COMMUNITY DEVELOPMENT DEPARTMENT
120 S. McKenzie St.
Foley, Alabama 36535
www.cityoffoley.org
(251) 952-4011

May 21, 2020

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 May 20, 2020 and the following action was taken:

Agenda Item: Palm City RV Park- Request for Rezoning
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 24.07 +/- acres. Property is currently zoned B-1A (Extended Business District) proposed zoning is PUD (Planned Unit Development). Property is located E. of S. Pine St. and N. of County Rd. 20 W. Applicant is Chris Govan.

Action Taken:
Commissioner Hellmich made a motion to recommend the requested rezoning to Mayor and Council with the following contingencies 1. Maximum stay shall be for 90 days, 2. 4ft. earth and berm landscaped and 6 ft. fence around the entire perimeter of the property with the exception of the entrance road, 3. sidewalk to create connectivity to County Road 20. Commissioner Steigerwald seconded the motion. All Commissioners voted aye.

Motion to recommend the requested rezoning to Mayor and Council with the following contingencies 1. Maximum stay shall be for 90 days, 2. 4ft. earth and berm landscaped and 6 ft. fence around the entire perimeter of the property with the exception of the entrance road, 3. sidewalk to create connectivity to County Road 20 passes.

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

Respectfully,

Melissa Ringler
Planning & Zoning Coordinator
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): SEE ATTACHED.
2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS: SEE ATTACHED.
3. APPROXIMATE SIZE OF PROPERTY: 24.07 ACRES (1,048,559 S.F.)
4. PRESENT ZONING OF PROPERTY: B1-A
5. REQUESTED ZONING: 20.1 PUD - PLANNED UNIT DEVELOPMENT
6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE PROPERTY: N/A - VACANT LAND
7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED (TYPE OF DEVELOPMENT, DENSITY, ETC.) WE WOULD LIKE TO DEVELOP A LUXURY, GATED, PRIVATE, RV PARK THAT ALSO CONTAINS; 2 COMMON BUILDINGS, 1 POOL, 2 PLAYGROUNDS, WALKWAYS, GAZEBOS. SEE ATTACHED SITE DEVELOPMENT PLAN.
8. PROCESSING FEE OF $500.00 FOR 20 ACRES OR LESS, PLUS $15.00 PER ADDITIONAL ACRE OVER 20. ~~$560.15~~ 561.05 CHECK INCLUDED.

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

DATE: 02-24-2020

SAM GERGES	CHRIS GOVAN
PROPERTY OWNER	APPLICANT
PROPERTY OWNER SIGNATURE	APPLICANT SIGNATURE
3041 W 1ST ST, GULF SHORES, AL, 36542	208 S. PINE STREET, FOLEY, AL 36535
PROPERTY OWNER ADDRESS	APPLICANT ADDRESS
251-623-0997	251-747-0527
PHONE NUMBER	PHONE NUMBER
	chris.govan@yahoo.com
	EMAIL

RECEIVED
FEB 24 2020
BY: .....

receipt # 18687

Foley

CITY OF FOLEY
AGENT AUTHORIZATION FORM

I/We authorize and permit CHRIS GOVAN
to act as My/Our representative and agent in any manner regarding this application which relates to property described as tax parcel ID#

1. Parcel Number: 05-61-03-05-4-001-014.009, PIN: 238388
2. Parcel Number: 05-61-03-05-4-001-016.000, PIN: 34817
3. Parcel Number: 05-61-03-05-4-001-016.002, PIN: 269941
4. Parcel Number: 05-61-03-05-4-001-016.003, PIN: 269942

I/We understand that the agent representation may include but not be limited to decisions relating to the submittal, status, conditions, or withdrawal of this application. In understanding this, I/We release the City of Foley from any liability resulting from actions made on My/Our behalf by the authorized agent and representative. I hereby certify that the information stated on and submitted with this application is true and correct. I also understand that the submittal of incorrect information will result in the revocation of this application and any work performed will be at the risk of the applicant.

