

**CITY OF FOLEY
PLANNING COMMISSION**

**WORK SESSION
May 8, 2024
City Hall
Council Chambers
At 5:30 p.m.**

&

**MEETING
May 15, 2024
City Hall
Council Chambers
At 5:30 p.m.**

**PLANNING COMMISSION
WORK SESSION AGENDA MAY 8, 2024
&
MEETING AGENDA MAY 15, 2024
(Council Chambers of City Hall) 5:30 P.M.**

The City of Foley Planning Commission will hold a work session on May 8, 2024 at 5:30 p.m. and a meeting on May 15, 2024 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue.

MINUTES:

Approval of the April 10, 2024 and April 17, 2024 meeting minutes.

AGENDA ITEMS:

1. *The Knoll Subdivision- Preliminary 1 Year Extension

The City of Foley Planning Commission has received a 1 year preliminary extension request for The Knoll Subdivision. Property is located at the NW corner of County Rd. 65 and County Rd. 16 and is located in the City of Foley Planning Jurisdiction. Applicant is Sawgrass Consulting, LLC.

Planning Commission Action:

2. Final Plat for Resubdivision of Lot 5 of a Resubdivision of Lot 1 of Replat-Woerner's Two Lots- Preliminary 1 Year Extension

The City of Foley Planning Commission has received a 1 year preliminary extension request for the Final Plat for Resubdivision of Lot 5 of a Resubdivision of Lot 1 of Replat-Woerner's Two Lots. Property is located at 194 Aryan Ct. Applicant is Engineering Design Group.

Planning Commission Action:

3. South Foley Paintball- Site Plan

The City of Foley Planning Commission has received a request for approval of the site plan for South Foley Paintball. Property is located at 8153 State Hwy. 59. Applicant is Phillip Kabatt.

Planning Commission Action:

4. Foley Fields Subdivision- Minor

The City of Foley Planning Commission has received a request for approval of the Foley Fields Subdivision a minor subdivision which consists of 1 +/- acres and 2 lots. Property is located at the NW corner of Brinks Willis Rd. and James Rd. Applicant is Linder Surveying.

Public Hearing:

Planning Commission Action:

5. *Resubdivision of Robert's Acres- Minor

The City of Foley Planning Commission has received a request for approval of the Resubdivision of Robert's Acres (Slide 2813-F) a minor subdivision which consists of 30

Note: *Denotes property located in the Planning Jurisdiction

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+/- acres and 2 lots. Property is located S. of County Rd. 26 and E. of Weeks Rd. and is located in the City of Foley Planning Jurisdiction. Applicant is Dwain Riebeling.

Public Hearing:

Planning Commission Action:

6. Foley Crossroads Subdivision Phase 4- Minor

The City of Foley Planning Commission has received a request for approval of the Foley Crossroads Subdivision Phase 4 a minor subdivision which consists of 14.54 +/- acres and 2 lots. Property is located W. of the Foley Beach Express and S. of Mifflin Rd. Applicant is Bohler Engineering.

Public Hearing:

Planning Commission Action:

7. Weir McKenzie Subdivision- Minor

The City of Foley Planning Commission has received a request for approval of the Weir McKenzie Subdivision a minor subdivision which consists of 34.09 +/- acres and 4 lots. Property is located W. of Mifflin Creek Rd. and S. of Mifflin Rd. Applicant is Engineering Design Group.

Planning Commission Action:

8. Zoning Ordinance Amendments

Public Hearing:

Planning Commission Action:

WORK SESSION:

1. Wayne Dyess- Discussion on "Neighborhood Street Trees"

ADJOURN:

**PLANNING COMMISSION
WORK SESSION MINUTES APRIL 10, 2024
(Council Chambers of City Hall) 5:30 P.M.**

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The City of Foley Planning Commission held a work session on April 10, 2024 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Deborah Mixon, Ralph Hellmich, Wes Abrams, Calvin Hare and Tommy Gebhart. Absent members were: Larry Engel, Vera Quaites, Phillip Hinesley and Bill Swanson. 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. Common Lot Line Shift for Block B Eliza Carson- Minor

The City of Foley Planning Commission has received a request for approval of the Common Lot Line Shift for Block B Eliza Carson Subdivision, a minor subdivision which consists of 1.17 +/- acres and 4 lots. Property is located S. of Sunflower Ave. & W. of S. McKenzie St. Applicant is Smith Clark & Associates, LLC.

Mrs. Miriam Boone stated all lots have frontage and staff is recommending approval.

2. *Sable Subdivision– Minor

The City of Foley Planning Commission has received a request for approval of Sable Subdivision, a minor subdivision which consists of 3.94 +/- acres and 2 lots. Property is located E. of County Rd. 65 and N. of County Rd. 12 S. and is located in the City of Foley Planning Jurisdiction. Applicant is Beyond Measure Surveying, LLC.

Mrs. Boone explained the property is located in unzoned Baldwin County district 34. She explained Chuck Lay noted on the staff report there are potential wetlands in the SE section of the property. She stated staff is recommending approval of the minor subdivision.

3. *Aster Brook Subdivision – Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Aster Brook Subdivision which consists of 28.59 +/- acres and 39 lots. Property is located N. of Cater Lee Way and W. of Dale Ln. and is located in the City of Foley Planning Jurisdiction. Applicant is Goodwyn Mills Cawood, LLC.

Mrs. Boone explained the property is located in unzoned Baldwin County district 18. She explained the Engineering Department noted the construction plan comments have been addressed and a preconstruction meeting is required before the Land Disturbance permit can be issued. She stated Chuck Lay noted half of the property appears to have potential wetlands that need to be avoided or mitigated.

Commissioner Hellmich stated it looks like the lots are located away from the wetlands. He asked if any improvements will be done to the existing roads.

Mr. Chad Christian stated there will be road improvement requirements.

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Amanda Thompson explained Crocker Ln. and Dale Ln. will be widened and improved.

Commissioner Gebhart stated he has concerns over the additional traffic coming off of Sunset Circle and onto Hickory St. He explained there is lack of visibility at the intersection.

Mr. Christian stated it can be monitored as it builds out and addressed if there are any issues.

Mrs. Boone stated the lots are not meeting the current 30,000 square feet area minimum but the applicant has been working with staff since 2021 on the subdivision.

Commissioner Hellmich asked if there would be any road improvements made to Sunset Circle.

Mrs. Thompson stated there would be no improvements made to Sunset Circle since the lots all front onto Dale Ln.

Mr. Christian stated Sunset Circle is being considered a secondary access.

Mrs. Thompson explained there will be sidewalks added on both sides of the new roads within the subdivision and on the west side of Dale Ln.

4. Zoning Ordinance Amendments

Chairman Abrams stated amendments 4 and 5 were tabled from last month's meeting. He explained the amendments were being handled by Wayne Dyess. He stated the item will be tabled until next month due to Wayne being unable to attend tonight's meeting.

WORK SESSION ONLY:

5. Jim Brown- Discussion

Discuss constructing commercial buildings to be located S. of County Rd. 20 and E. of S. Juniper St.

Chairman Abrams explained the applicant has requested to withdraw the item from the agenda.

6. Zoning Ordinance Amendments- Discuss

Mrs. Miriam Boone went over the proposed amendments with the Commissioners.

7. Wayne Dyess- Discussion on "Neighborhood Street Trees"

Item was not discussed due to Wayne being unable to attend the meeting.

ADJOURN:

Chairman Abrams adjourned the meeting at 6:04 p.m.

**PLANNING COMMISSION
MEETING MINUTES APRIL 17, 2024
(Council Chambers of City Hall) 5:30 P.M.**

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The City of Foley Planning Commission held a meeting on April 17, 2024 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, Vera Quaites, Ralph Hellmich, Wes Abrams, and Phillip Hinesley. Absent members were: Calvin Hare, Tommy Gebhart and Bill Swanson. Staff present were: Miriam Boone, City Planner; Chad Christian, City Engineer; Angie Eckman, Environmental Manager; Wayne Dyess, Director of Infrastructure and Development; Eden Lapham, Planner I; Amanda Cole, Planning and Zoning Assistant and Melissa Ringler, Recording Secretary.

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

MINUTES:

Approval of the March 13, 2024 and March 20, 2024 meeting minutes.

Commissioner Engel made a motion to approve the March 13, 2024 and March 20, 2024 meeting minutes. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to approve the March 13, 2024 and March 20, 2024 meeting minutes passes.

AGENDA ITEMS:

1. Common Lot Line Shift for Block B Eliza Carson- Minor

The City of Foley Planning Commission has received a request for approval of the Common Lot Line Shift for Block B Eliza Carson Subdivision, a minor subdivision which consists of 1.17 +/- acres and 4 lots. Property is located S. of Sunflower Ave. & W. of S. McKenzie St. Applicant is Smith Clark & Associates, LLC.

Planning Commission Action:

Mrs. Miriam Boone explained they have shifted the lots lines to now run north and south. She stated staff is recommending approval.

Commissioner Hellmich made a motion to approve the requested minor subdivision. Commissioner Hinesley seconded the motion. All Commissioners voted aye.

Motion to approve the requested minor subdivision passes.

2. *Sable Subdivision– Minor

The City of Foley Planning Commission has received a request for approval of Sable Subdivision, a minor subdivision which consists of 3.94 +/- acres and 2 lots. Property is located E. of County Rd. 65 and N. of County Rd. 12 S. and is located in the City of Foley Planning Jurisdiction. Applicant is Beyond Measure Surveying, LLC.

Public Hearing:

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

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Planning Commission Action:

Mrs. Boone explained the property is located in unzoned Baldwin County district 34. She stated staff is recommending approval.

Vera Quaites made a motion to approve the requested minor subdivision. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to approve the requested minor subdivision passes.

3. *Aster Brook Subdivision – Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Aster Brook Subdivision which consists of 28.59 +/- acres and 39 lots. Property is located N. of Cater Lee Way and W. of Dale Ln. and is located in the City of Foley Planning Jurisdiction. Applicant is Goodwyn Mills Cawood, LLC.

Public Hearing:

Chairman Abrams asked if there were any members of the public to speak on the item.

Mr. Joey Dale resident of 13190 Dale Ln. stated he lives directly across the street from the proposed subdivision. He stated he would like to see a barrier or privacy wall added along Dale Ln.

Mrs. Boone stated staff is recommending approval of the requested preliminary. She explained at the work session it was discussed there may be a need for a 3 way stop on Hickory St.

Mr. Christian stated staff will look into the need for a 3 way stop.

Commissioner Hellmich stated he understands the concerns regarding Hickory St. intersection and the visibility issues.

Mrs. Boone stated the property is located in unzoned Baldwin County. She explained the preliminary was in process before the minimum lot sizes were increased to 30,000 square feet.

Mr. Christian stated the Land Disturbance Permit has been in process for a couple of years.

Commissioner Engel asked the size of the lots.

Mrs. Amanda Thompson with Goodwyn Mills Cawood stated the minimum lot size is 0.17 acres.

Commissioner Hellmich stated sidewalks will be installed and there will be road improvements.

Ms. Thompson stated there is a common area adjacent to Dale Ln. that will serve as a buffer.

Mr. Wayne Dyess stated he would like to encourage the applicant to add a thick vegetative buffer to include both overstory and understory trees.

Commissioner Hellmich stated he would like to see a buffer, fence and vegetation.

Note: *Denotes property located in the Planning Jurisdiction

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Mrs. Thompson stated there are drainage swales located in the common area. She explained they will be happy to accommodate whatever will not create a drainage issue.

Commissioner Hellmich stated he would like to see a fence, berm and vegetative buffer added. He stated prior to the permit being issued the applicant and City Engineer need to work together on a plan that will reach the goal of providing privacy and fit into the drainage plan. He explained likes berms but is unsure if it will work in the common area without affecting the drainage. He stated he appreciates the applicant working with the city to protect all parties involved.

Planning Commission Action:

Commissioner Hellmich made a motion for the applicant to work with the City Engineer on the design criteria for a buffer. Deborah Mixon seconded the motion. All Commissioners voted aye.

Motion for the applicant to work with the City Engineer on the design criteria for a buffer passes.

4. Zoning Ordinance Amendments

Public Hearing:

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

Planning Commission Action:

Mr. Wayne Dyess explained they are still working on the amendments and would like to carry this item over to next month's agenda.

Commissioner Hellmich made a motion to carry the item over to next month's meeting. Commissioner Engel seconded the motion. All Commissioners voted aye.

Motion to carry the item over to next month's meeting passes.

5. Wayne Dyess- Discussion on " Neighborhood Street Trees"

Wayne Dyess discussed and presented neighborhood street trees.

ADJOURN:

Chairman Abrams adjourned the meeting at 6:01 p.m.

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PLANNING COMMISSION JOINT STAFF REPORT: May 2024

STAFF RECOMMENDATION: Approval
PROJECT NAME: The Knoll Subdivision
REQUEST: 1 year Preliminary Extension
SUB TYPE: Application for Extension

OWNER / APPLICANT: Sawgrass Consulting, LLC

ACREAGE: 38.87
NUMBER OF LOTS: 96

PIN#(s): 71761

LOCATION: 17905 COUNTY RD 16- NW Corner of Co Rd 65 & Co Rd 16

PROJECT DESCRIPTION: The Knoll Subdivision

CURRENT ZONING: N/A

OVERLAY DISTRICT: N/A

REQUESTED ZONING: N/A

ADJACENT ZONING: N, S, W: Unzoned BC Dist 24; E: BC Dist 35 RA & B3

FUTURE LAND USE: RR - Rural Residential

EXISTING LAND USE: Vacant



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UTILITY LETTERS RECEIVED: No
DEED RECEIVED: No
AGENT AUTHORIZATION: Yes

Reviewer: Miriam Boone, 251-952-4011, mboone@cityoffoley.org, Building Department
Review Status: Approved

1. This is a request for extension of a subdivision located in the Planning Jurisdiction.

Reviewer: Engineering Team, 2519524021, tdavis@cityoffoley.org;cchristian@cityoffoley.org, Engineering

Review Status: Approved

1. Engineering recommends approval of the time extension request. Construction work is ongoing based on recent site visits.

Reviewer: Angie Eckman, 251-923-4267 xt. 885, aeckman@cityoffoley.org, Environmental
Review Status: Approved

1. Environmental recommends approval of the extension request. No major issues were observed during my extension request inspection, photos uploaded to documents. However, the ponds are in need of permanent stabilization.

Reviewer: Chuck Lay, 251-952-4011, clay@cityoffoley.org, Building Department
Review Status: Approved

1. No comments, outside of building and flood jurisdiction

THE KNOLL

LEGEND

- OTIF OPEN TOP IRON FOUND
- CTF CRIMP TOP IRON FOUND
- CRF CAPPED REBAR FOUND
- RF REBAR FOUND
- CRS CAPPED REBAR SET
- CMS CONCRETE MONUMENT FOUND
- CMS CONCRETE MONUMENT SET
- P POWER POLE
- - - PROPERTY LINE

CERTIFICATE OF THE BALDWIN COUNTY E-911 ADDRESSING

THE UNDERSIGNED, AS AUTHORIZED BY THE BALDWIN COUNTY E-911 BOARD, HEREBY APPROVES THE ROAD NAMES AS DEPICTED ON THE WITHIN PLAT AND HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS _____ DAY OF _____, 2022

AUTHORIZED SIGNATURE _____

CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER

THE UNDERSIGNED, AS COUNTY ENGINEER OF BALDWIN COUNTY, ALABAMA, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS THE _____ DAY OF _____, 2022.

COUNTY ENGINEER _____

CERTIFICATE OF APPROVAL BY BALDWIN EMC (POWER)

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN EMC, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS _____ DAY OF _____, 2022

(AUTHORIZED SIGNATURE) _____

CERTIFICATE OF APPROVAL BY RIVERIA UTILITIES (WATER)

THE UNDERSIGNED, AS AUTHORIZED BY RIVERIA UTILITIES HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS _____ DAY OF _____, 2022

(AUTHORIZED SIGNATURE) _____

CERTIFICATE OF APPROVAL BY THE CITY OF FOLEY PLANNING COMMISSION

THE WITHIN PLAT OF THE WESTFIELD, PHASE 1, BALDWIN COUNTY, ALABAMA, IS HEREBY APPROVED BY THE CITY OF FOLEY PLANNING COMMISSION.

THIS THE _____ DAY OF _____, 2021

AUTHORIZED SIGNATURE _____

CERTIFICATE OF APPROVAL BY THE 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 _____, 2022.

PLANNING DIRECTOR _____

CERTIFICATE OF APPROVAL BY BALDWIN COUNTY SEWER SERVICE

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY SEWER SERVICE HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS _____ DAY OF _____, 2022

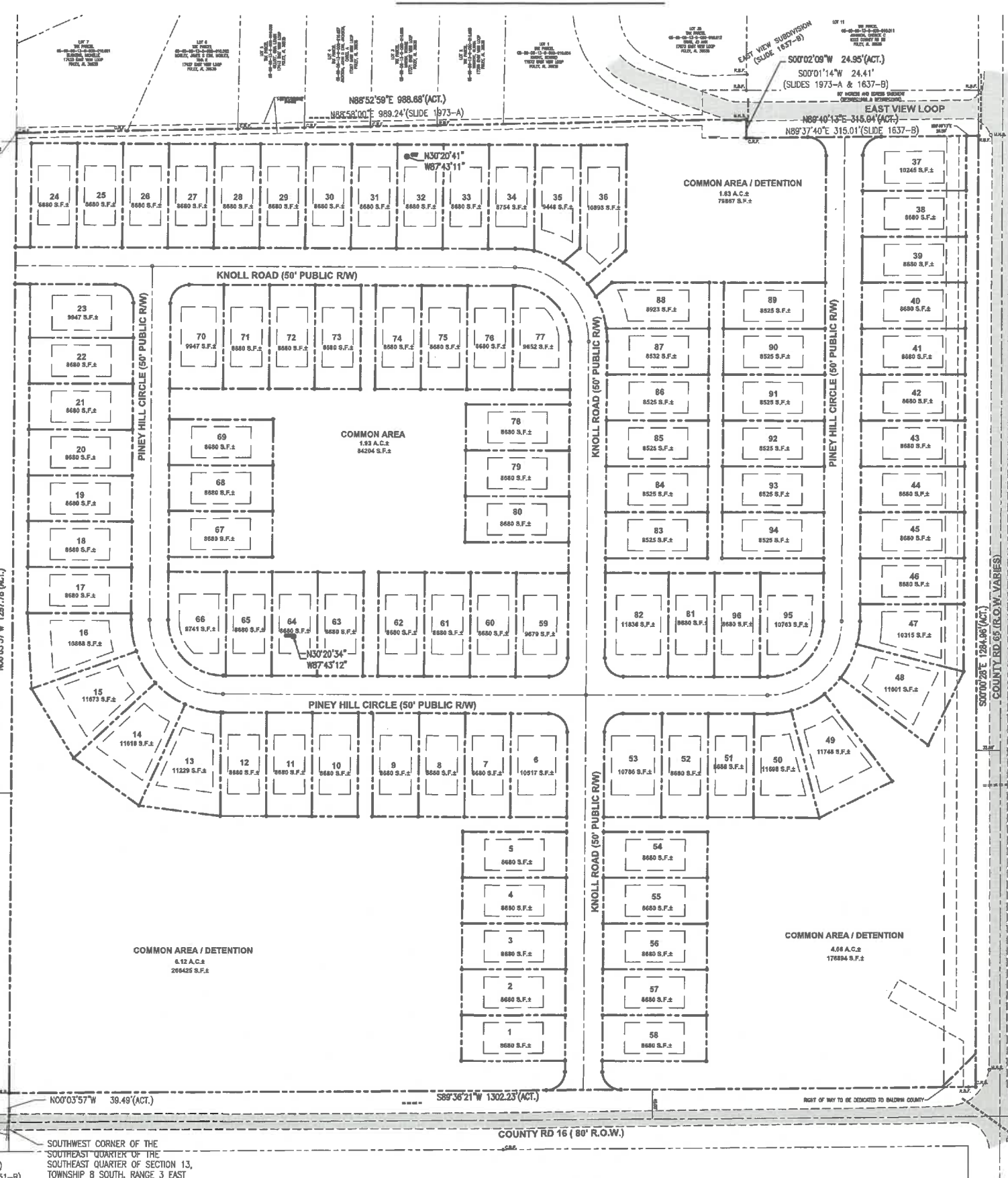
(AUTHORIZED SIGNATURE) _____

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 _____, 2022.

CITY ENGINEER _____



SITE DATA

NUMBER OF LOTS: 98 LOTS
 LARGEST LOT SIZE: 150'x110.75' (16582 S.F.)
 SMALLEST LOT SIZE: 62'x137.50' (8525 S.F.)
 TOTAL AREA: 38.87 ACRES±
 CURRENT ZONING: UNZONED
 BALDWIN COUNTY PLANNING DISTRICT: 34
 SETBACKS:
 FRONT = 30 FEET
 REAR = 30 FEET
 SIDE = 10 FEET
 STREET SIDE = 15 FEET
 DRAINAGE/UTILITY EASEMENTS:
 FRONT = 15 FEET
 REAR = 15 FEET
 SIDE LOT LINES = 15 FEET
 (.75' EACH SIDE OF INTERIOR SIDE LOT LINES)
 OPEN SPACE/COMMON AREA:
 53526 S.F.± (1.25 ACRES±)
 GREEN SPACE = 26.06
 LINER FEET OF ROADWAY: 4028 LF±
 PARCEL NO.: 60-05-13-0-000-014.000
 PPN: 071761



OWNER

SHEPHERD, MARGIE L
 1424 FERNDALE DRIVE
 AUBURN, AL 36830

DEVELOPER

RIVER OAKS DEVELOPMENT, LLC
 337 HIGHWAY 21, SUITE D
 MADISONVILLE, LA 70447

SURVEYOR/ENGINEER

SAWRGRASS CONSULTING, LLC
 30673 SGT E BOOTS THOMAS DR
 SPANISH FORT, AL 36527
 SURVEYOR: ERIC E. GODWIN, PLS
 ALABAMA LICENSE NUMBER 26621
 ENGINEER: TIMOTHY D. LAWLEY, P.E.
 ALABAMA LICENSE NUMBER 30659

UTILITY PROVIDERS

WATER AND GAS - RIVERIA UTILITIES
 SEWER - BALDWIN COUNTY SEWER SERVICE
 POWER - RIVERIA UTILITIES & BALDWIN EMC

CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF ALABAMA
 COUNTY OF BALDWIN

THIS IS TO CERTIFY THAT I (WE), THE UNDERSIGNED AM (ARE) THE OWNER(S) OF THE LAND SHOWN AND DESCRIBED IN THE PLAT, AND THAT I (WE) HAVE CAUSED THE SAME 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 _____, 2022.

CERTIFICATION BY NOTARY PUBLIC

STATE OF ALABAMA
 COUNTY OF BALDWIN

I, _____, NOTARY PUBLIC IN AND FOR COUNTY OF BALDWIN, IN THE STATE OF ALABAMA, HEREBY CERTIFY THAT _____ WHOSE NAME 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, EXECUTED THE SAME VOLUNTARILY FOR AND AS ACT OF SAID CORPORATION.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 2022.

