



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

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

File ID: TMP-3558

Department: Planning

Subject:

Type of Action: Approval/Action

Resolution to set a public hearing on the zoning of 13.20 acres of land lying on the west side of Old Big Cove Rd. and south Walter Bird Dr. to 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: 1954 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 13.20 acres of land lying on the west side of Old Big Cove Rd and south Walter Bird Drive to 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 west side of Old Big Cove Rd and south Walter Bird 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 2 District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

All that part of Section 02 and 03, Township 5 South, Range 1 East of the Huntsville Meridian, in the City of Huntsville, Madison County, Alabama more particularly described as beginning at a point located at the Southeast Corner of said Section 03; thence North 0 Degrees 1 Minutes 26 Seconds East 1143.28 feet to a point; said point is further described as the Point of True Beginning; thence North 0 Degrees 29 Minutes 10 Seconds West 198.57 feet to a point; thence North 1 Degrees 4 Minutes 31 Seconds East 228.6 feet to a point; thence North 1 Degrees 4 Minutes 31 Seconds East 442.87 feet to a point; thence North 89 Degrees 9 Minutes 49 Seconds East 271.28 feet to a point; thence North 0 Degrees 0 Minutes 0 Seconds East 3.96 feet to a point; thence North 89 Degrees 51 Minutes 1 Seconds East 295.61 feet to a point; thence South 34 Degrees 48 Minutes 2 Seconds East 70.01 feet to a point; thence South 32 Degrees 35 Minutes 47 Seconds East 148.45 feet to a point; thence South 50 Degrees 13 Minutes 1 Seconds West 47.56 feet to a point; thence South 0 Degrees 35 Minutes 31 Seconds West 683.98 feet to a point; thence North 88 Degrees 23 Minutes 41 Seconds West 654.35 feet to the Point of True Beginning and containing 13.20 acres, more or less.

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 _____, 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 2 DISTRICT

