



Legislation Text

File #: 20-0243, **Version:** 1

ORDINANCE AMENDING ORDINANCE NO. 387-87 REZONING PROPERTY OWNED BY SAM AND LIDIA GERGES FROM B1A TO PUD

WHEREAS, the City of Foley, Alabama, adopted Ordinance No. 387-87 on June 15, 1987, ordaining a new Zoning Ordinance and Zoning Map for the City of Foley which has subsequently been amended, and

WHEREAS, the Planning Commission has recommended approval of this rezoning with conditions being

1. 90 days maximum stay;
2. 4' earthen berm with a 6' fence around the perimeter with the exception of the entrance road on CR 20; further discussion approved access points for pedestrian traffic to adjacent businesses and working with City Engineer to work out any issues with the berm and drainage.
3. Sidewalk to CR 20 to create connectivity, and;

WHEREAS, the City of Foley has received a request that specific property within the City be rezoned, and the City Council of the City of Foley deems it necessary, for the purpose of promoting the health, safety, morals and general welfare of the City to amend said Ordinance, and

WHEREAS, all requirements to the laws of the State of Alabama, with regard to the preparation of the report of the Foley Planning Commission and subsequent action of the City Council have been met,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FOLEY, ALABAMA while in regular session accepted the following changes:

Section 1. That the official Zoning Map of the City of Foley, Alabama be amended to rezone the portion of property previously zoned B1A - Extended Business District to PUD - Planned Unit Development said property description as follows:

LEGAL 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 rod: thence S 00° 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 00°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 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 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 00°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 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 capped rod; thence S 00°02'24" W a distance of 479.01 feet to the POINT OF BEGINNING.

SECTION 2: That the official Zoning Map of the City of Foley be revised to indicate this amendment and duly certified by the appropriate municipal officials.

SECTION 3: This Ordinance shall become effective immediately upon its adoption as required by law.