ORDINANCE NO. <u>1619</u>

AN ORDINANCE AMENDING ORDINANCE NO. 1253 KNOWN AS THE ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA as follows:

The ordinance known as the Zoning Ordinance (No. 1253), adopted 27 June 2005, together with the Zoning Map of the City of Fairhope, be and the same hereby is changed and altered in respect to that certain property described below:

After the appropriate public notice and hearing of the Planning Commission of the City of Fairhope, Alabama has forwarded a **favorable** recommendation,

The property of The Teachers' Retirement Systems of Alabama generally located on the west side of Battles Road just south of Crane Place, Fairhope, Alabama.

Camellia at the Colony

A PORTION OF PPIN #: 72845

Legal Description: (Case number ZC 17.19)

A PORTION OF TAX PARCEL NUMBER 05-46-09-30-0-000-090.000 DESCRIBED WITHIN INSTRUMENT NUMBER 1024402 RECORDED IN PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF WATERSHED SOUTH SUBDIVISION, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 2534-C IN PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 87°15'50" EAST A DISTANCE OF 131.60 FEET TO A 1/2" IRON REBAR WITH CAP STAMPED "CA604" ON THE WEST RIGHT-OF-WAY OF BATTLES ROAD; THENCE RUN SOUTH 00°09'28" EAST ALONG SAID WEST RIGHT-OF-WAY A DISTANCE OF 432.38 FEET TO A 1/2" IRON REBAR WITH CAP STAMPED "CA604"; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 75°13'46" WEST A DISTANCE OF 98.70 FEET TO A 1/2" IRON REBAR WITH CAP STAMPED "CA604"; THENCE RUN NORTH 38°08'30" WEST A DISTANCE OF 65.36 FEET TO A 1/2" IRON REBAR WITH CAP STAMPED "CA604"; THENCE RUN NORTH 13°54'35" WEST A DISTANCE OF 60.01 FEET TO A 1/2" IRON REBAR WITH CAP STAMPED "CA604"; THENCE RUN NORTH 00°09'28" WEST A DISTANCE OF 258.36 FEET TO A 1/2" IRON REBAR WITH CAP STAMPED "CA604"; THENCE RUN NORTH 10°48'48" EAST A DISTANCE OF 97.55 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED PARCEL CONTAINING 1.49 ACRES, MORE OR LESS.

A map of the property to be zoned is attached as Exhibit A

The property is hereby initially zoned TR – Tourism Resort District concurrent with annexation into the City of Fairhope. This property shall hereafter be lawful to construct on such property any structures permitted by Ordinance No. 1253 and to use said premises for any use permitted or building sought to be erected on said property shall be in compliance with the building laws of the City of Fairhope and that any structure shall be approved by the Building Official of the City of Fairhope and that any structure be erected only in compliance with such laws, including the requirements of Ordinance No. 1253.

Ordinance No. <u>1619</u> Page -2-

Severability Clause - if any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

Effective Date – This ordinance shall take effect immediately upon its due adoption and publication as required by law.

ADOPTED THIS 9TH DAY OF JULY, 2018

Karin Wilson, Mayor

ATTEST:

Lisa A. Hanks, MMC

City Clerk





Project Name: Camellia at the Colony

Project Type: Rezoning Request from: Unzoned, Unincorporated Baldwin County to Tourist Resort (TR) District

Jurisdiction: Fairhope Planning, Police, and Permit

PPIN Number: 72845

General Location: The west side of Battles Rd, just south of Watershed South subdivision

