

**CITY OF FOLEY
PLANNING COMMISSION**

WORK SESSION

June 14, 2023

City Hall

Council Chambers

At 5:30 p.m.

&

MEETING

June 21, 2023

City Hall

Council Chambers

At 5:30 p.m.

**PLANNING COMMISSION
WORK SESSION AGENDA JUNE 14, 2023
&
MEETING AGENDA JUNE 21, 2023
(Council Chambers of City Hall) 5:30 P.M.**

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The City of Foley Planning Commission will hold a work session on June 14, 2023 at 5:30 p.m. and a meeting on June 21, 2023 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue.

MINUTES:

Approval of the May 10, 2023 and May 17, 2023 meeting minutes.

AGENDA ITEMS:**1. *Paxton Farms Phase 1- Request for 1 year Preliminary Extension**

The City of Foley Planning Commission has received a 1 year preliminary extension request for Paxton Farms Phase 1. Property is located at the SW corner of County Rd. 12 and County Rd. 65. Applicant is Jade Consulting.

Planning Commission Action:**2. Jon Stricklin/Paul Lartigue III Duplex Lot 5- Site Plan Review**

The City of Foley Planning Commission has received a request for a site plan review for a duplex. Property is located S. of E. Michigan Ave. and E. of S. Poplar St. Applicant is New Era Construction.

Planning Commission Action:**3. Jon Stricklin/Paul Lartigue III Duplex Lot 6- Site Plan Review**

The City of Foley Planning Commission has received a request for a site plan review for a duplex. Property is located S. of E. Michigan Ave. and E. of S. Poplar St. Applicant is New Era Construction.

Planning Commission Action:**4. Tyler Higginbotham- Request to Rezone**

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 3 +/- acres. Property is currently zoned B-3 (Local Business District). Proposed zoning is R-1R (Restricted Residential Single Family). Property is located N. of US Hwy. 98 and W. of Bender Rd. Applicant is Tyler Higginbotham.

Public Hearing:**Planning Commission Action:****5. Next to Last, LLC- Request to Rezone**

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 6 +/- acres. Property is currently zoned B-3 (Local Business District) and RV (Recreation Vehicle Park). Proposed zoning is RV (Recreational Vehicle

Note: *Denotes property located in the Planning Jurisdiction

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WORK SESSION AGENDA JUNE 14, 2023
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(Council Chambers of City Hall) 5:30 P.M.**

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Park. Property is located S. of County Rd. 20 and E. of James Rd. Applicant is Next to Last, LLC.

Public Hearing:

Planning Commission Action:

6. Last Resort- Request for Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Last Resort which consists of 6.28 +/- acres and 44 lots. Property is located S. of County Rd. 20 and E. of James Rd. Applicant is Next to Last, LLC.

Public Hearing:

Planning Commission Action:

7. Foley Professional Park Developer, Inc.- Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 7 +/- acres. Property is currently zoned R-1A (Residential Single Family), B-1A (Extended Business District) and M-1 (Light Industrial District). Proposed zoning is PO (Preferred Office District). Property is located E. of N. McKenzie St. and S. of E. Peachtree Ave. Applicant is Foley Professional Park Developer, Inc.

Public Hearing:

Planning Commission Action:

8. Old Town II, LLC- Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 11 +/- acres. Property is currently zoned B-2 (Neighborhood Business District). Proposed zoning is R-1C (Residential Single Family). Property is located W. of S. Hickory St. and S. of Michigan Ave. Applicant is Old Town II, LLC.

Public Hearing:

Planning Commission Action:

9. OWA- PDD Modification

The City of Foley Planning Commission has received a request for a PDD modification to allow Helicopter Rides and a Helicopter Pad. Applicant is Brock Beall.

Planning Commission Action:

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10. Zoning Ordinance- Amendments

The City of Foley Planning Commission has received a request to recommend Zoning Ordinance Amendments to the Mayor and Council.

Public Hearing:

Planning Commission Action:

WORK SESSION ONLY:

11. Planning Jurisdiction Agreement- Discuss

12. Presentation- Wayne Dyess

ADJOURN:

PLANNING COMMISSION
WORK SESSION MINUTES May 10, 2023
(Council Chambers of City Hall) 5:30 P.M.

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The City of Foley Planning Commission held a work session on May 10, 2023 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Deborah Mixon, Larry Engel, Ralph Hellmich, Wes Abrams, Calvin Hare, Phillip Hinesley, Bill Swanson and Tommy Gebhart. Absent member was Vera Quaites. Staff present were: Miriam Boone, City Planner; Chad Christian, City Engineer; Angie Eckman, Environmental Manager; Eden Lapham, Planner 1; Amanda Cole, Planning and Zoning Assistant and Melissa Ringler, Recording Secretary.

AGENDA ITEMS:

1. Fairfield Inn & Suites - Site Plan Extension

The City of Foley Planning Commission has received a request for a 6 month site plan extension for Fairfield Inn & Suites. Property is located S. of County Rd. 20 and E. of S. McKenzie St. Applicant is Anil Badve.

Mrs. Miriam Boone stated staff is recommending approval of the site plan.

Mr. Anil Badve explained attorneys are working out some issues with the language within the deed. He explained his clients financing is in place and construction is ready to begin once the issue with the deed is corrected.

2. Ocean Marine- Site Plan Review

The City of Foley Planning Commission has received a request for a site plan review for Ocean Marine. Property is located W. of State Hwy. 59 and N. of County Rd. 10. Applicant is Lieb Engineering.

Mrs. Boone explained the request is meeting the zoning requirements and staff is recommending approval.

3. Zoning Ordinance- Amendments

The City of Foley Planning Commission has received a request to recommend Zoning Ordinance Amendments to the Mayor and Council.

Mr. Wayne Dyess went over the proposed zoning ordinance amendments with the Commissioners.

WORK SESSION ONLY:

4. Presentation- Wayne Dyess

Mr. Dyess presented a training series on zoning and its early precursors.

ADJOURN:

Chairman Abrams adjourned the meeting at 6:06 p.m.

**PLANNING COMMISSION
MEETING MINUTES May 17, 2023
(Council Chambers of City Hall) 5:30 P.M.**

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The City of Foley Planning Commission held a meeting on May 17, 2023 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Deborah Mixon, Larry Engel, Wes Abrams, Calvin Hare, Phillip Hinesley, Bill Swanson and Tommy Gebhart. Absent members were: Ralph Hellmich and Vera Quaite. Staff present were: Miriam Boone, City Planner; Chad Christian, City Engineer; Angie Eckman, Environmental Manager; Amanda Cole, Planning and Zoning Assistant and Melissa Ringler, Recording Secretary.

Chairman Abrams called the meeting to order at 5:30 p.m.

MINUTES:

Approval of the April 12, 2023 and April 19, 2023 meeting minutes.

Commissioner Hinesley made a motion to approve the April 12, 2023 and April 19, 2023 meeting minutes. Commissioner Engel seconded the motion. All Commissioners voted aye.

Motion to approve the April 12, 2023 and April 19, 2023 meeting minutes passes.

AGENDA ITEMS:

1. Fairfield Inn & Suites - Site Plan Extension

The City of Foley Planning Commission has received a request for a 6 month site plan extension for Fairfield Inn & Suites. Property is located S. of County Rd. 20 and E. of S. McKenzie St. Applicant is Anil Badve.

Planning Commission Action:

Mrs. Miriam Boone explained the applicant is working with the property owners on some issues with the legal description which has delayed the start of construction.

Commissioner Gebhart made a motion to approve the 6 month site plan extension request. Commissioner Swanson seconded the motion. All Commissioners voted aye.

Motion to approve the 6 month site plan extension request passes.

2. Ocean Marine- Site Plan Review

The City of Foley Planning Commission has received a request for a site plan review for Ocean Marine. Property is located W. of State Hwy. 59 and N. of County Rd. 10. Applicant is Lieb Engineering.

Planning Commission Action:

Mrs. Boone stated staff is recommending approval of the site plan.

Commissioner Hare made a motion to approve the requested site plan. Commissioner Engel seconded the motion. All Commissioners voted aye.

Motion to approve the requested site plan passes.

**PLANNING COMMISSION
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(Council Chambers of City Hall) 5:30 P.M.**

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3. Zoning Ordinance- Amendments

The City of Foley Planning Commission has received a request to recommend Zoning Ordinance Amendments to the Mayor and Council.

Public Hearing:

Chairman Abrams asked if there were any members of the public to speak on the item. There were none.

Planning Commission Action:

Commissioner Hinesley made a motion to recommend the Zoning Ordinance amendments to the Mayor and Council. Commissioner Hare seconded the motion. All Commissioners voted aye.

Motion to recommend the Zoning Ordinance amendments to the Mayor and Council passes.

ADJOURN:

Chairman Abrams made a motion to adjourn the meeting at 5:34 p.m.



PLANNING COMMISSION JOINT STAFF REPORT: June 2023

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STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Paxton Farms, Phase 1

REQUEST: Preliminary Plat 1 yr Extension

OWNER / APPLICANT:
Jade Consulting

ACREAGE: 20.34 ac

PIN#(s): 68612

LOCATION: SW corner
of CR12 & CR65

PROJECT DESCRIPTION:
50 lots in Ph1

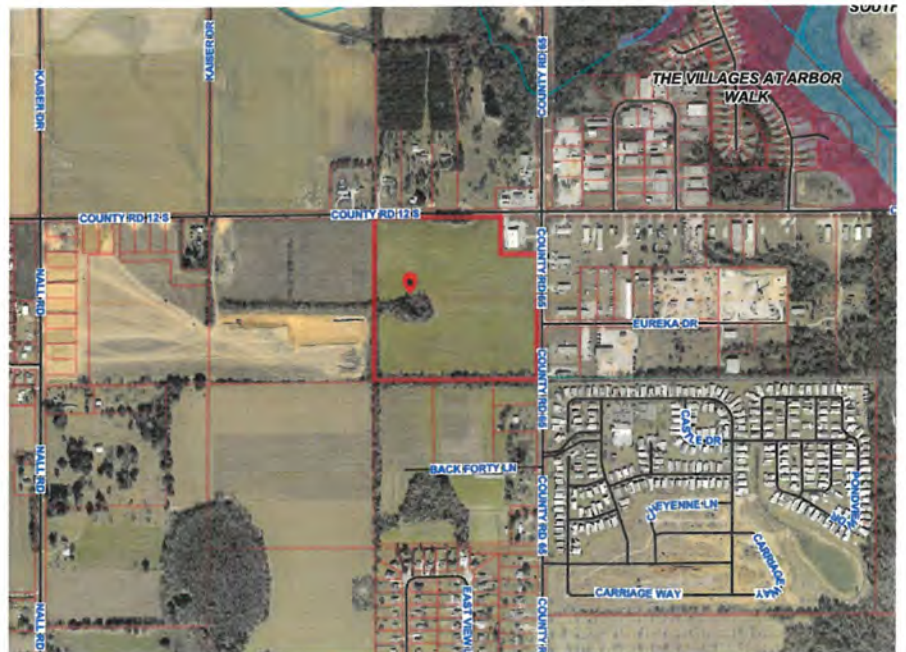
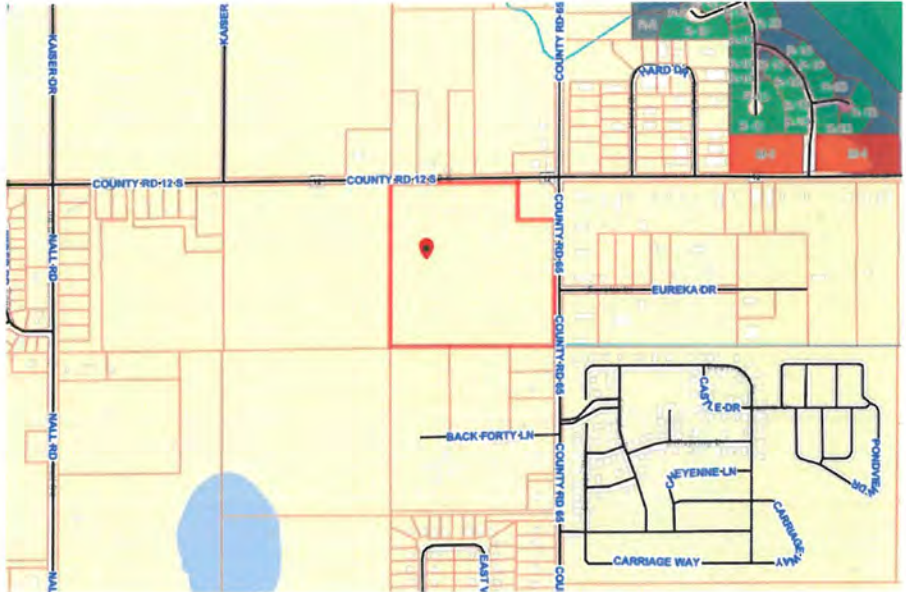
CURRENT ZONING:
Unzoned BC Dist 34

REQUESTED ZONING: n/a

ADJACENT ZONING:
Unzoned BC Dist 34,
RSF-2 BC Dist 21, &
M1 BC Dist 35

FUTURE LAND USE:
RR, Rural Residential

EXISTING LAND USE:
vacant



UTILITY LETTERS RECEIVED: YES / NO / **NOT APPLICABLE**
DEED RECEIVED: **YES** / NO / NOT APPLICABLE
AGENT AUTHORIZATION: **YES** / NO / NOT APPLICABLE

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ZONING:

Miriam Boone - This is a request for a preliminary extension in unzoned BC. PI got preliminary approval on 7/21/21, this is their first extension request.

ENGINEERING:

Chad Christian - Engineering is not opposed

ENVIRONMENTAL:

Angie Eckman - Environmental is not opposed

FIRE:

Brad Hall - Fire is not opposed

BUILDING/FLOODPLAIN:

Chuck Lay - Building is not opposed



JINRIGHT & ASSOCIATES DEVELOPMENT ENGINEERS

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May 18, 2023

Mrs. Miriam Boone, MPA, AICP, CFM
City of Foley
Planner/Building Official
120 S McKenzie Street
Foley, AL 36535

RE: Paxton Farms – Phase 1
Preliminary Plat Application

Dear Mrs. Boone:

On behalf of the owner/developer, we would like to request a one year extension on the preliminary Plat approval of the referenced project. The project is currently under construction.

Respectfully,

JADE CONSULTING, LLC

A handwritten signature in black ink, appearing to read 'SLR'.

Lee Rambo
Project Manager

LR\sr



5/22/23
RECEIVED

SURVEYORS CERTIFICATE

STATE OF ALABAMA
COUNTY OF BALDWIN

I, MARK A. WATTIER, A LICENSED SURVEYOR IN THE STATE OF ALABAMA, HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY OF RIVER OAKS DEVELOPMENT, LLC, DOING BUSINESS IN ALABAMA AS RIVER OAKS COMMUNITY, LLC, SITUATED IN BALDWIN COUNTY, ALABAMA AND DESCRIBED AS FOLLOWS:

LOT "B", PAXTON FARMS PARENT TRACT SUBDIVISION, AS RECORDED ON SLIDE ???-? OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

AND THAT THE PLAT OR MAP CONTAINED HEREON IS A TRUE AND CORRECT MAP SHOWING THE SUBDIVISION INTO WHICH THE PROPERTY DESCRIBED IS DIVIDED, GIVING THE LENGTH AND BEARINGS OF THE BOUNDARIES OF EACH LOT AND EASEMENT AND ITS NUMBER, AND SHOWING THE STREETS, ALLEYS AND PUBLIC GROUNDS, AND GIVING THE BEARINGS, LENGTH, WIDTH AND NAMES OF THE STREETS. SAID MAP FURTHER SHOWS THE RELATION OF THE LAND SO PLATTED TO THE GOVERNMENT SURVEY, AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED AT POINTS MARKED THUS (C) AS HEREON SHOWN. I FURTHER CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

WITNESS MY HAND THIS THE ____ DAY OF _____, 202__.

SURVEYOR _____
ALABAMA LICENSE #20364

CERTIFICATE OF APPROVAL BY THE CITY OF FOLEY PLANNING COMMISSION

THE WITHIN PLAT OF THE PAXTON FARMS SUBDIVISION, PHASE ONE, FOLEY, ALABAMA IS HEREBY APPROVED BY THE CITY OF FOLEY PLANNING AND ZONING COMMISSION, THIS THE ____ DAY OF _____, 20__.

CHAIRMAN, PLANNING COMMISSION

CERTIFICATE OF APPROVAL BY THE CITY ENGINEER

THE UNDERSIGNED, AS CITY ENGINEER OF THE CITY OF FOLEY, ALABAMA, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE ____ DAY OF _____, 20__.

CITY ENGINEER

CERTIFICATE OF APPROVAL BY RIVERA UTILITIES - POWER:

THE UNDERSIGNED, AS AUTHORIZED BY RIVERA UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE ____ DAY OF _____, 20__.

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY RIVERA UTILITIES - WATER & SANITARY SEWER:

THE UNDERSIGNED, AS AUTHORIZED BY RIVERA UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE ____ DAY OF _____, 20__.

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY RIVERA UTILITIES - GAS:

THE UNDERSIGNED, AS AUTHORIZED BY RIVERA UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE ____ DAY OF _____, 20__.

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY CENTURYLINK:

THE UNDERSIGNED, AS AUTHORIZED BY CENTURYLINK, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE ____ DAY OF _____, 20__.

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY BALDWIN COUNTY 911:

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY 911, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE ____ DAY OF _____, 20__.

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER

THE UNDERSIGNED, AS COUNTY ENGINEER OF THE COUNTY OF BALDWIN, ALABAMA, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE ____ DAY OF _____, 20__.

COUNTY ENGINEER

CERTIFICATE OF APPROVAL BY BALDWIN COUNTY PLANNING DIRECTOR:

THE UNDERSIGNED, AS DIRECTOR OF THE BALDWIN COUNTY PLANNING AND ZONING DEPARTMENT, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE ____ DAY OF _____, 20__.

PLANNING DIRECTOR

CERTIFICATION OF OWNERSHIP AND DEDICATION

THIS IS TO CERTIFY THAT RAM - PAXTON FARMS SUBDIVISION PARTNERS, LLC, IS THE OWNER OF THE LAND SHOWN AND DESCRIBED HEREON, AND THAT THE SAME HAS CAUSED SAID LAND TO BE SURVEYED AND SUBDIVIDED AS INDICATED HEREON, FOR THE USES AND PURPOSES HEREIN SET FORTH, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED; AND GRANT ALL EASEMENTS AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED, TOGETHER WITH SUCH RESTRICTIONS AND COVENANTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT.

DATED THIS ____ DAY OF _____, 20__.

OWNER: RAM - PAXTON FARMS SUBDIVISION PARTNERS, LLC
RODNEY BARSTEIN - SPECIAL PURPOSE MANAGER

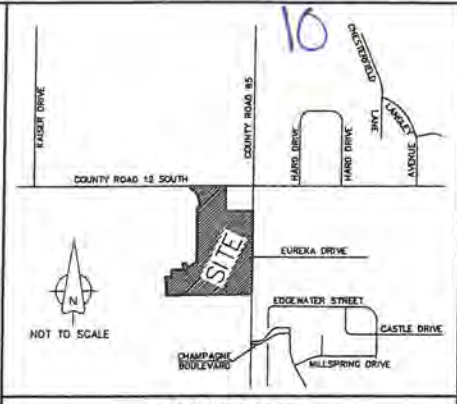
CERTIFICATION BY NOTARY PUBLIC

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, HEREBY CERTIFY THAT RODNEY BARSTEIN, WHOSE NAME AS SPECIAL PURPOSE MANAGER OF RAM - PAXTON FARMS SUBDIVISION PARTNERS, LLC, 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, AND AS SUCH OFFICER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID CORPORATION.

GIVEN UNDER MY HAND AND NOTORIAL SEAL THIS ____ DAY OF _____, 20__.

NOTARY PUBLIC



VICINITY MAP

COUNTY ROAD 12 SOUTH & COUNTY ROAD 65
FOLEY, AL

LOT & COMMON
AREA DATA

LOT 1	8,118 SF	0.186 AC	LOT 29	10,403 SF	0.239 AC
LOT 2	7,500 SF	0.172 AC	LOT 30	7,500 SF	0.172 AC
LOT 3	7,500 SF	0.172 AC	LOT 31	7,500 SF	0.172 AC
LOT 4	7,500 SF	0.172 AC	LOT 32	7,500 SF	0.172 AC
LOT 5	7,500 SF	0.172 AC	LOT 33	8,950 SF	0.206 AC
LOT 6	9,113 SF	0.209 AC	LOT 34	7,500 SF	0.172 AC
LOT 7	16,153 SF	0.371 AC	LOT 35	7,500 SF	0.172 AC
LOT 8	9,798 SF	0.225 AC	LOT 36	7,500 SF	0.172 AC
LOT 9	8,026 SF	0.184 AC	LOT 37	7,500 SF	0.172 AC
LOT 10	8,061 SF	0.185 AC	LOT 38	7,913 SF	0.182 AC
LOT 11	8,058 SF	0.185 AC	LOT 39	9,415 SF	0.216 AC
LOT 12	7,918 SF	0.182 AC	LOT 40	7,527 SF	0.173 AC
LOT 13	10,020 SF	0.230 AC	LOT 41	7,500 SF	0.172 AC
LOT 14	11,415 SF	0.262 AC	LOT 42	7,500 SF	0.172 AC
LOT 15	8,483 SF	0.195 AC	LOT 43	7,500 SF	0.172 AC
LOT 16	7,500 SF	0.172 AC	LOT 44	7,500 SF	0.172 AC
LOT 17	7,500 SF	0.172 AC	LOT 45	8,085 SF	0.186 AC
LOT 18	7,500 SF	0.172 AC	LOT 46	8,283 SF	0.189 AC
LOT 19	7,500 SF	0.172 AC	LOT 47	8,184 SF	0.188 AC
LOT 20	8,506 SF	0.195 AC	LOT 48	7,775 SF	0.179 AC
LOT 21	10,703 SF	0.246 AC	LOT 49	7,500 SF	0.172 AC
LOT 22	8,281 SF	0.190 AC	LOT 50	7,500 SF	0.172 AC
LOT 23	10,036 SF	0.230 AC	C.A. 1	185,485 SF	4.258 AC
LOT 24	8,118 SF	0.186 AC	C.A. 2	1,748 SF	0.040 AC
LOT 25	7,500 SF	0.172 AC	C.A. 3	18,704 SF	0.429 AC
LOT 26	7,500 SF	0.172 AC	C.A. 4	138,425 SF	3.179 AC
LOT 27	7,500 SF	0.172 AC	C.A. 5	3,941 SF	0.091 AC
LOT 28	9,866 SF	0.227 AC			

SITE DATA
LINEAR FEET OF STREETS: 2,405 LF
NUMBER OF LOTS: 50
SMALLEST LOT SIZE: 7,500 SF
AVERAGE LOT SIZE: 8344 SF
COMMON AREAS: 348,303 SF
TOTAL AREA: 886,029 SF
ZONING CLASSIFICATION:
UNZONED AND PLANNING DISTRICT 34

LOT UTILITY EASEMENTS
FRONT & REAR: 15'
SIDE: 10' (5' EACH SIDE)

REQUIRED SETBACKS

FRONT: 30'
REAR: 30'
SIDE: 10'
CORNER LOT SIDE: 20'

UTILITIES

WATER, SEWER, GAS & ELECTRIC SERVICE:
RIVERA UTILITIES - (251) 943-5001
413 E. LAUREL AVE, FOLEY, AL 36536

PHONE/INTERNET SERVICE
CENTURY LINK - (251) 952-5286
16812 UNDERWOOD AVE.
FOLEY, AL 36535

FLOOD CERTIFICATE:
THE PROPERTY DESCRIBED HEREON IS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP NO'S. 01003C0927 M & 01003C0930 M, DATED 04/19/2019, AND IS SHOWN TO BE IN FLOOD ZONE "X-UNSHADED."

