



**COMMUNITY DEVELOPMENT DEPARTMENT**

120 S. MCKENZIE STREET

Foley, Alabama 36535

[www.cityoffoley.org](http://www.cityoffoley.org)

(251) 952-4011

October 28, 2019

Mayor and City Council  
City of Foley  
407 East Laurel Avenue  
Foley, Alabama 36535

RE: Request for Rezoning

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on October 16, 2019 and the following action was taken:

**Agenda Item: Alabama Armada LLC- Request for Rezoning**

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 4 +/- acres. Property is currently zoned PUD the proposed zoning is B-1A. The property is located S. of Co Rd 20, W of James Rd. Applicant is Alabama Armada LLC.

**Action Taken:**

Commissioner Abrams made a motion to deny the request for rezoning to B-1A. Commissioner Hamrick seconded the motion. All Commissioners voted aye.

**Motion to deny the request for rezoning to B-1A passes.**

Please let me know if you have any questions or concerns.

Respectfully,

Melissa Ringler  
Planning & Zoning Coordinator  
[mringler@cityoffoley.org](mailto:mringler@cityoffoley.org)

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Kathryn Taylor

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Ralph G. Hellmich; 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, AND CORPORATION OWNERSHIP INFORMATION):

James Road  
PIN 26102 (split)

2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:

attached

3. APPROXIMATE SIZE OF PROPERTY:

4 acres

4. PRESENT ZONING OF PROPERTY:

PUD

5. REQUESTED ZONING:

~~Residential~~ B-1A

6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE PROPERTY:

Vacant

7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED (TYPE OF DEVELOPMENT, DENSITY, ETC.)

Residential

8. 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: August 27, 2019

  
PROPERTY OWNER/APPLICANT

PO Box 4088, Gulf Shores, AL 36547

PROPERTY OWNER ADDRESS

2517470097

PHONE NUMBER

staceyrials@gmail.com

EMAIL ADDRESS



# Alabama Secretary of State



Alabama Armada, LLC	
Entity ID Number	403 - 103
Entity Type	Domestic Limited Liability Company
Principal Address	Not Provided
Principal Mailing Address	Not Provided
Status	Exists
Place of Formation	Baldwin County
Formation Date	9-8-2017
Registered Agent Name	RYALS, STACEY
Registered Office Street Address	956 COMMERCE LOOP GULF SHORES, AL 36542
Registered Office Mailing Address	956 COMMERCE LOOP GULF SHORES, AL 36542
Nature of Business	
Organizers	
Organizer Name	GALLOWAY, ROBERT M
Organizer Street Address	POST OFFICE BOX 16629 MOBILE, AL 36616
Organizer Mailing Address	POST OFFICE BOX 16629 MOBILE, AL 36616
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 <a href="http://www.revenue.alabama.gov">www.revenue.alabama.gov</a> . The Secretary of State's Office cannot answer questions about or make changes to these reports.	
Report Year	<a href="#">2018</a>
Transactions	
Transaction Date	9-18-2017
Miscellaneous Filing Entry	New Entity Effective 09-08-2017 12:13
Scanned Documents	
Document Date / Type / Pages	<a href="#">9-18-2017</a> <a href="#">Certificate of Formation</a> <a href="#">3 pgs.</a>

BALDWIN COUNTY, ALABAMA  
TIM RUSSELL PROBATE JUDGE  
Filed/cert. 11/ 1/2017 3:23 PM  
DEED TAX \$ 2200.00  
TOTAL \$ 2224.00  
4 Pages

1664286



STATE OF ALABAMA

STATUTORY WARRANTY DEED

BALDWIN COUNTY

THIS INDENTURE, made and entered into by and between Richard D. Little, as Trustee of the BYPASS TRUST CREATED UNDER THE LAST WILL AND TESTAMENT OF DOLLY ELIZABETH LITTLE, DECEASED; Richard D. Little, as Executor of the ESTATE OF FRANK EUGENE LITTLE, DECEASED; and FRANKLIN A. LITTLE and JO LYNN SUELL, husband and wife (hereinafter referred to as parties of the first part), and ALABAMA ARMADA, LLC, an Alabama limited liability company (hereinafter referred to as party of the second part), and

