



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 3/9/2023

File ID: TMP-2674

Department: Planning

Subject:

Type of Action: Approval/Action

Resolution to set a public hearing on the zoning of 4.50 acres of land lying on the east side of US Hwy 431 S and west of Wade Rd. to Highway Business C-4 District; and the introduction of an Ordinance pertaining to the same. (Set April 27, 2023 Regular Council Meeting)

Type of Document: Resolution No.
Ordinance No.

Does this item need to be published? Yes

If yes, please list preferred date(s) of publication: Res: March 29th & April 5th; Ord: May 3rd

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: n/a

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

Additional Comments:

Recommended by Planning Commission

RESOLUTION NO. 23-161

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 4.50 acres of land lying on the east side of US Hwy 431 S and west of Wade Rd. 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 *Speakin' Out News* on the 29th day of March, 2023, and the second publication shall be one week thereafter on the 5th day of April, 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 27th day of April, 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. 23-162, which is introduced by the City Council of the City of Huntsville on the 9th day of March, 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. 23-162

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 east side of US Hwy 431 S and west of Wade 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 25, Township 04 South, Range 01 East of the Huntsville Meridian, in the City of Huntsville, Madison County, Alabama, more particularly described as beginning at a point located at the Southwest Corner of said Section 25; thence North 79 Degrees 35 Minutes 16 Seconds East 1193.78 feet to a point; said point being the Point of True Beginning; thence from the Point of True Beginning, North 21 Degrees 15 Minutes 02 Seconds West 25.15 feet to a point; thence North 24 Degrees 04 Minutes 32 Seconds West 469.20 feet to a point; thence North 24 Degrees 03 Minutes 56 Seconds West 164.88 feet to a point; thence North 88 Degrees 08 Minutes 57 Seconds East 256.31 feet to a point; thence North 89 Degrees 28 Minutes 04 Seconds East 225.29 feet to a point; thence South 01 Degree 08 Minutes 53 Seconds West 132.65 feet to a point; thence North 86 Degrees 00 Minutes 39 Seconds West 16.60 feet to a point; thence South 00 Degrees 57 Minutes 37 Seconds West 233.11 feet to a point; thence South 83 Degrees 31 Minutes 34 Seconds East 12.81 feet to a point; thence South 02 Degrees 43 Minutes 56 Seconds West 170.53 feet to a point; thence South 68 Degrees 37 Minutes 06 Seconds West 209.60 feet back to the Point of True Beginning and containing 4.50 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.

RESOLUTION NO. 23-161 (CONT.)

ADOPTED this the 9th day of March, 2023.

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

APPROVED this the 9th day of March, 2023.

Mayor of the City of Huntsville,
Alabama

ORDINANCE NO. 23-162 (CONT.)

ADOPTED this the 27th day of April, 2023.

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

APPROVED this the 27th day of April, 2023.

Mayor of the City of Huntsville,
Alabama

PROPOSED HIGHWAY BUSINESS C-4 DISTRICT