NOTARY PUBLIC

SURVEYORS NOTES:

- INFORMATION USED TO PERFORM AND PRODUCE THIS SURVEY ARE PREVIOUS SURVEYS, BY THIS FIRM OR OTHERS, DEEDS OF RECORDS AND/OR OTHER INFORMATION AS PROVIDED BY THE CLIENT. NO TITLE SEARCH, OPINION OR ABSTRACT WAS PERFORMED BY THIS FIRM OR BY OTHERS UNDER THE DIRECTION OF THIS FIRM. IN ADDITION, THERE MAY BE OTHER INSTRUMENTS OF RECORD WITHIN THE OFFICE OF THE JUDGE OF PROBATE, AS WELL AS OTHER UNRECORDED INSTRUMENTS COULD ENCOMBER AND/OR AFFECT THE BOUNDARIES OF THIS PROPERTY THAT WERE NOT FURNISHED AT THE TIME OF SURVEY.
- BASIS OF BEARING: BASED ON GRID NORTH AS DETERMINED BY RTK GPS AND REFERENCED TO NAD83, ALABAMA WEST STATE PLANE COORDINATES.
- DATE OF FIELD WORK: OCTOBER, 2021
- I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION MAP, COMMUNITY PANEL NUMBERS 0100302930M, 0100302927M, 0100302925M, AND 0100302928M, EFFECTIVE APRIL 19, 2019, AND HAVE FOUND THAT THE DESCRIBED PROPERTY IS LOCATED IN ZONE "X" (UNSHOED), AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- ANY FLOOD ZONES OPEN OR SHOWN ON THE FACE OF THIS DRAWING ARE SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE MAPS (SCALED ONLY)
- ONE FOOT CONTOURS ARE REFERENCED TO NAVD83
- SURVEYED PROPERTY IS CURRENTLY UNZONED-PER BALDWIN COUNTY
- ALABAMA 811 LOCATE REQUEST #212530533
- LOTS ARE SUBJECT TO THE FOLLOWING DRAINAGE AND UTILITY EASEMENT(S) UNLESS OTHERWISE SHOWN HEREON.
 FRONT AND REAR OF ALL LOTS - 15 FEET
 SIDES OF ALL LOTS - 15 FEET (7.5 FEET EACH SIDE OF INTERIOR SIDE LOT LINES)
- NO STRUCTURES ARE PERMITTED WITHIN DRAINAGE EASEMENT INCLUDING BUILDINGS, FENCES, POOLS, ETC. STRUCTURES AND/OR IMPROVEMENTS CONSTRUCTED IN AN EASEMENT ARE SUBJECT TO REMOVAL BY THE HOME OWNERS ASSOCIATION.
- ALL LOTS SHOWN HEREON ARE SUBJECT TO THE THE KNOLL COVENANTS AND RESTRICTIONS AS RECORDED IN INSTRUMENT _____ IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.
- BALDWIN COUNTY NOT RESPONSIBLE FOR MAINTENANCE OF COMMON AREAS OR DRAINAGE EASEMENTS.

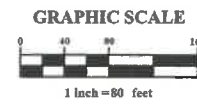
SURVEYED DESCRIPTION:
 BEGINNING AT THE SOUTHWEST CORNER OF LOT 7, EAST VIEW SUBDIVISION PHASE TWO, AS RECORDED AS SLIDE 1973-A, IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN N88°52'56"E, ALONG THE SOUTH LINE OF SAID EAST VIEW SUBDIVISION PHASE TWO, 988.69 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF EAST VIEW LOOP; SAID POINT ALSO BEING ON THE EAST LINE OF SAID EAST VIEW SUBDIVISION, PHASE TWO AND THE WEST LINE OF EAST VIEW SUBDIVISION, AS RECORDED AS SLIDE 1637-B, IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN S00°02'09"W, 24.95 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE; THENCE RUN N82°40'13"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 315.04 FEET TO THE POINT OF INTERSECTION OF SAID SOUTH RIGHT-OF-WAY LINE AND THE WEST RIGHT-OF-WAY LINE OF BALDWIN COUNTY ROAD NUMBER 65; THENCE RUN S00°00'28"E, ALONG SAID WEST RIGHT-OF-WAY LINE, 1284.96 FEET TO THE POINT OF INTERSECTION OF SAID WEST RIGHT-OF-WAY LINE AND THE NORTH RIGHT-OF-WAY LINE OF BALDWIN COUNTY ROAD NUMBER 16; THENCE RUN S89°37'21"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, 1302.23 FEET TO A POINT; THENCE RUN N00°03'57"W, LEAVING SAID NORTH RIGHT-OF-WAY LINE, 1297.78 FEET TO THE POINT; BE BEGINNING, CONTAINING 38.87 ACRES, AND LYING IN SECTION 13, TOWNSHIP 8 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA.

I CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

ERIC E. GODWIN, PLS ALABAMA LICENSE NUMBER 26621 DATE _____

SHEET 1 IS NOT VALID WITHOUT ALL SHEETS (TOTAL OF 3 SHEETS) ATTACHED HERETO

NUMBER:	REVISION:	DATE:



PRELIMINARY PLAT - OVERALL PLAN

THE KNOLL

RIVER OAKS DEVELOPMENT, LLC

SCALE: 1"=80'
DATE: DECEMBER, 2022
DRAWN BY: JLC
CHECKED BY: EG
SHEET: 1 OF 3

Project: April 16 Knoll

Date: Apr 16 2024 03:10:52 PM



1. Entrance @ County Road 16



2. Hydrants in process of being installed

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2. Southeast pond inlets & outfall installed. Pond slopes & berm in need of permanent stabilization



4. Southeast pond outfall 1



5. Southeast pond



6. Southeast pond



7. Southeast pond



8. Southeast pond outfall 2.

The vegetation along the ROW is overgrown obscuring views of outfall protection.



9. In the process of installing utilities on the north section



10. Northeast pond
Slopes and berm in need of permanent stabilization

16



11.



12. Stormwater infrastructure in place & manholes

17



13.



14.



15. Northeast pond



16. Northeast pond



17. Northeast pond



18.



19.



20.



21. Majority of lots & site are vegetated



22.



23. Southwest pond in need of permanent stabilization



24.



PLANNING COMMISSION JOINT STAFF REPORT: May 2024

STAFF RECOMMENDATION: Approval

PROJECT NAME: Resub of Lot 5 of Woerners 2 Lot Sub

REQUEST: 1 Year Preliminary Extension

SUB TYPE: Application for Extension

OWNER / APPLICANT: Engineering Design Group

ACREAGE: 5.38
NUMBER OF LOTS: 4

PIN#(s): 384971

LOCATION: 194 ARYAN CT

PROJECT DESCRIPTION: Resub of Lot 5 of Woerners 2 Lot Sub

CURRENT ZONING: B-1A

OVERLAY DISTRICT: N/A

REQUESTED ZONING: N/A

ADJACENT ZONING: B-1A

FUTURE LAND USE: RCC - Retail Commercial Concentration

EXISTING LAND USE: VACANT



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UTILITY LETTERS RECEIVED: No
DEED RECEIVED: No
AGENT AUTHORIZATION: Yes

Reviewer: Miriam Boone, 251-952-4011, mboone@cityoffoley.org, Building Department
Review Status: Approved

1. They are performing site work.

Reviewer: Engineering Team, 2519524021, tdavis@cityoffoley.org;cchristian@cityoffoley.org, Engineering
Review Status: Approved

1. Engineering recommends approval of time extension request. Construction work is ongoing based on recent site visit.

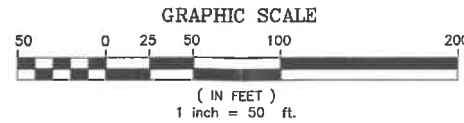
Reviewer: Angie Eckman, 251-923-4267 xt. 885, aeckman@cityoffoley.org, Environmental
Review Status: Approved

1. Approve

Reviewer: Chuck Lay, 251-952-4011, clay@cityoffoley.org, Building Department
Review Status: Approved

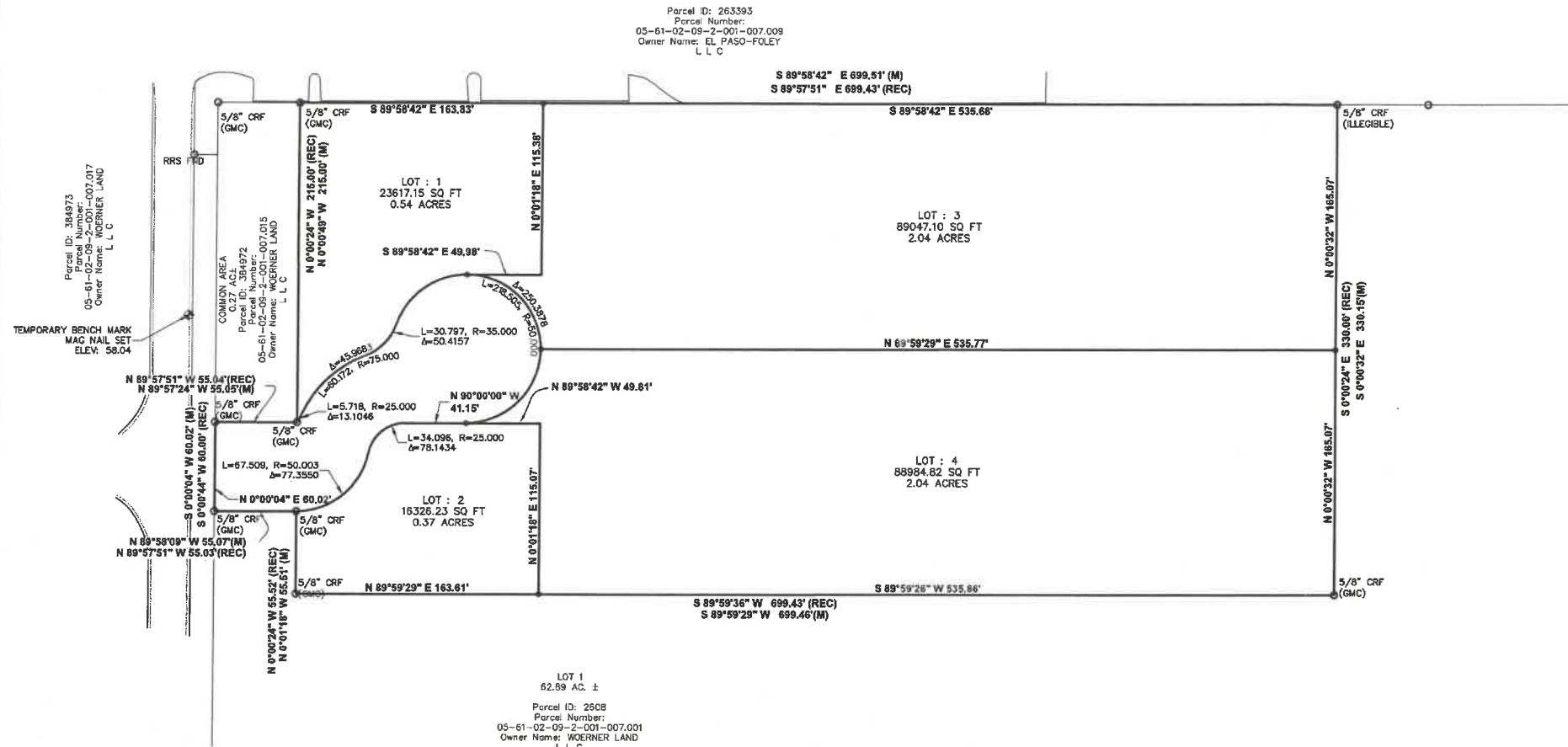
1. No concerns from neither Building Safety nor Floodplain Management

FINAL PLAT FOR RESUBDIVISION OF LOT 5 OF A RESUBDIVISION OF LOT 1 OF REPLAT-WORNER'S TWO LOTS



ALABAMA WEST ZONE NAD 83
GRID NORTH

LEGEND
● CRS - CAPPED REBAR SET (EDG)



Parcel ID: 384973
Parcel Number: 05-61-02-09-2-001-007.017
Owner Name: WOERNER LAND L L C

TEMPORARY BENCH MARK
MAC NAIL SET
ELEV: 58.04

Parcel ID: 2608
Parcel Number: 05-61-02-09-2-001-007.001
Owner Name: WOERNER LAND L L C

SITUATED IN SECTION 9, TOWNSHIP 8 SOUTH, RANGE 4 EAST,
BALDWIN COUNTY, ALABAMA

CERTIFICATE OF APPROVAL BY THE CITY ENGINEER

THE UNDERSIGNED, AS CITY ENGINEER OF THE CITY OF FOLEY, ALABAMA HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.
SIGNED THIS _____ DAY OF _____ 2021

CITY ENGINEER

CERTIFICATE OF APPROVAL BY THE CITY OF FOLEY PLANNING COMMISSION

THE WITHIN PLAT RESUBDIVISION OF LOT 1 FOLEY CROSSROADS SUBDIVISION, FOLEY, ALABAMA IS HEREBY APPROVED BY THE CITY OF FOLEY PLANNING COMMISSION THIS THE _____ DAY OF _____ 2022

CITY PLANNING COMMISSION CHAIRMAN

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 _____ 2022

AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL BY RIVERA UTILITIES (WATER)

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 _____ 2022

AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL BY BALDWIN ELECTRIC (ELECTRIC)

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN ELECTRIC, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA: THIS THE _____ DAY OF _____ 2022

AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL BY RIVERA UTILITIES (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 _____ 2022

AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL BY BRIGHTSPEED COMMUNICATIONS

THE UNDERSIGNED, AS AUTHORIZED BY BRIGHTSPEED COMMUNICATIONS, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA: THIS THE _____ DAY OF _____ 2022

AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL BY E-911 GIS/ADDRESSING

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY E-911 BOARD, HEREBY APPROVES THE ROAD NAMES AS DEPICTED ON THE MAP WITHIN PLAT AND HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____ 20____

AUTHORIZED REPRESENTATIVE

NOTES:

- NO TITLE SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM AND LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS AND/OR RIGHTS OF WAYS, RECORDED OR UNRECORDED. THE PARCEL SHOWN HEREON IS SUBJECT TO SETBACKS, EASEMENTS, ZONING, AND RESTRICTIONS THAT MAY BE FOUND IN THE PUBLIC RECORD OF SAID COUNTY.
- ALL EASEMENTS AND RIGHT-OF-WAY OF WHICH THE SURVEYOR HAS KNOWLEDGE HAVE BEEN SHOWN HERON.
- THE UNDERGROUND UTILITIES HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND/OR EXISTING DRAWINGS. HOWEVER, THERE MAY EXIST UNDERGROUND UTILITIES OR BURIED PIPES WHICH WERE NOT LOCATED OR OF WHICH THE SURVEYOR HAS NO KNOWLEDGE. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED BECAUSE THE UNDERGROUND UTILITIES WERE NOT PHYSICALLY LOCATED.
- BEARINGS SHOWN HEREON ARE RELATIVE TO THE ALABAMA STATE PLANE COORDINATE SYSTEM GRID AZIMUTH (ALABAMA WEST ZONE) (NAD 83) AND WERE DETERMINED USING GPS OBSERVATION.
- ACCORDING TO THE FLOOD INSURANCE RATE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR ALABAMA (COMMUNITY PANEL 01003C0931M, EFFECTIVE DATE APRIL 19, 2019), THIS SITE LIES WITHIN ZONE X, DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".
- SURVEY PREPARED FOR: VIRENDRA PATEL
- THIS SURVEY IS VALID ONLY WITH AN ORIGINAL SIGNATURE AND A LEGIBLE SEAL.

DESCRIPTION:

LOT 5 OF A RESUBDIVISION OF LOT 1 OF REPLAT-WORNER'S TWO LOTS AS RECORDED ON SLIDE 2708-D IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

I HEREBY STATE 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.

SURVEYOR:

B. Craig Johnson
B.C. JOHNSON DATE: February 22, 2023
ALABAMA LICENSE NO. 23004



CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF ALABAMA
COUNTY OF BALDWIN
THIS IS TO CERTIFY THAT WE ARE THE OWNERS OF THE LAND SHOWN AND DESCRIBED IN THE PLAT THAT I (WE) HAVE CAUSED THE SAME 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 STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACE 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 _____ 2022

VIRENDRA PATEL
1381FAIRWAY DRIVE W.
GULF SHORES, AL 36524
PRINTED NAME

CERTIFICATE OF APPROVAL BY NOTARY PUBLIC

I, _____ NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, HEREBY CERTIFY THAT _____ (OWNERS NAME) WHO'S NAME IS SIGNED TO THE FOREGOING INSTRUMENT AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, EXECUTED THE SAME VOLUNTARILY,
GIVEN UNDER MY HAND AND OFFICIAL SEAL

THIS _____ DAY OF _____ 2022

SIGNATURE OF NOTARY PUBLIC

DATE _____

REVISIONS

DRAWN BY: CAW
CHECKED BY: BCJ
PROJECT No.: F_ARC00009
DATE: February 22, 2023
SCALE: 1" = 50'

PROJECT: RESUBDIVISION OF LOT 5 OF A RESUBDIVISION OF LOT 1 OF REPLAT-WORNER'S TWO LOTS

TITLE: FINAL PLAT

1000 E. LAUREL AVENUE
Foley, AL 36535
251.943.8960

EDG
ENGINEERING DESIGN GROUP, LLC
CIVIL ENGINEERING & LAND SURVEYING
(205) 943-8960 (Foley, AL)

SHEET NO. 1 OF 1



PLANNING COMMISSION JOINT STAFF REPORT: May 2024

du

STAFF RECOMMENDATION: Approval

PROJECT NAME: South Foley Paintball

REQUEST: Zoning - Site Plan Approval

SUB TYPE: Places of amusement over three (3) acres

OWNER / APPLICANT: Philip Kabatt

ACREAGE: 4

PIN#(s): 29600

LOCATION: 8153 STATE HWY 59

PROJECT DESCRIPTION: Paintball field offering multiple different arenas to play in.

CURRENT ZONING: B-1A

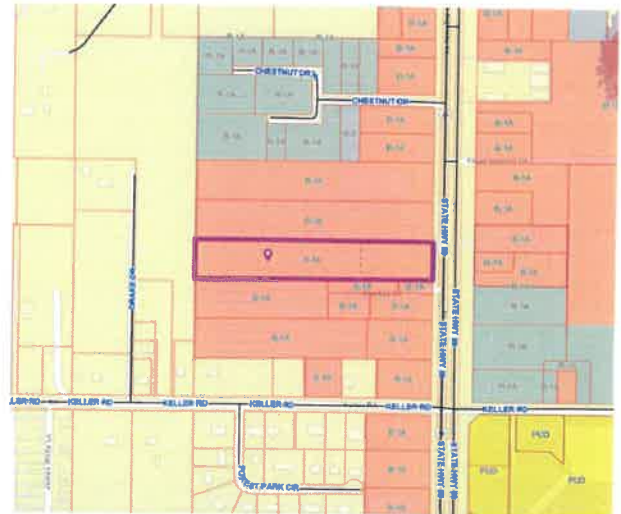
OVERLAY DISTRICT: N/A

REQUESTED ZONING: N/A

ADJACENT ZONING: N, E, S: B-1A; W: BC Dist 34 RA

FUTURE LAND USE: RMH - Residential Med-High Density (9-15)

EXISTING LAND USE: Front of lot is Commercial, Rear (where this is going) is vacant



UTILITY LETTERS RECEIVED: No
DEED RECEIVED: No
AGENT AUTHORIZATION: No

an

Reviewer: Miriam Boone, 251-952-4011, mboone@cityoffoley.org, Building Department
Review Status: Approved

1. The site plan appears to meet zoning.

Reviewer: Engineering Team, 2519524021, tdavis@cityoffoley.org;cchristian@cityoffoley.org, Engineering
Review Status: Approved

1. Engineering recommends approval.

Reviewer: Angie Eckman, Environmental
Review Status: Approved

1. Environmental has no issue with the proposed site plan. Based on the pre-application meeting, it sounds as though the structures are temporary and would not require permitting through the environmental department.