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration this day cash in hand paid to parties of the first part by party of the second part, receipt of which is hereby acknowledged, parties of the first part have granted, bargained, sold, and conveyed and by these presents do hereby GRANT, BARGAIN, SELL, and CONVEY unto the said ALABAMA ARMADA, LLC, an Alabama limited liability company, the following described real property situated in Baldwin County, Alabama, to-wit:

Commencing at the Northeast corner Section 9, Township 8 South, Range 4 East, Baldwin County, Alabama; thence South, a distance of 562.75 feet to a point; thence West, a distance of 40.00 feet to  $\frac{1}{2}$  inch capped rebar "CA 700" on the West right-of-way of James Road to the Point of Beginning, said point being on the Southeast corner of Lot 1B of Griffiths Subdivision as shown on Plat recorded on Slide Number 2236-C; thence South  $00^{\circ}02'54"$  East, along said right-of-way a distance of 757.01 feet to a  $\frac{1}{2}$  inch capped rebar "CA 700"; thence North  $89^{\circ}58'04"$  West, leaving said right-of-way a distance of 1,231.18 feet to a  $\frac{1}{2}$  inch capped rebar "CA 700"; thence South  $00^{\circ}08'50"$  East, a distance of 153.99 feet to a  $\frac{1}{2}$  inch capped rebar "CA 700"; thence North  $89^{\circ}58'09"$  West, a distance of 223.94 feet to a  $\frac{1}{2}$  inch capped rebar "CA 700"; thence North  $00^{\circ}02'13"$  West a distance of 154.06 feet to a  $\frac{1}{2}$  inch capped rebar "CA 700"; thence South  $89^{\circ}59'04"$  West, a distance of 507.07 feet to a  $\frac{1}{2}$  inch rebar; thence North  $00^{\circ}03'15"$  West, a distance of 1,262.85 feet to a  $\frac{1}{2}$  inch capped rebar "CA 700" on the South right-of-way of County Road 20; thence

South 89°51'40" East, along said right-of-way, a distance of 1,712.11 feet to a ½ inch capped rebar "CA 700"; thence South 00°02'23" East, leaving said right-of-way and along the West lines of Lots 1A and 1B of said Subdivision, a distance of 502.75 feet to a set 5/8 inch capped rebar at the Southwest corner of Lot 1B; thence North 89°55'43" East, along the South line of said Lot a distance of 250.00 feet to the Point of Beginning. Said property being a part of Lot 1 of Griffiths Subdivision as shown on Plat recorded on Slide Number 2236-C.

SUBJECT, HOWEVER, to the following:

1. Any prior reservation or conveyance, together with release of damages of minerals of every kind and character, including, but not limited to, oil, gas, sand, and gravel in, on, and under subject property.
2. Right-of-Way Deed for Public Road from Frank E. Little and Dolly E. Little to Baldwin County, Alabama, dated September 7, 1971 and recorded September 19, 1990, in Real Property Book 401, page 132.
3. Right-of-Way Deed for Public Road from Frank E. Little and Dolly E. Little, et al. to Baldwin County, Alabama, dated September 24, 1958 and recorded November 27, 1990, in Real Property Book 407, page 1095.
4. Electric Line Right-of-Way Easement from Frank E. Little and Dolly E. Little to Baldwin County Electric Membership Corporation recorded in Real Property Book 609, page 1081.
5. Drainage Easement from Richard Dixon Little, as Executor of the Estate of Frank E. Little, Deceased, and Richard Dixon Little, as Trustee of the Bypass Trust Created Under the Last Will and Testament of Dolly Elizabeth Little, Deceased, to 2020, LLC, an Alabama limited liability company, dated July 19, 2017 and recorded July 25, 2017, as Instrument Number 1646476, pages 1 through 4.
6. Reservation of oil, gas, and minerals as contained in deed from M. W. Childress and Delores Childress to Frank E. Little and Dolly E. Little, dated May 14, 1958 and recorded May 20, 1958 in Deed Book 265, pages 359 through 360.
7. Wire fence not being located on the true South line of the property described hereinabove, as shown on survey by David Lowery dated July 2017.

8. Minimum building setback lines and drainage and utility easements and other matters shown on Slide Number 2236-C.

Together with, all and singular, the rights, benefits, privileges, improvements, tenements, hereditaments and appurtenances unto the same belonging or in any wise appertaining.

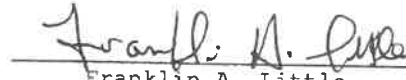
TO HAVE AND TO HOLD unto the said ALABAMA ARMADA, LLC, its successors and assigns, FOREVER.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals on this the 30<sup>th</sup> day of OCTOBER, 2017.



