

**CITY OF FOLEY
PLANNING COMMISSION**

**WORK SESSION
DECEMBER 4 , 2024**

**City Hall
Council Chambers
At 5:30 p.m.**

&

**MEETING
DECEMBER 11, 2024**

**City Hall
Council Chambers
At 5:30 p.m.**

**PLANNING COMMISSION
WORK SESSION AGENDA DECEMBER 4, 2024
&
MEETING AGENDA DECEMBER 11, 2024
(Council Chambers of City Hall) 5:30 P.M.**

The City of Foley Planning Commission will hold a work session on December 4, 2024 at 5:30 p.m. and a meeting on December 11, 2024 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue.

MINUTES:

Approval of the November 6, 2024 and November 13, 2024 meeting minutes.

AGENDA ITEMS:

1. Resubdivision of Lots 200 & 201 of Roberts Cove Phase 3- Minor

The City of Foley Planning Commission has received a request for approval of the Resubdivision of lots 200 & 201 of Roberts Cove Phase 3, a minor subdivision which consists of 0.38 +/- acres and 2 lots. Property is located S. of County Rd. 12 and E. of the Foley Beach Express. Applicant is the Engineering Design Group.

Planning Commission Action:

2. Resubdivision of Lot 30 Angie Baldwin Subdivision 2nd Addition- Minor

The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 30 Angie Baldwin Subdivision 2nd Addition, a minor subdivision which consists of 0.86 +/- acres and 2 lots. Property is located at 13223 Lymon Ln. Applicant is Weygand Wilson Surveying, LLC.

Public Hearing:

Planning Commission Action:

3. A Replat of Lot 3A Togogo Subdivision- Minor

The City of Foley Planning Commission has received a request for approval of the Replat of Lot 3A Togogo Subdivision which consists of 11 +/- acres and 1 lots. Property is located N. of 9th Ave. and W. of S. McKenzie St. Applicant is the City of Foley.

Planning Commission Action:

4. Replat of Lot 2B of the Resubdivision of Lot 2 of Broadway-Lawson Avenue- Minor

The City of Foley Planning Commission has received a request for approval of the Replat of Lot 2B of the Resubdivision of Lot 2 of Broadway-Lawson Avenue which consists of 11 +/- acres and 1 lots. Property is located S. of W. Lawson Ave. and W. of S. McKenzie St. Applicant is the City of Foley.

Planning Commission Action:

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5. Zoning Ordinance Amendments

Public Hearing:

Planning Commission Action:

6. 2025 By-Laws

Planning Commission Action:

7. Election of 2025 Officers

Planning Commission Action:

ADJOURN:

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The City of Foley Planning Commission held a work session on November 6, 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, Ralph Hellmich, Wes Abrams, Calvin Hare, Phillip Hinesley, Bill Swanson and Tommy Gebhart. Absent member was Vera Quaites. Staff present were: Wayne Dyess, Executive Director of Infrastructure and Development; 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. *Paxton Farms Phase 2- 1 Year Preliminary Extension

The City of Foley Planning Commission has received a request for a 1 year preliminary extension for Paxton Farms Phase 2 which consists of 16.2 +/- acres and 60 lots. Property is located S. of County Rd. 12 S. and W. of County Rd. 65 and is located in the City of Foley Planning Jurisdiction. Applicant is Jade Consulting, LLC.

Mrs. Eden Lapham explained the request is for a one year extension. She stated preliminary approval was issued on December 14, 2022 and this is the first extension request. She explained construction is in progress and there are no outstanding environmental issues. She stated staff is recommending approval.

2. Glenlakes Phases 4- 1 Year Preliminary Extension

The City of Foley Planning Commission has received a request for a 1 year preliminary extension for Glenlakes Phase 4 which consists of 49.95 +/- acres and 116 lots. Property is located W. of Clarke Ridge Rd. and N. of County Rd. 12 S. Applicant is Mullins, LLC.

Mrs. Lapham explained preliminary approval was issued on January 18, 2023. She stated they are requesting a one year extension. She explained the construction is currently 75% complete. She stated staff is recommending approval.

3. *Schoen Subdivision- Minor

The City of Foley Planning Commission has received a request for approval of the Schoen Subdivision, a minor subdivision which consists of 15.82 +/- acres and 3 lots. Property is located E. of State Hwy. 59 and S. of Foley Beach Express and is located in the City of Foley Planning Jurisdiction. Applicant is Beyond Measure Surveying, LLC.

Mrs. Lapham explained the property is located in the City of Foley's Planning Jurisdiction, Baldwin County District 18 and is unzoned. She stated the 3 requested lots are meeting the required lot width and square footage. She explained that the staff is recommending approval.

4. *Ashlyn Acres Subdivision- Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Ashlyn Acres Subdivision which consists of 37.25 +/- acres and 11 lots. Property is located N. of County Rd. 26 and W. of Poser Rd. and is located in the City of Foley Planning Jurisdiction. Applicant is Axis Engineering Group.

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Mrs. Lapham explained the property is located in the City of Foleys Planning Jurisdiction, Baldwin County District 21 and is zoned RSF-E. She stated the lots are meeting the required lot width and square footage. She explained that the staff is recommending approval.

5. *Foley Point Phase 2- Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Foley Pointe Phase 2 which consists of 13.59 +/- acres and 56 lots. Property is located E. of County Rd. 65 and S. of Dairy Ln. and is located in the City of Foley Planning Jurisdiction. Applicant is Jade Consulting, LLC.

Mrs. Lapham explained the subdivision was previously named Cotton Bayou. She stated the property is located in the City of Foley Planning Jurisdiction, Baldwin County District 34 and is unzoned. She explained the minimum lot and square footage requirement does not pertain to this development due to it being in progress prior to the requirements being added to the City's regulations.

Mr. Trey Jinright stated right of way was recently dedicated to Baldwin County for road improvements.

Commissioner Hellmich asked if accel or decel lanes were being required.

Mr. Trey Jinright stated the turn lanes were required with the construction of phase 1.

6. Wolf Ridge Phase 2- Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Wolf Ridge Phase 2 which consists of 32.33 +/- acres and 17 lots. Property is located E. of Clarke Ridge Rd. and N. of County Rd. 12 S. Applicant is Lieb Engineering Company.

Mrs. Lapham stated the request is meeting the approved PUD zoning requirements. She stated staff is recommending approval.

7. Cresswind Foley- Prezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the prezone 195.06 of acres. Proposed zoning is PUD (Planned Unit Development). Property is located S. of Pastoral Ln. and E. of the Foley Beach Express Applicant is Jade Consulting, LLC.

Mrs. Lapham explained agenda items # 7 and 8 will be discussed together.

Mr. Larry Long explained Kolter Homes is proposing to develop an active adult, age-restricted, single-family residential resort community. He stated the lot widths will range from 40' to 70', the homes will be between 1,500 square feet to 3,300 and range in price from \$400,000 to \$700,000. He explained the lot sizes and home styles will be mixed together throughout the development. He stated the club house which will include a full time on site activities director will be constructed with phase 1. He explained they will work with the city on the design of the entrances. The community will be gated with a guard house and private roads. He explained the model homes will be constructed first and before roads are completed. The model homes will be completely

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decorated and furnished. He stated each lot will back up to a landscaped 50' common area and fencing would be restricted to 4' iron fences. He stated they are asking for a deviation to allow 4' sidewalks in order to reduce the amount of impervious surface. He explained the homes will be built to fortified standards with a hip roof in order to reduce insurance rates. The Home Owner Associate will be run by a private company with monthly dues of \$290 which will include cable service, internet service, landscaping, amenities and activities. He explained the Home Owners Association will handle the landscaping of the residential lots and common areas.

Commissioner Swanson asked about the number of phases.

Mr. Long stated there will be a total of eight phases. He stated the front lots will be for commercial uses. They are currently working on architectural guidelines for the future commercial developments with the current owners.

Chairman Abrams stated he feels reducing the amount of impervious service is not a justification for the reduction in the sidewalk width. He explained they are requesting to deviate from being allowed to clear 25 acres of land at a time to 50 acres of land at a time. He explained when areas get dry the city receives complaints from neighbors in regards to dust.

Mr. Dyess stated this development is unique and self-contained and gated. He explained he feels the environment is appropriate for walking and biking in the streets. He stated he has personally visited two of the Kolter developments which were low traffic and low speed environments.

Mr. Larry showed an approximate area for the one to two acre parcel that will be donated for a future fire station.

Commissioner Hellmich stated he feels it needs to be taken into consideration that all of the area will not be clear cut. He explained they will be preserving natural trees and buffers. He explained the environmental department will be inspecting the site and it will be shut down if there are any issues.

Ms. Eckman stated there are wetlands and wetland buffers on the property that will not be disturbed.

Mr. Long stated he understood the concern regarding the sidewalks. He explained they will have 4 ½ miles of natural trails and a large amount of open space. He stated they have learned through other developments the sidewalks are rarely used.

Mr. Dyess stated some of the deviations to the land disturbance ordinance would need to be approved by the Mayor and Council.

8. Cresswind Foley- Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 525.19 acres. Property is currently zoned B-1A (Extended Business District). Proposed zoning is PUD (Planned Unit Development). Property is located S. of Pastoral Ln. and E. of the Foley Beach Express. Applicant is Jade Consulting, LLC.

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Discussed with item # 7.

9. Public Projects

Mrs. Rachel Keith presented the public projects to the Commissioners.

10. 2025 Meeting & Deadline Calendar

Mrs. Lapham explained the proposed calendar is for the 2025 Planning Commission meetings and deadlines.

WORK SESSION:

11. Zoning Ordinance-

Discuss Proposed Amendments for a Neighborhood Office (NO) District

Mr. Dyess discussed the proposed changes for the Neighborhood Office (NO) District.

ADJOURN:

Chairman Abrams adjourned the meeting at 7:07 p.m.

**PLANNING COMMISSION
MEETING MINUTES NOVEMBER 13, 2024
(Council Chambers of City Hall) 5:30 P.M.**

The City of Foley Planning Commission held a meeting on November 13, 2024 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Deborah Mixon, Vera Quaites, Wes Abrams, Calvin Hare, Phillip Hinesley and Tommy Gebhart. Absent members were: Larry Engel, Ralph Hellmich and Bill Swanson. Staff present were; Miriam Boone, City Planner; Chad Christian, City Engineer; Angie Eckman, Environmental Manager; Wayne Dyess, Executive Director of Infrastructure and Development; Eden Lapham, Planner 1; 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 October 9, 2024 and October 16, 2024 meeting minutes.

