CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number_____

Meeting Type: Regular

Meeting Date: 3/14/2013

Action Requested By:
Planning

Agenda Item Type
Resolution

Subject Matter:

Zoning of Newly Annexed Property.

Exact Wording for the Agenda:

Resolution to set a public hearing of an ordinance zoning newly annexed property lying on the south side of Caldwell Lane and east of U.S. Highway 431 South to Residence 1-A District and Residence 1-B 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: April 25, 2013

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: _____ Date: 3-4-13

revised 4/13/2011

RESOLUTION NO. 13-_____

WHEREAS, certain property has recently been annexed to the City of Huntsville, Alabama; and

WHEREAS, said property is now legally part of the incorporated municipality of the City of Huntsville, Alabama, and as such is subject to the laws and ordinances governing the City of Huntsville, Alabama; and

WHEREAS, said property, having been outside the boundaries of the City of Huntsville, Alabama, prior to the annexing of same to the City of Huntsville, Alabama, has never been subject to the Zoning Ordinances of the City of Huntsville, Alabama; and

WHEREAS, the Planning Commission of the City of Huntsville, Alabama, has recommended to the City Council of the City of Huntsville, Alabama, that an ordinance be given consideration placing said zoning regulations into effect, synopsis of which is as follows:

(1) The zoning of newly annexed land lying on the south side of Caldwell Road and east of U.S. Highway 431 South to Residence 1-A District and Residence 1-B 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

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 south side of Caldwell Road and east of U.S. Highway 431 South, which area is a newly annexed area of the City of Huntsville, Madison County, Alabama, and which has not been zoned previously, 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 described as follows:

All that part of the Southwest Quarter of Section 24, Township 4 South, Range 1 East, of the Huntsville Meridian, in the City of Huntsville, Madison County, Alabama, more particularly described as beginning at a point located at the southwest corner of said Section 24; thence along the south boundary of said Section 24 South 89 degrees 45 minutes 41 seconds East 696.14 feet to the point of true beginning; thence from the point of true beginning North 00 degrees 29 minutes 50 seconds East 222.35 feet; thence South 89 degrees 39 minutes 10 seconds East 712.03 feet to a point located on the centerline of unnamed creek; thence along said centerline North 30 degrees 22 minutes 07 seconds East 235.02 feet; thence North 34 degrees 55 minutes 09 seconds East 54.44 feet; thence North 22 degrees 51 minutes 20 seconds East 207.69 feet; thence North 02 degrees 30 minutes 18 seconds East 24.55 feet; thence North 51 degrees 05 minutes 03 seconds East 21.40 feet; thence North 39 degrees 37 minutes 37 seconds East 53.57 feet; thence North 14 degrees 04 minutes 24 seconds East 42.00 feet; thence North 27 degrees 54 minutes 05 seconds East 51.73 feet; thence North 32 degrees 22 minutes 30 seconds East 40.28 feet; thence North 48 degrees 05 minutes 25 seconds East 32.71 feet; thence North 39 degrees 08 minutes 48 seconds East 35.59 feet; thence North 09 degrees 34 minutes 23 seconds East 57.56 feet; thence North 26 degrees 26 minutes 29 seconds East 52.94 feet; thence North 31 degrees 54 minutes 09 seconds East 90.41 feet; thence North 04 degrees 04 minutes 54 seconds West 43.44 feet; thence North 03 degrees 23 minutes 02 seconds East 51.62 feet; thence North 07 degrees 12 minutes 24 seconds West 103.01 feet; thence North 09 degrees 53 minutes 53 seconds East 82.26 feet; thence North 02 degrees 59 minutes 41 seconds West 73.35 feet; thence North 10 degrees 34 minutes

