

**CITY OF DAPHNE, ALABAMA  
ORDINANCE 2022-48**

**Ordinance to Re-Zone Property Located  
Southeast of the Intersection of County Road 64 and Friendship Road**

**WHEREAS**, KJC Investments, L.L.C., as the owner of certain real property located within the City of Daphne, has requested that said property that is currently zoned as B-1 Local Business, be re-zoned as B-2, General Business; and

**WHEREAS**, said real property is located Southeast of the intersection of County Road 64 and Friendship Road and more particularly described as follows:

**Legal Description of Property to be Re-Zoned to B-2, General Business:**

COMMENCING AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°-37'-55" WEST A DISTANCE OF 756.54 FEET; THENCE RUN SOUTH 00°-16'-21" WEST A DISTANCE OF 410.42 FEET TO A CAPPED REBAR (GARSED); THENCE RUN SOUTH 00°-16'-47" WEST A DISTANCE OF 917.64 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN NORTH 89°-31'-03" WEST A DISTANCE OF 566.05 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN SOUTH 00°-12'-14" WEST A DISTANCE OF 662.87 FEET TO A CAPPED REBAR (10675) AT THE NORTHEAST CORNER OF LOT 4, TRIONE TRACE, AS RECORDED ON SLIDE 1594-A OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°-28'-33" WEST ALONG THE NORTH LINE OF SAID LOT 4 A DISTANCE OF 584.07 FEET TO A CAPPED REBAR (0089LS) AT THE SOUTHEAST CORNER OF LOT 10-A, AMENDED PLAT, ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1, REPLAT OF LOT 10, AS RECORDED ON SLIDE 2778-F OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-13'-38" EAST ALONG THE EAST LINE OF SAID LOT 10-A A DISTANCE OF 200.06 FEET TO A CAPPED REBAR (HMR) AT THE NORTHEAST CORNER OF SAID LOT 10-A; THENCE RUN NORTH 89°-27'-54" WEST ALONG THE NORTH LINE OF SAID LOT 10-A A DISTANCE OF 400.03 FEET TO A CAPPED REBAR (HMR); THENCE RUN NORTH 89°-31'-08" WEST ALONG THE NORTH LINE OF SAID LOT 10-A A DISTANCE OF 39.76 FEET TO A CAPPED REBAR (HMR) AT THE SOUTHEAST CORNER OF A PARCEL LABELED "RESERVED FOR FUTURE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1, AS RECORDED ON SLIDE 2439-D OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-11'-43" EAST ALONG THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1 A DISTANCE OF 404.37 FEET

TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUE NORTH 00°-11'-43" EAST ALONG THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1 A DISTANCE OF 46.88 FEET TO A CAPPED REBAR (HMR) AT THE SOUTHEAST CORNER OF LOT 7 OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1; THENCE RUN NORTH 00°-13'-07" EAST A DISTANCE OF 517.29 FEET; THENCE RUN SOUTH 89°-47'-01" EAST A DISTANCE OF 304.23 FEET; THENCE RUN SOUTH 00°-10'-12" WEST A DISTANCE OF 564.17 FEET; THENCE RUN NORTH 89° -47'-01" WEST A DISTANCE OF 304.69 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 3.94 ACRES, MORE OR LESS.

**WHEREAS**, at the regular Planning Commission meeting on May 26, 2022, the Commission considered said request and set forth a unanimous favorable recommendation; and,

**WHEREAS**, due notice of said proposed re-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, and a public hearing was held before the City Council on July 18, 2022; and,

**WHEREAS**, the City Council of the City of Daphne, after due consideration and upon consideration of the recommendation and notes of the Planning Commission, deemed that said application for re-zoning of the above described real property is proper and in the best interest of the health, safety, and welfare of the citizens of the City of Daphne, Alabama; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, as follows:

#### **SECTION I: ZONING**

The above described real property is hereby re-zoned from B-1 Local Business to B-2, General Business, and the zoning ordinance and zoning map shall be amended to reflect the said zoning change.

#### **SECTION II: REPEALER.**

All other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed.

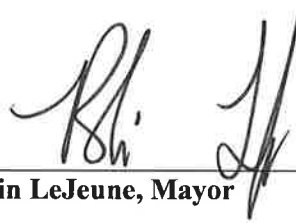
#### **SECTION III: SEVERABILITY.**

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence, or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of said Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of each other.

**SECTION IV: EFFECTIVE DATE.**

This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne and after publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS 1<sup>st</sup> DAY OF August, 2022.**



Robin LeJeune, Mayor

Attest:



Candace G. Antinarella, CMC, City Clerk





**JNRIGHT & ASSOCIATES DEVELOPERS**  
 28000 Road N., Ste. C  
 Prichard, Alabama 36153  
 Phone: (251) 932-1441 Fax: (251) 932-3664  
 jnrigh@aol.com

**ENGINEERS**

DATE: 2/24/2002



**LEGEND**

-  ANNEX TO CITY OF DAPHNE AND ZONE #2 GENERAL BUSINESS
-  ZONE TO CITY OF DAPHNE #2 GENERAL BUSINESS

**PROPOSED ZONING MAP:  
 APPROX. 56.42 ACRES  
 COUNTY ROAD 64  
 AND  
 FRIENDSHIP ROAD  
 DAPHNE, AL**