Reviewer: Chuck Lay, 251-952-4011, clay@cityoffoley.org, Building Department
Review Status: Approved

1. No concerns from neither Building Safety nor Floodplain Management



Netting Example



Interior Fence Example



Exterior Fence Example

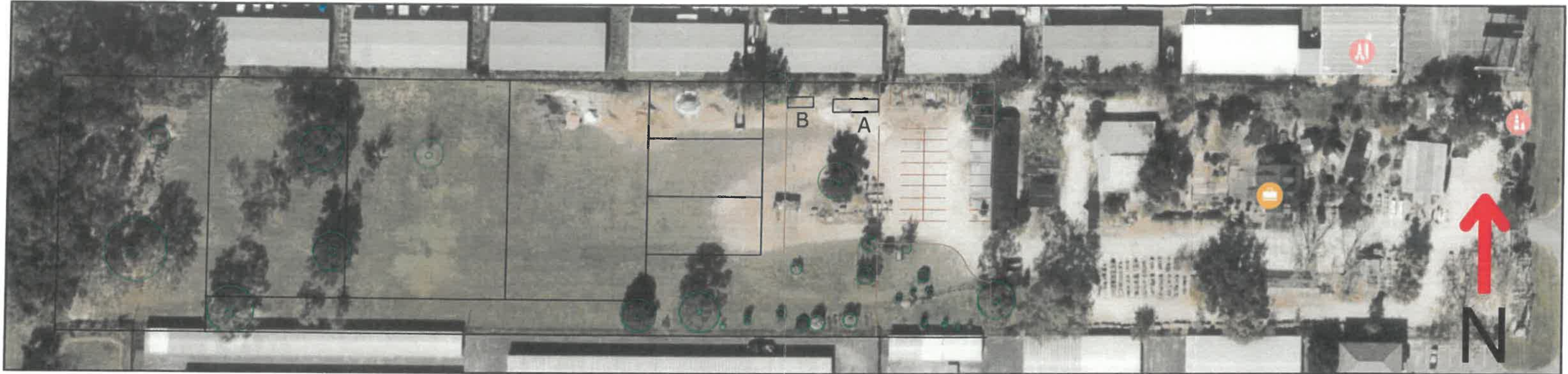


Course Example



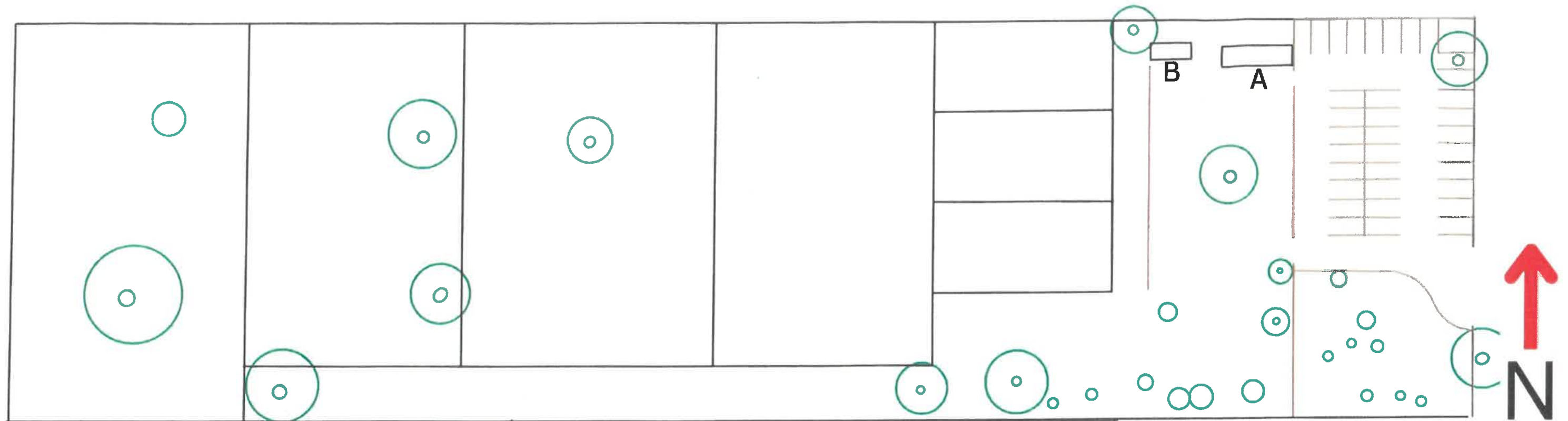
GG

Building Examples



Buildings			Parking Lot		Fences/Netting	
Sqft:	Bldg A	600'	Spaces:	34	Perimeter Fence:	6'
	Bldg B	400'	ADA:	2	Interior Fences:	3.5'
Height:	Both	14'	Size:	8.5'x18'	Netting:	20'
Set backs:	Bldg A	20'		10x20 - per philip kabatt		
	Bldg B	15'				

Legend	
—	Netting
—	Fence
⊙	Tree
○	Bush
▭	Building



Buildings			Parking Lot		Fences/Netting		Legend	
Sqft:	Bldg A	600'	Spaces:	34	Perimeter Fence:	6'	—	Netting
	Bldg B	400'	ADA:	2	Interior Fences:	3.5'	—	Fence
Height:	Both	14'	Size:	8.5'x18' 10x20- per philip habatt	Netting:	20'	⊙	Tree
Set backs:	Bldg A	20'					○	Bush
	Bldg B	15'					▭	Building



PLANNING COMMISSION JOINT STAFF REPORT: May 2024

STAFF RECOMMENDATION: Approval
PROJECT NAME: Foley Fields Subdivision
REQUEST: Subdivision
SUB TYPE: Minor

OWNER / APPLICANT: Linder Surveying

ACREAGE: 1
NUMBER OF LOTS: 2

PIN#(s): 17104

LOCATION: 20971 BRINKS WILLIS Rd- NW
 Corner of Brinks Rd and James Rd

PROJECT DESCRIPTION: Foley Fields Subdivision

CURRENT ZONING: R-1A

OVERLAY DISTRICT: N/A

REQUESTED ZONING: N/A

ADJACENT ZONING: E: R-1D; N: BC Dist 30 RA;
 S & W: BC Dist 30 RSF-1

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

EXISTING LAND USE: Residential



UTILITY LETTERS RECEIVED: Yes
DEED RECEIVED: Yes
AGENT AUTHORIZATION: Yes

36

Reviewer: Miriam Boone, 251-952-4011, mboone@cityoffoley.org, Building Department
Review Status: Approved

1. This appears to meet the R1A zoning designation.

Reviewer: Engineering Team, 2519524021, tdavis@cityoffoley.org;cchristian@cityoffoley.org, Engineering
Review Status: Approved

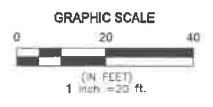
1. Engineering recommends approval

Reviewer: Angie Eckman, 251-923-4267 xt. 885, aeckman@cityoffoley.org, Environmental
Review Status: Approved

1. Environmental sees no issue with the lot subdivision.

Reviewer: Chuck Lay, 251-952-4011, clay@cityoffoley.org, Building Department
Review Status: Approved

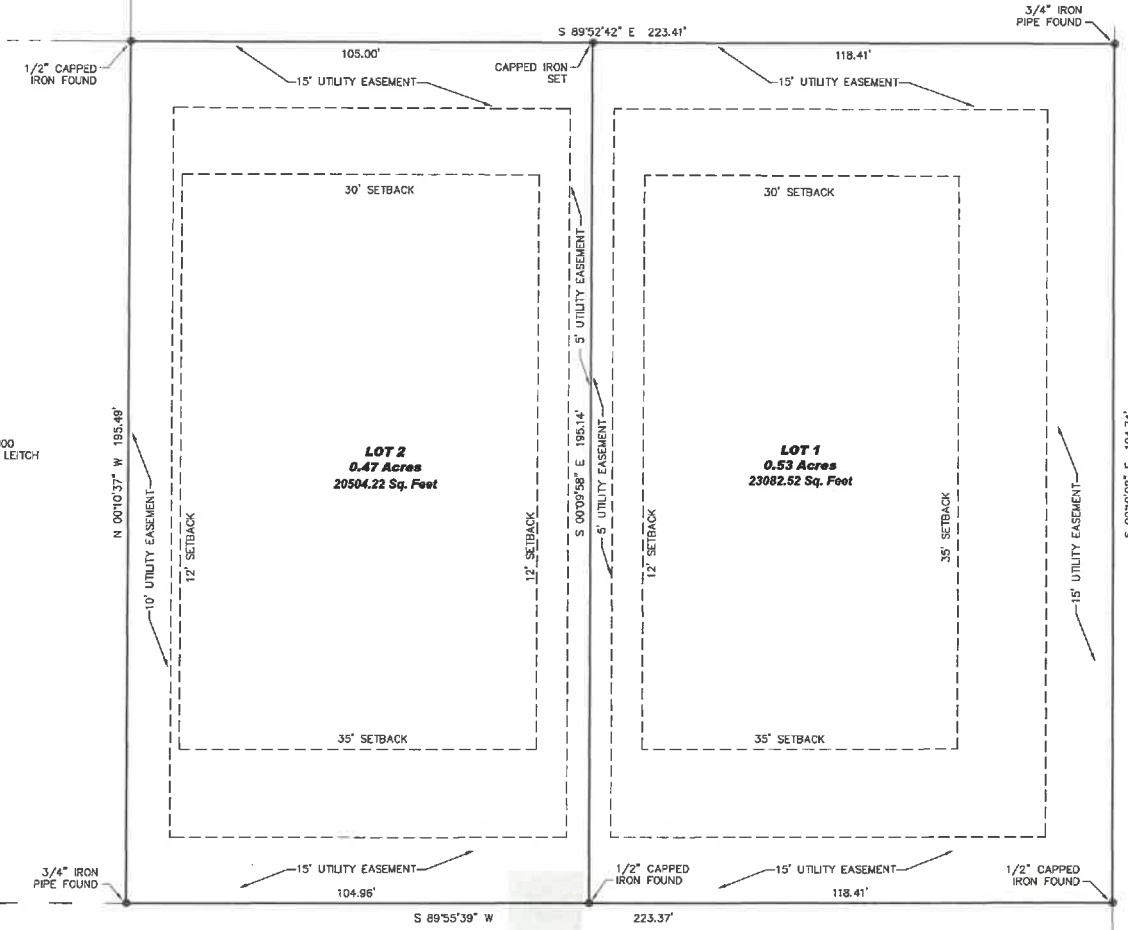
1. No concerns from Building Safety or Floodplain Management



05-51-05-16-0-001-019.000
KIMBERLY WESSLING
8623 JAMES ROAD
FOLEY, AL 36535

05-51-05-16-0-001-022.000
SUAREZ, MIGUEL ANGEL DIAZ ETAL
LIANES, R AND OSA ISELA PEREZ
8665 JAMES ROAD
FOLEY, AL 36535

05-51-05-16-0-001-023.000
NORMAN C. LEITCH & MARCIA R. LEITCH
20925 BRINKS WILLIS RD.
FOLEY, AL 36535



JAMES RD (60' R.O.W.)

BRINKS WILLIS RD (60' R.O.W.)



SITE DATA:
Parcel Number: 05-51-05-16-0-001-024.000
NUMBER OF LOTS: 2
TOTAL AREA: 1.0 ACRES
OWNER: RONNIE NORDAN
PO BOX 307, GILBERTOWN, AL 36908
ZONING: R-1A
SETBACKS:
MINIMUM DEPTH OF FRONT YARD: 35 FEET
MINIMUM DEPTH OF REAR YARD: 30 FEET
MINIMUM DEPTH OF REAR YARD WITH POOL/SCREEN ENCLOSURE: 10 FEET
MINIMUM WIDTH OF EACH SIDE YARD: 12 FEET
MINIMUM DEPTH OF SIDE YARD ABUTTING STREET: 35 FEET
EASEMENTS:
15' UTILITY EASEMENT ACROSS THE FRONT OF ALL LOTS
5' UTILITY EASEMENT ALONG THE SIDE OF ALL LOTS
15' UTILITY EASEMENT ACROSS THE REAR OF ALL LOTS

SURVEY NOTES:

- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE INSURANCE COMMITMENT OR TITLE SEARCH PROVIDED TO LINDER SURVEYING CONSULTANTS OR THE SIGNING SURVEYOR.
- NO IMPROVEMENTS OTHER THAN SHOWN WERE LOCATED.
- THIS IS A SUBDIVISION CLASS BOUNDARY SURVEY.
- BASES OF BEARINGS FOR THIS SURVEY IS THE ALABAMA STATE PLANE COORDINATE SYSTEM WEST ZONE, NAD 1983 (2011), AS DETERMINED BY G.P.S. OBSERVATIONS.
- ALL 1/2" IRON PIN SET ON THIS SURVEY ARE MARKED WITH BLUE CAPS STAMPED "LINDER SURVEYING-CA-1065-LS".
- THIS PROPERTY IS LOCATED IN ZONE X - UNSHADED AS SCALED FROM FEMA FIRM PANEL NO. 01003C0935L.

LEGAL DESCRIPTION:
COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA; THENCE S 89°59'27" W A DISTANCE OF 30.00 FEET TO A POINT; THENCE N 0°10'56" W A DISTANCE OF 30.00 FEET TO A CAPPED IRON FOUND AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF JAMES ROAD AND THE NORTH RIGHT OF WAY LINE OF BRINKS WILLIS ROAD, SAID POINT BEING THE POINT OF BEGINNING FOR THE PARCEL HEREIN DESCRIBED; THENCE S 89°55'39" W ALONG THE NORTH RIGHT OF WAY LINE OF BRINKS WILLIS ROAD A DISTANCE OF 223.37 FEET TO A FOUND 3/4" IRON PIPE; THENCE DEPARTING SAID RIGHT OF WAY N 0°10'37" W A DISTANCE OF 195.49 FEET TO A FOUND 1/2" CAPPED IRON; THENCE S 89°52'42" E A DISTANCE OF 223.41 FEET TO A 3/4" IRON PIPE FOUND ON THE WEST RIGHT OF WAY LINE OF JAMES ROAD; THENCE S 0°10'02" E ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 194.74 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S CERTIFICATE
I, JASON M. LINDER, HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

JASON M. LINDER, ALABAMA REGISTRATION NO. 34762

CERTIFICATION OF OWNERSHIP:

STATE OF ALABAMA
COUNTY OF BALDWIN

THIS IS TO CERTIFY THAT I, CHARLES RONNIE NORDAN, THE UNDERSIGNED, ARE OWNER(S) OF THE LAND SHOWN AND DESCRIBED IN THE PLAT, AND THAT I HAVE CAUSED THE SAME 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.

THIS THE _____ DAY OF _____, 2024.

OWNER

ACKNOWLEDGEMENT

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE HEREBY CERTIFY THAT RONNIE NORDAN, WHOSE NAME(S) ARE 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, EXECUTED THE SAME VOLUNTARILY AND WITH FULL AUTHORITY.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, THIS THE _____ DAY OF _____, 2024.

NOTARY PUBLIC

CERTIFICATE OF APPROVAL BY THE CITY ENGINEER

THE UNDERSIGNED, AS CITY ENGINEER OF THE CITY OF FOLEY, ALABAMA, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS THE _____ DAY OF _____, 2024.

CITY ENGINEER

CERTIFICATE OF APPROVAL BY THE CITY OF FOLEY PLANNING COMMISSION

THE WITHIN PLAT OF FOLEY FIELDS SUBDIVISION, FOLEY, ALABAMA, IS HEREBY APPROVED BY THE CITY OF FOLEY PLANNING COMMISSION.

THIS THE _____ DAY OF _____, 2024.

COMMUNITY DEVELOPMENT DIRECTOR

CERTIFICATE OF APPROVAL BY BALDWIN EMC (ELECTRIC)

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 THE _____ DAY OF _____, 2024.

BALDWIN EMC REPRESENTATIVE

CERTIFICATE OF APPROVAL BY RIVERIA UTILITIES (WATER)

THE UNDERSIGNED, AS AUTHORIZED BY RIVERIA UTILITES, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS THE _____ DAY OF _____, 2024.

RIVERIA UTILITES REPRESENTATIVE

CERTIFICATE OF APPROVAL BY BALDWIN COUNTY SEWER SERVICE (SEWER)

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY SEWER SERVICE, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS THE _____ DAY OF _____, 2024.

BALDWIN COUNTY SEWER SERVICE REPRESENTATIVE

CERTIFICATE OF APPROVAL BY CENTURYLINK COMMUNICATIONS (COMMUNICATIONS)

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY SEWER SERVICE, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS THE _____ DAY OF _____, 2024.

CENTURYLINK COMMUNICATIONS REPRESENTATIVE

Revisions

No.	Date	Description
1	---	---

FOLEY FIELDS SUBDIVISION
RONNIE NORDAN
SECTION 16, TOWNSHIP 8 SOUTH, RANGE 4 EAST
BALDWIN COUNTY, ALABAMA

DRAWING NOT VALID UNLESS BEARING SURVEYOR'S ORIGINAL SIGNATURE AND SEAL

Drawn	JML
Checked	JMT
Approved	JML



PLANNING COMMISSION JOINT STAFF REPORT: May 2024

STAFF RECOMMENDATION: Approval
PROJECT NAME: Resubdivision of Robert's Acres (Slide 2813-F)
REQUEST: Subdivision
SUB TYPE: Minor

OWNER / APPLICANT: Dwain Riebeling

ACREAGE: 30.00
NUMBER OF LOTS: 2

PIN#(s): 358450

LOCATION: 16240 -A COUNTY RD 26

PROJECT DESCRIPTION: Resubdivision of Robert's Acres (Slide 2813-F)

CURRENT ZONING: N/A

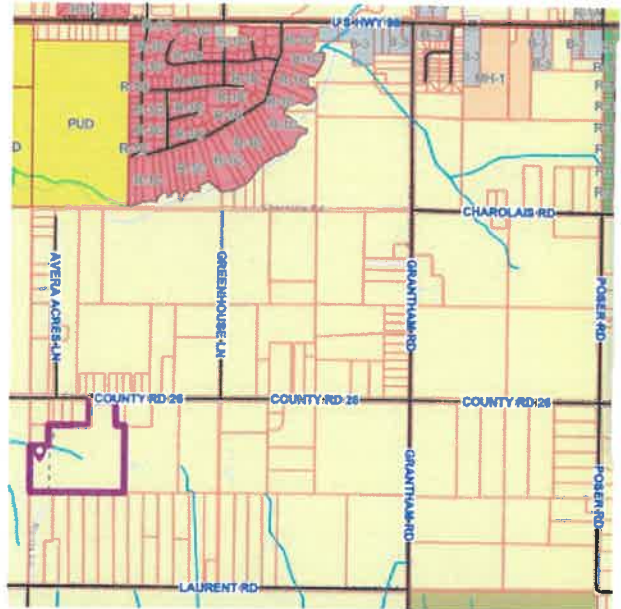
OVERLAY DISTRICT: N/A

REQUESTED ZONING: N/A

ADJACENT ZONING: BC District 21 - RR, RA, RSF-1

FUTURE LAND USE: RR - Rural Residential

EXISTING LAND USE: Farmland



39

UTILITY LETTERS RECEIVED: Yes
DEED RECEIVED: Yes
AGENT AUTHORIZATION: Yes

Reviewer: Miriam Boone, 251-952-4011, mboone@cityoffoley.org, Building Department
Review Status: Approved

1. The property is in BC District 21 & zoned RA. The County required the applicant to call this Lot 6. It meets the BC zoning requirements.

Reviewer: Engineering Team, 2519524021, tdavis@cityoffoley.org;cchristian@cityoffoley.org, Engineering
Review Status: Approved

1. Engineering recommends approval

Reviewer: Angie Eckman, 251-923-4267 xt. 885, aeckman@cityoffoley.org, Environmental
Review Status: Approved

1. Environmental sees no issue with the resubdivision.

Reviewer: Chuck Lay, 251-952-4011, clay@cityoffoley.org, Building Department
Review Status: Approved

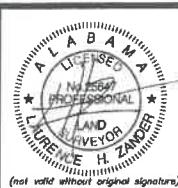
1. No objections from Building Safety or Floodplain Management Departments

SURVEY SERVICES

LAURENCE H. ZANDER, PLS

22561 PUTTER LANE
FOLEY, AL 36535
PH. (251) 677-8727

E-MAIL: SURVEY-SERVICES@OUTLOOK.COM



OWNER N/F:
DWAIN R. RIEBELING

SURVEY REQUESTED BY:
DWAIN R. RIEBELING
16240 COUNTY ROAD 26
FOLEY, AL 36535

SURVEY OF:
RESUBDIVISION OF ROBERT'S ACRES (SLIDE 2813-F)
PURPOSE OF RESUBDIVISION TO ADD LOT 6

STATE: ALABAMA COUNTY: BALDWIN
SECTION: 35 TOWNSHIP: 7 SOUTH RANGE: 3 EAST
PARCEL #: 55-07-35-0-000-015.002
PPIN #: 358450
ADDRESS: 16240 (A) COUNTY ROAD 26
FOLEY, AL 36535

Scale: 1" = 80'	Issue Date: March 21, 2024
Project Number: 244084	Field Date: August 27, 2019
Drawn By: LHZ	Revisions
Sheet Title:	No. Date Description
RESUBDIVISION	1 08/27/21 ADDITION OF LOT 5
	2 03/21/24 ADDITION OF LOT 6
Sheet Number: 1 of 1	

- ### SURVEYOR NOTES
- THE FIELD DATA UPON WHICH THIS PLAT IS BASED EXCEEDS SECOND ORDER CLASS 1 PRECISION AS OBTAINED BY THE AMERICAN CONGRESS ON SURVEY AND MAPPING.
 - THE DATA SHOWN ON THIS MAP INDICATING ACTUAL PROPERTY LINES HAS BEEN CALCULATED FOR A CLOSURE AND IS FOUND TO HAVE A CLOSURE PRECISION OF GREATER THAN ONE FOOT IN 10,000.
 - THE LINEAR AND ANGULAR MEASUREMENTS NECESSARY FOR THIS SURVEY WERE OBTAINED IN THE FIELD WITH A SPECTRA PRECISION FOCUS 30 ROBOTIC TOTAL STATION.
 - THE BASIS OF THE BEARINGS AND NORTH ARROW OF THIS PLAT ARE ASSUMED AND BASED ON THE SOUTH R/W LINE OF COUNTY ROAD NO. 26 BEING NORTH 89°57'12" EAST.
 - ALL LINEAR DISTANCES SHOWN ON THIS MAP ARE HORIZONTAL.
 - THIS LAND LIES WITHIN ZONE "X" PER GRAPHIC LOCATION AS DESIGNATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, COMMUNITY PANEL NO. 01003C0795 M, BALDWIN CO., ALABAMA, REVISED MAP DATED APRIL 19, 2019.
 - THIS PLAT IS SUBJECT TO ALL RESTRICTIONS, ENCUMBRANCES AND EASEMENTS WHICH MAY OR MAY NOT BE OF RECORD.
 - THERE WAS NO ATTEMPT TO DETERMINE THE EXISTENCE, LOCATION OR EXTENT OF UTILITIES OR SUB SURFACE FEATURES.
 - NO TITLE SEARCH OR ABSTRACT WAS FURNISHED TO NOR PERFORMED BY THIS FIRM FOR THE SUBJECT PROPERTY, SUCH A SEARCH OR ABSTRACT COULD AFFECT THE BOUNDARIES OF SAID PROPERTY.
 - SOURCE OF INFORMATION USED IN PREPARATION OF THIS PLAT: DEEDS OF RECORD & PREVIOUS SURVEYS BY THIS FIRM.

- ### LEGEND
- CRS CAPPED REBAR SET (LIC # CA 0700)
 - CRF CAPPED REBAR FOUND
 - RBF REBAR FOUND
 - POC POINT OF COMMENCEMENT
 - POB POINT OF BEGINNING
 - R/W RIGHT-OF-WAY
 - E PROPERTY LINE
 - EP EDGE OF PAVEMENT
 - U UTILITY POLE
 - BSL BUILDING SETBACK LINE

OWNER-DEVELOPER
Dwain R. Riebeling
16240 County Road 26
Foley, AL 36535

Site Data

- Total number of lots: 6
- Smallest Lot Size: 43,251 Sq. Ft.
- Linear feet in streets: 0
- Zoning: RSF-1
- Setbacks: Front 40' Rear 40' Side 10'

SURVEYOR'S CERTIFICATE AND DESCRIPTION OF LAND PLATTED

STATE OF ALABAMA, COUNTY OF BALDWIN
I, Laurence H. Zander, a licensed Surveyor of Baldwin County, Alabama, hereby certify that I have surveyed the property of Dwain R. Riebeling, situated in Baldwin County, Alabama and described as follows:

Beginning at the Northeast Corner of Lot 2 of Robert's Acres (Slide 2813-F) located on the South right-of-way line of County Road 26 (80 foot right-of-way) which lies in Section 35, Township 7 South, Range 3 East, Baldwin County, Alabama; thence run North 89°57'12" East, along said right-of-way line a distance of 30.00 feet to a point; thence run South 0°14'24" West, a distance of 706.00 feet to a point; thence run South 44°57'12" West, a distance of 42.64 feet to a point; thence run South 0°14'24" West, a distance of 524.17 feet to a point; thence run North 89°54'24" West, a distance of 217.42 feet to a point; thence run North 0°40'57" West, a distance of 583.82 feet to a point; thence run North 89°57'12" East, a distance of 182.02 feet to a point; thence run North 44°57'12" East, a distance of 56.57 feet to a point; thence run North 0°14'24" East, a distance of 636.00 feet to the Point of Beginning. Said parcel of land containing 3.49 acres more or less.

SUBJECT TO A 40 FOOT DRAINAGE EASEMENT DESCRIBED AS FOLLOWS:
Beginning at the Southwest Corner of Lot 5 of Robert's Acres (Slide 2813-F) which lies in Section 35, Township 7 South, Range 3 East, Baldwin County, Alabama; thence run North 89°57'12" East, along the South border of said Lot 5 a distance of 277.47 feet to a point; thence run South 0°14'24" West, a distance of 40.00 feet to a point; thence run South 89°57'12" West, a distance of 40.00 feet to the Point of Beginning.