*Note: *All correspondence will be sent to the authorized representative. It will be the representative's responsibility to keep the owner(s) adequately informed as to the status of the application.*

PROPERTY OWNER(S):
SAM GERGES
Name(s) printed
3041 W 1ST ST
Address
GULF SHORES, AL 36542
City/State
251-623-0997 ogerges@gmail.com
Phone Email Fax
02-24-2020
Signature(s) Date

PROPERTY OWNER(S):
LIDIA GERGES
Name(s) printed
3041 W 1ST ST
Address
GULF SHORES, AL 36542
City/State
Phone Email Fax
02-24-2020
Signature(s) Date

RECEIVED
FEB 24 2020
BY: .....

DESCRIPTION:
Beginning at the Southeast corner of lot 2, Unit One of Prochozka Subdivision,
as recorded. on Slide 2188B in the office of Probate Records, Baldwin County, Alabama
and the North Right Of Way of County Road 20,
thence N 89°51'19" W along said north Right of Way a distance of 59.82 feet to a capped rod:
thence N 00°00'46" E 463. 18 feet to a capped rod:
thence N 89° 59'00" W a distance of 470.57 feet to a capped red:
thence S 00° 02'50" E a distance of 462.55 feet .too capped rod on the North Right of Way of County Road 20:
thence N 89°54'23" W along said north Right of Way a distance of 60.00 feet to a capped rod;
thence N 00°00'19" W a distance of 1285.84 feet to a copped rod:
thence N 89°52'41" W o distance of 95.45 feet to a copped rod on the east Right of Woy of Pine Street:
Thence N 23°36'54" E along said east Right of Woy a distance of 109. 78 feet to a copped rod:
thence along said east Right of Woy an arc 239.97 feet to the left, having a radius of 613.08 feet.
the chord of which is N 12°27'13" E a distance of 238.44 feet to a capped rod:
thence S 00°00'19" E a distance of 3.32 feet to a capped rod:
thence S 89°54'34" E a distance of 589.00 feet to a capped rod:
thence N 00°01'51" W a distance of 369.48 feet to a capped rod;
thence N 89°59'09 " E a distance of 342.95 feet to a capped rod:
thence S 00°01'31" E a distance of 79.56 feet to a rebar:
thence S 89°57'01" E a distance of 350.02 feet to a capped rod on the west Right of Way of Alabama Highway 59:
thence S 00°02'11" E along said west Right of Woy a distance of 40.00 feet to a capped rod;
thence N 89°56'32" W a distance of 400.15 feet too capped rod:
thence S 00°00'01" W a distance of 249.92 feet too capped rod:
thence S 89°18'44" W a distance of 49.99 feet to a capped rod:
thence S 02°41'40" W a distance of 240.83 feet to a capped rod;
thence S 89°56'13" E a distance of 161.65 feet to a capped rod;
thence S 00°02'10" W a distance of 125.00 feet to a capped rod:
thence N 89°56'35" W a distance of 117.52 feet to an iron pipe:
thence S 00°03'11" E a distance of 771.82 feet to a rebar:
thence N 89°51'47" W a distance of 274. 72 feet to a copped rod;
thence S 00°02'24" W a distance of 479.01 feet to the POINT OF BEGINNING.

RECEIVED
FEB 2 4 2020
BY: .....

18-16511

STATE OF ALABAMA:

COUNTY OF BALDWIN:

BALDWIN COUNTY, ALABAMA
JIM RUSSELL PROBATE JUDGE
Recorded: 10/12/2016 12:32 PM
DEED TAX $ 750.00
TOTAL $ 775.00
By Paid

1724448

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that SE PROPERTY HOLDINGS, LLC, an Ohio limited liability company ("Grantor"), in consideration of the sum of SEVEN HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS ($750,000.00) paid to Grantor by SAM GERGES and LIDIA GERGES (the "Grantees"), the receipt whereof is hereby acknowledged, does, subject to all matters and exceptions hereinafter mentioned, hereby GRANT, BARGAIN, SELL, and CONVEY unto the said Grantees as tenants in common, so long as they both shall live, and upon the death of either of them, to the survivor of them, and to the heirs, personal representatives and assigns of such survivor, the following described real property situated in the County of Baldwin, State of Alabama, to-wit:

Beginning at the Southeast corner of Lot 2, Unit One of Prochazka Subdivision, as recorded on Slide 2188B in the Office of Probate Records, Baldwin County, Alabama and the North Right of Way of County Road 20; thence N 89°51'19" W along said North Right of Way a distance of 59.82 feet to a capped rod; thence N 0°00'46" E a distance of 463.18 feet to a capped rod; thence N 89°59'00" W a distance of 470.57 feet to a capped rod; thence S 0°02'50" E a distance of 462.55 feet to a capped rod on the North Right of Way of County Road 20; thence N 89°54'23" W along said North right of way a distance of 60.00 feet to a capped rod; thence N 0°00'19" W a distance of 1285.84 feet to a capped rod; thence N 89°52'41" W a distance of 95.45 feet to a capped rod on the East right of way of Pine Street; thence N 23°36'54" E along said East right of way a distance of 109.78 feet to a capped rod; thence along said East right of way an arc 239.97 feet to the left, having a radius of 613.08 feet, the chord of which is N 12°27'13" E a distance of 238.44 feet to a capped rod; thence S 0°00'09" E a distance of 3.32 feet to a capped rod; thence S 89°54'34" E a distance of 589.00 feet to a capped rod; thence N 0°01'51" W a distance of 369.48 feet to a capped rod; thence N 89°59'09" E a distance of 342.95 feet to a capped rod; thence S 0°01'31" E a distance of 79.56 feet to a rebar; thence S 89°57'01" E a distance of 350.02 feet to

RECEIVED
FEB 2 4 2020
BY: .....

a capped rod on the West right of way of Alabama Highway 59; thence S 0°02'11" E along said West right of way a distance of 40.00 feet to a capped rod; thence N 89°56'32" W a distance of 400.15 feet to a capped rod; thence S 0°00'01" W a distance of 249.92 feet to a capped rod; thence S 89°18'44" W a distance of 49.99 feet to a capped rod; thence S 2°41'40" W a distance of 240.83 feet to a capped rod; thence S 89°56'13" E a distance of 161.65 feet to a capped rod; thence S 0°02'10" W a distance of 125.00 feet to a capped rod; thence N 89°56'35" W a distance of 117.52 feet to an iron pipe; thence S 0°03'11" E a distance of 771.82 feet to a rebar; thence N 89°51'47" W a distance of 274.72 feet to a capped rod; thence S 0°02'24" W a distance of 479.01 feet to the POINT OF BEGINNING.

The above described parcel contains 27.396 acres, more or less.

The property is conveyed subject to the existing lien for ad valorem taxes and any future adjustment of prior taxes; prior reservations and conveyances of oil, gas and other minerals; any existing environmental condition, including but not limited to wetlands; zoning, subdivision, planning, building and other ordinances, laws, restrictions and/or regulations; any and all encumbrances, covenants, restrictions, easements, setback lines and/or rights-of-way applicable to said property; any deficiencies in the quantity of land, discrepancies as to boundary lines, overlaps, or encroachments; all matters which would be disclosed by a true and accurate survey of the property and/or are visible on the ground; building setback lines, access and utility easements, and all matters of record in the office of the Judge of Probate of Baldwin County, Alabama, and specifically to the following:

1. Royalty Deed from Frank D. Prochazka, et ux, Clara D. Prochazka, to Atwood M. Kimbrough, dated September 11, 1978, and recorded in Real Property Book 32, page 922.

2. Oil, gas and mineral lease and all rights in connection therewith, by Frank D. Prochazka and Clara Prochazka, dated July 26, 1983 and recorded in Real Property Book 150, page 897.

3. Right-of-Way Deeds for Public Road granted to Baldwin County recorded November 27, 1990 in Real Property Book 407, page 1062 and Real Property Book 407, page 1063.

4. Ingress/Egress easement granted Waffle House, Inc., by George Nelson and Betty Nelson as set forth in Real Property Book 478, page 1117.

5. Right-of-Way Easements granted The Utility Board of the City of Foley, recorded in Real Property Book 587, page 1650, corrected in Real Property Book 607, page 1603, Real Property Book 607, page 1607, Instrument 516498 and Instrument 899846.

6. Lease from George Nelson and Betty Nelson to Digiph PCS, Inc., dated June 24, 1997 and recorded in Real Property Book 788, page 1088, and Assigned to Spectrasite in Instrument 529326 and Instrument 529327, being further assigned to Eliska Wireless Ventures I, Inc., in Instrument 599235.

