

ORDINANCE NO. 2019 - 5069

**AN ORDINANCE AMENDING ORDINANCE NO. 79-516 TO REZONE
FROM B-1 TO B-2 CERTAIN PROPERTY LOCATED WITHIN THE
CITY LIMITS OF THE CITY OF PELL CITY, ALABAMA**

WHEREAS, the owner of the hereinafter described real estate situated in Pell City, St. Clair County, Alabama, did file with the Clerk of the City of Pell City, Alabama, a written petition duly signed by the owner, requesting that said described property located within the corporate limits of the City of Pell City be rezoned from B-1 (Neighborhood Business District) to B-2 (General Business District) under the provisions of section 11-52-70, *et seq*, *Code of Alabama*, 1975, as amended; and

WHEREAS, said petition did have attached thereto an accurate description of said territory proposed to be rezoned, together with a map of said property, all as is required under the provisions of said section 11-52-70, *et seq*; and

WHEREAS, the City Council of the City of Pell City has heretofore given notice of and convened a public hearing on January 28, 2019 pertaining to said rezoning; and has examined the aforesaid petition and exhibits attached thereto and finds that the said described lands are located within the corporate limits of the City of Pell City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELL CITY, ALABAMA, as follows:

Section 1. The petition of the owner of the following described lands situated in the City of Pell City, Alabama, requesting that the same be rezoned from B-1 to B-2 be and the same is hereby approved, to-wit:

Commence at the Northeast corner of the Northeast Quarter of the Northwest Quarter of Section 5, Township 17, Range 4 East; thence run a tie line South 46 degrees 44 minutes 40 seconds West 618.23 feet; thence South 00 degrees 28 minutes 10 seconds East 160.23 feet; thence South 44 degrees 45 minutes West 44.25 feet; thence North 82 degrees 50 minutes 35 seconds West 235.85 feet to the true point of beginning, said point being on the North margin of a public road; thence from the true point of beginning continue North 82 degrees 50 minutes 35 seconds West 103.50 feet; thence North 82 degrees 07 minutes 40 seconds West 100.17 feet; thence leaving said public road North 09 degrees 47 minutes 55 seconds East 212.94 feet to the South margin of Highway #78; thence South 80 degrees 12 minutes 05 seconds East along Highway right of way line 203.30 feet; thence leaving Highway #78, South 09 degrees 47 minutes 55 seconds West 204.80 feet to the point of beginning. Said property is in the Northeast Quarter of the Northwest Quarter of Section 5, Township 17, Range 4 East, St. Clair County, Alabama. Situated, lying and being in St. Clair County, Alabama.

Section 2. The Zoning District Map of the City of Pell City shall be amended by rezoning the aforesaid described parcel of land from B-1 to B-2.

Section 3. This Ordinance shall become effective upon approval, passage and publication as required by law.

ADOPTED AND APPROVED this 28th day of January, 2019.

James McGowan - Council President

ATTEST:

Penny Isbell - City Clerk

APPROVED this 28th day of January, 2019.

William T. Pruitt, IV – Mayor

ATTEST:

Penny Isbell - City Clerk

I, Penny Isbell, Clerk of the City of Pell City, Alabama, do hereby certify that the above Ordinance was duly adopted by the City Council at a regular meeting of the council held on the 28th day of January, 2019 and that same has been advertised in accordance with law by publication of same in the *St. Clair News Aegis* on the _____ day of _____, 2019.

Penny Isbell - City Clerk