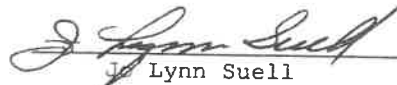
(SEAL)

Richard D. Little,  
as Trustee of the Bypass Trust  
Created Under the Last Will  
and Testament of Dolly  
Elizabeth Little, Deceased,  
and as Executor of the Estate  
of Frank Eugene Little,  
Deceased



(SEAL)

Franklin A. Little



(SEAL)

Lynn Suell

STATE OF ALABAMA

COUNTY OF BALDWIN

I, W. Kenneth Heard, a Notary Public, in and for said County in said State, hereby certify that Richard D. Little, as Trustee of the **BYPASS TRUST CREATED UNDER THE LAST WILL AND TESTAMENT OF DOLLY ELIZABETH LITTLE, DECEASED**, and as Executor of the **ESTATE OF FRANK EUGENE LITTLE, DECEASED**, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, in his capacities as such Trustee and Executor, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 30<sup>th</sup> day of OCTOBER, 2017.



NOTARY PUBLIC, Baldwin County,  
Alabama

My Commission Expires: 9/13/21

STATE OF ALABAMA

COUNTY OF BALDWIN

I, W. Kenneth Heard, a Notary Public, in and for said County in said State, hereby certify that **FRANKLIN A. LITTLE**, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 30<sup>th</sup> day of OCTOBER, 2017.

W. Kenneth Heard  
NOTARY PUBLIC, Baldwin County,  
Alabama

My Commission Expires: 9/3/21

STATE OF ALABAMA

COUNTY OF BALDWIN

I, W. Kenneth Heard, a Notary Public, in and for said County in said State, hereby certify that **JO LYNN SUELL**, whose name 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 30<sup>th</sup> day of OCTOBER, 2017.

W. Kenneth Heard  
NOTARY PUBLIC, Baldwin County,  
Alabama

My Commission Expires: 9/3/21

PARTIES OF THE FIRST PART

Address: 1135 Grove Park Lane  
Earlsville, Virginia 22936

PARTY OF THE SECOND PART

Address: 956 Commerce Loop  
Gulf Shores, Alabama 36542

This instrument prepared by:

ALLAN R. CHASON

of the firm of CHASON & CHASON, P.C.

