CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number_____

Meeting Type: Regular

Meeting Date: 3/13/2014

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 east of Old Jim Williams Road and on the north side of Martin Road to Neighborhood Business C-1 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 24, 2014

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: _____

Date: 2/26/2014

revised 3/12/2012

RESOLUTION NO. 14-_____

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 east of Old Jim Williams Road and on the north side of Martin Road to Neighborhood Business C-1 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 _____, 2014, 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. 14-

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 east of Old Jim Williams Road and on the north side of Martin 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 Neighborhood Business C-1 District in the Zoning Ordinances of the City of Huntsville, Alabama, said property being described as follows:

> All that part of the Northeast Quarter of Section 33, Township 4 South, Range 2 West, 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 the northeast quarter of said Section 33; thence from the point of beginning Due East 979.80 feet; thence North 02 degrees 39 minutes 21 seconds West 59.42 feet to a point located on the north right-of-way of Martin Road; said point is further described as the point of true beginning; thence from the point of true beginning and leaving said right-of-way North 01 degrees 33 minutes 27 seconds East 184.69 feet to a point; thence South 89 degrees 00 minutes 00 seconds East 28.59 feet; thence leaving existing corporate limits South 89 degrees 00 minutes 00 seconds East 71.43 feet; thence South 02 degrees 13 minutes 41 seconds West 185.13 to a point located on the north right-of-way of Martin Road; thence along said right-of-way North 88 degrees 45 minutes 56 seconds West 97.85 feet to the point of true beginning and containing 0.42 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. **14-**

ADOPTED this the _____ day of _____, 2014.

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

APPROVED this the _____ day of _____, 2014.

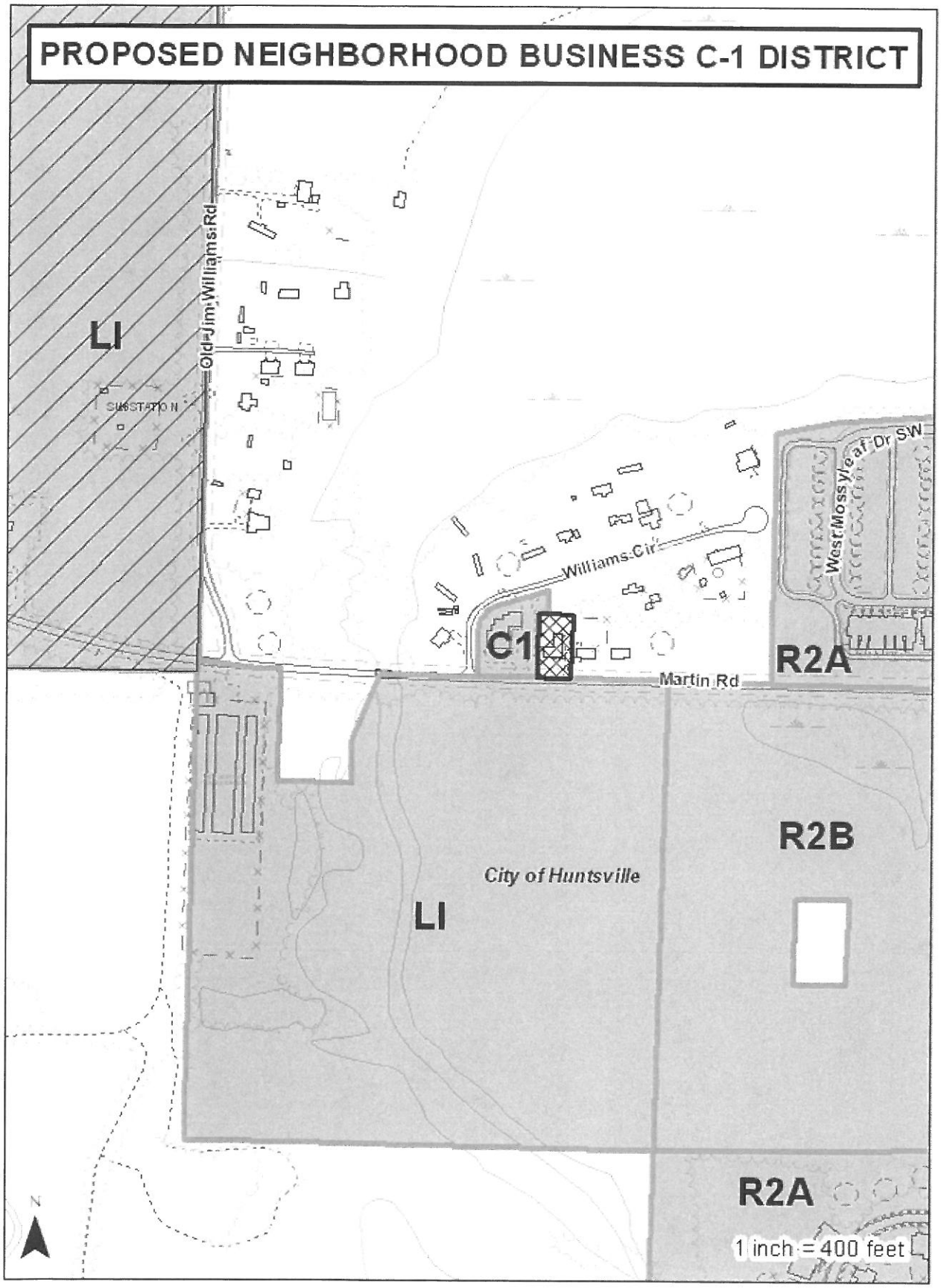
_____
Mayor of the City of Huntsville,
Alabama

RESOLUTION NO. 14-_____

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

PROPOSED NEIGHBORHOOD BUSINESS C-1 DISTRICT