Commissioner Hinesley made a motion to approve the October 9, 2024 and October 16, 2024 meeting minutes. Commissioner Hare seconded the motion. All members voted aye.

Motion to approve the October 9, 2024 and October 16, 2024 meeting minutes passes.

AGENDA ITEMS:

1. *Paxton Farms Phase 2- 1 Year Preliminary Extension

The City of Foley Planning Commission has received a request for a 1 year preliminary extension for Paxton Farms Phase 2 which consists of 16.2 +/- acres and 60 lots. Property is located S. of County Rd. 12 S. and W. of County Rd. 65 and is located in the City of Foley Planning Jurisdiction. Applicant is Jade Consulting, LLC.

Mrs. Miriam Boone stated staff is recommending approval. She explained they are 30% complete. She stated this is their first extension and they are requesting a 1 year extension.

Planning Commission Action:

Commissioner Hare made a motion to approve the requested 1 year preliminary extension. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to approve the requested 1 year extension passes.

2. Glenlakes Phases 4- 1 Year Preliminary Extension

The City of Foley Planning Commission has received a request for a 1 year preliminary extension for Glenlakes Phase 4 which consists of 49.95 +/- acres and 116 lots. Property is located W. of Clarke Ridge Rd. and N. of County Rd. 12 S. Applicant is Mullins, LLC.

Mrs. Boone stated staff is recommending approval of the one year extension request. She explained they are 75% complete and this is their first extension request.

Mr. Wayne Dyess stated we have received correspondence from the Glenlakes 1 Property Owners Association regarding conditions they would like addressed. He stated he has spoken with Joel Coleman and they are aware the plat will not be signed off on by the City until the entrance conditions are met.

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Planning Commission Action:

Commissioner Hare made a motion to approve the requested one year extension based on staff's recommendation. Commissioner Gebhart seconded the motion. All Commissioners voted aye.

Motion to approve the requested one year extension based on staff's recommendation passes.

3. *Schoen Subdivision- Minor

The City of Foley Planning Commission has received a request for approval of the Schoen Subdivision, a minor subdivision which consists of 15.82+/- acres and 3 lots. Property is located E. of State Hwy. 59 and S. of Foley Beach Express and is located in the City of Foley Planning Jurisdiction. Applicant is Beyond Measure Surveying, LLC.

Mrs. Boone explained that the staff is recommending approval. She stated the property is located in Baldwin County, District 18 and is unzoned.

Public Hearing:

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

A gentleman stated he owns the business next to the property and his understanding is they are putting apartments on the property.

Mrs. Boone stated the request is to subdivide the property into 3 lots. She stated the lots range in size from 2 +/- acres to 8 +/- acres.

Planning Commission Action:

Commissioner Gebhart made a motion to approve the requested minor subdivision. Commissioner Quaites seconded the motion. All members voted aye.

Motion to approve the requested minor subdivision passes.

4. *Ashlyn Acres Subdivision- Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Ashlyn Acres Subdivision which consists of 37.25 +/- acres and 11 lots. Property is located N. of County Rd. 26 and W. of Poser Rd. and is located in the City of Foley Planning Jurisdiction. Applicant is Axis Engineering Group.

Public Hearing:

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

Mr. Brian Graham stated he has concern in regards to the drainage. He explained the property was traditionally farm land and was at one time part of a conservation program. He stated there are several hundred acres that currently drain across the property which is close in proximity to the Magnolia River. He stated there needs to be a large retention pond added on the north end. He asked if the streets within the subdivision will be paved.

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Mr. Jonathan Petty stated he is working with the Engineering Department closely to elevate any issues or concerns. He explained there will be no paved streets installed within the subdivision.

Mr. Graham asked if the property would be annexed into the City of Foley.

Mr. Dyess answered that the property cannot be annexed due to it not being contiguous.

Mrs. Boone stated the property is in Baldwin County, District 21 and is zoned RSF-E. She explained the lots are meeting Baldwin County minimum 80,000 square foot lot requirement.

Mr. Dyess asked if the roads to the east and south are County roads.

Mr. Petty stated the roads are County roads.

Mr. Dyess stated all driveway permits will be issued through Baldwin County.

Commissioner Hinesley asked about the access for lots 10 and 11.

Mr. Petty stated all lots will front onto a County paved road.

Mr. Chad Christian stated the lots will have common driveways.

Planning Commission Action:

Commissioner Gebhart made a motion to approve the requested preliminary. Commissioner Hare seconded the motion. All Commissioners voted aye.

Motion to approve the requested preliminary passes.

5. *Foley Point Phase 2- Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Foley Pointe Phase 2 which consists of 13.59 +/- acres and 56 lots. Property is located E. of County Rd. 65 and S. of Dairy Ln. and is located in the City of Foley Planning Jurisdiction. Applicant is Jade Consulting, LLC.

Public Hearing:

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

Planning Commission Action:

Mrs. Boone explained that the staff is recommending approval. She stated the subdivision was previously named Cotton Bayou. She explained the property is located in Baldwin County, District 34 and is unzoned.

Mr. Jinright explained the turn lane installation was tied to phase 1 and was discussed at the work session.

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

Motion to approve the requested preliminary passes.

6. Wolf Ridge Phase 2- Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Wolf Ridge Phase 2 which consists of 32.33 +/- acres and 17 lots. Property is located E. of Clarke Ridge Rd. and N. of County Rd. 12 S. Applicant is Lieb Engineering Company.

Public Hearing:

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

Mr. Frank Ellis resident of 8906 Toller Ln. and owner of Wolf Bay Landing Condo's stated he was a developer for over 25 years and the infrastructure for the area needs to be looked at. He explained there have been roughly 400 new homes constructed in the area and they all use County Road 12. He stated Robert's Cove has one access which is off County Road 12 and there should have been another access required.

Mr. Christian stated an additional access is being added for Robert's Cove in a future phase.

Mrs. Boone stated impact fees which are based on the valuation of the homes are collected at the time of permitting. She explained the fees go towards improvements such as transportation and parks.

Mr. Ellis asked if the lots will be accessed off of Clarke Ridge Road or County Road 12.

Mrs. Boone stated this phase will be accessed from County Road 12.

Ms. Orlinda McKinley resident of 9011 Clarke Ridge Rd. stated the contractors working on the current phase are cutting through the right of way behind her driveway. She explained the heavy equipment is leaving deep ruts which causes standing water. She asked if the property has been annexed into the City of Foley and what entrance would be used for construction.

Mrs. Boone stated the property has been annexed into the City of Foley.

Mr. Lieb stated the construction entrance location will be up to the contractor.

A resident asked if a privacy fence will be installed around the development.

Mr. Lieb stated he is unaware of any plans for a fence around the perimeter. He stated each individual lot owner will be allowed to install fencing.

Mr. Robert Anderson the current owner of the property stated a landscape buffer will be provided on County Road 12 and Clarke Ridge Road.

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Commissioner Hinesley asked about the sewer.

Mr. Christian stated the Engineer of record provided information and based on the information an exception was made.

Mrs. Boone stated staff is recommending approval.

Commissioner Gebhart made a motion to approve the requested preliminary. Commissioner Mixon seconded the motion.

Commissioner Hinesley stated he does not like grinder pumps. He stated in particular with it being right on Wolf Bay. He explained if they lose power the sewage will be going into the creek.

Mr. Dyess stated were was some engineering technical circumstances which resulted in an exception.

Planning Commission Action:

Commissioner Hare made a motion to approve the requested preliminary. Commissioner Mixon seconded the motion.

All Commissioners voted aye.

Motion to approve the requested preliminary passes.

7. Cresswind Foley- Prezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the prezone 195.06 of acres. Proposed zoning is PUD (Planned Unit Development). Property is located S. of Pastoral Ln. and E. of the Foley Beach Express Applicant is Jade Consulting, LLC.

Chairman Abrams stated agenda items 7 & 8 will be discussed together.

Public Hearing:

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

Mr. Leonard Kichler stated his family owns and farms the adjacent 195 acres. He explained he does not see how the infrastructure will be handled.

Mr. Dyess stated the request is for zoning the property and to approve the master plan. He explained before moving forward they will have to provide letters from the utility company's confirming they can serve and have the capacity. He stated the utility letters will come at a later date. He asked the applicant the time frame to have the development completed.

Mr. Larry Long stated completion will take 10 to 15 years.

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Mrs. Nancy Kichler Johnson stated this is the first notification they have received regarding the proposed development.

Mr. Dyess explained the rezoning request requires notification of adjoining property owners. He stated this is the first process of the development to rezone and prezone the property.

Mrs. Boone explained agendas are available on line and an ad is run in the newspaper.

Chairman Abrams stated Riviera Utilities has recently completed massive upgrades for the water and sewer along the Beach Express.

Mrs. Boone explained they are requesting deviations on items from the Zoning Ordinance and Land Disturbance Ordinance. She stated the deviations from the Land Disturbance Ordinance would need to be approved by the Mayor and Council.

Mr. Long stated the proposed development will be age restricted to 55 and older. He explained there will not be any school aged children and the amount of traffic it produces will be half of what is produced from a typical subdivision. He stated they will have a large club house with amenities such as cooking classes and yoga. He explained the development will have a lot of open space which includes the common area behind each lot. He stated all landscaping for the common areas and lots will be maintained by the Home Owners Association.

Ms. Kichler stated they need to understand the land behind this development is farmed which will include crop dusters and farm equipment.

Mr. Long stated there is a hefty buffer that will be located behind the lots. He explained they have no issues with the farming and understood it was taking place before this development.

Chairman Abrams stated historically we have had issues with vehicles being parked over sidewalks.

Mr. Jinright stated the setback for the house will be 15' and the garage setback will be 20'. He stated they are requesting for the street trees to be placed on private property which will be irrigated through the homeowner's irrigation rather than in the row with no irrigation.

Mr. Dyess stated the context of this development has to be considered. He explained this is a 55 and older community. He stated he has visited several of the Kolter sites and while he was visiting he saw no vehicle traffic within the developments.

Mr. Jinright stated they have come to an agreement that the erosion control and pond will be installed upfront. He explained they have also agreed to double the amount of inspections from one a month to two a month on the site in order to give the city comfort and trust.

Chairman Abrams stated he looked at a few of the Kolter developments through street view and liked that it was something different and has character. He stated the streets will be private so if

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there are any complaints regarding the sidewalks the city would not handle the complaints. He stated the plan fits within the city's master plan.

Planning Commission Action:

Commissioner Hinesley made a motion to recommend the requested rezoning to the Mayor and Council. Commissioner Gebhart seconded the motion. All Commissioners voted aye.

