

# CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number \_\_\_\_\_

Meeting Type: Regular

Meeting Date: 2/14/2013

Action Requested By:  
Planning

Agenda Item Type  
Resolution

Subject Matter:

Rezoning of Property.

Exact Wording for the Agenda:

Resolution to set a public hearing of an ordinance rezoning property lying on the west side of Summerlyn Way and east of McMullen Lane from Commercial Recreation C-5 District to Residence 1-A District.

**Note: If amendment, please state title and number of the original**

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

Recommended by Planning Commission.  
Public Hearing Date: March 28, 2013

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: \_\_\_\_\_



Date: \_\_\_\_\_

1-18-13

RESOLUTION NO. 13-

WHEREAS, the Planning Commission of the City of Huntsville, Alabama, has given consideration to an amendment to the Zoning Ordinance, a synopsis of said amendment being as follows:

- (1) The rezoning of certain lands lying on the west side of Summerlyn Way and east of McMullen Lane from Commercial Recreation C-5 District to Residence 1-A District.
- (2) The first publication of this resolution, this synopsis, and the ordinance hereinafter set out at length shall be in the Huntsville Times on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, and the second publication shall be one week thereafter on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, both of which publications shall be at least 15 days in advance of the date of the public hearing hereinafter referred to.

WHEREAS, it is the judgement and opinion of the City Council of the City of Huntsville, Alabama, that consideration should be given to the adoption of an amendment to the Zoning Ordinance of the City of Huntsville, Alabama, in accordance with said request;

NOW, THEREFORE, **BE IT RESOLVED** by the City Council of the City of Huntsville, Alabama, as follows:

1. That the City Council of the City of Huntsville, Alabama, shall meet at 6:00 p.m. on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, in the Council Chambers of the City of Huntsville Administration Building at 308 Fountain Circle in the City of Huntsville, Alabama, for the purpose of holding a public hearing at which time and place all persons, parties in interest and cities who desire, shall have an opportunity to be heard in opposition to or in favor of said ordinance amending the Zoning Ordinance of the City of Huntsville, Alabama.

2. That the proposed amendment to the Zoning Ordinance of the City of Huntsville, Alabama, is substantially in words and figures as follows:

ORDINANCE NO. 13-

AN ORDINANCE TO AMEND THE ZONING ORDINANCES OF THE  
CITY OF HUNTSVILLE, ALABAMA

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The public welfare requiring it, and under authority granted by Section 11-52-78 of the 1975 Code of Alabama, **BE IT ORDAINED** by the City Council for the City of Huntsville, Alabama, as follows:

1. That the following area, lying on the west side of Summerlyn Way and east of McMullen Lane, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Commercial Recreation C-5 District shall be shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Residence 1-A District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

All that part of Section 8, Township 4 South, Range 2 East of the Huntsville Meridian in the City of Huntsville, Madison County, Alabama, more particularly described as beginning at the southeast corner of said Section 8; thence along the east boundary Due North 1893.14 feet; thence North 88 degrees 03 minutes 33 seconds West 1855.86 feet to a point located on the west right-of-way of Summerlyn Way; said point is further described as the point of true beginning; thence from the point of true beginning and along said right-of-way South 46 degrees 58 minutes 11 seconds West 360.80 feet; thence leaving said right-of-way North 42 degrees 31 minutes 01 seconds West 165.17 feet; thence North 47 degrees 50 minutes 34 seconds East 340.25 feet; thence South 21 degrees 01 minutes 48 seconds East 111.36 feet; thence South 84 degrees 53 minutes 31 seconds East 76.16 feet to a point located on the west right-of-way of Summerlyn Way and the point of true beginning and containing 1.20 acres, more or less.

2. The boundaries of the above district as described and defined above are hereby established and shall be shown on the Official Zoning Maps of the City of Huntsville, Alabama, on file in the Planning Division of the Urban Development Department, in accordance with the various classifications herein enumerated and hereafter the regulations governing said district under the Zoning Ordinance of the City of Huntsville, Alabama, shall apply to the area so described.

3. This ordinance shall take effect from and after the date of publication.

ORDINANCE NO. 13-

**ADOPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
President of the City Council of  
the City of Huntsville, Alabama.

**APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor of the City of Huntsville,  
Alabama

RESOLUTION NO. 13-

**ADOPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
President of the City Council of  
the City of Huntsville, Alabama.

**APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor of the City of Huntsville,  
Alabama

# PROPOSED RESIDENCE 1-A DISTRICT

