



COMMUNITY DEVELOPMENT DEPARTMENT

120 S. MCKENZIE STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

February 17, 2022

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

RE: Request for Initial Zoning

Dear Mayor Hellmich and City Council Members,

The City of Foley Planning Commission held a meeting on February 16, 2022 and the following action was taken:

Gary Flowers- Initial Zoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the initial zoning of 1.03 +/- acres. Proposed zoning is B-1A (Extended Business District). Property is located S. of County Rd. 12 S. and W. of State Hwy. 59. Applicant is Gary Flowers.

Commissioner Hinesley made a motion to recommend the requested initial zoning to Mayor and Council. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to recommend the requested initial zoning to 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 Quaite; Richard Dayton; Cecil R. Blackwell; Charles Ebert III



PETITION FOR ANNEXATION

We, the undersigned PETITIONERS, owners of the property described in the attached Exhibit A and as delineated on the map attached as Exhibit B, such property being outside the corporate limits of the City of Foley, Alabama, but which is now, or at the time this petition is acted upon will be, contiguous to the said corporate limits, and such property not lying within the corporate limits of any other municipality, do by these presents hereby petition the City of Foley, a municipal corporation, that said property be annexed into the City of Foley, Alabama pursuant to the authority of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS further petition that the Honorable Mayor and City Council of the City of Foley, Alabama, set a date for the hearing of this petition and adopt an ordinance annexing such property.

We, the undersigned PETITIONERS also ask that the Honorable Mayor and City Council of the City of Foley, Alabama, do all things necessary and requisite to comply with the terms of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS understand that we will have no right to vote in any elections which we would be entitled to vote in as a result of this proposed annexation until the annexation is pre-cleared by the United States Department of Justice pursuant to section 5 of the Voting Rights Act of 1965, as amended.

Dated this 9th day of September, 2021.

Gary J. Flowers Mgr
Petitioner's Signature

Petitioner's Signature

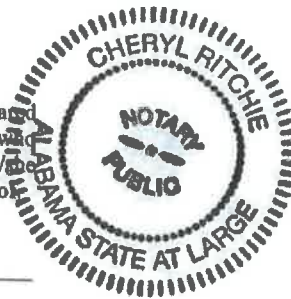
STATE OF ALABAMA
BALDWIN COUNTY

On this 9th day of September, 2021, before me personally appeared Gary J. Flowers, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

[Signature]
NOTARY PUBLIC

My Commission Expires: _____

My Commission Expires 1-14-2025



STATE OF ALABAMA
BALDWIN COUNTY

On this ____ day of _____, 20____, before me personally appeared _____, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

NOTARY PUBLIC

My Commission Expires: _____

ATTACHMENT TO PETITION

PETITIONER(S) REQUEST PROPERTY BE INITIALLY ZONED AS FOLLOWS:

- | | | |
|-------------------------------------|-------|---|
| ☐ | R-1A | Residential Single Family |
| ☐ | R-1B | Residential Single Family |
| ☐ | R-1C | Residential Single Family |
| ☐ | R-1D | Residential Single Family |
| ☐ | R-1R | Restricted Residential Single Family |
| ☐ | R-2 | Residential Single Family & Duplex |
| ☐ | R-3 | Residential Multi Family |
| ☐ | R-4 | Residential Single Family & Duplex |
| ☐ | GPH-1 | Residential Garden-Patio Homes |
| ☐ | TH-1 | Residential Townhouses |
| ☐ | MH-1 | Residential Mobile Home Park/Subdivision |
| ☐ | OSP | Open Space/Reservation District |
| ☐ | PDD | Planned Development District |
| ☐ | PUD | Planned Unit Development |
| ☐ | PID | Planned Industrial District |
| ☐ | B-1 | Central Business District |
| ☒ | B-1A | Commercial Extended Business District |
| ☐ | B-2 | Commercial Neighborhood Business District |
| ☐ | B-3 | Commercial Local Business District |
| ☐ | PO | Preferred Office District |
| ☐ | M-1 | Light Industry |
| ☐ | A-O | Agriculture Open Space |
| ☐ | H | Overlying area of Historic District |

PLEASE SELECT ONE OF THE ABOVE. IF YOU HAVE ANY QUESTIONS REGARDING THE REQUESTED ZONING, PLEASE CALL THE ZONING OFFICE AT 251-943-4011.

