre-zoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the pre-zoning of 22 +/- acres. Proposed zoning is R-3 (Residential Multi-Family). Property is located W. of State Hwy. 59 and N. of County Rd. 20 S. Applicant is Terry Grant.

Commissioner Hare made a motion to recommend to Mayor and Council the requested pre-zoning to R-3 (Residential Multi-Family). Commissioner Mixon seconded the motion. All members voted aye.

Motion to recommend to Mayor and Council the requested pre-zoning to R-3 passes.

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

Respectfully,

Amanda Cole

Amanda Cole
Planning & Zoning Assistant
acole@cityoffoley.org

MAYOR: Ralph Hellmich

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Kathryn Taylor

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Richard Dayton; Cecil R. Blackwell; Charles Ebert III



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

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

pin # 13599

2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:

3. APPROXIMATE SIZE OF PROPERTY: 22 1/2 Acres

4. PRESENT ZONING OF PROPERTY:

unzoned

5. REQUESTED ZONING:

R-3

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

Wooded Lot

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

The proposed development is composed of single story individual cottage dwelling. See drawing

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

DATE: 1-6-22

Terry Grant
PROPERTY OWNER/APPLICANT
19521 Co. Rd. 205.
PROPERTY OWNER ADDRESS
251-233-9663
PHONE NUMBER

EMAIL ADDRESS

X Terry Grant



CITY OF FOLEY
AGENT AUTHORIZATION FORM

I/We authorize and permit M4 Development, LLC - Jonathan Meyers
to act as My/Our representative and agent in any manner regarding this application which
relates to property described as tax parcel ID# pin 13599 / 2212 0000
I/We understand that the agent representation may include but not be limited to decisions
relating to the submittal, status, conditions, or withdrawal of this application. In understanding
this, I/We release the City of Foley from any liability resulting from actions made on My/Our
behalf by the authorized agent and representative. I hereby certify that the information stated
on and submitted with this application is true and correct. I also understand that the submittal of
incorrect information will result in the revocation of this application and any work performed will
be at the risk of the applicant.

**Note: All correspondence will be sent to the authorized representative. It will be the
representative's responsibility to keep the owner(s) adequately informed as to the status of the
application.*

PROPERTY OWNER(S):

Terry Grant
Name(s) printed
19521 Co. Rd. 20 S.
Address
Foley AL 36535
City/State
251-233-9663
Phone
Terry Grant Email
Fax
1-6-22
Signature(s) Date

PROPERTY OWNER(S):

