



# Huntsville, Alabama

305 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 6/13/2024

**File ID:** 2024-1504

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**Department:** Planning

**Subject:**

**Type of Action:** Approval/Action

Resolution to set a public hearing on the rezoning of 155.33 acres of land lying on the north of I-565 and west side of Mooresville Road from Commercial Industrial Park and Residence 2-B Districts to Residence 2, Residence 2-B, and Highway Business C-4 Districts; and the introduction of an Ordinance pertaining to the same. (Set July 25, 2024 Regular Council Meeting)

Resolution No. 24-384

Ordinance No. 24-385

**Does this item need to be published?** Yes

If yes, please list preferred date(s) of publication: Resolution: June 26 and July 3, 2024; Ordinance: July 31, 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:** Mooresville Rd., Tanner, AL 35671

**District:** District 1  District 2  District 3  District 4  District 5

**Additional Comments:** Recommended by Planning Commission

## **RESOLUTION NO. 24-**

**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 I-565 and west side of Mooresville Road from Commercial Industrial Park and Residence 2-B Districts to Residence 2, Residence 2-B, and Highway Business C-4 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 26<sup>th</sup> day of June, 2024, and the second publication shall be one week thereafter on the 3<sup>rd</sup> day of July, 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 25<sup>th</sup> day of July, 2024, in the Council Chambers of the City of Huntsville Administration Building at 305 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 is introduced by the City Council of the City of Huntsville on the 13<sup>th</sup> day of June, 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

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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 I-565 and west side of Mooresville Road, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, Commercial Industrial Park 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 North Half of Section 6, Township 5 South, Range 3 West of the Huntsville Meridian, Limestone County, Alabama and being more particularly described as follows: Commencing at the point being the Northwest corner of said Section 6; thence South 88 Degree 24 Minutes 29 Seconds East, 2,044.47 feet to a point Lying on the North margin Bibb Garrett Road Also being the Point of Beginning; Thence, from the Point of Beginning and Along the North margin of said Bibb Garrett Road, South 88 Degrees 13 Minutes 29 Seconds East, 2322.77 feet to a point; thence South 01 Degrees 42 Minutes 28 Seconds West, 642.40 feet to a point; thence North 59 Degrees 49 Minutes 19 Seconds East, 585.83 feet to a point; thence South 02 Degrees 03 Minutes 50 Seconds West, 37.50 feet to a point; thence South 88 Degrees 17 Minutes 20 Seconds East, 227.89 feet to a 2 inch open top pipe; thence South 01 Degree 51 Minutes 59 Seconds West, 296.90 feet to an Iron Rod (Hit); thence South 87 Degrees 44 Minutes 44 Seconds East, 304.46 feet to a point In the Center of the Right-Of-Way of Mooresville Road (Public Right-Of-Way); thence, along center of said Mooresville Road, South 01 Degree 51 Minutes 22 Seconds West, 989.10 feet to a point; thence, leaving the center of said Mooresville Road, North 88 Degrees 55 Minutes 00 Seconds West, 2208.87 feet to a point; thence South 44 Degrees 36 Minutes 53 Seconds West, 132.64 feet to a point; thence North 60 Degrees 02 Minutes 13 Seconds West, 649.34 feet to a point; thence North 00 Degrees 50 Minutes 55 Seconds East, 379.74 feet to a point; thence North 11 Degrees 00 Minutes 26 Seconds West, 381.25 feet to a point; thence North 34 Degrees 22 Minutes 01 Second West, 611.06 feet to a point; thence North 05 Degrees 20 Minutes 30 Seconds West, 232.19 Feet to the Point of Beginning; Said parcel containing 103.58 acres, more or less.