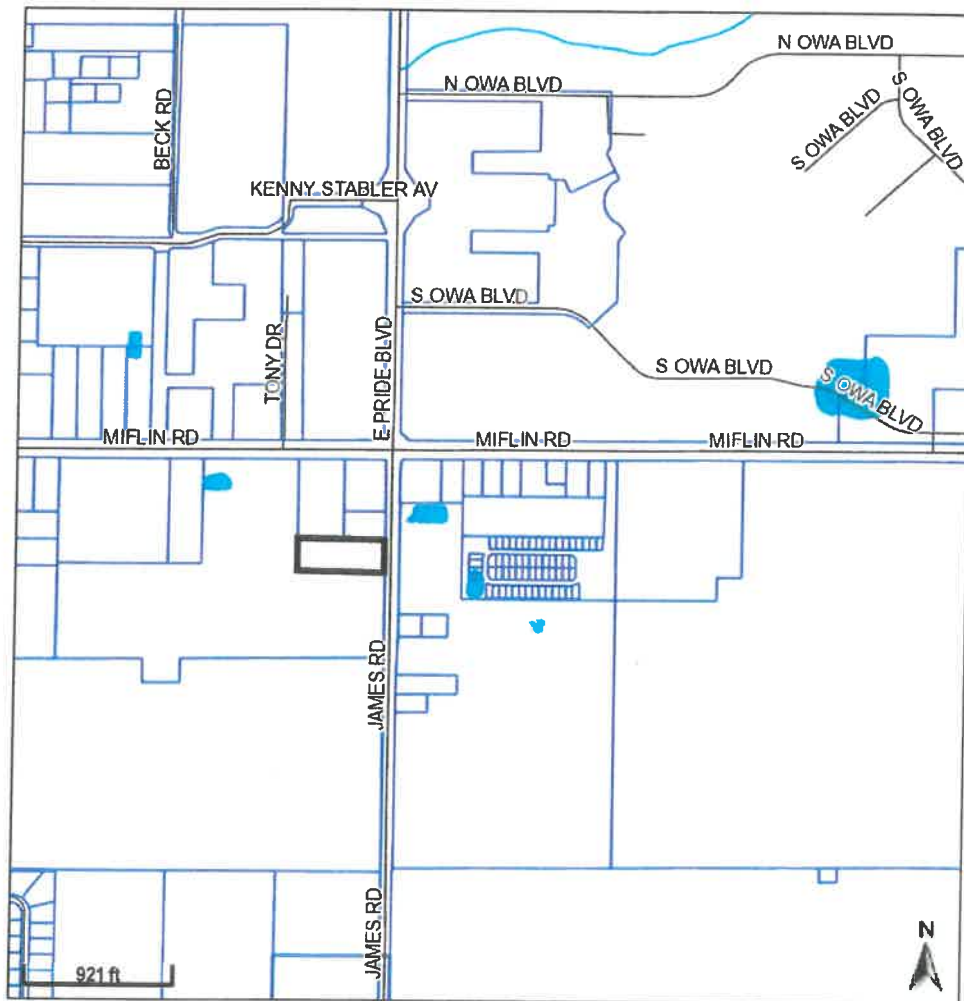
P. O. Box 100

Bay Minette, Alabama 36507

(251) 937-2191

00028744.WPD

# PUBLIC NOTICE



The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 4+/- acres. Property is currently zoned PUD (Planned Unit Development) and proposed zoning is B1A (Extended Business District). Property is located south of CR 20 & west of James Rd. Applicant is AL Armada LLC.

Anyone interested in this rezoning request may be heard at a public hearing scheduled for Wednesday, October 16, 2019 in 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.

Planning Commission Chairman  
Phillip Hinesley



State of Alabama  
Baldwin County)

The undersigned, Trent Wilson, Licensed Land Surveyor, State of Alabama, and Donald S. Ryals, managing member of Alabama Armada LLC, owner, hereby certify that this plat or map was made pursuant to a survey made by said surveyor, and that this plat or map was made at the instance of said owner, that this plat or map is a true and correct plat or map of land shown therein and known or to be known as A RESUBDIVISION OF LOT 4 LITTLE WOERNER SUBDIVISION, below described property situated in Baldwin County, Alabama.

Legal Description:  
Lot 4 according to LITTLE WOERNER SUBDIVISION as recorded in Slide 2617-A in the Office of the Judge of Probate of Baldwin County, Alabama.

In Witness Whereof, we have hereunto set our hands this the \_\_\_\_ day of \_\_\_\_\_, 2019.

By: Trent Wilson  
Licensed L.S. #34764

By: (Managing Member)  
Donald S. Ryals

State of Alabama  
Baldwin County)

I, \_\_\_\_\_, as Notary Public in and for said County and State, do hereby certify that Donald S. Ryals, whose name is signed to the foregoing certificate as Managing Member of Alabama Armada LLC and who is known to me, acknowledged before me, on this date, that being informed of the contents of said certificate, executed same voluntarily and with full authority therefor.

Given under my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 2019.

By: \_\_\_\_\_  
Notary Public - Commission Exp: \_\_\_\_\_

#### Certificate of approval by the City Engineer

The undersigned, as City Engineer of the City of Foley, Alabama, hereby approved the within plat for the recording of same in the Office of the Probate Judge, Baldwin County, Alabama, this \_\_\_\_ day of \_\_\_\_\_, 2019.

City Engineer: \_\_\_\_\_

#### Certificate of approval by the City of Foley Planning Commission

The undersigned, as Community Development Director of the City of Foley, Alabama, hereby approved the within plat for the recording of same in the Office of the Probate Judge, Baldwin County, Alabama, this \_\_\_\_ day of \_\_\_\_\_, 2019.

Community Development Director: \_\_\_\_\_

#### Certificate of approval by the Baldwin County Engineer

The undersigned, as Engineer for Baldwin County, Alabama, hereby approved the within plat for the recording of same in the Office of the Probate Judge, Baldwin County, Alabama, this \_\_\_\_ day of \_\_\_\_\_, 2019.

County Engineer: \_\_\_\_\_

#### Certificate of approval by the Baldwin County Planning Director

The undersigned, as Planning Director for Baldwin County, Alabama, hereby approved the within plat for the recording of same in the Office of the Probate Judge, Baldwin County, Alabama, this \_\_\_\_ day of \_\_\_\_\_, 2019.

