

407 East Laurel Ave.
Foley, AL 36535

(251) 943-1545
Fax (251) 952-4014
www.cityoffoley.org

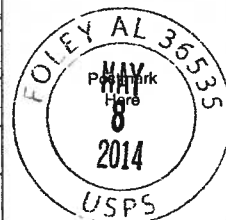
City of
Foley
CLERKS

May 7, 2014

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To	Charles H. Kelly
Street, Apt. No., or PO Box No.	10827 Deerfoot Lane
City, State, ZIP+4	Elberta, AL 36530

PS Form 3800, August 2006 See Reverse for Instructions

Charles H. Kelly
10827 Deerfoot Lane
Elberta, AL. 36530

RE: Violation of Ordinance 1095-09 114 S. Stuart Lane in Foley, Alabama.

Dear Mr. Kelly:

The Foley City Council, in regular session May 6, 2014 approved a resolution declaring the above property in violation of the Lot Clearing and Weed Removal Ordinance. Enclosed is a copy of the Notice of Public Hearing pursuant to the Code of Alabama Sections 11-67-20 through 11-67-28. The public hearing will be held on **Monday, June 16, 2014** at 5:30 p.m. in the City of Foley's Council Chambers located at 407 East Laurel Avenue, Foley Alabama to discuss the violation.

The City of Foley is supplying you with a list of Alabama Agriculture and Industries Board Certified contractors who also hold business licenses with the City of Foley. The City does not guarantee or recommend their work. If you remove the weeds, grass or other vegetative growth, the City will stop the abatement proceedings. However, failure to do so will ensure that City forces will remove the nuisance and the costs incurred by the City will result in a lien against your property.

Your cooperation in this matter is appreciated.

Sincerely,

Katy Taylor

Katy Taylor
Assistant City Clerk

Enclosures

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Charles H. Kelly
10827 Deerfoot Lane
Elberta, AL 36530

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Dana Moore* ☐ Agent ☒ Addressee

B. Received by (Printed Name)

Dana Moore

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

MAYOR John

2. Article Number

7013 3020 0000 3459 8816



Katy Taylor <ktaylor@cityoffoley.org>

Notice of Public Hearing

Katy Taylor <ktaylor@cityoffoley.org>

Tue, May 13, 2014 at 2:29 PM

To: April <legals@gulfcoastnewspapers.com>

Cc: Brenda SHAMBO <bshambo@cityoffoley.org>, Melissa Franks <mfranks@cityoffoley.org>, Vickey Southern <vsouthern@cityoffoley.org>

April,

Please publish the following Notice of Public Hearing in the legal section of the Onlooker in its Friday, May 30, 2014 and Friday, June 6, 2014 editions. Affidavit is required.

Thanks

NOTICE OF PUBLIC HEARING

The Foley City Council will hold a Public Hearing at 5:30 p.m. Monday, June 16, 2014 in Council Chambers to consider violations of the City's Lot Clearing & Weed Removal Ordinance 1095-09 at 114 S. Stuart Lane, Foley, Alabama, pursuant to the Code of Alabama, Sections 11-67-20 through 11-67-28.

All persons wishing to be heard may speak in person at the Public Hearing, or may respond in writing to the City of Foley, P.O. Box 1750, Foley Alabama 36535 June 16, 2014 in order to be considered.

/s/

Victoria Southern, CMC

City Clerk

Katy Taylor || Assistant City Clerk || City of Foley
407 East Laurel Avenue Foley, Alabama 36535 ||
251.943.1545 || ktaylor@cityoffoley.org



114 S. Stuart Ln. NOTICE OF PUBLIC HEARING.docx

14K



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Signature Copy

Resolution: 14-0162-RES

File Number: 14-0301

Enactment Number: 14-0162-RES

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 114 S STUART ST.

WHEREAS, there have been complaints about the growth of grass, weeds and other vegetative growth located at 114 South Stuart Street, Foley, Alabama, Tax Parcel ID# 05-54-08-28-4-000-008.000, and

WHEREAS, investigations by City forces have substantiated the growth is of the type and character that can be a public nuisance as defined in the State of Alabama Code, 1975, §11-67-21, and City Ordinance 1095-09, and

WHEREAS, the City Council of Foley will now give notice as prescribed by the State of Alabama Code, 1975, §11-67-22 and §11-67-23, of a Public Hearing to be held to determine if the area should be declared a public nuisance and give the property owners an opportunity to remove the growth of grass, weeds and other vegetative growth.

NOW, THEREFORE BE IT RESOLVED by the Foley City Council in regular session this 6th day of May, 2014, as follows:

Section 1: Notice of public hearing on the matter shall be given by certified mail, return receipt requested to the property owners. The notice shall be set for 5:30 p.m. Monday, June 16, 2014.

Section 2: Notice shall also be given in The Onlooker once a week for two consecutive weeks. The first notice shall be published at least fourteen (14) days prior to the date scheduled for the public hearing in Section 1 of this resolution.

