

CITY COUNCIL AGENDA ITEM COVER MEMO

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

Meeting Type: Regular

Meeting Date: 6/12/2014

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 east side of U.S Highway 431 South and on the north side of Caldwell Lane 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: July 24, 2014

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: Michael B. Gade Date: 5/28/2014

**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 east side of U.S Highway 431 South and on the north side of Caldwell Lane 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 29th day of June, 2014, and the second publication shall be one week thereafter on the 6th day of July, 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 24th day of July 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 east side of U.S Highway 431 South and on the north side of Caldwell Lane, 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 Section 23, 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 23; thence from the point of beginning Due West 2,245.67 feet; thence South 04 degrees 11 minutes 55 seconds East 1,316.04 feet to a point; said point is further described as the point of true beginning; thence from the point of true beginning South 09 degrees 00 minutes 09 seconds East 1,359.92 feet to a point located on the north right-of-way of Caldwell Lane; thence along said right-of-way North 89 degrees 43 minutes 25 seconds West 368.88 feet to a point located on the west right-of-way of U.S Highway 431 South; thence leaving the existing corporate limits and along said right-of-way North 23 degrees 59 minutes 15 seconds West 1,388.14 feet; thence leaving said right-of-way North 66 degrees 28 minutes 21 seconds East 281.04 feet; thence South 00 degrees 30 minutes 00 seconds West 34.13 feet; thence South 89 degrees 23 minutes 28 seconds East 463.06 feet to the point of beginning and containing 17.19 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 12th day of June, 2014.

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

APPROVED this the 12th day of June, 2014.

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Mayor of the City of Huntsville,  
Alabama

# PROPOSED HIGHWAY BUSINESS C-4 DISTRICT