ALSO SUBJECT TO A 30 FOOT INGRESS / EGRESS EASEMENT DESCRIBED AS FOLLOWS:
Commencing at the purported Northeast Corner of the Northwest Quarter of Section 35, Township 7 South, Range 3 East, Baldwin County, Alabama; thence run South 0°14'24" West, a distance of 40.00 feet to a point on the South right-of-way line of County Road 26 (80 foot right-of-way); thence run North 89°57'12" West, along said South right-of-way line a distance of 1054.39 feet to the Point of Beginning; thence run South 0°14'24" West, a distance of 373.00 feet to a point; thence run South 89°57'12" West, a distance of 30.00 feet to a point; thence run North 0°14'24" West, a distance of 373.00 feet to a point on the last mentioned South right-of-way line of County Road 26; thence run North 89°57'12" East, along said right-of-way line a distance of 30.00 feet to the Point of Beginning.

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 the relation of the land so platted to the Government Survey, and that permanent monuments have been placed at points marked thus (o) as hereon shown. I further certify that all parts of this survey and drawing have been completed in accordance with the requirements of the Minimum Technical Standards for the practice of land surveying in the State of Alabama to the best of my knowledge, information and belief.

WITNESS my hand this the 21st day of March, 2024.
Surveyor: *[Signature]*
Alabama license # 235647

OWNERS DEDICATION
I (Dwain R. Riebeling, 16240 County Road 26, Foley, AL), as proprietor, have caused the land embraced in the within plat to be surveyed, laid out and platted to be known as Robert's Acres, Section 35, Township 7 South, Range 3 East, Baldwin County, Alabama, and that the (Streets, Drives, Alleys, Easements, etc.) as shown on said plat are hereby dedicated to the use of the public.

Signed and sealed in the presence of:
Witness: _____ Property Owner: _____

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, Notary Public in and for said County, in said State, hereby certify that Dwain R. Riebeling, whose name is signed as Owner, acknowledged before me, on this date, that after having been duly informed of the contents of said certificate, they executed same voluntarily as such individuals (or in any other capacities) with full authority therefor.
GIVEN under my hand and official seal this _____ day of _____, 2024.

NOTARY PUBLIC

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 _____, 2024.

CITY ENGINEER

CERTIFICATE OF APPROVAL BY THE CITY OF FOLEY PLANNING COMMISSION

The within plat of the Robert's Acres Subdivision, Baldwin County, Alabama, is hereby approved by the City of Foley Planning Commission.
This the _____ day of _____, 2024.

Authorized Signature

CERTIFICATE OF FLOOD HAZARD ZONE

This is to certify that I have consulted the Federal Insurance Administration flood hazard boundary map, Community Panel No. 01003C0795 M, Dated 04-19-2019, and found that the above described property, in my opinion, lies in Zone(s) "X".
[Signature]
Laurence H. Zander
Alabama P.L.S. 25647

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, Dated this 26th day of March, 2024.
[Signature]
Authorized Representatives Signature
Baldwin EMC

CERTIFICATE OF APPROVAL BY THE COUNTY PLANNING DIRECTOR

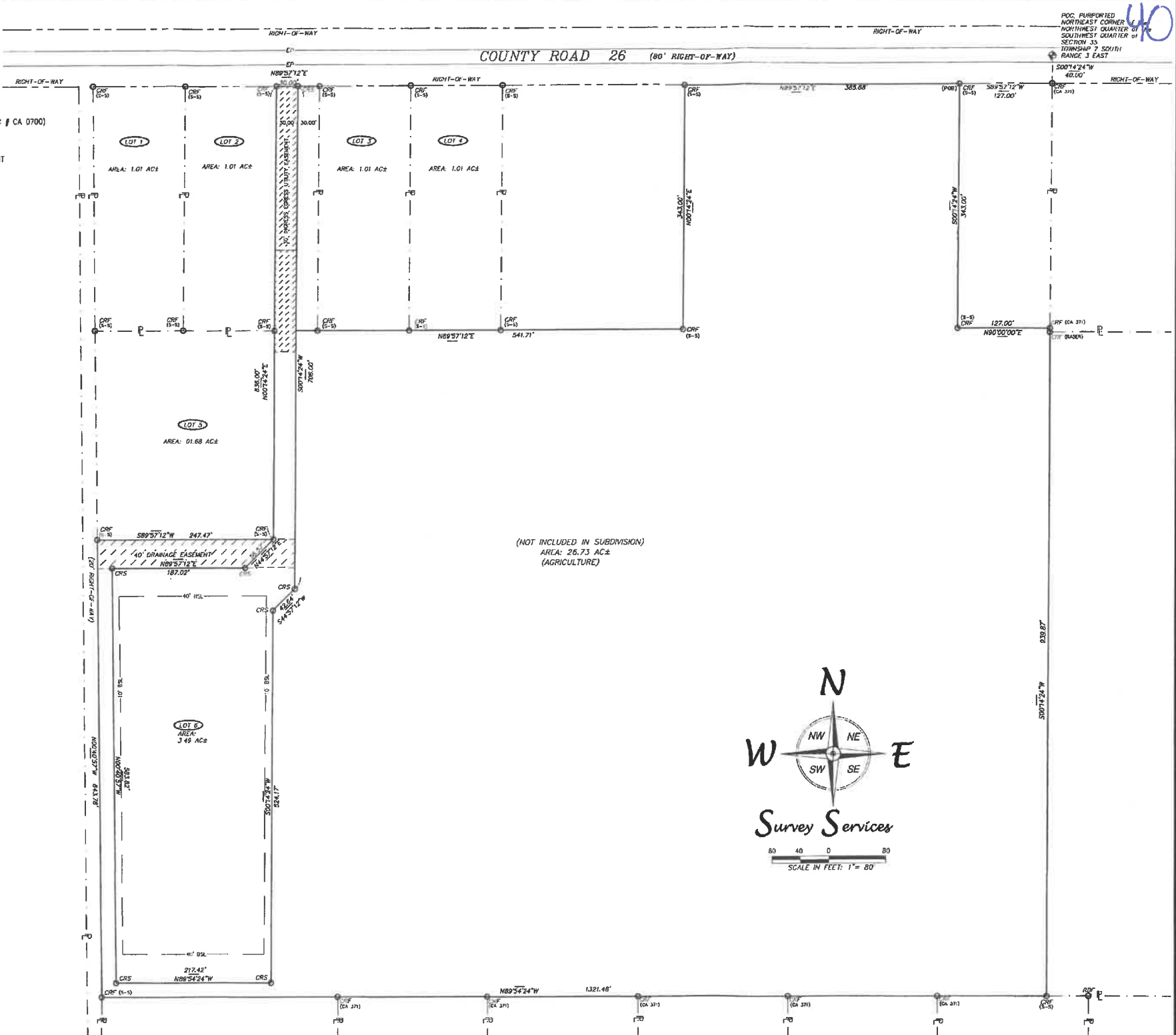
The undersigned, as County Director of the County of Baldwin of Alabama, hereby certifies on this the _____ day of _____, 2024, that the Town of Magnolia Springs Planning Commission has approved the within plat for recording of same in the Probate Office of Baldwin County Alabama.
Planning Director

CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY E-911 ADDRESSING

The undersigned, as authorized by the Baldwin County E-911 Board, hereby approves the road names as depicted on the within plat and hereby approves the within plat for the recording of same in the Probate Office of Baldwin County, Alabama this the _____ day of _____, 2024.
Authorized Signature

CERTIFICATE OF APPROVAL BY THE FIRE CHIEF OF THE FOLEY ALABAMA FIRE DEPARTMENT

The undersigned, as Fire Chief of the Foley Alabama Fire Department, hereby approves the within plat for the recording of same in the Probate Office of Baldwin County, Alabama, This the _____ day of _____, 2024.
Fire Chief

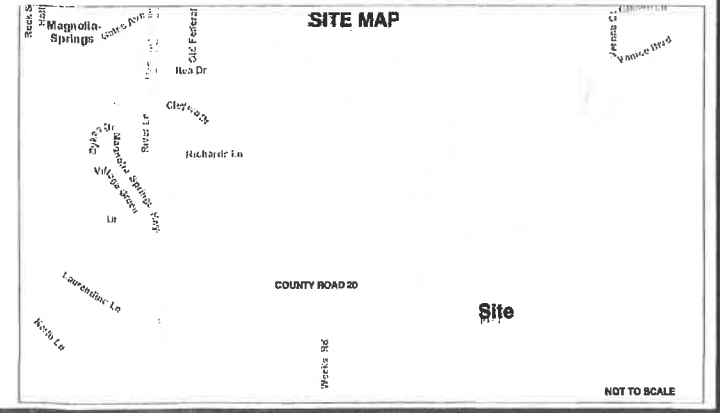
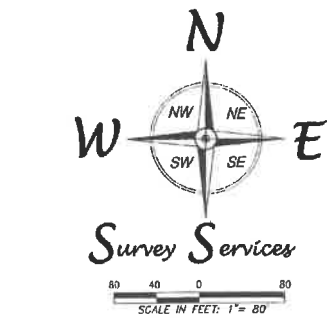


CERTIFICATE OF APPROVAL BY BALDWIN COUNTY HEALTH DEPARTMENT

The lots on this plat are subject to approval or deletion by the Baldwin County LHD. No representation is made that any lot on this plat will accommodate an Onsite Sewage System (OSS). The appropriateness of the lot for wastewater (sewage) treatment and disposal shall be determined when an application is submitted. If permitted, the lot approval may contain conditions which restrict the use of the lot or obligate owners to special maintenance and reporting requirements, and these are on file with the said health department and are made a part of this plat as if set out here on.
This the _____ day of _____, 2024.
Authorized Signature

THIS SUBDIVISION LIES WITHIN A MUNICIPAL PLANNING JURISDICTION WERE THE MUNICIPALITY EXERCISES EXCLUSIVE REVIEW AUTHORITY OVER SUBDIVISIONS. THEREFORE, THIS DIVISION IS NOT SUBJECT TO THE REQUIREMENTS OF THE BALDWIN COUNTY SUBDIVISION REGULATIONS AND WAS NOT REVIEWED FOR COMPLIANCE WITH THESE REGULATIONS. THE PROVISIONS OF ALABAMA CODE SECTION 45-2-261.17, AND SIMILAR STATUTES RELATED SUBDIVISIONS REVIEWED AND APPROVED UNDER BALDWIN COUNTY'S SUBDIVISION REGULATIONS, SHALL NOT APPLY TO THIS SUBDIVISION.

IN NO WAY SHALL IT BE CONSTRUED THAT BALDWIN COUNTY WILL TAKE RESPONSIBILITY FOR MAINTENANCE OF ANY EASEMENTS OR ROADS THAT ARE PART OF THIS DIVISION.





PLANNING COMMISSION JOINT STAFF REPORT: May 2024

41

STAFF RECOMMENDATION: Approval
PROJECT NAME: Foley Crossroads Subdivision Phase 4
REQUEST: Subdivision
SUB TYPE: Minor

OWNER / APPLICANT: Bohler Engineering

ACREAGE: 14.54
NUMBER OF LOTS: 2

PIN#(s): 347677

LOCATION: 21270 MIFLIN Rd- W of FBE, S of Miflin Rd

PROJECT DESCRIPTION: Foley Crossroads Subdivision Phase 4

CURRENT ZONING: B-1A

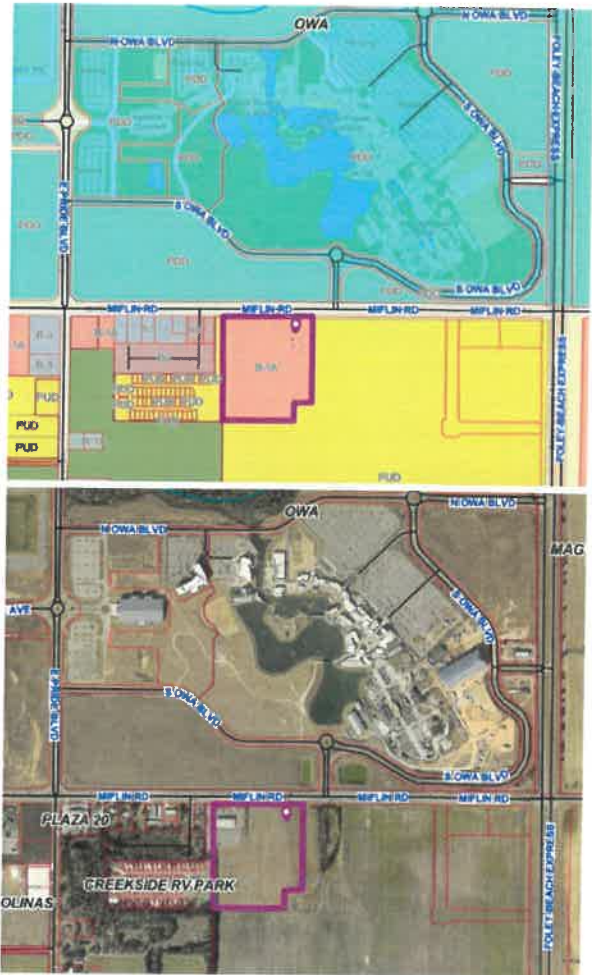
OVERLAY DISTRICT: Foley Beach Express Overlay District

REQUESTED ZONING: N/A

ADJACENT ZONING: N: PDD; E, S, & W: PUD

FUTURE LAND USE: RCC - Retail Commercial Concentration

EXISTING LAND USE: Church / Open Field



42

UTILITY LETTERS RECEIVED: Yes
DEED RECEIVED: Yes
AGENT AUTHORIZATION: Yes

Reviewer: Miriam Boone, 251-952-4011, mboone@cityoffoley.org, Building Department
Review Status: Approved

1. This subdivision appears to meet the B1A zoning requirements.

Reviewer: Engineering Team, 2519524021, tdavis@cityoffoley.org;cchristian@cityoffoley.org, Engineering
Review Status: Approved

1. Engineering recommends approval. An LDP will be required for any future development..

Reviewer: Angie Eckman, 251-923-4267 xt. 885, aeckman@cityoffoley.org, Environmental
Review Status: Approved

1. Environmental has no issue with the lot subdivision.

Reviewer: Chuck Lay, 251-952-4011, clay@cityoffoley.org, Building Department
Review Status: Approved

1. Neither Building nor Floodplain Management are apposed. Note: There may be potential wetlands to mitigate on the property.

SURVEYOR'S CERTIFICATE AND DESCRIPTION OF LAND PLATTED

STATE OF GEORGIA
COUNTY OF BARTOW

I, MITCHELL LOWERY, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALABAMA, HEREBY STATE THAT I HAVE SURVEYED THE PROPERTY SITUATED IN BALDWIN COUNTY, ALABAMA AND DESCRIBED AS FOLLOWS:

LOT 1-A, RESUBDIVISION OF LOT 1, FOLEY CROSSINGS SUBDIVISION, AS SHOWN ON SLIDE 2483-C, OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

BEING THE SAME PROPERTY CONVEYED BY INSTRUMENT 1585038, 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 ITS NUMBER AND SHOWING THE STREETS, ALLEYS AND PUBLIC GROUNDS AND GIVING THE BEARINGS, LENGTH, WIDTH AND NAME OF THE STREETS, SAID MAP FURTHER SHOWS THE RELATION TO THE LAND SO PLATTED TO THE GOVERNMENT SURVEY, AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED AT POINT MARKED THUS (O) AS HEREON SHOWN, AND I FURTHER CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS FOR THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

WITNESS MY HAND THIS _____ DAY OF _____ 2024.

MITCHELL LOWERY ALABAMA PLS# 30198



ACKNOWLEDGMENT

STATE OF GEORGIA
COUNTY OF BARTOW

I, CAITLIN R. LOWERY, NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT MITCHELL LOWERY, WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, EXECUTED THE SAME VOLUNTARILY, GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____ 20_____.

NOTARY PUBLIC

CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

I, JONATHAN SPULER, AS EXECUTIVE PASTOR OF CITY HOPE CHURCH, CERTIFY THAT I 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 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 DOCUMENTS

DATED THIS _____ DAY OF _____ 2024.

JONATHAN SPULER, EXECUTIVE PASTOR
CITY HOPE CHURCH

ACKNOWLEDGMENT

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____ NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT JONATHAN SPULER, WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, EXECUTED THE SAME VOLUNTARILY, GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____ 20_____.

NOTARY PUBLIC

LIEN HOLDER'S ACKNOWLEDGEMENT

CADENCE BANK

BY: _____

TITLE: _____

STATE OF _____

COUNTY OF _____

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE AT LARGE, HEREBY CERTIFY THAT _____ WHOSE NAME AS _____ OF AN _____ BANKING CORPORATION, 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, HE, AS SUCH OFFICER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID BANKING CORPORATION.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____ 2024.

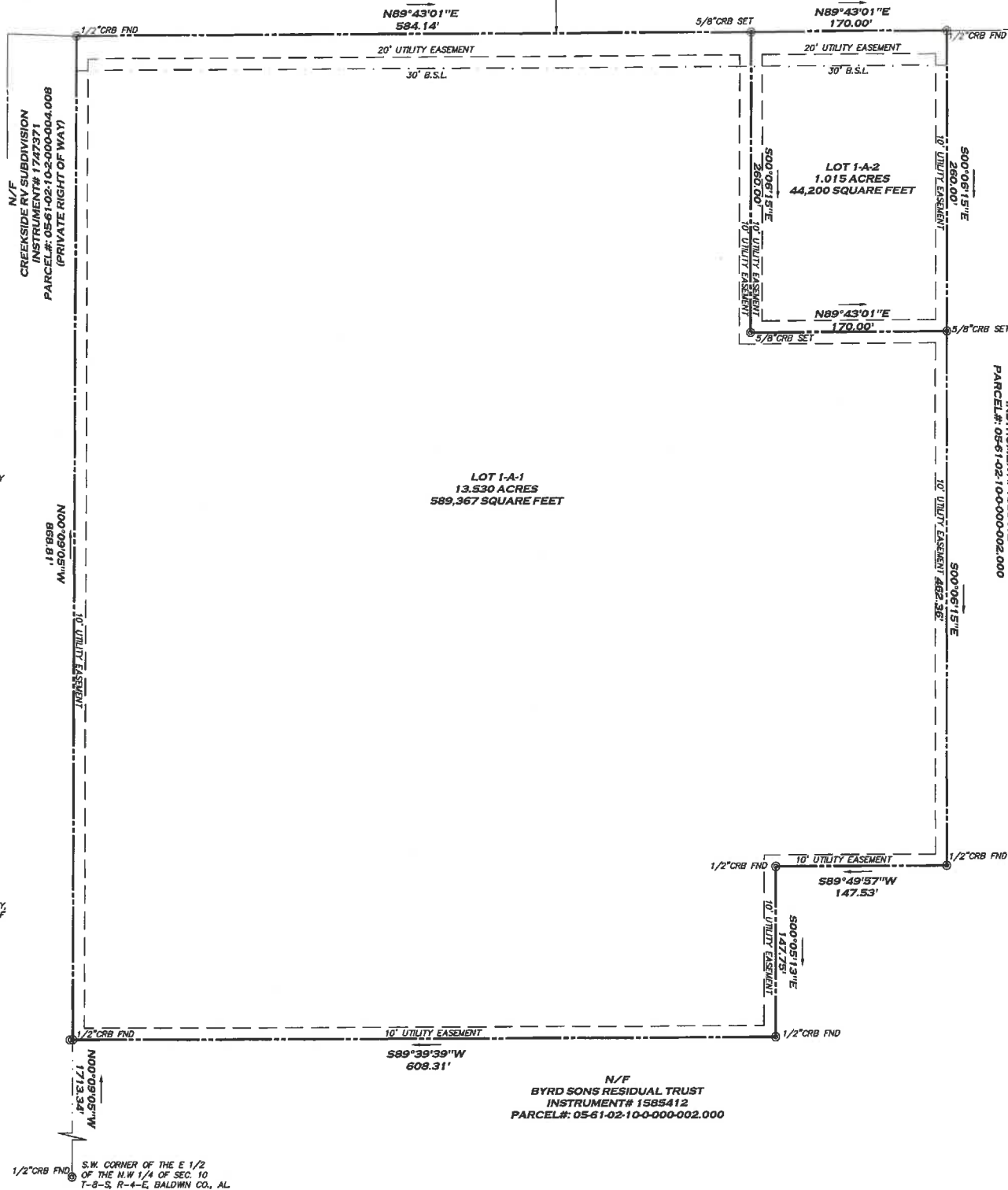
NOTARY PUBLIC

[NOTARY SEAL] MY COMMISSION EXPIRES: _____

FOLEY CROSSROADS SUBDIVISION, PHASE FOUR
A RESUBDIVISION OF LOT 1-A, FOLEY CROSSROADS SUBDIVISION, AS RECORDED ON SLIDE 2483-C, BALDWIN COUNTY RECORDS

N/F
FOLEY HOLDINGS LLC
INSTRUMENT# 1707395
PARCEL#: 61-02-03-0-000-001.008

MIFLIN ROAD
BALDWIN COUNTY ROAD 20
(120' RIGHT WAY)
PUBLICLY DEDICATED



VICINITY MAP

SURVEY NOTES

- 1) PROPERTY SHOWN HEREON WAS SURVEYED DECEMBER 27, 2023.
- 2) THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1" IN 36,918" WITH AN ANGULAR ERROR OF 3.54 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.
- 3) A SOKKIA IX SERIES ROBOTIC TOTAL STATION, CARLSON BRX7 GPS RECEIVER, AND CARLSON SURVEYOR+ DATA COLLECTOR WERE USED FOR FIELD SURVEY MEASUREMENTS.
- 4) THIS PLAT HAS A MAP CLOSURE OF 1" IN 880,000,000".
- 5) SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X ON FLOOD INSURANCE RATE MAP NO. 01003C0931M, WITH A DATE OF IDENTIFICATION OF APRIL 19, 2019 FOR COMMUNITY NUMBER 010007, IN BALDWIN COUNTY, STATE OF ALABAMA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
- 6) BEARING BASIS (NAD83, AL WEST) FOR THIS SURVEY WAS ESTABLISHED USING A CARLSON BRX7 GPS RECEIVER UTILIZING OPUS-S FOR POST PROCESSING, THE RELATIVE POSITIONAL ACCURACY, AS CALCULATED ACCORDING TO THE FEDERAL GEOGRAPHIC DATA COMMITTEE PART 3 NATIONAL STANDARD FOR SPATIAL DATA ACCURACY, IS .03 FEET HORIZONTAL AND .06 FEET VERTICAL AT THE 95% CONFIDENCE LEVEL.
- 7) CURRENT PROPERTY OWNER: CITY HOPE CHURCH F/K/A BAY COMMUNITY CHURCH, INC., AN ALABAMA RELIGIOUS NONPROFIT CORPORATION PER INSTRUMENT 1585038, BALDWIN COUNTY, ALABAMA RECORDS



GRAPHIC SCALE
1 Inch = 60 Feet

LEGEND

---	PROPERTY LINE
- - -	EASEMENT LIMITS
---	BUILDING SETBACK LINE
B.S.L.	BUILDING SETBACK LINE
RB	REBAR
CRB	CAPPED REBAR
FND	FOUND

PROFESSIONAL LAND SURVEYORS, LLC
317 GRASSDALE ROAD
CARTERSVILLE, GA 30121
770-334-8186
WWW.PLS.US
INFO@PLS.US
ALABAMA C.O.A.: LSCA50198

PREPARED FOR:
EXPRESS OIL CHANGE, LLC
1680 SOUTHPARK DRIVE
BIRMINGHAM, AL 35244

RESUBDIVISION OF LOT 1-A, FOLEY CROSSROADS SUBDIVISION BALDWIN COUNTY PARCEL 05-61-02-10-0-000-002.002	COUNTY: BALDWIN	TOWNSHIP: 8 SOUTH	RANGE: 4 EAST
---	-----------------	-------------------	---------------

REVISIONS

DATE	DESCRIPTION

PROFESSIONAL LAND SURVEYORS

DATE: MARCH 27, 2024
JOB #: 244618
SCALE: 1"=60'
SHEET 1 OF 1

44



PLANNING COMMISSION JOINT STAFF REPORT: May 2024

STAFF RECOMMENDATION: Approval
PROJECT NAME: Weir McKenzie Subdivision
REQUEST: Subdivision
SUB TYPE: Minor

OWNER / APPLICANT: Engineering Design Group

ACREAGE: 34.09
NUMBER OF LOTS: 4

PIN#(s): 272988

LOCATION: S of Mifflin Rd, W of Mifflin Creek Rd

PROJECT DESCRIPTION: Weir McKenzie Subdivision

CURRENT ZONING: N/A

OVERLAY DISTRICT: N/A

REQUESTED ZONING: N/A

ADJACENT ZONING: BC Dist 30, RSF-1 & RA

FUTURE LAND USE: Not specified for this parcel, but closest shown is RM - Res. Med. Density

EXISTING LAND USE: Residential/Wooded



45

UTILITY LETTERS RECEIVED: Yes
DEED RECEIVED: Yes
AGENT AUTHORIZATION: Yes

Reviewer: Miriam Boone, 251-952-4011, mboone@cityoffoley.org, Building Department
Review Status: Approved

1. These lots appear to meet the BC zoning requirements.

Reviewer: Engineering Team, 2519524021, tdavis@cityoffoley.org;cchristian@cityoffoley.org, Engineering
Review Status: Approved

1. Approved

Reviewer: Angie Eckman, 251-923-4267 xt. 885, aeckman@cityoffoley.org, Environmental
Review Status: Approved

1. Environmental recommends approval.

Reviewer: Chuck Lay, 251-952-4011, clay@cityoffoley.org, Building Department
Review Status: Approved

1. No concerns from neither Building Safety nor Floodplain Management. Note - there may be possible wetlands on the southern section.