ENGINEER:
JADE CONSULTING, LLC
P.O. BOX 1929
FAIRHOPE, AL 36533
251-928-3443

SURVEYOR:
WATTIER SURVEYING, INC.
4318 DOWNTOWNER LOOP N., STE H
MOBILE, AL 36609
251-342-2640

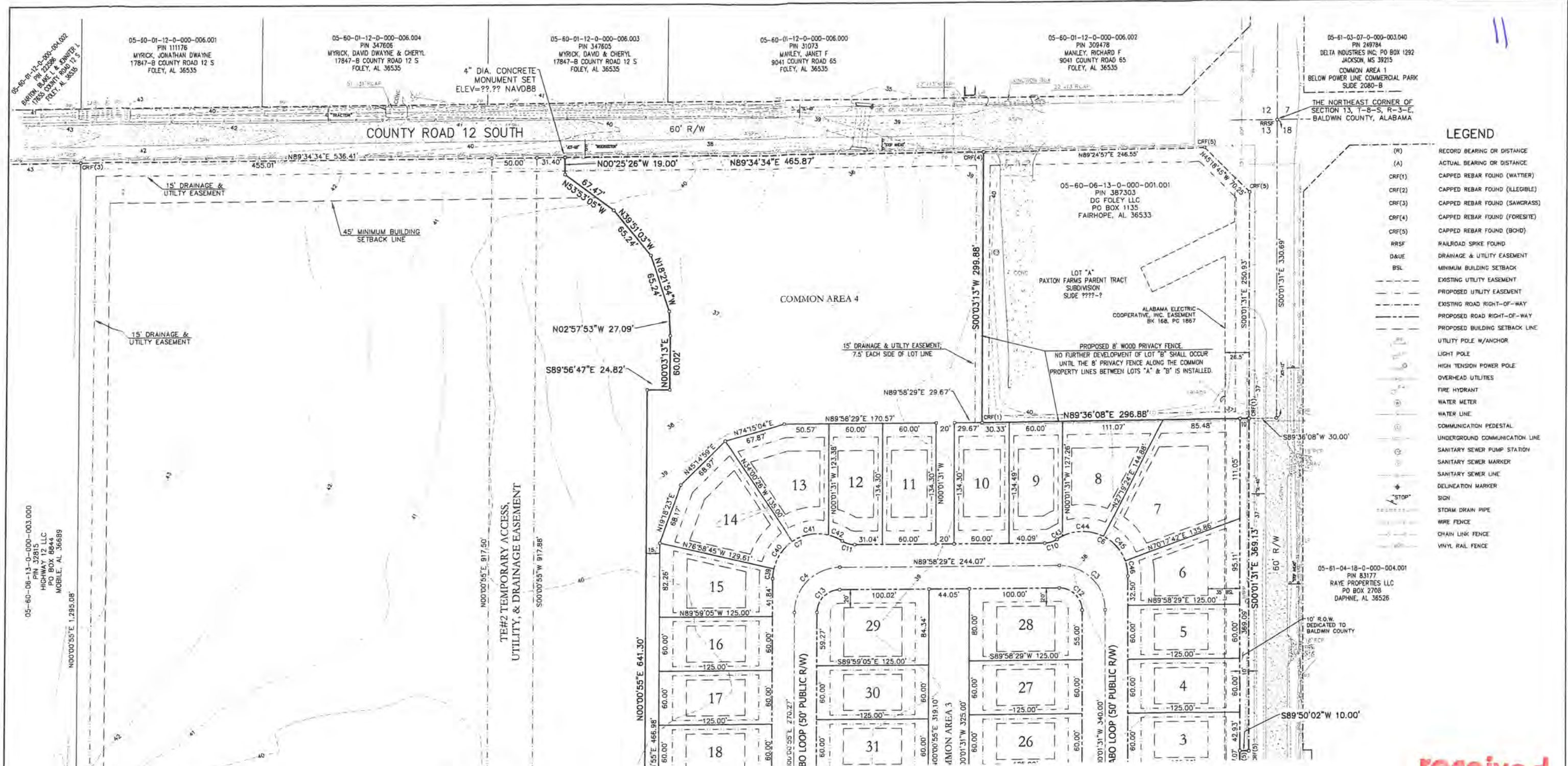
DEVELOPER/OWNER:
RAM - PAXTON FARMS SUBDIVISION PARTNERS, LLC
RODNEY BARSTEIN - SPECIAL PURPOSE MANAGER
2200 MAGNOLIA AVE SOUTH, STE. 100
BIRMINGHAM, AL 35205

PAXTON FARMS SUBDIVISION
PHASE ONE
PLAT OF SUBDIVISION

received
12/15/2022
Revision

WATTIER SURVEYING, INC.
PROFESSIONAL LAND SURVEYORS

4318 DOWNTOWNER LOOP N., Suite H
Mobile, Alabama 36609 251-342-2640



LEGEND

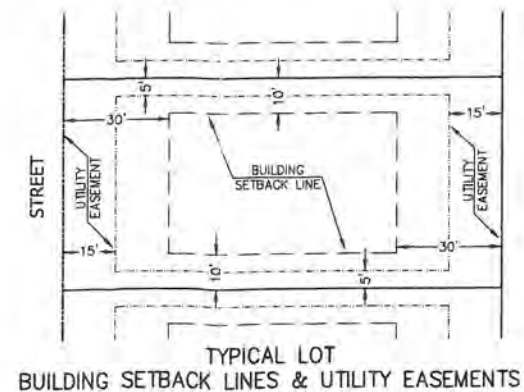
- (R) RECORD BEARING OR DISTANCE
- (A) ACTUAL BEARING OR DISTANCE
- CRF(1) CAPPED REBAR FOUND (WATTIER)
- CRF(2) CAPPED REBAR FOUND (ILLEGIBLE)
- CRF(3) CAPPED REBAR FOUND (SAWGRASS)
- CRF(4) CAPPED REBAR FOUND (FORESITE)
- CRF(5) CAPPED REBAR FOUND (BOHD)
- RRSF RAILROAD SPIKE FOUND
- DAUE DRAINAGE & UTILITY EASEMENT
- BSL MINIMUM BUILDING SETBACK
- EXISTING UTILITY EASEMENT
- PROPOSED UTILITY EASEMENT
- EXISTING ROAD RIGHT-OF-WAY
- PROPOSED ROAD RIGHT-OF-WAY
- PROPOSED BUILDING SETBACK LINE
- UTILITY POLE W/ANCHOR
- LIGHT POLE
- HIGH TENSION POWER POLE
- OVERHEAD UTILITIES
- FIRE HYDRANT
- WATER METER
- WATER LINE
- COMMUNICATION PEDESTAL
- UNDERGROUND COMMUNICATION LINE
- SANITARY SEWER PUMP STATION
- SANITARY SEWER MARKER
- SANITARY SEWER LINE
- DELINEATION MARKER
- SIGN
- STORM DRAIN PIPE
- WIRE FENCE
- CHAIN LINK FENCE
- VINYL RAIL FENCE

CURVE DATA

CURVE	DELTA ANGLE	RADIUS	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE
C1	31°54'02"	250.00'	139.19'	S74°01'28"W	137.40'
C2	31°56'28"	275.00'	153.31'	S74°02'41"W	151.33'
C3	90°00'00"	50.00'	78.54'	N45°01'31"W	70.71'
C4	89°57'34"	75.00'	78.50'	S44°59'42"W	70.69'
C5	31°56'28"	100.00'	55.75'	N15°57'19"W	55.03'
C6	123°33'26"	50.00'	107.62'	N61°48'14"W	88.11'
C7	123°31'00"	50.00'	107.79'	S61°46'25"W	88.10'
C8	31°56'28"	100.00'	55.75'	N15°57'19"W	55.03'
C9	90°00'00"	25.00'	39.27'	N45°01'31"W	35.36'
C10	31°53'26"	25.00'	14.64'	S73°11'46"W	14.43'
C11	31°53'26"	25.00'	14.64'	N73°11'46"W	14.43'
C12	90°00'00"	25.00'	39.27'	N45°01'31"W	35.36'
C13	89°57'34"	25.00'	39.25'	S44°59'42"W	35.34'
C14	31°56'28"	75.00'	41.81'	S15°57'19"E	41.27'
C15	31°56'28"	125.00'	69.68'	S15°57'19"E	68.79'
C16	81°56'25"	25.00'	35.75'	N72°53'45"W	32.78'
C17	90°00'00"	25.00'	39.27'	N15°57'19"E	35.36'
C18	90°00'00"	25.00'	39.27'	N76°58'33"W	35.36'
C19	31°56'28"	75.00'	41.81'	S15°57'19"E	41.27'
C20	31°56'28"	125.00'	69.68'	N15°57'19"W	68.79'
C21	106°04'33"	25.00'	46.28'	N21°06'44"E	39.95'
C22	15°51'55"	250.00'	69.23'	S82°04'58"W	69.00'
C23	31°56'28"	300.00'	167.24'	S74°02'41"W	165.09'
C24	31°54'02"	250.00'	125.27'	S74°01'28"W	123.66'
C25	23°50'27"	275.00'	114.43'	S78°03'16"W	113.60'
C26	90°00'00"	25.00'	39.27'	N44°58'29"E	35.36'
C27	5°38'59"	225.00'	22.18'	S87°09'00"W	22.18'

CURVE DATA

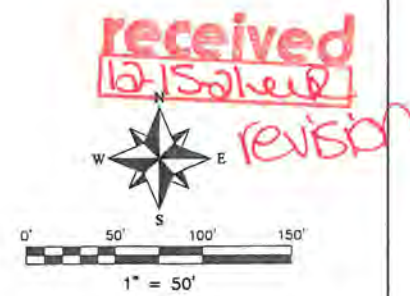
CURVE	DELTA ANGLE	RADIUS	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE
C28	26°15'03"	225.00'	103.09'	S71°11'59"W	102.19'
C29	7°20'42"	300.00'	38.46'	S61°44'48"W	38.43'
C30	10°25'03"	300.00'	54.55'	S70°37'49"W	54.47'
C31	10°25'03"	300.00'	54.55'	S81°12'43"W	54.47'
C32	3°45'41"	300.00'	19.69'	S88°08'05"W	19.69'
C33	54°05'05"	25.00'	23.60'	N47°06'27"E	22.73'
C34	51°59'28"	25.00'	22.69'	N05°55'49"W	21.92'
C35	66°25'19"	25.00'	28.98'	N88°42'54"W	27.30'
C36	23°34'41"	25.00'	10.29'	N43°42'54"W	10.28'
C37	19°20'31"	125.00'	42.20'	N22°15'17"W	42.00'
C38	12°35'57"	125.00'	27.49'	N06°17'03"W	27.43'
C39	13°00'20"	50.00'	11.35'	S06°31'05"W	11.33'
C40	42°58'19"	50.00'	37.50'	S14°30'24"W	36.63'
C41	48°27'37"	50.00'	42.29'	S80°13'22"W	41.04'
C42	19°04'44"	50.00'	16.65'	N66°00'27"W	16.57'
C43	8°01'58"	50.00'	7.01'	S60°26'02"W	7.00'
C44	52°51'42"	50.00'	46.13'	N89°07'08"W	44.51'
C45	42°57'35"	50.00'	37.49'	N41°12'50"W	36.62'
C46	19°42'12"	50.00'	17.19'	N09°35'31"W	17.11'
C47	66°25'19"	25.00'	28.98'	N56°45'50"E	27.39'
C48	23°34'41"	25.00'	10.29'	N11°45'50"E	10.22'
C49	66°25'19"	25.00'	28.98'	N56°46'52"W	27.39'
C50	23°34'41"	25.00'	10.29'	N11°46'50"W	10.22'
C51	80°00'00"	30.00'	47.12'	N44°59'05"W	42.43'
C52	02°33'52"	275.00'	12.31'	S58°21'23"W	12.31'
C53	29°22'36"	275.00'	141.00'	S75°19'37"W	139.48'
C54	120°02'07"	50.00'	104.75'	N86°38'59"W	86.62'
C55	59°58'56"	50.00'	52.34'	S59°59'37"E	49.99'

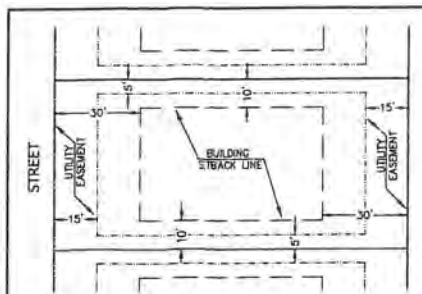


COMMON AREA PURPOSE

- COMMON AREA #1: GREENSPACE AND STORMWATER MANAGEMENT
- COMMON AREA #2: GREENSPACE
- COMMON AREA #3: GREENSPACE
- COMMON AREA #4: GREENSPACE AND STORMWATER MANAGEMENT
- COMMON AREA #5: GREENSPACE

PAXTON FARMS SUBDIVISION PHASE ONE PLAT OF SUBDIVISION





TYPICAL LOT
BUILDING SETBACK LINES & UTILITY EASEMENTS

CURVE	DELTA ANGLE	RADIUS	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE
C1	31°54'02"	250.00'	139.19'	S74°01'28"W	137.40'
C2	31°56'28"	275.00'	153.31'	S74°02'41"W	151.33'
C3	90°00'00"	50.00'	78.54'	N45°01'31"W	70.71'
C4	89°57'34"	50.00'	78.50'	S44°59'42"W	70.69'
C5	31°56'28"	100.00'	55.75'	N15°57'19"W	55.03'
C6	123°33'26"	50.00'	107.82'	N61°48'14"W	88.11'
C7	123°31'00"	50.00'	107.79'	S61°46'25"W	88.10'
C8	31°56'28"	100.00'	55.75'	N15°57'19"W	55.03'
C9	90°00'00"	25.00'	39.27'	N45°01'31"W	35.36'
C10	33°33'26"	25.00'	14.64'	N73°14'48"W	14.43'
C11	33°33'26"	25.00'	14.64'	N73°14'48"W	14.43'
C12	90°00'00"	25.00'	39.27'	N45°01'31"W	35.36'
C13	89°57'34"	25.00'	39.25'	S44°59'42"W	35.34'

CURVE	DELTA ANGLE	RADIUS	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE
C14	31°56'28"	75.00'	41.81'	S15°57'19"E	41.27'
C15	31°56'28"	125.00'	69.68'	S15°57'19"E	68.79'
C16	81°56'25"	25.00'	35.75'	N72°53'45"W	32.78'
C17	90°00'00"	25.00'	39.27'	N13°04'27"E	35.36'
C18	90°00'00"	25.00'	39.27'	N76°55'33"W	35.36'
C19	31°56'28"	75.00'	41.81'	S15°57'19"E	41.27'
C20	31°56'28"	125.00'	69.68'	N15°57'19"W	68.79'
C21	106°04'33"	25.00'	46.28'	N10°06'44"E	38.85'
C22	15°51'55"	250.00'	69.23'	S82°04'58"W	69.00'
C23	31°56'28"	300.00'	167.24'	S74°02'41"W	165.09'
C24	31°54'02"	225.00'	125.27'	S74°01'28"W	123.66'
C25	23°50'27"	275.00'	114.43'	S78°03'16"W	113.60'
C26	90°00'00"	25.00'	39.27'	N44°58'29"E	38.36'
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C28	26°15'03"	225.00'	103.09'	S71°11'59"W	102.19'
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C31	10°25'03"	300.00'	54.55'	S81°02'43"W	54.47'
C32	3°45'41"	300.00'	19.69'	S88°08'05"W	19.69'
C33	34°05'05"	25.00'	23.62'	N47°08'27"E	22.73'
C34	91°59'28"	25.00'	22.69'	N05°55'49"W	21.92'
C35	66°25'19"	25.00'	28.98'	N85°42'54"W	27.39'
C36	23°34'41"	25.00'	10.29'	N43°42'54"W	10.22'
C37	19°20'31"	125.00'	42.20'	N22°15'17"W	42.00'
C38	17°35'57"	125.00'	27.49'	N08°17'03"W	27.43'
C39	13°00'20"	60.00'	11.36'	S06°31'59"W	11.33'
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C41	48°27'37"	50.00'	42.29'	S80°13'22"W	41.04'

CURVE	DELTA ANGLE	RADIUS	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE
C42	19°04'44"	50.00'	16.65'	N66°00'27"W	16.57'
C43	8°01'58"	50.00'	7.01'	S60°20'02"W	7.00'
C44	52°51'42"	50.00'	46.13'	N89°07'09"W	44.51'
C45	42°57'35"	50.00'	37.49'	N41°12'50"W	36.82'
C46	19°42'12"	50.00'	17.19'	N03°53'37"W	17.11'
C47	66°25'19"	25.00'	28.98'	N56°45'50"E	27.39'
C48	23°34'41"	25.00'	10.29'	N11°45'50"E	10.22'
C49	66°25'19"	25.00'	28.98'	N56°46'52"W	27.39'
C50	23°34'41"	25.00'	10.29'	N11°46'52"W	10.22'
C51	80°00'00"	30.00'	47.12'	N44°58'05"W	42.43'
C52	02°33'52"	275.00'	12.31'	S59°21'23"W	12.31'
C53	28°22'36"	275.00'	141.00'	S75°19'37"W	138.46'
C54	120°02'07"	50.00'	104.75'	N88°39'05"W	88.67'
C55	59°58'56"	50.00'	52.34'	S59°58'57"E	48.99'

- LEGEND**
- (R) RECORD BEARING OR DISTANCE
 - (A) ACTUAL BEARING OR DISTANCE
 - CRF(1) CAPPED REBAR FOUND (WATTIER)
 - CRF(2) CAPPED REBAR FOUND (ILLEGIBLE)
 - CRF(3) CAPPED REBAR FOUND (SAWRASS)
 - CRF(4) CAPPED REBAR FOUND (FORESITE)
 - CRF(5) CAPPED REBAR FOUND (BCHD)
 - RHSF RAILROAD SPIKE FOUND
 - DAUE DRAINAGE & UTILITY EASEMENT
 - BSL MINIMUM BUILDING SETBACK
 - EXISTING UTILITY EASEMENT
 - PROPOSED UTILITY EASEMENT
 - EXISTING ROAD RIGHT-OF-WAY
 - PROPOSED ROAD RIGHT-OF-WAY
 - PROPOSED BUILDING SETBACK LINE
 - UTILITY POLE W/ANCHOR
 - LIGHT POLE
 - HIGH TENSION POWER POLE
 - OVERHEAD UTILITIES
 - FIRE HYDRANT
 - WATER METER
 - WATER LINE
 - COMMUNICATION PEDESTAL
 - UNDERGROUND COMMUNICATION LINE
 - SANITARY SEWER PUMP STATION
 - SANITARY SEWER MARKER
 - SANITARY SEWER LINE
 - DELINEATION MARKER
 - STOP SIGN
 - STORM DRAIN PIPE
 - WIRE FENCE
 - CHAIN LINK FENCE
 - VINYL RAIL FENCE

05-60-06-13-0-000-003.000
PIN 32815
HIGHWAY 12 LLC
PO BOX 8944
MOBILE, AL 36689

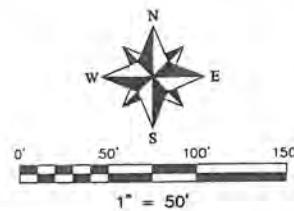
05-60-06-13-0-000-008.001
PIN 72229
WATERS, DAVID W.
9099 CLARKE ROAD
FOLEY, AL 36535

05-61-04-18-0-000-004.011
PIN 25096
RAT PROPERTIES LLC
PO BOX 2708
DAPHNE, AL 36526

05-61-04-18-0-000-005.000
PIN 11754
FOLEY GROVE LLC
7602-4 CONGRESS ST
NEW PORT RICHEY, FL 34653

COMMON AREA PURPOSE

- COMMON AREA #1: GREENSPACE AND STORMWATER MANAGEMENT
- COMMON AREA #2: GREENSPACE
- COMMON AREA #3: GREENSPACE
- COMMON AREA #4: GREENSPACE AND STORMWATER MANAGEMENT
- COMMON AREA #5: GREENSPACE



**PAXTON FARMS SUBDIVISION
PHASE ONE
PLAT OF SUBDIVISION**

SHEET 3 OF 3

WATTIER SURVEYING, INC.
PROFESSIONAL LAND SURVEYORS
4318 Downtown Loop N, Suite H
Mobile, Alabama 36609

DECEMBER 15, 2021

received
12-15-2021
Revision



PLANNING COMMISSION JOINT STAFF REPORT: June 2023

13

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Jon Stricklin, Lot 5

REQUEST: Duplex Site Plan Review

OWNER / APPLICANT:
Paul J Lartigue, III /
Jon Stricklin, New Era
Construction

ACREAGE:
.58 ac (24,960 sf)

PIN#(s): 309955

LOCATION:
S of E Michigan,
E of S Poplar

PROJECT DESCRIPTION:
Duplex

CURRENT ZONING:
R-2

REQUESTED ZONING:
N/A

ADJACENT ZONING:
R-2 & PUD

FUTURE LAND USE:
RM, Residential Med
Density (4-7)

EXISTING LAND USE:
vacant



14

UTILITY LETTERS RECEIVED: YES / NO / **NOT APPLICABLE**
DEED RECEIVED: YES / NO / NOT APPLICABLE
AGENT AUTHORIZATION: YES / NO / NOT APPLICABLE

ZONING:

Miriam Boone - These units meet zoning requirements.

