CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number_____

Meeting Type: Regular

Meeting Date: 8/13/2015

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 Capshaw Road and on the east side of Autumn Branch Drive to Residence 2 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: September 24, 2015

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: Michael B. Jordan Date: 7/29/2015

revised 3/12/2012

RESOLUTION NO. 15-_____

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 Capshaw Road and on the east side of Autumn Branch Drive to Residence 2 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 _____, 2015, and the second publication shall be one week thereafter on the _____ day of _____, 2015, 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 _____ 2015, 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. 15-

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, on the north side of Capshaw Road and on the east side of Autumn Branch Drive, 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 2 District in the Zoning Ordinances of the City of Huntsville, Alabama, said property being described as follows:

> All that part of Section 18, Township 3 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 Lot 7, Autumn Branch, as recorded in the Office of the Judge of Probate of Madison County, Alabama, Plat Book 46, Page 55; said point is further described as being located on the east right-of-way of Autumn Branch Drive; thence from the point of beginning and along said right-of-way North 01 degrees 26 minutes 40 seconds East 100.00 feet to a point located at the northwest corner of said Lot 7; thence leaving said-right-of way South 88 degrees 26 minutes 00 seconds East 184.04 feet to a point located at the northeast corner of said Lot 7; thence South 01 degrees 27 minutes 04 seconds West 100.22 feet to a point located at the southwest corner of said Lot 7; thence leaving said existing corporate limits North 88 degrees 21 minutes 43 seconds West 184.04 feet to the point of 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. 15-

ADOPTED this the _____ day of _____, 2015.

_____
President or President Pro Tem of the City Council of the City of Huntsville, Alabama.

APPROVED this the ____ day of _____, 2015.

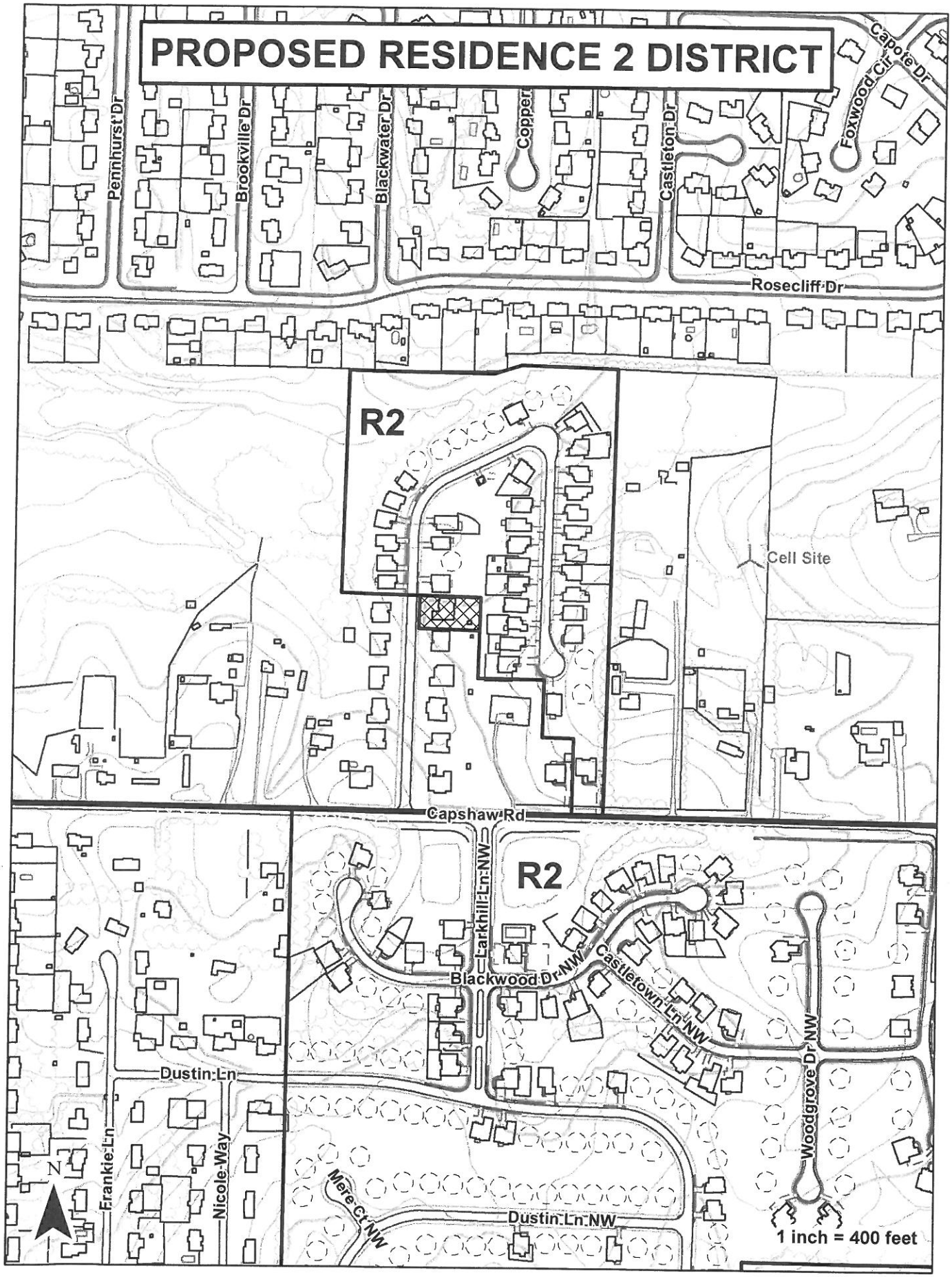
_____
Mayor of the City of Huntsville, Alabama

RESOLUTION NO. 15-_____

ADOPTED this the _____ day of _____, 2015.

_____
President or President Pro Tem of the City Council of the City of Huntsville, Alabama.

APPROVED this the ____ day of _____, 2015.

_____
Mayor of the City of Huntsville, Alabama

PROPOSED RESIDENCE 2 DISTRICT