FINAL PLAT OF WEIR-MCKENZIE-CARTER SUBDIVISION

44

SITUATED IN SECTION 7, TOWNSHIP 8 SOUTH, RANGE 5 EAST, BALDWIN COUNTY, ALABAMA

VICINITY MAP (N.T.S.)



NOTES:

- BEARINGS SHOWN HEREON ARE RELATIVE TO THE ALABAMA STATE PLANE COORDINATE SYSTEM GRID AZIMUTH (ALABAMA WEST ZONE) (NAD 83) AND WERE DETERMINED USING GPS OBSERVATION.
- ACCORDING TO THE FLOOD INSURANCE RATE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR ALABAMA (COMMUNITY PANEL 010030095M, EFFECTIVE DATE APRIL 19, 2015), THIS SITE LIES WITHIN ZONE X, DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".
- ALL EASEMENTS AND RIGHT-OF-WAY OF WHICH THE SURVEYOR HAS KNOWLEDGE HAVE BEEN SHOWN HERON.

BALDWIN COUNTY NOTE:

THIS SUBDIVISION LIES WITHIN AN AREA WHERE MUNICIPAL PLANNING COMMISSION EXERCISES EXECUTIVE JURISDICTION OVER THE REVIEW AND APPROVAL OF SUBDIVISION. THIS SUBDIVISION HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH THE BALDWIN COUNTY SUBDIVISION REGULATIONS, THE PROVISIONS OF ALABAMA CODE SECTION 45-2-261.17 SHALL NOT APPLY TO THIS SUBDIVISION.

RA (RURAL AGRICULTURAL DISTRICT)

SETBACKS

FRONT: 40 FEET
 REAR: 40 FEET
 SIDE: 15 FEET
 MIN LOT AREA: 3 ACRES
 MIN LOT WIDTH BL: 210 FEET
 MIN LOT WIDTH ST: 210 FEET

OWNER/DEVELOPER:
 CLYDE WEIR
 9645 MIFLIN CREEK RD
 ELBERTA AL 36530

OWNER/DEVELOPER:
 CHRISTIN MCKENZIE
 11380 STUCKI RD
 ELBERTA AL 36530

OWNER/DEVELOPER:
 GLENDA P CARTER
 24444 MIFLIN RD
 ELBERTA AL 36530

PROPERTY ADDRESS:
 24290 MIFLIN RD
 ELBERTA AL 36530

SITE DATA:
 PARCEL ID: 62-03-07-0-001-008.001,
 62-03-07-0-001-008.002, 62-03-07-0-001-008.003
 62-03-07-0-001-008.005, 62-03-07-0-001-003.000
 62-03-07-0-001-003.001

TOTAL ACRES: 34.09
 ZONING: RA
 PLANNING DISTRICT: 30
 TOTAL LOTS: 4
 SMALLEST LOT: 5.86 AC
 LARGEST LOT: 10.83 AC
 STREETS: EXISTING
 UTILITY PROVIDERS:
 WATER: RIVIERA WATER
 SEWER: SEPTIC
 POWER: BALDWIN EMC
 GAS: RIVIERA GAS
 INTERNET: BRIGHTSPEED COMMUNICATIONS

*NOTE: BALDWIN EMC, THERE IS A DEDICATED 10' UTILITY EASEMENT ON ALL LOT LINES AND COMMON AREAS ADJACENT TO THE RIGHT-OF-WAYS AND A 10' UTILITY EASEMENT ON EACH SIDE OF LOT AND COMMON AREAS, UNLESS OTHERWISE NOTED.

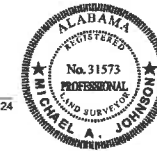
* NOTE: BALDWIN COUNTY WILL NOT BE RESPONSIBLE FOR MAINTAINING ANY DRAINAGE EASEMENTS OR ANY COMMON AREAS OF DRAINAGE.

I HEREBY STATE 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.

SURVEYOR:

[Signature]
 CRAIG JOHNSON
 ALABAMA LICENSE NO. 31573

DATE: April 28, 2024



SHEET NO. 1 OF 2

CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF ALABAMA
 COUNTY OF BALDWIN

THIS IS TO CERTIFY THAT I AM THE OWNER OF THE LAND SHOW AND DESCRIBED IN THE PLAT THAT I HAVE CAUSED THE SAME 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 STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACE 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 _____, 2024.

CLYDE WEIR
 9645 MIFLIN CREEK RD
 ELBERTA, AL 36530

CERTIFICATE OF APPROVAL BY NOTARY PUBLIC

STATE OF ALABAMA
 COUNTY OF BALDWIN

I, _____ (OWNERS NAME) NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, HEREBY CERTIFY THAT _____ (OWNERS NAME) WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, EXECUTED THE SAME VOLUNTARILY, GIVEN UNDER MY HAND AND OFFICIAL SEAL

THIS ____ DAY OF _____, 2024.

SIGNATURE OF NOTARY PUBLIC

CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF ALABAMA
 COUNTY OF BALDWIN

THIS IS TO CERTIFY THAT I AM THE OWNER OF THE LAND SHOW AND DESCRIBED IN THE PLAT THAT I HAVE CAUSED THE SAME 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 STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACE 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 _____, 2024.

CHRISTIN MCKENZIE
 11380 STUCKI RD
 ELBERTA, AL 36530

CERTIFICATE OF APPROVAL BY NOTARY PUBLIC

STATE OF ALABAMA
 COUNTY OF BALDWIN

I, _____ (OWNERS NAME) NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, HEREBY CERTIFY THAT _____ (OWNERS NAME) WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, EXECUTED THE SAME VOLUNTARILY, GIVEN UNDER MY HAND AND OFFICIAL SEAL

THIS ____ DAY OF _____, 2024.

SIGNATURE OF NOTARY PUBLIC

CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF ALABAMA
 COUNTY OF BALDWIN

THIS IS TO CERTIFY THAT I AM THE OWNER OF THE LAND SHOW AND DESCRIBED IN THE PLAT THAT I HAVE CAUSED THE SAME 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 STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACE 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 _____, 2024.

GLENDA P. CARTER
 24444 MIFLIN RD
 ELBERTA, AL 36530

CERTIFICATE OF APPROVAL BY NOTARY PUBLIC

STATE OF ALABAMA
 COUNTY OF BALDWIN

I, _____ (OWNERS NAME) NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, HEREBY CERTIFY THAT _____ (OWNERS NAME) WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, EXECUTED THE SAME VOLUNTARILY, GIVEN UNDER MY HAND AND OFFICIAL SEAL

THIS ____ DAY OF _____, 2024.

SIGNATURE OF NOTARY PUBLIC

CERTIFICATE OF APPROVAL BY E-911 GIS/ADDRESSING

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY E-911 BOARD, HEREBY APPROVES THE ROAD NAMES AS DEPICTED ON THE MAP WITHIN PLAT AND HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF _____, 2024.

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER

THE UNDERSIGNED, AS COUNTY ENGINEER OF BALDWIN COUNTY, ALABAMA HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

SIGNED THIS ____ DAY OF _____, 2024

COUNTY ENGINEER

CERTIFICATE OF APPROVAL BY THE CITY OF FOLEY PLANNING COMMISSION

THE UNDERSIGNED, AS _____ OF BALDWIN COUNTY PLANNING AND ZONING COMMISSION, HEREBY CERTIFIES THAT, AT ITS MEETING OF _____ THE BALDWIN COUNTY PLANNING AND ZONING COMMISSION APPROVED THE WITHIN PLAT FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, THIS THE ____ DAY OF _____, 2024

BALDWIN COUNTY PLANNING AND ZONING COMMISSION

BY: _____
 ITS: _____

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 ____ DAY OF _____, 2024.

CITY ENGINEER

CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY HEALTH DEPARTMENT

THE LOT(S) ON THIS PLAT ARE SUBJECT TO APPROVAL OR DELETION BY THE BALDWIN COUNTY HEALTH DEPARTMENT. NO REPRESENTATION IS MADE THAT ANY LOT ON THIS PLAT WILL ACCOMMODATE AN ONSITE SEWAGE SYSTEM (OSS), THE APPROPRIATENESS OF A LOT FOR WASTEWATER (SEWAGE) TREATMENT AND DISPOSAL SHALL BE DETERMINED WHEN AN APPLICATION IS SUBMITTED. IF PERMITTED, THE LOT APPROVAL MAY CONTAIN CERTAIN CONDITIONS WHICH RESTRICT THE USE OF THE LOT OR OBLIGATE OWNERS TO SPECIAL MAINTENANCE AND REPORTING REQUIREMENTS, AND THESE ARE ON FILE WITH THE SAID HEALTH DEPARTMENT AND ARE MADE A PART OF THIS PLAT AS IF SET OUT HERE ON. SIGNED THIS THE ____ DAY OF _____, 2024.

AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL BY BALDWIN EMC

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN EMC, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA: THIS THE ____ DAY OF _____, 2024

AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL BY RIVIERA UTILITIES (WATER)

THE UNDERSIGNED, AS AUTHORIZED BY RIVIERA UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA: THIS THE ____ DAY OF _____, 2024

AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL BY RIVIERA UTILITIES (GAS)

THE UNDERSIGNED, AS AUTHORIZED BY RIVIERA UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA: THIS THE ____ DAY OF _____, 2024

AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL BY BRIGHTSPEED COMMUNICATIONS

THE UNDERSIGNED, AS AUTHORIZED BY BRIGHTSPEED COMMUNICATIONS, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA: THIS THE ____ DAY OF _____, 2024

AUTHORIZED SIGNATURE

PROPERTY DESCRIPTION: 62-03-07-0-001-003.001 (RP 666, PAGE 313)

THE SOUTH TEN ACRES OF A TWENTY ACRE PARCEL MORE PARTICULARLY DESCRIBED AS THE EAST ONE-HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NE 1/4), LESS THE ROAD AND RIGHT-OF-WAY IN SECTION 7, TOWNSHIP 8 SOUTH, RANGE 5 EAST RECORDED WITH THE JUDGE OF PROBATE IN DEED 253, PAGE 591, IN BALDWIN COUNTY, ALABAMA.

PROPERTY DESCRIPTION: 62-03-07-0-001-008.002 (INSTRUMENT # 914506)

COMMENCE AT THE NORTH-EAST CORNER OF THE WEST 1/4 OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 8 SOUTH, RANGE 5 WEST, BALDWIN COUNTY, ALABAMA; THENCE S 00 DEGREES 18' 38" E, 300.09 FEET TO AN IRON PIN AND THE POINT OF BEGINNING; THENCE S 90 DEGREES 18' 38" E, 1003.72 FEET TO AN IRON PIN; THENCE N 89 DEGREES 58' 25" W, 217.28 FEET TO AN IRON PIN; THENCE N 00 DEGREES 28' 41" W, 1003.74 FEET TO AN IRON PIN; THENCE S 89 DEGREES 58' 25" E, 219.61 FEET TO THE POINT OF BEGINNING. SAID TRACT BEING 5.033 ACRES MORE OR LESS AND BEING A PART OF TRACT RECORDED RP 27, PAGE 185.

PROPERTY DESCRIPTION: PARCEL # 62-03-07-0-001-008.001 (INSTRUMENT # 1752781)

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 8 SOUTH, RANGE 5 EAST, BALDWIN COUNTY, ALABAMA, THENCE RUN SOUTH 40 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BALDWIN COUNTY ROAD NUMBER 20; THENCE RUN NORTH 90 DEGREES, 0 MINUTES, 0 SECONDS EAST ALONG SAID SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NUMBER 20 A DISTANCE OF 145.08 FEET TO POINT; THENCE RUN SOUTH 00 DEGREES, 0 MINUTES, 42 SECONDS EAST, LEAVING THE SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NUMBER 20, A DISTANCE OF 226.71 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 89 DEGREES, 26 MINUTES, 23 SECONDS EAST, A DISTANCE OF 302.99 FEET TO A POINT; THENCE RUN SOUTH 00 DEGREES, 4 MINUTES, 7 SECONDS EAST, A DISTANCE OF 45 FEET TO A POINT; THENCE RUN SOUTH 00 DEGREES, 9 MINUTES, 48 SECONDS WEST, A DISTANCE OF 994.42 FEET TO A POINT; THENCE RUN SOUTH 80 DEGREES, 12 MINUTES, 29 SECONDS WEST, A DISTANCE OF 439.20 FEET TO A POINT; THENCE RUN NORTH 00 DEGREES, 20 MINUTES, 2 SECONDS WEST, A DISTANCE OF 996.12 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES, 29 MINUTES, 36 SECONDS EAST, A DISTANCE OF 144.79 FEET TO A POINT; THENCE RUN NORTH 00 DEGREES, 0 MINUTES, 42 SECONDS WEST, A DISTANCE OF 45.14 FEET TO THE POINT OF BEGINNING.

PROPERTY DESCRIPTION: PARCEL # 62-03-07-0-001-008.003 (INSTRUMENT # 1752782)

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA, THENCE RUN SOUTH 40 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BALDWIN COUNTY ROAD NUMBER 20; THENCE RUN NORTH 90 DEGREES, 0 MINUTES, 0 SECONDS EAST ALONG SAID SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NUMBER 20 A DISTANCE OF 145.08 FEET TO A POINT; THENCE RUN SOUTH 00 DEGREES, 0 MINUTES, 42 SECONDS EAST, LEAVING THE SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NUMBER 20, A DISTANCE OF 226.71 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 89 DEGREES, 26 MINUTES 23 SECONDS EAST A DISTANCE OF 70.72 FEET TO A POINT; THENCE RUN SOUTH 01 DEGREES, 18 MINUTES, 25 SECONDS EAST A DISTANCE OF 483.82 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES, 43 MINUTES, 3 SECONDS WEST A DISTANCE OF 223.66 FEET TO A POINT; THENCE RUN NORTH 00 DEGREES, 20 MINUTES, 2 SECONDS WEST A DISTANCE OF 415.50 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES, 29 MINUTES, 36 SECONDS EAST A DISTANCE OF 144.79 FEET TO A POINT; THENCE RUN NORTH 00 DEGREES, 9 MINUTES, 42 SECONDS WEST A DISTANCE OF 45.14 FEET TO THE POINT OF BEGINNING.

PROPERTY DESCRIPTION: PARCEL # 62-03-07-0-001-003.000 (INSTRUMENT # 1969669)

THE EAST ONE-HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION SEVEN (7), TOWNSHIP EIGHT (8) SOUTH, RANGE FIVE (5) EAST, BALDWIN COUNTY, ALABAMA.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

THE SOUTH TEN ACRES OF A TWENTY ACRE PARCEL MORE PARTICULARLY DESCRIBED AS THE EAST ONE-HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NE 1/4), LESS THE ROAD AND RIGHT-OF-WAY IN SECTION 7, TOWNSHIP 8 SOUTH, RANGE 5 EAST, PREVIOUSLY CONVEYED TO CLYDE B. WEIR BY WARRANTY DEED DATED JANUARY 8, 1996, RECORDED IN REAL PROPERTY BOOK 666, PAGE 313.

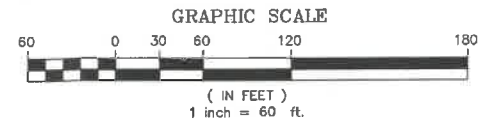
PROPERTY DESCRIPTION: PARCEL # 62-03-07-0-001-008.005 (INSTRUMENT # 1971017)

COMMENCING AT THE NORTH-WEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 8 SOUTH, RANGE 5 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 40 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD NO. 20 AN 80 FOOT RIGHT OF WAY; THENCE RUN NORTH 89°00'00" EAST ALONG SAID SOUTH RIGHT OF WAY OF BALDWIN COUNTY ROAD NO. 20 A DISTANCE OF 145.08 FEET TO A CAPPED REBAR FOUND (POLY); THENCE RUN SOUTH 00°00'42" EAST A DISTANCE OF 225.78 FEET TO A CAPPED REBAR FOUND (UNKNOWN) FOR THE POINT OF BEGINNING; THENCE RUN NORTH 89°26'23" EAST FOR 302.99 FEET TO A CAPPED REBAR (HMR); THENCE RUN SOUTH 00°04'07" EAST FOR 45.00 FEET TO A REBAR FOUND; THENCE RUN SOUTH 00 09'48" WEST FOR 264.53 FEET TO A CAPPED REBAR SET (LS13918); THENCE RUN NORTH 88°51'42" WEST FOR 445.68 FEET TO A CAPPED REBAR SET (LS13918); THENCE RUN NORTH 00°20'02" WEST FOR 251.30 FEET TO A CAPPED REBAR FOUND; THENCE RUN NORTH 89°29'35" EAST FOR 144.79 FEET TO A CAPPED REBAR FOUND (POLY); THENCE RUN NORTH 00°00' 42" WEST FOR 45.14 FEET TO THE POINT OF BEGINNING.

FINAL PLAT OF WEIR-MCKENZIE-CARTER SUBDIVISION

47

SITUATED IN SECTION 7,
TOWNSHIP 8 SOUTH, RANGE 5 EAST,
BALDWIN COUNTY, ALABAMA



- LEGEND**
- IPF - IRON PIN FOUND
 - CRS - CAPPED REBAR SET (EDG)
 - SECTION CORNER

NOTES:

- BEARINGS SHOWN HEREON ARE RELATIVE TO THE ALABAMA STATE PLANE COORDINATE SYSTEM GRID AZIMUTH (ALABAMA WEST ZONE) (NAD 83) AND WERE DETERMINED USING GPS OBSERVATION.
- ACCORDING TO THE FLOOD INSURANCE RATE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR ALABAMA (COMMUNITY PANEL 0100300955M, EFFECTIVE DATE APRIL 19, 2019), THIS SITE LIES WITHIN ZONE X, DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".
- ALL EASEMENTS AND RIGHT-OF-WAY OF WHICH THE SURVEYOR HAS KNOWLEDGE HAVE BEEN SHOWN HEREON.

BALDWIN COUNTY NOTE:

THIS SUBDIVISION LIES WITHIN AN AREA WHERE MUNICIPAL PLANNING COMMISSION EXERCISES EXECUTIVE JURISDICTION OVER THE REVIEW AND APPROVAL OF SUBDIVISION. THIS SUBDIVISION HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH THE BALDWIN COUNTY SUBDIVISION REGULATIONS. THE PROVISIONS OF ALABAMA CODE SECTION 45-2-261.17 SHALL NOT APPLY TO THIS SUBDIVISION.

RA (RURAL AGRICULTURAL DISTRICT)

SETBACKS

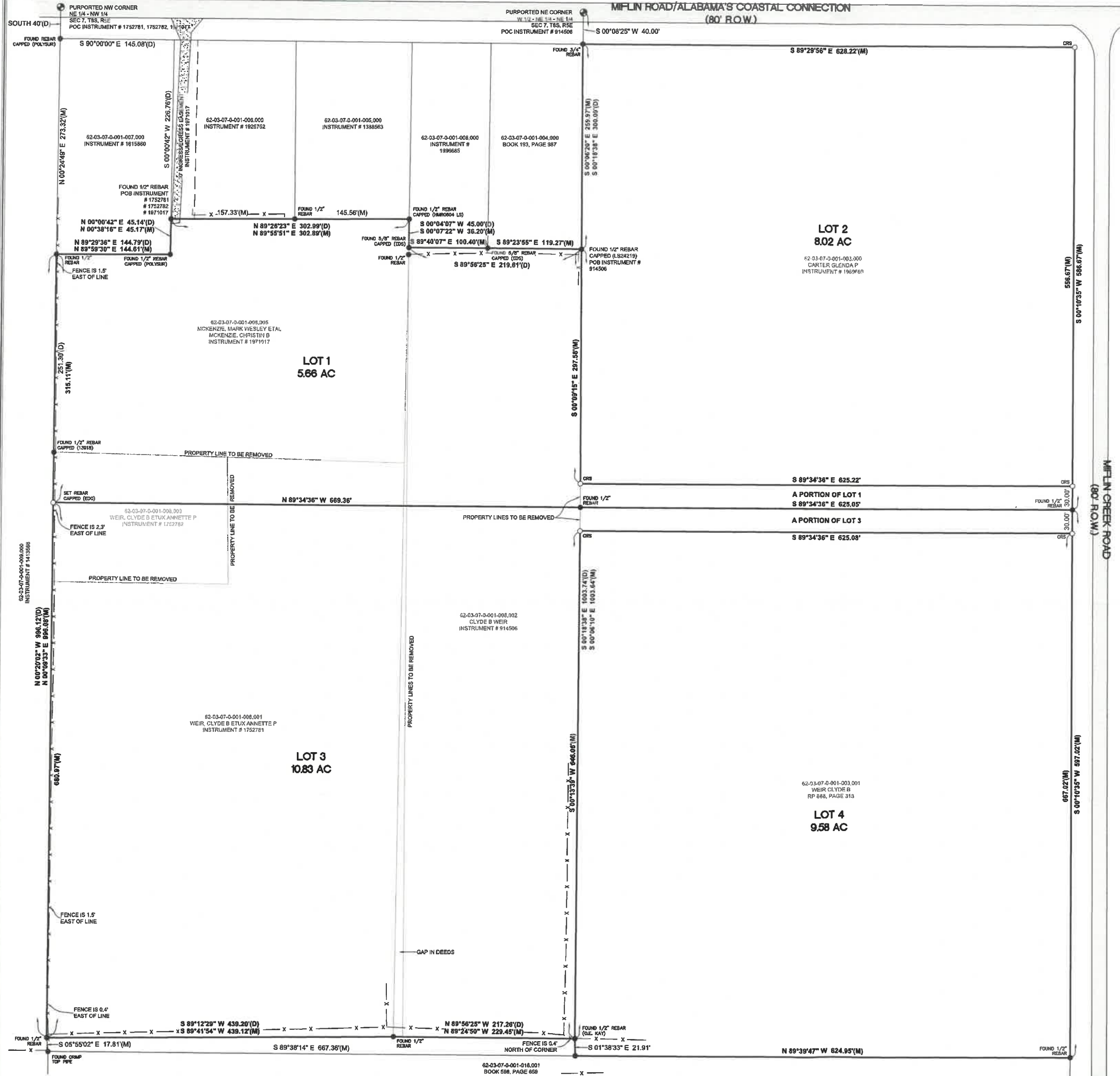
FRONT: 40 FEET
REAR: 40 FEET
SIDE: 15 FEET
MIN LOT AREA: 3 ACRES
MIN LOT WIDTH BL: 210 FEET
MIN LOT WIDTH ST: 210 FEET

OWNER/DEVELOPER:
CLYDE WEIR
9645 MIFLIN CREEK RD
ELBERTA AL 36530
OWNER/DEVELOPER:
CHRISTIN MCKENZIE
11380 STUCKI RD
ELBERTA AL 36530
OWNER/DEVELOPER:
GLENDA P CARTER
24444 MIFLIN RD
ELBERTA AL 36530
PROPERTY ADDRESS:
24290 MIFLIN RD
ELBERTA AL 36530

SITE DATA:
PARCEL ID: 62-03-07-0-001-008.001,
62-03-07-0-001-008.002, 62-03-07-0-001-008.003
62-03-07-0-001-008.005, 62-03-07-0-001-003.001
62-03-07-0-001-003.001
TOTAL ACRES: 34.09
ZONING: RA
PLANNING DISTRICT: 3D
TOTAL LOTS: 4
SMALLEST LOT: 5.66 AC
LARGEST LOT: 10.83 AC
STREETS: EXISTING
UTILITY PROVIDERS:
WATER: RIVIERA WATER
SEWER: SEPTIC
POWER: BALDWIN EMC
GAS: RIVIERA GAS
INTERNET: BRIGHTSPEED COMMUNICATIONS

*NOTE: BALDWIN EMC, THERE IS A DEDICATED 10' UTILITY EASEMENT ON ALL LOT LINES AND COMMON AREAS ADJACENT TO THE RIGHT-OF-WAYS AND A 10' UTILITY EASEMENT ON EACH SIDE OF LOT AND COMMON AREAS, UNLESS OTHERWISE NOTED.