Initial Zoning Fee \$250.00 - check payable to the City of Foley due at time of submission.

Number of homes currently located on the property being annexed 0

Number of occupants Adults 0 Race n/a

Number of businesses currently located on the property being annexed _____

(If more than one business on property, print information on back.)

Name of business _____

Owner's Name _____

Mailing Address _____

If property is undeveloped, have plans been submitted to Planning Commission?

☐ Yes

If yes, state estimated date the development or subdivision will be completed _____

☐ No

Gary J. Flowers Mgr
Petitioner's Signature Date

Petitioner's Signature Date

LEGAL DESCRIPTION PER TITLE COMMITMENT:

A parcel of land situated and being located in the Northeast Quarter of the Northeast Quarter (NE 1/4 of the NE 1/4) of Section 17, Township 8 South, Range 4 East, Baldwin County, Alabama, and being more particularly described as follows, to-wit:

BEGINNING at a 3/4-inch iron rod at the Northeast corner of the Northeast Quarter of the Northeast Quarter (NE 1/4 of the NE 1/4) of Section 17, Township 8 South, Range 4 East, Baldwin County, Alabama, said point also being at the intersection of the westerly margin of Alabama State Highway No. 59 with the southerly margin of Baldwin County Highway No. 12; thence run from said POINT OF BEGINNING South 00 degrees 00 minutes 00 seconds East along the westerly margin of Alabama State Highway No. 59 a distance of 400.00 feet to a 1/2-inch iron rod; thence departing the westerly margin of Alabama State Highway No. 59 run North 90 degrees 00 minutes 00 seconds West a distance of 330.00 feet to a 1/2-inch iron rod; thence run North 00 degrees 00 minutes 00 seconds East a distance of 400.00 feet to a 1/2-inch iron rod on the southerly margin of Baldwin County Highway No. 12; thence run North 90 degrees 00 minutes 00 seconds East along the southerly margin of Baldwin County Highway No. 12 a distance of 330.00 feet to the POINT OF BEGINNING.

September 9, 2021

City of Foley

407 E. Laurel Avenue

Foley, Alabama 36535

To Whom It May Concern,

Flowers 8, LLC requests the additional land that was added to the corner lot on the Southwest corner of the intersection of County Road 12 west and Highway 59 be annexed into the City of Foley. The lot that is presently on the corner is in the city limits of Foley. The dimension of that lot is 250' X 350'. The resubdivision of the land made the corner parcel 330' along county road 12 and 400' along Highway 59. This resubdivision resulted in an 80' strip of land along county road 12 and a 50' strip along highway 59 that are not in the City Limits of Foley. We are requesting that the entire corner parcel of Lot 1 of the resubdivision be annexed into the City of Foley with a zoning classification of B-1A. The corner is already B-1A and this would be in line with that zoning classification. We appreciate your consideration of our request.

Sincerely,

Flowers 8, LLC

A handwritten signature in black ink that reads "Gary J. Flowers Mgr". The signature is written in a cursive, slightly slanted style.

Gary J Flowers, Manager

19810 County Road 12 South

Foley, Alabama 36535

The map displays a section of the City of Lincoln, Nebraska, bounded by S MCKENZIE ST to the north, STATE HWY 59 to the east, COUNTY RD 12 S to the south, and LINTON LN to the west. The map is divided into several large tracts of land, some of which are labeled 'FOLEY CORP LIMITS'. The tracts are further subdivided into smaller lots, many of which are numbered. The map is a technical drawing with precise lines and text.

Streets and Highways:

- S MCKENZIE ST
- STATE HWY 59
- COUNTY RD 12 S
- LINTON LN

Tracts and Lots:

- Tract 1: 5.7 AC±
- Tract 2: 5.7 AC±
- Tract 3: 5.7 AC±
- Tract 4: 5.7 AC±
- Tract 5: 5.7 AC±
- Tract 6: 5.7 AC±
- Tract 7: 5.7 AC±
- Tract 8: 5.7 AC±
- Tract 9: 5.7 AC±
- Tract 10: 5.7 AC±
- Tract 11: 5.7 AC±
- Tract 12: 5.7 AC±
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- Tract 204: 5.7 AC±
- Tract 205: 5.7 AC±