ENGINEERING:

Chad Christian - Engineering is not opposed

ENVIRONMENTAL:

Angie Eckman - Environmental is not opposed

FIRE:

Brad Hall - Fire is not opposed

BUILDING/FLOODPLAIN:

Chuck Lay - Building is not opposed

New Era Construction, Inc.

720 W Laurel Ave.

Foley, AL 36535

251-948-4248

251-942-6774

15

TO: City of Foley Community Development and Planning Commission

Re: Duplex Site Plan Approval

Please accept this letter as a request for site plan approval for the attached referenced new construction duplex located on the east side of S. Poplar Street in Foley. PIN # 309955, Lot 5

Based on City of Foley requirements the following information is provided for your review:

Survey

Site Plan

Duplex Occupancy

3,100 square feet heated and cooled living space with 550 square feet porches and carport.

17' building height

Setbacks – see attached drawing.

4 Parking Spaces per Unit (Total 8)

Total lot area 24,960 square feet

Landscaping Plan

Architectural Detail per plans

Building Façade – Covered Front Porch and Carport

Transparency – 30% of building width in front covered in windows exceed the 20% requirement.

Please let me know if any additional information is required.

Respectfully Submitted,

Jon Stricklin, President

New Era Construction, Inc



Stamps
RECEIVED
AC

16

New Era Construction, Inc.

720 W Laurel Ave.

Foley, AL 36535

251-948-4248

251-942-6774

ADDENDUM:

TO: City of Foley Community Development and Planning Commission

Re: Duplex Site Plan Approval

Please accept this letter as a request for site plan approval for the attached referenced new construction duplex located on the east side of S. Poplar Street in Foley. PIN # 309955, Lot 5

Based on City of Foley requirements the following information is provided for your review:

LANDSCAPE PLAN 11% 2,745 SQ. FT

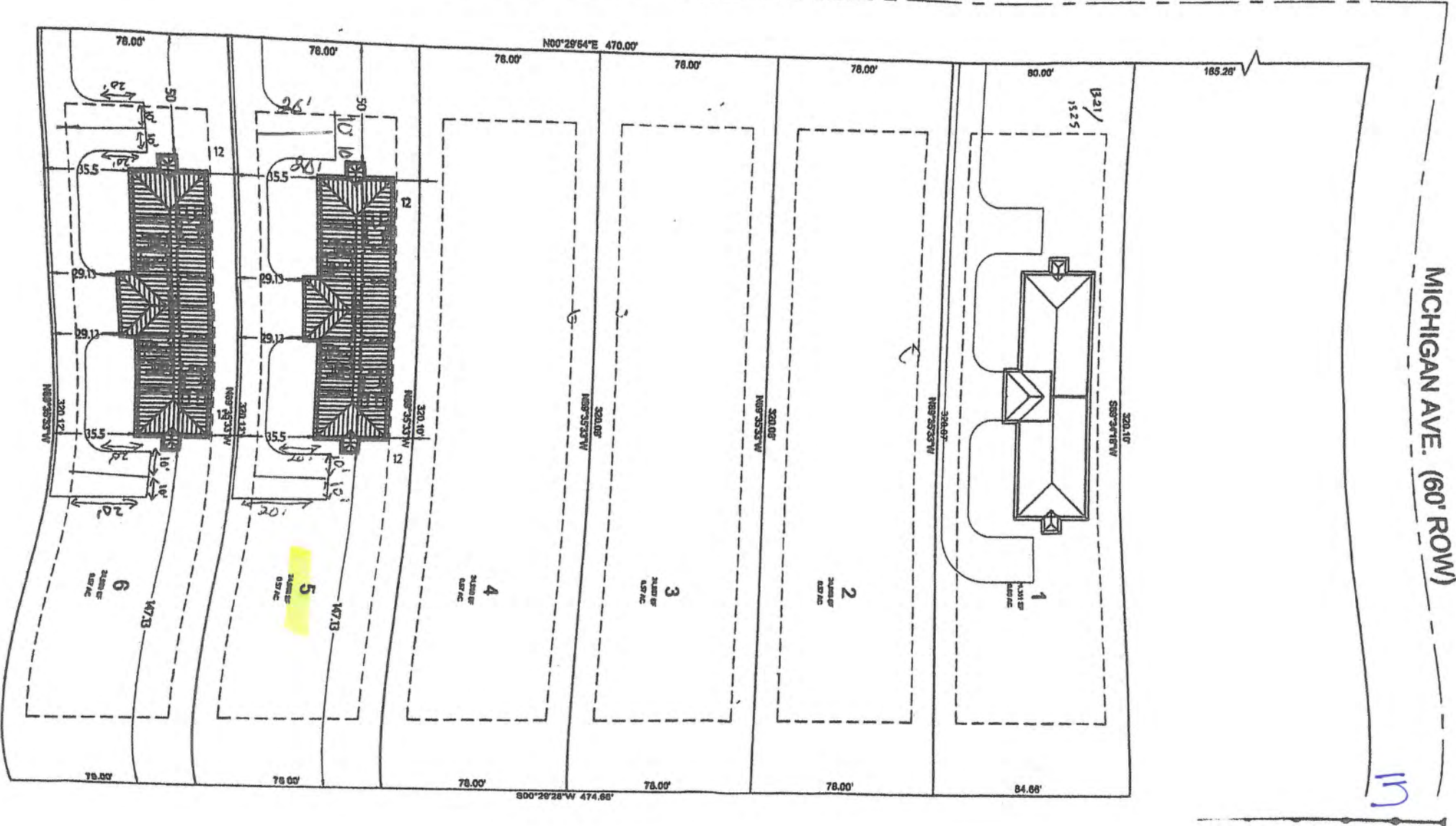
Respectfully Submitted,

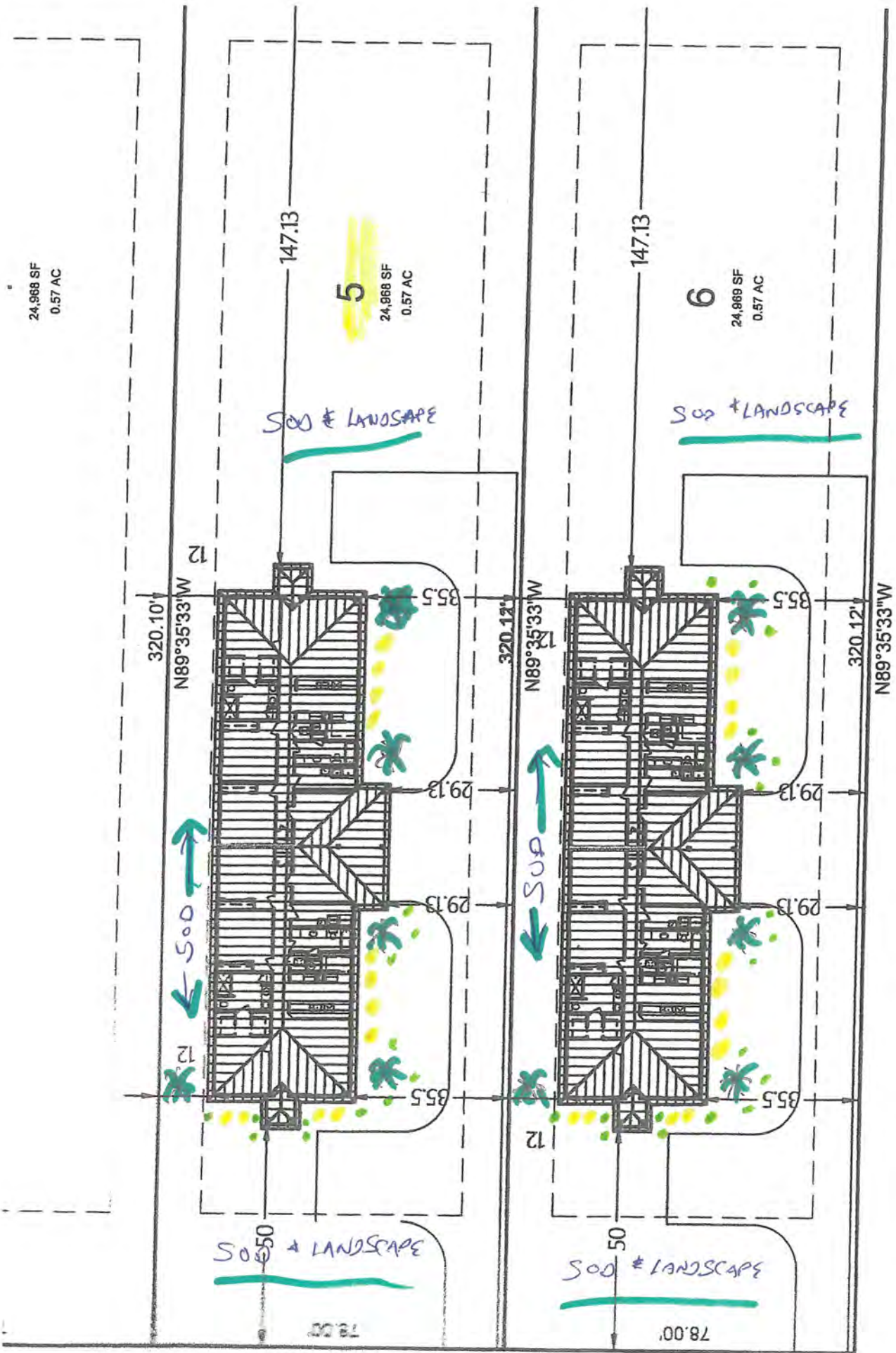


Jon Stricklin, President

New Era Construction, Inc

SOUTH POPLAR STREET (50' ROW)





- 18
- * crepe myrt
 - indian hawthorn
 - liriope grass

19



**L.E. STIFFLER,
ENGINEER,
INC.**

304 W. LAUREL AVE
FOLEY, AL 36534
850-242-0504
251-250-8474 FAX
stiffle@lensengr.com

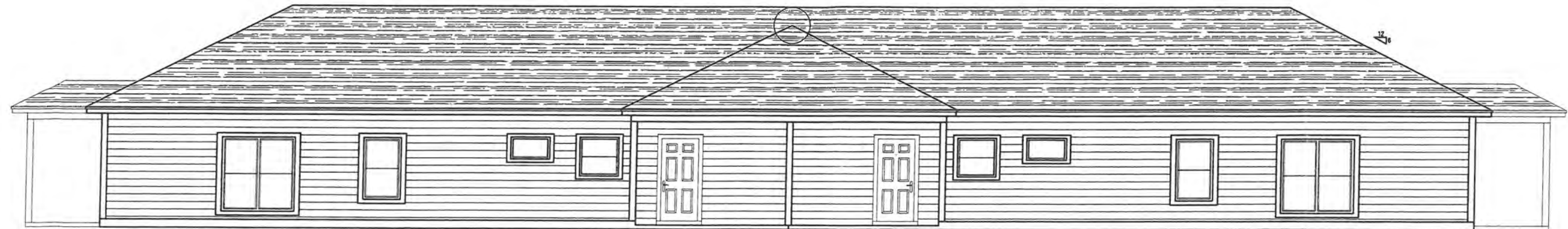
JOB NUMBER:
LES 230207



WEST ELEVATION UNIT A
SCALE: 1/4"=1'-0"

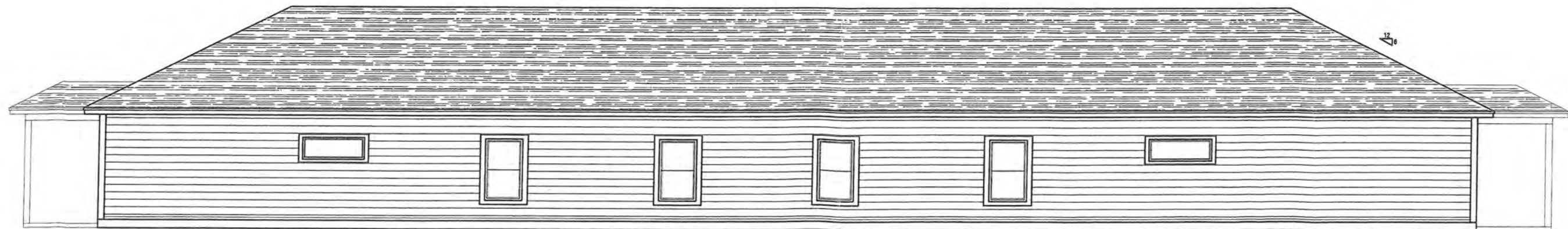


EAST ELEVATION UNIT B
SCALE: 1/4"=1'-0"



SOUTH ELEVATION UNIT A
SCALE: 1/4"=1'-0"

SOUTH ELEVATION UNIT B
SCALE: 1/4"=1'-0"



NORTH ELEVATION UNIT B
SCALE: 1/4"=1'-0"

NORTH ELEVATION UNIT A
SCALE: 1/4"=1'-0"

Islandnest Properties
Lot 6, Poplar Oak II S/D
Poplar Street South
Foley, Alabama

DATE:
04.03.2023
DRAWN: RRA
CHECKED: RRA
REVISION:

SCALE:
1/4" = 1'-0"

SHEET NO:
12
OF
13



REGISTERED
L.E. STANTON
ENGINEER
L.L.C.

3009 W. 12TH AVE.
FOLEY, AL 36625
904-543-5013
rsta@stantonllc.com
rsta@stantonllc.com

JOB NUMBER:
LES 230207

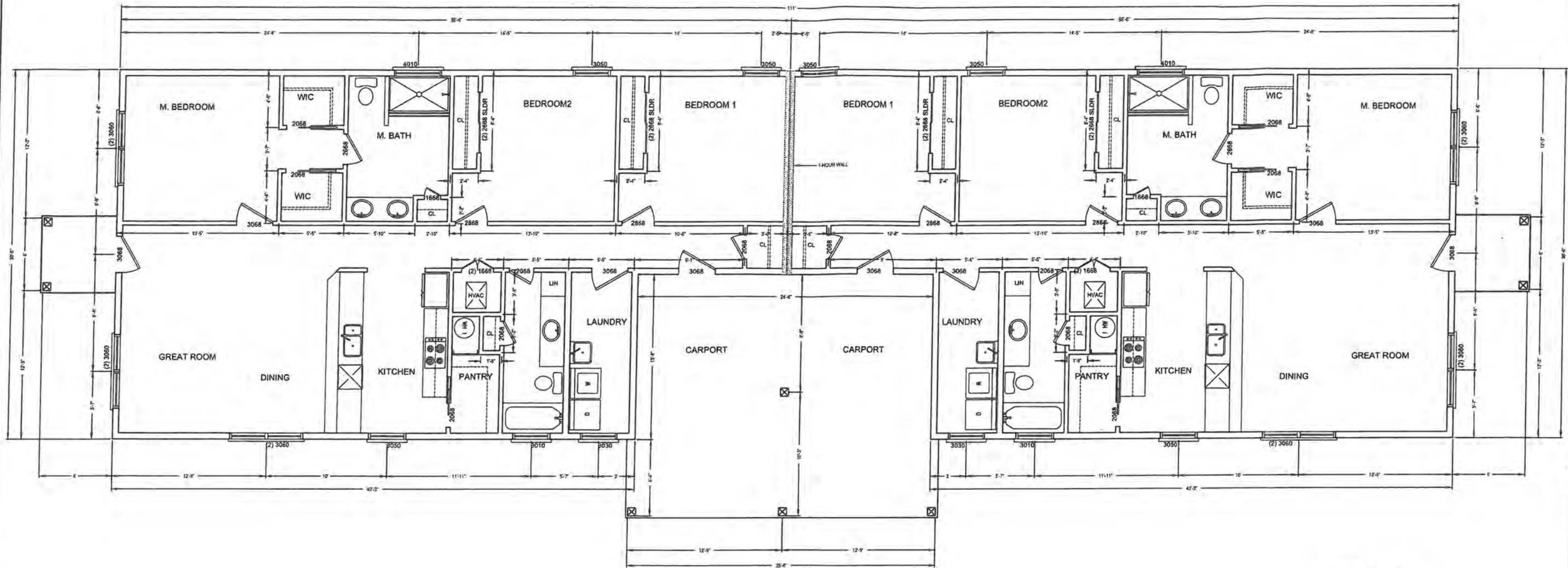
Islandnest Properties
Lot 6, Poplar Oak II S/D
Poplar Street South
Foley, Alabama

DATE
04.03.2023

DRAWN: RRA
CHECKED: RRA
REVISION:

SCALE:
1/4" = 1'-0"

SHEET NO:
05
OF
13



FLOOR PLAN
SCALE: 1/4"=1'-0"

DUPLEX CODE

R302.3 Two-family dwellings.

Dwelling units in two-family dwellings shall be separated from each other by wall and floor assemblies having not less than a 1-hour fire-resistance rating where tested in accordance with ASTM E119, UL 263 or Section 703.3 of the International Building Code. Fire-resistance-rated floor/ceiling and wall assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend from the foundation to the underside of the roof sheathing.

Exceptions:

1. A fire-resistance rating of 1/2 hour shall be permitted in buildings equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13.
2. Wall assemblies need not extend through attic spaces where the ceiling is protected by not less than 5/8-inch (15.9 mm) Type X gypsum board, an attic draft stop constructed as specified in Section R302.12.1 is provided above and along the wall assembly separating the dwellings and the structural framing supporting the ceiling is protected by not less than 1/2-inch (12.7 mm) gypsum board or equivalent.

R302.3.1 Supporting construction.

Where floor assemblies are required to be fire-resistance rated by Section R302.3 the supporting construction of such assemblies shall have an equal or greater fire-resistance rating.

1 Hr.	U541	5/8 in. (15.9 mm) Fire-Resistant Gypsum Board applied vertically or horizontally to each side of double row of 2x4 (50.8 mm x 89.0 mm) wood studs 24 in. (610 mm) o.c. with 1-7/8 in. (47.6 mm) long, 60 coated nails 7 in. (178 mm) o.c. Joints staggered on opposite sides.	51	NGC 2191
		Sound rating with studs 16 in. (406 mm) o.c. and 3-1/2 in. (88.9 mm) glass fiber insulation in stud cavity in one row only.		
		Sound rating with studs 16 in. (406 mm) o.c. and 3-1/2 in. (88.9 mm) glass fiber insulation in stud cavity in each row.	34	NGC 2198

R302.12 Draftstopping.

In combustible construction where there is usable space both above and below the concealed space of a floor-ceiling assembly, draftstops shall be installed so that the area of the concealed space does not exceed 1,000 square feet (92.9 m²). Draftstopping shall divide the concealed space into approximately equal areas. Where the assembly is enclosed by a floor membrane above and a ceiling membrane below, draftstopping shall be provided in floor-ceiling assemblies under the following circumstances:

1. Ceiling is suspended under the floor framing.
2. Floor framing is constructed of truss-type open-web or perforated members.

R302.12.1 Materials.

Draftstopping materials shall be not less than 1/2-inch (12.7 mm) gypsum board, 5/8-inch (9.5 mm) wood structural panels or other approved materials adequately supported. Draftstopping shall be installed parallel to the floor framing members unless otherwise approved by the building official. The integrity of the draftstops shall be maintained.

R302.13 Fire protection of floors.

Floor assemblies that are not required elsewhere in this code to be fire-resistance rated, shall be provided with a 1/2-inch (12.7 mm) gypsum wallboard membrane, 5/8-inch (16 mm) wood structural panel membrane, or equivalent on the underside of the floor framing member. Penetrations or openings for ducts, vents, electrical outlets, lighting, devices, luminaires, wires, speakers, drainage piping and similar openings or penetrations shall be permitted.

Exceptions:

1. Floor assemblies located directly over a space protected by an automatic sprinkler system in accordance with Section P2904, NFPA 13D, or other approved equivalent sprinkler system.
2. Floor assemblies located directly over a crawl space not intended for storage or for the installation of fuel-fired or electric-powered heating appliances.
3. Portions of floor assemblies shall be permitted to be unprotected where complying with the following:
 - 3.1. The aggregate area of the unprotected portions does not exceed 80 square feet (7.4 m²) per story.
 - 3.2. Fireblocking in accordance with Section R302.11.1 is installed along the perimeter of the unprotected portion to separate the unprotected portion from the remainder of the floor assembly.
4. Wood floor assemblies using dimension lumber or structural composite lumber equal to or greater than 2-inch by 10-inch (50.8 mm by 254 mm) nominal dimension, or other approved floor assemblies demonstrating equivalent fire performance.



PLANNING COMMISSION JOINT STAFF REPORT: June 2023

21

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Jon Stricklin, Lot 6

REQUEST: Duplex Site Plan Review

OWNER / APPLICANT:
Paul J Lartigue, III /
Jon Stricklin, New Era
Construction

ACREAGE:
.58 ac (24,960 sf)

PIN#(s): 309956

LOCATION:
S of E Michigan,
E of S Poplar

PROJECT DESCRIPTION:
Duplex

CURRENT ZONING:
R-2

REQUESTED ZONING:
N/A

ADJACENT ZONING:
R-2 & PUD

FUTURE LAND USE:
RM, Residential Med
Density (4-7)

EXISTING LAND USE:
vacant





UTILITY LETTERS RECEIVED: YES / NO / **NOT APPLICABLE**
DEED RECEIVED: YES / NO / NOT APPLICABLE
AGENT AUTHORIZATION: YES / NO / NOT APPLICABLE

ZONING:

Miriam Boone - These units meet zoning requirements.

ENGINEERING:

Chad Christian - Engineering is not opposed

ENVIRONMENTAL:

Angie Eckman - Environmental is not opposed

FIRE:

Brad Hall - Fire is not opposed

BUILDING/FLOODPLAIN:

Chuck Lay - Building is not opposed

23

New Era Construction, Inc.

720 W Laurel Ave.

Foley, AL 36535

251-948-4248

251-942-6774

TO: City of Foley Community Development and Planning Commission

Re: Duplex Site Plan Approval

Please accept this letter as a request for site plan approval for the attached referenced new construction duplex located on the east side of S. Poplar Street in Foley. PIN # 309956, Lot 6

Based on City of Foley requirements the following information is provided for your review:

Survey

Site Plan

Duplex Occupancy

3,100 square feet heated and cooled living space with 550 square feet porches and carport.

17' building height

Setbacks – see attached drawing.

4 Parking Spaces per Unit (Total 8)

Total lot area 24,960 square feet

Landscaping Plan

Architectural Detail per plans

Building Façade – Covered Front Porch and Carport

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Please let me know if any additional information is required.

