



**BOARD OF ADJUSTMENT AND APPEALS
APPLICATION FORM**

Applicant: Calvary Chapel Fellowship of Foley
Represented by David Lindsey, Architect Telephone #: **251-454-7213**
Name/Address 8178 Nichols Avenue Suite C
Fairhope, Alabama 36532

Address of Property: Current Owner - Bank of the Ozarks (see attached letter)
(Please Print) 18450 Underwood Road (according to tax map records)
Foley, Alabama

Current Zoning: M1 Tax Parcel ID# 54-04-18-0-000-008.001
Request For: PPIN 273228

☐ **Variance - Hardship:** (taken from Code of Alabama 1975 Section 11-52-80):

"To authorize upon appeal in specific cases such variance from the terms of the (zoning) ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of the (zoning) ordinance will result in **unnecessary hardship** and so that the spirit of the (zoning) ordinance shall be observed an substantial justice done."

****Please see specific conditions needed for a variance**

☒ **Use Permitted -** "...shall hear and decide only such special exceptions as specifically authorized to consider by the terms of this Ordinance"

For the use as a church and a church day care.

☐ **Administrative Review -** "...appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this article or of any ordinance adopted"

✿ **Specifics of Request:** (list Article reference, type of conditions, causes for hardship)

✿ How does the above request preclude reasonable use of your land? _____



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Page 2

☀ "...A variance from the terms of this Ordinance shall not be granted by the Board unless and until:

- A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
- B. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
- C. In granting any variance, the Board may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance....."

☀ **Fee: \$150.00**

**A list of adjacent property owners and their mailing addresses is required. Certified letters will be sent to adjacent property owners as well as notification in the local newspaper advising of this request.

** At the time of the Public Hearing, applicants have the option to carry this request over to a future date and time if circumstances warrant. Should the applicant request to carry over, additional charges for certified mailings and advertisement will be billed to the applicant. **

I certify that I am the property owner, or authorized agent, and attest that all facts are true and correct. I also attest that I have read and understand what a hardship is and the required circumstances according to State Law.

David Lindsey, Architect 08/18/2016

Printed Name Date

 08/18/2016

Signature Date



July 27, 2016

To Whom It May Concern:

Bank of the Ozarks authorizes Calvary Chapel Fellowship of Foley to request the use permitted on appeal for a church on the 15 acre parcel of property located at 18450 Underwood RD and having a PPIN of 273228.

If you should need further information, please do not hesitate to contact me at 770-898-0852 Ext. 2119.

Sincerely,

Rhonda Clark
Vice-President
Special Assets Officer



**Adjacent Property Owners
(See attached tax map)**

1. **Owner Name:** CORPORATION OF THE PRESIDING BISHOP OF T
Address: LDS CHURCH TAX ADMINISTRATION
City: SALT LAKE CITY
State: UT
Zip: 84150
2. **Owner Name:** CLEMONS, AGNES MYRTLE
Address: 18264 UNDERWOOD RD
City: FOLEY
State: AL
Zip: 36535
3. **Owner Name:** CLEMONS, AGNES BRODIE
Address: 18264 UNDERWOOD RD
City: FOLEY
State: AL
Zip: 36535
4. **Owner Name:** UNDERWOOD, SHARON K (1/2 INT) ETAL GREER
Address: P O BOX 34
City: SUMMERDALE
State: AL
Zip: 36580
5. **Owner Name:** ACKERS, CHARLES B
Address: 18347 UNDERWOOD RD
City: FOLEY
State: AL
Zip: 36535
6. **Owner Name:** GREER, CONNIE JEAN ETAL UNDERWOOD, SHARO
Address: P O BOX 34
City: SUMMERDALE
State: AL
Zip: 36580
7. **Owner Name:** AINSLEY, ROBERT W
Address: 14630 DAUGHTERTY RD
City: FOLEY
State: AL
Zip: 36535
8. **Owner Name:** AINSLEY, ROBERT W ETUX DIANE M
Address: 14630 DAUGHTERTY RD
City: FOLEY
State: AL
Zip: 36535
9. **Owner Name:** LEE, ANGELIA D ETAL SYLVESTER, MARY L
Address: P O BOX 1756
City: FOLEY
State: AL
Zip: 36535
10. **Owner Name:** BANK OF THE OZARKS
Address: C/O STEVEN C PEARSON
City: MOBILE
State: AL
Zip: 36601

- 11. Owner Name:** WATTS, CYNTHIA ET VIR DALE RANDOLPH
Address: 18648 UNDERWOOD RD
City: FOLEY
State: AL
Zip: 36535
- 12. Owner Name:** FLOWERWOOD NURSERY INC
Address: P O BOX 665
City: LOXLEY
State: AL
Zip: 36551
- 13. Owner Name:** FLOWERWOOD NURSERY INC
Address: P O BOX 665
City: LOXLEY
State: AL
Zip: 36551
- 14. Owner Name:** RHODES, HARVEY ET AL RHODES, MARGARET C
Address: 14153 MAGNOLIA CREEK DR
City: FOLEY
State: AL
Zip: 36535
- 15. Owner Name:** PACE, FREDDIE J SR ET UX JANICE M
Address: P O BOX 981
City: FOLEY
State: AL
Zip: 36536
- 16. Owner Name:** ALVAREZ, COSME B ET AL ALVAREZ, ROSALIO
Address: 516 CAROLYN AVE
City: FOLEY
State: AL
Zip: 36535
- 17. Owner Name:** FABIAN, BALTAZAR SANTA CLARA ET AL FABIAN,
Address: 14338 MAGNOLIA CREEK DR
City: FOLEY
State: AL
Zip: 36535
- 18. Owner Name:** WALLACE, CAROLE CALCAGNO ET AL GAREPIED,
Address: 111 LAUREL LANE
City: PASS CHRISTIAN
State: MS
Zip: 39571
- 19. Owner Name:** STEINHOFF, BURNICE J ET AL STEINHOFF, ARV
Address: 5266 STOCKTON BROCKTON RD
City: STOCKTON
State: NY
Zip: 14784
- 20. Owner Name:** WALLACE, CAROLE C ET AL GARLEPIED, EMILE
Address: 111 LAUREL LANE
City: PASS CHRISTIAN
State: MS
Zip: 39571
- 21. Owner Name:** HOWE, GENE C AS TRUSTEE OF THE GENE C HO
Address: 34146 ICKLER AVE N
City: LILLIAN
State: AL
Zip: 36549

- 22. Owner Name:** SELLERS, LARRY JAMES ETUX JANICE FAYE
Address: 18251 UNDERWOOD ROAD
City: FOLEY
State: AL
Zip: 36535
- 23. Owner Name:** PIERCE, ALLEN MILES III ETAL PIERCE, TER
Address: P O BOX 393
City: ORANGE BEACH
State: AL
Zip: 36561
- 24. Owner Name:** FOLEY, CITY OF
Address: P O BOX 1750
City: FOLEY
State: AL
Zip: 36536
- 25. Owner Name:** FOLEY, CITY OF
Address: P O BOX 1750
City: FOLEY
State: AL
Zip: 36536
- 26. Owner Name:** COLLINS, GEORGE HOWARD SR ETUX DULA YVON
Address: 18475 UNDERWOOD RD
City: FOLEY
State: AL
Zip: 36535