Misc		Coastal Control Line
Parcels		Lot Lines
Centerlines		County Boundary

Sources: Earl, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

Planning Commission Report

By Miriam Boutwell

February 2022

Initial Zoning

Applicant: Gary J Flowers

Location: South of CR 12, west of Hwy 59

Size: 1.03+/- Acres

Current Zoning: Unzoned Baldwin County

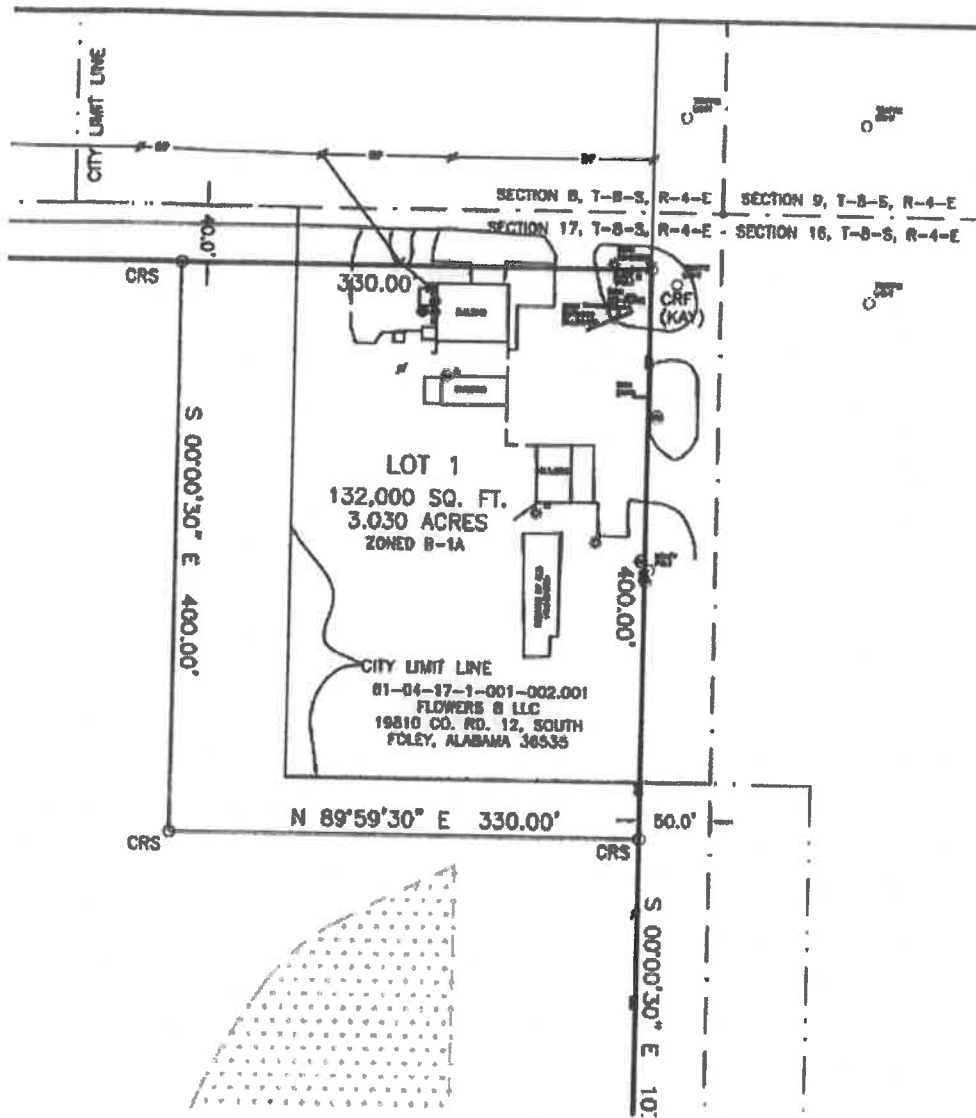
Requested Zoning: B1A – Extended Business District