Planning Director: \_\_\_\_\_

#### Certificate of approval by the Water Utility

The undersigned, as authorized by Riviera Utilities, hereby approves the within plat for the recording of same in the Office of the Probate Judge, Baldwin County, Alabama, this \_\_\_\_ day of \_\_\_\_\_, 2019.

Authorized Representative: \_\_\_\_\_

#### Certificate of approval by the Sewer Utility

The undersigned, as authorized by Riviera Utilities, hereby approves the within plat for the recording of same in the Office of the Probate Judge, Baldwin County, Alabama, this \_\_\_\_ day of \_\_\_\_\_, 2019.

Authorized Representative: \_\_\_\_\_

#### Certificate of approval by the Electric Utility

The undersigned, as authorized by Baldwin EMC, hereby state that power is available at the location of the plat and approves the within plat for the recording of same in the Office of the Probate Judge, Baldwin County, Alabama, this \_\_\_\_ day of \_\_\_\_\_, 2019.

Authorized Representative: \_\_\_\_\_

#### Certificate of approval by the Telephone Utility

The undersigned, as authorized by CenturyLink, hereby approves the within plat for the recording of same in the Office of the Probate Judge, Baldwin County, Alabama, this \_\_\_\_ day of \_\_\_\_\_, 2019.

Authorized Representative: \_\_\_\_\_

#### Certificate of approval by Baldwin County E-911 Addressing Board

The undersigned, as authorized by Baldwin County E-911 Addressing Board, hereby approves the within plat for the recording of same in the Office of the Probate Judge, Baldwin County, Alabama, this \_\_\_\_ day of \_\_\_\_\_, 2019.

Authorized Representative: \_\_\_\_\_

NOTES  
1. BEARINGS ARE BASED ON GEODETIC NORTH AS OBTAINED BY GPS OBSERVATION  
2. LEGAL DESCRIPTION PROVIDED BY CLIENT  
3. THIS PROPERTY WAS SCALED ONTO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE MAP NUMBER 31003C0931M EFFECTIVE 4/19/2019 AND FOUND TO BE IN ZONE X

