



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 4/14/2022

File ID: TMP-1453

Department: Planning

Subject:

Type of Action: Approval/Action

Resolution to set a public hearing on the rezoning of 24.47 acres of land lying on the east side of Kirby Lane and north of Hwy 72 West from Residence 2-A District to Highway Business C-4 District; and the introduction of an Ordinance pertaining to the same. (Set May 26, 2022 Regular Council Meeting)

Resolution No.

Ordinance No.

Finance Information:

Account Number: Click or tap here to enter text. N/A

City Cost Amount: \$ N/A

Total Cost: \$ N/A

Special Circumstances:

Grant Funded: \$ N/A

Grant Title - CFDA or granting Agency: Click or tap here to enter text. N/A

Resolution #: Click or tap here to enter text. N/A

Location:

Address: east side of Kirby Lane and north of Hwy 72 West

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

Additional Comments:

Recommended by Planning Commission

RESOLUTION NO. 22-

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 lands lying on the east side of Kirby Lane and north of Hwy 72 West from Residence 2-A District to Highway Business C-4 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 1st day of May, 2022, and the second publication shall be one week thereafter on the 8th day of May, 2022, 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 May, 2022, 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. 22-____, which is introduced by the City Council of the City of Huntsville on the 14th day of April, 2022, 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. 22-

**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, lying on the east side of Kirby Lane and north of Hwy 72 West, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, Residence 2-A District, 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:

A tract or parcel of land containing 24.47 acres located in Section 30, Township 3 South, Range 2 West, Madison County, Alabama and being more particularly described as follows: Commence at a 4 inch by 4 inch concrete monument with disc stamped McElroy 5920 at the NW corner of the NE quarter of said Section 30; thence S01°21'08"W 1311.45 feet to a 1/2 inch diameter rebar with orange cap stamped AL CA 718 LSF000600 being the point of beginning; thence S01°21'08"W 18.56 feet to a 5/8 inch diameter rebar with orange cap stamped GW JONES; thence S01°20'48"W 1030.25 feet to a 1/2 inch diameter rebar with orange cap stamped AL CA 718 LSF000600; thence S01°20'48"W 168.71 feet to a 1/2 inch diameter rebar with red cap stamped SCHOEL CA003; thence S01°20'48"W 130.97 feet to a 1/2 inch diameter rebar with yellow cap; thence N88°53'03"W 79.21 feet to a 1/2 inch diameter rebar on the west boundary of lot 3 or Morris Park Subdivision; thence N01°23'35"E 7.58 feet to a white PVC pipe protruding from the ground also being the NW corner of lot 3 of Morris Park Subdivision; thence N88°45'40"W 680.99 feet along the north boundary of lot 3 of Morris Park Subdivision to a 4 inch by 4 inch concrete monument and disc on the westerly right-of-way of Kirby Lane also being the NE corner of lot 3 of Morris Park Subdivision; thence continuing along said right-of way N89°29'17"W 6.30 feet to a 1/2 inch diameter rebar with orange cap stamped AL CA 718 LSF000600; thence continuing along said right-of-way N00°34'02"E 4.55 feet to a 1/2 inch diameter rebar with orange cap stamped AL CA 718 LSF000600; thence continuing along said right-of-way N85°17'32"E 7.42 to a 1/2 inch diameter rebar with orange cap stamped AL CA 718 LSF000600; thence continuing along said right-of-way N04°52'28"W 934.87 feet to a 1/2 inch diameter rebar with orange cap stamped AL CA 718 LSF000600; thence continuing along said right-of-way N18°02'02"E 226.42 feet to a 1/2 inch rebar with orange cap stamped AL CA 718 LSF000600; thence continuing along said right-of-way N53°32'32"E 369.38 feet to a 1/2 inch diameter rebar with orange cap stamped AL CA 718 LSF000600 ; thence continuing along

right-of-way S66°27'28"E 106.24 feet to 1/2 diameter rebar with orange cap stamped AL CA 718 LSF000600; thence continuing along said right-of-way S89°19'28"E 405.28 feet to the point of beginning.

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.

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

ADOPTED this the ____ day of _____, 2022.

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

APPROVED this the ____ day of _____, 2022.

Mayor of the City of Huntsville, Alabama

ADOPTED this the ____ day of _____, 2022.

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

APPROVED this the ____ day of _____, 2022.

Mayor of the City of Huntsville, Alabama

PROPOSED HIGHWAY BUSINESS C-4 DISTRICT