7. Reservation of interest in and to income and other proceeds to cell tower leases as set forth in Instrument 848797.

8. Building setback lines, access easement, drainage and utility easements, sewer manholes, covenants, conditions, restrictions and other matters as shown on the recorded plat of said subdivision recorded in Slide 2188-B.

9. Reservation with reference to all oil, gas and other minerals, and all rights in connection therewith, as contained in deed from George Nelson and Betty Nelson, to Garrett Investments, LLC, dated October 13, 2004, and recorded in Instrument 848797.

10. Easement granted for signage to Walden Pond, LLC, as recorded in Instrument 1192680.

11. Setback lines, easements, and lease locations, as set forth on plat of survey by Volkert, dated March 29, 2014, Project No. 432600.01.

12. Subject to record and actual distances and bearings being different as shown on survey by Volkert, dated March 29, 2014, Project No. 432600.01.

GRANTOR EXPRESSLY DISCLAIMS ALL WARRANTIES AND REPRESENTATIONS WITH REGARD TO THE PROPERTY (WHETHER WRITTEN OR ORAL, EXPRESS OR IMPLIED) INCLUDING, BUT NOT LIMITED TO, FITNESS FOR A PARTICULAR PURPOSE, DESCRIPTION, CONDITION, USE, DESIGN AND/OR OTHERWISE, AND GRANTEES AGREE THAT GRANTEES ARE NOT

RELYING ON ANY REPRESENTATION, WARRANTY, PROMISE AND/OR STATEMENT OF GRANTOR OR ITS AGENT. GRANTEES AGREE THAT GRANTEES ARE PURCHASING THE PROPERTY IN ITS "AS IS WHERE IS" CONDITION, AND ACCEPT ALL RISK RELATED THERETO.

TO HAVE AND TO HOLD said property, together with all and singular, the rights, members, privileges, tenements, improvements, hereditaments, easements and appurtenances thereunto belonging or in anywise appertaining; subject, however, to the matters and exceptions to which reference is hereinabove made, unto the said Grantees, as tenants in common, and unto the survivor of them, and unto the heirs, personal representatives and assigns of such survivor, forever.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its duly authorized officer this 27th day of September, 2018.

SE PROPERTY HOLDINGS, LLC,
an Ohio limited liability company

By: Jennifer Corbitt, VP
[PRINT NAME] Jennifer Corbitt
Its: Vice President

STATE OF Florida:
COUNTY OF Bay:

I, the undersigned notary public in and for said county in said state, hereby certify that Jennifer Corbitt, whose name as VP of SE Property Holdings, LLC, an Ohio limited liability company, 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 conveyance, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this the 27th day of September, 2018.

[SEAL]

LIZ CLARK
Commission # GG 225234
Expires June 5, 2022
Bonded Thru Troy Fain Insurance 800-385-7019