Engineer: HMR, LLC

Owner: The Teachers Retirement System of Alabama

School District: Larry J. Newton and Fairhope Elementary Schools

Prepared by: Nancy Milford, Planner

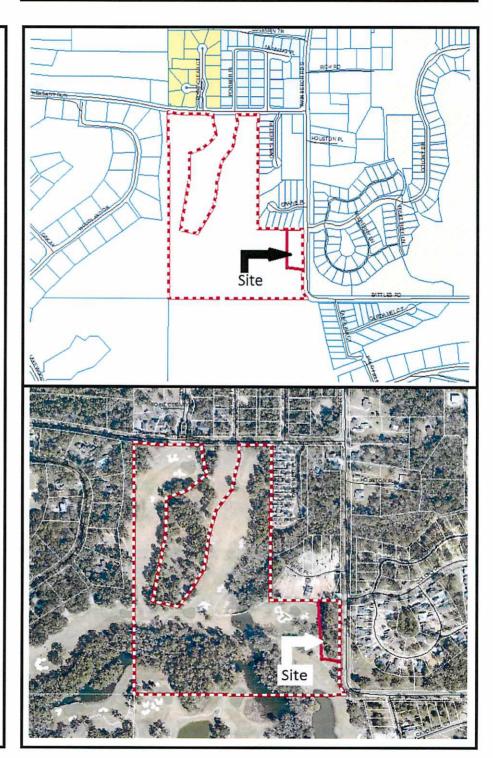
Staff Recommendation: Approve with conditions

PC Recommendation: Approve with conditions

City Council

Case: ZC 17.19 Camellia at the Colony

Conditional Annexation to Tourism Resort (TR) District



ZC 17.19 Camellia at the Colony – June 2018

Revised 06/2006



CITY OF FAIRHOPE P.O. DRAWER 429 FAIRHOPE, AL 36533 251/928-2136

PETITION FOR ANNEXATION

STATE OF ALABAMA COUNTY OF BALDWIN

We, the undersigned PETITIONER(S), owner(s) of the lands in fee simple described in the attached EXHIBIT A, such property being without the Corporate Limits of the City of Fairhope, Alabama, but being contiguous to the said Corporate Limits; and such property not lying within the corporate limits or police jurisdiction of any other municipality, do, by these presents, hereby petition the City of Fairhope, a municipal corporation, that said property be annexed into the City of Fairhope, Alabama.

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The subject land is delineated on the map attached hereto as EXHIBIT B.

This petition is filed under authority of Section 11-42-21, Code of Alabama, 1975, as amended.

- This petition is for R-1 Zoning
- Image: The condition of the Petition is that zoning be established as Concurrent with Annexation.
 TR

 (Zoning Request)

Is this property colony property $__Yes __X$ No. If this property is colony property the Fairhope Single Tax Office must sign as a petitioner.

A juin	Steve Timms		
Signature of Petitioner	Print petitioner's name		
Signature of Petitioner	Print petitioner's name		
Signature of Petitioner	Print petitioner's name		
Physical Address of property being ann	exed:See attached plat		
Petitioner's Current Physical Address: 135 South Union St, Suite 228	Petitioner's Current Mailing Address: 135 South Union St, Suite 228		
Montgomery, AL 36104	Montgomery, AL 36104		
Telephone Number(s):	334-264-2345		
Home	Work		
County Tax Parcel Number: 05-46-09-	30-0-000-090.000		
Backroom:Users:mray:Library:Mail:POP- info%herndon.co@n#87E59.net:INBOY.mboy:FW/	Forme for the we mimeattach Patition for annex doc		

	Revised	06/2006
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U.S JUSTICE DEPARTMENT INFORMATION

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2	Size of property (acres or squar	re feet)1.	5 acres		
×	If property is occupied, give nu	mber of housing uni	itsN/A		
	Number of Persons residing in	each unit, and their	raceN/A		
	If property is unoccupied, give	proposed use S	ingle Family Residential		
8	If property is being developed as a subdivision, give subdivision name				
	Camellia at the Colony				
Ø	Number of lots within proposed	subdivision	7		
Petition	that Structure a n and who is/are known to me, this d viedge that he/she/they have voluntar Given under my Hand and Seal	whose name(s) is/a ay appeared before me rily executed this Petit			
(Seal)	Ñ	otary Public	Sarner		
	۰ س	ly commission expires	BARBARA L. GARNER Notary Public - State of Alabama My Commission Expires February 20, 2018		
		whose name(s) is/a ay appeared before me	or said State and County, hereby are signed to the forgoing e and, being first duly sworn,		
Petition	that 1 and who is/are known to me, this d	whose name(s) is/a ay appeared before me rily executed this Petit	ior said State and County, hereby are signed to the forgoing e and, being first duly sworn, ion on this day same bears date.		
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