



COMMUNITY DEVELOPMENT DEPARTMENT

120 S. MCKENZIE STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

July 24, 2023

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

RE: Request for Rezoning

Dear Mayor Hellmich and City Council Members,

The City of Foley Planning Commission held a meeting on July 19, 2023 and the following action was taken:

Underwood- Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 19 +/- acres. Property is currently zoned AO (Agricultural Open Space). Proposed zoning is B-1A (Extended Business District). Property is located at the NW corner of Springsteen Ln. and US Hwy. 98. Applicant is Gary Underwood.

Commissioner Engel made a motion to recommend the requested rezoning to the Mayor and Council. Commission Hare seconded the motion. All Commissioners voted aye.

Motion to recommend the requested rezoning to the Mayor and Council passes.

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

Respectfully,

Melissa Ringler

Melissa Ringler
Planning & Zoning Coordinator

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
ZONING OF PROPERTY**

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

Address: 21919 US HWY 98

PIN #: 43546

Legal Description: East half ($E\frac{1}{2}$) of the Southeast quarter ($SE\frac{1}{4}$) of the Northeast quarter ($NE\frac{1}{4}$) of Section 27, Township 7 South, Range 4 East.

Current Owner: Herbert V. & Marclin Underwood

Map: Map Attached

Deed: Attached

2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:

See Attached

3. APPROXIMATE SIZE OF PROPERTY:

19 AC

4. PRESENT ZONING OF PROPERTY:

AO

5. REQUESTED ZONING:

B-1A.

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

Single Family Residence

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

Boat & RV Storage

8. IF REQUESTING A PLANNED DEVELOPMENT ZONE (PUD, PDD, R-3, TH-1, PID) ATTACH A PRELIMINARY TRAFFIC ANALYSIS, OFFICIAL UTILITY COMMITMENT LETTERS, DRAWING, AND WRITTEN NARRATIVE AS DEFINED IN THE CURRENT



ZONING ORDINANCE.

N/A

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

Processing Fee Attached

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

DATE: 6/26/23

Gary Underwood

do/ecep verified
06/26/23 10:31 AM

PROPERTY OWNER/APPLICANT

21919 US Highway 98 Foley Al
PROPERTY OWNER ADDRESS

251-942-8056

PHONE NUMBER

underwoodpecans@gmail.com

EMAIL ADDRESS



6/26/23
RECEIVED AL

CITY OF FOLEY AGENT AUTHORIZATION FORM

I/We authorize and permit TTL, INC
to act as My/Our representative and agent in any manner regarding this application which
relates to property described as tax parcel ID# 54-08-27-0-000-014.000

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):

Gary Underwood

Name(s)
21919 US HWY 98

printed Address
Foley, Alabama

City/State
251 942 8056 underwoodpecans@gmail.com

Gary Underwood

dotloop verified
06/26/23 3:54 PM CDT
MLMB-CDII-KGEN-10RA

Fax

Signature(s)

Date 06/26/2023

PROPERTY OWNER(S):

Name(s) printed

Address

City/State

Phone

Email

Fax

Signature(s)

Date

STATE OF ALABAMA

BALDWIN COUNTY

WARRANTY DEED WITH SURVIVORSHIP CLAUSE

THIS INDENTURE, made and entered into by and between ISABELLA K. JAMES, a widow, hereinafter referred to as party of the first part, and HERBERT VAUGHN UNDERWOOD and MARCLINE A. UNDERWOOD, hereinafter referred to as parties of the second part, WITNESSETH:

That for and in consideration of the sum of Six Thousand Dollars (\$6,000.00) this day cash in hand paid to the party of the first part by parties of the second part, receipt of which is hereby acknowledged, party of the first part has granted, bargained, sold and conveyed and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY unto the said Herbert Vaughn Underwood and Marcline A. Underwood, during their joint lives, and upon the death of either of them, then to the survivor of them in fee simple and to the heirs and assigns of such survivor, the following described real estate situated in Baldwin County, Alabama, to-wit:

East half (E $\frac{1}{2}$) of the Southeast quarter (SE $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$) of Section 27, Township 7 South, Range 4 East.

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 Herbert Vaughn Underwood and Marcline A. Underwood, during their joint lives, and upon the death of either of them, then to the survivor of them in fee simple and to the heirs and assigns of such survivor, FOREVER.

And the said party of the first part, for herself and her heirs, executors and administrators, hereby covenants and warrants with and unto the said parties of the second part and their assigns, and to the heirs and assigns of the survivor of them, that she is 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 she has a good right to sell and convey the same as herein conveyed; that she will guarantee the peaceable possession thereof and that she will and her heirs, executors and administrators shall forever warrant and defend the same unto the said parties of the second part and their assigns, and to the heirs and assigns of the survivor of them against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the party of the first part has hereunto set her hand and seal on this the 5th day of April, 1964.

Isabella K. James (SEAL)

STATE OF ALABAMA, BALDWIN COUNTY
Filed 5/11/64 9:20 A
Recorded Deed Book 344 Page 531-52
and I certify that the foregoing Privilege Tax
has been paid

Deed Tax

Mortgage Tax

6.00

L. D. Owens Jr.
Judge of Probate

Rv

RECEIVED
AL

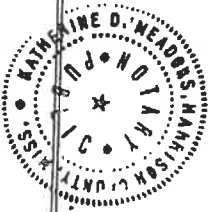
STATE OF MISSISSIPPI

HARRISON COUNTY

I, Katherine D. Meadows, a Notary Public,
in and for said County in said State, hereby certify that Isabella
K. James, a widow, whose name is signed to the foregoing convey-
ance and who is known to me, acknowledged before me on this day
that, being informed of the contents of the conveyance, she
executed the same voluntarily on the day the same bears date.

