



COMMUNITY DEVELOPMENT DEPARTMENT

120 S. MCKENZIE STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

June 27, 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 June 21, 2023 and the following action was taken:

Foley Professional Park Developer, Inc.- Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 7 +/- acres. Property is currently zoned R-1A (Residential Single Family), B-1A (Extended Business District) and M-1 (Light Industrial District). Proposed zoning is PO (Preferred Office District). Property is located E. of N. McKenzie St. and S. of E. Peachtree Ave. Applicant is Foley Professional Park Developer, Inc.

Planning Commission Action:

Commissioner Hare made a motion to recommend the requested rezoning to the Mayor and Council. Commissioner Nixon 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):
2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:
3. APPROXIMATE SIZE OF PROPERTY: 7.1 ACRES
4. PRESENT ZONING OF PROPERTY: R 1A 1/2 B-1A 1/2 M-1
5. REQUESTED ZONING: Professional Office
6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE PROPERTY: VACANT LAND
7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED (TYPE OF DEVELOPMENT, DENSITY, ETC.) Professional Office
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.
9. PROCESSING FEE OF \$500.00 FOR 20 ACRES OR LESS, PLUS \$15.00 PER ADDITIONAL ACRE OVER 20.

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

DATE: May 18 2023

Larry F. Chason

Glenda Gravlee

Foley Professional Park Developer Inc.
Larry F. Chason

PROPERTY OWNER/APPLICANT

P.O. Box 3102 Daphne, AL 36526

PROPERTY OWNER ADDRESS

251-454-3473

PHONE NUMBER

CHASEIN@AOL.com

EMAIL ADDRESS

4pd
receipt #
00262





CITY OF FOLEY

AGENT AUTHORIZATION FORM

I/We authorize and permit Larry E. Chason
to act as My/Our representative and agent in any manner regarding this application which
relates to property described as tax parcel ID# PPIN 89381 AND 107978
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):

Name(s) printed Foley Professional Park Developers, Inc.
Address P.O. Box 3102
City/State Daphne, AL 36526
Phone 251-454-3473 Email CHASEIN@AOL.COM Fax _____
Signature(s) _____ Date _____

PROPERTY OWNER(S):

Name(s) printed Glenda Graulee, Larry E. Chason
Address P.O. Box 3102 Daphne, AL 36526
City/State Daphne, AL 36526
Phone 251-454-3473 Email CHASEIN@AOL.COM Fax _____
Signature(s) Glenda Graulee Date 5/18/23

L. E. Chason 5/18/23



5/22/23
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Alabama Secretary of State



Foley Professional Park Developers, Inc.	
Entity ID Number	000 - 125 - 432
Entity Type	Domestic Corporation
Principal Address	FAIRHOPE, AL
Principal Mailing Address	Not Provided
Status	Exists
Place of Formation	Baldwin County
Formation Date	07/26/1988
Registered Agent Name	CHASON, LARRY E
Registered Office Street Address	150 SOUTH GREENO ROAD, SUITE A FAIRHOPE, AL 36532
Registered Office Mailing Address	Not Provided
Nature of Business	---
Capital Authorized	\$1,000
Capital Paid In	\$1,000
Incorporators	
Incorporator Name	CHASON, LARRY E
Incorporator Street Address	Not Provided
Incorporator Mailing Address	Not Provided
Annual Reports	
Annual Report information is filed and maintained by the Alabama Department of Revenue. If you have questions about any of these filings, please contact Revenue's Business Privilege Tax Division at 334-242-1170 or www.revenue.alabama.gov . The Secretary of State's Office cannot answer questions about or make changes to these reports.	
Report Year	1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021
Scanned Documents	
Document Date / Type / Pages	07/26/1988 Certificate of Formation 4 pgs.