Section 3: Two signs shall be conspicuously posted on the properties described in this resolution. The wording of the signs shall be not less than one inch in height and shall be substantially in the form of the notice contained in Section 11-67-23 of the State of Alabama Code. The notice shall be posted at least seven days prior to the time for the public hearing to hear objections to declaring the property, as described in this resolution, a public nuisance.

PASSED, APPROVED AND ADOPTED this 6th day of May, 2014.

Kaitlyn
+ Darryl

CITY OF FOLEY
COMPLAINT FORM

Kaitlyn
80389

ENVIRONMENTAL:

- ☒ GRASS/WEEDS
☐ TRASH/DEBRIS
☐ TREES
☒ PUBLIC NUISANCE
☐ CONSTRUCTION
☐ LITTER
☐ ENVIRONMENTAL
☐ SMOKING
☐ RIPARIAN

BUILDING:

- ☐ DILAPIDATED BUILDING
☐ NO PERMIT

ZONING:

- ☐ HISTORIC DISTRICT
☐ ZONING
☐ SIGNS

ENGINEERING:

- ☐ DRAINAGE

Darryl
80390

☐ OTHER _____

R-1C

41493

DATE: 3-25-14

LOCATION: 114 S. Stuart St.

NOTES: (COMPLAINANT NAME & COMPLAINT) Grass over grown house abandon doors wide open said he saw someone going in home.

CONTACT: Roddy Burke PD may want to check also.
942-3395

INSPECTION DATE: 3/26/14 STAFF: KE ☒ PHOTOS TAKEN

FINDINGS: Weeds Overgrown.

3/28 - Letter sent

Reinspect 4-17-14

TASK:

- ☐ 1 PERSONAL CONTACT ☒ 2 LETTER ☐ 3 STOP WORK ☐ 4 CITATION ☐ NO VIOLATION

DATE CLOSED: _____

Date Created: 3/26/2014

Summary

Parcel	05-54-08-28-4-000-008.000	Zoning	R-1C
PIN	041493	Flood Zone	X
Tax District	N/A	Voter District	District 5
Property Address	114 S STUART ST	Downtown Historic District	No
Neighborhood	FOLEY	National Historic District	No
Subdivision	14	City Limits	Yes
Sec/Twp/Rng	28/7S/4E	3-Mile Jurisdiction	Yes
Lot Dimension	67.5X158.72	Garbage Route	Wednesday
		Recycle Route	Friday
		Yard Debris Route	Friday

[View Property Appraisal](#)
[View Tax Record](#)

Owner

Owner Name:	KELLY, CHARLES H	Deed Type	IN
Owner Address	114 S STUART ST	Book	0000
	FOLEY, AL #MISSING#	Page	0743359
		Last Deed Date	7/11/2003
Previous Owner	MAJOR, CARL EDWARD ETAL MAJOR, AMANDA LE		

The data referenced in this online mapping and GIS application is derived from the GIS Division of the City of Foley Community Development Department, the South Alabama Regional Planning Commission, the Baldwin County Geographic Database and other public and private sources. These sources are generally considered to be dependable, but the City of Foley makes no attempt to verify or confirm any information provided by any source, and the City of Foley makes no warranties, expressed or implied as to the accuracy, completeness, currentness, reliability, or suitability for any particular purpose of the information displayed on this map. Independent verification is advised prior to making any commitments. Measurements are approximate, and this data is not intended to substitute for an actual survey. Additionally, the City of Foley and its agents, servants, and employees assume no liability or responsibility for the use of this map and expressly disclaim any liability and any damages that may arise from the use of or reliance on this map. The City of Foley expressly disclaims any representation as to the validity, accuracy, and currentness of any municipal corporate limits, 3-mile equidistant jurisdiction lines, and/or planning jurisdiction lines displayed on this map.