Given under my hand this the 21st day of April, 1964.

Katherine D. Meadows
Notary Public, Harrison County, Mississippi



BOOK 344 PAGE 552

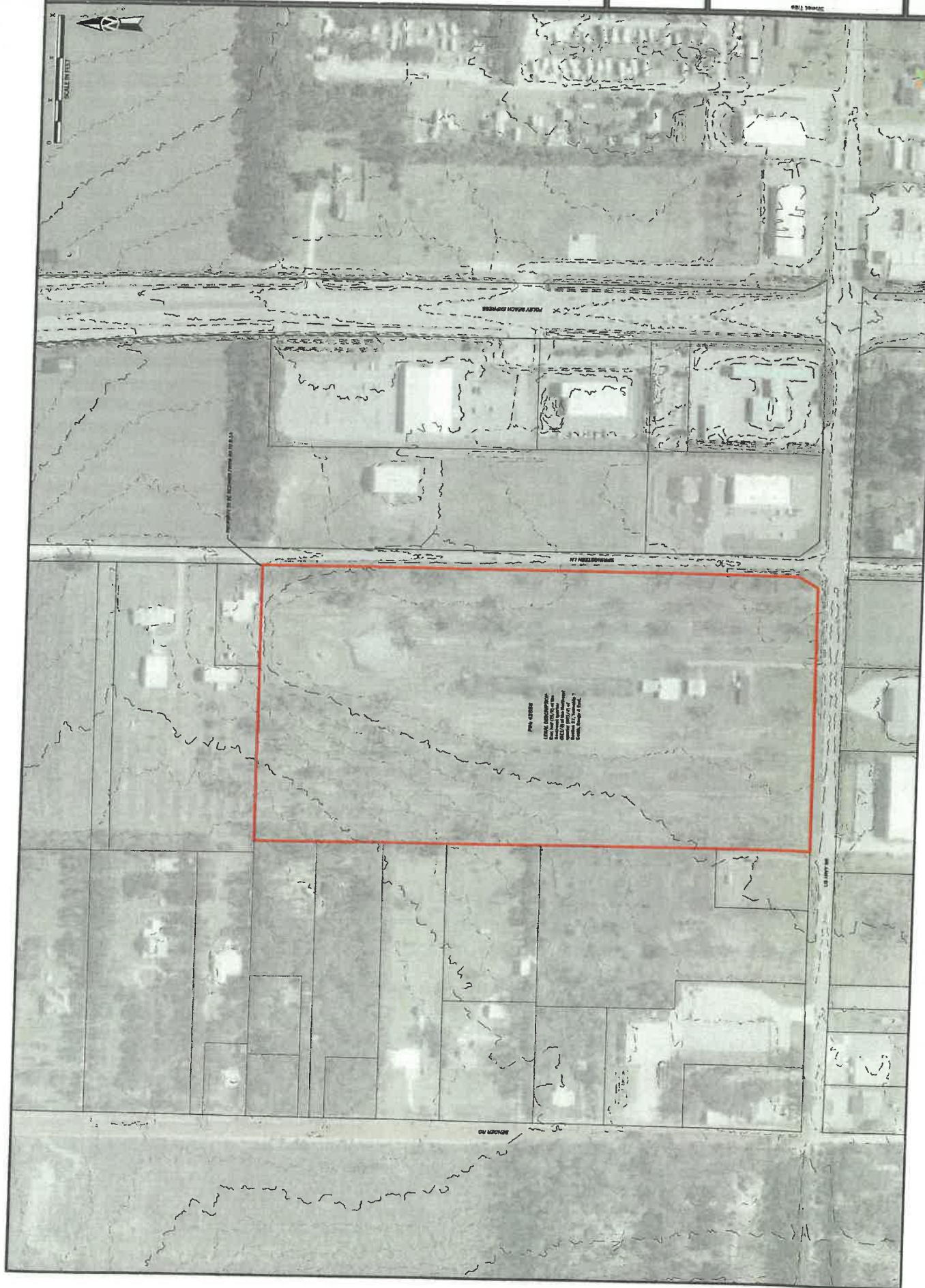
1998

Revision Description

5814 • J. Neurosci., September 24, 2008 • 28(39):5809–5817

PRELIMINARY
(NOT FOR CONSTRUCTION
RECORDING PURPOSES)
BY INSTRUMENTATION

9797 Timber Circle, Suite A | Daphne, AL 36527
251.332.3600 | www.ttkm.com

711

RECEIVED
JUN 23 1963

Legal Description of PIN 43546: East half ($E\frac{1}{2}$) of the Southeast quarter ($SE\frac{1}{4}$) of the Northeast quarter ($NE\frac{1}{4}$) of Section 27, Township 7 South, Range 4 East.

PUBLIC NOTICE



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Anyone interested in this rezoning request may be heard at a public meeting scheduled for July 19, 2023 in the Council Chambers of City Hall 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