Name(s) printed

Address

City/State

Phone Email Fax

Signature(s) Date

LEGAL DESCRIPTION: PROPOSED AREA TO BE PRE-ZONED

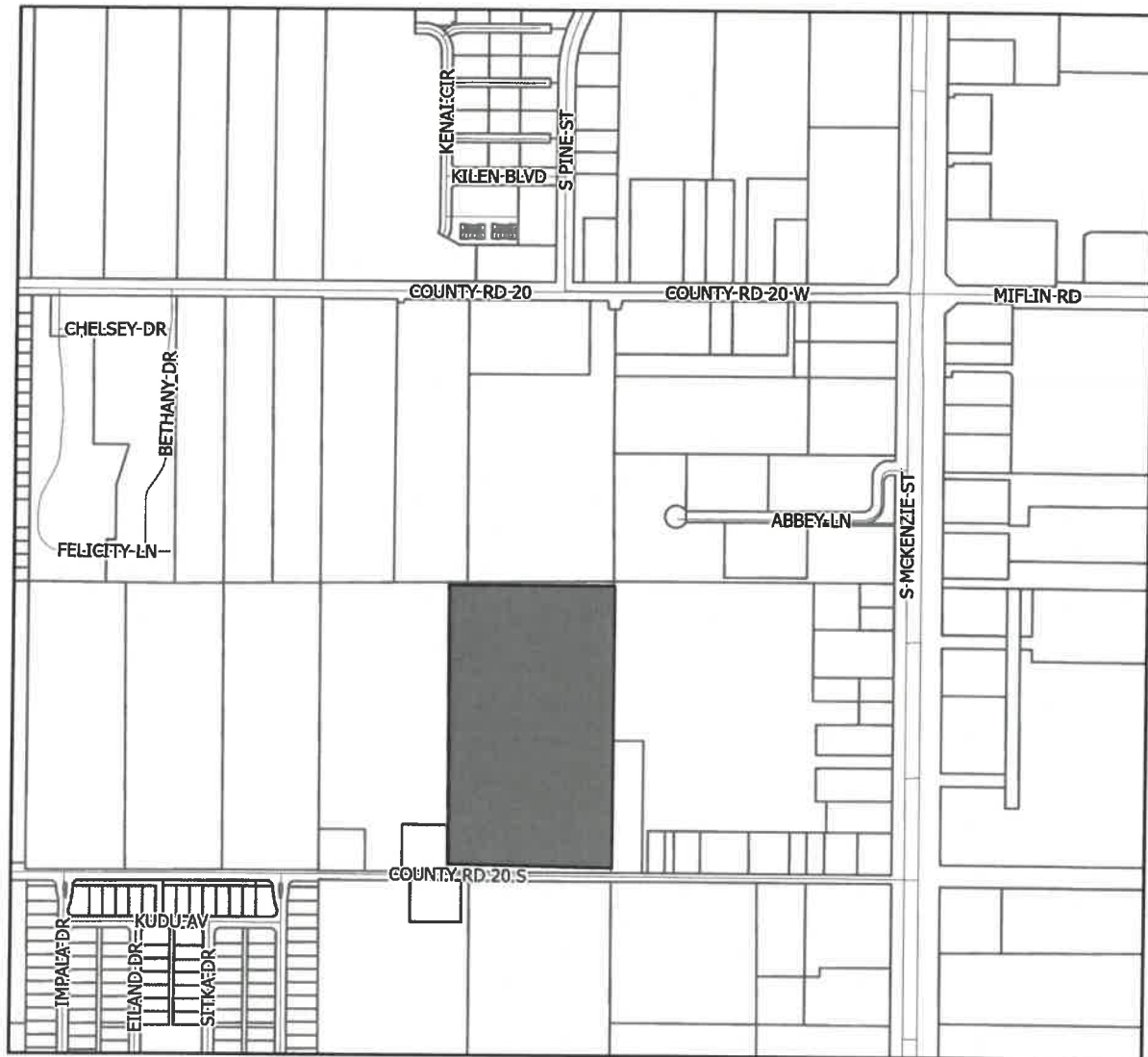
A lot or parcel of land being located in the City of Foley, Baldwin County, Alabama, and being more particularly described as follows:

BEGINNING at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of Section 8, Township 8 South, Range 4 East as marked by an existing iron pin (EIP) (Illegible) and being the Southwest corner of Mullins Commercial Re-Subdivision of Lot 1 as found recorded in the Office of the Judge of Probate of Baldwin County, Alabama, on Slide No. 2467-D, and being the Northwest corner of the Phase One AFCC Commercial Subdivision s found recorded in said Office on Slide No. 2173-C; thence along the East line of said SE 1/4 of the NE 1/4 bearing S 00°03'40" E a distance of 706.06 FT to an EIP (Illegible) and being on the West line of said Phase 1; thence along said East line bearing S 00°03'40" E a distance of 580.02 FT to the intersection of said East line with the North right of way (R/W) of County Road No. 20 (80' R/W) as marked by a set iron pin (SIP); thence along said North R/W bearing N 89°44'22" W a distance of 751.19 FT to an EIP (1" Pipe); thence depart said North R/W bearing N 00°28'53" E a distance of 210.00 FT to a SIP; thence N 00°28'53" E a distance of 1066.36 FT to a SIP being on the North line of said SW 1/4 of the NE 1/4; thence along said North line bearing N 89°30'29" E a distance of 739.11 FT to the POINT OF BEGINNING. Said parcel being located in the City of Foley, Baldwin County, Alabama, in the SW 1/4 of the NE 1/4 of Section 8, T8S, R4E and containing 21.92 acres, more or less.

Instrument No. 1198477, PPIN No. 13599



PUBLIC NOTICE



The City of Foley Planning Commission has received a request to recommend to Mayor and Council the pre-zoning of 22 +/- acres. Proposed zoning is R-3 (Residential Multi-Family). Property is located W. of State Hwy. 59 and N. of County Rd. 20 S. Applicant is Terry Grant.

Anyone interested in this pre-zoning request may be heard at a public hearing on January 19, 2022 in City Hall Council Chambers located at 407 E. Laurel Ave. at 5:30 p.m. or may respond in writing to 120 S. McKenzie St. , Foley, AL 36535.

