



Legislation Text

File #: 24-0383, Version: 1

A Resolution Approving a Right-Of-Way Use Agreement Between the City of Foley and Colt Foley, LLC

Description of Topic: (who, what, where, when, why and how much)

Grumpy's is located at 214 W. Laurel Avenue, Foley, and has interior seating for 44 patrons. They wish to add two tables with four chairs on the sidewalk, which is 10' wide from the parking curb to the building. If added they would intrude approximately 3' from the building. The zoning ordinance does not cite specifically the approval process but it requires action and approval by Council.

Budgetary Impact:

Non-Capital Item:

\_\_\_\_\_ Budgeted under account # \_\_\_\_\_ (discussion item)

\_\_\_\_\_ Not budgeted, requesting transfer of \$ \_\_\_\_\_ from Account # \_\_\_\_\_ to Account # \_\_\_\_\_.

\_\_\_\_\_ Not budgeted requiring increase to account # \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.

Capital - Departmental

\_\_\_\_\_ Budgeted under account # \_\_\_\_\_ for \$ \_\_\_\_\_ and described in budget as \_\_\_\_\_.

\_\_\_\_\_ Additional amount needed, if any: Increase in budget of \$ \_\_\_\_\_ OR, transfer of \$ \_\_\_\_\_ from Account # \_\_\_\_\_ to Account # \_\_\_\_\_.

\_\_\_\_\_ Not Budgeted - account # \_\_\_\_\_ requires budget increase of \$ \_\_\_\_\_.

Capital Project - \*\*THE PRE-PROJECT CHECKLIST AND BUDGET CHECKLIST MUST BE ATTACHED TO THIS FILE\*\*

In current year Capital Projects Plan:

\_\_\_\_\_ Yes, planned amount \$ \_\_\_\_\_, requesting \$ \_\_\_\_\_ as total project estimate, including contingencies, under account # \_\_\_\_\_.

\_\_\_\_\_ No, requesting \$ \_\_\_\_\_ as total project estimate, including contingencies, under account # \_\_\_\_\_.

WHEREAS, COLT Foley desires to encroach on the right-of-way of the public roads designated as West Laurel Avenue, North Alston Street and West Jessamine Avenue for the purposes of constructing or erecting dining and picnic tables, covered outdoor kitchen area containing smokers, and a dumpster, with dumpster pad, within the said right-of-way as more particularly shown on the diagrams, attached hereto as Exhibit A, and incorporated herein, and WHEREAS, it is to the material advantage of COLT Foley to effect this encroachment, and the City, in the exercise of authority conferred upon it by statute, is willing to permit the encroachment within the limits of the right-of-way as indicated, subject to the conditions of the

attached agreement.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Foley, Alabama, as follows:

SECTION 1: Approves the attached Right-Of-Way Use Agreement between the City of Foley and Colt Foley, LLC.

SECTION 2: This Resolution shall become effective immediately upon its adoption as required by law.