*NOTE: BALDWIN COUNTY WILL NOT BE RESPONSIBLE FOR MAINTAINING ANY DRAINAGE EASEMENTS OR ANY COMMON AREAS OF DRAINAGE.



DATE	REVISIONS

PROJECT: WEIR-MCKENZIE-CARTER SUBDIVISION	TITLE: FINAL PLAT
OWNER: 1000 E. LAUREL AVENUE FOLEY, AL. 36535 (251) 943-8960	
ENGINEER: EDG ENGINEERING DESIGN GROUP, LLC	

Proposed Amendments to ZO - Signs

Prepared by Eden Lapham, March 2023

Anything left white in the proposed version below is the original wording from the current ordinance, but it may be placed in a different order than it was before. Changes are highlighted in yellow (strikethrough where deletions occur).

ARTICLE XXII - SIGN REGULATIONS

22.1 GENERAL PROVISIONS

22.2 PROHIBITED SIGNS

22.3 TEMPORARY SIGNS NOT REQUIRING PERMITS

22.4 TEMPORARY SIGNS REQUIRING AN EXEMPT PERMIT

22.5 SIGNS REQUIRING A PERMIT

22.6 ELECTRONIC SIGN REGULATIONS

22.7 SIGNS LOCATED IN OVERLAY DISTRICTS

ARTICLE XXII - SIGN REGULATIONS

The purpose of these sign regulations are: to encourage the effective use of signs as a means of communication; to maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions. This sign ordinance is adopted under the zoning authority of the city in furtherance of the more general purposes set forth in the Zoning Ordinance.

22.1 - GENERAL PROVISIONS

A. PERMITS REQUIRED - Except as otherwise provided in this Ordinance, it shall be unlawful for any person to erect, construct, enlarge, move, alter or convert any sign in the City or cause the same to be done, without first obtaining a Building Permit for each sign from the Building Official.

1. APPLICATION FOR PERMIT - The City's online application process shall be followed to request a sign permit. The following information is required to assure compliance with all appropriate laws and regulations of the City:

- a. Name and address of owner of the sign.
- b. Name and address of owner or the person in possession of the premises where the sign is located or to be located.
- c. Clear and legible drawings with description definitely showing the location of the sign which is subject of the permit and all other existing signs for that particular business at that location. Signs located at intersections should also provide required Vision Clearance Areas on the drawing as defined in section 22.1.D below.
- d. Drawings showing the dimensions, construction supports size, electrical wiring, components, illumination method, materials of the sign and method of support.
- e. If the sign is or will be located within the Local Downtown Historic District, a Certificate of Appropriateness (COA) must be received prior to permit application.

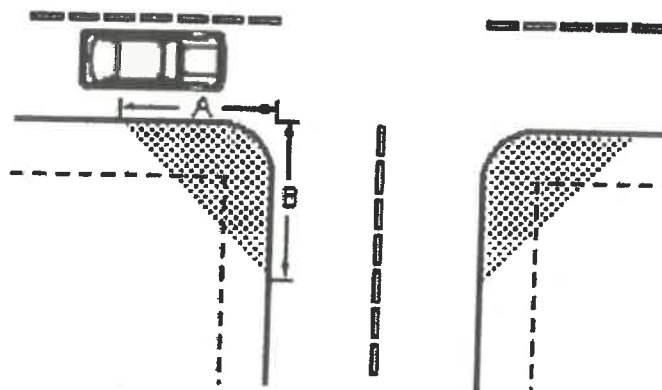
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2. DENIAL OF PERMIT - When a permit is denied by the Community Development Director, notice shall be given to the proper applicant with a written statement of the reason or reasons for the denial. Said statement shall be made as an attachment to the permit application.
 3. APPEAL OF PERMIT DENIAL - If the denial is based on the interpretation or enforcement of the Zoning Ordinance, any aggrieved party may appeal the decision or interpretation of the Community Development Director to the Zoning Board of Adjustment and Appeals.
 4. USES PERMITTED AND USES PERMITTED ON APPEAL - Signs allowed for Article XIII - District Regulations (Section 13.1.1 "Uses Permitted", and Section 13.1.2 - "Uses Permitted on Appeal") shall meet the requirements of the zoning district in which they are located.
 5. PERMIT EXCEPTIONS - The following activities shall not require a permit from the City of Foley, but the sign shall comply with the other provisions of this ordinance:
 - a. Altering the advertising copy or message on an existing approved sign or marquee which is specifically designed for the use of replacement copy.
 - b. Painting, cleaning or other normal maintenance and repair of a sign not involving structural changes.
- B. MAINTENANCE / UNSAFE SIGNS - Every sign in the City shall be maintained in good structural condition. The Community Development Director may inspect and shall have the authority to order the painting, repair, alteration or removal of signs which become dilapidated or abandoned or which constitute a physical hazard to public safety. Any repair, painting, alteration, or removal will be at the sign owner's expense.
- C. LOCATION
1. All signs shall be on premise and may not extend beyond the property lines of the property on which the sign is located nor interfere with any public right-of-way or public easement, except as permitted specifically within this Ordinance or other City ordinances.
 2. No signs shall be erected in public right-of-way or on public sidewalks, except those necessary for regulatory, statutory or traffic control purposes, or other directional signs placed by the City of Foley, Baldwin County, the State of Alabama, or the United States.
- D. VISIBILITY
1. No sign shall be located so as to cause a public hazard, obstruct or impair motorists' vision, diminish safe ingress and egress to any property or impede flow of pedestrian or vehicular circulation in parking areas, sidewalks, or public roads.
 2. Signs may not be located within the vision clearance areas, the triangular shaped areas located at the intersection of any combination of streets, alleys or driveways (as defined below). Nothing may be erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. The sides of the triangle extend from the intersection of the pavement or other vehicle travel areas.
 - a. Required Vision Clearance Area distances

Visibility Requirement by Street Classification				
A Distance in Feet	Street Type	B Distance in Feet		
		Driveway	Local Street	Collector/Arterial
25	Driveway	25	30	100

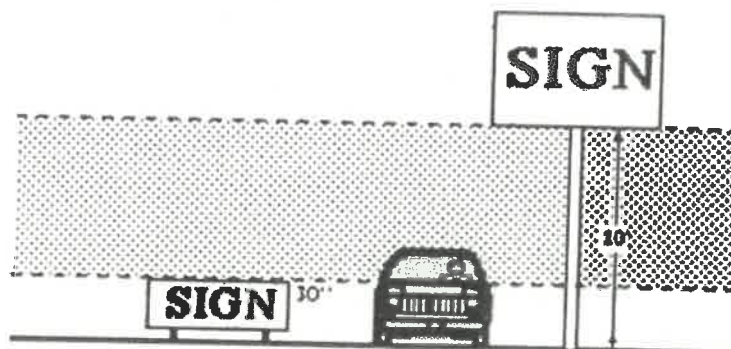
30	Local Street	25	30	100
100	Collector/Arterial	25	30	100

b. Vision Clearance Areas



3. Signs must be located to provide unobstructed visibility and shall not be located between the heights of two and one-half (2 1/2) feet and ten (10) feet from grade within the Vision Clearance Areas. Structures and supports must have a combined total width of 12 inches or less and the combined total depth of 12 inches or less.

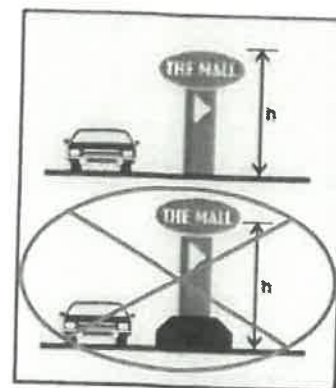
a. Vision Clearance Area Height



E. MEASUREMENT AND CALCULATION STANDARDS

1. SIGN HEIGHT

- a. The height of a sign shall be computed as the distance from the base of the sign at normal grade (average grade at the base of the sign) to the top of the highest attached component of the sign.
- b. Normal grade shall be construed to be the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely undertaken for the purpose of locating or increasing the height of sign.



2. SIGN WIDTH

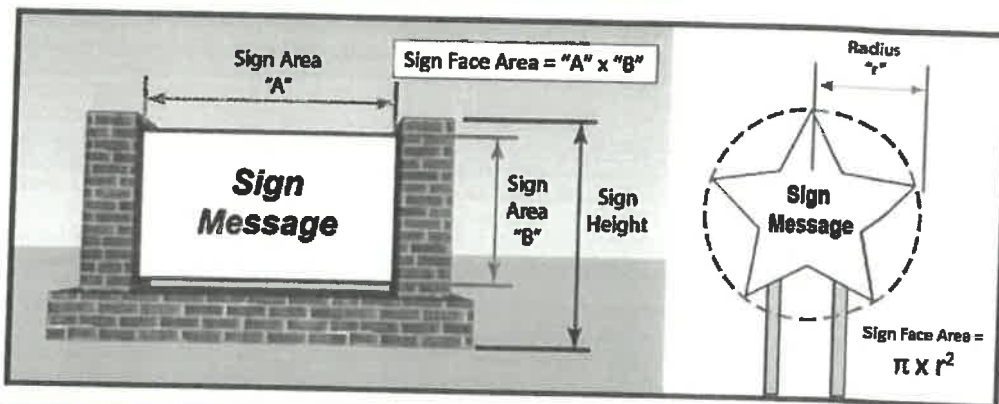
- a. The width of a sign shall be measured across the widest portion of a sign that runs parallel to the ground at the base of the sign.



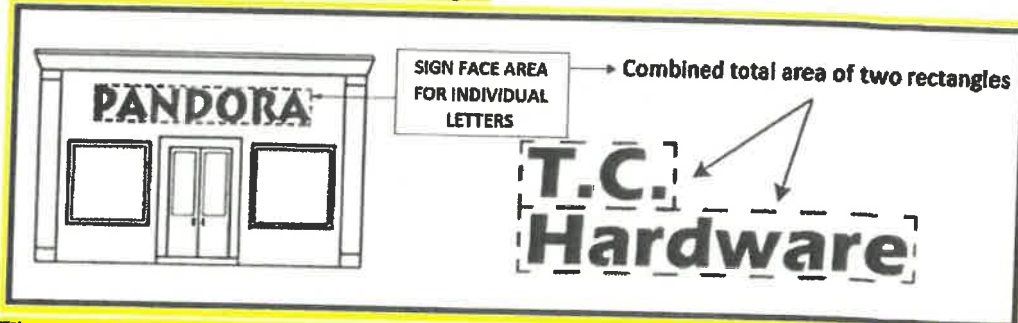
- b. The sign width shall include all structure elements of a sign (e.g., support posts, sign cabinet, etc.).

3. SIGN FACE AREA

- a. For sign copy mounted or painted on a background panel, cabinet, or surface distinctively painted, textured, lighted, or constructed to serve as the background for the sign copy, the sign area shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that encompasses the extreme limits of the background panel, cabinet, or surface.



- b. For sign copy where individual letters or elements are mounted or painted on a building façade where there is no background panel, cabinet, or surface distinctively painted, textured, lighted, or constructed to serve as the background for the sign copy, the sign area shall be computed by means of the combination of the smallest square, circle, rectangle, triangle, or combination thereof that encloses all the letters or elements associated with the sign.



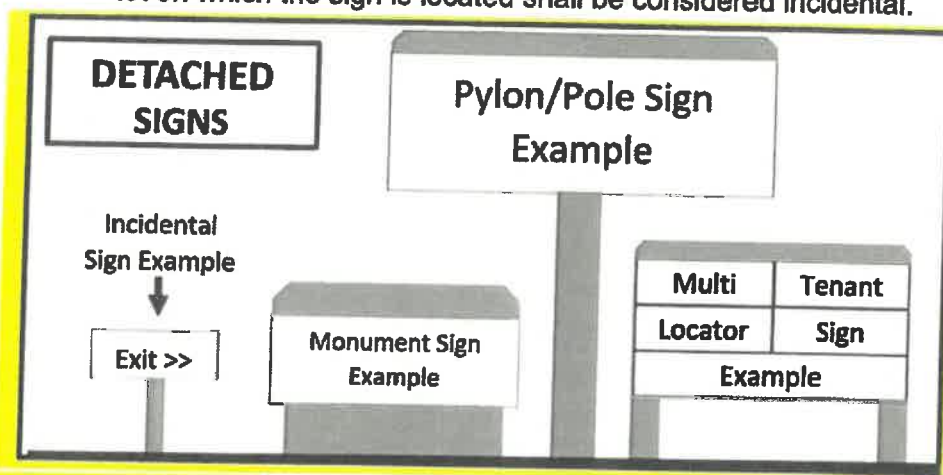
- c. The calculation of sign area shall not include any supporting framework, bracing, or decorative fence or wall unless such structural support is determined to constitute an integral part of the sign design by means of text or other commercial message, as determined by the Community Development Director.

F. SIGN TYPES

- 1. **DETACHED SIGNS** - Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.
 - a. **Monument Signs** - A sign mounted to the ground and designed with a continuous structural element of approximately the same dimension from the ground to the top of the sign.
 - b. **Pole/Pylon Signs** - Any sign supported by a pole, or poles, and otherwise separated from the ground by air.
 - c. **Multi-tenant Locator Signs** - A single ground sign which identifies multiple businesses which are all tenants in a single structure, shopping center or complex.

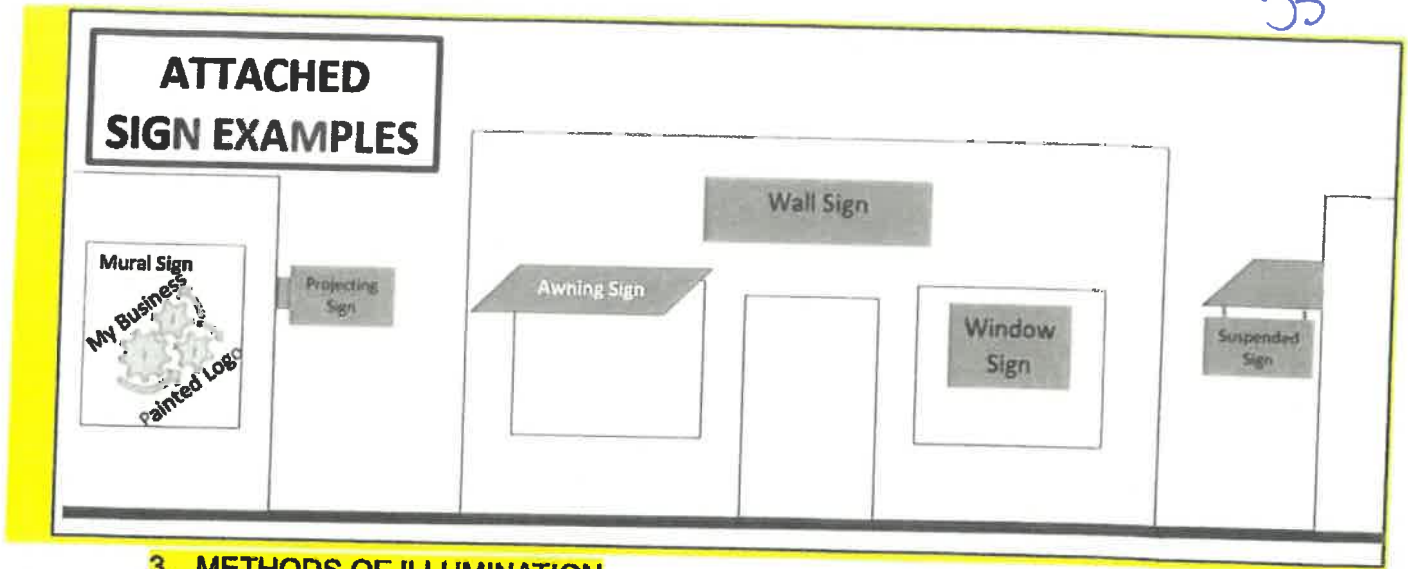
Must be located on the property that is being leased by the businesses who are displayed on the sign face unless otherwise allowed in this ordinance.

- d. **Incidental/Directional Signs** - A sign, generally informational, such as "no parking", "entrance", "exit", "loading only", "drive-through", "menu boards", and other similar directives. No sign with a commercial message legible from a position off the zoned lot on which the sign is located shall be considered incidental.



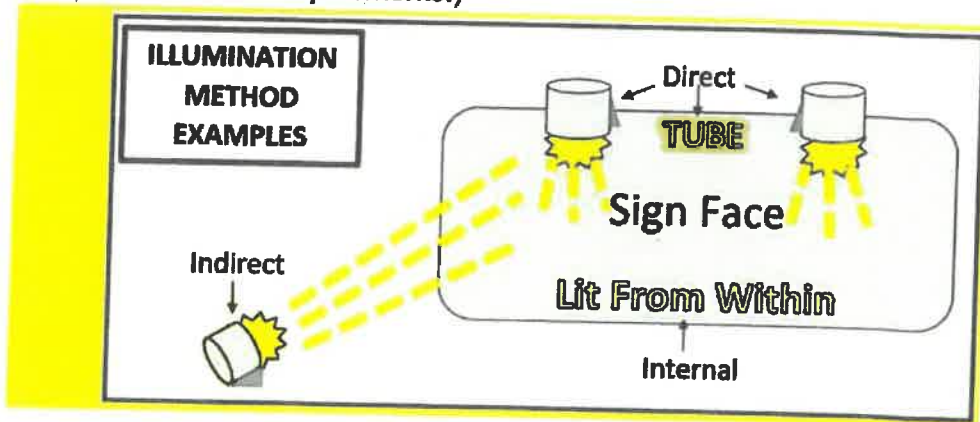
2. ATTACHED SIGNS

- Wall Signs** - A sign entirely affixed directly to the wall of a building or the slope of a mansard-type roof, and/or projecting to a point less than twelve (12) inches beyond the wall surface.
- Suspended/Hanging Signs** - A sign that is suspended from the underside of a horizontal plane surface and is supported by such a surface.
- Projecting Signs** - Any sign affixed to any building or structure, extending beyond the building wall, structure, or building line by more than twelve (12) inches and no more than eighteen (18) inches. (For Local Downtown Historic District properties, refer to the Design Guidelines)
- Canopy/Awning Signs** - Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.
- Marquee Signs** - A projecting sign which is attached to or hung from a canopy, or a covered structure projecting from or supported by a building, extending beyond the building line.
- Mural Signs** - A decoration or artwork painted on the exterior wall of a building which may be classified as a sign when it contains lettering, trade emblems or logos. When such items are incorporated, the sign specifications shall be as follows:
 - Lettering- shall be localized and the area measured to conform to the size limitations of this Ordinance.
 - Trade emblems and logos- the entire area of the mural shall be considered to be the sign face area and shall meet the size limitations contained in this Ordinance.
- Painted Wall Signs** - A sign that is not a mural, but which is painted directly on the surface of a structure.
- Window Signs** - Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or upon the window panes or glass and is visible from the right-of-way.



3. METHODS OF ILLUMINATION

- a. **DIRECT** - Light sources, including spotlights and neon tubing, which is attached to the sign face or structure and directed toward the copy area.
- b. **INDIRECT** - Light sources not attached to the sign structure or face area, but which are designed to be directed onto the sign face area.
- c. **INTERNAL** - Light sources enclosed in a sign face.
- d. **ELECTRIC MESSAGE CENTER** - Light sources arranged in rows, intended and designed to be individually and sequentially lit in such a manner to form letters and/or graphics which may blink on and off, travel, or flash. (See section 22.6 for further details and requirements.)



G. NON-CONFORMING SIGNS

- 1. **SIGNS ELIGIBLE TO BE CONSIDERED "LEGAL NON-CONFORMING"** - Any sign located within the city limits on the date of the adoption of this Ordinance or located in any area annexed to the City hereafter which does not conform to the provisions of this Ordinance, is eligible for characterization as a "Legal Non-Conforming" sign and is permitted, provided it meets the following requirements:
 - a. A permit had been issued for the construction of such sign prior to the date of the adoption of this Ordinance, if one was required under any other or prior city ordinance, or if no sign permit was required under any prior applicable City ordinances for the sign in question, the sign must have been in compliance with the prior applicable City ordinances as of the date of the adoption of this Ordinance.

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- b. If a sign was in compliance with all applicable regulations and laws prior to being annexed into the City of Foley, but is either prohibited or fails to conform with the Zoning Ordinance after annexation, then such sign may be considered a legal non-conforming sign.
2. LOSS OF LEGAL NON-CONFORMING STATUS - A legal non-conforming sign shall immediately lose its legal non-conforming status upon the occurrence of one or more of the events listed in this Zoning Ordinance, pursuant to state law, or when there is a change in:
 - a. The type of use or occupancy type on the property on which the sign is located;
 - b. The location, size, height, or type of sign; or
 - c. The amount of frontage such that the existing sign would not be permitted by this Ordinance.
 - d. A sign, being a structure, is also subject to the provisions of section 6.2.2 of this ordinance in regard to a prohibition of restoration after damage greater than 50% of its current replacement value.

