



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 11/2/2023

File ID: TMP-3564

Department: Planning

Subject:

Type of Action: Approval/Action

Resolution to set a public hearing on the zoning of 88.78 acres of land lying on the north and south side of Cecil Ashburn Drive, and east and west of Old Big Cove Rd. to Residence 1-A District, Highway Business C-4 District, and Residence 2 District; and the introduction of an Ordinance pertaining to the same. (Set December 21, 2023, 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: November 15 & 22; Ordinance: December 27, 2023

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: Old Big Cove Rd, Owens Cross Roads, AL 35763

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

Additional Comments: Recommended by Planning Commission

RESOLUTION NO. 23-

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 88.78 acres of land lying on the north and south side of Cecil Ashburn Drive, and east and west of Old Big Cove Rd. to Residence 1-A District, Highway Business C-4 District, and Residence 2 District.
- (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 15th day of November, 2023, and the second publication shall be one week thereafter on the 22nd day of November, 2023, 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 21st day of December, 2023, 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. 23-_____, which was introduced by the City Council of the City of Huntsville on the 2nd day of November, 2023, 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. 23-

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 north and south side of Cecil Ashburn 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 1-A District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

All that part of Section 26, 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 26; thence North 55 Degrees 57 Minutes 07 Seconds East 447.52 feet to a point; thence North 34 Degrees 50 Minutes 17 Seconds West 528.80 feet to a point; thence North 14 Degrees 36 Minutes 05 Seconds East 426.98 feet to a point; thence North 88 Degrees 49 Minutes 08 Seconds East 168.44 feet to a point; thence North 74 Degrees 14 Minutes 16 Seconds East 223.69 feet to a point; thence North 15 Degrees 50 Minutes 21 Seconds West 642.45 feet to a point; thence North 17 Degrees 02 Minutes 22 Seconds East 708.62 feet to a point; said point is further described as the Point of True Beginning; thence from the Point of True Beginning, South 40 Degrees 24 Minutes 31 Seconds West 264.81 feet to a point; thence North 40 Degrees 06 Minutes 25 Seconds West 194.43 feet to a point; thence North 38 Degrees 01 Minute 27 Seconds West 76.90 feet to a point; thence North 52 Degrees 14 Minutes 29 Seconds East 215.00 feet to a point; thence South 37 Degrees 56 Minutes 31 Seconds East 100.99 feet to a point; thence North 52 Degrees 00 Minutes 00 Seconds East 39.52 feet to a point; thence North 38 Degrees 00 Minutes 06 Seconds West 15.00 feet to a point; thence North 52 Degrees 21 Minutes 14 Seconds East 70.59 feet to a point; thence North 57 Degrees 31 Minutes 37 Seconds East 110.74 feet to a point; thence North 62 Degrees 42 Minutes 57 Seconds East 26.29 feet to a point; thence North 64 Degrees 48 Minutes 56 Seconds East 32.62 feet to a point; thence North 67 Degrees 13 Minutes 44 Seconds East 32.65 feet to a point; thence North 70 Degrees 01 Minute 00 Seconds East 40.77 feet to a point; thence North 73 Degrees 00 Minutes 11 Seconds East 80.99 feet to a point; thence South 86 Degrees 45 Minutes 15 Seconds East 120.00 feet to a point; thence South 00 Degrees 04 Minutes 07 Seconds East 43.28 feet to a point; thence South 88 Degrees 32 Minutes 12 Seconds East 237.92 feet to a point; thence South 87 Degrees 13 Minutes 18 Seconds East 393.02 feet to a point; thence South 87 Degrees 03 Minutes 45 Seconds East 1116.07 feet to a point; thence South 02 Degrees 21 Minutes 02 Seconds West 108.33 feet to a point at the beginning of a curve to the right; thence northwestwardly along said curve to the right, having a

radius of 6643.90 feet, and a chord bearing and distance of North 86 Degrees 27 Minutes 43 Seconds West 452.01 feet to a point; thence North 84 Degrees 53 Minutes 00 Seconds West 605.42 feet to a point; thence South 82 Degrees 56 Minutes 09 Seconds West 148.92 feet to a point; thence North 87 Degrees 32 Minutes 15 Seconds West 280.00 feet to a point; thence North 02 Degrees 27 Minutes 45 Seconds East 20.00 feet to a point; thence North 87 Degrees 32 Minutes 15 Seconds West 200.14 feet to a point at the beginning of a curve to the left; thence 313.20 feet along said curve to the left, having a radius of 641.00 feet, and a chord bearing and distance of South 78 Degrees 27 Minutes 44 Seconds West 310.09 feet to a point; thence North 25 Degrees 22 Minutes 01 Second West 23.52 feet to a point at the beginning of a curve to the left; thence 135.00 feet along said curve to the left, having a radius of 664.08 feet, and a chord bearing and distance of South 58 Degrees 41 Minutes 42 Seconds West 134.77 feet to a point; thence South 17 Degrees 02 Minutes 22 Seconds West 28.57 feet back to the Point of True Beginning and containing 6.69 Acres, more or less.