37 seconds West 77.98 feet; thence North 13 degrees 02 minutes 20 seconds West 43.39 feet; thence North 20 degrees 33 minutes 27 seconds West 92.56 feet; thence North 10 degrees 37 minutes 09 seconds West 66.79 feet; thence North 02 degrees 24 minutes 37 seconds West 112.99 feet; thence North 03 degrees 07 minutes 15 seconds East 41.43 feet; thence North 09 degrees 02 minutes 32 seconds West 109.00 feet; thence North 00 degrees 54 minutes 39 seconds East 74.09 feet; thence North 05 degrees 03 minutes 04 seconds East 35.60 feet; thence North 11 degrees 54 minutes 09 seconds East 58.94 feet; thence North 05 degrees 09 minutes 59 seconds East 46.44 feet; thence North 12 degrees 37 minutes 16 seconds East 58.82 feet; thence North 14 degrees 56 minutes 28 seconds East 130.67 feet; thence North 19 degrees 45 minutes 19 seconds East 34.84 feet; thence North 27 degrees 22 minutes 26 seconds East 24.94 feet; thence North 41 degrees 13 minutes 01 seconds East 12.12 feet; thence North 67 degrees 18 minutes 05 seconds East 16.30 feet; thence North 38 degrees 06 minutes 52 seconds East 14.45 feet; thence North 01 degrees 38 minutes 15 seconds East 27.47 feet; thence North 08 degrees 04 minutes 41 seconds West 24.38 feet; thence North 16 degrees 59 minutes 25 seconds East 19.75 feet; thence North 23 degrees 08 minutes 31 seconds East 29.74 feet; thence North 31 degrees 01 minutes 57 seconds East 49.57 feet; thence North 22 degrees 48 minutes 26 seconds East 34.40 feet; thence North 23 degrees 08 minutes 03 seconds East 32.55 feet; thence North 26 degrees 40 minutes 00 seconds East 46.47 feet; thence leaving said centerline North 13 degrees 54 minutes 09 seconds East 16.14 feet to a point located on the centerline of Caldwell Lane; thence along said centerline South 84 degrees 18 minutes 30 seconds East 28.76 feet; thence South 79 degrees 59 minutes 31 seconds East 54.15 feet; thence South 75 degrees 57 minutes 50 seconds East 64.67 feet; thence South 74 degrees 44 minutes 42 seconds East 286.14 feet; thence South 73 degrees 51 minutes 20 seconds East 124.10 feet; thence South 63 degrees 26 minutes 06 seconds East 91.19 feet; thence South 50 degrees 54 minutes 22 seconds East 64.67 feet; thence South 39 degrees 17 minutes 22 seconds East 66.15 feet; thence leaving said centerline South 00 degrees 59 minutes 17 seconds West 2447.44 feet; thence Due West 1974.01 feet to the point of true beginning and containing 60.98 acres, more or less.

2. That the following area, lying on the south side of Caldwell Road and east of U.S. Highway 431 South, which area is a newly annexed area of the City of Huntsville, Madison County, Alabama, and which has not been zoned previously, shall be shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Residence 1-B District in the Zoning Ordinances of the City of Huntsville, Alabama, said property being described as follows:

ORDINANCE NO. 13-_____

All that part of the Southwest Quarter of Section 24, Township 4 South, Range 1 East, of the Huntsville Meridian, in the City of Huntsville, Madison County, Alabama, more particularly described as beginning at a point located at the southwest corner of said Section 24; thence along the south boundary of said Section 24 South 89 degrees 45 minutes 41 seconds East 696.14 feet; thence North 00 degrees 29 minutes 50 seconds East 222.85 feet to the point of true beginning; thence from the point of true beginning North 00 degrees 24 minutes 58 seconds East 2286.49 feet; thence South 89 degrees 16 minutes 08 seconds East 435.57 feet; thence North 00 degrees 31 minutes 24 seconds East 135.19 feet; thence North 00 degrees 19 minutes 57 seconds East 69.37 feet; thence North 03 degrees 55 minutes 24 seconds West 15.49 feet to a point located on the centerline of Caldwell Lane; thence along said centerline South 89 degrees 27 minutes 39 seconds East 732.61 feet; thence along said centerline the following bearings and distances: South 88 degrees 21 minutes 48 seconds East 30.25 feet, South 87 degrees 34 minutes 26 seconds East 31.73 feet, South 83 degrees 53 minutes 05 seconds East 30.54 feet, and South 83 degrees 21 minutes 53 seconds East 23.43 feet; thence leaving said centerline South 13 degrees 54 minutes 09 seconds West 16.14 feet to a point on the centerline of unnamed creek; thence along said centerline South 26 degrees 40 minutes 00 seconds West 46.47 feet; thence South 23 degrees 08 minutes 03 seconds West 32.55 feet; thence South 22 degrees 48 minutes 45 seconds West 34.40 feet; thence South 31 degrees 01 minutes 57 seconds West 49.57 feet; thence South 23 degrees 08 minutes 31 seconds West 29.74 feet; thence South 16 degrees 59 minutes 25 seconds West 19.75 feet; thence South 07 degrees 53 minutes 52 seconds East 23.66 feet; thence South 01 degrees 38 minutes 15 seconds West 27.47 feet; thence South 38 degrees 06 minutes 52 seconds West 14.45 feet; thence South 67 degrees 18 minutes 05 seconds West 16.30 feet; thence South 38 degrees 01 minutes 20 seconds West 12.41 feet; thence South 26 degrees 35 minutes 59 seconds West 25.56 feet; thence South 19 degrees 45 minutes 19 seconds West 40.52 feet; thence South 14 degrees 56 minutes 28 seconds West 130.67 feet; thence South 12 degrees 37 minutes 16 seconds West 58.82 feet; thence South 05 degrees 09 minutes 59 seconds West 46.44 feet; thence South 11 degrees 54 minutes 09 seconds West 58.94 feet; thence South 03 degrees 50 minutes 58 seconds West 36.42 feet; thence South 00 degrees 31 minutes 12 seconds West 67.57 feet; thence South 09 degrees 02 minutes 32 seconds East 109.00 feet; thence South 02 degrees 45 minutes 26 seconds West 34.89 feet; thence South 02 degrees 24 minutes 37 seconds East 112.99 feet; thence South 10 degrees 37 minutes 09 seconds East 66.79 feet; thence South 20 degrees 33 minutes

27 seconds East 92.56 feet; thence South 13 degrees 02 minutes 20 seconds East 43.39 feet; thence South 10 degrees 34 minutes 37 seconds East 77.98 feet; thence South 02 degrees 59 minutes 41 seconds East 73.35 feet; thence South 09 degrees 53 minutes 53 seconds West 82.26 feet; thence South 07 degrees 12 minutes 24 seconds East 103.01 feet; thence South 03 degrees 23 minutes 02 seconds West 51.62 feet; thence South 04 degrees 04 minutes 54 seconds East 43.44 feet; thence South 31 degrees 54 minutes 09 seconds West 90.41 feet; thence South 26 degrees 26 minutes 29 seconds West 52.94 feet; thence South 09 degrees 34 minutes 23 seconds West 57.56 feet; thence South 39 degrees 08 minutes 48 seconds West 35.59 feet; thence South 48 degrees 05 minutes 25 seconds West 32.71 feet; thence South 32 degrees 22 minutes 30 seconds West 40.28 feet; thence South 27 degrees 54 minutes 05 seconds West 51.73 feet; thence South 14 degrees 04 minutes 24 seconds West 42.00 feet; thence South 39 degrees 37 minutes 37 seconds West 53.57 feet; thence South 51 degrees 05 minutes 03 seconds West 21.40 feet; thence South 02 degrees 30 minutes 18 seconds West 24.55 feet; thence South 22 degrees 51 minutes 20 seconds West 207.69 feet; thence South 34 degrees 55 minutes 09 seconds West 54.44 feet; thence South 30 degrees 22 minutes 07 seconds West 235.02 feet; thence leaving said centerline North 89 degrees 39 minutes 10 seconds West 712.03 feet to the point of true beginning and containing 59.47 acres, more or less.

3. 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.

The Official Zoning Maps of the City of Huntsville, Alabama, as last amended, are hereby further altered, changed and modified in accordance with Section 1 above.

