Introduced 4/11/13

ORDINANCE NO. 13-252

AN ORDINANCE TO REPEAL
AN ORDINANCE
AMENDING THE ZONING ORDINANCE
OF THE CITY OF HUNTSVILLE, ALABAMA

WHEREAS, on the 23rd day of April 2009 the City Council of the City of Huntsville adopted Ordinance No. 09-231 amending the Zoning Ordinance of the City of Huntsville, Alabama, to change the classification of approximately 124.52 acres of land lying along the east side of Sanderson Road, the west side of Old Railroad Bed Road and south of Nick Davis Road from a Residence 1-B district to a Residence 2 district; and

WHEREAS, publication of said Ordinance was withheld pending the filing of a zoning plat in the Office of the Judge of Probate of Madison County, Alabama, which plat was to restrict the development to a maximum of 464 single family detached residential dwellings; and

WHEREAS, the zoning plat was to be filed by the applicant for rezoning contemporaneously with the adoption of Ordinance No. 09-231 by the City Council of the City of Huntsville; and

WHEREAS, the applicant for rezoning has not filed the required zoning plat in the Office of the Judge of Probate and has thus failed to comply with the conditions attendant to the rezoning of the above referenced lands by the City Council of Huntsville; and

WHEREAS, the current zoning of the property in question will be unaffected by the repeal of Ordinance No. 09-231, since Ordinance No. 09-231 was never published and is therefore not effective.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, that Ordinance No. 09-231 of the City of Huntsville, Alabama, be, and is, hereby expressly repealed.

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

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number_____

Meeting Type: Regular

Meeting Date: 4/11/2013

Action Requested By:
Planning

Agenda Item Type
Ordinance

Subject Matter:

Repeal of Ordinance No. 09-231.

Exact Wording for the Agenda:

Introduction of an ordinance concerning the repeal of Ordinance No. 09-231, adopted April 23, 2009, which amended the Zoning Ordinance of the City of Huntsville.

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

Item to be considered for: Introduction 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.

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: [signature] Date: 3-27-13

revised 3/12/2012