

CITY OF FOLEY
COMPLAINT FORM

incident #
76578

ENVIRONMENTAL:

BUILDING:

ZONING:

ENGINEERING:

☒ GRASS/WEEDS

☐ DILAPIDATED BUILDING ☐ HISTORIC DISTRICT

☐ DRAINAGE

☐ TRASH/DEBRIS

☐ NO PERMIT

☐ ZONING

☐ TREES

☐ SIGNS

☐ PUBLIC NUISANCE

☐ CONSTRUCTION

☐ LITTER

☐ OTHER _____

☐ ENVIRONMENTAL

☐ SMOKING

☐ RIPARIAN

DATE: 4-29-2013

LOCATION: _____

Pebble Creek/005.077

NOTES: (COMPLAINANT NAME & COMPLAINT)

Mr. Jerry Simpkins - Overgrown/empty plots

CONTACT: _____

INSPECTION DATE: 4/29/2013

STAFF: _____

(ABD)

☒ PHOTOS TAKEN

FINDINGS: _____

Overgrown grass on multiple lots.

* letter mailed.

Re-inspect 5-20-13

4/30/13 - letter mailed to other owner of lots.

Re-inspect 5-20-13

5/15/13 * Gooden Homes lots sold to DR HORTON; letter mailed (ABD)

TASK: _____

5/20/13 Re-inspected lots; appear to have been cut, new growth occurring.

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

DATE CLOSED: 5/20/13

REINSPECT ON 5/20/13

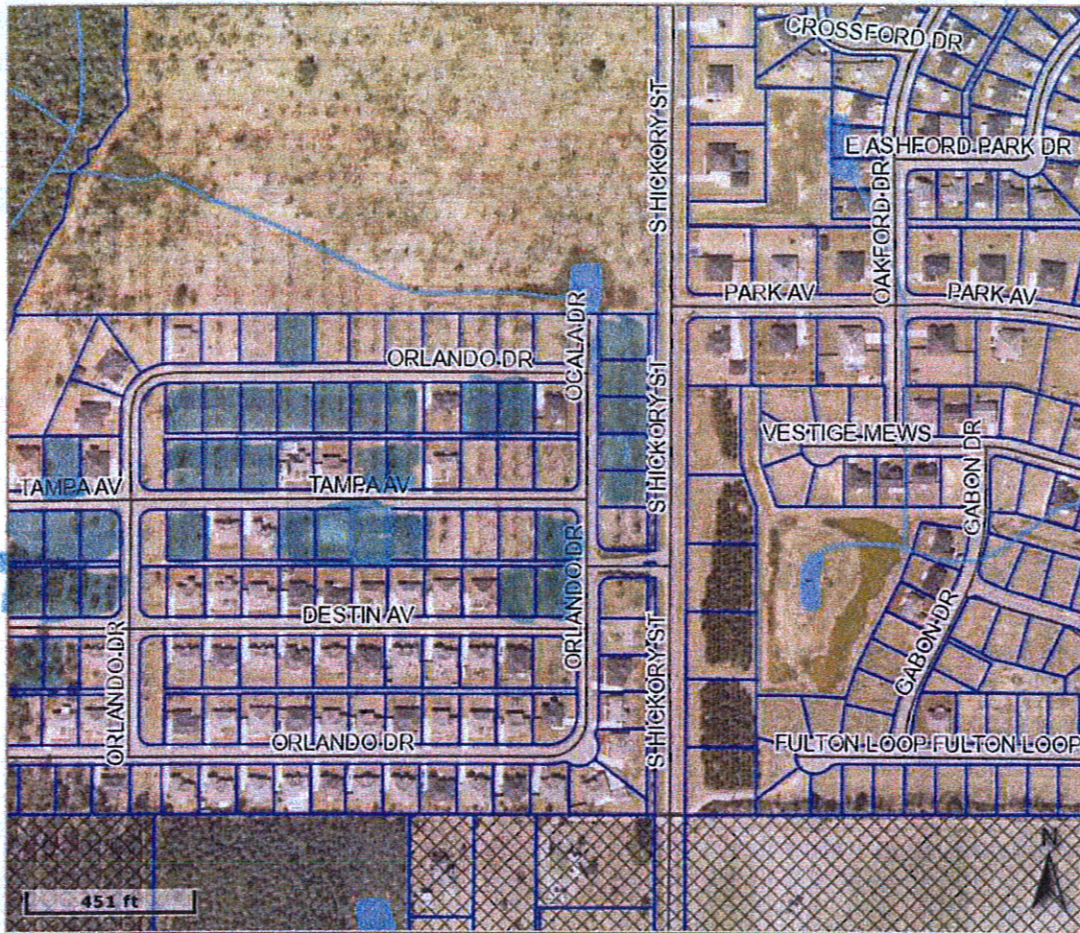
* Reinspected on 5/20/13, grass has not been cut (ABD)

* Council Level - For Gulf Beach Investment Company of Perdido Properties.