Wes Abrams
Planning Commission Chairman

State of Alabama
Baldwin County

BALDWIN COUNTY, ALABAMA
JUDGE ADRIAN T. JOHNS
Filed/cert. 9/18/2009 10:28 AM
DEED TAX \$ 391.50
TOTAL \$ 488.50
2 Pages

1198477

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that MARGARET GRANT, a widow woman, surviving grantee of that instrument recorded in Real Property Book 294 at Page 464 in the Office of the Judge of Probate of Baldwin County, Alabama, (the other Grantee, Clifford Grant having departed this life on February 24, 2009, a copy of his death certificate recorded contemporaneously herewith) hereinafter Grantor, for in and consideration of the sum of TEN DOLLARS (\$10.00) cash, and other valuable consideration, in hand paid by TERRY GRANT, a single person, hereinafter Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby GRANT, BARGAIN, SELL and CONVEY unto the said Grantee, all my right title and interest in and to the following described property, situated in Baldwin County, Alabama, to-wit:

The Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 8, Township 8 South, Range 4 East, less and except 2 acres previously conveyed, being the same property described in instrument recorded in Real Property Book 294, Page 464 in the Office of the Judge of Probate of Baldwin County, Alabama.

Subject to: any and all reservations or easements of record, if any.

Grantor, for herself and her heirs and assigns, hereby covenants and warrants to the Grantee, that she is seized with an indefeasible estate in fee simple in and to all the property hereinabove conveyed; that the same is free from all liens and encumbrances; that she has a good right to sell and convey the same; that she will guarantee the peaceable possession thereof; and that she will forever warrant and defend the same unto the said Grantee, his heirs and assigns, against the lawful claims of all persons whomsoever.

TO HAVE AND TO HOLD unto the said Grantee, his heirs and assigns, forever.

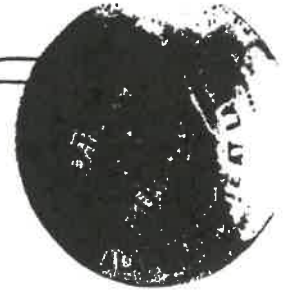
IN WITNESS WHEREOF, the Grantor sets her hand and seal on this the 17th day of September, 2009.


Margaret Grant

State of Alabama
Baldwin County

Personally appeared before me, the undersigned authority, MARGARET GRANT, who is known to me and acknowledged before me that being informed of the contents of this instrument, she signed the same voluntarily, and with full power and authority, on the day the same bears date, and further confirms that said property is not part of the homestead property of the Grantor.


Notary Public



Grantor Address: 19924 Co. Rd. 20 S., Foley, AL 36535
Grantee Address: 19521, Co. Rd. 20 S., Foley, AL 36535

This instrument prepared without title examination by:
J. RUSSELL PIGOTT
ATTORNEY AT LAW
107 W. Orange Ave. Ste. C
Foley, Alabama 36535
(251) 943-3535

A REZONING AND ANNEXATION REQUEST FOR FOLEY COTTAGES DEVELOPMENT

LOCATED IN THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 8 SOUTH, RANGE 4 EAST, AND CONTAINING 48.49± ACRES

CURRENT ZONING: B-1A / NOT IN CITY LIMITS
PROPOSED ZONING: R-3

DECEMBER 16, 2021

DEVELOPER
M4 DEVELOPMENT, LLC
1501 HONEYBUCKLE ROAD, SUITE 2
DOTHAN, AL 36305

ZONING DATA (PROPOSED ZONING: R-3)

ZONING REQUIREMENTS:

MINIMUM LOT AREA (MULTI-FAMILY): 1 ACRE
MINIMUM LOT WIDTH AT BUILDING LINE: 200 FEET
MINIMUM DEPTH OF FRONT YARD: 40 FEET
MINIMUM DEPTH OF REAR YARD: 30 FEET
FEET MINIMUM WIDTH OF EACH SIDE YARD: 25 FEET
MINIMUM DEPTH OF SIDE YARD ABUTTING STREET: 40 FEET
MAXIMUM BUILDING AREA (% OF GROSS LOT AREA): 40%
MINIMUM OPEN SPACE: 25%
MINIMUM BUILDING HEIGHT (FEET): 50 FEET
MAXIMUM BUILDING HEIGHT (STORIES): 4 STORIES
OFF-STREET PARKING SPACES (PER FAMILY UNIT): 2 SPACES
MAXIMUM DENSITY PER ACRE: 12/ACRE

PROVIDED:

= 48.49 ACRES
= N/A
= 40 FEET
= 30 FEET
= 25 FEET
= 40 FEET
= 12%
= 45% (GREATER THAN 25%)
= 180 (ALL STRUCTURES TO BE 1 STORY)
= 1 STORY
= 2.33 SPACES
= 8.82/ ACRE

SITE DATA:

TOTAL UNITS: 321 UNITS
TOTAL GARAGES: 94 GARAGES
TOTAL CAR WASHES: 3 CAR WASHES
TOTAL PARKING SPACES PROVIDED: 147 SPACES
TOTAL HANDICAP SPACES PROVIDED: 28 SPACES
TOTAL PROJECT AREA: 48.49 ACRES

LEGAL DESCRIPTION: PROPOSED AREA TO BE REZONED

Lots 1A, 2A, and 3A, of the Phase One AFOD Commercial Subdivision as found recorded in the Office of the Judge of Probate of Baldwin County, Alabama on Slide No. 2173-C. Said Lots being located in the Southeast 1/4 of the Northeast 1/4 of Section 8, Township 8 South, Range 4 East, and containing 25.87 acres, more or less.

AND:

A lot or parcel of land being located in the City of Foley, Baldwin County, Alabama and being more particularly described as follows:

BEGINNING at an Existing Iron Pin (EIP) marking the Southeast corner of Lot 15 of Pine Grove Subdivision as found recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Plat Book 3, Page 55 and being on the North Right of Way (R/W) of Baldwin County Road No. 20 South; thence along the said North R/W bearing S 89°47'58" W a distance of 180.03 FT to an EIP (Crimp Top) on the South line of Lot 17 of said Pine Grove Subdivision; thence depart said North R/W bearing N 00°04'27" E a distance of 171.27 FT to an EIP (Illegible) on the North line of said Lot 17; thence along said North line and the extension thereof bearing S 89°48'23" E a distance of 179.90 FT to an EIP (Crimp Top) marking the Northeast corner of said Lot 15; thence along the East line of said Lot 15 bearing S 00°01'42" W a distance of 171.32 FT to the POINT OF BEGINNING. Said Parcel being located in the Southeast 1/4 of the Northeast 1/4 of Section 8, Township 8 South, Range 4 East, and containing 0.70 acres, more or less.

Lot 3-A: Instrument No. 882289, PPN No. 217748
Lot 1-A: Instrument No. 882289, PPN No. 217748
Lot 2-A: Instrument No. 1043800, PPN No. 882273
Parcel: Instrument No. 882289, PPN No. 21742

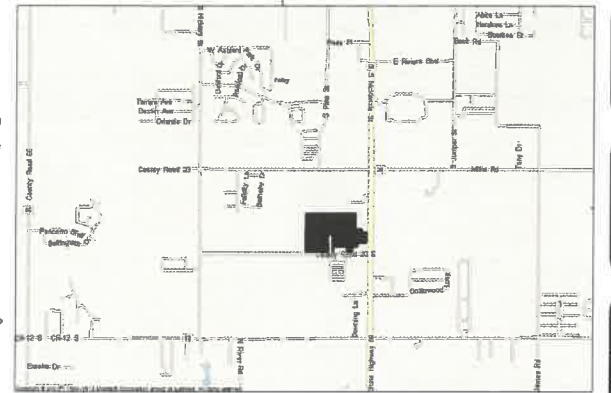
LEGAL DESCRIPTION: PROPOSED AREA TO BE ANNEXED

A lot or parcel of land being located in the City of Foley, Baldwin County, Alabama, and being more particularly described as follows:

BEGINNING at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of Section 8, Township 8 South, Range 4 East as marked by an existing iron pin (EIP) (Illegible) and being the Southwest corner of Mullins Commercial Re-Subdivision of Lot 1 as found recorded in the Office of the Judge of Probate of Baldwin County, Alabama, on Slide No. 2467-D, and being the Northeast corner of the Phase One AFOD Commercial Subdivision as found recorded in said Office on Slide No. 2173-C; thence along the East line of said SE 1/4 of the NE 1/4 of Section 8, Township 8 South, Range 4 East bearing S 00°03'40" E a distance of 580.02 FT to the intersection of said East line with the North right of way (R/W) of County Road No. 20 (80' R/W) as marked by an existing iron pin (EIP); thence along said North R/W bearing N 89°48'23" E a distance of 751.19 FT to an EIP (T' Pipe); thence depart said North R/W bearing N 02°28'53" E a distance of 210.00 FT to a SP; thence N 02°28'53" E a distance of 106.38 FT to a SP being on the North line of said SW 1/4 of the NE 1/4 of Section 8, Township 8 South, Range 4 East, and bearing N 89°39'29" E a distance of 739.11 FT to the POINT OF BEGINNING. Said parcel being located in the City of Foley, Baldwin County, Alabama, in the SW 1/4 of the NE 1/4 of Section 8, T8S, R4E and containing 21.92 acres, more or less.