22.2 - PROHIBITED SIGNS

The following signs are prohibited in the City of Foley, and no permits for the construction of these signs will be issued, and all existing signs of this nature that are now in the corporate limits of the City of Foley or may hereafter come into the corporate limits of the City of Foley will either be classified as legal non-conforming or unlawful.

- A. Billboards, provided, however, the Planning Commission may, as part of its approval of the Master Signage Plan (MSP) for a PUD, PDD, or PID, grant one or more lots in the development the option to locate their ground sign(s) in specifically defined locations in a common area of that same PUD, PDD, or PID.
- B. Signs located in public areas or right-of-ways. With the exception of: Signs erected by or on behalf of the governmental entity responsible for maintenance and repair of said right-of-way, including signs posting legal notices, identifying public property, conveying public information, and signs directing or regulating pedestrian or vehicular traffic to businesses or other locations; bus stop signs erected by a public transit company; informational signs of a public utility regarding its poles, lines, pipes, or facilities; and awnings, projecting and suspended signs which conform to the conditions of these regulations.
- C. Vehicle Signs: except those vehicles used in normal day-to-day operations of the business. Vehicles parked for more than three (3) consecutive days are not considered regularly used in the conduct of normal day-to-day business. Vehicle signs used in normal day-to-day business shall be parked to the rear or side of businesses when possible. When rear and side parking is not possible vehicles shall be parked at a minimum of 100 feet from all highways and expressways. No vehicle signs shall be parked in the City right-of-way, unless the business has no other parking areas on premise.
- D. Portable Signs: A moveable sign that is not permanently attached to either the ground or a structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; sign converted to A- or T- frames; menu and sandwich board signs; feather flags; pennants; handheld signs; caricature signs; inflatable's; umbrellas (used for advertising), except those permitted as Special Event Signs in 22.4 EXEMPT PERMIT SIGNS or those which may be allowed in an applicable Overlay District.
- E. Roof top signs.
- F. Beacons and Revolving signs.
- G. Flashing signs, traveling lights or intensely lighted signs.

22.3 - TEMPORARY SIGNS NOT REQUIRING PERMITS

The following temporary signs are allowed with the following conditions, and do not require a permit. This section specifically excludes Special Event Signs/Displays as described in 22.4 EXEMPT PERMIT SIGNS.

- A. Temporary signs shall not be illuminated.
- B. Drives or events of a civic, educational or religious nature are allowed to advertise for a period of two (2) weeks provided that:
 1. The sign is non-electric.
 2. The sign face must be less than thirty-two (32) square feet.
 3. They may be located on and/or off premise, provided it is not in the public right-of-way nor causing a traffic hazard (see 22.1 D - Visibility).
- C. New businesses in the City are allowed to advertise with a single sign for a period of (2) weeks provided that:
 1. The sign is non-electric.
 2. The sign face must not exceed thirty-two (32) square feet.
 3. The sign is located on premises and is not located in the public right-of-way nor causing a traffic hazard (see 22.1.D - Visibility).
- D. Real Estate Signs:
 1. Real Estate "For Sale" or Rental Signs (Residential):
 - a. Two (2) signs per property advertising the sale or rental are allowed on-premise and two (2) signs are allowed off-premise.
 - b. Must not exceed four (4) square feet of copy area per sign.
 - c. Such signs shall not be permitted for a period longer than thirty (30) days after closing the sale or rental of the property.
 2. On-Premise Real Estate "For Sale" or "For Rent" Signs (Commercial):
 - a. One (1) real estate "For Sale" or "For Rent" sign for commercially zoned properties is allowed for properties with up to 500 linear feet of frontage. An additional sign is allowed for each additional 500 feet of frontage.
 - b. Must be located entirely within the property.
 - c. Must not exceed thirty-two (32) square feet of copy area per sign.
 - d. Such sign(s) shall be removed within thirty (30) days of closing the sale or rental of the property.
 3. Off-Premise Real Estate "For Sale" or "For Rent Signs (Commercial):
 - a. One (1) sign advertising the selling or rental of such property is permitted
 - b. Must not exceed four (4) square feet of copy area.
 - c. Such sign shall be removed within thirty (30) days of closing the sale or rental of the property.
 4. Construction Signs:
 - a. Must not exceed thirty-two (32) square feet of sign face.
 - b. May be placed no sooner than actual demolition or construction activities begin and may continue until the permanent sign is erected or the certificate of occupancy is issued, whichever comes sooner.
 - c. Such sign shall not be located in the public right-of-way nor cause a traffic hazard (see 22.1.D - Visibility).
 5. Model Homes:
 - a. Temporary A-frame signs shall be allowed in residential zones only to be located on the lot of the model home during the business hours in which an agent(s) is present.
- E. Campaign or Election Signs are exempt provided that:

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1. Signs advocating or opposing a public office or a position on an issue to be determined at an election shall not exceed twelve (12) square feet in residential districts. In all other zoned districts, signs shall not exceed thirty-two (32) square feet.
 2. Signs advocating or opposing a public office or position on an issue to be determined at an election shall be removed within ten (10) days after the election for which they were erected. In the event of a runoff election, signs may be displayed until the runoff election and then shall be removed within ten (10) days of the runoff election.
 3. Property owners shall be held responsible for violations of campaign and election signs.
 4. No signs shall be allowed in the public right-of-way, project into or overhang any right-of-way or be attached to any utility pole within the right-of-way.
- F. Decorative Displays
1. Single balloons under twenty-four (24) inches in circumference that do not contain copy are considered decorative.
 2. Flags that display seasonal, holiday, governmental and political displays are considered decorative.

22.4 - TEMPORARY SIGNS REQUIRING AN EXEMPT PERMIT

Temporary special use or event signs and displays are allowed but only under the following conditions and requirements:

- A. Special event signage and displays require an Exempt Permit (no fee required) found in the City's online permitting system under Planning & Zoning - Special Event Signs/Displays prior to the erection and placement of any such temporary sign or display. Such signs and displays shall be specifically described in writing as to their type and reason for special event.
 - a. Signs shall not exceed five (5) feet in height except for portable billboards.
 - b. Such signs shall not be illuminated.
 - c. For all lots containing multiple businesses, the property owner shall be responsible for all signage placed on the property, regardless of who erects the sign.
 - d. All such signs shall not be placed within ten (10) feet of the street right-of-way or in any other way as to obstruct the view of motorists or pedestrians.
 - e. An individual business shall be allowed a maximum of six (6) special event sign permits per calendar year, each of which shall be valid for four (4) consecutive days starting from the date of registration issuance or as noted on the registration.
- B. The following types of signs/displays which attract attention to a particular business may be registered as special event signs/displays:

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SPECIAL EVENT SIGN / DISPLAY		
Sign Type	Quantity Allowed	Max Size Allowed
Balloons & Inflatables	1	20 ft in height from grade
Feather Flags	2	20 ft in height from grade
Pennants	2	???
Hand-held signs	1	6 sf sign face
Cartoon signs	???	???
A or T frame signs	1	12 sf sign face
Menu/Sandwich Boards	1	12 sf sign face
Umbrellas	???	8 ft diameter
Banners	1	12 of 30 sf sign face
Plastic/wire frame signs	1	12 sf sign face
Flags (not otherwise exempt)	1	15 sf
Portable Billboards	1	10'x13' or 130 sf

22.5 - SIGNS REQUIRING A PERMIT

- A. **PLANNED DISTRICT SIGNAGE** - A Master Signage Plan (MSP) is designed to benefit the community in administering its sign regulations within a planned development and is required for the following zoning designations: Planned Unit Development (PUD), Planned Development District (PDD), and Planned Industrial District (PID). The Planning Commission will review the location, size, and other information to approve ground signs in common areas advertising specific businesses within a development. The Planning Commission may also review and approve any unique requests for other signage in these zones. The required information includes:
1. An accurate plot plan of the Development at a legible scale;
 2. Location of signage for common areas, buildings, parking lots, driveways, amenities, landscaped areas and others;
 3. An accurate indication of the proposed location of each present and future sign.
 4. Size of the total Sign Face Area, the area of each individual sign, the height of the signs, an outline of the Sign Structure, and any electronic signage being requested.
 5. A detailed description of any relaxation or exception that is being requested from the sizes shown in the following charts.
 6. Documentation of who will be responsible for the maintenance and upkeep of the ground signs.

B. RESIDENTIAL SIGNAGE

1. The following Zones are considered "residential" for the purposes of these sign regulations: R-1R, R-1A, R-1B, R-1C, R-1D, R-2, R-3, R-4, GPH-1, TH-1, MH-1, RV Park, and residential areas of a PUD, PDD, or AO

RESIDENTIAL SIGNAGE ALLOWED								
Purpose	Sign Type	Max Area per Face	# Faces	Max Height	Illumination	Setback	Number Signs	Electronic allowed?
Primary Entrance Neighborhood Identification	Ground	50 sf	2	6 ft	Direct or Indirect		1 at Main entrance	no
Secondary Entrance Neighborhood Identification	Ground	32 sf	2	5-4 ft	Direct or Indirect	25-ft	1 per Secondary entrance	no
Home Occupation	Ground	4 sf	2	4 ft	PROHIBITED		1	no
Bed & Breakfast	Ground	4 sf	2	4 ft	Direct or Indirect		1 containing only name, street address, and occupancy info	no

C. COMMERCIAL/INDUSTRIAL SIGNAGE

- The following Zones are considered "commercial/industrial use" for the purposes of these sign regulations: B-1, B-1A, B-2, B-3, M-1, Commercial & Industrial areas of a PUD or PDD
- Painted Murals on the sides of buildings are allowed and are not considered to be a sign unless copy is included which advertises a business or service. If copy is included, this is a sign and must comply with this ordinance.
- If a business does not have a ground sign, the wall sign may be increased by the square footage of the allowed ground sign.
- Signs for free standing single tenant retail establishments in excess of 100,001 sf may increase by 10% for each additional 100,000 sf.
- Based on street frontage, the total sign face area (wall & ground) as determined by following Commercial charts below may be increased as follows:

SIGN FACE AREA BY STREET FRONTAGE					
FRONTAGE	200-400 ft	401-600 ft	601-800 ft	801-1000 ft	>1000 ft
Increase to Sign Face Area	10%	20%	30%	40%	50%

- The square footage of structures listed in the Purpose column of the chart below refers to the footprint of the ground foundation.

COMMERCIAL/INDUSTRIAL SIGNAGE ALLOWED (excluding B-1)

Purpose	Sign Type	Max Area per Face	# Faces	Max Height	Illumination	Number Signs	Electronic allowed?
Free standing Single Tenant Structures <2,900 sf	Wall	80 sf	1	not to exceed highest roofline	Internal	1 per Facing Street/ Driveway	Yes, except Historic.
	Ground	120 sf	2	20 ft	Internal	1 per 500 ft of frontage	Yes, except Historic.
Free standing Single Tenant Structures 2,901 - 15,000 sf	Wall	80 sf	1	not to exceed highest roofline	Internal	1 per Facing Street/ Driveway	Yes, except Historic.
	Ground	160 sf	2	25 ft	Internal	1 per 500 ft of frontage	Yes, except Historic.
Free standing Single Tenant Structures 15,001 - 30,000 sf	Wall	200 sf	1	not to exceed highest roofline	Internal	1 per Facing Street/ Driveway	Yes, except Historic.
	Ground	200 sf	2	25 ft	Internal	1 per 500 ft of frontage	Yes, except Historic.
Free standing Single Tenant Structures 30,001 - 50,000 sf	Wall	200 sf	1	not to exceed highest roofline	Internal	1 per Facing Street/ Driveway	Yes, except Historic.
	Ground	210 sf	2	25 ft	Internal	1 per 500 ft of frontage	Yes, except Historic.
Free standing Single Tenant Structures 50,001 - 100,000 sf	Wall	220 sf	1	not to exceed highest roofline	Internal	1 per Facing Street/ Driveway	Yes, except Historic.
	Ground	220 sf	2	30 ft	Internal	1 per 500 ft of frontage	Yes, except Historic.
Building Front signs for Establishments in Multi-tenant Buildings (only allowed if store has frontage)	Wall or Projecting	Not covering more than 30% of store frontage	W: 1 P: 2	not to exceed roofline	Internal	1 per Facing Street/ Driveway	Yes, except Historic.
Multi-tenant Locator Signs ≤ 10,000 sf	Ground	100 sf ***	2	25 ft	Internal	1	Yes, except Historic.
Multi-tenant Locator Signs 10,001 - 30,000 sf	Ground	150 sf ***	2	30 ft	Internal	1 per Facing Street, total sign face area of all locator signs not to exceed 200 sf	Yes, except Historic.
Multi-tenant Locator Signs ≥ 30,001 sf	Ground	300 sf ***	2	35 ft	Internal	1 per Facing Street, total sign face area of all locator signs not to exceed 400 sf	Yes, except Historic.
Parking Lot Identification	Ground	32 sf	2	5 ft	Non-oscillating, concealed light source. (spotlight or floodlight prohibited)	1 per entrance	No

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B-1 COMMERCIAL SIGNAGE ALLOWED							
Purpose	Sign Type	Max Area per Face	# Faces	Max Height	Illumination	Number Signs	Electronic allowed?
Business Identification	Ground	32 sf	2	5 ft	Direct, Indirect, or Internal	1 per facing street	no
Business Identification	Wall or Projecting	40 sf max - may not exceed 30% of the buildings frontage	W: 1 P: 2	W: 20 ft, or at Roofline, whichever is lower P: Min 9 ft above sidewalk	Direct, Indirect, or Internal	1 per facing street / driveway	no
Multi tenant Business Identification	Wall or Projecting	2 sf	1	W: 20 ft, or at Roofline, whichever is lower P: Min 9 ft above sidewalk	n/a	1 per tenant at the entrance of each tenants space	no
Parking Lot Identification	Ground	32 sf	2	5 ft	Non- oscillating, concealed light source. (spotlight or floodlight prohibited)	1 per entrance	no

D. OFFICE SIGNAGE

- The following Zones are considered "office use" for the purposes of these sign regulations: PO, and Office areas of a PUD or PDD

OFFICE SIGNAGE ALLOWED							
Purpose	Sign Type	Max Area per Face	# Faces	Max Height	Illumination	Number Signs	Electronic allowed?
Office Buildings ≤ 10,000 sf floor area	Ground	32 sf	2	5 ft	Direct, Indirect, or Internal	1 per Facing Street	no
Office Buildings ≤ 10,000 sf floor area	Wall or Projecting	32 sf	W: 1 P: 2	12 ft	Direct, Indirect, or Internal	1 per Facing Street/Driveway	no
Office Buildings ≥ 10,001 sf floor area	Ground	50 sf	2	9 ft	Direct, Indirect, or Internal	1 per Facing Street	no
Office Buildings ≥ 10,001 sf floor area	Wall or Projecting	32 sf	W: 1 P: 2	20 ft, or at Roofline, whichever is lower	Direct, Indirect, or Internal	1 per Facing Street/Driveway	no
Parking Lot Identification	Ground	32 sf	2	5 ft	Non- oscillating, concealed light source. (spotlight or floodlight prohibited)	1 per entrance to parking lot	no

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E. OTHER SIGNAGE

OTHER SIGNAGE ALLOWED									
Zone	Purpose	Sign Type	Max Area per Face	# Faces	Max Height	Illumination	Setback	Number Signs	Electronic allowed?
OA	Identification	Ground	200 sf	2	25 ft	Indirect / Internal	25 ft	1 per entrance	yes
Promotional/Sponsorship materials within Park boundaries are exempt from the Sign Regulations									

22.6 - ELECTRONIC SIGN REGULATIONS

Electronic changeable copy (ECC) signs may be permitted as a detached freestanding or attached flat sign as follows:

- A. Not allowed in the City of Foley Historic Overlay District, regardless of zone.
- B. Allowed in zones: B1A, Extended Business District; B2, Neighborhood Business District; B3, Local Business District; M1, Light Industrial District; and Open Space/Preservation District.
- C. Allowed in the commercial or industrial portions of a Planned Zone (PID, Planned Industrial District; PUD, Planned Unit Development; or PDD, Planned Development District), when specifically included as a part of a Master Signage Plan (see section 22.5.D.1).
- D. The signs must meet all size and Vision Clearance Area requirements for the zoning and/or overlay district in which they are located.
- E. May not display messages that do not pertain to business conducted on the premises on which the sign is located, unless otherwise exempted or a public service announcement.
- F. Display of any message must be static. There shall be no effects of movement, flashing, scintillation, or similar effects in the individual images.

G. DETACHED FREESTANDING ELECTRONIC SIGN REQUIREMENTS

- a. The ECC sign must be located on the site of the use identified or advertised by the sign.
- b. No more than one (1) ECC sign with a maximum of two (2) parallel sides is permitted per lot of record.
- c. Lots with multiple businesses shall be allowed one (1) detached freestanding ECC sign to service all businesses located on that lot.
- d. ECC signs may not display colors, words, or images that interfere with or mimic a traffic control signal or device. (ie. - "STOP", "GO", "DANGER", etc.).
- e. Sign display technology shall be programmed so that the message or image on the sign changes ~~Electronic changeable copy signs shall change~~ no more than one (1) time per ten (10) seconds.
- f. Changes of image shall be substantially instantaneous as seen by the human eye and shall not use fading, rolling, window shading, flashing, spinning, rotating, dissolving, or similar effects as part of the change.
- g. Detached ~~electronic changeable copy~~ ECC signs must form an integrated portion of an on-premises detached sign. The electronic changeable copy portion of the detached sign may be separated from the remainder of the sign. If the electronic message center portion of the sign is being utilized after sunset, the existing static portion of the sign must be functioning, illuminated, and readable.

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- h. The area of the ~~electronic changeable copy~~ ECC sign may comprise no more than fifty percent (50%) of the surface area of the allowable detached sign of which it is a part. Neither shall any portion of the ~~electronic changeable copy~~ ECC sign project above the height of the permanent detached signage. ~~Electronic changeable copy signs~~ ECC message centers are secondary to the permanent non-changeable portions of the sign and should be ~~designated~~ designed in this regard.
- i. An ~~electronic changeable copy~~ ECC sign shall be included in the calculation of the total permitted sign area of the detached sign of which it is a part.
- ~~j. The sign must have a light sensing/dimming device to control the maximum light intensity. The sign should be dimmed down 90% to a minimum 10% brightness at night. Electronic changeable copy signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level (10% of max brightness) for the time period between one-half hour before sunset and one-half hour after sunrise. In addition, it must also be able to respond to lighting level changes occurring due to atmospheric conditions.~~
- k. ~~Electronic changeable copy signs located within any residential district are allowed only for neighborhood identification signs and bed and breakfasts, as permitted by special exception. The leading edge of an electronic changeable copy ECC sign located in any district must be a minimum distance of one hundred (100) feet from an abutting occupied single-family residential district boundary. An electronic changeable copy ECC sign may not face an abutting residential district.~~
- l. ~~Electronic changeable copy~~ ECC signs must be separated from other ~~electronic changeable copy~~ ECC signs by at least fifty (50) feet.
- m. All ~~electronic changeable copy~~ ECC signs will be maintained in proper working order.
 - i. If at any time the programming or technology that controls the brightness, time/date on message, or any other required visual display characteristic fails or malfunctions and is determined to be a hazard to the safety of the traveling public, the sign shall be immediately turned off, disconnected or disabled.
 - ii. Any dead zones or non-illuminated portions of the signs shall be replaced or repaired within fourteen (14) working days, or as soon as possible conditions allowing, or the use of the sign shall be discontinued.
- n. If at any time subsequent to the adoption of this Section of the Zoning Ordinance any portion of these regulations is deemed to be a safety hazard by the City of Foley, the City reserves the right to modify said regulations and all existing signs shall be modified to conform to the safety-related modifications.

H. ATTACHED FLAT ELECTRONIC SIGN REQUIREMENTS

- a. A maximum of one (1) ~~single sided attached ECC wall~~ sign is permitted for a site that does not contain any other ~~electronic changeable copy~~ ECC sign, detached or wall mounted.
- b. Such signs may not exceed thirty-two (32) square feet in area and will be counted toward the calculation for maximum signage for the building and must comply with all other applicable provisions of this ordinance.
- c. Wall mounted signs shall not be oriented toward adjacent residential uses.

22.7 - SIGNS LOCATED IN OVERLAY DISTRICTS

If a property is located within an overlay district, that Overlay District's specific signage rules and relaxations will override the rules stated within Article XXII in the event of a conflict.

Proposed Amendments to Miscellaneous Sections of Zoning Ordinance

Prepared by Eden Lapham, March 2023

ARTICLE II - DEFINITIONS

2.1 DEFINITIONS APPLICABLE TO THIS ORDINANCE

Dumpster Enclosure. Dumpster / Trash enclosures are a structure built to provide shelter for a trash dumpster and for recyclable materials.

Landscaping Material. Living material including, but not limited to, trees, shrubs, vines, lawn grass, ground cover, and landscape water features. Non-living material may be used in such a manner as to present a finished appearance and to complete coverage, and may consist of pine or cypress bark, crushed pecan shell, pine straw, or other decorative mulch.

Master Signage Plan (MSP): A comprehensive document presented to and approved by the Planning Commission that contains a set of criteria and standards for present and future freestanding signage in common areas of a Planned Development in order to create a cohesive architectural statement. The MSP should identify locations of all expected signage and call out any requested relaxations of the standard sign regulations included in this zoning ordinance. The MSP may be modified as needed during site plan approvals through a Planned Development's progress in phases.

Nit: A term used to describe a unit of measure for luminance intensity per unit area that is projected in a given direction. A nit is equal to one candela per square meter. A nit measures the luminance of a light source which is closely related to the perceived "brightness" of the light source.

Open Space: Land which is landscaped or left in a natural state and is intended for natural or scenic preservation and/or active / passive recreational uses and their accessory Structures. Where minimum Open Space reservation percentages of a development are required per the Zoning Ordinance, the percentage amount and use restrictions are detailed in the individual zone. The City's Land Development Ordinance also contains "Conservation Area" or "Green Space" requirements that must be met in conjunction with the Zoning Ordinance Open Space requirements.

Parking Space: The space necessary to park an automobile which shall not be less than an area ten (10) feet wide by twenty (20) feet long for perpendicular parking spaces and nine (9) feet by twenty (20) feet for a herringbone/angle design. All parking spaces required shall be provided along with necessary lanes and maneuvering areas. Size requirements are defined in Article 10. No two-way entrance or aisle shall be less than twenty five (25) feet in width. In no event shall an entrance or aisle be less than twenty (20) feet.

Planned Developments: Planned Developments include Townhomes, Multi-Family and Mixed-Use developments R3 Residential Multi-Family, TH-1 Residential Townhouse, PUD Planned Unit Development, PDD Planned Development District, MH-1 Mobile/Manufactured Dwelling Parks, RV Recreational Vehicle Parks and PID Planning Industrial Districts. These zones require a master plan layout prior to zoning / rezoning. The approved layouts then become the "zoning" for these properties and are considered site plan approval as well unless otherwise noted in the meeting minutes. The

approved layouts can only be modified by the Planning Commission and in certain instances will require City Council approval as well.