Last Data Upload: 3/26/2014 8:24:58 AM

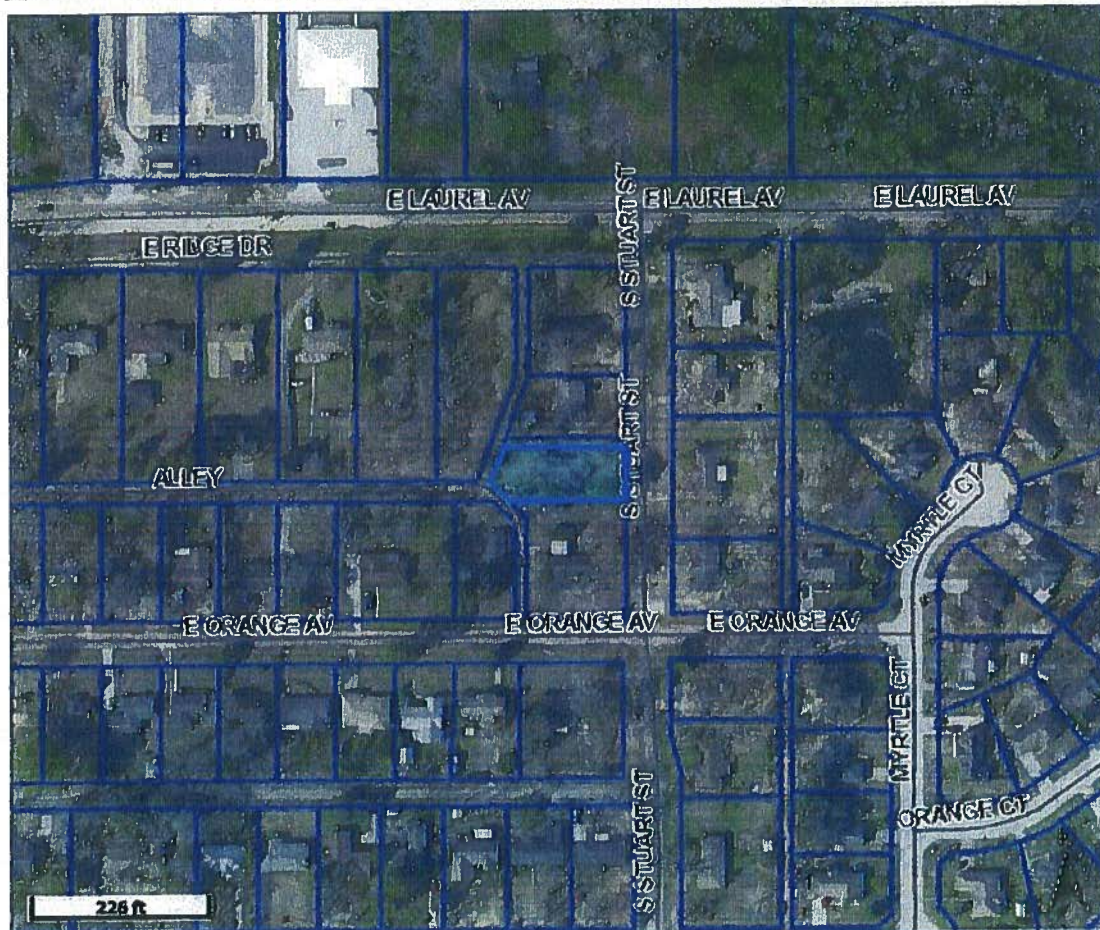


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The Schneider Corporation
www.schneidercorp.com

City of Foley, AL



Date Created: 3/26/2014



Overview



Legend

- Main Highways
- County Roads
- Centerlines
- Foley City Limits
- ▣ County Mask
- Foley City Limit Background
- Parcels
- Downtown Historic District
- Streams and Creeks
- Lakes and Bays

PIN - 41493
Par Num - 008.000
Acreage - 0.260
Subdivision - 02WG
Lot - 14
Street Name - STUART ST S
Street Number - 114
Improvement - RES

Name - KELLY, CHARLES H
Address1 - 114 S STUART ST
Address2 -
Address3 -
City - FOLEY
State - AL
Zip - 36536

Last Data Upload: 3/26/2014 8:24:58 AM

The information contained in the digital data distributed by the Baldwin County Commission is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness, currency, thereof are not guaranteed. The Baldwin County Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the county geographic database. Additionally, the Baldwin County Commission or any agent, servant, or employee thereof assume no liability associated with the use of the data and assume no responsibility to maintain it in any matter or form.



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The Schneider Corporation
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114 S Stuart St - Heather Elderly 3/26/14





COMMUNITY DEVELOPMENT DEPARTMENT

200 NORTH ALSTON STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

FAX (251) 971-3442

March 28, 2014

Charles H. Kelly
114 S Stuart St.
Foley, AL 36535

Dear Sir/Madam:

A complaint has been received concerning the overgrown grass and weeds becoming a public nuisance at 114 S Stuart St. in Foley, Alabama. This lot is further described as PIN 41493 on the Baldwin County Tax Maps.

The City of Foley Ordinance No. 1095-09 Regarding the Clearing and Maintenance of Lots that Constitute a Public Nuisance Section 4-104 states that a nuisance may be declared when grass and weeds which bear seeds of a wingy or downy nature, which attain a large growth so as to become a fire menace when dry, or otherwise noxious or dangerous. Private property owners should take regular steps to maintain the property in a manner to prevent the nuisance.

A visual inspection, conducted on March 26, 2014 revealed that the above described property was overgrown by grass and weeds which may constitute a public nuisance. Please be advised that as of this date you are placed on notice that this violation must be corrected within 10 days from your receipt of this letter. Failure to do so may result in a Resolution by the City Council that finds and declares that the weeds, grass and other vegetation are a public nuisance and orders the abatement of the nuisance subject to its findings after a public hearing.

If you have any questions or concerns please contact our office at 251-952-4011.

Sincerely,

Kaitlyn Eberly
Environmental Assistant
City of Foley

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Vickey Southern

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



PLANNING/GIS/ZONING/
ENGINEERING /INSPECTION DEPT.
200 NORTH ALSTON STREET
FOLEY, AL 36535

MOBILE
AL 366
01 APR '14
PM 2 L



Charles H. Kelly
114 S Stuart St.
Foley, AL 36535

NIXIE 322 SE 1009 0004/16/14

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NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 36535352400 *2239-00596-01-36