Respectfully Submitted,

Jon Stricklin, President

New Era Construction, Inc

24

New Era Construction, Inc.

720 W Laurel Ave.

Foley, AL 36535

251-948-4248

251-942-6774

ADDENDUM:

TO: City of Foley Community Development and Planning Commission

Re: Duplex Site Plan Approval

Please accept this letter as a request for site plan approval for the attached referenced new construction duplex located on the east side of S. Poplar Street in Foley. PIN # 309956, Lot 6

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LANDSCAPE PLAN 11% 2,745 SQ. FT

Respectfully Submitted,



Jon Stricklin, President

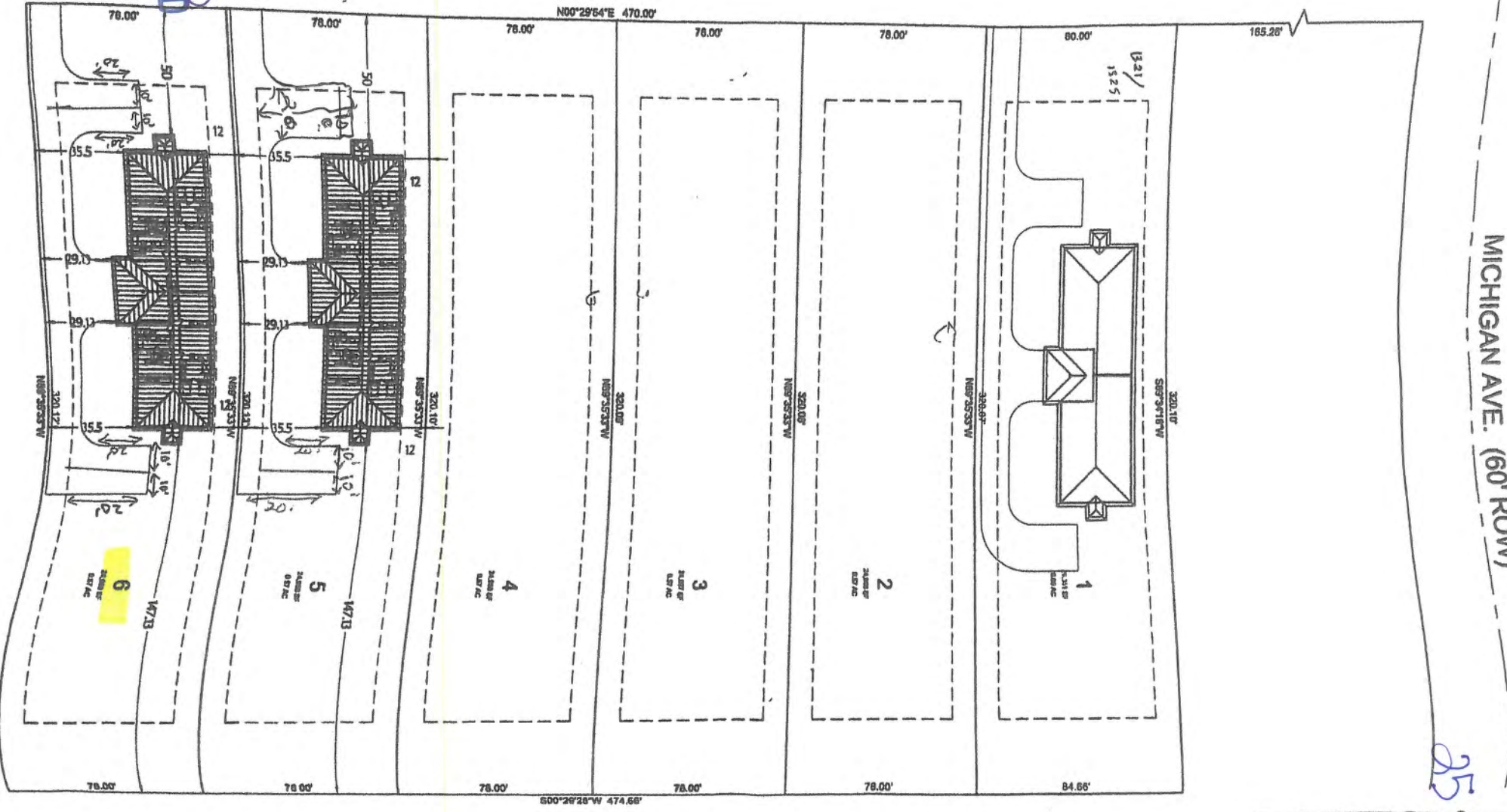
New Era Construction, Inc

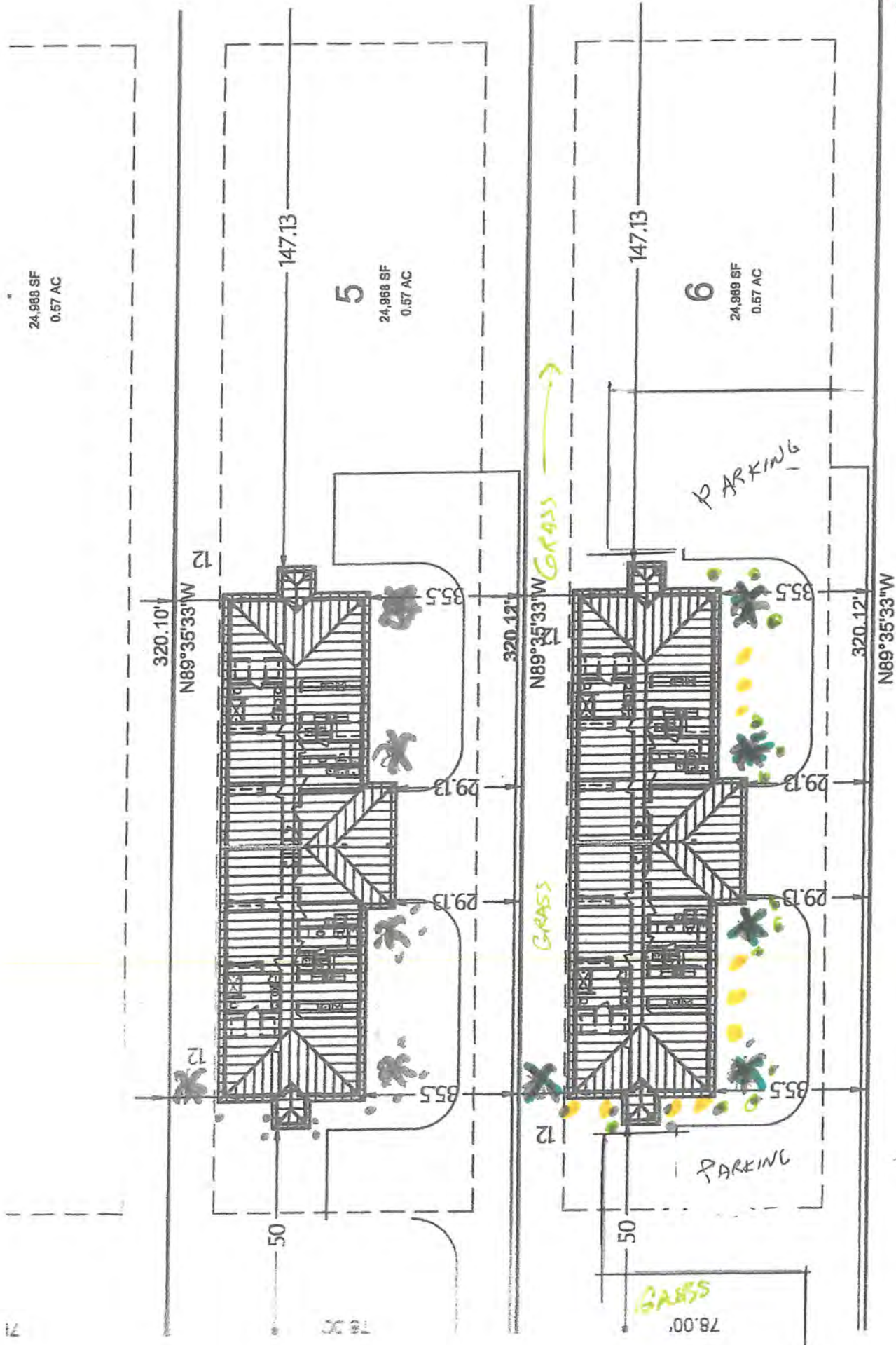
RECEIVED

SOUTH POPLAR STREET (50' ROW)

MICHIGAN AVE. (60' ROW)

25





- crepe myrtle
- indian hawthorn
- liriope grass
- cent grass

5/22/23
RECEIVED
FL



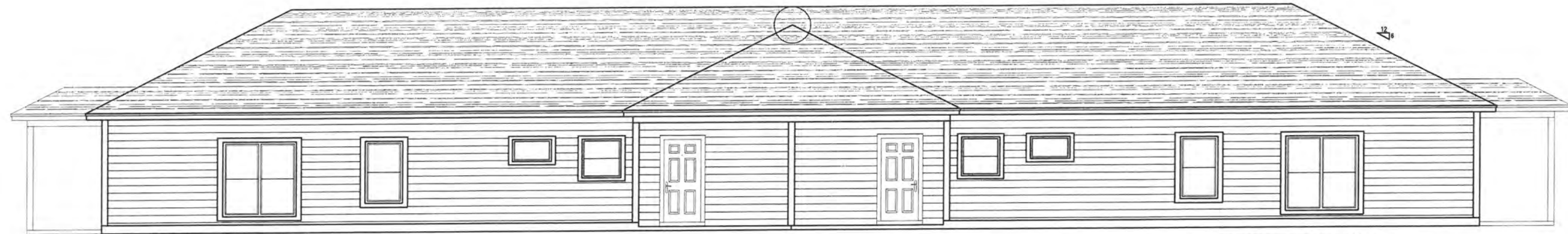
an



WEST ELEVATION UNIT A
SCALE: 1/4"=1'-0"



EAST ELEVATION UNIT B
SCALE: 1/4"=1'-0"



SOUTH ELEVATION UNIT A
SCALE: 1/4"=1'-0"

SOUTH ELEVATION UNIT B
SCALE: 1/4"=1'-0"



NORTH ELEVATION UNIT B
SCALE: 1/4"=1'-0"

NORTH ELEVATION UNIT A
SCALE: 1/4"=1'-0"



FRATZKE
L.E. SIEFERT,
ENGINEER,
P.C.

304 W. LACONIA AVE
KUNIA, HI 96859
808-242-1504
L.E.Siefert@fratzke.com

JOB NUMBER:

LES 230207

Islandnest Properties

Lot 6, Poplar Oak II S/D
Poplar Street South
Foley, Alabama

DATE:

04.03.2023

DRAWN: RRA

CHECKED: RRA

REVISION:

SCALE:

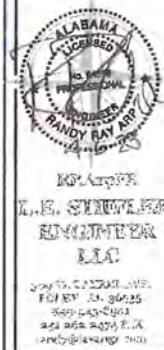
1/4" = 1'-0"

SHEET NO:

12

OF

13



JOB NUMBER:
LES 230207

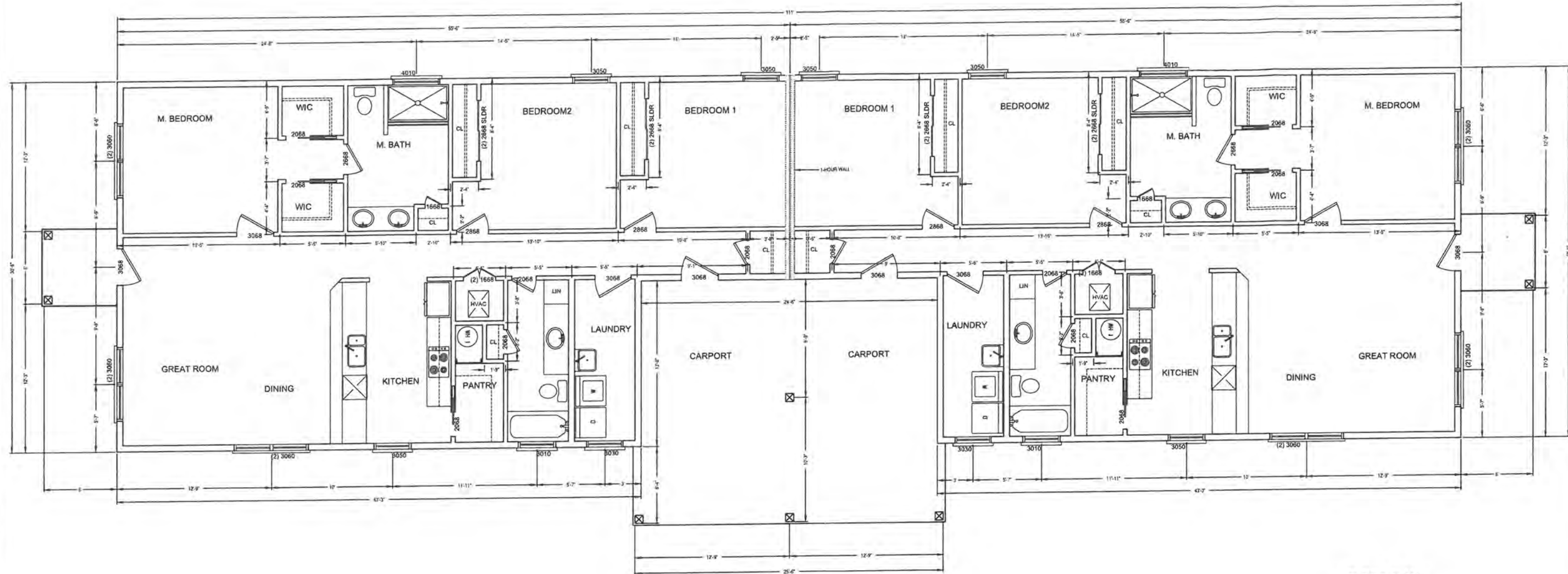
Islandnest Properties
Lot 6, Poplar Oak II S/D
Poplar Street South
Foley, Alabama

DATE:
04.03.2023

DRAWN: RRA
CHECKED: RRA
REVISION:

SCALE:
1/4" = 1'-0"

SHEET NO:
05
OF
13



FLOOR PLAN
SCALE: 1/4"=1'-0"

DUPLEX CODE

R302.3 Two-family dwellings.

Dwelling units in two-family dwellings shall be separated from each other by wall and floor assemblies having not less than a 1-hour fire-resistance rating where tested in accordance with ASTM E119, UL 263 or Section 703.3 of the International Building Code. Fire-resistance-rated floor/ceiling and wall assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend from the foundation to the underside of the roof sheathing.

Exceptions:

1. A fire-resistance rating of 1/2 hour shall be permitted in buildings equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13.
2. Wall assemblies need not extend through attic spaces where the ceiling is protected by not less than 5/8-inch (15.9 mm) Type X gypsum board, an attic draft stop constructed as specified in Section R302.12.1 is provided above and along the wall assembly separating the dwellings and the structural framing supporting the ceiling is protected by not less than 1/2-inch (12.7 mm) gypsum board or equivalent.

R302.3.1 Supporting construction.

Where floor assemblies are required to be fire-resistance rated by Section R302.3, the supporting construction of such assemblies shall have an equal or greater fire-resistance rating.

1 in.	U141	5/8 in. (15.9 mm) Fire-Rated Gypsum Board applied vertically or horizontally to each side of double row of 2x4 (50.8 mm x 88.9 mm) wood studs, 24 in. (610 mm) o.c. with 1-7/8 in. (47.6 mm) long, 6d coated nails 7 in. (178 mm) o.c. joints staggered on opposite sides.	51	IGC 2191
		Sound rating with studs 16 in. (406 mm) c.c. and 3-1/2 in. (88.9 mm) glass fiber insulation in stud cavity in one row only.		
		Sound rating with studs 16 in. (406 mm) c.c. and 3-1/2 in. (88.9 mm) glass fiber insulation in stud cavity in each row.	54	IGC 2198

R302.12 Draftstopping.

In combustible construction where there is usable space both above and below the concealed space of a floor-ceiling assembly, draftstops shall be installed so that the area of the concealed space does not exceed 1,000 square feet (92.9 m²). Draftstopping shall divide the concealed space into approximately equal areas. Where the assembly is enclosed by a floor membrane above and a ceiling membrane below, draftstopping shall be provided in floor-ceiling assemblies under the following circumstances:

1. Ceiling is suspended under the floor framing.
2. Floor framing is constructed of truss-type open-web or perforated members.

R302.12.1 Materials.

Draftstopping materials shall be not less than 1/2-inch (12.7 mm) gypsum board, 3/4-inch (9.5 mm) wood structural panels or other approved materials adequately supported. Draftstopping shall be installed parallel to the floor framing members unless otherwise approved by the building official. The integrity of the draftstops shall be maintained.

R302.13 Fire protection of floors.

Floor assemblies that are not required elsewhere in this code to be fire-resistance rated, shall be provided with a 1/2-inch (12.7 mm) gypsum wallboard membrane, 5/8-inch (16 mm) wood structural panel membrane, or equivalent on the underside of the floor framing member. Penetrations or openings for ducts, vents, electrical outlets, lighting, devices, luminaires, wires, speakers, drainage piping and similar openings or penetrations shall be permitted.

Exceptions:

1. Floor assemblies located directly over a space protected by an automatic sprinkler system in accordance with Section P2804, NFPA 13D, or other approved equivalent sprinkler system.
2. Floor assemblies located directly over a crawl space not intended for storage or for the installation of fuel-fired or electric-powered heating appliances.
3. Portions of floor assemblies shall be permitted to be unprotected where complying with the following:
 - 3.1. The aggregate area of the unprotected portions does not exceed 80 square feet (7.4 m²) per story.
 - 3.2. Fireblocking in accordance with Section R302.11.1 is installed along the perimeter of the unprotected portion to separate the unprotected portion from the remainder of the floor assembly.
4. Wood floor assemblies using dimension lumber or structural composite lumber equal to or greater than 2-inch by 10-inch (50.8 mm by 254 mm) nominal dimension, or other approved floor assemblies demonstrating equivalent fire performance.



PLANNING COMMISSION JOINT STAFF REPORT: June 2023

29

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Tyler Higginbotham

REQUEST: Rezone to R-1R

OWNER / APPLICANT:
Tyler Higginbotham

ACREAGE: 3± ac

PIN#(s): 20772

LOCATION:
N of US Hwy 98 &
W of Bender Rd

PROJECT DESCRIPTION:
Rezone property to R-1R
to build a home

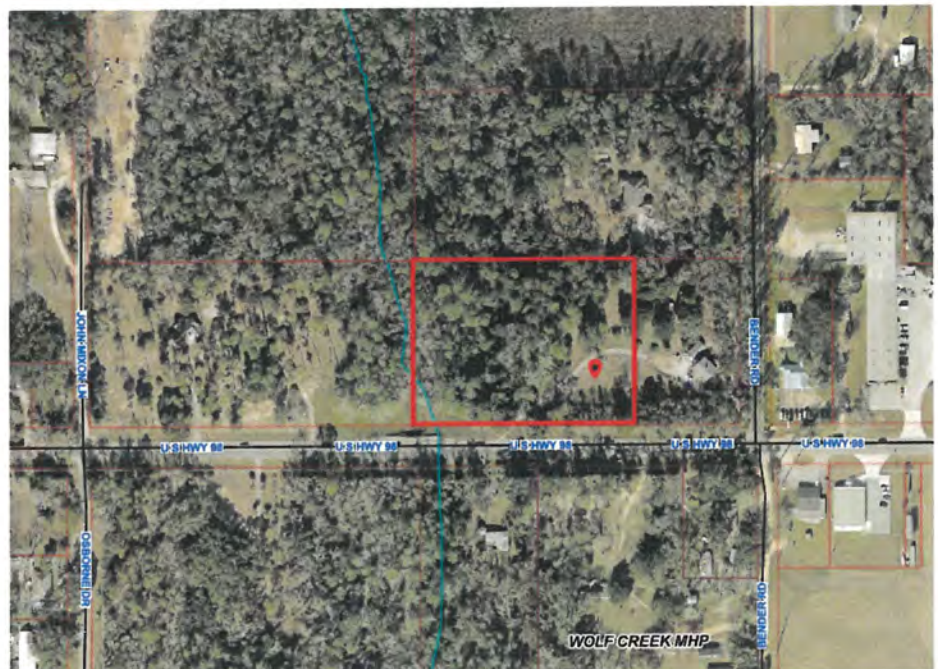
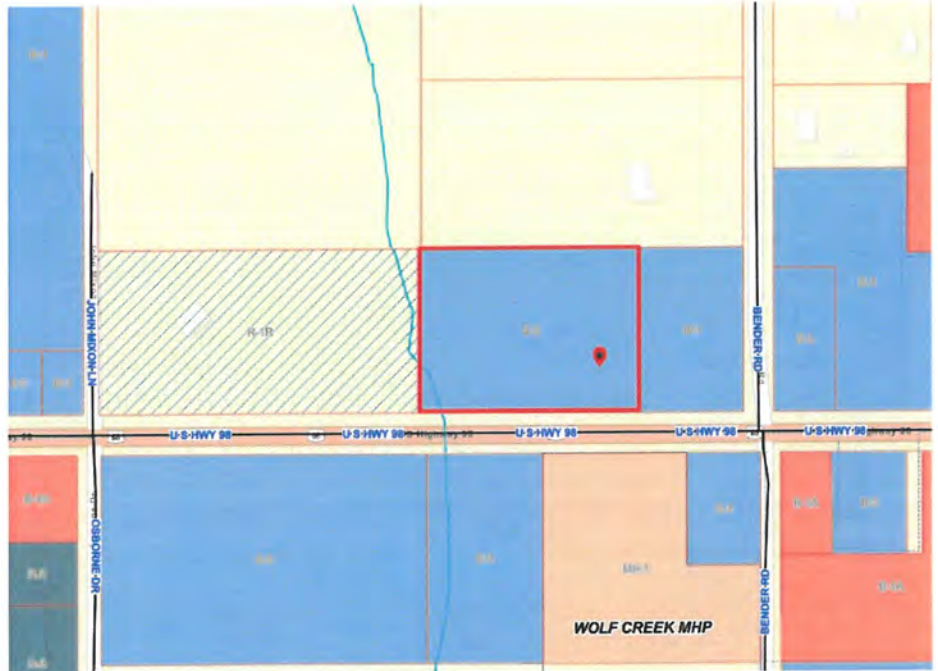
CURRENT ZONING:
B-3

REQUESTED ZONING:
R-1R

ADJACENT ZONING:
R-1R to west,
B-3 & MH-1 to south,
B-3 to east, unzoned
BC Dist 18 to north

FUTURE LAND USE:
MXU, Mixed Use
Commercial/Residential

EXISTING LAND USE:
vacant



30

UTILITY LETTERS RECEIVED: YES / NO / **NOT APPLICABLE**
DEED RECEIVED: **YES** / NO / NOT APPLICABLE
AGENT AUTHORIZATION: YES / NO / **NOT APPLICABLE**

ZONING:

Miriam Boone - This property is adjacent to an R1R zoning designation.

