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City of
Foley
 K S OFFICE

Victoria Southern, CMC
 CITY CLERK
 Katy Taylor
 ASSISTANT CITY CLERK

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

Sent to Chen Realty Co. Inc.
 Street, Apt. No.,
 or PO Box No.
 City, State, ZIP+4

FOLEY, AL 36535
 2013 DEC 31
 USPS

See Reverse for Instructions

CERTIFIED, RETURN RECIEPT

RE: Violation of Ordinance 1095-09 at Lot South of Pensacola Pools in Foley, Alabama. PIN # 23319

Dear Sir/Madam:

The Foley City Council, in regular session December 2, 2013 approved a Resolution 13-0593 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 **January 21, 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 your property.

Your cooperation in this matter

Sincerely,
Katy Taylor
 Katy Taylor
 Assistant City Clerk

Enclosures

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ 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.		A. Signature ☒ Agent ☐ Addressee	
1. Article Addressed to: <u>Chen Realty Company Inc.</u> <u>PO Box 361213</u> <u>Birmingham, AL 35236</u>		B. Received by (Printed Name) <u>Victoria Southern</u> C. Date of Delivery <u>DEC 31 2013</u>	
2. Article Number (Transfer from service label)		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
3. Service Type ☒ Certified Mail ☐ Registered ☐ Insured Mail ☐ Express Mail ☐ Return Receipt for Merchandise ☐ Signature Required		4. Restricted Delivery? (Extra Fee) ☐ Yes	

MAYOR John

7010 1060 0000 7216 6814



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Signature Copy

Resolution: 13-0594-RES

File Number: 13-1189

Enactment Number: 13-0594-RES

**A RESOLUTION SETTING A PUBLIC HEARING
DECLARING WEEDS TO BE A PUBLIC NUISANCE
AND ORDERING ITS ABATEMENT AT SOUTH MCKENZIE STREET**

WHEREAS, there have been complaints about the growth of grass, weeds and other vegetative growth located at South McKenzie Street, Foley, Alabama, Tax Parcel ID# 05-61-03-08-1-001-012.000, 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 2nd day of December, 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, January 6, 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 2nd day of December, 2013.



President's Signature

JW Trammel

Date

12-4-13

Attest by City Clerk

Katy Taylor
Acting City Clerk

Date

12-4-13

Mayor's Signature

[Signature]

Date

12/4/13

Weed Abatement

Created By: KTaylor
Date Created: 12/6/2013**Summary**

Parcel	05-61-03-08-1-001-012.000	Zoning	B-1A
PIN	023319	Flood Zone	X
Tax District	N/A	Voter District	District 3
Property Address	N/A	Downtown Historic District	No
Neighborhood	59SOUTHCO	National Historic District	No
Subdivision	AFCO	City Limits	Yes
Sec/Twp/Rng	08/8S/4E	3-Mile Jurisdiction	Yes
Lot Dimension	25X485	Garbage Route	Tuesday
		Recycle Route	Friday
		Yard Debris Route	Wednesday

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

Owner Name:	CHEN REALTY COMPANY I N C	Deed Type	IN
Owner Address	P O BOX 361213	Book	0000
		Page	0862269
	BIRMINGHAM, AL 35236	Last Deed Date	12/22/2004
Previous Owner	AFCO L L C		

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.

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Last Data Upload: 12/6/2013 2:15:22 AM

CITY OF FOLEY
COMPLAINT FORM

incident #
78665

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

☐ OTHER _____

S McKenzie St/12.000

DATE: 10/16/13

LOCATION: Hwy 59 South -

(Lots South of Pensacola Pools)
B-1A

PIN # 23319

NOTES: (COMPLAINANT NAME & COMPLAINT)

Overgrown lots along Hwy 59 causing
visibility issues + public nuisance

CONTACT:

(Shake)

INSPECTION DATE: 10/18/13

STAFF: KIT

☒ PHOTOS TAKEN

FINDINGS: 10/18 - Grass Overgrown

10-21-2013 Letter sent

Reinspect 11-10-13

11/18 - Grass/weeds overgrown in 50ft buffer. Trash/debris
scattered

11/19 - Council for Violation

TASK:

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

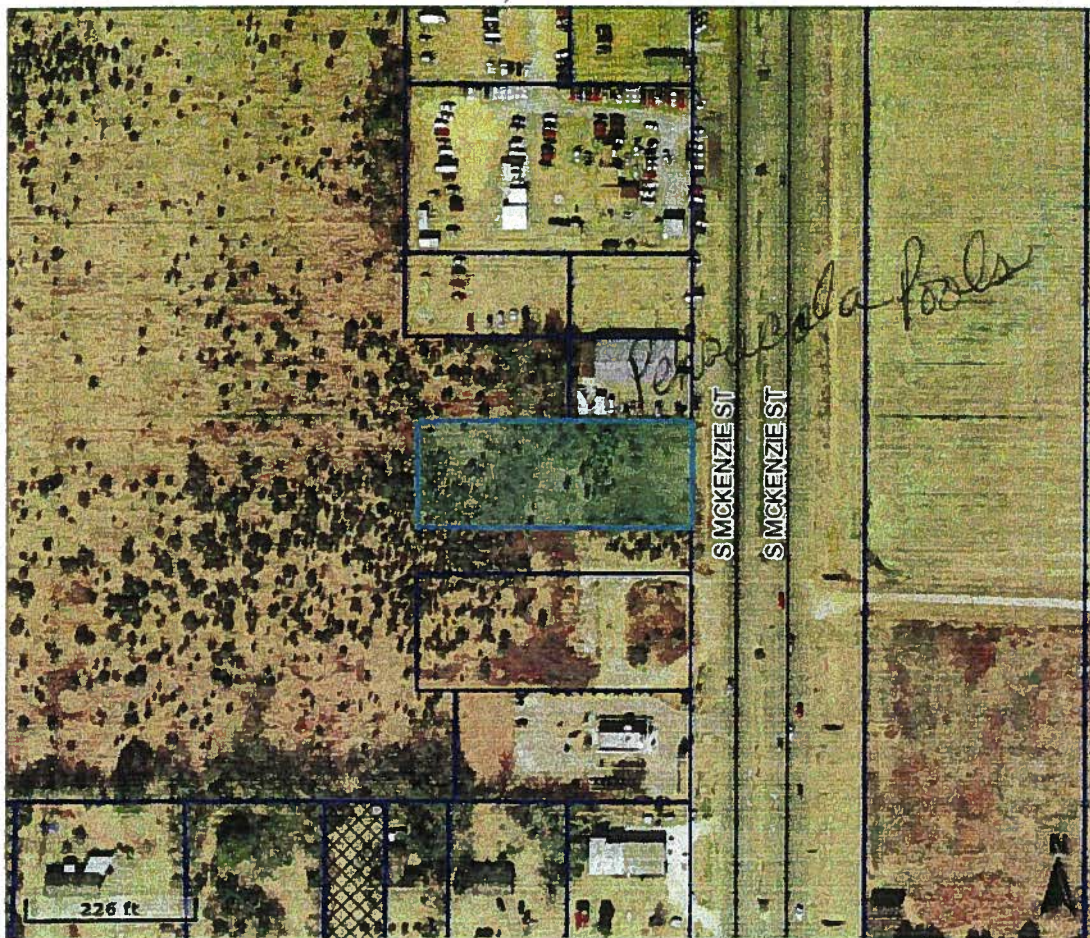
DATE CLOSED: _____

B-1A
City of Foley, AL

5 McKenzie St/12.000



Date Created: 10/16/2013



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

PTN - 23319
Par Num - 012.000
Acreage - 1.104
Subdivision - AFCCO
Lot - 1A
Street Name -
Street Number - 0
Improvement -

Name - CHEN REALTY COMPANY T N C
Address1 - P O BOX 361213
Address2 -
Address3 -
City - BIRMINGHAM
State - AL
Zip - 35236

Last Data Upload: 10/16/2013 2:28:41 AM

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COMMUNITY DEVELOPMENT DEPARTMENT

200 NORTH ALSTON STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

FAX (251) 971-3442

October 21, 2013

Chen Realty Company
P.O. Box 361213
Birmingham, AL 35236

Dear Sir/Madam:

A complaint has been received concerning the overgrown grass and weeds becoming a public nuisance at the lot on South Hwy 59, just south of Pensacola Pools in Foley, Alabama. This lot is further described as PIN 23319 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 October 18th, 2013 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,

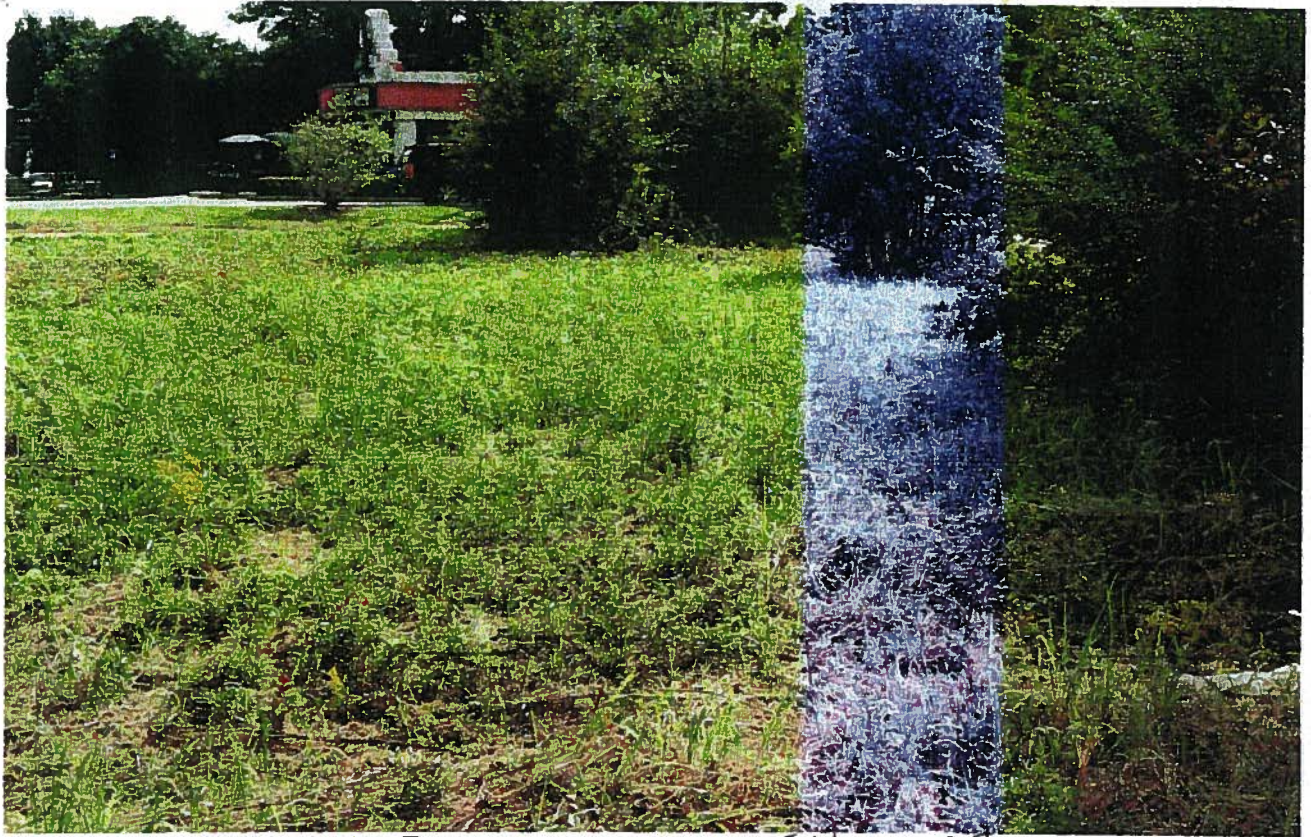
Kaitlyn Hughes
Environmental Assistant
City of Foley

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Vickey Southern

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



Lot South of Pensacola Pools-S Hwy 58
Kurtlyn Hughes 10/18/2013





11/18 - Lots South of Pensacola Pools HWY 59 S *Matthew Baggett*

