



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 9/14/2023

File ID: TMP-3333

Department: Planning

Subject:

Type of Action: Approval/Action

Resolution to set a public hearing on the rezoning of 314.89 acres of land lying on the north of Swancott Road and west of Bilow Road from Residence 1 District to Residence 1-A, Residence 1-B, Residence 2, and Residence 2-A districts; and the introduction of an Ordinance pertaining to the same. (Set October 26, 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: September 27 & October 4, 2023; Ordinance: November 1, 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: Swancott Road, Madison, AL 35756

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

Additional Comments: Recommended by Planning Commission

RESOLUTION NO. 23-

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 land lying on the north of Swancott Road and west of Bilow Road from Residence 1 District to Residence 1-A, Residence 1-B, Residence 2, and Residence 2-A 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 27th day of September, 2023, and the second publication shall be one week thereafter on the 4th day of October, 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 26th day of October, 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 14th day of September, 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 of Swancott Road and west of Bilow Road, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, Residence 1 District, 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:

A Parcel of land located in the Southeast Quarter of Section 10, Township 5 South, Range 3 West of the Huntsville Meridian, and the Northeast Quarter of Section 15, Township 5 South, Range 3 West of the Huntsville Meridian, Limestone County, Alabama and being more particularly described as follows: Commencing at a Pk Nail marking the Midpoint of the East Boundary of said Section 15, Township 5 South, Range 3 West and lying at the intersection of Swancott Road (Public Right-Of-Way) and Rabbit Lane (Public Right-Of-Way) and having Alabama State Plane Coordinates (East Zone, NAD '83) of North: 1,494,985.20', East: 357,422.06'; leaving said Rabbit Lane and along said Swancott Road, North 88 Degrees 34 Minutes 32 Seconds West, 2,345.57 feet to the Point of Beginning; Thence, from the Point of Beginning and along said Swancott Road, North 88 Degrees 34 Minutes 32 Seconds West, 405.00 feet to a point; Thence, leaving said Swancott Road, North 01 Degree 25 Minutes 28 Seconds East, 1,278.13 feet to a point; Thence North 88 Degrees 34 Minutes 15 Seconds West, 1,039.93 feet to a point; Thence North 01 Degree 25 Minutes 45 Seconds East, 1,296.02 feet to a point; Thence South 89 Degrees 17 Minutes 11 Seconds East, 343.31 feet to a point; Thence North 01 Degrees 01 Minute 23 Seconds East, 1,333.29 feet to a point; Thence South 88 Degrees 44 Minutes 31 Seconds East, 1,196.26 feet to a point; Thence South 01 Degree 15 Minutes 29 Seconds West, 710.00 feet to a point; Thence South 88 Degrees 44 Minutes 31 Seconds East, 915.77 feet to a point; Thence South 00 Degrees 58 Minutes 48 Seconds West, 846.76 feet to a point; Thence South 47 Degrees 22 Minutes 34 Seconds West, 80.25 feet to a point; Thence North 88 Degrees 40 Minutes 49 Seconds West, 240.00 feet to a point; Thence South 01 Degree 25 Minutes 45 Seconds West, 171.07 feet to a point; Thence North 88 Degrees 34 Minutes 15 Seconds West, 712.07 feet to a point; Thence South 01 Degree 25 Minutes 28 Seconds West, 2133.92 feet to the Point of Beginning. Containing 113.90 acres, more or less.

2. That the following area, land lying on the north of Swancott Road and west of Bilow Road, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, Residence 1 District, shall be shown and classified on the Official Zoning

Maps of the City of Huntsville, Alabama, as Residence 1-B District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

A Parcel of land located in the Southeast Quarter of Section 10, Township 5 South, Range 3 West of the Huntsville Meridian, and the Northeast Quarter of Section 15, Township 5 South, Range 3 West of the Huntsville Meridian, Limestone County, Alabama and being more particularly described as follows: Commencing at a Pk Nail marking the Midpoint of the East Boundary of said Section 15, Township 5 South, Range 3 West and lying at the Intersection of Swancott Road (Public Right-Of-Way) and Rabbit Lane (Public Right-Of-Way) and having Alabama State Plane Coordinates (East Zone, NAD '83) of North: 1,494,985.20', East: 357,422.06'; Leaving said Rabbit Lane and along said Swancott Road, North 88 Degrees 34 Minutes 32 Seconds West, 1,525.57 feet to the Point of Beginning; Thence, from the Point of Beginning and along said Swancott Road, North 88 Degrees 34 Minutes 32 Seconds West, 340.00 feet to a point; Thence, Leaving Said Swancott Road, North 01 Degree 25 Minutes 28 Seconds East, 2,133.88 feet to a point; Thence South 88 Degrees 34 Minutes 15 Seconds East, 232.07 feet to a point; Thence North 01 Degree 25 Minutes 45 Seconds East, 171.07 feet to a point; Thence South 88 Degrees 40 Minutes 49 Seconds East, 240.00 feet to a point; Thence North 47 Degrees 22 Minutes 34 Seconds East, 80.25 feet to a point; Thence North 00 Degrees 58 Minutes 48 Seconds East, 846.76 feet to a point; Thence North 88 Degrees 44 Minutes 31 Seconds West, 915.77 feet to a point; Thence North 01 Degrees 15 Minutes 29 Seconds East, 165.00 feet to a point; Thence South 88 Degrees 44 Minutes 31 Seconds East, 1,084.97 feet to a point; Thence North 00 Degrees 58 Minutes 48 Seconds East, 14.06 feet to a point; Thence South 89 Degrees 01 Minute 12 Seconds East, 170.00 feet to a point; Thence South 00 Degrees 58 Minutes 48 Seconds West, 1,425.00 feet to a point; Thence North 88 Degrees 34 Minutes 15 Seconds West, 532.86 feet to a point; Thence South 01 Degree 25 Minutes 28 Seconds West a distance of 1,963.85 feet to the Point of Beginning. Containing 33.14 acres, more or less.