ENGINEERING:

Chad Christian - Engineering is not opposed

ENVIRONMENTAL:

Angie Eckman - Environmental is not opposed

FIRE:

Brad Hall - Fire is not opposed

BUILDING/FLOODPLAIN:

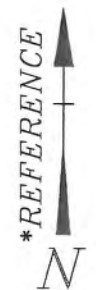
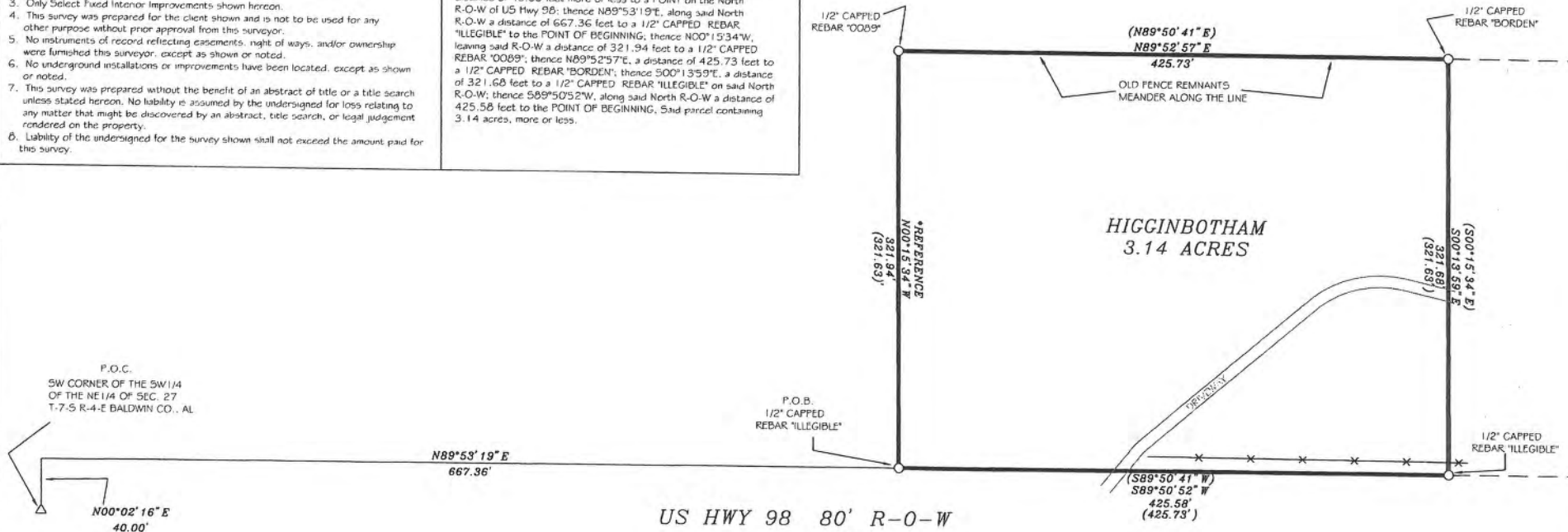
Chuck Lay - Building is not opposed

NOTES

1. All bearings shown hereon are relative to the West line of the surveyed parcel rotated to match a previous survey by Borden provided by the client.
2. Corner monuments shown as set iron pins are 5/8" reinforcing bars with a durable plastic cap stamped "26623".
3. Only Select Fixed Interior Improvements shown hereon.
4. This survey was prepared for the client shown and is not to be used for any other purpose without prior approval from this surveyor.
5. No instruments of record reflecting easements, right of ways, and/or ownership were furnished this surveyor, except as shown or noted.
6. No underground installations or improvements have been located, except as shown or noted.
7. This survey was prepared without the benefit of an abstract of title or a title search unless stated hereon. No liability is assumed by the undersigned for loss relating to any matter that might be discovered by an abstract, title search, or legal judgement rendered on the property.
8. Liability of the undersigned for the survey shown shall not exceed the amount paid for this survey.

DESCRIPTION AS SURVEYED

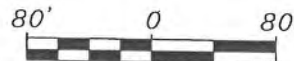
Commencing at the SW CORNER OF THE SW 1/4 OF THE NE 1/4 OF SEC. 27 T-7-S R-4-E BALDWIN CO., AL; thence N00°02'16"E, a distance of 40.00 feet more or less to a POINT on the North R.O.W. of US Hwy 98; thence N89°53'19"E, along said North R.O.W. a distance of 667.36 feet to a 1/2" CAPPED REBAR "ILLEGIBLE" to the POINT OF BEGINNING; thence N00°15'34"W, leaving said R.O.W. a distance of 321.94 feet to a 1/2" CAPPED REBAR "0089"; thence N89°52'57"E, a distance of 425.73 feet to a 1/2" CAPPED REBAR "BORDEN"; thence S00°15'34"E, a distance of 321.68 feet to a 1/2" CAPPED REBAR "ILLEGIBLE" on said North R.O.W.; thence S89°50'52"W, along said North R.O.W. a distance of 425.58 feet to the POINT OF BEGINNING. Said parcel containing 3.14 acres, more or less.



SCALE
1" = 80'

D.L.H.

David Lowery
Al Lic No 26623
55284 Martin Ln.
Stockton, AL 36579
251-937-2757



CERTIFICATION

I, David Lowery, a licensed land surveyor in the State of Alabama, do hereby certify the foregoing to be a true plat or map of a survey performed by me or under my supervision, containing the acreage and being situate as both shown and stated herein. I further certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama, to the best of my knowledge, information, and belief.

PLAT OF A BOUNDARY LINE SURVEY
PREPARED FOR

HIGGINBOTHAM
BALDWIN COUNTY, AL.

DWG. NO.	SURVEY DATE	SCALE
20-10-003	09-29-2020	1"=80'
DRAWN BY: DBL	CHECKED BY: D. LOWERY	

LEGEND AND SYMBOLS

- (") RECORD BEARING/DISTANCE
- OE OVERHEAD ELECTRIC
- SET IRON PIN
- FOUND IRON PIN
- △ PIN NOT SET OR FOUND
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- ~ NOT TO SCALE
- x- FENCE
- FENCE CORNER POST
- CONCRETE MONUMENT

DAVID LOWERY
SURVEYING, L.L.C.

55284 MARTIN LN.
STOCKTON, AL 36579
251-937-2757 ph. 251-937-2756 fax
dlsurvey25@hotmail.com



DAVID LOWERY SURVEYING, L.L.C.



STOCKTON
RECEIVED
AL

31



PLANNING COMMISSION JOINT STAFF REPORT: June 2023

32

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Next to Last, LLC

REQUEST: Rezone to RV Park

OWNER / APPLICANT:
Next to Last, LLC /
Jim Brown

ACREAGE: ±6.28 ac

PIN#(s):
54282, 68039, 93449

LOCATION: S of Miflin Rd, E
of James Rd

PROJECT DESCRIPTION: 44
lots now instead of 38 that
were approved in April 2023

CURRENT ZONING:
B-3 & RV Park

REQUESTED ZONING:
All RV Park

ADJACENT ZONING:
B-3, PUD, PDD

FUTURE LAND USE:
MXU, Mixed Use

EXISTING LAND USE:
RV is vacant &
vacant SFR in B3



33

UTILITY LETTERS RECEIVED: YES / NO / NOT APPLICABLE
DEED RECEIVED: YES / NO / NOT APPLICABLE
AGENT AUTHORIZATION: YES / NO / NOT APPLICABLE

ZONING:

Miriam Boone - This parcel is becoming part of the RV Park that was previously approved.

ENGINEERING:

Chad Christian - Engineering is not opposed

ENVIRONMENTAL:

Angie Eckman - Environmental is not opposed

FIRE:

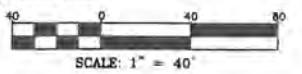
Brad Hall - Fire is not opposed

BUILDING/FLOODPLAIN:

Chuck Lay - Building is not opposed

LEGEND

R/W (REC.)	RIGHT-OF-WAY	PP	POWER POLE
(ACT.)	RECORD	SP	SERVICE POLE
—	FORESHORTENED LINE	—	OUT WIRE
RPB	REAL PROPERTY BOOK	—P—	OVERHEAD POWER LINE
DB	DEED BOOK	—T—	OVERHEAD TELEPHONE LINE
PB	PLAT BOOK	—CTV—	OVERHEAD CABLE TV LINE
MB	MAP BOOK	TPC	TELEPHONE PEDESTAL
PC	PAGE	□	GAS METER
RCP	REINFORCED CONCRETE PIPE	⊙	GAS VALVE
CPP	CORRUGATED PLASTIC PIPE	—GM—	GAS LINE
SET ROD & CAP (PUMP TOP)	SET 5/8" REBAR & CAP CA-00033-LS	⊖	WATER METER
—	SIGN	⊕	WATER VALVE
—X—	FENCE LINE (AS NOTED)	⊙	FIRE HYDRANT
⊙	TREE W/ SIZE & TYPE		
⊘	REMAIN WOODED		



TREES:

REQUIRED TREES (COMMON AREA)

184.84 = 19 (HERITAGE)

TREE CREDITS

36" (DAB) = 8 TREES

TOTAL REQUIRED TREES

13 TREES

HERITAGE TREE TO BE REMOVED

1 3/4" OAK

REQUIRED PLANTINGS

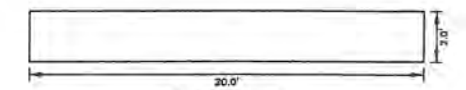
2 TREES

PROVIDED TREE PLANTINGS

15 TREES

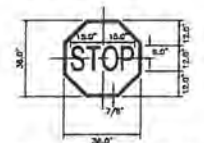
NOTES:

- 1.) ALL UNPAVED AREAS WITHIN THE RIGHT-OF-WAY, AND ALL AREAS THAT HAVE BEEN GRADDED, CUT, OR FILLED SHALL BE TREATED WITH AT LEAST 1,500 LBS. PER ACRE OF A SUITABLE COMMERCIAL FERTILIZER AND SEEDED WITH A MIXTURE TO SUIT THE SEASON. A FIRM STAND OF PERMANENT GRASS WILL BE REQUIRED.
- 2.) TREE PLANTINGS SHALL MEASURE 3" AT DBH WITH A MINIMUM OF 8' OF CLEAR TRUNK. MAINTENANCE OF REQUIRED PLANTINGS SHALL BE THE SOLE RESPONSIBILITY OF THE OWNER. PLANTINGS WILL NOT BE REQUIRED IF EXISTING TREES OF THE REQUIRED DIAMETER ARE IDENTIFIED AND SAVED DURING THE CONSTRUCTION PROCESS.



STOP BAR

NOT TO SCALE



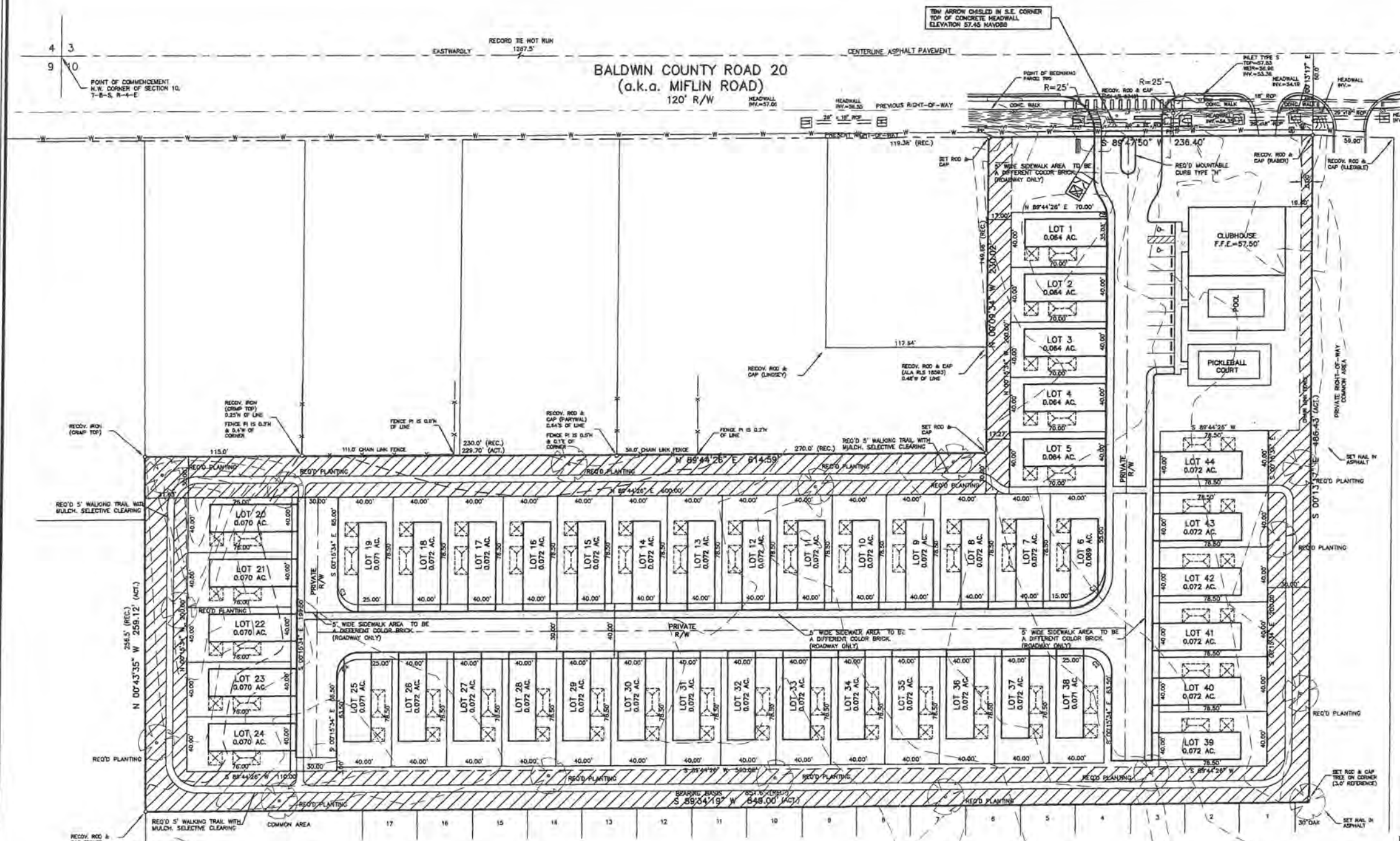
DIAMOND GRADE R1-1 STOP SIGN

NOT TO SCALE

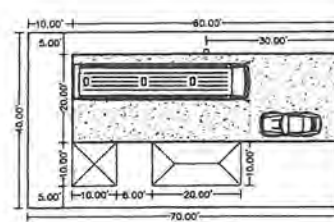
LAST RESORT SITE DATA			
CURRENT ZONING	RV & B-3	SMALLEST LOT SIZE	2780 SF, (0.064 AC)
TOTAL NUMBER OF LOTS	44	LARGEST LOT SIZE	3140 SF, (0.072 AC)
ACREAGE IN TOTAL TRACT	273511 SF, (6.28 AC)	LINEAR FEET IN STREETS	1235 LF
IMPERVIOUS COVERAGE	105992 SF, (38.75%)	BUFFERS:	
OPEN SPACE:		PARENT TRACT BUFFERS:	
REQ'D:	41034 SF, (15.00%)	FRONT	30'
PROVIDED:	84544 SF, (30.91%)	REAR	30'
LANDSCAPING:	105951 SF, (38.74%)	SIDE	Varies see plan

RELEASED FOR REVIEW ONLY 05-22-2023
NOT FOR CONSTRUCTION

REVISIONS:		GEOMETRICS
		LAST RESORT
		PREPARED FOR
		COMPASS CONSTRUCTION & DEVELOPMENT, LLC
		ROWE
		ENGINEERING & SURVEYING
		CONSULTING ENGINEERS
		2022 LADDERLIN DR. • SUITE B • MOBILE, AL 36685
		PHONE 251-886-8768 • FAX 251-886-1040
		AL CA-1004-LS • AL CA-4948-E • MS CA-38105 • FL LA-8390
CHECKED BY: CTR	DRAWING: 62083-CITYL-AR-05-22-23.dwg	SHEET NO.
DATE: 05-22-2023	SCALE: 1" = 40'	C-4
TAX: 81-02-10-0-000-004.004.004.000	DATE: MAY 22, 2023	

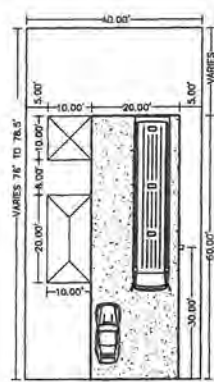
COPYRIGHT 2023
ALL RIGHTS RESERVED
BY ROWE ENGINEERING & SURVEYING

CURVE	ARC LENGTH	CHORD	CHORD BEARING	CHORD LENGTH
1	59.27'	26.00'	S 44°44'48" W	35.36'
2	23.56'	15.00'	N 43°15'34" W	21.21'
3	23.56'	15.00'	S 44°44'48" W	21.21'
4	15.01'	24.50'	N 09°08'43" W	15.00'



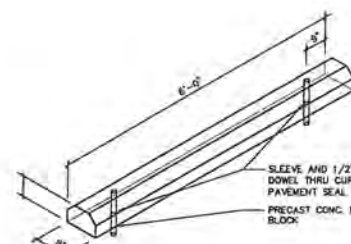
TYPICAL 70' LOT

NOT TO SCALE



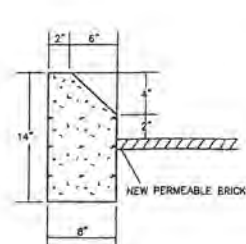
TYPICAL 76 TO 78.5' LOT

NOT TO SCALE



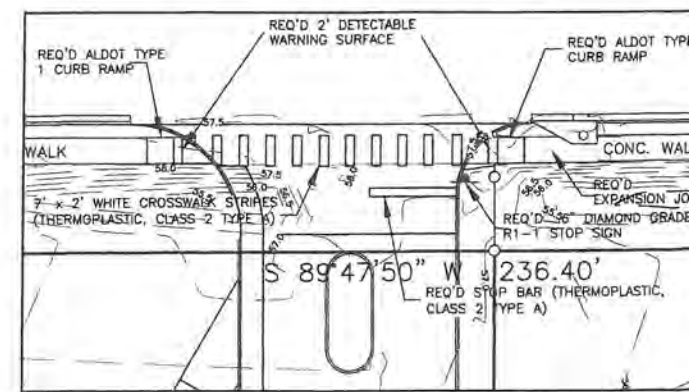
CONCRETE WHEEL STOP

NOT TO SCALE



TYPE N CURB

NOT TO SCALE



MIFLIN ROAD ACCESS TURNOUT

1" = 20'



PLANNING COMMISSION JOINT STAFF REPORT: June 2023

35

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Last Resort

REQUEST: Preliminary Subdivision

OWNER / APPLICANT:

Next to Last, LLC /
Jim Brown

ACREAGE: ±6.28 ac

PIN#(s):

54282, 68039, 93449

LOCATION: S of Miflin Rd, E
of James Rd

PROJECT DESCRIPTION: 44
lots now instead of 38 that
were approved in April 2023

CURRENT ZONING:

B-3 & RV Park

REQUESTED ZONING:

**rezoning is a separate item
proceeding concurrent with
Preliminary**

ADJACENT ZONING:

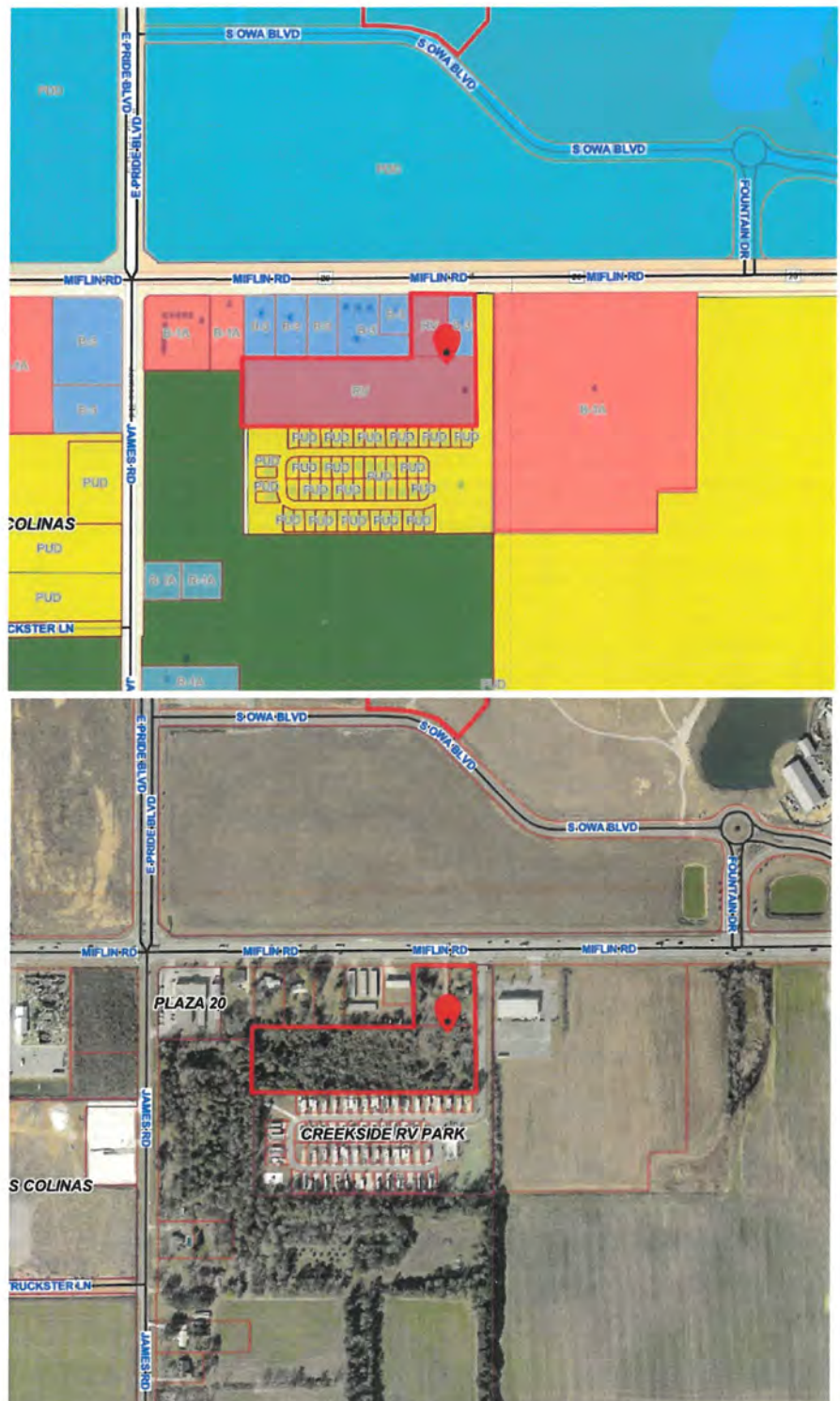
B-3, PUD, PDD

FUTURE LAND USE:

MXU, Mixed Use

EXISTING LAND USE:

RV is vacant &
vacant SFR in B3



36

UTILITY LETTERS RECEIVED: YES / NO / NOT APPLICABLE
DEED RECEIVED: YES / NO / NOT APPLICABLE
AGENT AUTHORIZATION: YES / NO / NOT APPLICABLE

ZONING:

Miriam Boone - The plat appears to meet the RV zoning requirements.