Motion to recommend the requested rezoning to the Mayor and Council passes.

8. Cresswind Foley- Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 525.19 acres. Property is currently zoned B-1A (Extended Business District). Proposed zoning is PUD (Planned Unit Development). Property is located S. of Pastoral Ln. and E. of the Foley Beach Express. Applicant is Jade Consulting, LLC.

Public Hearing:

Item discussed with agenda item # 7.

Planning Commission Action:

Commissioner Quaites made a motion to recommend the requested rezoning to the Mayor and Council. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to recommend the requested rezoning to the Mayor and Council passes.

9. Public Projects

Planning Commission Action:

Commissioner Hinesley made a motion to recommend the public projects to the Mayor and Council. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to recommend the public projects to the Mayor and Council passes.

10. 2025 Meeting & Deadline Calendar

Planning Commission Action:

Commissioner Gebhart made a motion to approve the 2025 meeting and deadline calendar. Commissioner Hare seconded the motion. All Commissioners voted aye.

Motion to approve the 2025 meeting and deadline calendar passes.

ADJOURN:

Chairman Abrams adjourned the meeting at 6:41 p.m.

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PLANNING COMMISSION JOINT STAFF REPORT: December 2024

STAFF RECOMMENDATION: Approval

PROJECT NAME: Resub of lots 200 & 201 of Roberts Cove, Ph. 3

REQUEST: Subdivision

SUB TYPE: Minor

OWNER / APPLICANT: Engineering Design Group

ACREAGE: 0.38
NUMBER OF LOTS: 2

PIN#(s): 627960 & 627904

LOCATION: S of Co Rd 12, E of Foley Beach Express

PROJECT DESCRIPTION: a 2 lot resubdivision- Resub of lots 200 & 201 of Roberts Cove, Ph. 3

CURRENT CITY ZONING: PUD

OVERLAY DISTRICT: FBEOD, Foley Beach Express Overlay District

REQUESTED ZONING: N/A

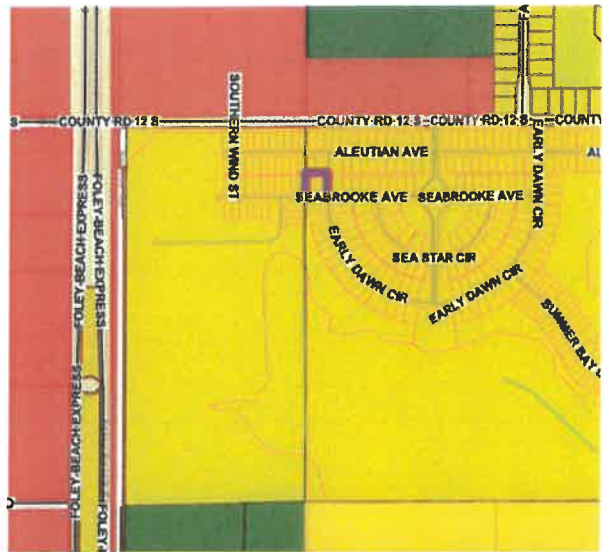
ADJACENT ZONING: PUD

COUNTY ZONING: N/A

COUNTY LOT SIZE: N/A

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

EXISTING LAND USE: Vacant



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

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

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

Reviewer: Brad Hall, 251-971-6028, bhall@cityoffoley.org, Fire Department
Review Status: Approved

Reviewer: Gene Williamson, 251-952-4011, gwilliamson@cityoffoley.org, Building Department
Review Status: Approved

2145986
BALDWIN COUNTY, ALABAMA
HARRY D'OLIVE, JR., PROBATE JUDGE
Filed/Cert. 09/11/2024 01:28 PM
TOTAL \$148.00 5 Pages
SLIDE 0002987-C

FINAL PLAT OF ROBERTS COVE PHASE 3

SITUATED IN THE NORTHWEST 1/4 OF SECTION 14,
AND THE NORTHEAST 1/4 OF SECTION 15,
TOWNSHIP 8 SOUTH, RANGE 4 EAST,
BALDWIN COUNTY, ALABAMA

10

COUNTY RD 12
80' PUBLIC ROW

10 11
15 14

DATE

REVISIONS

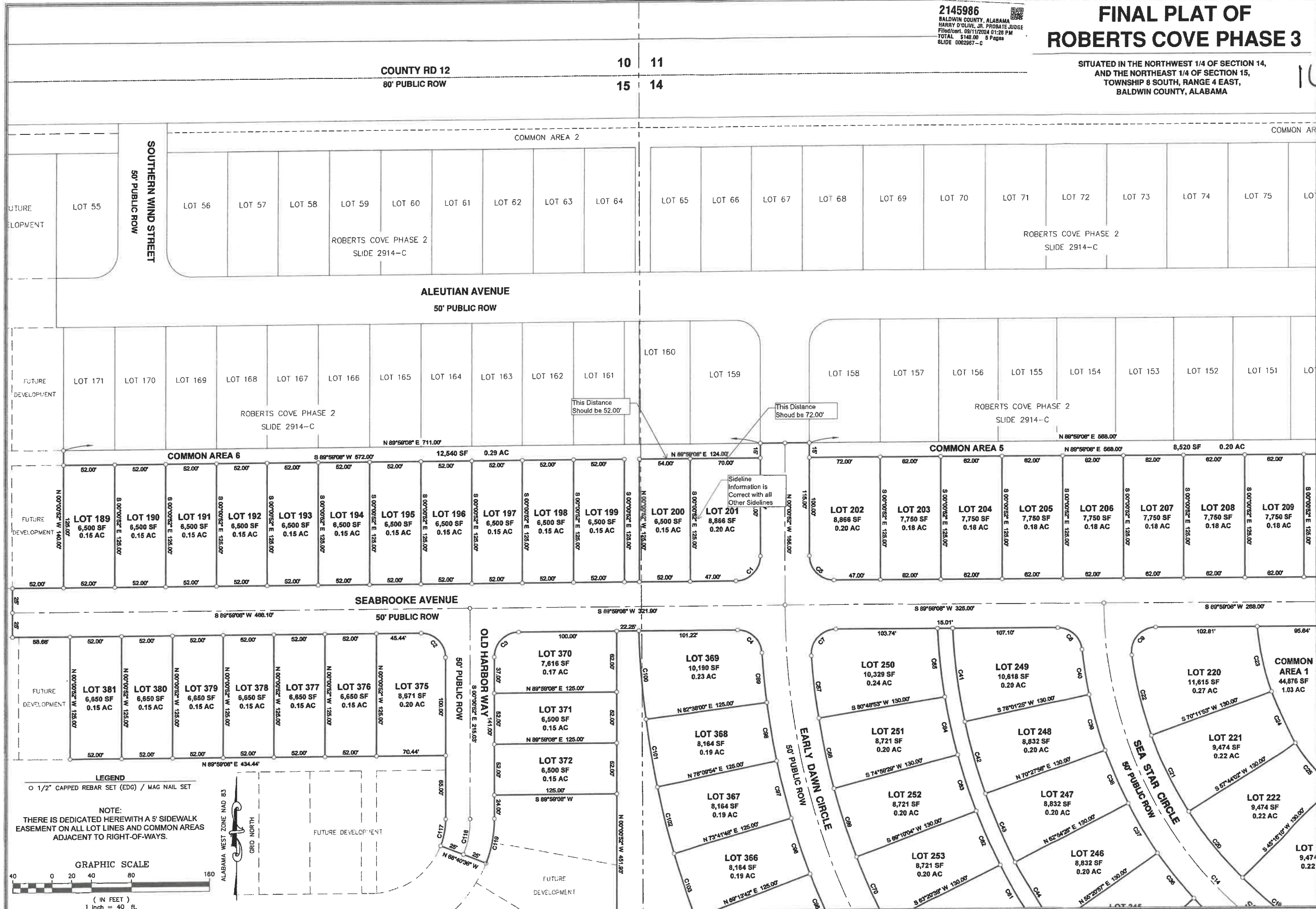
DRAWN BY: GPJ
CHECKED BY: MAJ
PROJECT No.: F-DP-H00006
DATE: September 3, 2024
SCALE: 1" = 40'

ROBERTS COVE PHASE 3

1000 E. LAUREL AVENUE (FOLEY)
FOLEY, AL. 36535
(251) 943-8960
120 BISHOP CIRCLE, SUITE 300 (PELHAM)
PELHAM, AL 35124
(205) 403-9158

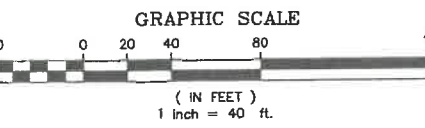
EDG
ENGINEERING DESIGN GROUP, LLC
CIVIL ENGINEERING • LAND SURVEYING
(205) 403-9158 (251) 943-8960

SHEET NO.
3 OF 5



LEGEND
○ 1/2" CAPPED REBAR SET (EDG) / MAG NAIL SET

NOTE:
THERE IS DEDICATED HEREWITH A 5' SIDEWALK
EASEMENT ON ALL LOT LINES AND COMMON AREAS
ADJACENT TO RIGHT-OF-WAYS.



This Distance Should be 52.00'

This Distance Should be 72.00'

Sideline Information is Correct with all Other Sidelines

T:\Projects\2024\2145986\2145986.dwg - RECORD MAP PHASE 3 (6 of 6) - 10/24/24

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PLANNING COMMISSION JOINT STAFF REPORT: December 2024

STAFF RECOMMENDATION: Denial

PROJECT NAME: Resub of Lot 30 of Angie Baldwin

REQUEST: Subdivision

SUB TYPE: Minor

OWNER / APPLICANT: Weygand Wilson
Surveying LLC

ACREAGE: 0.86
NUMBER OF LOTS: 2

PIN#(s): 51736

LOCATION: 13223 LYMON LN

PROJECT DESCRIPTION: Resub of Lot 30 of
Angie Baldwin

CURRENT CITY ZONING: R-4

OVERLAY DISTRICT: N/A

REQUESTED ZONING: N/A

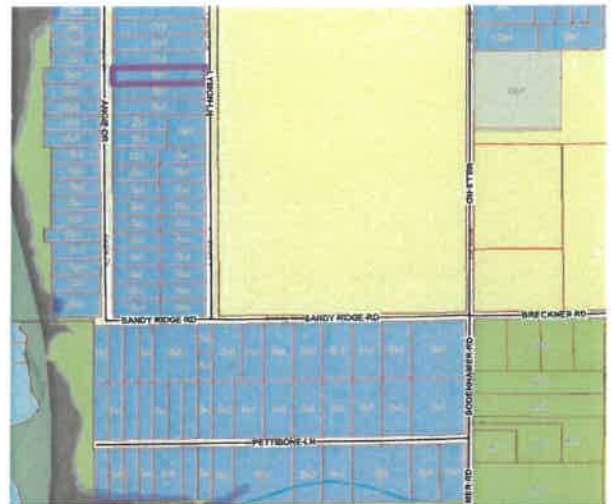
ADJACENT ZONING: N, S, W: R-4; E: Unzoned
BC Dist 18

COUNTY ZONING: N/A

COUNTY LOT SIZE: N/A

FUTURE LAND USE: RR - Rural Residential

EXISTING LAND USE: (2) SFR, one at each end
of property



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

18

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

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

1. A sanitary sewer "will serve" letter was not provided from Riviera Utilities, only water and electric. The applicant's representative has indicated the existing sewer system is septic. Therefore the plat will need to include the Baldwin County Health Department's certification block.
2. The plat needs to include the existing septic tank(s) and field lines.