3. That the following area, land lying on the north of Swancott Road and west of Bilow Road, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, Residence 1 District, 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:

A Parcel of land located in the South Half of the South Half of Section 10, Township 5 South, Range 3 West of The Huntsville Meridian, and the North Half of Section 15, Township 5 South, Range 3 West of the Huntsville Meridian, Limestone County, Alabama and being more particularly described as follows: Commencing at a Pk Nail marking the Midpoint of the East Boundary Of Said Section 15, Township 5 South, Range 3 West and lying at the intersection of Swancott Road

(Public Right-Of-Way) and Rabbit Lane (Public Right-Of-Way) and having Alabama State Plane Coordinates (East Zone, NAD '83) Of North: 1,494,985.20', East: 357,422.06'; Leaving said Rabbit Lane and along said Swancott Road, North 88 Degrees 34 Minutes 32 Seconds West, 1,195.57 feet to the point of beginning; Thence, from the Point of Beginning and along said Swancott Road, North 88 Degrees 34 Minutes 32 Seconds West, 330.00 feet to a point; Thence, Leaving Said Swancott Road, North 01 Degree 25 Minutes 28 Seconds East, 1,963.85 feet to a point; Thence South 88 Degrees 34 Minutes 15 Seconds East, 532.86 feet to a point; Thence North 00 Degrees 58 Minutes 48 Seconds East, 1,425.00 feet to a point; Thence North 89 Degrees 01 Minute 12 Seconds West, 170.00 feet to a point; Thence South 00 Degrees 58 Minutes 48 Seconds West, 14.06 feet to a point; Thence North 88 Degrees 44 Minutes 31 Seconds West, 1,084.97 feet to a point; Thence North 01 Degree 15 Minutes 29 Seconds East, 545.00 feet to a point; Thence South 88 Degrees 44 Minutes 31 Seconds East, 862.32 feet to a point; Thence North 00 Degrees 58 Minutes 48 Seconds East, 1,249.82 feet to a point; Thence South 88 Degrees 08 Minutes 13 Seconds East, 1,374.63 feet to a point; Thence South 00 Degrees 55 Minutes 58 Seconds West, 3,533.40 feet to a point; Thence North 88 Degrees 34 Minutes 15 Seconds West, 1,192.91 feet to a point; Thence South 01 Degree 25 Minutes 28 Seconds West, 1,623.82 feet to the Point of Beginning. Containing 123.33 acres, more or less.

4. That the following area, land lying on the north of Swancott Road and west of Bilow Road, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, Residence 1 District, shall be shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Residence 2-A District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

A Parcel of land located in the East Half of the Northeast Quarter of Section 15, Township 5 South, Range 3 West of the Huntsville Meridian, Limestone County, Alabama and being more particularly described as follows: Beginning at a Pk Nail marking the Midpoint of the East Boundary of said Section 15, Township 5 South, Range 3 West and lying at the intersection of Swancott Road (Public Right-Of-Way) and Rabbit Lane (Public Right-Of-Way) and having Alabama State Plane Coordinates (East Zone, NAD '83) of North: 1,494,985.20', East: 357,422.06'; Leaving said Rabbit Lane and along said Swancott Road, North 88 Degrees 34 Minutes 32 Seconds West, 1,195.57 feet to a point; Thence, Leaving Said Swancott Road Margin, North 01 Degree 25 Minutes 28 Seconds East, 1,623.82 feet to a point; Thence South 88 Degrees 34 Minutes 15 Seconds East, 1,192.91 feet to a point; Thence South 01 Degree 19 Minutes 50 Seconds West, 1,623.72 feet to the Point of Beginning. Containing 44.52 acres, more or less.

5. 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.

6. 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, RESIDENCE 1-B, RESIDENCE 2, AND RESIDENCE 2-A DISTRICTS