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

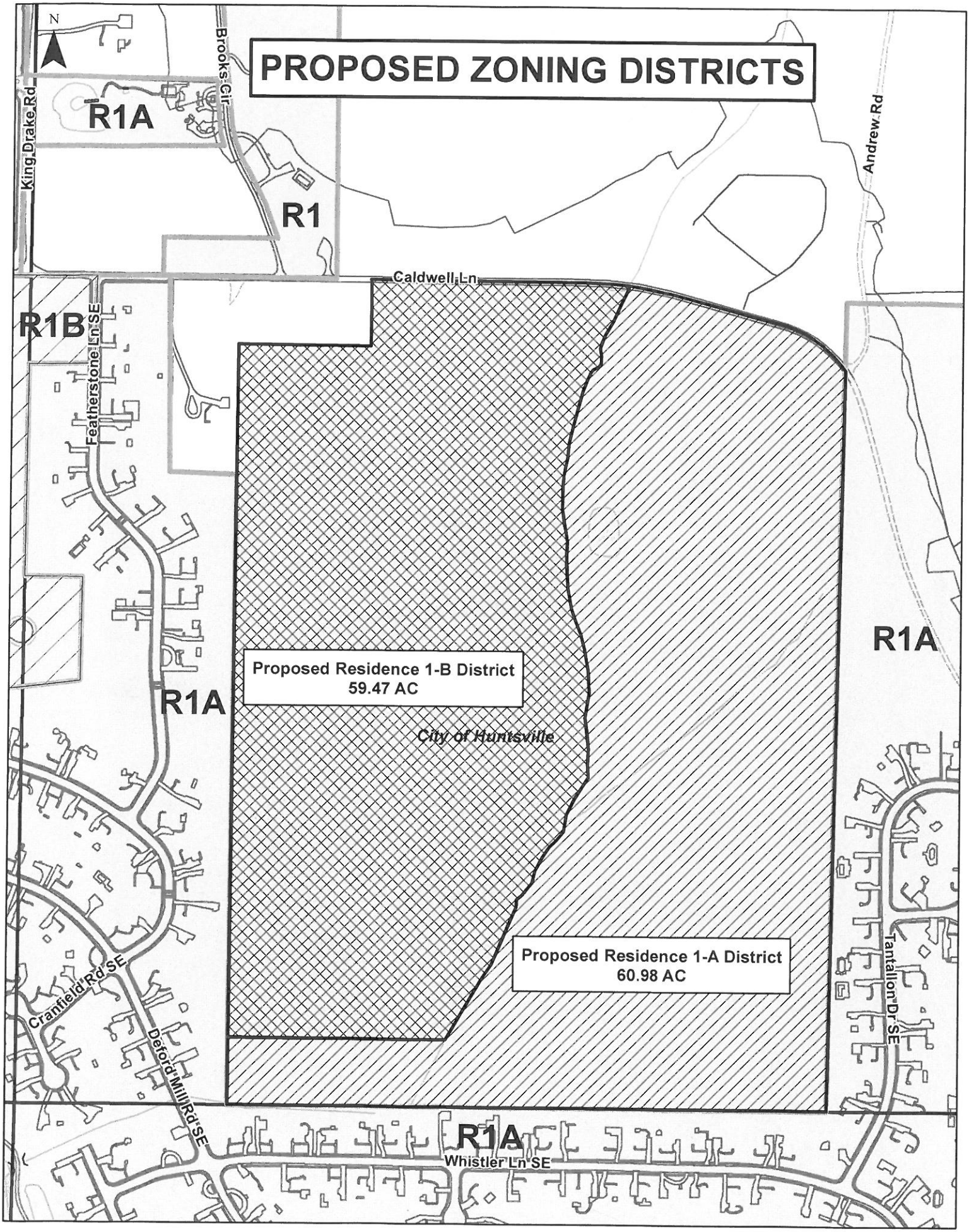
RESOLUTION NO. 13-_____

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 ZONING DISTRICTS
N
King Drake Rd
Brooks Cir
Andrew Rd
Caldwell Ln
Featherstone Ln SE
R1A
R1
R1B
R1A
R1A
Proposed Residence 1-B District
59.47 AC
City of Huntsville
Proposed Residence 1-A District
60.98 AC
Tantallon Dr SE
Cranfield Rd SE
Deford Mill Rd SE
R1A
Whistler Ln SE