NOTARY PUBLIC
My Commission Expires: 6-5-22

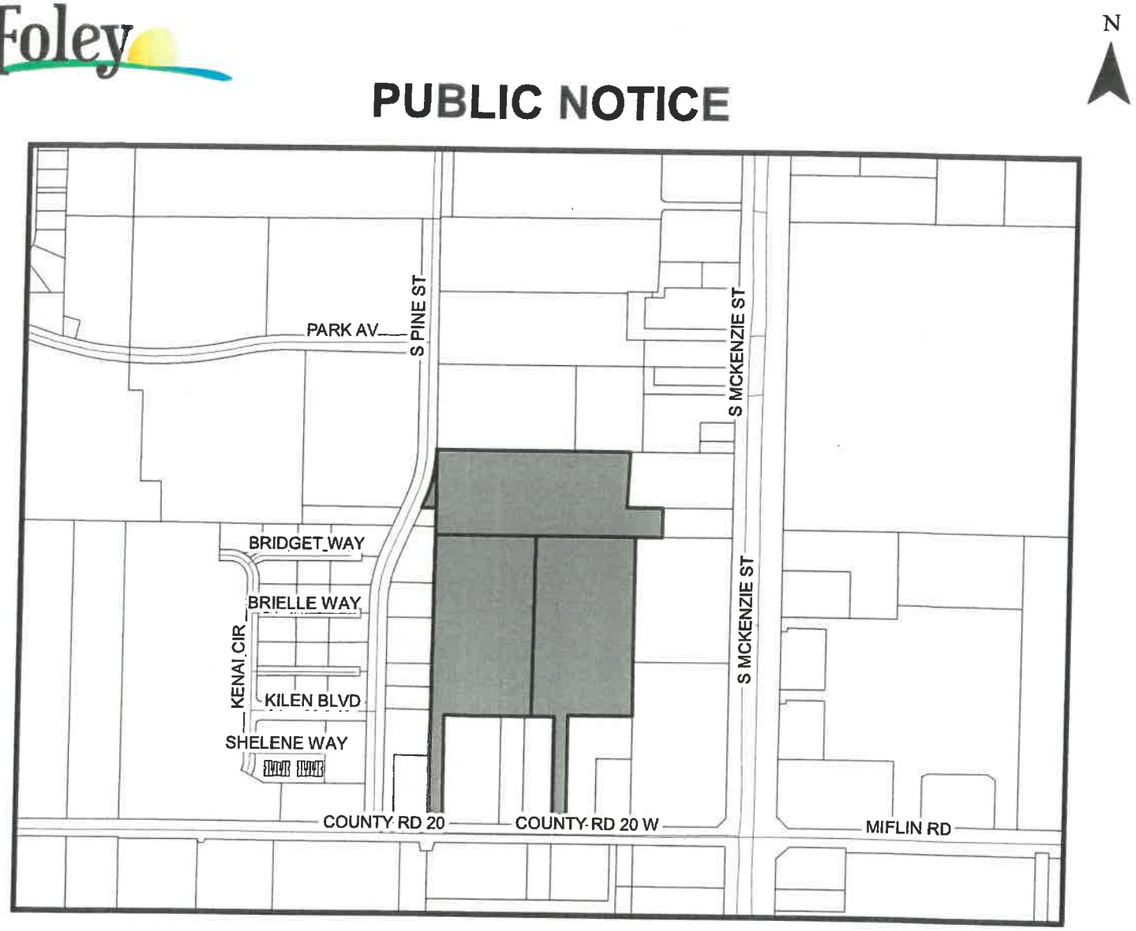
Grantees' Address:	Grantor's Address:	Property Address:
3041 West 1st St. Gulf Shores, AL 36548	50 N. Third Street Newark, OH 43508	10253 Highway 59 Foley, AL

This instrument was prepared by:

J. Stephen Harvey, Esq.
McDowell Knight Roedder & Sledge, L.L.C.
Post Office Box 350
Mobile, Alabama 36601

Foley

PUBLIC NOTICE

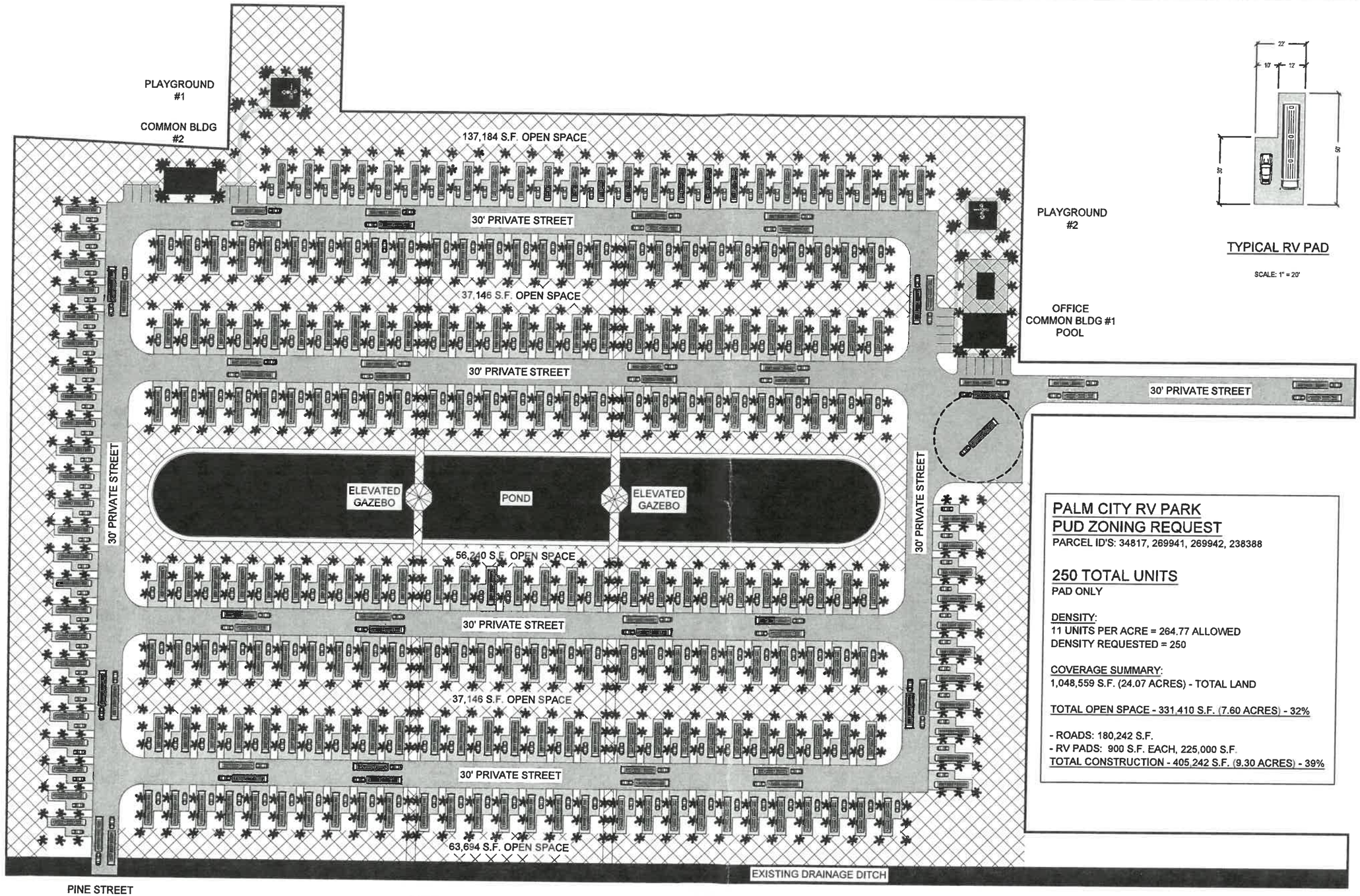


The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 24.07 +/- acres. Property is currently zoned B-1A (Extended Business District) proposed zoning is PUD (Planned Unit Development). Property is located E. of S. Pine St. and N. of County Rd. 20 W. Applicant is Chris Govan.

Anyone interested in the rezoning request may be heard at a public hearing scheduled for May 20, 2020 in the Civic Center at 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.

Due to COVID-19 we will accept email comments (mringler@cityoffoley.org or acole@cityoffoley.org). Or you may call 952-4011 and Melissa or Amanda can take your verbal comments. These will be entered into the meeting minutes. The meeting will be conducted via teleconferencing. If you wish to participate in this manner dial 1-219-767-0149 PIN 854 736 714#. If you choose to attend the meeting please follow social distancing rules.

Phillip Hinesley
Planning Commission Chairman



SITE DEVELOPMENT PLAN

SCALE: 1" = 50'

OPEN SPACE

TYPICAL RV PAD

SCALE: 1" = 20'

PALM CITY RV PARK
PUD ZONING REQUEST

PARCEL ID'S: 34817, 269941, 269942, 238388

250 TOTAL UNITS

PAD ONLY

DENSITY:
11 UNITS PER ACRE = 264.77 ALLOWED
DENSITY REQUESTED = 250

COVERAGE SUMMARY:
1,048,559 S.F. (24.07 ACRES) - TOTAL LAND

TOTAL OPEN SPACE - 331,410 S.F. (7.60 ACRES) - 32%

- ROADS: 180,242 S.F.
- RV PADS: 900 S.F. EACH, 225,000 S.F.

TOTAL CONSTRUCTION - 405,242 S.F. (9.30 ACRES) - 39%

DESIGNS
DESIGN, DRAFTING AND PLANNING
251-747-0527

PALM CITY RV PARK

CO RD 20, FOLEY, AL 36535

CONCEPTUAL SITE DEVELOPMENT PLAN

JOB NUMBER:	201017
DATE:	01.28.2020
DRAWN:	CG
CHECKED:	CG
REVISION:	
SCALE:	1" = 100'
SHEET NO:	01 OF 01

received 3-2-20 MME revision