CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number_____

Meeting Type: Regular

Meeting Date: 12/5/2013

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 west side of U.S. Highway 431 South and north of Sutton Road to 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: January 23, 2014

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: _____ Date: 11/27/2013

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 west side of U.S. Highway 431 South and north of Sutton Road to 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 _____, 2014, 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 _____ 2014, 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 west side of U.S. Highway 431 South and north of Sutton 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:

> All that part of the Southeast Quarter of Section 3 and the Northeast Quarter of Section 10, 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 northeast corner of said Section 26; thence from the point of beginning and along the north boundary of said Section 26 Due West 1229.64 feet; thence leaving said boundary South 23 degrees 33 minutes 00 seconds East 802.26 feet to a point located on the west right-of-way of U.S. Highway 431 South; said point is further described as the point of true beginning; thence from the point of true beginning and continuing along said right-of-way South 23 degrees 50 minutes 19 seconds East 195.99 feet; thence leaving said right-of-way South 72 degrees 32 minutes 11 seconds West 347.66 feet to a point; thence North 25 degrees 45 minutes 31 seconds West 147.48 feet; thence leaving existing corporate limits North 64 degrees 31 minutes 42 seconds East 350.59 feet to a point located on the west right-of-way of U.S. Highway 431 South and to the point of true beginning and containing 1.38 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.

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 _____, 2014.

_____
President of the City Council of
the City of Huntsville, Alabama.

APPROVED this the _____ day of _____, 2014.

_____
Mayor of the City of Huntsville,
Alabama

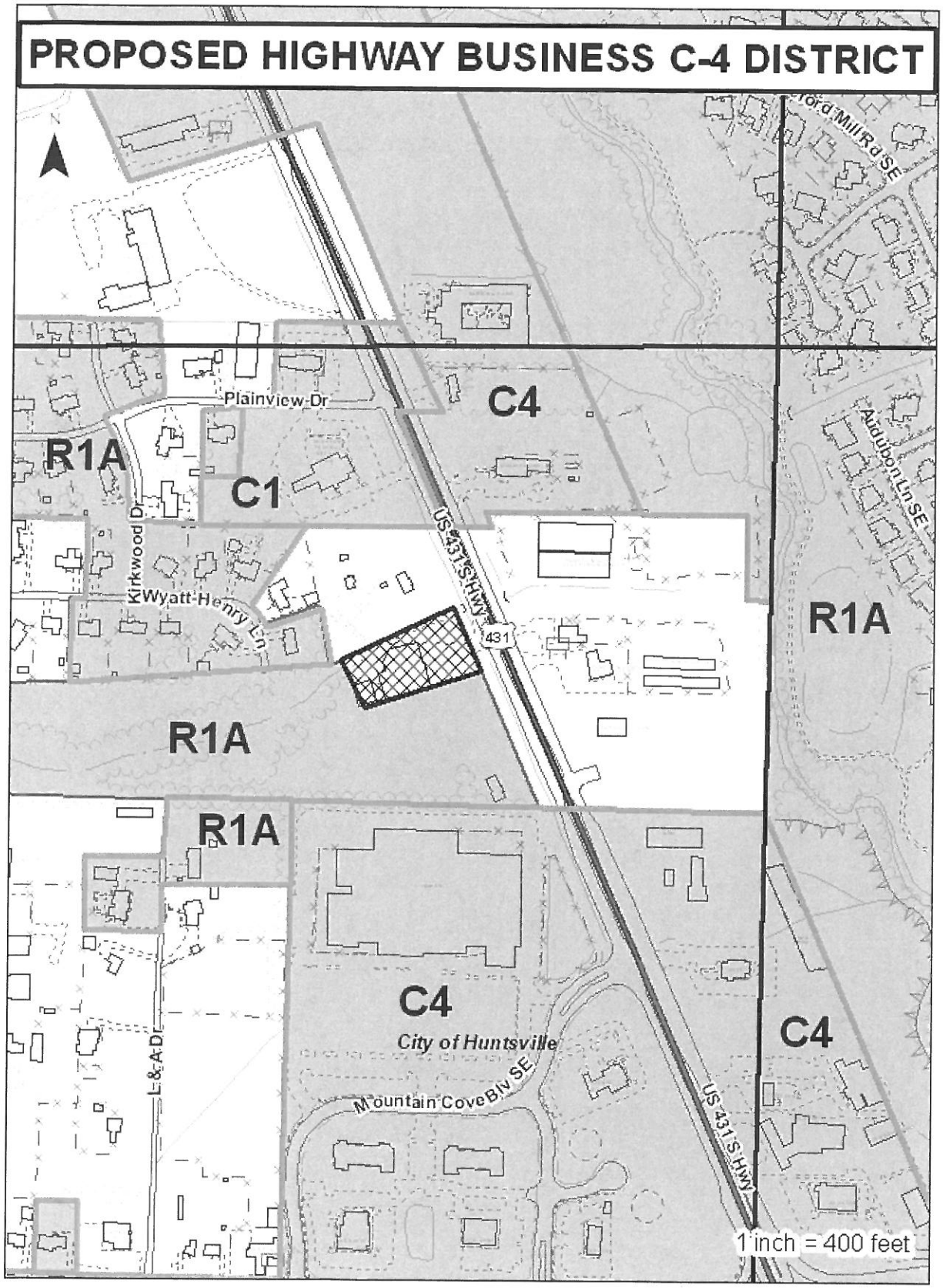
RESOLUTION NO. 13-_____

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 HIGHWAY BUSINESS C-4 DISTRICT
Ford Mill Rd SE
Plainview Dr
C4
R1A
C1
Kirkwood Dr
Wyatt Henry Ln
US 431 S Hwy
431
Audubon Ln SE
R1A
R1A
R1A
C4
City of Huntsville
C4
L & A Dr
Mountain Cove Blv SE
US 431 S Hwy
1 inch = 400 feet