2. That the following area, land lying on the north of I-565 and west side of Mooresville Road, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, Commercial Industrial Park District, 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:

A parcel of land located in the Northeast Quarter of Section 6, Township 5 South, Range 3 West of the Huntsville Meridian, Limestone County, Alabama and being more particularly described as follows: Commencing at the point being the Northwest corner of said Section 6; thence South 01 Degree 31 Minutes 36 Seconds West, 50.00 feet to a 5/8 Inch Iron Pin lying on the South Right-Of-Way margin of Bibb Garrett Road (Public Right-Of-Way Varies); thence, along said South margin, South 88 Degrees 26 Minutes 43 Seconds East, 263.26 feet to a 5/8 Inch Capped Iron Pin (2tps); thence, Along said margin, South 88 Degrees 27 Minutes 11 Seconds East, 655.89 feet to a 5/8 Inch Capped Iron Pin (2tps); thence, along said margin, South 88 Degrees 11 Minutes 04 Seconds East, 781.06 feet to a 5/8 Inch Capped Iron Pin (2tps); thence, along said margin, South 88 Degrees 17 Minutes 32 Seconds East, 350.67 feet to a point; thence, leaving said margin, South 05 Degrees 20 Minutes 29 Seconds East, 178.72 feet to a point; thence South 34 Degrees 22 Minutes 01 Second East, 611.06 feet to a point; thence South 11 Degrees 00 Minutes 26 Seconds East, 381.25 feet to a point; thence South 00 Degrees 50 Minutes 55 Seconds West, 379.74 feet to a point; thence South 60 Degrees 02 Minutes 13 Seconds East, 649.34 feet to the Point of Beginning; Thence, North 44 Degrees 36 Minutes 53 Seconds East for a distance of 132.64 feet to a point; thence, South 88 Degrees 55 Minutes 00 Seconds East for a distance of 2208.87 feet to a point; thence, South 01 Degrees 51 Minutes 22 Seconds West for a distance of 541.48 feet to a point; thence, North 88 Degrees 33 Minutes 11 Seconds West for a distance of 427.20 feet to a point; thence, South 01 Degrees 41 Minutes 32 Seconds West for a distance of 414.19 feet to a point; thence, North 88 Degrees 20 Minutes 43 Seconds West for a distance of 1198.57 feet to a point; thence, South 01 Degrees 45 Minutes 08 Seconds West for a distance of 55.08 feet to a point; thence, North 88 Degrees 18 Minutes 39 Seconds West for a distance of 587.61 feet to a point; thence, North 14 Degrees 40 Minutes 54 Seconds East for a distance of 96.60 feet to a point; thence, North 08 Degrees 11 Minutes 23 Seconds West for a distance of 221.79 feet to a point; thence, North 00 Degrees 57 Minutes 23 Seconds East for a distance of 487.34 feet to a point; thence, North 26 Degrees 42 Minutes 14 Seconds West for a distance of 95.84 feet to a point; thence North 60 Degrees 02 Minutes 13 Seconds West A Distance of 18.05 feet to the Point-Of-Beginning; Said parcel containing 45.13 acres, more or less.

3. That the following area, land lying on the north of I-565 and west side of Mooresville Road, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, Commercial Industrial Park 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 parcel of land located in the Northeast Quarter of Section 6, Township 5 South, Range 3 West of the Huntsville Meridian, Limestone County, Alabama and being more particularly described as follows: Commencing at the point being the Northwest corner of said Section 6; thence South 01 Degree 31 Minutes 36 Seconds West, 50.00 feet to a 5/8 Inch Iron Pin lying on the South Right-Of-Way margin of Bibb Garrett Road (Public Right-Of-Way Varies); thence, along said South margin, South 88 Degrees 26 Minutes 43 Seconds East, 263.26 feet to a 5/8 Inch Capped Iron Pin (2tps); thence, along said margin, South 88 Degrees 27 Minutes 11