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

1. Environmental recommends approval conditional on the sepic being identified and plat updated.

Reviewer: Brad Hall, 251-971-6028, bhall@cityoffoley.org, Fire Department
Review Status: Approved

Reviewer: Gene Williamson, 251-952-4011, gwilliamson@cityoffoley.org, Building Department
Review Status: Approved

State of Alabama
Baldwin County)
The undersigned, Trent Wilson, Professional Land Surveyor, State of Alabama, Calvin Hare and Linda D. Hare, owners, hereby certify that this plat or map was made pursuant to a survey made by said surveyor, and that this plat or map was made at the instance of said owner, that this plat or map is a true and correct plat or map of land shown thereon and known or to be known as A RE-SUBDIVISION OF LOT 30, ANGIE BALDWIN SUBDIVISION, 2ND. ADDITION situated in the City of Foley, Baldwin County, Alabama.

Authorized Signature
CERTIFICATE OF APPROVAL BY THE WATER PROVIDER
Rivera Utilities
I, the undersigned, as authorized by Rivera Utilities hereby approves the within plat for the recording of same in the Probate Office of Baldwin County, Alabama.
Signed this _____ day of _____, 2024.

In Witness Whereof, we have hereunto set our hands this the _____ day of _____, 20____.
By: Trent Wilson PL.S. #34764
By: Calvin Hare
By: Linda D. Hare

Authorized Signature
CERTIFICATE OF APPROVAL BY THE CITY OF FOLEY PLANNING COMMISSION
The within plat of the subdivision shown hereon in Foley, Alabama is hereby approved by the City of Foley Planning Commission this the _____ day of _____, 2024.

Legal Description:
Legal Description as provided by client:
Lot 30, Angie Baldwin Subdivision, Second Addition as recorded in the Office of the Judge of Probate of Baldwin County, Alabama in Slide 007-A.
State of Alabama
Baldwin County)
I, _____, as Notary Public in and for said County and State, do hereby certify that Calvin Hare, whose name is signed to the foregoing certificate as owner, and who is known to me, acknowledged before me, on this date, that being informed of the contents of said certificate, executed same voluntarily and with full authority therefor.
Given under my hand and seal this _____ day of _____, 20____.
By: _____
Notary Public - Commission Exp:

Planning Commission Chairman
CERTIFICATE OF APPROVAL BY THE CITY OF FOLEY ENGINEER
The undersigned, as City Engineer of the City of Foley, Alabama hereby approves the within plat for the recording of same in the Office of the Judge of Probate of Baldwin County, Alabama, this the _____ day of _____, 2024.
City Engineer

State of Alabama
Baldwin County)
I, _____, as Notary Public in and for said County and State, do hereby certify that Linda D. Hare, whose name is signed to the foregoing certificate as owner, and who is known to me, acknowledged before me, on this date, that being informed of the contents of said certificate, executed same voluntarily and with full authority therefor.
Given under my hand and seal this _____ day of _____, 20____.
By: _____
Notary Public - Commission Exp:

BALDWIN COUNTY E-911 BOARD
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 ELECTRIC PROVIDER
Rivera Utilities
I, the undersigned, as authorized by Rivera Utilities hereby approves the within plat for the recording of same in the Probate Office of Baldwin County, Alabama.
Signed this _____ day of _____, 2024.

A RE-SUBDIVISION OF LOT 30 OF ANGIE BALDWIN SUBDIVISION 2ND. ADDITION
FOLEY, BALDWIN COUNTY, ALABAMA
SECTION 24, TOWNSHIP 7 SOUTH, RANGE 3 EAST
DATE OF PLAT: OCTOBER 14, 2024

NOTES:
1. BEARINGS ARE BASED ON GEODETIC NORTH AS OBTAINED BY GPS OBSERVATION.
2. LEGAL DESCRIPTION PROVIDED BY CLIENT.
3. THIS PROPERTY WAS SCALED ONTO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE MAP NUMBER D100300915M EFFECTIVE 4/19/2019 AND FOUND TO BE IN ZONE X.
4. SETBACKS AS PER ZONING IN PLACE AT THE TIME OF PERMIT.

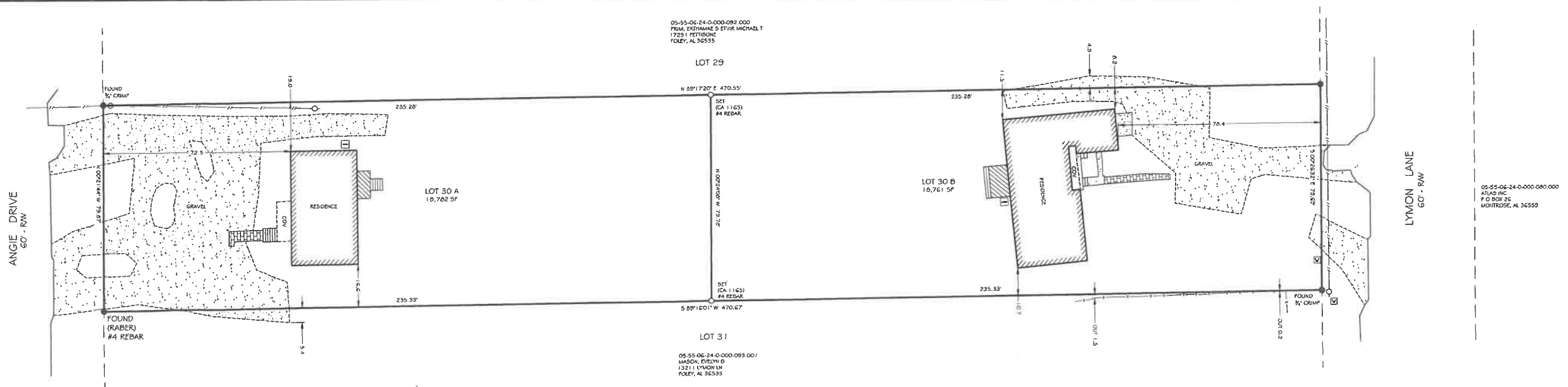
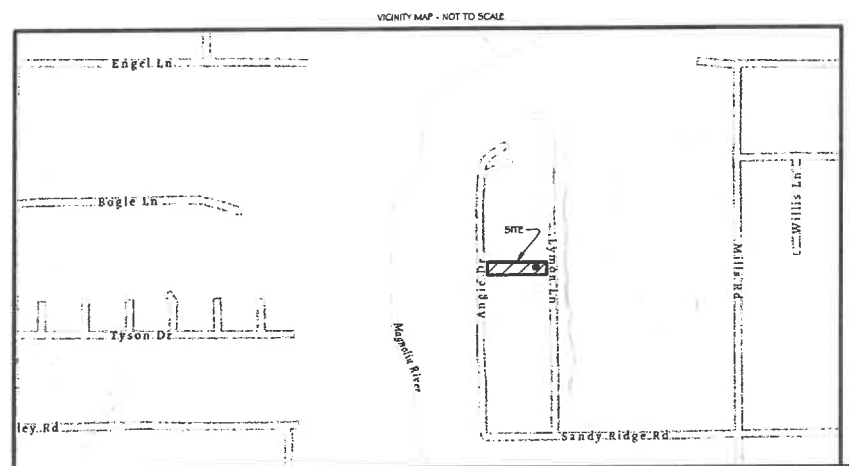
SCALE: 1"=20'

SITE DATA
ZONING: R-4
TOTAL AREA: 37,543 SF
NUMBER OF LOTS: 2
SMALLEST LOT: 18,761 SF
LARGEST LOT: 18,761 SF

WEYGAND WILSON SURVEYORS
Trent Wilson PL.S. #34764
Weygand Wilson Surveying LLC
229 E. 20th Ave., Suite 12
Gulf Shores, AL 36542
Phone: (251) 975-7555

LEGEND

BLDG	BUILDING
CALC	CALCULATED
CH	CHORD
D	DELTA
M	MANHOLE
R	RADIUS
RAW	RIGHT OF WAY
S.F.	SQUARE FEET
AC	AIR CONDITIONER
U	UTILITY POLE
A	ANCHOR
W	WALL
CONC	CONCRETE
WM	WASTE METER
SB	SEWER BOX
FCB	FIRE CONTROL BOX
WV	WATER VALVE
FHB	FIRE HYDRANT
CB	COMMUNICATION BOX
EB	ELECTRIC BOX
FOB	FIBER OPTIC BOX
LP	LIGHT POLE
SP	STAGING POINT
M	MEASURED
RM	RECORDED
CM	CONCRETE MONUMENT
F	FENCE
OU	OVERHEAD UTILITIES



20



PLANNING COMMISSION JOINT STAFF REPORT: December 2024

STAFF RECOMMENDATION: Approval

PROJECT NAME: Replat of Lot 3A Togogo Subdivision

REQUEST: Subdivision

SUB TYPE: Minor

OWNER / APPLICANT: City of Foley, Chad Christian

ACREAGE: 11
NUMBER OF LOTS: 1

PIN#(s): 67673

LOCATION: North of 9th Ave and West of S McKenzie St

PROJECT DESCRIPTION: Replat of Lot 3A Togogo Subdivision

CURRENT CITY ZONING: B-1A

OVERLAY DISTRICT: N/A

REQUESTED ZONING: N/A

ADJACENT ZONING: N, E, & S: B-1A; W: PUD & R-1A

COUNTY ZONING: N/A

COUNTY LOT SIZE: N/A

FUTURE LAND USE: RCC - Retail Commercial Concentration

EXISTING LAND USE: Vacant/Wooded



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

21

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

- 1. The property is zoned B1A which does not have a minimum lot size requirement so the lots meet the zoning.