ENGINEERING:

Chad Christian - Engineering recommends approval pending LDP amendment.
Revised plans have been submitted and are under review.

ENVIRONMENTAL:

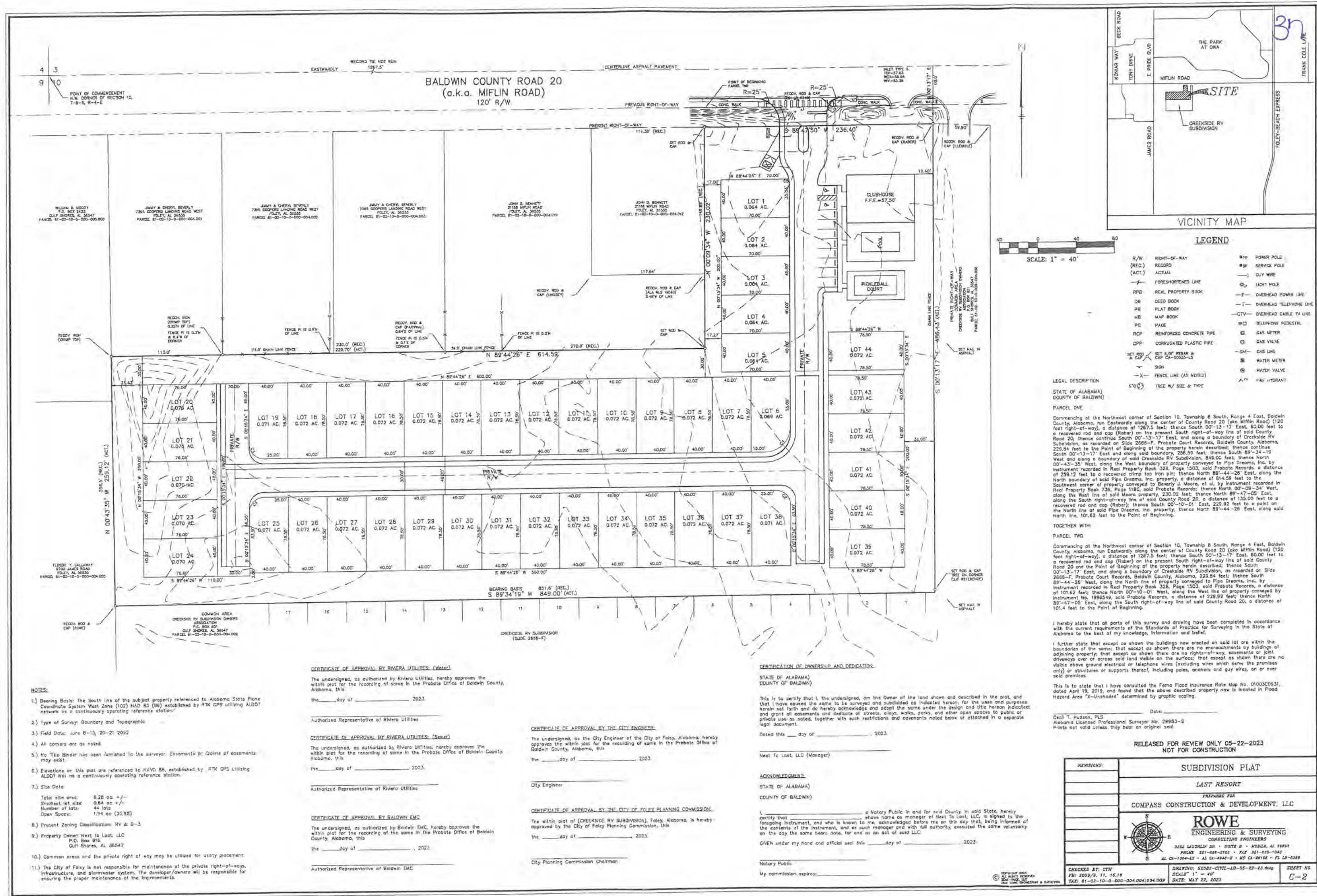
Angie Eckman - The layout changes meet the open space and landscape requirements under the Land Development Ordinance.

FIRE:

Brad Hall - Fire is not opposed

BUILDING/FLOODPLAIN:

Chuck Lay - Building is not opposed



NOTES:

- 1.) Bearing Basis: The South line of the subject property referenced to Alabama State Plane Coordinate System West Zone (102) NAD 83 (96) established by RTK GPS utilizing ALDOT network as a continuously operating reference station.
- 2.) Type of Survey: Boundary and Topographic
- 3.) Field Date: June 8-13, 2021-2022
- 4.) All corners are as noted
- 5.) No Title Binder has been furnished to the surveyor. Easements or Claims of easements may exist.
- 6.) Elevations on this plat are referenced to NAVD 86, established by RTK GPS utilizing ALDOT Net as a continuously operating reference station.
- 7.) Site Data:
Total site area: 6.28 ac +/-
Smallest lot size: 0.064 ac +/-
Number of lots: 44 lots
Open Space: 1.94 ac (30.9%)
- 8.) Present Zoning Classification: RV & G-3
- 9.) Property Owner: Next to Last, LLC
P.O. Box 916
Gulf Shores, AL 36547
- 10.) Common area and the private right of way may be utilized for utility placement.
- 11.) The City of Foley is not responsible for maintenance of the private right-of-way, infrastructure, and stormwater system. The developer/owners will be responsible for ensuring the proper maintenance of the improvements.

CERTIFICATE OF APPROVAL BY RIVERS UTILITIES (Water)

The undersigned, as authorized by Rivers Utilities, hereby approves the within plat for the recording of same in the Probate Office of Baldwin County, Alabama, this _____ day of _____, 2023.

Authorized Representative of Rivers Utilities

CERTIFICATE OF APPROVAL BY RIVERS UTILITIES (Sewer)

The undersigned, as authorized by Rivers Utilities, hereby approves the within plat for the recording of same in the Probate Office of Baldwin County, Alabama, this _____ day of _____, 2023.

Authorized Representative of Rivers Utilities

CERTIFICATE OF APPROVAL BY BALDWIN EMC

The undersigned, as authorized by Baldwin EMC, hereby approves the within plat for the recording of same in the Probate Office of Baldwin County, Alabama, this _____ day of _____, 2023.

Authorized Representative of Baldwin EMC

CERTIFICATION OF OWNERSHIP AND DEDICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

This is to certify that I, the undersigned, am the Owner of the land shown and described in the plat, and that I have caused the same to be surveyed and subdivided as indicated herein, for the uses and purposes herein set forth and do hereby acknowledge and warrant before me on this day that, being informed of the contents of the instrument, and as such manager and with full authority, executed the same voluntarily on the day the same bears date, for and on an act of said LLC.

Dated this _____ day of _____, 2023.

Next to Last, LLC (Manager)

ACKNOWLEDGMENT

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, a Notary Public in and for said County, in said State, hereby certify that _____, whose name as manager of Next to Last, LLC, 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, and as such manager and with full authority, executed the same voluntarily on the day the same bears date, for and on an act of said LLC.

GIVEN under my hand and official seal this _____ day of _____, 2023.

Notary Public

My commission expires: _____

LEGAL DESCRIPTION
STATE OF ALABAMA
COUNTY OF BALDWIN

PARCEL ONE

Commencing at the Northwest corner of Section 10, Township 8 South, Range 4 East, Baldwin County, Alabama, run Eastward along the center of County Road 20 (aka Miflin Road) (120 feet right-of-way), a distance of 1267.5 feet; thence South 00°-13'-17" East, 60.00 feet to a recovered rod and cap (Raber) on the present South right-of-way line of said County Road 20; thence continue South 00°-13'-17" East, and along a boundary of Creekside RV Subdivision, as recorded on Slide 2866-F, Probate Court Records, Baldwin County, Alabama, 229.84 feet to the Point of Beginning of the property herein described; thence continue South 00°-13'-17" East and along said boundary, 256.59 feet; thence South 89°-34'-19" West, one along a boundary of said Creekside RV Subdivision, 849.00 feet; thence North 00°-43'-35" West, along the West boundary of property conveyed to Pipe Dreams, Inc. by instrument recorded in Real Property Book 328, Page 1503, said Probate Records, a distance of 259.12 feet to a recovered crimp top iron pin; thence North 88°-44'-26" East, along the North boundary of said Pipe Dreams, Inc. property, a distance of 614.59 feet to the Southwest corner of property conveyed to Beverly J. Moore, et al, by instrument recorded in Real Property Book 736, Page 1180, said Probate Records; thence North 00°-08'-34" West, along the West line of said Moore property, 230.02 feet; thence North 88°-47'-05" East, along the South right-of-way line of said County Road 20, a distance of 135.00 feet to a recovered rod and cap (Raber); thence South 00°-10'-01" East, 229.92 feet to a point on the North line of said Pipe Dreams, Inc. property, thence North 88°-44'-26" East, along said North line, 101.62 feet to the Point of Beginning.

TOGETHER WITH:

PARCEL TWO

Commencing at the Northwest corner of Section 10, Township 8 South, Range 4 East, Baldwin County, Alabama, run Eastward along the center of County Road 20 (aka Miflin Road) (120 feet right-of-way), a distance of 1267.5 feet; thence South 00°-13'-17" East, 60.00 feet to a recovered rod and cap (Raber) on the present South right-of-way line of said County Road 20 and the Point of Beginning of the property herein described; thence South 00°-13'-17" East, and along a boundary of Creekside RV Subdivision, as recorded on Slide 2866-F, Probate Court Records, Baldwin County, Alabama, 229.84 feet; thence South 89°-34'-19" West, along the North line of property conveyed to Pipe Dreams, Inc. by instrument recorded in Real Property Book 328, Page 1503, said Probate Records, a distance of 101.62 feet; thence North 00°-10'-01" East, along the West line of property conveyed by instrument No. 1986549, said Probate Records, a distance of 229.92 feet; thence North 88°-47'-05" East, along the South right-of-way line of said County Road 20, a distance of 101.4 feet to the Point of Beginning.

I hereby state that all parts of this survey and drawings have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief.

I further state that except as shown the buildings now erected on said lot are within the boundaries of the same; that except as shown there are no encroachments by buildings or adjoining property that except as shown there are no rights-of-way, easements or joint driveways over or across said land visible on the surface; that except as shown there are no visible above ground electrical or telephone wires (excluding wires which serve the premises only) or structures or supports thereof, including poles, towers and guy wires, on or over said premises.

This is to state that I have consulted the Flood Insurance Rate Map No. 01003C0931, dated April 19, 2019, and found that the above described property now is located in Flood Hazard Area "X-Unshaded" determined by graphic scaling.

Date: _____
Cecil T. Hudson, PLS
Alabama Licensed Professional Surveyor No. 29953-S
Prints not valid unless they bear an original seal

RELEASED FOR REVIEW ONLY 05-22-2023
NOT FOR CONSTRUCTION

REVISIONS:	SUBDIVISION PLAT	
	LAST RESORT	
	PREPARED FOR COMPASS CONSTRUCTION & DEVELOPMENT, LLC	
	ROWE ENGINEERING & SURVEYING CONSULTING ENGINEERS 3406 WOODLAWN DR. • SUITE B • MOBILE, AL 36683 PHONE 251-481-0165 • FAX 251-481-1040 AL CA-044-03 • AL CA-044-03 • MS CA-0166 • FL LR-0389	
CHECKED BY: CTH	DATE: 05/22/23	SHEET NO. 0-2
DATE: 05/22/23	DATE: MAY 22, 2023	



PLANNING COMMISSION JOINT STAFF REPORT: June 2023

38

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Foley Professional Park Developer, Inc.

REQUEST: Rezoning

OWNER / APPLICANT:

Larry E Chason
& Glenda Gravlee

ACREAGE: 7.1 acres

PIN#(s): 89381 & 107978

LOCATION:

E of N McKenzie,
S of E Peachtree

PROJECT DESCRIPTION:

Rezone to PO

CURRENT ZONING:

R-1A, B-1A, M-1

REQUESTED ZONING:

PO - Preferred Office

ADJACENT ZONING:

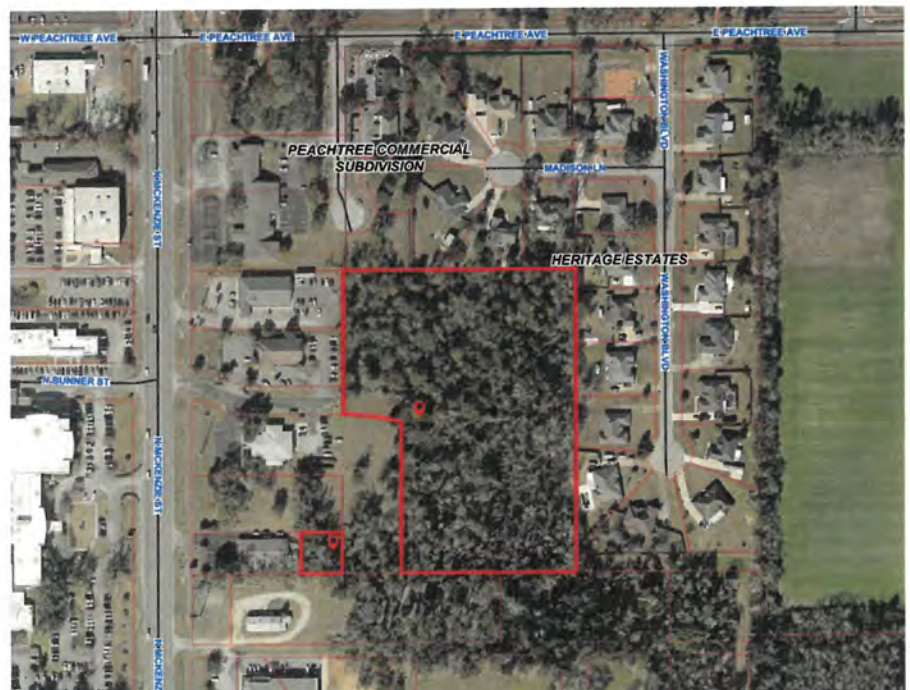
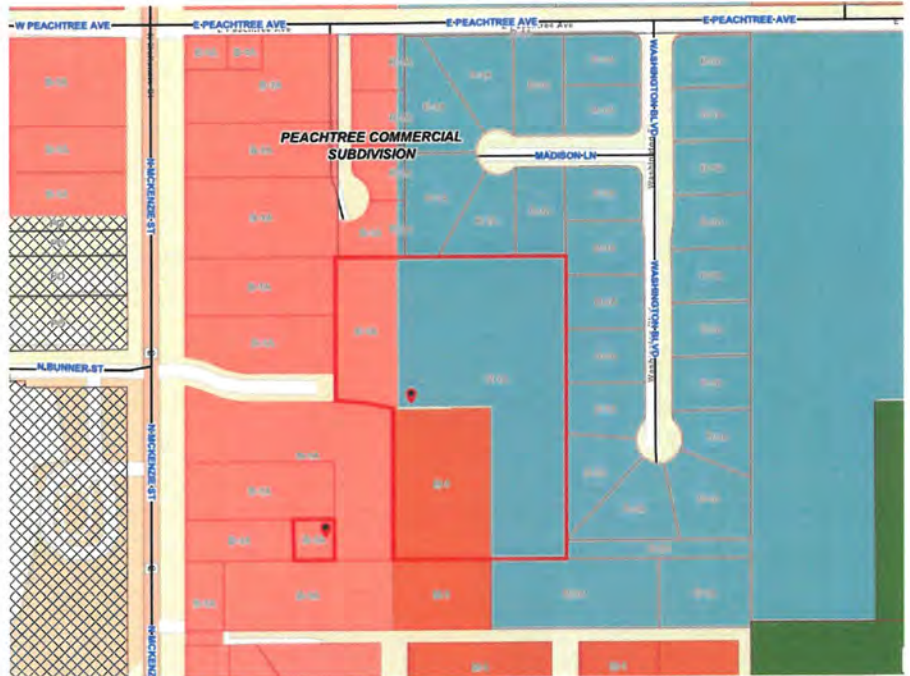
B-1A, M-1, R-1A

FUTURE LAND USE:

RCC - Retail Commercial
Concentration & RM -
Residential Medium
Density

EXISTING LAND USE:

Vacant



39

UTILITY LETTERS RECEIVED: YES / NO / **NOT APPLICABLE**
DEED RECEIVED: **YES** / NO / NOT APPLICABLE
AGENT AUTHORIZATION: YES / NO / **NOT APPLICABLE**

ZONING:

Miriam Boone - The bulk of the property is shown as RM - Residential Medium Density adjacent to the existing subdivision. PO - Preferred Office with a buffer would not be inappropriate as part of a medical park.

ENGINEERING:

Chad Christian - Engineering is not opposed

ENVIRONMENTAL:

Angie Eckman - Environmental is not opposed

FIRE:

Brad Hall - Fire is not opposed

BUILDING/FLOODPLAIN:

Chuck Lay - Building is not opposed



PLANNING COMMISSION JOINT STAFF REPORT: June 2023

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STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Old Town II, Sherwood Sub Ph3

REQUEST:
Rezone to R-1C

OWNER / APPLICANT:
Old Town II, LLC

ACREAGE: 11.79 ac

PIN#(s): 266105

LOCATION: W of S
Hickory, S of W Michigan

PROJECT DESCRIPTION:
Rezone B2 portion to
R-1C to match the
remainder

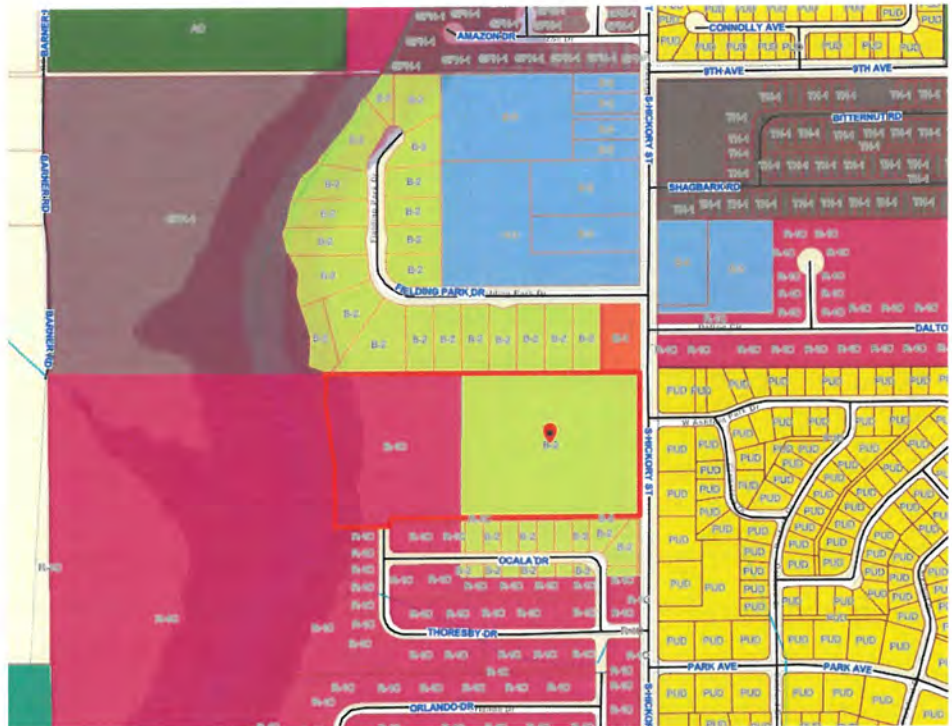
CURRENT ZONING:
B-2

REQUESTED ZONING:
R-1C

ADJACENT ZONING:
B-2, M-1, PUD, R-1C

FUTURE LAND USE:
NC, Neighborhood
Commercial

EXISTING LAND USE:
vacant



41

UTILITY LETTERS RECEIVED: YES / NO / **NOT APPLICABLE**
DEED RECEIVED: **YES** / NO / NOT APPLICABLE
AGENT AUTHORIZATION: **YES** / NO / NOT APPLICABLE

ZONING:

Miriam Boone - This property had split zoning, R1C & B2. They wish to complete the subdivision with all residential so are requesting to rezone from B2 to R1C to be consistent with the zoning of several subdivisions on the west side of Hickory in this area.