Seconds East, 459.45 feet to a point; thence, leaving said margin, South 04 Degrees 54 Minutes 59 Seconds East, 1870.43 feet to a point; thence South 13 Degrees 37 Minutes 31 Seconds East, 1773.89 feet to a point; thence South 10 Degrees 40 Minutes 28 Seconds East, 706.66 feet to a point lying on the North Right-Of-Way margin of I-565 (Public Right-Of-Way Varies); thence, along said margin, North 68 Degrees 03 Minutes 56 Seconds East, 1048.07 feet to a 5/8 Inch Capped Iron Pin (2tps); thence North 80 Degrees 17 Minutes 33 Seconds East, 960.98 feet to a 5/8 Inch Capped Iron Pin (2tps); thence, along said North margin, North 89 Degrees 14 Minutes 23 Seconds East, 304.56 feet to a point and passing through a 5/8 Inch Iron Pin at a distance of 254.55 Feet; thence, leaving said margin, North 01 Degrees 44 Minutes 56 Seconds East, 1011.55 feet to the Point of Beginning; Thence, from the Point of Beginning, North 01 Degrees 44 Minutes 35 Seconds East, 55.08 feet to a point; thence South 88 Degrees 20 Minute 42 Seconds East, 1198.56 feet to a point; thence North 01 Degree 41 Minutes 36 Seconds East, 414.20 feet to a point; thence South 88 Degree 33 Minutes 11 Seconds East, 427.20 feet to a point; thence South 01 Degree 51 Minutes 22 Seconds West, 479.71 feet to a point; thence North 88 Degrees 01 Minutes 54 Seconds West, 1624.46 feet to the Point of Beginning; Said parcel containing 6.28 acres, more or less.

4. That the following area, land lying on the north of I-565 and west side of Mooresville Road, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, Residence 2-B 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 parcel of land located in the West Half of The East Half of Section 6, Township 5 South, Range 3 West of the Huntsville Meridian, Limestone County, Alabama and being more particularly described as follows: Commencing at the point being the Northwest corner of Said Section 6; Thence South 01 Degree 31 Minutes 36 Seconds West, 50.00 feet to a 5/8 Inch Iron Pin Lying On The South Right-Of-Way Margin of Bibb Garrett Road (Public Right-Of-Way); Thence, along said South Margin, South 88 Degrees 26 Minutes 43 Seconds East, 263.26 feet to a 5/8 Inch Capped Iron Pin (2tps); Thence, Along Said Margin, South 88 Degrees 27 Minutes 11 Seconds East, 459.45 feet to a Point; Thence, Leaving Said Margin, South 04 Degrees 54 Minutes 59 Seconds East, 1870.43 feet to a Point; Thence South 13 Degrees 37 Minutes 31 Seconds East, 1773.89 feet to a Point; Thence South 10 Degrees 40 Minutes 28 Seconds East, 706.66 feet to a point lying on the North Right-Of-Way Margin of I-565 (Public Right-Of-Way); Thence, along said margin, North 68 Degrees 03 Minutes 56 Seconds East, 1048.07 feet to a 5/8 Inch Capped Iron Pin (2tps); Thence North 80 Degrees 17 Minutes 33 Seconds East, 960.98 feet to a 5/8 Inch Capped Iron Pin (2tps); Thence, along said Margin, North 89 Degrees 14 Minutes 18 Seconds East, 304.55 feet to the Point of Beginning and passing through a 5/8 Inch Iron Pin at a distance of 254.55 Feet; Thence, from the Point of Beginning and leaving said North Margin, North 01 Degree 44 Minutes 57 Seconds East, 1011.54 feet to a Point; Thence South 88 Degrees 18 Minutes 37 Seconds East, 20.42 feet to a point; Thence South 02 Degrees 23 Minutes 19 Seconds West, 1011.23 feet to a point; Thence South 89 Degrees 14 Minutes 18 Seconds

West, 9.15 feet to the Point of Beginning; Said parcel containing 0.34 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 \_\_\_\_\_, 2024.

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

**APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2024.

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Mayor of the City of Huntsville, Alabama

**ADOPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2024.

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

**APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2024.

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Mayor of the City of Huntsville, Alabama

# PROPOSED RESIDENCE 2, RESIDENCE 2-B & HIGHWAY BUSINESS C-4 DISTRICTS