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

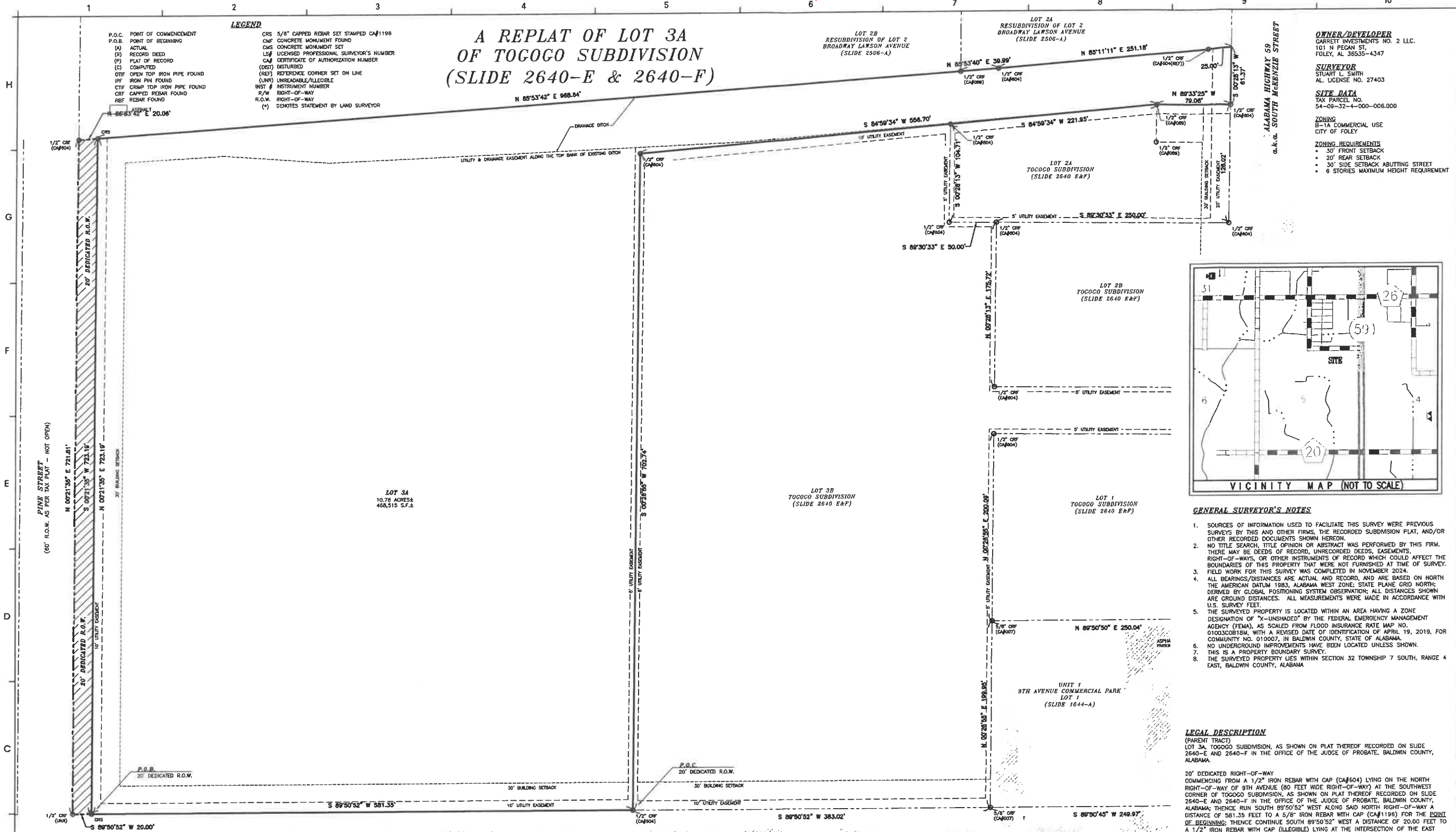
- 1. Engineering recommends approval

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

- 1. Environmental recommends approval

Reviewer: Brad Hall, 251-971-6028, bhall@cityoffoley.org, Fire Department
Review Status: Approved

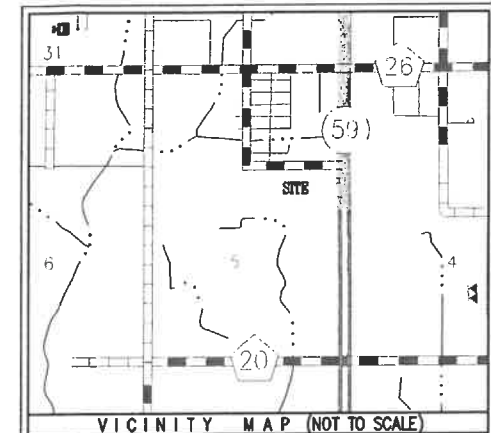
Reviewer: Gene Williamson, 251-952-4011, gwilliamson@cityoffoley.org, Building Department
Review Status: Approved



A REPLAT OF LOT 3A OF TOGOGO SUBDIVISION (SLIDE 2640-E & 2640-F)

LEGEND

P.O.C. POINT OF COMMENCEMENT	CRS 5/8" CAPPED REBAR SET STAMPED CA#1198
P.O.B. POINT OF BEGINNING	CMS CONCRETE MONUMENT FOUND
(A) ACTUAL	CMS CONCRETE MONUMENT SET
(R) RECORD DEED	LSW LICENSED PROFESSIONAL SURVEYOR'S NUMBER
(P) PLAT OF RECORD	CA# CERTIFICATE OF AUTHORIZATION NUMBER
(C) COMPUTED	(DIST) DISTURBED
OTIF OPEN TOP IRON PIPE FOUND	(RET) REFERENCE CORNER SET ON LINE
IPF IRON PIN FOUND	(UNR) UNREADABLE/ILLEGIBLE
CTIF CRIMP TOP IRON PIPE FOUND	INST # INSTRUMENT NUMBER
CRF CAPPED REBAR FOUND	R/W RIGHT-OF-WAY
RFB REBAR FOUND	R.O.W. RIGHT-OF-WAY
(*)	UNDOTES STATEMENT BY LAND SURVEYOR



GENERAL SURVEYOR'S NOTES

- SOURCES OF INFORMATION USED TO FACILITATE THIS SURVEY WERE PREVIOUS SURVEYS BY THIS AND OTHER FIRMS, THE RECORDED SUBDIVISION PLAT, AND/OR OTHER RECORDED DOCUMENTS SHOWN HEREON.
- NO TITLE SEARCH, TITLE OPINION OR ABSTRACT WAS PERFORMED BY THIS FIRM. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS OF RECORD WHICH COULD AFFECT THE BOUNDARIES OF THIS PROPERTY THAT WERE NOT FURNISHED AT TIME OF SURVEY.
- FIELD WORK FOR THIS SURVEY WAS COMPLETED IN NOVEMBER 2024.
- ALL BEARINGS/DISTANCES ARE ACTUAL AND RECORD, AND ARE BASED ON NORTH THE AMERICAN DATUM 1983, ALABAMA WEST ZONE; STATE PLANE GRID NORTH; DERIVED BY GLOBAL POSITIONING SYSTEM OBSERVATION; ALL DISTANCES SHOWN ARE GROUND DISTANCES. ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. SURVEY FEET.
- THE SURVEYED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION OF "X-UNSHADED" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), AS SCALED FROM FLOOD INSURANCE RATE MAP NO. 01033CB0184, WITH A REVISED DATE OF IDENTIFICATION OF APRIL 19, 2019, FOR COMMUNITY NO. 010007, IN BALDWIN COUNTY, STATE OF ALABAMA.
- NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS SHOWN.
- THIS IS A PROPERTY BOUNDARY SURVEY.
- THE SURVEYED PROPERTY LIES WITHIN SECTION 32 TOWNSHIP 7 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA.

LEGAL DESCRIPTION

(PARENT TRACT)
LOT 3A, TOGOGO SUBDIVISION, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 2640-E AND 2640-F IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

20' DEDICATED RIGHT-OF-WAY COMMENCING FROM A 1/2" IRON REBAR WITH CAP (CA#604) LYING ON THE NORTH RIGHT-OF-WAY OF 9TH AVENUE (80 FEET WIDE RIGHT-OF-WAY) AT THE SOUTHWEST CORNER OF TOGOGO SUBDIVISION, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 2640-E AND 2640-F IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA, THENCE RUN SOUTH 89°50'52" WEST ALONG SAID NORTH RIGHT-OF-WAY A DISTANCE OF 581.35 FEET TO A 5/8" IRON REBAR WITH CAP (CA#1198) FOR THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°50'52" WEST A DISTANCE OF 20.00 FEET TO A 1/2" IRON REBAR WITH CAP (ILLEGIBLE) LYING AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY OF PINE STREET (60 FEET WIDE RIGHT-OF-WAY); THENCE RUN NORTH 00°21'35" EAST ALONG SAID EAST RIGHT-OF-WAY A DISTANCE OF 723.19 FEET TO A 1/2" IRON REBAR WITH CAP (CA#604); THENCE LEAVING SAID EAST RIGHT-OF-WAY RUN NORTH 85°53'42" EAST A DISTANCE OF 20.06 FEET TO A 5/8" IRON REBAR WITH CAP (CA#1198); THENCE RUN SOUTH 00°21'35" WEST A DISTANCE OF 723.19 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S CERTIFICATION

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 LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

STUART L. SMITH, PLS
ALABAMA LICENSE NUMBER 27403
DATE _____
*DRAWING IS INVALID WITHOUT THE SIGNATURE & SEAL OF A LICENSED LAND SURVEYOR



CERTIFICATION 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 HERIN SET FORTH AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HERON 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.