2. That the following area, land lying on the north and south side of Cecil Ashburn Drive, and east and west of Old Big Cove Rd., 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 particularly described as follows:

All that part of Section 26, 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 26; thence North 55 Degrees 57 Minutes 07 Seconds East 447.52 feet to a point; thence North 34 Degrees 50 Minutes 17 Seconds West 528.80 feet to a point; thence North 14 Degrees 36 Minutes 05 Seconds East 426.98 feet to a point; thence North 88 Degrees 49 Minutes 08 Seconds East 168.44 feet to a point; thence North 74 Degrees 14 Minutes 16 Seconds East 223.69 feet to a point; thence North 15 Degrees 50 Minutes 21 Seconds West 183.38 feet to a point; said point is further described as the Point of True Beginning; thence from the Point of True Beginning, North 15 Degrees 50 Minutes 21 Seconds West 459.07 to a point; thence North 17 Degrees 02 Minutes 22 Seconds East 737.19 feet to a point at the beginning of a curve to the right; thence 135.00 feet along said curve to the right, having a radius of 664.08 feet, and a chord bearing and distance of North 58 Degrees 41 Minutes 42 Seconds East 134.77 feet to a point; thence South 25 Degrees 22 Minutes 01 Second East 23.52 feet to a point at the beginning of a curve to the right; thence 313.20 feet along said curve to the right, having a radius of 641.00 feet, and a chord bearing and distance of North 78 Degrees 27 Minutes 44 Seconds East 310.09 feet to a point; thence South 87 Degrees 32 Minutes 15 Seconds East 200.14 feet to a point; thence South 02 Degrees 27 Minutes 45 Seconds West 20.00 feet to a point; thence South 87 Degrees 32 Minutes 15 Seconds East 280.00 feet to a point; thence North 82 Degrees 56 Minutes 09 Seconds East 148.92 feet to a point; thence South 84 Degrees 53 Minutes 00 Seconds East 605.42 feet to a point at the beginning of a

curve to the left; thence southeastwardly along said curve to the left, having a radius of 6643.90 feet, and a chord bearing and distance of South 86 Degrees 27 Minutes 43 Seconds East 452.01 feet to a point; thence South 02 Degrees 21 Minutes 00 Seconds West 282.80 feet to a point; thence South 01 Degree 42 Minutes 00 Seconds West 200.00 feet to a point; thence South 01 Degree 41 Minutes 59 Seconds West 200.00 feet to a point; thence South 01 Degree 42 Minutes 00 Seconds West 134.83 feet to a point; thence North 88 Degrees 17 Minutes 06 Seconds West 224.57 feet to a point; thence 251.10 feet along a curve to the left, having a radius of 250.00 feet, and a chord bearing and distance of North 49 Degrees 03 Minutes 42 Seconds West 240.68 feet to a point; thence North 77 Degrees 50 Minutes 08 Seconds West 133.74 feet to a point; thence South 12 Degrees 09 Minutes 52 Seconds West 76.50 feet to a point; thence 486.95 feet along a curve to the right, having a radius of 310.00 feet, and a chord bearing and distance of South 57 Degrees 09 Minutes 52 Seconds West 438.41 feet to a point; thence North 77 Degrees 50 Minutes 08 Seconds West 907.00 feet to a point; thence South 12 Degrees 09 Minutes 52 Seconds West 223.98 feet to a point; thence 69.54 feet along a curve to the left, having a radius of 400.00 feet, and a chord bearing and distance of South 07 Degrees 11 Minutes 03 Seconds West 69.45 feet to a point; thence North 87 Degrees 47 Minutes 45 Seconds West 134.65 feet to a point; thence South 54 Degrees 30 Minutes 38 Seconds West 214.32 feet back to the Point of True Beginning and containing 46.51 Acres, more or less.

