

**ORDINANCE NO. 1638**

**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 A.I.C., Jr. Land A.I. Corte, III Family Limited Partnership to be known as part of North Hills at Fairhope, generally located on the north side of State Hwy. 104 approximately 1/2 mile east of County Road 13, Fairhope, Alabama.

**PPIN #: A portion of 98367**

**Legal Description:** (Case number ZC 18.10)

COMMENCE AT THE NORTHWEST CORNER OF SECTION 3, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA AND THENCE RUN SOUTH 00°09'31" WEST, A DISTANCE OF 1323.19 FEET; THENCE SOUTH 89°33'44" EAST A DISTANCE OF 1331.67 FEET; THENCE SOUTH 89°57'53" EAST A DISTANCE OF 663.09 FEET; THENCE SOUTH 00°22'07" WEST A DISTANCE OF 1323.70 FEET; THEN SOUTH 45°36'83" WEST A DISTANCE OF 309.83 FEET TO A POINT OF BEGINNING; THENCE RUN SOUTH 89°43'28" EAST A DISTANCE OF 90.00 FEET; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 117.81 FEET, WITH A RADIUS OF 75.00 FEET, WITH A CHORD BEARING OF NORTH 44°43'28" WEST, WITH A CHORD LENGTH OF 106.07 FEET; THENCE RUN SOUTH 00°16'32" WEST A DISTANCE OF 382.47 FEET; THENCE WITH A COMPOUND CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 455.21 FEET, WITH A RADIUS OF 2350.00 FEET, WITH A CHORD BEARING OF NORTH 85°38'17" WEST, WITH A CHORD LENGTH OF 454.50 FEET; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 28.05 FEET, WITH A RADIUS OF 20.00 FEET, WITH A CHORD BEARING OF NORTH 39°54'24" WEST, WITH A CHORD LENGTH OF 25.81 FEET; THENCE RUN SOUTH 00°16'32" WEST A DISTANCE OF 561.49 FEET; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 823.48 FEET, WITH A RADIUS OF 2585.00 FEET, WITH A CHORD BEARING OF SOUTH 89°43'28" EAST, WITH A CHORD LENGTH OF 820.00 FEET; THENCE RUN NORTH 00°16'32" EAST A DISTANCE OF 561.49 FEET; THENCE WITH A COMPOUND CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 28.05 FEET, WITH A RADIUS OF 20.00 FEET, WITH A CHORD BEARING OF SOUTH 40°27'28" WEST, WITH A CHORD LENGTH OF 25.81 FEET; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 169.86 FEET, WITH A RADIUS OF 2350.00 FEET, WITH A CHORD BEARING OF SOUTH 82°42'38" WEST, WITH A CHORD LENGTH OF 169.83 FEET; THENCE RUN NORTH 00°16'32" EAST A DISTANCE OF 467.50 FEET TO THE POINT OF BEGINNING; PARCEL LANDS SITUATE, LYING AND BEING IN BALDWIN COUNTY, ALABAMA AND CONTAINING 13.47 ACRES MORE OR LESS.

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

Ordinance No. 1638

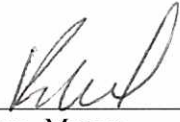
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**The property is hereby initially zoned R-2 Medium Density Single Family Residential District concurrent with annexation into the City of Fairhope.** This property shall hereafter be lawful to construct on such property any structures permitted by 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.

**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 25TH DAY OF FEBRUARY, 2019

  
\_\_\_\_\_  
Karin Wilson, Mayor

ATTEST:

  
\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk



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.

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

☒ The condition of the Petition is that zoning be established as R-2  
Concurrent with Annexation. (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.I. Corte III  
Signature of Petitioner

A.I. Corte III  
Print petitioner's name

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Print petitioner's name

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Print petitioner's name

Physical Address of property being annexed: \_\_\_\_\_

Petitioner's Current Physical Address:  
A.I.C., JR. LAND A.I. CORTE, III  
FAMILY LIMITED PARTNERSHIP  
22725 ST. HWY 181  
FAIRHOPE, AL 36532

Petitioner's Current Mailing Address:  
A.I.C., JR. LAND A.I. CORTE, III  
FAMILY LIMITED PARTNERSHIP  
22725 ST. HWY 181  
FAIRHOPE, AL 36532

Telephone Number(s): (251) 421 5600  
Home Work

County Tax Parcel Number: portion of PPIN# 98367

**U.S JUSTICE DEPARTMENT INFORMATION**

- ☐ Size of property (acres or square feet) 13.47 AC
- ☐ If property is occupied, give number of housing units 0
- ☐ Number of Persons residing in each unit, and their race 0
- ☐ If property is unoccupied, give proposed use Single-Family Subdivision
- ☐ If property is being developed as a subdivision, give subdivision name  
North Hills of Fairhope (not yet submitted)
- ☐ Number of lots within proposed subdivision 31 lots

I, WANDA LACOSTE a Notary Public in and for said State and County, hereby certify that A.I. CORTE III whose name(s) is/are signed to the forgoing Petition and who is/are known to me, this day appeared before me and, being first duly sworn, acknowledge that he/she/they have voluntarily executed this Petition on this day same bears date.

Given under my Hand and Seal this 10 day of Jan, 2019,

(Seal)

Wanda LaCoste  
Notary Public

My commission expires 11-21-2020

I, \_\_\_\_\_ a Notary Public in and for said State and County, hereby certify that \_\_\_\_\_ whose name(s) is/are signed to the forgoing Petition and who is/are known to me, this day appeared before me and, being first duly sworn, acknowledge that he/she/they have voluntarily executed this Petition on this day same bears date.

Given under my Hand and Seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

(Seal)

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

I, \_\_\_\_\_ a Notary Public in and for said State and County, hereby certify that \_\_\_\_\_ whose name(s) is/are signed to the forgoing Petition and who is/are known to me, this day appeared before me and, being first duly sworn, acknowledge that he/she/they have voluntarily executed this Petition on this day same bears date.

Given under my Hand and Seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

(Seal)

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_



