



COMMUNITY DEVELOPMENT DEPARTMENT

120 S. McKenzie St.

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

February 20, 2020

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

RE: Rezoning Recommendation

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on February 20, 2020 and the following action was taken:

Michael Estep & Donna Cook- Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 0.34+/- acres. Property is currently zoned B-1 (Central Business District) and R-1B (Residential Single Family). Proposed zoning is B-1 (Central Business District). Property is located at 209 W. Orange Ave. Applicant is Michael Estep and Donna Cook.

Commissioner Abrams made a motion to recommend to Mayor and Council the requested rezoning. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to recommend to Mayor and Council the requested rezoning passes.

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

Respectfully,

Melissa Ringler
Planning & Zoning Coordinator
mringle@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):
209 W. Orange Ave. , pin# 17832
2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:
3. APPROXIMATE SIZE OF PROPERTY:
0.332 +/- acres
4. PRESENT ZONING OF PROPERTY:
B-1 + R-1B
5. REQUESTED ZONING:
B-1
6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE PROPERTY:

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

8. PROCESSING FEE OF \$500.00 FOR 20 ACRES OR LESS, PLUS \$15.00 PER ADDITIONAL ACRE OVER 20. N/A

I CERTIFY THAT I AM THE PROPERTY OWNER AND ATTEST THAT ALL FACTS AND INFORMATION SUBMITTED ARE TRUE AND CORRECT.

DATE: 1/27/2020

PROPERTY OWNER/APPLICANT
207 Grand Ave. Fairhope 36532
PROPERTY OWNER ADDRESS
251-232-8637
PHONE NUMBER
mestep@donaldstep.com
EMAIL ADDRESS

Foley

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I CERTIFY THAT I AM THE PROPERTY OWNER AND ATTEST THAT ALL FACTS AND INFORMATION SUBMITTED ARE TRUE AND CORRECT.

DATE: 1/31/2020

Donna Cook - Donna Cook
PROPERTY OWNER/APPLICANT
P.O. Box 1092, Point Clear AL 36564
PROPERTY OWNER ADDRESS
251-510-8885
PHONE NUMBER
1fairhope@att.net
EMAIL ADDRESS

Instrument prepared by:
Andrew R. McKinney
McKinney & Associates, P.C.
Post Office Box 2999
Gulf Shores, AL 36547
(251) 967-2166

Title commitment provided by:
Professional Land Title, Inc.
3479A Gulf Shores Pkwy
Gulf Shores, AL 36542
(251) 968-2700

SPACE ABOVE THIS LINE FOR RECORDING DATA

STATE OF ALABAMA }

COUNTY OF BALDWIN }

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that **CHARLES D. ANDREWS, SR.**, by and through his Attorney-in-Fact, **Karen T. Andrews**, and **LINDA G. ANDREWS**, husband and wife, hereinafter referred to as Grantors, 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 them by **MICHAEL ESTEP** and **DONNA R. COOK**, hereinafter referred to as Grantees, receipt of which is hereby acknowledged, the said Grantors do by these presents, GRANT, BARGAIN, SELL and CONVEY unto the said Grantees, an undivided one-half (1/2) interest each as tenants in common, in fee simple, subject to the provisions contained in this Warranty Deed, all that real property situated in Baldwin County, Alabama, described as follows, to-wit:

Starting at the Northeast corner of Pine Street and Orange Avenue; run thence East 300 feet; thence South 100 feet to the Point of Beginning; thence East 100 feet; thence South 140 feet to a 20 foot alley, thence West 100 feet; thence North 140 feet to the Point of Beginning, being Lots 7 and 8 Block 30 in the Town of Foley, according to a plat thereof of record in the Office of the Judge of Probate of Baldwin County, Alabama, being a subdivision of a part of Section 28 and 29, Township 7 South, Range 4 East.

LESS AND EXCEPT such oil, gas, and other mineral interest and all rights and privileges in connection therewith as may have been reserved or conveyed by prior owners, if any.

Conveyance of the above described property and all covenants and warranties of the Grantors contained herein, whether express, implied or statutory, are made subject to the following (recording references herein are to the Office of the Judge of Probate of Baldwin County, Alabama, unless otherwise indicated):

1. All taxes for the year 2020 and subsequent years, not yet due and payable.
2. Zoning, if any, planning, subdivision regulations and other ordinances, laws, restrictions or regulations upon the use or division of the Subdivision as may be legally imposed by the County of Baldwin, Alabama, City of Foley, Alabama or State of Alabama or any other governmental authorities having jurisdiction over the Subdivision.
3. Reservations, restrictions, rights of way, easements, building setback lines and drainage and utility line easements as noted on plat.
4. Prior reservations to all oil, gas and mineral rights, and all rights in connection therewith.

TOGETHER WITH ALL AND SINGULAR the rights, tenements, privileges, hereditaments, easements and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD unto the said Grantees, in fee simple, FOREVER.

And, except as to the above and taxes hereafter falling due, which are assumed by the Grantees, the Grantors, for the Grantors and for the heirs and assigns of the Grantors, COVENANT AND WARRANT to and with the said Grantees, the survivor of said Grantees, and the heirs and assigns of said survivor, that the Grantors are seized of an indefeasible estate in fee simple in and to said real property, and have a good and lawful right to sell and convey the said real property; that the Grantors are in quiet and peaceable possession of said real property; and that said real property is free and clear of all liens and encumbrances of every kind and nature whatsoever; and the Grantors do WARRANT AND WILL FOREVER DEFEND the title to said real property, and the possession of said real property, unto the said Grantees, the survivor of said Grantees, and the heirs and assigns of said survivor, against the lawful claims and demands of all persons whomsoever.