ENGINEERING:

Chad Christian - Engineering is not opposed

ENVIRONMENTAL:

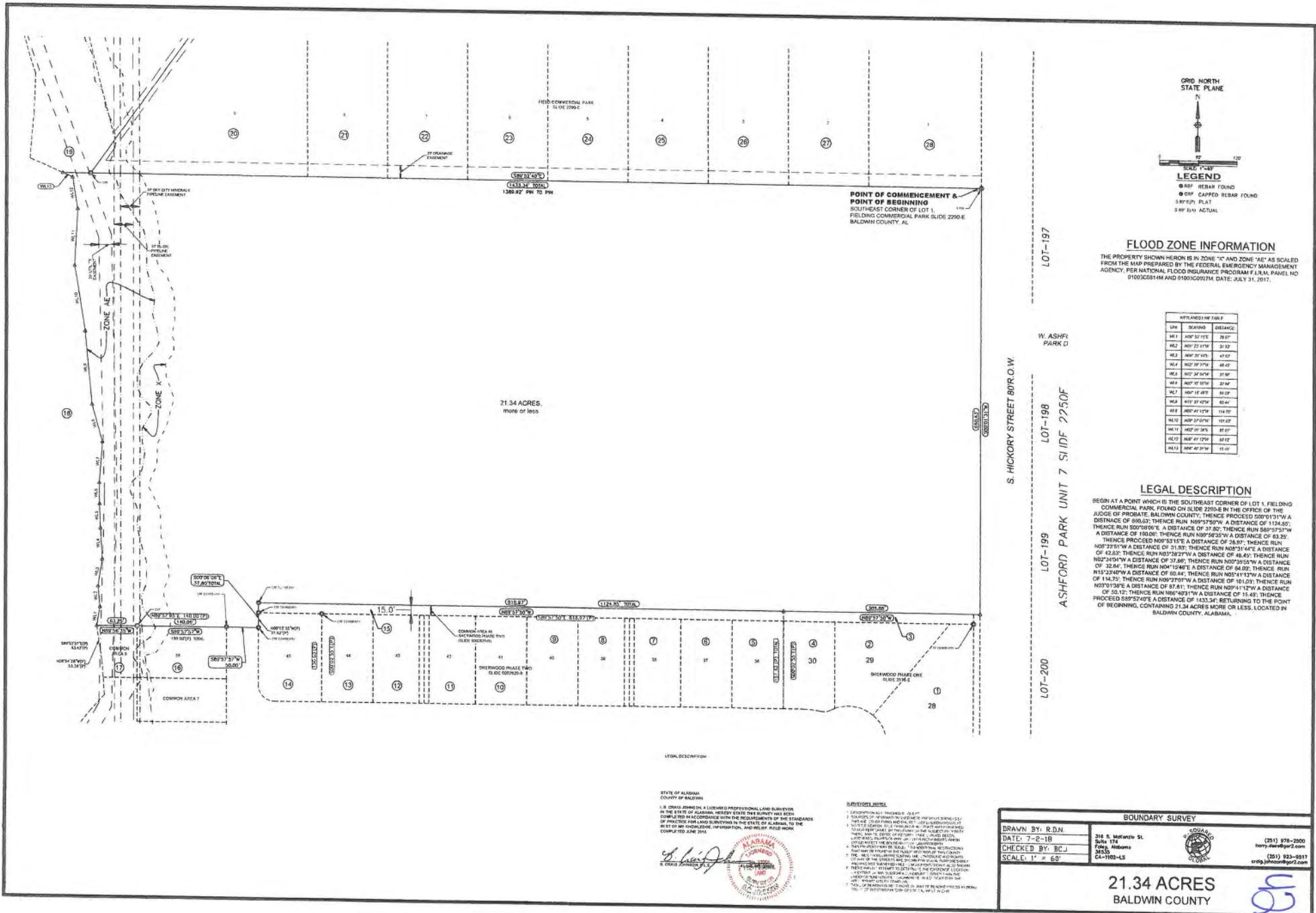
Angie Eckman - Environmental is not opposed

FIRE:

Brad Hall - Fire is not opposed

BUILDING/FLOODPLAIN:

Chuck Lay - Building is not opposed





PLANNING COMMISSION JOINT STAFF REPORT: June 2023

44

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: OWA PDD Use Modification

REQUEST: Tourist Helipad

OWNER / APPLICANT:
Brock Beall

ACREAGE: 372 acres

PIN#(s): 353557

LOCATION: North of S
OWA Blvd, E of E Pride
Blvd

PROJECT DESCRIPTION:
Helipad for tourist rides
heading south towards the
beach

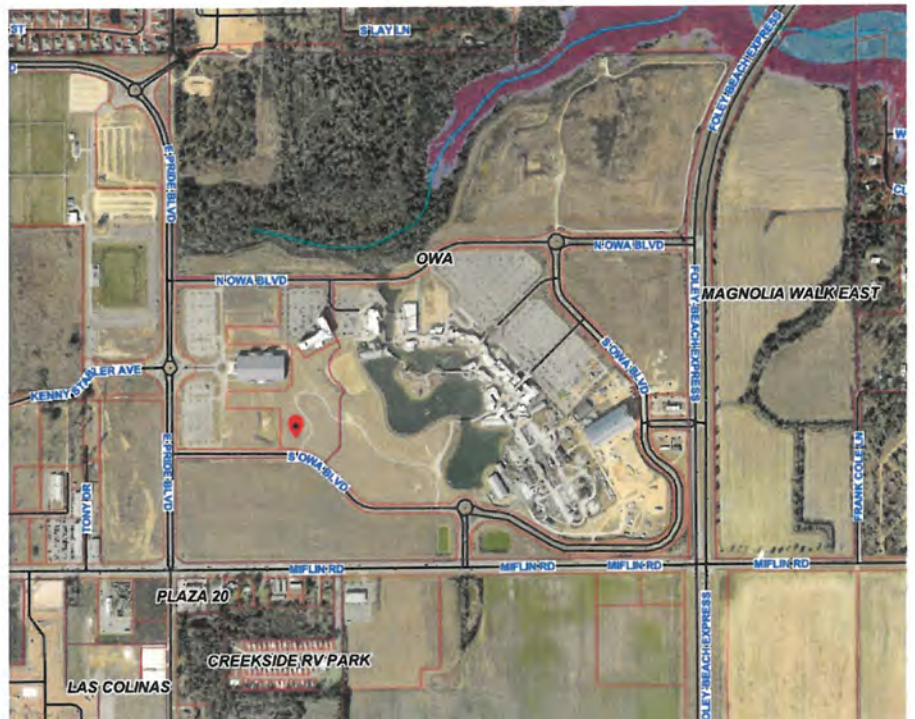
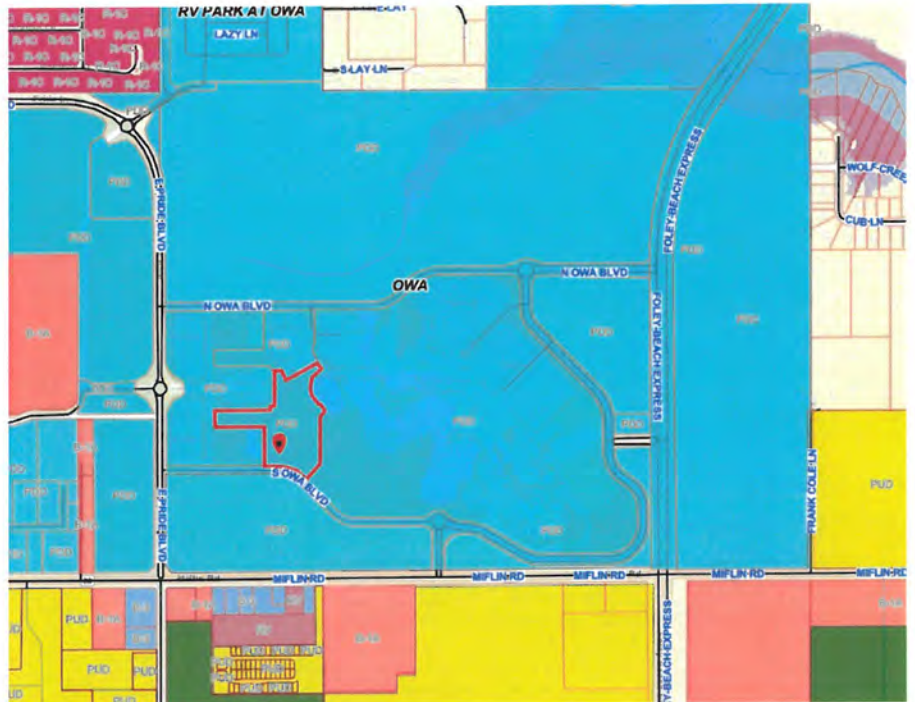
CURRENT ZONING: PDD

REQUESTED ZONING: n/a

ADJACENT ZONING:
PDD

FUTURE LAND USE:
RCC - Retail Commercial
Concentration

EXISTING LAND USE:
Vacant



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UTILITY LETTERS RECEIVED: YES / NO / **NOT APPLICABLE**
DEED RECEIVED: **YES** / NO / NOT APPLICABLE
AGENT AUTHORIZATION: YES / NO / NOT APPLICABLE

ZONING:

Miriam Boone - Zoning is not opposed

ENGINEERING:

Chad Christian - Engineering is not opposed

ENVIRONMENTAL:

Angie Eckman - Environmental is not opposed

FIRE:

Brad Hall - Fire is not opposed

BUILDING/FLOODPLAIN:

Chuck Lay - Building is not opposed



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**CITY OF FOLEY, ALABAMA
APPLICATION FOR
PDD MODIFICATION**

1. LOCATION OF PROPERTY (ADDRESS, PIN #, LEGAL DESCRIPTION, MAP/SURVEY, DEED, CORPORATION OWNERSHIP INFORMATION, AND AGENT AUTHORIZATION IF REQUIRED): OWA
101 S. OWA BLVD
FOLEY, AL 36535
2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:
ATTACHED
3. APPROXIMATE SIZE OF PROPERTY: 372 ACRES
4. PRESENT ZONING OF PROPERTY: PDD
5. REQUESTED ZONING: PDD
6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE PROPERTY: WATERPARK, SHOPPING, DINING, WATER SPORTS, THEME PARK
7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED (TYPE OF DEVELOPMENT, DENSITY, ETC.)
 - PROVIDE HELICOPTER RIDES AROUND THE PARK & SOUTH TO THE BEACH.
 - PROVIDE AN APPROVED HELIPAD & OFFER TO LAW ENFORCEMENT & EMS SERVICES IN THE EVENT THEY NEED A SAFE HELIPAD TO LAND AT.
8. IF EXTENSIVE MODIFICATIONS ARE BEING REQUESTED, ENSURE ACCURACY OF THE FOLLOWING ITEMS THAT ARE REQUIRED AT THE TIME OF ZONING: PRELIMINARY TRAFFIC ANALYSIS, OFFICIAL UTILITY COMMITMENT LETTERS, DRAWING, AND WRITTEN NARRATIVE.

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

DATE: 17-MAY-2023

[Signature]
PROPERTY OWNER/APPLICANT

5811 JACK SPRINGS RD. ATMORE, AL 36502
PROPERTY OWNER ADDRESS

318-730-9092
PHONE NUMBER

brockbeall30@hotmail.com
EMAIL ADDRESS



5/22/23
RECEIVED AC

RECEIVED



uh

PROPOSED HELIPAD COORDINATES:
30° 22' 23" N
087° 39' 48" W

SAFETY AREA (20' FROM
FATO LINE)

FATO LINE

TLOF LINE

2:1 TRANSITION SURFACE

8:1 APPROACH/DEPARTURE
SURFACE

97.45'

57.45'

40'

CONCRETE PAD

25'

25'

29.41'

TAKEOFF POSITION #2

S. OWA BLVD.

TAKEOFF POSITION #1

10' X 24' OPERATIONS
TRAILER

8:1 APPROACH/DEPARTURE
SURFACE

2:1 TRANSITION SURFACE

S. OWA BLVD.

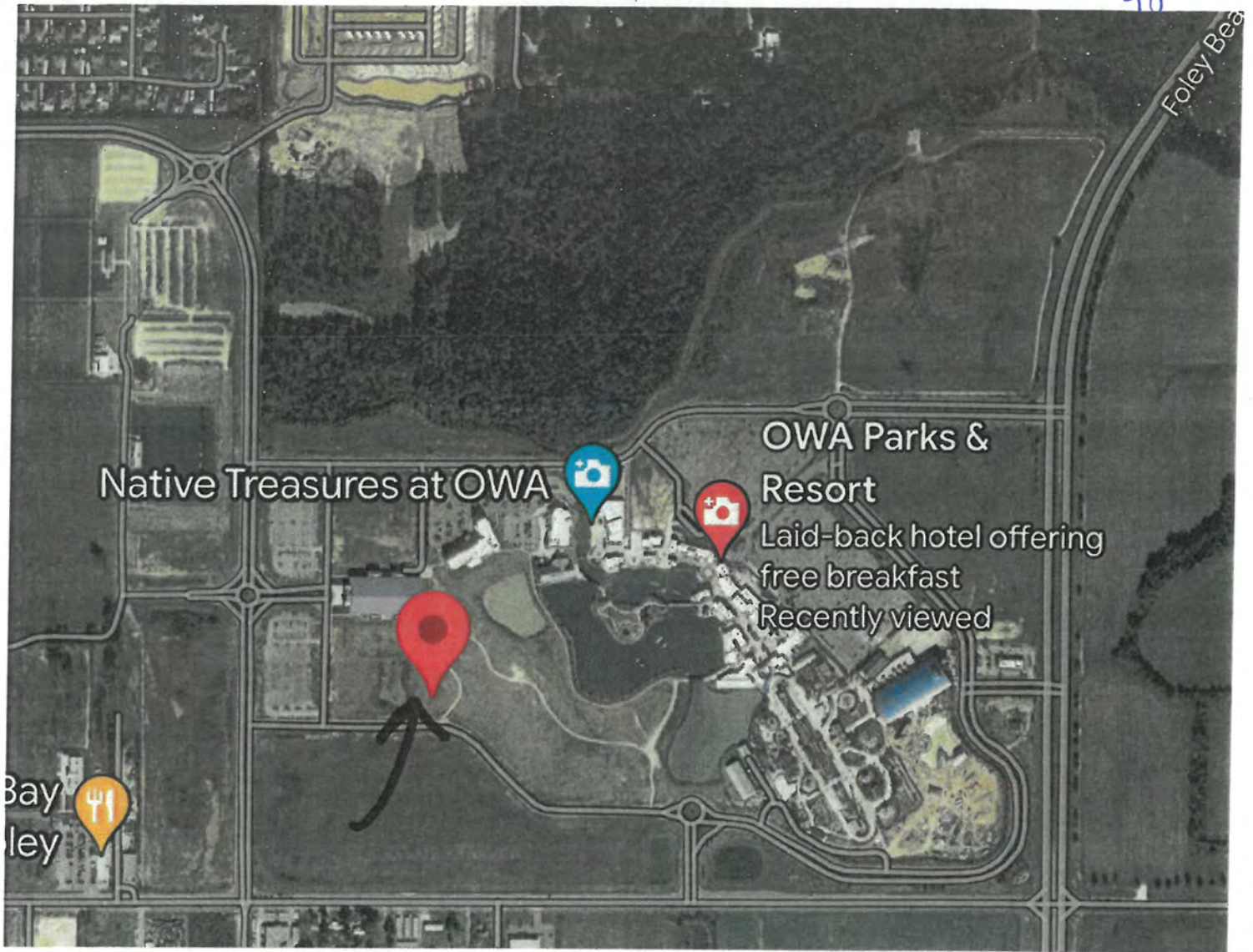


thompson
ENGINEERING

PROPOSED OWA HELIPAD

PROJECT NO:
23-9000-0003

DATE:
MAY 1, 2023



Flight
path

49

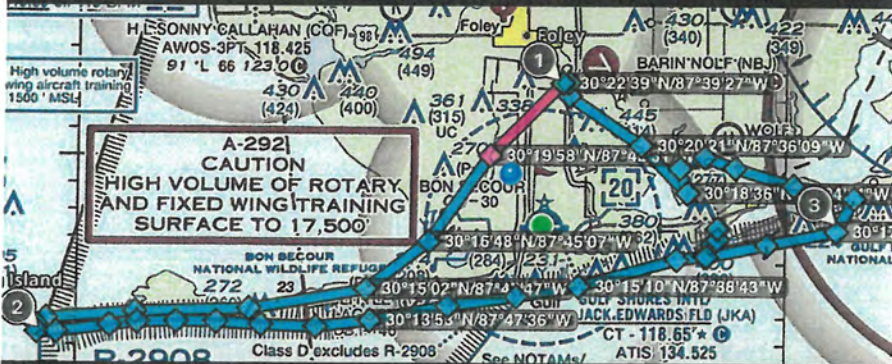
9:00

5G



OWA 50.png

PNG - 2 MB



Flight
path 50

9:00

5G

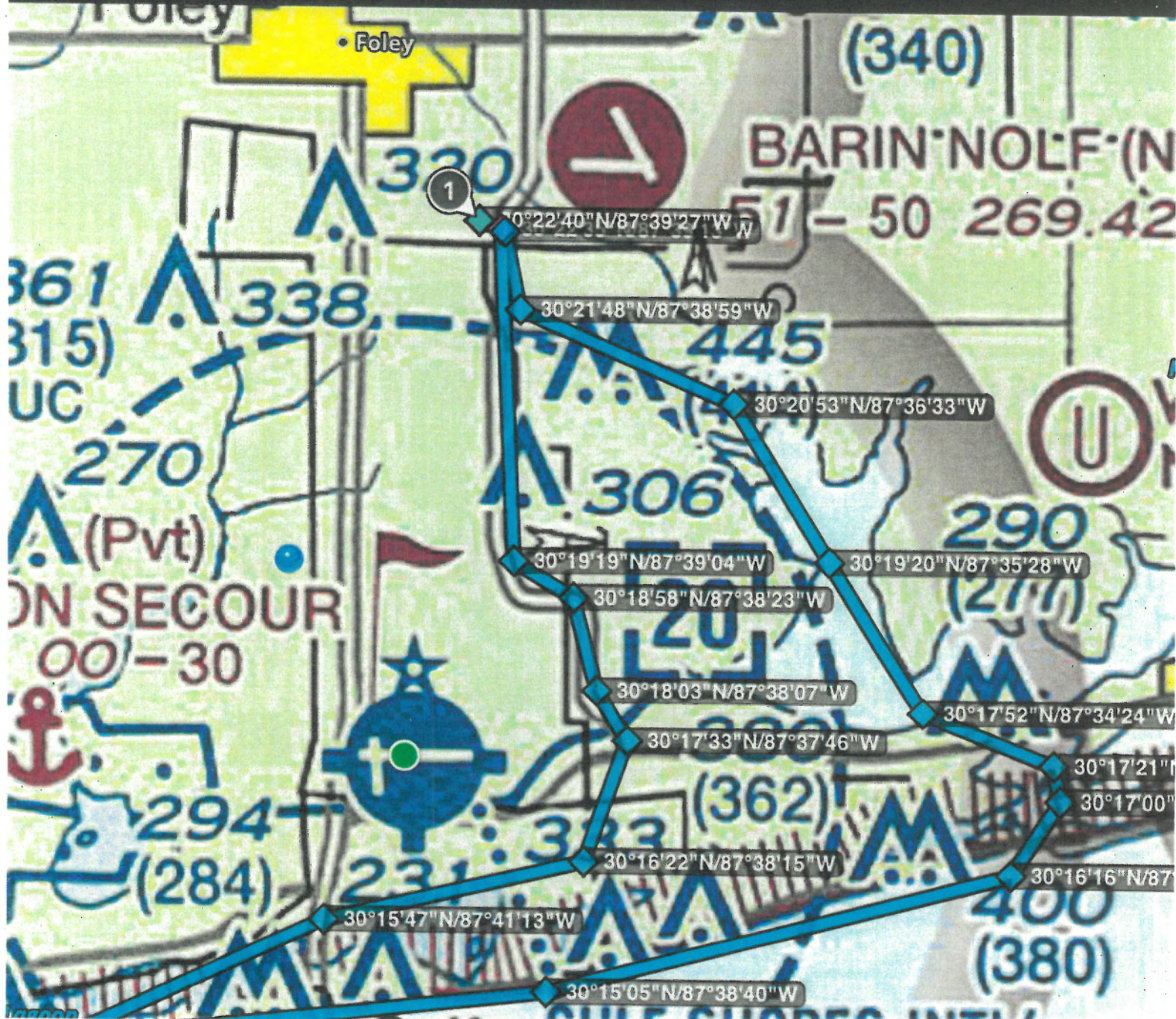


OWA 40.png

PNG - 2 MB



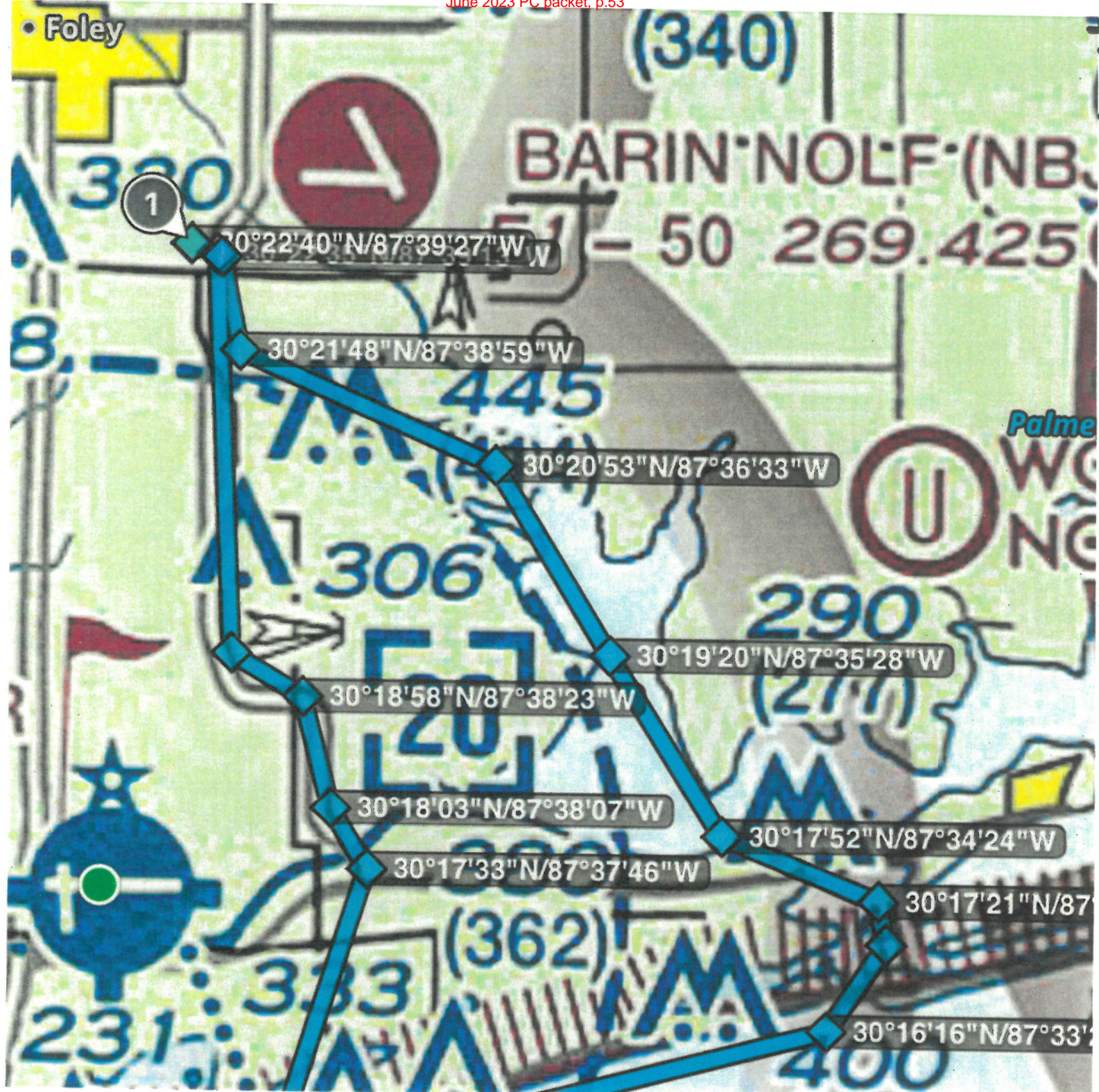
Flight
path



51

• Foley

Flight
path



SS

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25.33 "FOLEY MEDICAL OVERLAY DISTRICT (FMOD)"

A. Purpose. The purpose of the Foley Medical District Overlay District is to allow areas for the concentration of medical facilities and related uses in a campus like setting to enable the provision of a wide range of medical services to enhance the public's health, safety and general welfare and allow for the continuation and flexible expansion of the hospital, medical clinics and associated uses in a planned and coordinated manner so existing and future uses can respond and adapt to changes in technology, the medical profession, and society as a whole.