Instrument No. 1198477, PPN No. 13589

PROJECT LOCATION



VICINITY MAP
NOT TO SCALE

PROJECT No.
14-2107

DATE: DEC., 2021
SCALE: N.T.S.

DRAWN BY:
C.TYO

APPROVED BY:
S. STRICKLAND

REVISIONS:

A REZONING AND ANNEXATION REQUEST
FOR FOLEY COTTAGES DEVELOPMENT
CITY OF FOLEY
BALDWIN COUNTY, ALABAMA

NORTHSTAR
ENGINEERING SERVICES
P334.671.9895 P334.671.1846
2431 Hardford Hwy Dothan, AL 36305
www.northstarengineering.com

AL CERT. OF AUTH.
CA-18986, CA-0521LS
FL CERT. OF AUTH.
26312-E, 7858-S
GA CERT. OF AUTH.
003129, LSF001156
MS CERT. OF AUTH.
E-00001825

FOR
APPROVAL
ONLY

SHEET 1
OF 1

LEGEND

EIP ○ EXISTING IRON PIN
--- SECTION LINE
--- FORTY LINE
--- MBL --- MS --- MINIMUM BUILDING LINE
--- EASEMENT LINE
--- PROPERTY LINE
--- CENTERLINE OF ROAD
--- ZONING LINE
--- PROPOSED AREA TO BE ANNEXED
--- PROPOSED AREA TO BE REZONED
WETLANDS

ABBREVIATIONS

E---EAST
EIP---EXISTING IRON PIN
FT---FEET
N---NORTH
PB---PLAT BOOK
PG---PAGE
R---RANGE
R/W---RIGHT OF WAY
S---SOUTH
T---TOWNSHIP
W---WEST
---DEGREES
---MINUTES, FEET
---SECONDS, INCHES

NOTE:
THE PROPERTY SHOWN HEREON LIES WITHIN FLOOD ZONE X "UNSHADED", DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOOD PLAIN, AS PER FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY-PANEL NUMBER 931 OF 1100, MAP NUMBER 01003C0931M, DATED APRIL 19, 2019.

FLOOD INFORMATION SHOWN WAS PLACED BY GRAPHICAL PLOTTING AND SCALING ONLY.

NOTE:
SUBJECT PROPERTY HAS LEGAL AND PHYSICAL ACCESS TO A PUBLICLY DEDICATED ROAD.

NOTE:
A 6" TALL VINYL FENCE WILL BE CONSTRUCTED ALONG THE SOUTH PROPERTY LINES WHERE GARAGES/STORAGE UNITS WILL BE LOCATED.

SURVEYOR'S NOTES:

- ALL MEASUREMENTS WERE MADE ACCORDING TO THE UNITED STATES SURVEY FOOT.
- UNLESS STATED OTHERWISE HEREON, ONLY EVIDENCE OF EASEMENTS OR STRUCTURES THERETO WHICH ARE APPARENT FROM A CASUAL ABOVE GROUND INSPECTION OF PREMISES ARE SHOWN.
- SOURCES OF INFORMATION: FINAL PLAT OF AFOD COMMERCIAL SUBDIVISION (SLIDE NO. 2173-C); FINAL PLAT OF PINE GROVE SUBDIVISION (PB-3, PG. 55); FINAL PLAT OF MULLINS COMMERCIAL RE-SUBDIVISION OF LOT 1 (SLIDE NO. 2467-D); EXISTING DEEDS AS RETRIEVED; EXISTING MONUMENTATION.
- ENCROACHMENTS AND IMPROVEMENTS ARE NOT SHOWN. THIS IS A BOUNDARY SURVEY ONLY.
- LIABILITY OF THE UNDERSIGNED FOR THE SURVEY SHOWN SHALL NOT EXCEED THE AMOUNT PAID FOR THIS SURVEY.
- EXISTING IRON PINS (EIP) ARE AS LABELED. SET IRON PINS (SIP) ARE #4 REBAR 24" LONG WITH YELLOW CAP STAMPED CA 0621LS.

GRID NORTH BASED ON THE ALABAMA STATE PLANE COORDINATE SYSTEM, WEST ZONE.

THIS DRAWING IS INVALID WITHOUT SURVEYOR'S SIGNATURE AND ALABAMA SEAL.

I HEREBY STATE THAT ALL PARTS OF THIS REZONING AND ANNEXATION REQUEST 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.

Steve Strickland
Alabama Reg. L.S. #28100-S
Date
DECEMBER 22, 2021

