



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 4/11/2024

File ID: TMP-4097

Department: Planning

Subject:

Type of Action: Approval/Action

Resolution to set a public hearing on the zoning of 12.42 acres of land lying on the south of Old Hwy 431 and east of Wade Rd. to Neighborhood Business C-1 and Residence 2-B Districts; and the introduction of an Ordinance pertaining to the same. (Set May 23, 2024 Regular Council Meeting)

Resolution No.

Ordinance No.

Does this item need to be published? Yes

If yes, please list preferred date(s) of publication: Resolution - April 24 & May 1, 2024/ Ordinance - May 29, 2024

Finance Information:

Account Number: n/a

City Cost Amount: \$ 0

Total Cost: \$ 0

Special Circumstances:

Grant Funded: \$ 0

Grant Title - CFDA or granting Agency: n/a

Resolution #: n/a

Location:

Address: 173 Wade Road, Owens Cross Roads, AL 35763

District: District 1 ☐ District 2 ☒ District 3 ☐ District 4 ☐ District 5 ☐

Additional Comments: Recommended by Planning Commission

RESOLUTION NO. 24-

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 given consideration to an amendment to the Zoning Ordinance, a synopsis of said amendment being as follows:

- (1) The zoning of 12.42 acres of land lying on the south of Old Hwy 431 and east of Wade Rd. to Neighborhood Business C-1 and Residence 2-B Districts.
- (2) The first publication of this resolution, this synopsis, and the ordinance hereinafter set out at length shall be in the Speakin' Out News on the 24th day of April, 2024, and the second publication shall be one week thereafter on the 1st day of May, 2024, 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 5:30 p.m. on the 23rd day of May, 2024, 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 No. 24-_____, which was introduced by the City Council of the City of Huntsville on the 11th day of April, 2024, 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. 24-

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, land lying on the south of Old Hwy 431 and east of Wade 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 Neighborhood Business C-1 District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

All that part of Section 25, Township 04 South, Range 01 East of the Huntsville Meridian, Madison County, Alabama more particularly described as beginning at a point located at the Southwest Corner of said Section 25; thence North 48 Degrees 57 Minutes 20 Seconds East, 1829.41 feet to a point; thence North 00 Degrees 02 Minutes 43 Seconds East, 404.03 feet to a point; said point is further described as the Point of True Beginning; thence from the Point of True Beginning, continue North 00 Degrees 02 Minutes 43 Seconds East, 417.37 feet to a point; thence North 89 Degrees 59 Minutes 32 Seconds East, 342.60 feet to a point; thence North 89 Degrees 43 Minutes 12 Seconds East, 116.48 feet to a point; thence South 00 Degrees 40 Minutes 03 Seconds West, 350.69 feet to a point; thence South 81 Degrees 35 Minutes 23 Seconds West, 460.27 feet back to the Point of True Beginning and containing 4.03 acres, more or less.

2. That the following area, land lying on the south of Old Hwy 431 and east of Wade 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 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 25, Township 04 South, Range 01 East of the Huntsville Meridian, Madison County, Alabama more particularly described as beginning at a point located at the Southwest Corner of said Section 25; thence North 48 Degrees 57 Minutes 20 Seconds East, 1829.41 feet to a point; said point is further described as the Point of True Beginning; thence from the Point of True Beginning, North 00 Degrees 02 Minutes 43 Seconds East, 404.03 feet to a point; thence North 81 Degrees 35 Minutes 23 Seconds East, 460.27 feet to a point; thence North 00 Degrees 40 Minutes 03 Seconds East, 350.69 feet to a point; thence North 89 Degrees 43 Minutes 12 Seconds East, 203.26 feet to a point; thence South 0 Degrees 18 Minutes 42 Seconds East 203.77 feet to a point; thence South 0 Degrees 37 Minutes 57 Seconds East 116.16 feet to a point; thence South 0 Degrees 28

Minutes 39 Seconds East 0.04 feet to a point; thence South 0 Degrees 15 Minutes 55 Seconds East 84.63 feet to a point; thence South 0 Degrees 15 Minutes 54 Seconds East 50.63 feet to a point; thence South 0 Degrees 12 Minutes 33 Seconds East 349.76 feet to a point; thence South 88 Degrees 17 Minutes 4 Seconds West 347.04 feet to a point; thence South 88 Degrees 38 Minutes 5 Seconds West 320.49 feet back to the Point of True Beginning and containing 8.39 acres, more or less.

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 _____, 2024.

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

APPROVED this the _____ day of _____, 2024.

Mayor of the City of Huntsville, Alabama

ADOPTED this the ____ day of _____, 2024.

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

APPROVED this the ____ day of _____, 2024.

Mayor of the City of Huntsville, Alabama

PROPOSED RESIDENCE 2-B & NEIGHBORHOOD BUSINESS C-1 DISTRICTS

