

CITY COUNCIL AGENDA ITEM COVER MEMO

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

Meeting Type: Regular

Meeting Date: 6/13/2013

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 east side of U.S. Highway 231/431 North and on the north side of Countess Road to Residence 2 District and Highway Business C-4 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: July 25, 2013

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

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



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

6-3-13

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 east side of U.S. Highway 231/431 North and on the north side of Countess Road to Residence 2 District and Highway Business C-4 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 east side of U.S. Highway 231/431 North and on the north side of Countess Road, 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 2 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 30, Township 2 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 30; thence from the point of beginning and along the west boundary of said Section 30 Due North 1255.59 feet; thence South 88 degrees 58 minutes 04 seconds East 1141.34 feet to the point of true beginning; thence from the point of true beginning South 87 degrees 34 minutes 45 seconds East 255.70 feet; thence South 00 degrees 23 minutes 04 seconds West 342.77 feet; thence South 89 degrees 29 minutes 30 seconds West 40.03 feet; thence North 84 degrees 30 minutes 19 seconds West 212.48 feet; thence South 01 degrees 22 minutes 25 seconds West 417.57 feet; thence South 84 degrees 33 minutes 28 seconds East 213.59 feet; thence South 01 degrees 03 minutes 13 seconds West 492.06 feet to a point on the south boundary of said Section 30; thence along said boundary Due West 217.41 feet; thence leaving said boundary North 01 degrees 28 minutes 22 seconds East 925.89 feet; thence North 00 degrees 16 minutes 36 seconds West 332.50 feet to the point of true beginning and containing 4.45 acres, more or less.

2. That the following area, lying on the east side of U.S. Highway 231/431 North and on the north side of Countess Road, 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 Highway Business C-4 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 30, Township 2 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 30; thence from the point of beginning and along the west boundary of said Section 30 Due North 1255.59 feet; thence South 88 degrees 58 minutes 04 seconds East 1141.34 feet; thence South 00 degrees 16 minutes 36 seconds East 322.50 feet; thence South 01 degrees 28 minutes 22 seconds West 925.52 feet to a point located on the south boundary of said Section 30; thence along said boundary Due West 381.80 feet; thence leaving said boundary North 01 degrees 49 minutes 39 seconds East 301.89 feet; thence North 88 degrees 09 minutes 22 seconds West 311.30 feet; thence South 01 degrees 04 minutes 35 seconds West 305.38 feet to a point located on the south boundary of said Section 30; thence along said boundary Due West 444.11 feet to the point of beginning and containing 30.75 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.

**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