Sign, Changeable Copy: A sign upon which the copy may be manually changed, rearranged, or altered or removed without altering the structure of the sign face or support.

Site Plan: The plan drawings of a proposed development on a lot or lots which reflects the existing conditions and proposed changes, including drainage, and any other possible environmental impact.

Sign, Monument: A sign mounted to the ground and designed with a continuous structural element of approximately the same dimension from the ground to the top of the sign.

Storage Structures / Open Space Storage: A structure, groups of structures or open space intended, designed, or capable of being used as rental storage facilities to individuals, businesses or other entities. Said definition shall also include the term "mini-warehouse", "boat", "RV" and other similar storage facility-facilities.

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ARTICLE III - PURPOSE AND METHOD

3.3 ZONING DISTRICT Classification Chart

Designation	General Use	Specific Use
R-1R	Residential Zone	Restricted Single Family
R-1A	Residential Zone	Single Family
R-1B	Residential Zone	Single Family
R-1C	Residential Zone	Single Family
R-1D	Residential Zone	Single Family
R-2	Residential Zone	Single Family & Two Family
R-3	Residential Zone	Multi-Family
R-4	Residential Zone	Single Family & Two Family
GPH-1	Residential Zone	Garden-Patio Homes
TH-1	Residential Zone	Townhouses
MH-1	Residential Zone	Mobile Home/Park Subdivision
RV	Special Use	RV Park - short term rentals
PUD	Special Use	Planned Unit Development
PDD	Special Use	Planned Development District
PID	Industrial Use	Planned Industrial District
B-1	Commercial Use	Central Business District
B-1A	Commercial Use	Extended Business District
B-2	Commercial Use	Neighborhood Business District
B-3	Commercial Use	Local Business District
PO	Office Zone	Preferred Office District
M-1	Industrial Zone	Light Industry
A-O	Agriculture	Open Space / Agricultural Use
OSP	Parks/Public Land	Open Space / Preservation District
PUBLIC USE	Government/Public Use	Parks and Buildings for Public Use
H	Historic Overlay	Overlying Area of Historic District
FDOD	Feley Downtown	Overlay of Downtown

ARTICLE IX - COMMERCIAL – MISCELLANEOUS

Dumpster / Trash Enclosures are considered accessory structures for setback, location and similar purposes. Please refer to Engineering / Public Works for specific design criteria.

ARTICLE XIII - DISTRICT REGULATIONS

13.1.1 USES / STRUCTURES PERMITTED

Unless specifically prohibited in a particular zoning district, the following uses and structures are permitted by right in all districts.

A. Public utilities, excluding electric and gas substations and water / wastewater pumping stations;

ARTICLE X - PARKING, LANDSCAPING, BUFFER, & LIGHTING REQUIREMENTS

10.1.D.7. Warehouses, Storage Structures / Open Space Storage – 1 space for each 3,000 sq. ft. of gross floor area.

10.1.E Parking space and aisle size requirements:

1. Perpendicular spaces - 10 ft wide by 20 ft long
2. Herringbone/Angle spaces - 9 ft wide by 20 ft long
3. One way traffic parking lot aisle width - 20 ft minimum
4. Two way traffic parking lot aisle width - 25 ft minimum

10.1.1. USE AND MAINTENANCE OF PARKING LOTS (NON-RESIDENTIAL)

Off-street parking for non-residential uses:

- A. Required parking must be designated by pavement, gravel, cross-ties or some similar method.
- B. Shall not be used for the parking or storage of automobile trailers, boat trailers, non-motorized recreational vehicles and similar vehicles.

10.3 Exterior Lighting Requirements

A. Purpose and Intent: The purpose of this regulation is to minimize light pollution, glare, and light trespass by establishing guidelines for exterior lighting applications. These regulations aim to ensure that outdoor lighting enhances safety and visibility while minimizing adverse impacts on the night sky and neighboring properties.

B. Application Requirements:

1. Exterior lighting plans are required for all projects other than single family residential. An exterior lighting plan, including a photometric plan (which covers the parcel which is the site of the building or project in question), appropriate pole, fixture, and lamp cut sheets, and descriptions of lenses and appropriate data tables, shall be submitted for review during the site plan approval process.
2. All applications for exterior lighting installations must include the following:
 - a. Photometric Plans: A detailed photometric plan covering the entire site must be submitted. The plan should demonstrate the distribution of light and ensure

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compliance with the requirements outlined in this regulation. Photometric plans must be prepared by a licensed professional engineer or lighting designer.

- b. **Fixture Specifications:** Complete specifications for all lighting fixtures proposed for installation, including cut sheets, must be provided. This should include information on the fixture type, wattage, shielding, and any additional features designed to minimize light pollution, glare, or spill light.
- c. **Mounting Heights:** Proposed mounting heights for lighting fixtures should be specified, ensuring that fixtures are positioned to minimize upward light and glare.
- d. **Control Measures:** Applicants must outline any proposed control measures, such as timers, motion sensors, or dimmers, intended to minimize unnecessary or excessive lighting during non-operational hours.

C. Photometric Performance Requirements:

1. **Light Distribution:** Lighting fixtures must be selected and positioned to achieve uniform light distribution across the site, with emphasis on minimizing upward light and spill light onto adjacent properties.
2. **Cutoff Fixtures:** All lighting fixtures must be cutoff fixtures, designed to limit upward light emissions and glare.
3. **Spill Light Control:** Measures must be implemented to minimize spill light onto adjacent properties. This may include the use of shields, baffles, or other appropriate methods to direct light downward and confine it within the boundaries of the property.

D. Illumination Levels:

1. **Maximum Intensity:** The maximum illumination levels at the property line should not exceed 0.5 footcandles when adjacent to residential properties and 1.0 footcandles when adjacent to other uses. These levels should be maintained throughout the operational hours of the lighting system.
2. **Gradual Dimming:** Lighting systems must incorporate gradual dimming controls to reduce illumination levels during non-operational hours, minimizing light pollution and unnecessary energy consumption.

E. Prohibitions: The installation, retrofitting, or modification of wall pack lighting fixtures, as well as any similar fixtures attached to exterior walls and characterized by outward-facing design and emitting excessive glare and spill light, is strictly prohibited.

F. Compliance and Enforcement:

1. **Inspections:** Compliance with this regulation will be verified through site inspections conducted by authorized personnel.
2. **Penalties:** Non-compliance with the requirements of this regulation may result in penalties, including fines and the requirement to modify or remove non-compliant lighting installations.

G. Exemptions: While the following are exempt from certain provisions of this regulation but must still adhere to the principles of minimizing light pollution, glare, and light trespass to the greatest extent possible.

1. **Emergency lighting necessary for safety and security purposes is exempt from certain provisions of this regulation but must still adhere to the principles of minimizing light pollution, glare, and light trespass to the greatest extent possible.**
2. **Exemptions from the provisions of this ordinance are permitted when federal or state laws, rules, and regulations take precedence over these provisions.**
3. **Public schools.**

4. Recreational sporting venues owned by the City

H. Applicability: This regulation applies to all new exterior lighting installations and modifications to existing installations within the City.

I. Definitions:

1. **Photometric Plans:** Detailed diagrams illustrating the distribution and intensity of light across a site, typically prepared by a licensed professional engineer or lighting designer. These plans provide critical information for assessing the performance of exterior lighting installations and ensuring compliance with regulatory standards.
2. **Footcandle (f.c.):** A unit of illuminance measuring one lumen per square foot.
3. **Control Measures:** Strategies and mechanisms implemented to regulate the operation of lighting systems, including timers, motion sensors, dimmers, and other devices intended to minimize unnecessary or excessive lighting during non-operational hours.
4. **Light Distribution:** The manner in which light is spread or dispersed across a given area, aiming to achieve uniform illumination while minimizing glare, hot spots, and uneven lighting. Proper light distribution is essential for optimizing visibility and safety in outdoor environments.
5. **Cutoff Fixtures:** Outdoor lighting fixtures designed to limit the upward emission of light and control glare by utilizing shielding or other mechanisms to direct light downward. Cutoff fixtures help minimize light pollution and prevent unnecessary illumination of the night sky.
6. **Spill Light Control:** Measures implemented to minimize the unintended projection of light beyond the boundaries of a property, reducing light trespass onto adjacent properties and minimizing the adverse effects of glare and excessive illumination.
7. **Maximum Intensity:** The maximum allowable level of illumination at the property line, typically expressed in footcandles (fc). Maximum intensity standards help ensure that lighting installations do not produce excessive glare or spill light onto neighboring properties, contributing to a more visually comfortable and environmentally responsible outdoor lighting environment.
8. **Gradual Dimming:** A feature of lighting systems that allows for the gradual reduction of illumination levels during non-operational hours. Gradual dimming controls help minimize light pollution, conserve energy, and promote responsible outdoor lighting practices by adjusting lighting levels to match changing environmental conditions and usage patterns.
9. **Emergency Lighting:** Lighting systems designed to provide illumination during emergency situations, such as power outages or evacuations, to ensure the safety and security of occupants. While emergency lighting is exempt from certain provisions of exterior lighting regulations, it is still subject to requirements aimed at minimizing light pollution, glare, and light trespass.
10. **Wall pack lighting fixtures** are defined as outdoor lighting fixtures designed to be attached directly to exterior walls, characterized by their outward-facing design and tendency to emit excessive glare and spill light.

ARTICLE XI - SITE PLAN REVIEW

Site plans may be required to be submitted to the Planning Commission for input in cases where the proposed development meets the following criteria. Please note that site plan criteria for planned developments falls under a different category - see Definition. The site plan approval will be valid for

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12 months but will expire after this date if no building development / building permits have been obtained. The Planning Commission may extend the site plan approval if it is determined there is an extenuating circumstance, engineering & environmental permits are in process or if a portion of the building permits have been pulled for the project. A new site plan meeting the most current regulations may be submitted for Planning Commission review & consideration.

ARTICLE XIV - SINGLE FAMILY RESIDENTIAL & DUPLEX DISTRICTS

14.1.1 R-1R RESTRICTED RESIDENTIAL SINGLE FAMILY

D. Requirements:

Garage Setback (Front Loaded) 40'

14.1.2 R-1A RESIDENTIAL SINGLE FAMILY

D. Requirements:

Garage Setback (Front Loaded) 40'

14.1.3 R-1B RESIDENTIAL SINGLE FAMILY

D. Requirements:

Garage Setback (Front Loaded) 40'

14.1.4 R-1C RESIDENTIAL SINGLE FAMILY

D. Requirements:

Garage Setback (Front Loaded) 40'

14.1.5 R-1D RESIDENTIAL SINGLE FAMILY

D. Requirements:

Garage Setback (Front Loaded) 40'

14.1.6 R-2 RESIDENTIAL SINGLE FAMILY AND DUPLEX

D. Requirements:

SINGLE FAMILY:

Garage Setback (Front Loaded) 40'

DUPLEX:

Minimum Lot Area (duplex) 11,500 square feet*

Landscape Requirements (duplex) 10% of Minimum lot area

Garage Setback (Front Loaded) 40'

DEFINITIONS:

- i. Architectural Details - Include but are not limited to: porch railings; column size, taper, base and molding; dormer windows; shutters; transparency; and similar.
- ii. Building Facade Recesses - Porches or patios
- iii. Landscaping - An area of mixed vegetation along the primary facade facing the street. Landscaping can consist of trees and/or shrubs. See Definition of "Landscaping Material".

14.1.7 R-4 RESIDENTIAL SINGLE FAMILY AND DUPLEX

D. Requirements:

SINGLE FAMILY:

DUPLEX:	Garage Setback (Front Loaded)	40'
	Minimum Lot Area (duplex)	11,500 square feet*
	Landscape Requirements (duplex)	10% of Minimum lot area
	Garage Setback (Front Loaded)	40'

DEFINITIONS:

- iv. Architectural Details - Include but are not limited to: porch railings; column size, taper, base and molding; dormer windows; shutters; **transparency**; and similar.
- v. Building Facade Recesses - Porches or patios
- vi. Landscaping - **An area of mixed vegetation along the primary facade facing the street. Landscaping can consist of trees and/or shrubs. See Definition for "Landscaping Material".**

14.1.8 GPH-1 RESIDENTIAL GARDEN PATIO HOMES

D. Requirements:

Garage Setback (Front Loaded)	40'
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ARTICLE XVI - MANUFACTURED HOMES

16.1.3.C Required Open Space:

1. Each mobile / manufactured dwellings park shall provide land for open space which may be used for recreational purposes, but which may not be used for parking or for accessory structures. Such open space shall total at least fifteen percent (15%) of the gross land area of the park. This requirement does not apply to mobile / manufactured dwellings subdivisions.
2. Mobile / manufactured dwellings subdivisions greater than five (5) acres in total area shall include, at a minimum, open space equal to ten percent (10%) of the total area. Such open space may be used for recreational purposes, but may not be used for parking or accessory structures.
3. **The City's Land Development Ordinance also contains guidance and requirements for Conservation Green Space that must be met in conjunction with this Zoning Ordinance Open Space requirement.**

ARTICLE XVII - RECREATIONAL VEHICLE (RV) PARK

17.1.3 GENERAL REQUIREMENTS

17.3.D Minimum 25% open space excluding required stormwater / drainage. The minimum 25% shall be reserved collectively in contiguous units accessible to all the RV sites and maintained by the property owners. This open space is to be used for: accessory uses, parks, recreation facilities, sidewalks, clubhouse, pool, and similar. **The City's Land Development Ordinance also contains guidance and requirements for Conservation Green Space that must be met in conjunction with this Zoning Ordinance Open Space requirement.**

ARTICLE XVIII - COMMERCIAL / OFFICE DISTRICTS

18.1.1.B - Uses / Structures Permitted on Appeal: Automobile filling stations, motels, automobile repair (minor and major), large dry cleaners and laundries, veterinary clinics / hospitals, manufacturing incidental to a retail business where articles are sold at retail on the premises, other uses not specifically restricted herein; storage structures / open **space storage**; home based businesses; and home occupations.

18.1.2.B - Uses / Structures Permitted on Appeal: Automobile repair (major); large dry cleaners and laundries, veterinary clinics/hospitals, manufacturing incidental to a retail business where articles are sold at retail on the premises, other uses not specifically restricted herein; storage structures / open **space storage**.

18.1.3.B - Uses / Structures Permitted on Appeal: Large dry cleaners and laundries; veterinary clinics and hospitals; automobile repair (major), manufacturing incidental to a retail business where articles are sold at retail on the premises, wholesale businesses, storage structures / open **space storage**.

18.1.4.B - Uses / Structures Permitted on Appeal: Veterinary clinics / hospitals; kennels; wholesale; storage structures / open **space storage**.

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ARTICLE XXI - PLANNED DEVELOPMENTS

21.1.1 R-3 Residential Multi-Family

- **E.6.b** - Include sufficient open spaces in the form of squares, greens and parks. A minimum of 25% of open space shall be provided in all multiple family developments. Stormwater retention areas are not included in this 25% open space requirement, unless it is properly designed and determined to be acceptable open space by the Planning Commission. **The City's Land Development Ordinance also contains guidance and requirements for Conservation Green Space that must be met in conjunction with this Zoning Ordinance Open Space requirement.**

21.1.2 TH-1 Residential Townhouse

- D. Requirements:

Minimum Area	1 acre
Minimum Lot Area	2,400 square feet*
Minimum Lot Width at Building Line	25 24 feet
Minimum Depth of Front Yard	20 feet
Minimum Depth of Rear Yard	15 feet
Minimum Width of Side Yard (on end unit)	16 feet
Minimum Depth of Side Yard Abutting Street	16 feet
Minimum Open Space if <5 ac	20%
Minimum Open Space if ≥5 ac	25%
Maximum Building Height (feet):	50 feet
Maximum Building Height (stories):	3
Off-Street Parking Spaces (per family unit)	2
Maximum Density Per Acre	15

* or meet Health Department requirements.

- H.9 - Townhouse developments with a total area less than five (5) acres shall have at least twenty (20) percent common open space and five (5) acres or greater shall have at least twenty-five (25) percent of the total area devoted to common open space, exclusive of parking areas, accessory buildings, or required drainage. Such common open areas may include recreational facilities. In addition, the developer of a townhouse development or homeowners association created by the developer by recorded covenants and restrictions, shall preserve for the owners and occupants of the development such lands set aside for open areas, parks, or recreational use, and the common off-street parking spaces established for the development. **The City's Land Development Ordinance also contains guidance and requirements for Conservation Green Space that must be met in conjunction with this Zoning Ordinance Open Space requirement.**

21.2.1 PUD - PLANNED UNIT DEVELOPMENT

- **C.7** - Open Space Reservation: Not less than 25% of the PUD site shall be reserved collectively in contiguous units accessible to all the building sites in the PUD and maintained by the property owners for open space for the purpose of providing parks, recreational facilities, ways for pedestrian movement and circulation, and for conserving visually pleasing elements of the environment. This open space does not include areas reserved for drainage purposes. If the PUD is developed in stages, the amount of open space reserved and developed for use in

each stage will constitute no less than an equivalent proportional amount to the area being developed. The City's Land Development Ordinance also contains guidance and requirements for Conservation Green Space that must be met in conjunction with this Zoning Ordinance Open Space requirement.

21.5 PDD – PLANNED DEVELOPMENT DISTRICT

G. There shall be a minimum of at least twenty percent of the gross lot area (20%) designated open space in a PDD exclusive of all drives, walkways, parking areas and required drainage. Access roads and drainage infrastructure, water, sewer, electricity, telephone and other utilities shall be provided to serve the development at the completion of construction of each development phase. Performance bonds may not be posted for drainage and sewer work. The City's Land Development Ordinance also contains guidance and requirements for Conservation Green Space that must be met in conjunction with this Zoning Ordinance Open Space requirement.

ARTICLE XXV - OVERLAY DISTRICTS

25.2 FOLEY ZONING MAP

A layer defining the Historic Overlay District boundary will be provided in the online Foley Zoning Map. The Foley Zoning Map shall be amended and shall reflect the designation of the Historic District Overlay according to the Historic District Overlay Boundaries and the letter H added as a suffix to the underlying zoning district(s).

25.8 ESTABLISHMENT OF FDOD BOUNDARIES

A map of the FDOD overlay boundary is included in the Zoning Ordinance (see Appendix Exhibit A), and a layer containing the FDOD boundary will be provided in the online Foley Zoning Map. The Foley Zoning Map shall reflect the designation of the Foley Downtown Overlay District according to the Foley Downtown Overlay District Boundaries and the letters FDOD added as a suffix to the underlying zoning district(s).

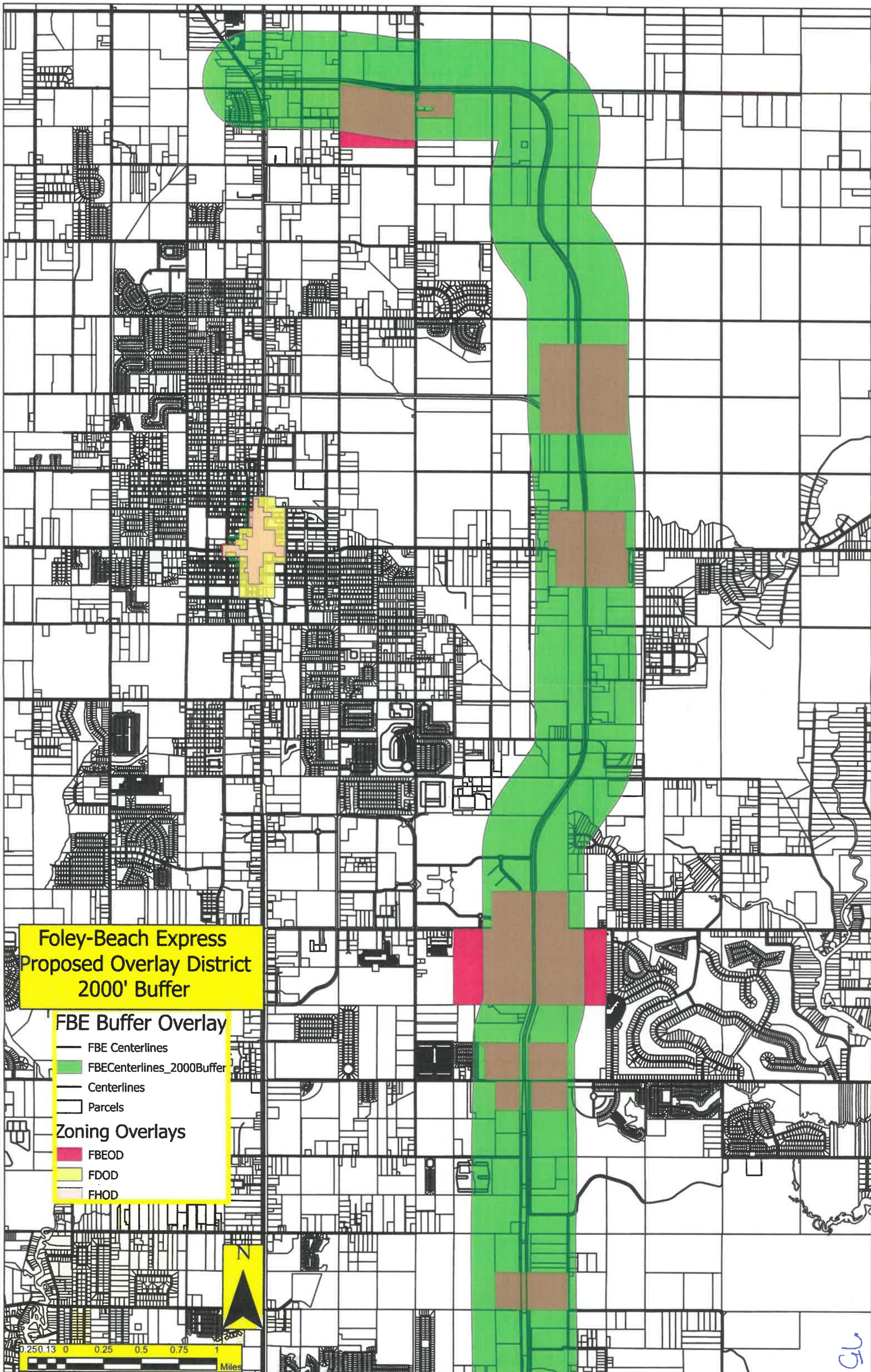
Proposed Amendments to Zoning Ordinance - Site Plans

Prepared by Eden Lapham, PC May 2024

ARTICLE XI - SITE PLAN REVIEW

11.1 SITE PLAN REVIEW

Site plans may be required to be submitted to the Planning Commission for input in cases where the proposed development meets the following criteria. The site plan approval will be valid for 12 months but will expire after this date if no **building** permits have been obtained. The Planning Commission may ~~extend the site plan approval if it is determined there is an extenuating circumstance~~ **grant one 1-year extension if no city regulations have been amended that would affect the site.**



**Foley-Beach Express
Proposed Overlay District
2000' Buffer**

FBE Buffer Overlay

- FBE Centerlines
- FBECenterlines_2000Buffer
- Centerlines
- Parcels

Zoning Overlays

- FBEOD
- FDOD
- FHOD



GLW