[Browse Results](#)[New Search](#)

BALDWIN COUNTY

THIS INDENTURE, made and entered into by and between JULIUS HAMBURG, also sometimes known as J. W. Hamburg, as Executor of the Estate of Henry M. Hamburg, Deceased (hereinafter referred to as party of the first part), and FOLEY PROFESSIONAL PARK DEVELOPERS, INC. (hereinafter referred to as party of the second part), WITNESSETH:

That for and in consideration of the sum of Twenty-nine Thousand Nine Hundred Sixty Dollars (\$29,960.00) and other good and valuable consideration this day cash in hand paid to party of the first part by party of the second part, receipt of which is hereby acknowledged, and of the further sum of One Hundred Nineteen Thousand Eight Hundred Forty Dollars (\$119,840.00) to be paid as evidenced by the Promissory Note hereinafter described and secured by the Vendor's Lien reserved by this instrument, 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 FOLEY PROFESSIONAL PARK DEVELOPERS, INC. the following described real property situated in Baldwin County, Alabama, to-wit:

From the Northwest Corner of Section 21, Township 7 South, Range 4 East, Baldwin County, Alabama, run South 00 degrees, 24 minutes 06 seconds East a distance of 1079.59 feet; thence run North 89 degrees 35 minutes 02 seconds East a distance of 57.55 feet to an iron pin lying on the East right-of-way line of Alabama Highway #59, the Point of Beginning; thence continue North 89 degrees 35 minutes 02 seconds East, a distance of 262.79 feet to an iron pin; thence run South 00 degrees 14 minutes 20 seconds West a distance of 90 feet to an iron pin; thence run North 89 degrees 35 minutes 02 seconds East a distance of 600 feet; thence run North 00 degrees 09 minutes 49 seconds West, a distance of 650 feet; thence run South 89 degrees 35 minutes 02 seconds West a distance of 862.12 feet to the East right-of-way line of Alabama Highway #59; thence run South 00 degrees 09 minutes 49 seconds East along said East right-of-way line, a distance of 560 feet to the Point of Beginning.

LESS AND EXCEPT the following described parcel of property: From the Northwest Corner of Section 21, Township 7 South, Range 4 East, Baldwin County, Alabama, run South 00 degrees, 24 minutes 06 seconds East a distance of 1079.59 feet; thence run North 89 degrees 35 minutes 02 seconds East a distance of 70.29 feet to the Point of Beginning; thence continue North 89 degrees 35 minutes 02 seconds East, a distance of 100 feet, more or less, to a point on the East right-of-way line of that certain property formerly known as the L&N Railroad right-of-way and which was described in that certain Quitclaim Deed from the City of Foley to J. W. Hamburg, a/k/a Julius Hamburg, and Ella T. Hamburg, dated March 24, 1988, and recorded in Real Property Book 316, Pages 445-446; thence run North 00 degrees 09 minutes 49 seconds West 560 feet to a point; thence run South 89 degrees 35 minutes 02 seconds West 100 feet, more or less, to a point; thence run South 00 degrees 09 minutes 49 seconds East 560 feet to the point of beginning, meaning and intending to describe that certain 100 foot strip of property formerly known as the L&N Railroad right-of-way described in the Quitclaim Deed from the City of Foley referred to above.

\$ RECORD FEE *10.00*

STATE OF ALABAMA
BALDWIN COUNTY

NOTED BY THIS INSTRUMENT WAS
FILED MAR 17 1968 COLLECTED ON

AUG 4 12 19 PM '87

30⁰⁰

179.85

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Aug 11 1987

NOTE OF PRESENT

REAL 328 PAGE 0333

32212346
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SUBJECT, HOWEVER, to the following:

1. Reservation to parties of the first part herein of an undivided one-half interest in and to all oil, gas and minerals situated in, on or under the above described property, together with the right of ingress and egress for the purpose of exploring for or developing the same, except that in exploring for or developing the same, neither parties of the first part, their heirs, successors or assigns, nor any lessee holding thereunder, shall be permitted to conduct any drilling, exploration or any other activity of any kind on the surface of the above described property.

2. Restrictions and reservations as set out in Real Property Book 316, Page 445, Probate Records, Baldwin County, Alabama.

3. Easement granted to the City of Foley by instrument dated September 29, 1982, and filed for record in Real Property Book 122, Page 593, Probate Records, Baldwin County, Alabama.

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 FOLEY PROFESSIONAL PARK DEVELOPERS, INC., its successors and assigns, FOREVER.

And the said party of the first part, for himself and his successors and assigns, hereby covenants and warrants with and unto the said party of the second part, and its successors and assigns, that he 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, except as hereinabove limited; that he has a good right to sell and convey the same as herein conveyed; that he will guarantee the peaceable possession thereof and he will and his successors and assigns, shall forever warrant and defend the same unto the said party of the second part and its successors and assigns, against the lawful claims of all persons whomsoever.

