

CITY OF FOLEY
COMPLAINT FORM

incident #
76761

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 _____

in incode as: 7th AV/094.000

R-1A
16489

DATE: 5-9-2013

LOCATION: SE corner of S Cedar & 7th Av

NOTES: (COMPLAINANT NAME & COMPLAINT) overgrown

CONTACT: _____

INSPECTION DATE: 5/10/13

STAFF: ABD

☒ PHOTOS TAKEN

FINDINGS: _____

~~5-9-13~~
overgrown lot
letter mailed ABD
Re-inspect 5-30-13
Re-inspected on 5/30/13 - grass has not been cut. ABD
- Council level

TASK:

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

DATE CLOSED: _____



PIN - 16489
Par Num - 094.000
Acreage - 0.402
Subdivision - 01AC
Lot -
Street Name -
Street Number - 0
Improvement -

Name - GINWRIGHT, BENNEY
Address1 - C/O KIRSTEEN PEARSON
Address2 - 1843 SAN PABLE AVE
Address3 -
City - SEASIDE
State - CA
Zip - 93955

The information contained in the digital data distributed by the Baldwin County Commission is derived from a variety of public and private sources considered dependable, but the accuracy, completeness, currency, thereof are not guaranteed. The Baldwin County Commission makes no warranties, expressed or implied accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the county geographical information system. 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 manner or form.

Last Data Upload: 5/4/2013 2:21:12 AM

Summary

Parcel	05-54-09-32-4-000-094.000	Zoning	R-1A
PIN	016489	Flood Zone	X
Tax District	N/A	Voter District	District 2
Property Address	N/A	Historic District	No
Neighborhood	FOLEY	City Limits	Yes
Subdivision	01AC	3-Mile Jurisdiction	Yes
Sec/Twp/Rng	32/7S/4E	Garbage Route	Tuesday & Friday
Lot Dimension	145X125 IRR	Recycle Route	Monday
		Yard Debris Route	Wednesday

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

Owner

Owner Name:	GINWRIGHT, BENNEY	Deed Type	RP
Owner Address	C/O KIRSTEEN PEARSON 1843 SAN PABLE AVE SEASIDE, CA 93955	Book	00
		Page	00
		Last Deed Date	0/1
Previous Owner	PEARSON, KIRSTEEN (1/2 INT) ETAL MCGOWAN		

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 Seaside Regional Planning Commission, the Baldwin County Geographic Database and other public and private sources. These sources are generally considered to be dependable. 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. The City of Foley and its 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 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 jurisdiction lines, and/or planning jurisdiction lines displayed on this map.

Last Data Upload: 5/4/2013 2:21:12 AM

SE corner of Cedar street & 7th avenue
5/10/13 photos: AB Duffe





City of

FOLEY

COMMUNITY DEVELOPMENT DEPARTMENT

200 NORTH ALSTON STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

FAX (251) 971-3442

May 13, 2013

Benney Ginwright
C/O Kirsteen Pearson
1843 San Pebble Ave
Seaside, CA 93955

Dear Sir/Madam:

A complaint has been received concerning the overgrown grass and weeds becoming a public nuisance at SE corner lot of S Cedar and 7th Avenue in Foley, Alabama. This lot is further described as PIN 16489 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 May 10, 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,

Austin B. Duffie
Environmental Assistant
City of Foley

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Vickey Southern

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



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Signature Copy

Resolution: 13-0348-RES

File Number: 13-0755

Enactment Number: 13-0348-RES

A RESOLUTION SETTING A PUBLIC HEARING
DECLARING WEEDS TO BE A PUBLIC NUISANCE
AND ORDERING ITS ABATEMENT AT VACANT LOT AT S CEDAR AND 7TH AVE

WHEREAS, there have been complaints about the growth of grass, weeds and other vegetative growth located at Southeast Corner of S. Cedar St. and 7th Ave, Foley, Alabama, Tax Parcel ID# 54-09-32-4-00-094.000, 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 17th day of June, 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 Souther

Date 6-18-2013

Mayor's Signature

[Signature]

Date 6/19/2013

407 East Laurel Ave.
Foley, AL 36535

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

City of
Foley
CLERKS OF

7010 1060 0000 7216 6135

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

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

OFFICIAL USE

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



Sent To	Benny Ginwright
Street, Apt. No., or PO Box No.	1843 San Pebble Ave.
City, State, ZIP+4	Seaside, CA

PS Form 3800, August 2006 See Reverse for Instructions

June 24, 2013

Benny Ginwright
C/O Kirsteen Pearson
1843 San Pebble Ave.
Seaside, CA 93955

CERTIFIED, RETI

RE: Violation of Ordinance 1095-09 at SE corner lot of South Cedar Street and 7th Avenue in Foley, Alabama.

Dear Sir/Madam:

The Foley City Council, in regular session June 17, 2013 approved Resolution 13-13-0348 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 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:

Benny Ginwright
C/O Kirsteen Pearson
1843 San Pebble Ave.
Seaside, CA 93955

2. Article Number
(Transfer from service label)

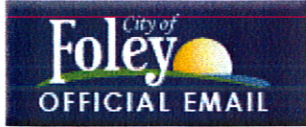
COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☒ Agent ☐ Addressee
- B. Received by (Printed Name) *K. Pearson*
- C. Date of Delivery *7/15/13*
- D. Is delivery address different from item 1? ☐ Yes ☒ No
If YES, enter delivery address below:

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

7010 1060 0000 7216 6135



Katy Taylor <ktaylor@cityoffoley.org>

Notice of Public Hearing

Katy Taylor <ktaylor@cityoffoley.org>

Thu, Jun 20, 2013 at 8:49 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 vacant lot at South East Corner of South Cedar Street and 7th Avenue, 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



S.E. Corner S. Cedar St. & 7th Ave. NOTICE OF PUBLIC HEARING.docx

13K