It is the intention of the Grantees herein that title be taken in their joint names as tenants in common with cross-contingent remainders to the survivor in fee, and that this estate be destructible only with the consent of all Grantees.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals this 19 day of December, 2019.

Charles D. Andrews, Sr.
by and through his Attorney-in-Fact
Karen T. Andrews
CHARLES D. ANDREWS, SR., by and through his
Attorney-in-Fact, Karen T. Andrews

Linda G. Andrews
LINDA G. ANDREWS

STATE OF Alabama }

COUNTY OF Baldwin }

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Karen T. Andrews, as attorney in fact for Charles D. Andrews, Sr.**, whose name is signed to foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 20th day of December, 2019.

[NOTARIAL SEAL]

Dee Dee Chari
Notary Public
My Commission expires: 6/19/2021

STATE OF Alabama }

COUNTY OF Baldwin }

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **LINDA G. ANDREWS**, whose name is signed to foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

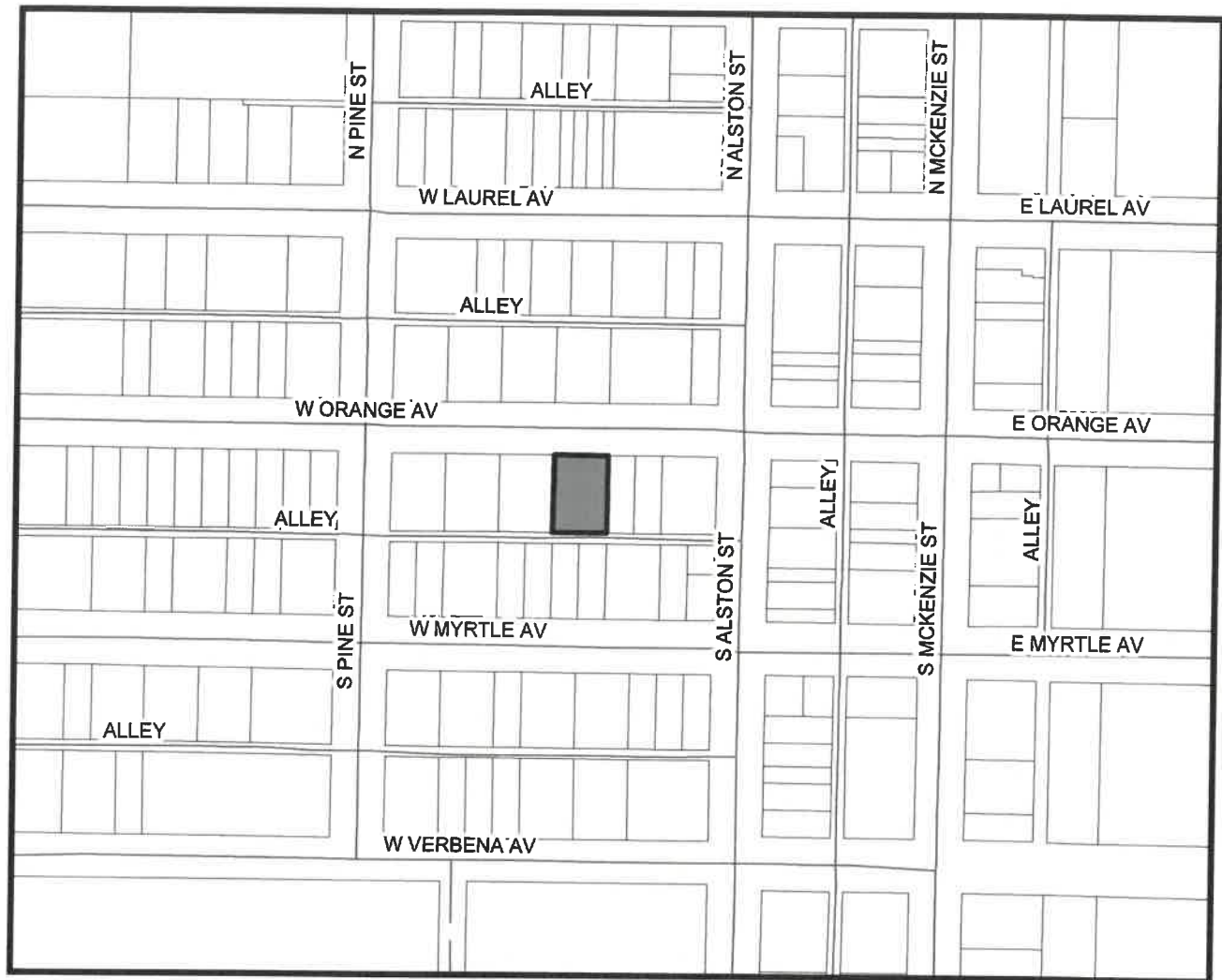
Given under my hand and official seal this 19 day of December, 2019.

[NOTARIAL SEAL]

Katie Reece
Notary Public
My Commission expires: 08/22/2022



PUBLIC NOTICE



The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 0.34 +/- acres. Property is currently zoned B-1 (Central Business District) & R-1B (Residential Single Family). Proposed zoning is B-1 (Central Business District). Property is located at 209 W. Orange Ave. Applicant is Michael Estep & Donna Cook.

Anyone interested in this rezoning request may be heard at a public hearing scheduled for February 19, 2020 in City Hall Council Chambers located at 407 E. Laurel Ave., at 5:30 p.m. or may respond in writing to 120 S. McKenzie St., Foley, AL 36535.

Phillip Hinesley
Planning Commission Chairman