Future Land Use: RCC – Retail Commercial Concentration

Flood Zone: X

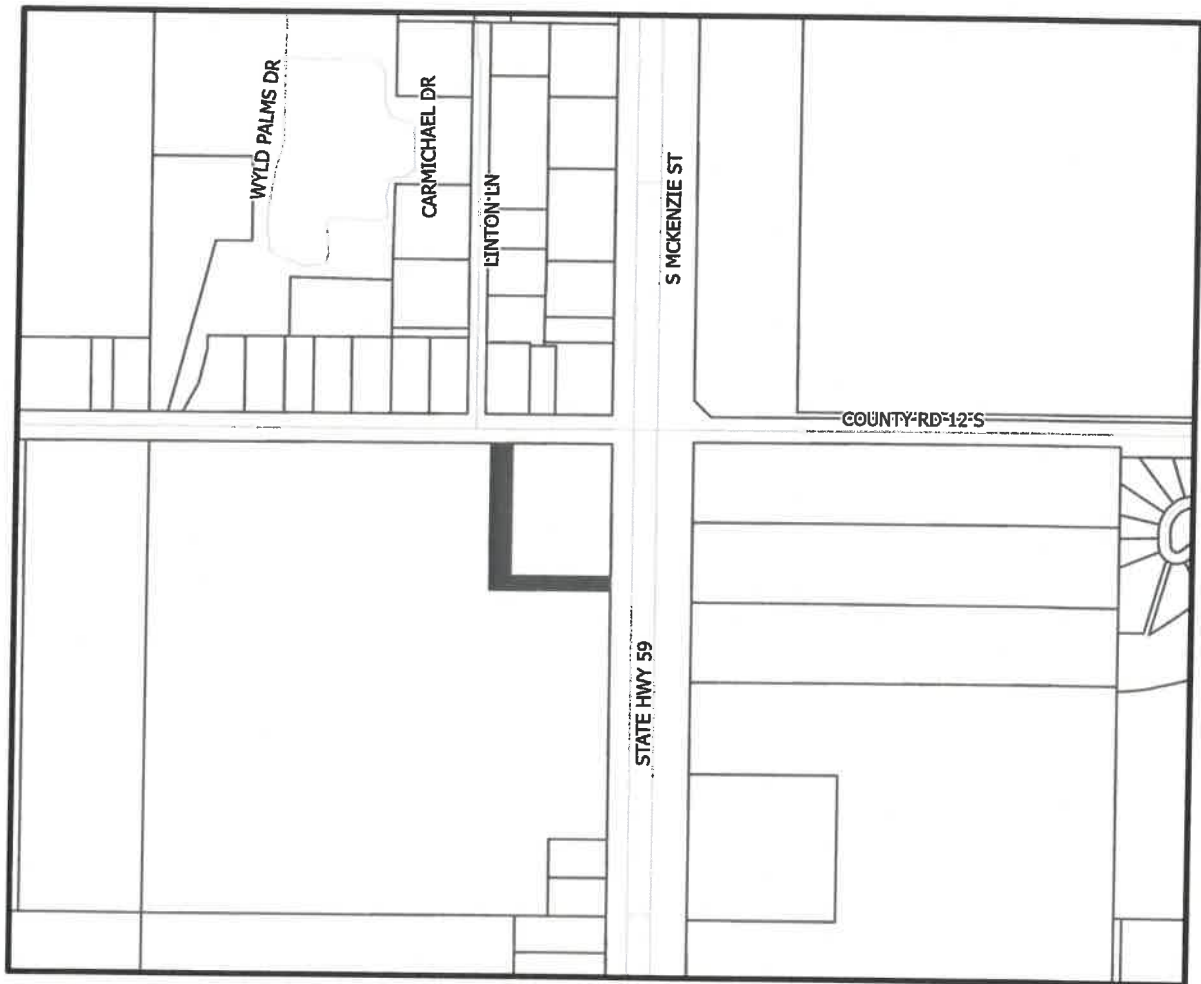
Unconfirmed

Comments: A 250' x 350' lot was already in the City limits & zoned B1A. Circle K needed a larger lot so a new subdivision was done enlarging the lot by 1.03+/- acres. The property has been annexed & now needs to be zoned. They have requested B1A which matches the portion already in the City.



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PUBLIC NOTICE



The City of Foley Planning Commission has received a request to recommend to Mayor and Council the initial zoning of 1.03 +/- acres. Proposed zoning is B-1A (Extended Business District). Property is located S. of County Rd. 12 S. and W. of State Hwy. 59. Applicant is Gary J. Flowers.

Anyone interested in this initial zoning request maybe heard at a public hearing scheduled for February 16, 2022 in the Council Chambers of City Hall located at 407 W. 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