ACKNOWLEDGMENT OF NOTARY PUBLIC (OWNER)

STATE OF ALABAMA
COUNTY OF BALDWIN

_____, A NOTARY PUBLIC IN AND FOR THE COUNTY OF BALDWIN, IN THE STATE OF ALABAMA, DO CERTIFY THAT _____ (OWNER'S 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 CONTENTS OF THE INSTRUMENT, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID PERSON OR CORPORATION.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____ 20____

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 _____ DAY OF _____ 20____

CHAD CHRISTIAN, PE (CITY ENGINEER)

CERTIFICATE OF APPROVAL BY THE CITY OF FOLEY PLANNING COMMISSION

THE WITHIN PLAT OF THE SUBDIVISION SHOWN HEREON LOCATED IN FOLEY, ALABAMA, IS HEREBY APPROVED BY THE CITY OF FOLEY PLANNING COMMISSION, THIS _____ DAY OF _____ 20____

CITY PLANNING COMMISSION CHAIRMAN



2039 Main Street
Daphne, AL 36526
T 251.626.2626
GMCNETWORK.COM

CITY OF FOLEY
PINE STREET
GMC Project #
CMOB240064

**A REPLAT OF LOT 3A
TOGOGO SUBDIVISION**

23



PLANNING COMMISSION JOINT STAFF REPORT: December 2024

STAFF RECOMMENDATION: Approval

PROJECT NAME: Replat of Lot 2B of The Resubdivision of Lot 2 of Broadway-Lawson Avenue

REQUEST: Subdivision

SUB TYPE: Minor

OWNER / APPLICANT: City of Foley, Chad Christian

ACREAGE: 11
NUMBER OF LOTS: 1

PIN#(s): 351532

LOCATION: S of W Lawson Ave, W of S McKenzie St

PROJECT DESCRIPTION: Replat of Lot 2B of The Resubdivision of Lot 2 of Broadway-Lawson Avenue

CURRENT CITY ZONING: B-1A

OVERLAY DISTRICT: N/A

REQUESTED ZONING: N/A

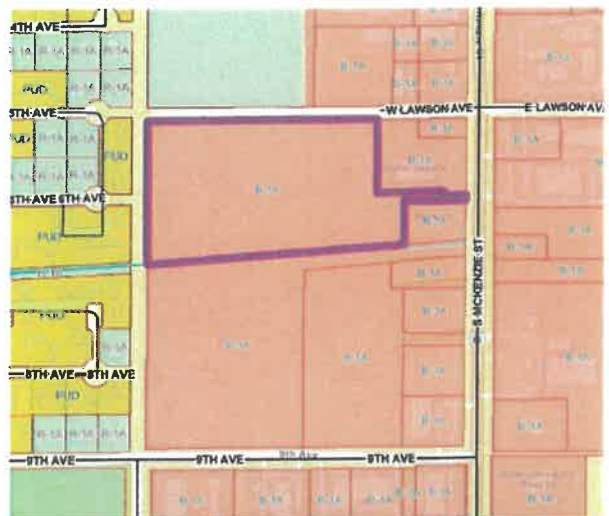
ADJACENT ZONING: N: R-1A & B-1A; E & S: B-1A; W: PUD

COUNTY ZONING: N/A

COUNTY LOT SIZE: N/A

FUTURE LAND USE: RCC - Retail Commercial Concentration

EXISTING LAND USE: Vacant/Wooded



24

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 property is zoned B1A which doesn't require a minimum lot size so it meets zoning.

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 recommends approval

Reviewer: Brad Hall, 251-971-6028, bhall@cityoffoley.org, Fire Department
Review Status: Approved

Reviewer: Gene Williamson, 251-952-4011, gwilliamson@cityoffoley.org, Building Department
Review Status: Approved

1

2

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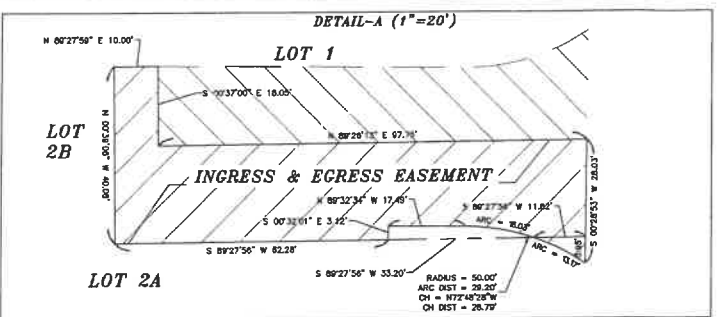
8

9

10

- LEGEND**
- P.O.C. POINT OF COMMENCEMENT
 - P.O.B. POINT OF BEGINNING
 - (A) ACTUAL
 - (R) RECORD DEED
 - (P) PLAT OF RECORD
 - (C) COMPUTED
 - OTF OPEN TOP IRON PIPE FOUND
 - IFP IRON FIN FOUND
 - CTF CRIMP TOP IRON PIPE FOUND
 - CRF CAPPED REBAR FOUND
 - RFI REBAR FOUND
 - ASPHALT

- CRS 5/8" CAPPED REBAR SET STAMPED CA#1196
- CMF CONCRETE MONUMENT FOUND
- CMS CONCRETE MONUMENT SET
- LS# LICENSED PROFESSIONAL SURVEYOR'S NUMBER
- CA# CERTIFICATE OF AUTHORIZATION NUMBER
- (DIST) DISTURBED
- (REF) REFERENCE CORNER SET ON LINE
- (UNR) UNREADABLE/ILLEGIBLE
- INST # INSTRUMENT NUMBER
- R/W RIGHT-OF-WAY
- R.O.W. RIGHT-OF-WAY
- (*) DENOTES STATEMENT BY LAND SURVEYOR



CITY OF FOLEY
 TAX PARCEL NO.
 54-09-32-4-000-007.000
 P.O. BOX 1750
 FOLEY, AL 36536

MATERS OF ALABAMA PARTNERSHIP
 TAX PARCEL NO.
 54-09-32-4-000-005.005
 P.O. BOX 1208
 FOLEY, AL 36536

5TH AVENUE
 (A.K.A. LAWSON AVENUE 50'
 R.O.W. PER TAX PLAT)

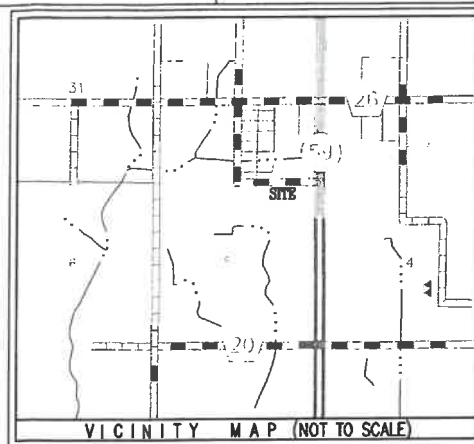
A REPLAT OF LOT 2B OF THE RESUBDIVISION OF LOT 2 OF BROADWAY-LAWSON AVENUE (SLIDE 2506-A & 2506-B)

LEGAL DESCRIPTION

(PARENT TRACT)
 LOT 2B, BROADWAY-LAWSON AVENUE, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 2506-A AND 2506-B IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.
 SUBJECT TO AND TOGETHER WITH ALL INGRESS/EGRESS AND UTILITY EASEMENTS SHOWN ON SAID SLIDES 2506-A AND 2506-B.

20' RIGHT-OF-WAY

20' DEDICATED RIGHT-OF-WAY COMMENCING FROM AN IRON REBAR WITH CAP (CA#604) LYING ON THE SOUTHWEST CORNER OF LOT 2A OF THE BROADWAY-LAWSON AVENUE SUBDIVISION, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 2506-A IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 85°54'43" WEST A DISTANCE OF 928.55 FEET TO A 5/8" IRON REBAR WITH CAP (CA#1196) FOR THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 85°54'43" WEST A DISTANCE OF 20.00 FEET TO A 5/8" IRON REBAR WITH CAP (CA#085L5) LYING ON THE EAST RIGHT-OF-WAY OF PINE STREET (60 FEET WIDE RIGHT-OF-WAY); THENCE RUN NORTH 00°22'16" EAST ALONG SAID EAST RIGHT-OF-WAY A DISTANCE OF 547.80 FEET TO A 5/8" IRON REBAR WITH CAP (CA#085L5); THENCE LEAVING SAID EAST RIGHT-OF-WAY RUN NORTH 89°48'12" EAST A DISTANCE OF 20.00 FEET TO A 5/8" IRON REBAR WITH CAP (CA#1196); THENCE RUN SOUTH 00°22'39" WEST A DISTANCE OF 546.44 FEET TO THE POINT OF BEGINNING.