A VENDOR'S LIEN IS HEREBY EXPRESSLY RESERVED to and by the said party of the first part, his successors and assigns, to secure the unpaid balance of said purchase money in the sum of One Hundred Nineteen Thousand Eighty Hundred Forty Dollars (\$119,840.00), which unpaid balance is due and payable by party of the second part to the party of the first part in twenty (20) successive, quarterly installments as follow: The first nineteen (19) of such quarterly installments shall be equal installments of principal and interest in the amount of Four Thousand Five Hundred Seventy-five Dollars Seventeen Cents (\$4,575.17), which includes interest on the unpaid balance at the rate of Nine Percent (9%) per annum; and the twentieth (20th) and final quarterly installment shall be a balloon payment of all principal and accrued interest remaining due hereunder. The first of such installments shall be due and payable three (3) months from the date hereof and installments shall be due quarterly thereafter. Payments shall be made to the order of parties of the first part at such place as they shall in writing designate.

And the said party of the second part, its successors and assigns, does hereby further covenant with the said party of the first part, that as long as said note or any other amount due hereby remains unpaid in whole or in part that it will pay all such indebtedness promptly as the same becomes due according to the tenor thereof and will regularly assess and pay all taxes which may become due on said property.

The party of the second part shall have the right and privilege to prepay the full amount of the indebtedness as evidence by said promissory note, without penalty, at any time it shall see fit.

REEL 328 PAGE 0334

It is expressly understood and agreed that party of the second part shall hereafter be entitled to partial releases from said vendor's lien upon request made to party of the first part describing the property to be released and accompanied by the payment of fifty cents (\$.50) per square foot of property to be released. Upon receipt of such request and payment of such amount, party of the first part shall duly execute a partial release of said parcel from the Vendor's Lien reserved herein.

Upon the full and complete payment of all amounts due hereunder, together with all other amounts that may become due hereunder, then the Vendor's Lien hereby expressly reserved shall cease, become void and of no force and effect.

Should the party of the second part, its successors and assigns, fail to pay the debt due hereunder promptly as the same becomes due according to the tenor of said note or should it breach any of the covenants contained herein, then the Vendor's Lien hereby reserved shall be subject to foreclosure as in the case of past due mortgages and the said party of the first part is hereby authorized and empowered to sell said property at the front door of the Courthouse of Baldwin County, Alabama, for cash, to the highest bidder after first giving notice of the time, place and terms of sale by publication for three (3) successive weeks in any newspaper published in Baldwin County, Alabama. At any such sale held hereunder, the said party of the first part, his successors or assigns, agents or attorneys, may bid for and purchase said property as though a stranger to this transaction. All conveyances at any such sale, whether the property be purchased by the said party of the first part, or by any other party, shall be executed by the said party of the first part, his agents or attorneys, for and in the name of, and as the agent and attorney-in-fact for the said party of the second part, its successors and assigns, and the title so made, the party of the second part will warrant and defend the same as the title is herein warranted. From the proceeds of any such sale there shall first be paid all reasonable expenses incident thereto, including a reasonable attorney's fee; next, all amounts due hereunder; and the balance, if any, shall be paid over to the party of the second part.

IN WITNESS WHEREOF, the parties have caused these presents to be executed on this the 3 day of August, 1988.

PARTY OF THE FIRST PART:

Julius Hamburg Ex. (SEAL)
Julius Hamburg,
a/k/a J. W. Hamburg,
As Executor of the Estate of
Henry M. Hamburg, Deceased

PARTY OF THE SECOND PART:

FOLEY PROFESSIONAL PARK DEVELOPERS,
INC.

By: Larry E. Chason
Larry E. Chason
As President

REC-328 PAGE 0335

STATE OF ALABAMA

COUNTY OF BALDWIN

I, Pamela A. Montgomery, a Notary Public, in and for said County in said State, hereby certify that Julius Hamburg, a/k/a J. W. Hamburg, whose name as Executor of the Estate of Henry M. Hamburg, Deceased, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, in his capacity as said Executor and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 24th day of August, 1988.

Pamela A. Montgomery
NOTARY PUBLIC, Baldwin County,
Alabama



STATE OF ALABAMA

COUNTY OF BALDWIN

I, Pamela A. Montgomery, a Notary Public, in and for said County in said State, hereby certify that Larry E. Chason, whose name as President of FOLEY PROFESSIONAL PARK DEVELOPERS, INC., is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, in his capacity aforesaid, executed the same voluntarily on the day the same bears date as and for the act of said FOLEY PROFESSIONAL PARK DEVELOPERS, INC.

