

# CITY COUNCIL AGENDA ITEM COVER MEMO

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

Meeting Type: Regular

Meeting Date: 11/6/2014

Action Requested By:  
Planning

Agenda Item Type  
Resolution

Subject Matter:

Rezoning of Property.

Exact Wording for the Agenda:

Resolution to set a public hearing of an ordinance rezoning property lying west of U.S. Highway 231 South and north of Green Cove Road from Light Industry District to Residence 2-B District (43.42 acres) and from Residence 1-B District to Residence 2-B District (25.62 acres).

**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: December 18, 2014

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

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



Date: 10/28/2014

RESOLUTION NO. 14-

WHEREAS, the Planning Commission of the City of Huntsville, Alabama, has given consideration to an amendment to the Zoning Ordinance, a synopsis of said amendment being as follows:

- (1) The rezoning of certain lands lying west of U.S. Highway 231 South and north of Green Cove Road from Light Industry District to Residence 2-B District.
- (2) The rezoning of certain lands lying west of U.S. Highway 231 South and north of Green Cove Road from Residence 1-B District to Residence 2-B District.
- (3) 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

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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 west of U.S. Highway 231 South and north of Green Cove Road, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Light Industry District shall be shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Residence 2-B District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

All that part of Section 18, Township 5 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 southeast corner of said Section 18; thence from the point of beginning and along the south boundary of said Section 18 Due West 2,507.46 feet; thence leaving said boundary North 04 degrees 58 minutes 40 seconds West 1,499.03 feet to point; said point is further described as the point of true beginning; thence from the point of true beginning North 11 degrees 58 minutes 54 seconds West 387.16 feet; thence North 12 degrees 17 minutes 15 seconds West 15.40 feet; thence North 05 degrees 40 minutes 24 seconds West 295.76 feet; thence North 05 degrees 26 minutes 29 seconds East 157.66 feet to a point located on the north right-of-way of Oak Dairy Lane; thence along said right-of-way South 83 degrees 30 minutes 18 seconds East 59.88 feet; thence North 86 degrees 00 minutes 01 seconds East 60.00 feet; thence North 70 degrees 00 minutes 00 seconds East 132.12 feet; thence North 64 degrees 55 minutes 02 seconds East 57.40 feet; thence leaving said right-of-way South 19 degrees 59 minutes 22 seconds East 95.93 feet; thence 06 degrees 32 minutes 59 seconds East 374.65 feet; thence South 12 degrees 56 minutes 41 seconds East 50.50 feet; thence South 27 degrees 37 minutes 52 seconds East 220.24 feet; thence South 21 degrees 10 minutes 37 seconds West 151.82 feet; thence South 56 degrees 07 minutes 37 seconds West 116.66 feet; thence North 87 degrees 39 minutes 08 seconds West 233.99 feet to the point of true beginning and containing 7.22 acres, more or less.

**ALSO:**

All that part of Section 18, Township 5 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 northwest corner of said Section 18; thence from the point of beginning and along the north boundary of said Section 18 South 87 degrees 34 minutes 10 seconds East 1,588.16 feet; thence leaving said boundary South 04 degrees 49 minutes 32 seconds West 1,347.23 feet; thence South 01 degrees 02 minutes 12 seconds East 35.36 feet to a point; said point is further described as the point of true beginning; thence from the point of true beginning South 87 degrees 47 minutes 59 seconds East 1,749.62 feet; thence South 14 degrees 27 minutes 33 seconds East 234.29 feet; thence South 06 degrees 39 minutes 48 seconds West 752.14 feet; thence South 00 degrees 27 minutes 17 seconds East 180.38 feet; thence South 02 degrees 58 minutes 53 seconds East 295.54 feet to a point located on the north right-of-way of Oak Dairy Lane; thence along said right-of-way South 77 degrees 02 minutes 32 seconds West 154.40 feet; thence South 75 degrees 04 minutes 14 seconds West 69.71 feet; thence South 70 degrees 58 minutes 45 seconds West 202.81 feet; thence leaving said right-of-way North 15 degrees 31 minutes 36 seconds West 1,127.91 feet; thence South 87 degrees 00 minutes 00 seconds West 705.14 feet; thence South 40 degrees 59 minutes 59 seconds West 258.85 feet; thence North 88 degrees 00 minutes 00 seconds West 164.54 feet; thence North 01 degrees 00 minutes 15 seconds East 775.11 feet to the point of true beginning and containing 36.20 acres, more or less.

**CONTAINING IN THE AGGREGATE 43.42 ACRES, MORE OR LESS.**

2. That the following area, lying west of U.S. Highway 231 South and north of Green Cove Road, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Residence 1-B District shall be shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Residence 2-B District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

All that part of Section 18, Township 5 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 northwest corner of said Section 18; thence from the point of

beginning and along the north boundary of said Section 18 South 87 degrees 34 minutes 10 seconds East 1,588.16 feet; thence leaving said boundary South 04 degrees 49 minutes 32 seconds West 1,347.23 feet to a point; said point is further described as the point of true beginning; thence from the point of true beginning South 01 degrees 00 minutes 15 seconds West 810.70 feet; thence North 88 degrees 00 minutes 00 seconds West 247.69 feet; thence South 01 degrees 00 minutes 00 seconds West 562.16 feet; thence South 21 degrees 59 minutes 59 seconds East 188.72 feet; thence South 87 degrees 59 minutes 59 seconds East 153.09 feet; thence Due South 126.43 feet; thence North 86 degrees 02 minutes 12 seconds West 106.54 feet; thence South 42 degrees 27 minutes 46 seconds West 487.80 feet; thence North 57 degrees 36 minutes 32 seconds West 192.31 feet; thence North 10 degrees 39 minutes 00 seconds West 532.00 feet; thence North 01 degrees 12 minutes 21 seconds East 197.11 feet; thence North 21 degrees 09 minutes 33 seconds West 764.16 feet; thence South 89 degrees 14 minutes 00 seconds East 613.20 feet; thence Due North 500.00 feet; thence South 89 degrees 24 minutes 56 seconds East 394.01 feet to the point of true beginning and containing 24.55 acres, more or less.

**ALSO:**

All that part of Section 18, Township 5 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 northwest corner of said Section 18; thence from the point of beginning and along the north boundary of said Section 18 South 87 degrees 34 minutes 10 seconds East 1,588.16 feet; thence leaving said boundary South 04 degrees 49 minutes 32 seconds West 1,347.23 feet to a point; said point is further described as the point of true beginning; thence from the point of true beginning North 89 degrees 33 minutes 53 seconds East 846.23 feet; thence South 01 degrees 13 minutes 12 seconds West 74.63 feet; thence North 87 degrees 47 minutes 28 seconds West 845.87 feet; thence North 01 degrees 00 minutes 15 seconds East 35.58 feet to the point of true beginning and containing 1.07 acres, more or less.

**CONTAINING IN THE AGGREGATE 25.62 ACRES, MORE OR LESS.**

ORDINANCE NO. 14-

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.

4. This ordinance shall take effect from and after the date of publication.

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 2-B DISTRICT

