

STATE OF ALABAMA)
 :
LIMESTONE COUNTY)

ORDINANCE NO. 21-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, ALABAMA,
TO REPEAL RESTRICTIONS SET FORTH ON THE FOLLOWING PLAT:

**Boundary/Minor Plat of "Wallstreet", as recorded in Plat Book G, Page 375 of the Probate
Records of Limestone County, Alabama.**

Section 1. That, in accordance with Resolution No. 02-21 of the Planning Commission of the City of Huntsville, Alabama, adopted on October 26, 2021, and after a public hearing thereon, the following restrictions, which were established on the *Boundary/Minor Plat of "Wallstreet", as recorded in Plat Book G, Page 375 of the Probate Records of Limestone County, Alabama* ("Plat") pursuant to Code of Ala. 1975 §11-52-32(c) ("Restrictions"), **are hereby repealed:**

RESTRICTIONS FOR THIS SUBDIVISION

1. Pursuant to the Section 11-52-32(c) of the Code of Alabama of 1975, as amended ("Ala. Code"), the Planning Commission for the City of Huntsville ("Planning Commission") has the power to agree with the application upon use, height, area or bulk requirements or restrictions governing buildings and premises within all or any portion of the lands embraced by this plat, provided such requirements or restrictions do not authorize the violation of the current zoning ordinance.

2. The owner(s) of the lands embraced by this plat ("Owner(s)") desires that the Planning Commission agree to certain requirements and restrictions ("Restrictions"), which Restrictions are not in violation of the Zoning Ordinance of the City of Huntsville, Alabama ("Zoning Ordinance"), being placed on the lands embraced by this plot ("Restricted Lands"); which Restrictions are as follows:

(a) Uses restricted to single family detached dwellings only.

(b) This zoning plat cannot be vacated by the owners without the approval of the City of Huntsville Planning Commission as stated in a duly adopted resolution.

3. In accordance with Ala. Code Section 11-52-32(c) the Planning Commission hereby agrees that the Restrictions set forth hereinabove in paragraph 2 shall apply to the Restricted Lands and shall have the same force of law and be enforceable in the same manner and with the same sanctions and penalties and subject to the same power of amendment or repeal as though set out as a part of the Zoning Ordinance or Zoning Map of the City of Huntsville.

4. The owner understands and agrees that this plat cannot be vacated or the Restrictions otherwise lifted without the approval of the Planning Commission.

Section 2. That the current zoning classification of the property, that is, Residence 2 District, as such may be amended from time to time, remains in full force and effect until such time, if ever, as said property is rezoned or until such time, if ever, as such property is once again subjected to restrictions pursuant to Code of Ala. 1975 § 11-52-32(c).

Section 3. That the remainder of the matters contained on the Plat, including, but not necessarily limited to, the dedications of public right-of-way and/or public easement(s) thereon, shall otherwise remain in full force and effect.

Section 4. That the Planning Department of the City of Huntsville, Alabama, is hereby authorized and directed to record this Ordinance, along with the Resolution No. 02-21 of the Planning Commission of the City of Huntsville, Alabama, in the Probate Records of Limestone County, Alabama, at the cost of the owners of the lands embraced by the Plat.

Section 5. This ordinance shall take effect from and after the date of its publication.

ADOPTED this the ____ day of _____, 2021

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

APPROVED this the ____ day of _____, 2021

Mayor of the City of Huntsville, Alabama