OWNER/DEVELOPER

GARRETT INVESTMENTS NO. 2 LLC
 101 N PECAN ST.
 FOLEY, AL 36535-4347

SURVEYOR

STUART L. SMITH
 AL. LICENSE NO. 27403

SITE DATA

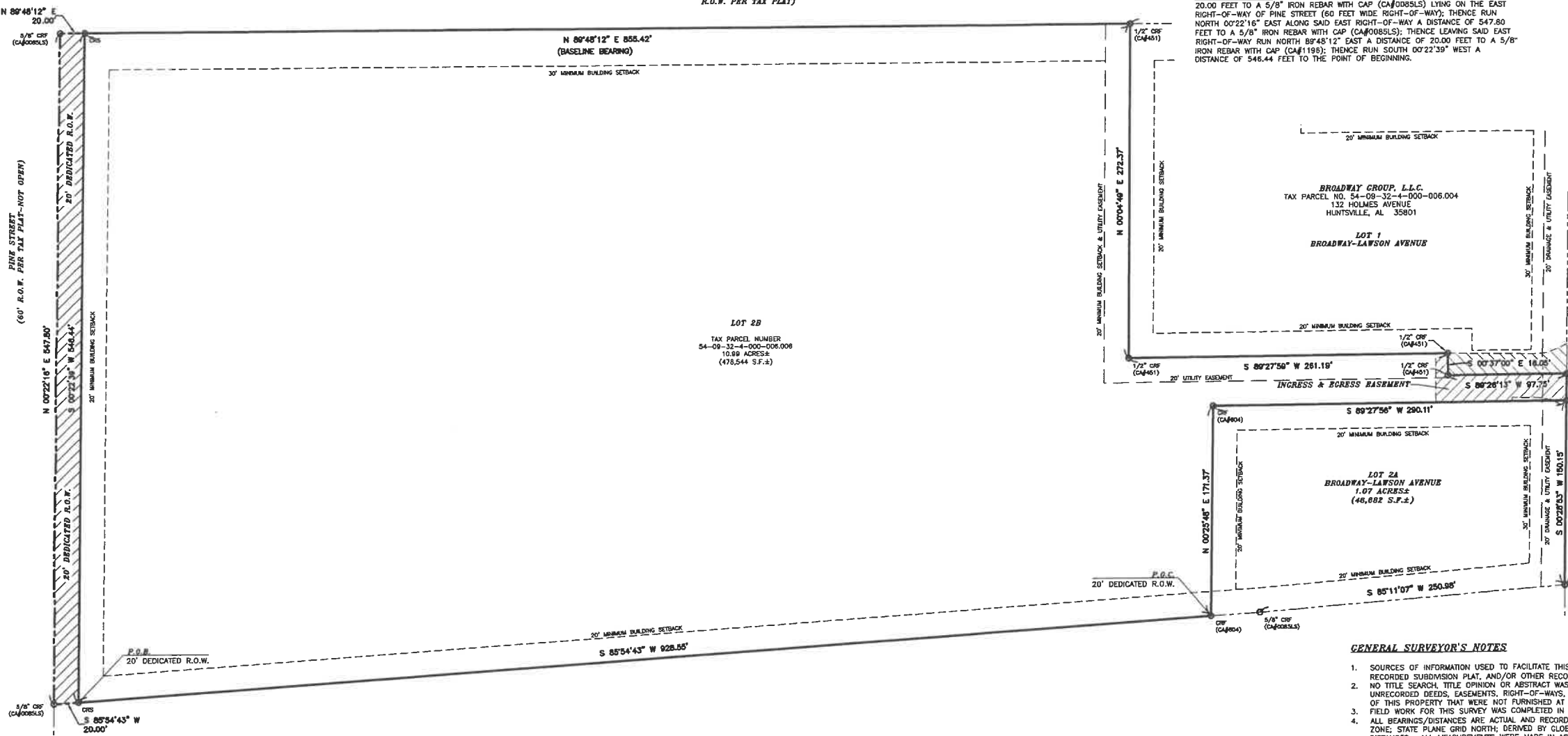
TAX PARCEL NO.
 54-09-32-4-000-006.006

ZONING

ES-1A COMMERCIAL USE
 CITY OF FOLEY

ZONING REQUIREMENTS

- 30' FRONT SETBACK
- 20' REAR SETBACK
- 30' SIDE SETBACK ABUTTING STREET
- 6 STORES MAXIMUM HEIGHT REQUIREMENT



CERTIFICATION 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 _____, 20____

ACKNOWLEDGEMENT OF NOTARY PUBLIC (OWNER)

STATE OF ALABAMA
 COUNTY OF BALDWIN

I, _____, A NOTARY PUBLIC IN AND FOR THE COUNTY OF BALDWIN, IN THE STATE OF ALABAMA, DO CERTIFY THAT _____ (OWNER'S 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 CONTENTS OF THE INSTRUMENT, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID PERSON OR CORPORATION.
 GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 20____

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 _____ DAY OF _____, 20____

CHAD CHRISTIAN, PE (CITY ENGINEER)

CERTIFICATE OF APPROVAL BY THE CITY OF FOLEY PLANNING COMMISSION

THE WITHIN PLAT OF THE SUBDIVISION SHOWN HEREON LOCATED IN FOLEY, ALABAMA, IS HEREBY APPROVED BY THE CITY OF FOLEY PLANNING COMMISSION, THIS _____ DAY OF _____, 20____

CITY PLANNING COMMISSION CHAIRMAN

GENERAL SURVEYOR'S NOTES

1. SOURCES OF INFORMATION USED TO FACILITATE THIS SURVEY WERE PREVIOUS SURVEYS BY THIS AND OTHER FIRMS, THE RECORDED SUBDIVISION PLAT, AND/OR OTHER RECORDED DOCUMENTS SHOWN HEREON.
2. NO TITLE SEARCH, TITLE OPINION OR ABSTRACT WAS PERFORMED BY THIS FIRM. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS OF RECORD WHICH COULD AFFECT THE BOUNDARIES OF THIS PROPERTY THAT WERE NOT FURNISHED AT TIME OF SURVEY.
3. FIELD WORK FOR THIS SURVEY WAS COMPLETED IN NOVEMBER 2024.
4. ALL BEARINGS/DISTANCES ARE ACTUAL AND RECORD, AND ARE BASED ON NORTH THE AMERICAN DATUM 1983, ALABAMA WEST ZONE; STATE PLANE GRID NORTH; DERIVED BY GLOBAL POSITIONING SYSTEM OBSERVATION; ALL DISTANCES SHOWN ARE GROUND DISTANCES. ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. SURVEY FEET.
5. THE SURVEYED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION OF "X-UNSHADED" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), AS SCALED FROM FLOOD INSURANCE RATE MAP NO. 01003C0818M, WITH A REVISED DATE OF IDENTIFICATION OF APRIL 19, 2019, FOR COMMUNITY NO. 010007, IN BALDWIN COUNTY, STATE OF ALABAMA.
6. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS SHOWN.
7. THIS IS A PROPERTY BOUNDARY SURVEY.
8. THE SURVEYED PROPERTY LIES WITHIN SECTION 32 TOWNSHIP 7 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA

SURVEYOR'S CERTIFICATION

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 LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

STUART L. SMITH, PLS
 ALABAMA LICENSE NUMBER 27403

DATE

*DRAWING IS INVALID WITHOUT THE SIGNATURE & SEAL OF A LICENSED LAND SURVEYOR



CITY OF FOLEY
 PINE STREET

A REPLAT OF LOT 2B
 RESUBDIVISION OF LOT 2
 OF BROADWAY-LAWSON AVENUE

GMC Project #
 CMOB240064

2039 Main Street
 Daphne, AL 36526
 T 251.626.2626
 GMCNETWORK.COM



GOODWYN MILLS CAWOOD, LLC

DRAWN BY: SLS/KMK
 CHECKED BY: SLS

Sheet 1 of 1

ARTICLE XXVI - BOARD OF ADJUSTMENT AND APPEALS

26.1 APPOINTMENT, DUTIES AND RESPONSIBILITIES

In accordance with Code of Alabama, 1975, article 11-52-80 A Zoning Board of Adjustment and Appeals is hereby established by the legislative body of City of Foley. The board of adjustment shall consist of five members, each to be appointed for a term of three years, except that in the first instance one member shall be appointed for a term of three years; two for a term of two years and two for a term of one year, and thereafter each member appointed shall serve for a term of three years or until his successor is duly appointed. In addition to the five regular members provided for in this subsection two supernumerary members shall be appointed to serve on such board at the call of the chairman only in the absence of regular members and while so serving shall have and exercise the power and authority of regular members. Such supernumerary members shall be appointed to serve for three year terms and shall be eligible for reappointment. Appointed members may be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

26.2 PROCEEDINGS OF THE BOARD OF ADJUSTMENT

The board shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this article. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Such chairman or, in his/her absence, the acting chairman may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and of other official actions, all of which shall immediately be filed in the office of the board and shall be a public record.

26.3 POWERS AND DUTIES OF THE BOARD

A. Appeals to the Board of Adjustment

Any person aggrieved by a final decision of the Community Development Director, or any officer, department, board, or bureau of the municipality affected by such decision, may appeal the decision to the Board of Adjustment. The appeal must be filed within 30 days of the date the decision is rendered. The 30-day period begins on the date the written decision is provided to the applicant or aggrieved party.

1. **Administrative Decision**

An Administrative Decision refers to any written order, requirement, decision, or determination made by the Community Development Director in the enforcement of the zoning ordinance. This includes but is not limited to decisions regarding building permits, site plan approvals, zoning interpretations, and other zoning-related matters.

2. **Filing of Appeal**

To initiate an appeal, the appellant must submit a written notice of appeal to the Board of Adjustment. The notice must specify the grounds of the appeal, citing any errors or issues with the application of the zoning ordinance.

3. **Transmission of Record**

Upon receipt of the notice of appeal, the Community Development Director must promptly forward all records, documents, and papers constituting the basis for the decision to the Board of Adjustment in accordance with meeting schedules. This ensures the Board has the necessary materials to review the case.

4. **Stay of Proceedings**

Filing an appeal automatically stays all proceedings related to the decision under appeal. However, if the Community Development Director certifies that continuing the stay would cause imminent peril to life or property, the stay may be lifted.

5. **Hearing and Decision**

The Board of Adjustment shall fix a reasonable time for the hearing in accordance with standard meeting schedule, provide public notice, and notify all interested parties.

During the hearing:

a) **Burden of Proof**

The burden of proof rests with the appellant, who must demonstrate that the decision of the Community Development Director was in error or inconsistent with the provisions of the zoning ordinance. To successfully appeal, the aggrieved party must establish that the decision involved one or more of the following errors:

- i. **Misapplication of Ordinance Provisions** – The appellant must show that the Community Development Director incorrectly applied specific terms or provisions of the ordinance. This may include, but is not limited to, errors in the classification or designation of land uses, dimensional standards, or procedural requirements.
- ii. **Improper Interpretation** – The appellant must demonstrate that the Community Development Director misinterpreted the language, intent, or purpose of the ordinance, leading to a decision that conflicts with the goals, objectives, or legal standards established within the ordinance.

b) **Substantial Evidence and Testimony**

The Board's decision must be based on substantial evidence presented during the hearing. The appellant is responsible for providing credible testimony, documentation, or expert evidence to support their claim. The Board is also required to consider all relevant evidence and testimony provided by other parties or public participants during the hearing.

c) **Decision**

The Board of Adjustment must issue a written decision within a reasonable time after the hearing. This decision must include clear factual findings and conclusions that demonstrate how the evidence presented supports or does not support the appeal. The Board has the authority to affirm, reverse, or modify the decision of the Community Development Director, ensuring that the outcome is fair, consistent with the zoning ordinance, and based on the evidence provided.

B. Special Exceptions

The Board of Adjustment and Appeals (ZBAA) shall hear and decide special exceptions to the terms of the zoning ordinance where such authority is conferred under the ordinance.

Standards for Approval of a Special Exception

The ZBAA may grant a special exception from the zoning ordinance only if the following criteria are met:

1. **Consistency with the Zoning Ordinance**
The special exception must be a permitted use under the applicable zoning district and explicitly authorized by the zoning ordinance. It must comply with all zoning ordinance regulations, such as setbacks, height, and bulk requirements. The board shall ensure that the proposed use is consistent with the intent and purpose of the ordinance for the district in which it is located.
2. **No Detriment to Public Health, Safety, or Welfare**
The proposed use shall not adversely affect public health, safety, morals, comfort, or general welfare. It must be demonstrated that the special exception will not create conditions that pose risks to the community or cause harm to neighboring properties.
3. **Compatibility with Surrounding Land Uses**
The special exception must be compatible with the existing uses and character of the surrounding properties. The use should not generate excessive traffic, noise, light, odor, or other nuisances that could negatively affect adjacent properties.
4. **Consistency with the Comprehensive Plan**
The proposed special exception should be consistent to the City's comprehensive plan. The use should support the long-term vision for development, land use, and growth management in the area, as outlined in the comprehensive plan.
5. **Mitigation of Potential Adverse Impacts**
The board may impose conditions as necessary to mitigate potential adverse impacts of the special exception. These conditions may include restrictions on hours of operation, buffering requirements, noise control, traffic management, or other safeguards to protect neighboring properties and the community.