Given under my hand and seal this 24th day of August, 1988.

Pamela A. Montgomery
NOTARY PUBLIC, Baldwin County,
Alabama

RM 328 PAGE 0336



JULIUS HAMBURG, a/k/a J. W. Hamburg,
As Executor
Address: P. O. Box 848
Foley, Alabama 36536

FOLEY PROFESSIONAL PARK DEVELOPERS, INC.
Address: c/o Larry E. Chason
Commercial and Investment Properties
150 South Greeno Road, Suite A
Fairhope, Alabama 36532

This instrument prepared by:

ALLAN R. CHASON

of the firm of CHASON & CHASON, P.C.
P. O. Box 100
Bay Minette, Alabama 36507

LOTS 3, RE-SUBDIVISION OF LOT 3 & 4, FOLEY PROFESSIONAL PARK, AS RECORDED ON INSTRUMENT NO. 1989363 IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA.

LESS AND EXCEPTING THE PROPERTY TAKEN FOR RIGHT OF WAY AS RECORDED IN REAL PROPERTY BOOK 546, PAGE 1745, IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA.

LOTS 4, RE-SUBDIVISION OF LOT 3 & 4, FOLEY PROFESSIONAL PARK, AS RECORDED ON INSTRUMENT NO. 1989363 IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA.

LESS AND EXCEPTING THE PROPERTY TAKEN FOR RIGHT OF WAY AS RECORDED IN REAL PROPERTY BOOK 546, PAGE 1773, IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA.

PARCEL 1:

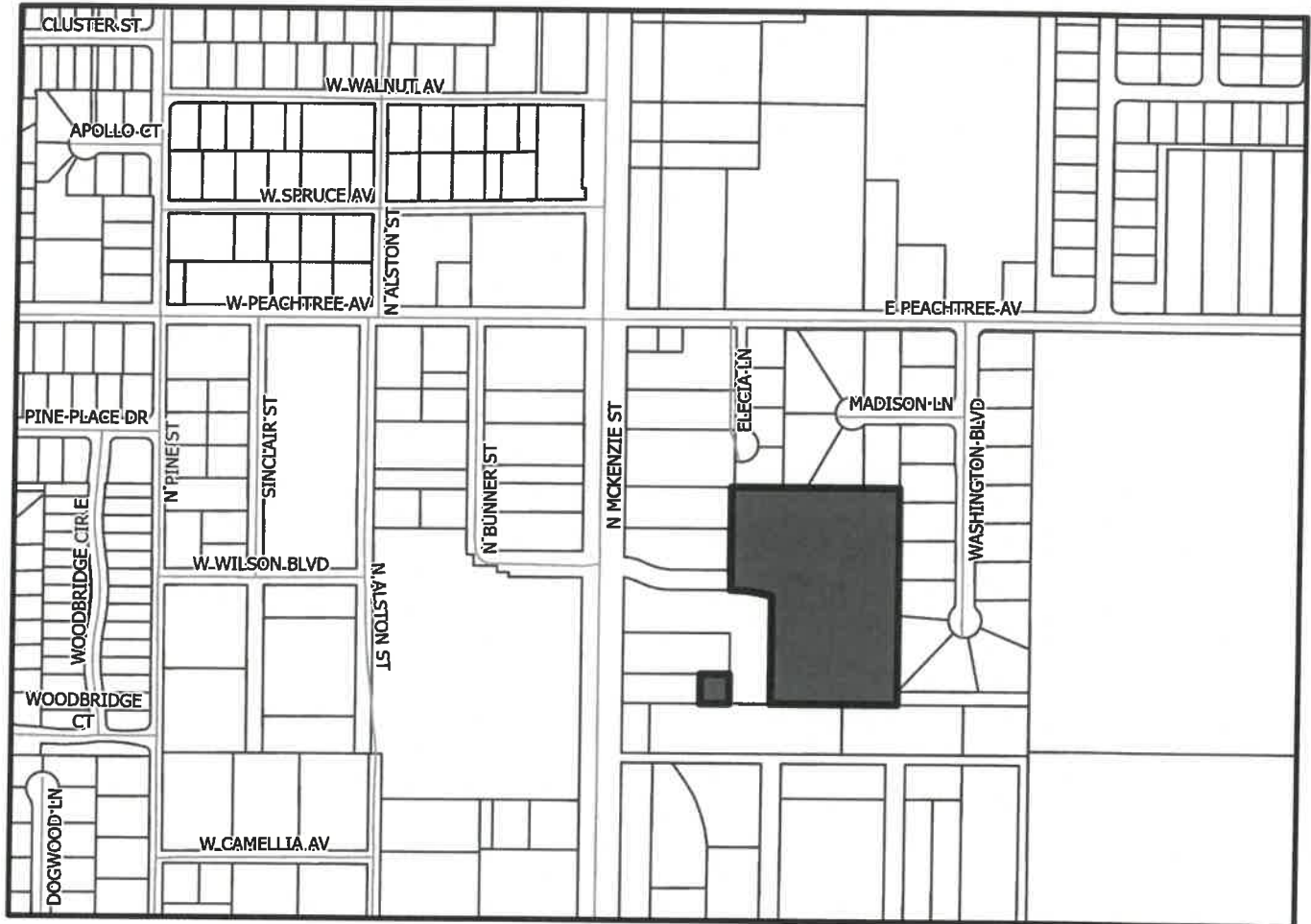
COMMENCING AT THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 7 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA; THENCE SOUTH 00°24'06" EAST A DISTANCE OF 1,079.59 FEET TO A POINT; THENCE NORTH 89°35'02" EAST A DISTANCE OF 57.55 FEET TO A POINT; THENCE CONTINUE NORTH 89°35'02" EAST A DISTANCE OF 262.79 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH 00°12'13" EAST A DISTANCE OF 89.93 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE NORTH 89°35'21" EAST A DISTANCE OF 87.26 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE NORTH 89°36'47" EAST A DISTANCE OF 125.02 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); AND THE POINT OF BEGINNING; THENCE NORTH 00°09'12" WEST A DISTANCE OF 332.40 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE NORTH 83°32'41" WEST A DISTANCE OF 24.56 FEET TO THE POINT OF CURVATURE OF A 654.59' RADIUS CURVE TO THE LEFT MARKED BY AN IRON ROD (REBAR); THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 78.76 FEET (CHORD BEARS NORTH 86°58'19" WEST, 78.72') TO A POINT MARKED BY AN IRON ROD (REBAR); THENCE SOUTH 89°33'38" WEST A DISTANCE OF 21.98 FEET TO A POINT MARKED BY AN IRON ROD (REBAR); THENCE NORTH 00°08'36" WEST A DISTANCE OF 310.10 FEET TO A POINT MARKED BY AN IRON ROD (REBAR); THENCE NORTH 89°37'05" EAST A DISTANCE OF 511.75 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH 00°09'49" EAST A DISTANCE OF 650.16 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH 89°37'49" WEST A DISTANCE OF 386.94 FEET TO THE POINT OF BEGINNING, CONTAINING 290,536 SQUARE FEET (6.670 ACRES), MORE OR LESS.

PARCEL 2:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 7 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA; THENCE SOUTH 00°24'06" EAST A DISTANCE OF 1,079.59 FEET TO A POINT; THENCE NORTH 89°35'02" EAST A DISTANCE OF 57.55 FEET TO A POINT; THENCE CONTINUE NORTH 89°35'02" EAST A DISTANCE OF 262.79 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR) AND THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE

CONTINUE NORTH $89^{\circ}35'07''$ EAST A DISTANCE OF 87.37 FEET TO A POINT MARKED BY AN IRON ROD (REBAR); THENCE SOUTH $00^{\circ}08'01''$ EAST A DISTANCE OF 89.93 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH $89^{\circ}35'21''$ WEST A DISTANCE OF 87.26 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE NORTH $00^{\circ}12'13''$ WEST A DISTANCE OF 89.93 FEET TO THE POINT OF BEGINNING, CONTAINING 7,852 SQUARE FEET (0.180 ACRES), MORE OR LESS.

PUBLIC NOTICE



The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 7 +/- acres. Property is currently zoned R-1A (Residential Single Family), B-1A (Extended Business District) and M-1 (Light Industrial District). Proposed zoning is PO (Preferred Office District). Property is located E. of N. McKenzie St. and S. of E. Peachtree Ave. Applicant is Foley Professional Park Developer, Inc.

Anyone interested in this rezoning request may be heard at a public meeting scheduled for June 21, 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