The primary uses in the Medical District Overlay District are hospitals, medical clinics, pharmaceutical businesses, medical technology research and related uses. Related uses may be located within the hospital or clinic buildings or as independent uses within the overlay district area. The overlay zone is intended to enhance the underlying zones.

B. Applicability. Provisions of the FMOD apply to all properties within the boundaries of the FMOD as shown on the boundary map, Figure 25. Where there is a conflict between the provisions of the FMOD and those of other portions of the Zoning Ordinance, the provisions of this overlay district shall control.

C Permitted Uses. Irrespective of the current zoning of properties within the Medical Overlay District following uses shall be permitted by right subject to applicable standards and processes:

1. Medical and health care uses including hospitals, outpatient clinics, continuing/long term care services, hospice services, laboratories, medical research facilities, medical educational facilities, urgent or emergency medical services, offices of doctors, physical therapists, dentists and other health care providers (both public and private).
2. Medical staff facilities and similar uses, including but not limited to administrative offices, educational and meeting facilities and staff sleeping quarters;
3. Childcare and adult care services, including respite care;
4. Short term residential uses dependent upon or directly related to medical care, including convalescent care facilities, skilled nursing facilities, group homes for the disabled and overnight accommodations;
5. Health care related retail (i.e. pharmacy, medical supplies and equipment, medical cannabis dispensaries¹);
6. Social service providers including counseling centers and alcohol and drug treatment facilities;

¹ Approval is subject to any and all rules or regulations promulgated by the Alabama Medical Cannabis Commission and applicable State Law.

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7. Accessory parking;
8. Utilities and public facilities
9. Retail Stores with the following stipulations:

a. Must be ancillary or common to areas around medical facilities. Examples include but are not limited to: coffee shops, pharmacies, book stores, florists, medical supply stores, and retail banking.

b. All retail facilities shall have a maximum square footage of 10,000 square feet.

D. Conditional Uses. The following uses require an additional conditional use permit for approval:

1. Medical helicopter landing pad on the following conditions:
 - a. The landing pad meets the Alabama Department of Transportation and Federal Aviation Administration requirements and conditions.
2. Facilities for the treatment and/or temporary storage of biomedical, radioactive and hazardous waste generated within the overlay district; provided however that no materials may be transported to the site from other facilities for storage or treatment purposes.

E. Site Plan Requirements. All development within the Medical Overlay District shall be governed by a site plan, constituted as a binding site plan and shall be reviewed and approved by the Planning Commission. In addition to other applicable sections of the Zoning Ordinance, the site plan shall include the following:

1. Architectural elevations of proposed structures. There should be continuity of character and building materials throughout the development and with adjacent development in the Medical Overlay to enhance a campus setting. Building(s) design must provide focal points highlighting the primary entrance(s), and architectural articulation and embellishments to avoid long blank walls and a scale appropriate to the setting. Building heights including parapets and other architectural embellishments should be varied reflecting the individualized character of medical and office architecture. Any part of a building, visible from a public right of way must present an architectural façade, or use landscaping areas, to present an aesthetically appealing appearance.
2. Open active space plan. When two or more buildings are proposed for a site, a plaza or courtyard should be incorporated into the site design with the intent to create a useful courtyard or plaza settings for users of the facilities. A site plan indication the location, type and extent must be provided. These areas should be designed with pavers or other

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acceptable hardscape and landscaped areas in order to provide a place for the public to sit and enjoy the outdoors

3. Landscape plan. Minimum landscaping shall be as required in Section 10.2.3; provided however, that additional landscaping may be required by the by the Planning Commission at the time of site plan approval to achieve the following effects:
 - a. a. Effective screening of off-street parking areas and eliminating monotony of parking areas;
 - b. Effective buffering of adjacent residential uses;
 - c. Enhance the building architecture and on-site landscaping;
 - d. Streetscape plantings are required as part of the site plan; including street trees.
 - e. Additional landscaping within setback areas to mitigate adverse noise, light, glare, and aesthetic impacts to adjacent residential properties from new development may be required.
4. Lighting plan. A Lighting plan shall be provided indicating type and height of lighting throughout the site and along all pedestrian paths and building entrances. Lighting spillover offsite is discouraged. Lighting wall packs and similar lightning techniques and methods are prohibited.
5. Vehicular and pedestrian circulation plan. The development should have accessible pedestrian connections beyond standard sidewalks along the street and between buildings. Special attention should be paid to crosswalks, connections between parking lots serving adjacent uses and interior walkway connections. Connectivity should be carefully planned to prevent pedestrian-vehicle conflicts in vehicular ways and parking spaces.
6. Rooftop Equipment. All rooftop equipment must be organized, proportioned, detailed and screened with parapet walls that are colored or finished with materials that make them an integral element of a building.,
7. Fencing/Walls. The use of fencing shall ensure that nonresidential properties are integrated into a campus style of development yet still provide an appropriate barrier or separation from adjacent residential properties.
8. Signage. Limited to ground and wall signs only. Low-profile signs shall not exceed six feet in height and 36 square feet per side with a maximum of two sides. When multiple buildings are proposed, a consistent wayfinding system is encouraged.

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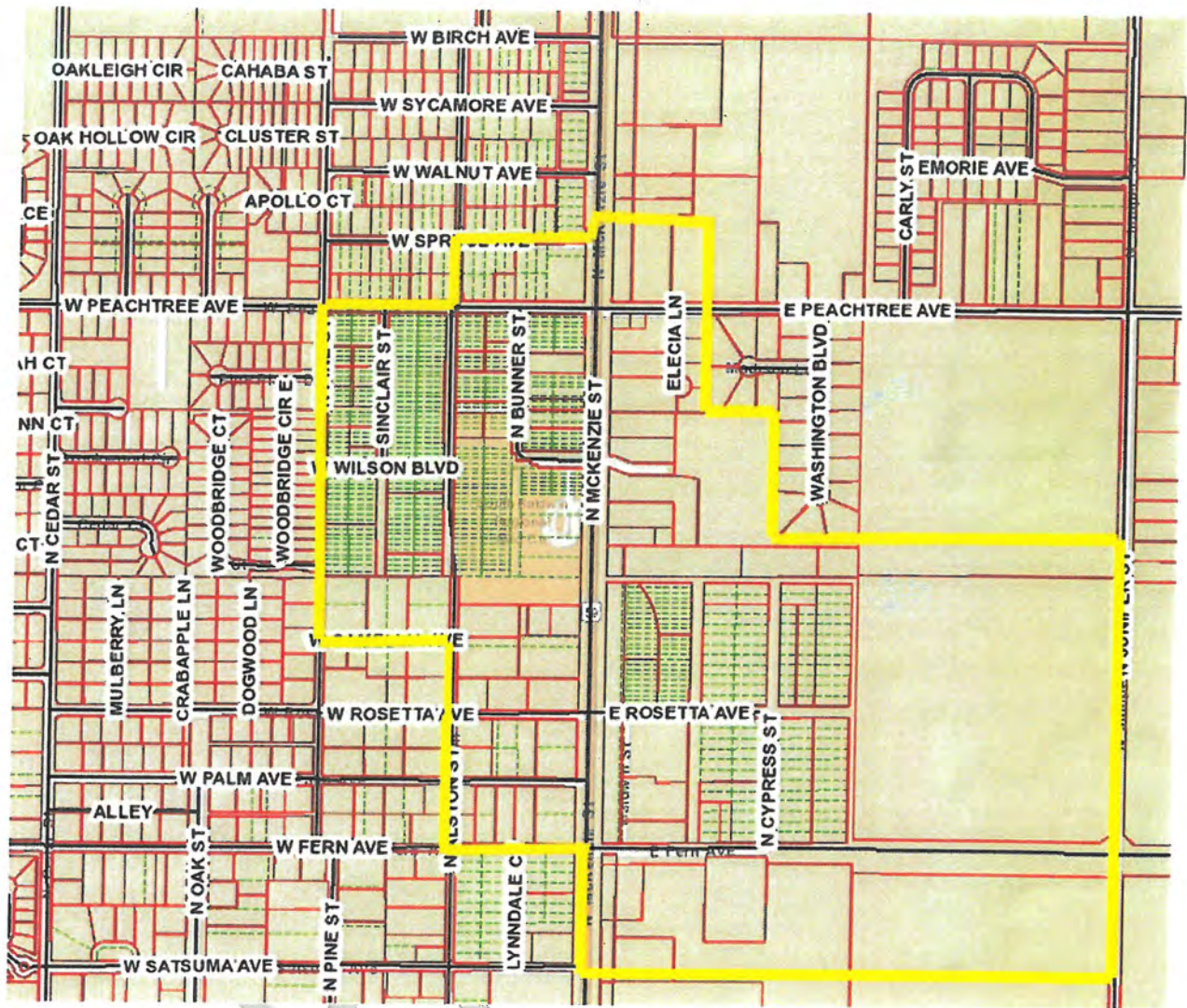


Figure 25.

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Amendment to ARTICLE XIX - INDUSTRIAL DISTRICTS

19.1 M1 – LIGHT INDUSTRIAL DISTRICT

A. Uses / Structures Permitted: Buildings used for the operation of light industrial, fabricating, processing, assembling and manufacturing, bottling and distribution plants, woodworking shops, cabinet shops, contractor or building material yards, highway maintenance yards and buildings, laundry and dry cleaning plants and printing establishments; wholesale sales. Retail sales of products fabricated, processed, assembled and/or manufactured on the same site of the larger manufacturing use is permitted subject to the additional site design requirements found in the Zoning Ordinance.

DRAFT



COUNTY COMMISSION

BALDWIN COUNTY
312 Courthouse Square, Suite 12
BAY MINETTE, ALABAMA 36507
(251) 937-0264
Fax (251) 580-2500
www.baldwincountyal.gov

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MEMBERS
DISTRICT 1. JAMES E. BALL
2. MATTHEW P. MCKENZIE
3. BILLIE JO UNDERWOOD
4. CHARLES F. GRUBER

August 2, 2022

The Honorable Ralph Hellmich, Mayor
City of Foley
Post Office Box 1750
Foley, Alabama 36536

RE: Planning Jurisdiction Agreement with City of Foley

Dear Mayor Hellmich:

The Baldwin County Commission, during its regularly scheduled meeting held on August 2, 2022, adopted *Resolution #2022-141* which approves the *Planning Jurisdiction Agreement* between the Baldwin County Commission, the City of Foley, and the Planning Commission of the City of Foley, governing the regulation of subdivisions outside the City's corporate limits but within the municipal planning jurisdiction..

Enclosed is a **fully executed copy** of the *Agreement* for your file.

If you have any questions or need further assistance, please do not hesitate to contact me or Matthew Brown, Planning Director, at (251) 937-0264.

Sincerely,



JAMES E. BALL, Chairman
Baldwin County Commission

JB/clc Item BR4

cc: Miriam Boone, Community Development Director (via email – mboone@cityoffoley)
planning@baldwincountyal.gov

ENCLOSURE(S)

Resolution #2022-141

**AGREEMENT BETWEEN
THE BALDWIN COUNTY COMMISSION,
THE CITY OF FOLEY AND THE
PLANNING COMMISSION OF THE CITY OF FOLEY
CONCERNING THE EXERCISE OF SUBDIVISION REGULATIONS
WITHIN THE PLANNING JURISDICTION OF THE
CITY OF FOLEY PLANNING COMMISSION**

The BALDWIN COUNTY COMMISSION, the governing body of Baldwin County, Alabama (hereinafter referred to as the "COMMISSION"), the CITY OF FOLEY, an Alabama municipal corporation (hereinafter referred to as the "MUNICIPALITY"), and the PLANNING COMMISSION OF THE CITY OF FOLEY (hereinafter referred to as the "MUNICIPAL PLANNING COMMISSION"), hereby enter into an agreement, the terms and conditions of which shall govern the regulation of subdivisions outside the MUNICIPALITY's corporate limits but within the MUNICIPAL PLANNING COMMISSION's planning jurisdiction for a period of time until July 25, 2023.

WHEREAS, the COMMISSION, MUNICIPALITY, and MUNICIPAL PLANNING COMMISSION are parties to a previous agreement that established the planning jurisdiction around the MUNICIPALITY for the MUNICIPAL PLANNING COMMISSION to exercise and apply its subdivision regulations; and

WHEREAS, recent changes to State Law pertaining to planning jurisdictions have caused the parties to revisit and review their previous agreement;

NOW, THEREFORE, in consideration of the mutual benefits, rights, and responsibilities contained herein, the parties hereby agree as follows:

1. The COMMISSION, MUNICIPALITY, and MUNICIPAL PLANNING COMMISSION hereby agree that the planning jurisdiction of the MUNICIPAL PLANNING COMMISSION shall include all land located in the corporate limits of the MUNICIPALITY, as it may exist and change from time to time, and all land lying within the boundary depicted on Exhibit "A", which boundary is within one and one-half miles of the corporate limits of the MUNICIPALITY and is not located in the corporate limits of another municipality or within the planning jurisdiction of another municipality until December 31, 2022. See Map attached hereto as Exhibit A.
2. The COMMISSION, MUNICIPALITY, and MUNICIPAL PLANNING COMMISSION hereby agree that the planning jurisdiction of the MUNICIPALITY as of January 1, 2023, shall include all land located in the corporate limits of the MUNICIPALITY and all land lying not located in any other municipality within a mile and a half from the corporate limits of the MUNICIPALITY, except that land lying within the planning jurisdiction of more than one municipality having a municipal planning commission, the jurisdiction of each municipal planning commission shall terminate at a boundary line equidistant from the

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respective corporate limits of the municipalities until July 25, 2023. See Map attached hereto as Exhibit A.

3. The COMMISSION, MUNICIPALITY, and MUNICIPAL PLANNING COMMISSION hereby agree that the COMMISSION shall regulate, review, approve, and enforce subdivision regulations for condominium developments, multiple occupancy developments, recreational vehicle parks, and manufactured home parks that are fully outside of the corporate limits of the MUNICIPALITY and inside of the boundary depicted on Exhibit A.

4. The COMMISSION, MUNICIPALITY, and MUNICIPAL PLANNING COMMISSION hereby agree that the boundaries for the land subject to the provisions of this Agreement may automatically change from time to time as permitted by state law, and such changes shall not affect the validity or enforceability of this Agreement, except as expressly limited herein.

5. The COMMISSION, MUNICIPALITY, and MUNICIPAL PLANNING COMMISSION hereby agree that the MUNICIPAL PLANNING COMMISSION shall have exclusive responsibility for the regulation, review, approval, administration, and enforcement of the development of subdivisions which are wholly or partly located within the planning jurisdiction of the MUNICIPAL PLANNING COMMISSION, subject to applicable state law and the requirements of Section 11-52-32, Code of Alabama requiring review and certification by the County Engineer and compliance with all applicable Baldwin County Zoning regulations.

6. Unless otherwise provided or allowed by applicable state law, where the MUNICIPAL PLANNING COMMISSION is responsible for the regulation and enforcement of a subdivision development within the planning jurisdiction of the MUNICIPAL PLANNING COMMISSION outside the corporate limits of the MUNICIPALITY, no map or plat of any subdivision shall be recorded, and no property shall be sold referenced to the map or plat, until and unless it has been first submitted to, and approved by, the MUNICIPAL PLANNING COMMISSION, pursuant to § 11-52-32, Code of Alabama, and then certified by the county engineer or his or her designee within 30 days of being submitted to the county engineer. Approval by the county engineer shall not constitute approval in lieu of or on behalf of the MUNICIPALITY with respect to a subdivision development regulated and enforced by the MUNICIPAL PLANNING COMMISSION.

7. The COMMISSION, MUNICIPALITY, and MUNICIPAL PLANNING COMMISSION hereby agree that if any portion of a proposed subdivision is located within the MUNICIPAL PLANNING COMMISSION'S planning jurisdiction, then the subdivision regulations of the MUNICIPAL PLANNING COMMISSION shall apply. The MUNICIPAL PLANNING COMMISSION may alter and amend its subdivision regulations in its sole discretion from time to time.

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8. The COMMISSION, MUNICIPALITY, and MUNICIPAL PLANNING COMMISSION hereby agree that in the case of any subdivision located outside the corporate limits of the MUNICIPALITY which has received preliminary plat approval from the COMMISSION or MUNICIPAL PLANNING COMMISSION prior to the effective date of this Agreement, the same shall continue to be solely under the jurisdiction of the respective COMMISSION or MUNICIPAL PLANNING COMMISSION as long as the approval remains effective.
9. The COMMISSION, MUNICIPALITY, and MUNICIPAL PLANNING COMMISSION hereby agree that any application for subdivision located outside the corporate limits of the MUNICIPALITY properly submitted and accepted into the COMMISSION'S or MUNICIPAL PLANNING COMMISSION'S subdivision review process prior to the effective date of this Agreement shall remain under the review authority of the entity to whom it was properly submitted.
10. Except as provided in paragraph 4 regarding the automatic adjustment of planning jurisdiction boundaries as permitted by state law, it is expressly understood that this Agreement can be modified or amended only by mutual action of the COMMISSION, the MUNICIPALITY, and the MUNICIPAL PLANNING COMMISSION, whenever such modification is needed.
11. If any part, section, or subdivision of this Agreement shall be held to be illegal, invalid, or unenforceable for any reason, such holding shall not be held or construed to invalidate or impair the remaining provisions of this Agreement which shall continue in full force.
12. The COMMISSION, MUNICIPALITY, and MUNICIPAL PLANNING COMMISSION hereby agree that any previous Agreement entered into between the COMMISSION, MUNICIPALITY, and/or MUNICIPAL PLANNING COMMISSION regarding the regulation of subdivisions outside the MUNICIPALITY'S corporate limits but with the MUNICIPAL PLANNING COMMISSION'S planning jurisdiction, is hereby terminated and replaced by this Agreement.
13. This Agreement shall become effective on the later of the following two dates: (1) July 26, 2021, or (2) the date upon which the last of the following have been completed: a resolution adopted by the COMMISSION approving this Agreement, an ordinance adopted by the MUNICIPALITY approving this Agreement, and a resolution adopted by the MUNICIPAL PLANNING COMMISSION approving this Agreement.
14. This Agreement shall be published once a week for two consecutive weeks in a newspaper of general circulation in both the County and the MUNICIPALITY.

IN WITNESS WHEREOF, the parties have set their hands and seals, by and through their duly authorized representatives, on the dates indicated below with the full intent and authority to bind the parties hereto.

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[SIGNATURES ON THE FOLLOWING PAGE]

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ATTEST:

Ronald Cink
 Ronald Cink
 Interim County Administrator

COMMISSION:

BALDWIN COUNTY COMMISSION

By: James E. Ball
 Its: Chairman



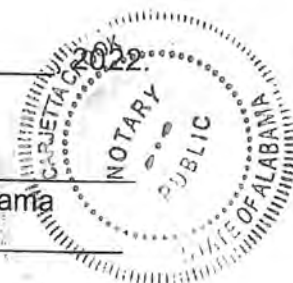
STATE OF ALABAMA
 COUNTY OF BALDWIN

I, Carjetta Crook, a Notary Public in and for said County in said State, hereby certify that JAMES E. BALL, whose name as Chairman of the BALDWIN COUNTY COMMISSION, and RONALD CINK, whose name as Interim County Administrator of the BALDWIN COUNTY COMMISSION, the governing body of Baldwin County, Alabama, a political subdivision of the State of Alabama, are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of such instrument, they, as such officers and with full authority, executed the same voluntarily for and as the act of said commission on the day the same bears date.

Given under my hand and seal this 2nd day of August

Carjetta Crook

Notary Public, Baldwin County, Alabama
 My Commission Expires: _____



My Commission Expires:
 July 14, 2025

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MUNICIPALITY:

CITY OF FOLEY,
ALABAMA

ATTEST:


By: Michael Thompson
Its: City Administrator

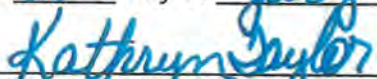

By: Ralph Hellmich
Its: Mayor

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Kathryn Taylor, a Notary Public in and for said County in said State, hereby certify that RALPH HELLMICH, whose name as Mayor of FOLEY, ALABAMA, and MICHAEL THOMPSON, whose name as City Clerk of FOLEY, ALABAMA, are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of such instrument, they, as such officers and with full authority, executed the same voluntarily for and as the act of said municipality on the day the same bears date.

Given under my hand and seal this 22nd day of July, 2022.




Notary Public, Baldwin County, Alabama
My Commission Expires: ~~My Commission Expires~~
June 28, 2025

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MUNICIPAL PLANNING COMMISSION:

PLANNING COMMISSION OF THE
CITY OF FOLEY, ALABAMA

Wes Abrams
By: WES ABRAMS
Its: Chairman

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Brenda W. Shambo, a Notary Public in and for said County in said State, hereby certify that Wes Abrams, whose name as Chairman of the PLANNING COMMISSION OF FOLEY, ALABAMA, 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 such instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said Planning Commission on the day the same bears date.

Given under my hand and seal this 25th day of July, 2022.



Brenda W. Shambo
Notary Public, Baldwin County, Alabama
My Commission Expires: April 28, 2024

