

CITY COUNCIL AGENDA ITEM COVER MEMO

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

Meeting Type: Regular

Meeting Date: 5/8/2014

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 on the north side of Mohawk Road and west of Taylor Road to Residence 1-A 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: June 26, 2014

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: Mispeleto Jordan

Date: 4/23/2014

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 on the north side of Mohawk Road and west of Taylor Road to Residence 1-A 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:

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 north side of Mohawk Road and west of Taylor 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 1-A 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 35, 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 Lot 5, Block 5, Mountain View Acres Subdivision, as recorded in the Office of the Judge of Probate of Madison County, Alabama, Plat Book 5, Page 5; thence from the point of beginning North 11 degrees 32 minutes 50 seconds East 219.96 feet to a point located at the northwest corner of said Lot 5; thence South 78 degrees 44 minutes 45 seconds East 154.30 feet to a point located at the northeast corner of said Lot 5; thence South 15 degrees 42 minutes 34 seconds East 217.00 feet to a point located at the southeast corner of said Lot 5; thence continuing South 15 degrees 42 minutes 34 seconds East 18.29 feet to a point located on the centerline of Mohawk Road; thence along said centerline the following bearings and distances: South 80 degrees 09 minutes 00 seconds West 51.34 feet, North 89 degrees 22 minutes 27 seconds West 19.63 feet, leaving existing corporate limits North 86 degrees 39 minutes 14 seconds West 70.91 feet, North 83 degrees 13 minutes 43 seconds West 41.67 feet, North 80 degrees 48 minutes 12 seconds West 41.67 feet, and North 78 degrees 22 minutes 41 seconds West 41.67 feet; thence leaving said centerline North 11 degrees 32 minutes 50 seconds East 26.16 feet to the southwest corner of Lot 5, Block 5, and to the point of beginning and containing 1.16 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

ORDINANCE NO. 14-

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 \_\_\_\_\_, 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 RESIDENCE 1-A DISTRICT