City of Foley, AL



Date Created: 4/29/2013



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 - 280041
Par Num - 005.094
Acreage - 0.284
Subdivision - PEBBLE2
Lot - 83
Street Name -
Street Number - 0
Improvement -

Name - GULF BEACH INVESTMENT COMPANY OF PERDIDO
Address1 - P O BOX 7430
Address2 -
Address3 -
City - SPANISH FORT
State - AL
Zip - 36527

26 vacant lots

Last Data Upload: 4/28/2013 11:11:49 PM

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City of

FOLEY

COMMUNITY DEVELOPMENT DEPARTMENT

200 NORTH ALSTON STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

FAX (251) 971-3442

April 30, 2013

Gulf Beach Investment Company of Perdido
PO Box 7430
Spanish Fort, AL 36527

Dear Sir/Madam:

A complaint has been received concerning the overgrown grass and weeds becoming a public nuisance at multiple vacant lots in the Pebble Creek Subdivision in Foley, Alabama.

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 April 29, 2013 revealed that the above described properties were 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,

Austin B. Duffie
Environmental Assistant
City of Foley

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Vickey Southern

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



4/29/13 Pebble Creek





City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Signature Copy

Resolution: 13-0349-RES

File Number: 13-0756

Enactment Number: 13-0349-RES

A RESOLUTION SETTING A PUBLIC HEARING
DECLARING WEEDS TO BE A PUBLIC NUISANCE
AND ORDERING ITS ABATEMENT AT PEBBLE CREEK

WHEREAS, there have been complaints about the growth of grass, weeds and other vegetative growth located at vacant lots owned by Gulf Beach Investment Company of Perdido in Pebble Creek Subdivision, Foley, Alabama, 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 June 17, 2013, 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, August 5, 2013.

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 15th day of June 2013.

President's Signature _____

Date _____



Attest by City Clerk

Victoria Southern

Date 6-18-2013

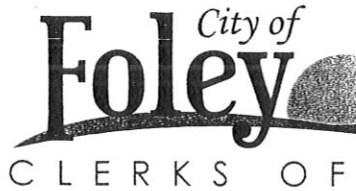
Mayor's Signature

[Signature]

Date 6/15/2013

407 East Laurel Ave.
Foley, AL 36535

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



7010 1060 0000 7216 6111

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

Sent To: Gulf Beach Investment Co. of Perdido
Street, Apt. No.,
or PO Box No.
City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

June 24, 2013

Gulf Beach Investment Company of Perdido
P.O. Box 7430
Spanish Fort, AL. 36527

RE: Violation of Ordinance 1095-09 for multiple vacant lots in the Pebble Creek Subdivision in Foley, Alabama.

Dear Sir/Madam:

The Foley City Council, in regular session June 17, 2013 approved Resolution 13-13-0349 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, August 5, 2013** 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 from 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:

Gulf Beach Investment Co. of Perdido
P.O. Box 7430
Spanish Fort, AL. 36527

2. Article Number

(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

3. Service Type

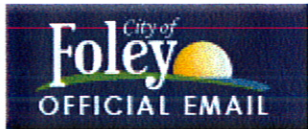
- ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

MAYOR John

7010 1060 0000 7216 6111



Katy Taylor <ktaylor@cityoffoley.org>

Notice of Public Hearing

Katy Taylor <ktaylor@cityoffoley.org>

Thu, Jun 20, 2013 at 8:57 AM

To: April <legals@gulfcoastnewspapers.com>, Vickey Southern <vsouthern@cityoffoley.org>, Melissa Franks <mfranks@cityoffoley.org>, Brenda Shambo <bshambo@cityoffoley.org>

April,

Please publish the following Notice of Public Hearing in the legal section of the **Friday, July 19, 2013** and **Friday, July 26, 2013** editions of the Onlooker. Affidavit is required.

NOTICE OF PUBLIC HEARING

The Foley City Council will hold a **Public Hearing at 5:30 p.m. Monday, August 5, 2013** in Council Chambers to consider the violations of the City's Lot Clearing and Weed Removal Ordinance 1095-09 at Pebble Creek, 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 36536 before August 5, 2013, in order to be considered.

/s/

Victoria Southern, CMC
City Clerk

Thanks

Katy Taylor

City of Foley
Assistant City Clerk
407 East Laurel Avenue
Foley, Alabama 36535
(251) 943-1545



Pebble Creek NOTICE OF PUBLIC HEARING.docx

13K