Owner  
Alabama Armada LLC  
PO Box 4088, Gulf Shores, AL 36547

#### SITE DATA

ZONING:  
TOTAL AREA: 38.48± ACRES  
NUMBER OF LOTS: 2  
SMALLEST LOT: 4.0± ACRES  
LARGEST LOT: 34.48± ACRES

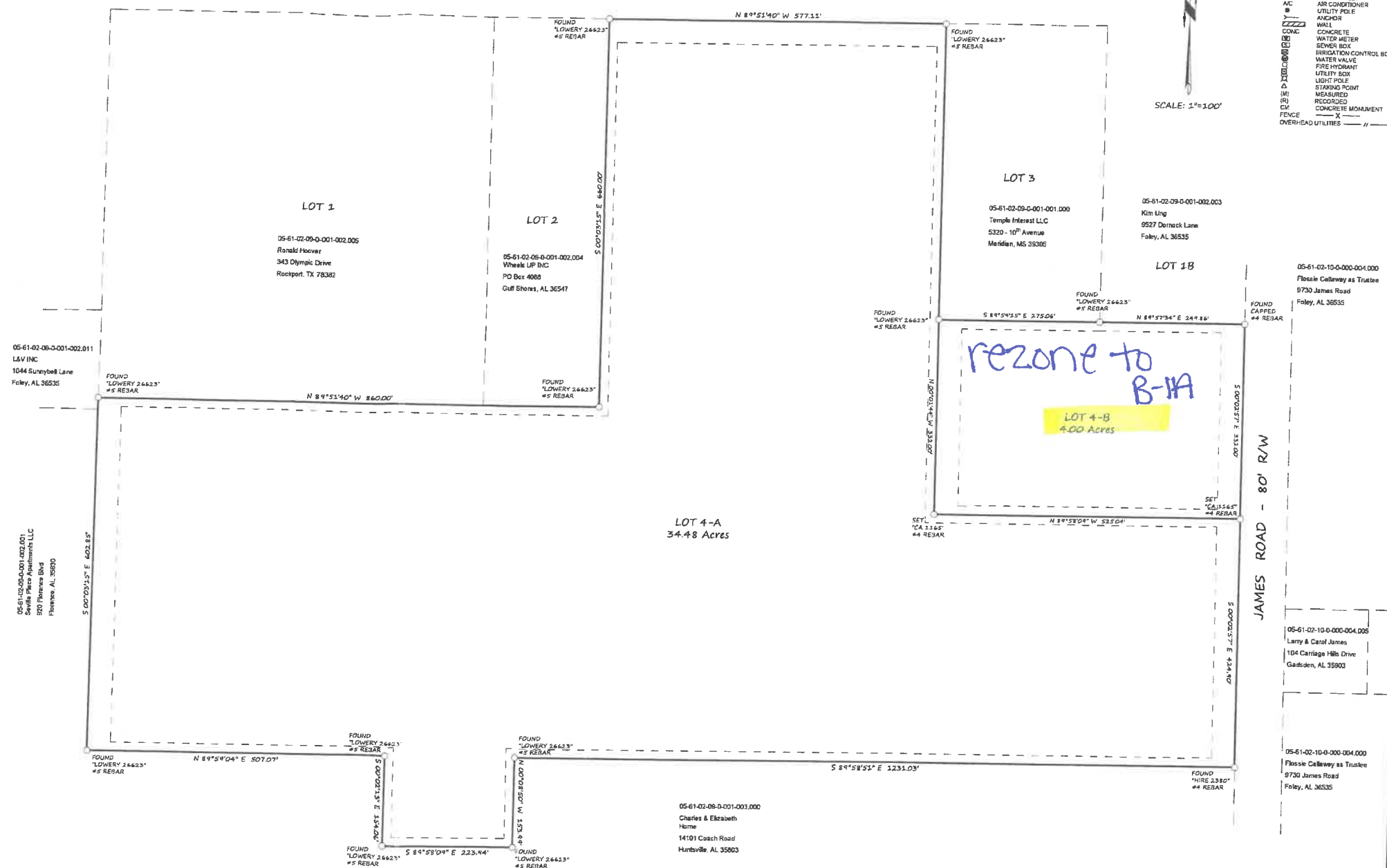
#### SETBACKS:

FRONT - 40'  
REAR - 40'  
SIDE - 15'

#### EASEMENTS

EACH LOT WILL HAVE A UTILITY EASEMENT 15' WIDE ALONG THE ROAD AND 10' WIDE ALONG SIDE LINES.

COUNTY ROAD 20 - 120' R/W



#### LEGEND

BLOC BUILDING  
CALC CALCULATED  
WEAS MEASURED  
CH CHORD  
D DELTA  
M MANHOLE  
R RADIUS  
RW RIGHT OF WAY  
S.F. SQUARE FEET  
AC AIR CONDITIONER  
UTILITY POLE  
ANCHOR  
WALL  
CONC CONCRETE  
WATER METER  
SEWER BOX  
IRRIGATION CONTROL BOX  
WATER VALVE  
FIRE HYDRANT  
UTILITY BOX  
LIGHT POLE  
STAKING POINT  
MEASURED  
RECORDED  
CONCRETE MONUMENT  
FENCE  
OVERHEAD UTILITIES

SCALE: 1"=100'

LOT 4-A  
34.48 Acres

rezone to  
B-1A  
LOT 4-B  
4.00 Acres

05-61-02-09-0-001-000.000  
Charles & Elizabeth  
Home  
14101 Coach Road  
Huntsville, AL 35893

05-61-02-10-0-000-004.000  
Florence Callaway as Trustee  
9730 James Road  
Foley, AL 36535

05-61-02-10-0-000-004.000  
Larry & Carol James  
104 Carriage Hills Drive  
Gadsden, AL 35903

05-61-02-10-0-000-004.000  
Florence Callaway as Trustee  
9730 James Road  
Foley, AL 36535

VICINITY MAP - NOT TO SCALE



## A RESUBDIVISION OF LOT 4 LITTLE WOERNER SUBDIVISION SLIDE 2617-A

FOLEY, BALDWIN COUNTY, ALABAMA  
SECTION 9, TOWNSHIP 8 SOUTH, RANGE 4 EAST  
DATE OF PLAT: SEPTEMBER 2019

W EYBAND  
WILSON  
SURVEYORS

Trent Wilson, PLS #34764  
Weyband Wilson Surveying LLC  
220 E. 20th Ave., Suite 12  
Gulf Shores, AL 36542  
Phone (251) 975-7255