3. That the following area, land lying on the north and south side of Cecil Ashburn Drive, and east and west of Old Big Cove Rd., 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 particularly described as follows:

All that part of Section 26, 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 26; thence North 55 Degrees 57 Minutes 07 Seconds East 447.52 feet to a point; said point is further described as the Point of True Beginning; thence from the Point of True Beginning, North 34 Degrees 50 Minutes 17 Seconds West 528.80 feet to a point; thence North 14 Degrees 36 Minutes 05 Seconds East 426.98 feet to a point; thence North 88 Degrees 49 Minutes 08 Seconds East 168.44 feet to a point; thence North 74 Degrees 14 Minutes 16 Seconds East 223.69 feet to a point; thence North 15 Degrees 50 Minutes 21 Seconds West 183.38 feet to a point; thence North 54 Degrees 30 Minutes 38 Seconds East 214.32 feet to a point; thence South 87 Degrees 47 Minutes 45 Seconds East 134.65 feet to a point; thence 69.54 feet along a curve to the right, having a radius of 400.00 feet, and a chord bearing and distance of North 07 Degrees 11 Minutes 03 Seconds East 69.45 feet to a point; thence North 12 Degrees 09 Minutes 52 Seconds East 223.98 feet to a point; thence South 77 Degrees 50 Minutes 08 Seconds East 907.00 feet; thence 486.95 feet along a curve to the left, having a radius of 310.00 feet, and a chord bearing and distance of North

57 Degrees 09 Minutes 52 Seconds East 438.41 feet; thence North 12 Degrees 09 Minutes 52 Seconds East 76.50 feet; thence South 77 Degrees 50 Minutes 08 Seconds East 133.74 feet; thence 251.10 feet along a curve to the right, having a radius of 250.00 feet, and a chord bearing and distance of South 49 Degrees 03 Minutes 42 Seconds East 240.68 feet; thence South 88 Degrees 17 Minutes 06 Seconds East 224.57 feet to a point; thence South 01 Degree 42 Minutes 00 Seconds West 413.06 feet to a point; thence North 87 Degrees 48 Minutes 08 Seconds West 1300.10 feet to a point; thence South 14 Degrees 16 Minutes 52 Seconds West 197.06 feet to a point; thence South 07 Degrees 50 Minutes 35 Seconds West 30.33 feet to a point; thence South 12 Degrees 17 Minutes 05 Seconds West 30.33 feet to a point; thence South 16 Degrees 43 Minutes 36 Seconds West 30.33 feet to a point; thence South 21 Degrees 10 Minutes 06 Seconds West 30.33 feet to a point; thence South 25 Degrees 36 Minutes 36 Seconds West 30.33 feet to a point; thence South 30 Degrees 03 Minutes 07 Seconds West 30.33 feet to a point; thence South 34 Degrees 29 Minutes 37 Seconds West 30.33 feet to a point; thence South 43 Degrees 41 Minutes 53 Seconds West 135.07 feet to a point; thence South 54 Degrees 51 Minutes 57 Seconds West 143.29 feet to a point; thence South 56 Degrees 29 Minutes 35 Seconds West 93.00 feet to a point; thence South 52 Degrees 49 Minutes 33 Seconds West 95.51 feet to a point; thence South 58 Degrees 42 Minutes 25 Seconds West 129.52 feet to a point; thence South 54 Degrees 35 Minutes 11 Seconds East 29.61 feet to a point; thence South 54 Degrees 47 Minutes 13 Seconds West 88.78 feet to a point; thence South 54 Degrees 47 Minutes 05 Seconds West 432.41 feet back to the Point of True Beginning and containing 35.58 acres, more or less.

4. The boundaries of the above districts 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.

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

ADOPTED this the _____ day of _____, 2023.

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

APPROVED this the _____ day of _____, 2023.

Mayor of the City of Huntsville, Alabama

ADOPTED this the ____ day of _____, 2023.

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

APPROVED this the ____ day of _____, 2023.

Mayor of the City of Huntsville, Alabama

**PROPOSED RESIDENCE 1-A DISTRICT,
HIGHWAY BUSINESS C-4 DISTRICT,
AND RESIDENCE 2 DISTRICT**

PROPOSED R1-A

PROPOSED R2

PROPOSED C-4

OUT

LITTLE OUT

MOUNTAIN

1 inch = 666.67 feet

City of Huntsville, Alabama

City of Huntsville, Alabama