6. **No Substantial Alteration of Neighborhood Character**

The proposed use shall not substantially alter the essential character of the neighborhood or district in which it is located. The special exception must not disrupt the balance of land uses or undermine the existing neighborhood character.

7. **Substantial Evidence Required for Special Exceptions**

The decision to grant or deny a special exception must be based on substantial, credible evidence presented during the public hearing. The applicant bears the burden of proof to demonstrate that the proposed use meets the applicable standards of the zoning ordinance, supported by appropriate documentation such as expert testimony, property surveys, or impact studies.

The board's decision must be based solely on the evidence presented and documented with clear factual findings and conclusions. These findings must explain how the evidence supports or fails to support compliance with the ordinance, ensuring the decision is fair, consistent, and not arbitrary.

The board may impose reasonable conditions to mitigate any potential adverse impacts or ensure consistency with the zoning ordinance's intent. These conditions must be directly related to the evidence presented and tailored to address the specific circumstances of the special exception request.

~~C. Variances: The Board may authorize, upon appeal in specific cases, such variance from the terms of this Ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship and so that the spirit of the Ordinance shall be observed and substantial. A variance from the terms of this Ordinance shall not be granted by the Board unless and until:~~

~~1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.~~

~~2. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.~~

1. **Standards for Approval of a Variance**

The Board of Adjustment and Appeals (ZBAA) may grant a variance from the zoning ordinance only if all the following criteria are met:

a. Unnecessary Hardship

i. The hardship must arise from unique physical characteristics of the property, such as irregular shape, topography, or size, which make strict

compliance with the zoning ordinance impractical. Financial difficulty or convenience alone does not justify a variance.

ii. The hardship must prevent the applicant from making reasonable use of the property while adhering to the zoning ordinance. Compliance must effectively render the property unusable for its intended purpose.

b. Hardship Not Self-Imposed

i. The hardship cannot result from actions taken by the applicant or property owner. For example, subdividing the property, making alterations in violation of the zoning ordinance, or purchasing the property with knowledge of the existing zoning restrictions does not qualify as an undue hardship.

ii. The hardship must originate from factors beyond the control of the property owner, ensuring the variance addresses inherent property issues rather than problems created by the owner's actions.

c. No Adverse Impact on the Public Interest

i. The variance must not negatively affect the character of the surrounding area or undermine the objectives of the zoning ordinance.

ii. It must not alter the essential character of the neighborhood or cause adverse effects on neighboring properties. The variance should align with the broader goals and intent of the zoning regulations.

d. Minimum Necessary to Afford Relief

i. The variance granted must be the minimum adjustment necessary to address the identified hardship. The relief provided should be as limited as possible while still addressing the hardship.

ii. The ZBAA may consider alternative solutions that could mitigate the hardship without requiring a full variance, such as modifications to the property layout or design adjustments.

e. Variance Consistent with Zoning Ordinance Intent

i. The variance must not contradict the spirit or intent of the zoning regulations.

ii. It must support the long-term goals and planning vision for the zoning

district, ensuring compatibility with surrounding uses and preserving the community's character.

f. Not for Personal Benefit

i. The variance request must address the unique needs of the property, not provide personal or financial gain to the applicant.

ii. Variances cannot be granted solely due to financial inconvenience or potential profit loss. The hardship must be directly related to the physical characteristics of the land.

2. Substantial Evidence Required for Variances

The decision to grant or deny a variance must be based on substantial, credible evidence presented during the public hearing. The applicant bears the burden of proof to demonstrate that strict enforcement of the zoning ordinance would result in an unnecessary hardship unique to the property and that the requested variance is the minimum necessary to alleviate that hardship.

The ZBAA's decision must be supported by a detailed record of factual findings and legal conclusions that clearly explain how the request satisfies the legal criteria for a variance. This ensures the decision is fair, consistent, and not arbitrary.

~~In granting any variance, the Board may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance.~~

3. Conditions and Safeguards

In granting any variance, the Board is authorized to impose conditions and safeguards to ensure compliance with the intent of its decision and the spirit of this Ordinance. These conditions and safeguards are designed to uphold the integrity of the Board's decision and the objectives of the Ordinance. Should any condition or safeguard imposed by the Board be violated, the variance granted shall be considered null and void. Furthermore, such a violation shall be deemed a breach of this Ordinance, subject to all legal remedies available to address and remedy the violation.

26.3.1 PROCEDURE FOR APPEALS

~~Appeals to the Board of Adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any decision of the administrative~~

~~officer. Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall transmit forthwith to the board all papers constituting the record upon which the action appealed was taken. An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life or property. Such proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown. The board of adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due.~~

26.4 DECISIONS OF THE BOARD OF ADJUSTMENT AND APPEALS

In exercising the above mentioned powers, the Board may, so long as such action is in conformity with the terms of this Ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as ought to be made, and to that end shall have powers of the officer from whom the appeal is taken. The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirements, decision, or determination of any such administrative official or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance, or to effect any variation in the application of this Ordinance.

26.5 DUTIES OF THE BOARD OF ADJUSTMENT AND APPEALS, CITY GOVERNMENT AND COURTS ON MATTERS OF APPEAL

It is the intent of the governing authority of the City that all questions of interpretation and enforcement of this Ordinance shall be presented first to the Building Official or Community Development Director. Other than those applications and matters upon which the terms and provisions of this Ordinance may require action and decision by the Board, only the appeals taken in the manner and form as provided in this Ordinance from the actions and decision of the ~~Building Official or~~ Community Development Director will be considered and acted upon by the Board. However, any interested party who is aggrieved by any action or decision of the Board may take an appeal there from to a Circuit court of law, as provided for in the State Law.

26.6 BOARD OF ADJUSTMENT AND APPEALS FEES

All applications to the Board for interpretations, special exceptions, or variances must be accompanied by a credit card payment via Citizenserve, a check made payable to the City of Foley, or cash in the amount of \$150.00.

All other Ordinances and Regulations are hereby repealed to reflect the above change.

PLANNING COMMISSION BY-LAWS THE CITY OF FOLEY, ALABAMA

Article 1 – Authorization

1. The City of Foley Planning Commission, hereinafter called the Commission, is organized pursuant to Section 11-52-2, et. Seq., Code of Alabama, 1975, as amended.
2. As an agency of the City of Foley, the principal office of the Commission shall be located within the Foley Municipal Complex. The Commission may have such other offices located in the City as may be necessary for the effective fulfillment of its duties.

Article II – Compensation

1. Members of the Commission serve without compensation, but may be reimbursed for actual expenses incurred in connection with official duties.

Article III – Officers

1. The commission shall elect a Chairman and a Vice-Chairman from among the six members appointed by the Mayor and fill such other offices as it may determine necessary for the proper functioning of the Commission. The Chairman and other officers shall be elected at the annual meeting of the Commission by a majority of the full Commission membership.
2. The terms of office of the Chairman, Vice-Chairman and any other offices shall be one year with eligibility for re-election. Each officer shall hold office until his/her term expires or until he/she shall resign or be removed.
3. The Chairman shall preside at all meetings of the Commission: call special meetings as required, sign documents of the Commission and see that all actions of the Commission are properly taken. If the Chairman or the Vice-Chairman is not able to preside at any meeting of the Commission and a quorum is present, an Acting Chairman to serve only at that meeting shall be elected by a majority of the quorum present.
4. The Vice-Chairman shall, during the absence, disability or disqualification of the Chairman, exercise and perform all the powers and duties and be subject to all the responsibilities of the Chairman. The Vice Chairman shall succeed the Chairman if the Chairman vacates the office before his/her term is

completed. In that event, a new Vice-Chairman shall be elected from among the Commission membership at the next regular meeting of the Commission.

Article IV – Administrative Staff

1. The administrative staff of the Commission shall be a Secretary and others deemed necessary and appointed by the City.
2. The Secretary shall see that the minutes of all meetings are recorded in an appropriate minute book; give or serve all notices required by law; prepare an agenda for all meetings; inform the Commission of any correspondence relating to the business of the Commission; and see that all action of the Commission are dealt with as directed by the Commission
3. Staff, including but not limited to, Planner, Engineer, Fire Inspector, Environmental Manager and Building Official shall provide input to the Commission as needed on plans, applications and other activities undertaken by the Commission.
4. The Commission may secure the services of Legal Counsel to the City as required in specific cases. In this case, the Commission member should contact the Commission Chairperson. The Chairperson would then contact the Planner/Building Official to route the request through standard City procedures for legal counsel.

Article V – Meetings

1. The regular meeting of the Commission shall be the third Wednesday of each month beginning at 5:30 P.M. in the Council Chamber at the Foley City Hall, or as otherwise determined by a majority vote of the Commission membership. The regular monthly meeting may be changed for good reason by the Chairman.
2. The annual meeting of the Commission shall be the first regular meeting in January of each year. New officers, elected in December, will begin serving their term.
3. Workshops and other special meetings may be called by the Chairman at any time upon giving at least forty-eight hours notice to each Commission member.
4. A quorum for the official transaction of business by the Commission shall consist of five members. Each member of the Commission shall have one vote on any matter requiring a decision of the Commission. Except as otherwise required by law, a majority vote of the members present shall suffice to take action on any motion presented to the Commission. The method of voting

may be verbal, a show of hands or, if requested by a Commission member, by roll call.

5. Any member of the Commission who may have a conflict of interest on any item that is on the Commission agenda shall voluntarily recuse himself and refrain from discussing and voting on said item.
6. The Chairman shall determine the order of business for each meeting and shall generally conduct each meeting in compliance with Robert's Rules of Order, as last amended.

Article VI – Agenda

1. All applications, maps, plats and other correspondence shall be initially filed in the Office of the Community Development Department. No application or other matter for Commission consideration shall be placed on the agenda for any meetings unless it is complete in every detail, the proper fees have been posted with application, and it shall have been received in the Community Development Department within the time frame stipulated in the Zoning Ordinance or Subdivision Regulations currently in effect within the City of Foley.

Article VII – Amendment

1. These By-Laws may be amended at any meeting of the Commission by a concurring vote of a majority of the full Commission membership; provided that five days advance notice of such amendment shall be given to each member.

Article VII – Adoption

1. These By-Laws were reviewed, approved and officially adopted by the City of Foley Planning Commission. All previous By-Laws of the Commission are hereby repealed.