

ORDINANCE NO. 2020 - 5283

**AN ORDINANCE AMENDING ORDINANCE NO. 79-516 TO
REZONE FROM P-R TO PUD CERTAIN PROPERTY
LOCATED WITHIN THE CITY LIMITS OF
THE CITY OF PELL CITY, ALABAMA**

WHEREAS, Daris Jordan, 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 Daris Jordan, requesting that said described property located within the corporate limits of the City of Pell City be rezoned from P-R (Planned Residential District) to PUD (Planned Unit Development 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 March 30, 2020 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 Daris Jordan, the owner of the following described lands situated in the City of Pell City, Alabama, requesting that the same be rezoned from P-R to PUD be and the same is hereby approved, to-wit:

Commence at the 5/8" rebar in place at the Northeast corner of the Northwest ¼ of the Southeast ¼ Section 35 Township 16 South Range 3 East St. Clair County, Alabama; Said point being the POINT OF BEGINNING

From this point of beginning, proceed South 0° 27' 05" West for a distance of 993.24' feet to a set 1/2" capped rebar; thence proceed North 89° 32' 55" West for a distance of 755.27' feet to a point; thence proceed North 54° 13' 29" West for a distance of 391.29' feet to a point; thence proceed North 41° 17' 48" West for a distance of 337.57' feet to a point; thence proceed North 0° 47' 45" East for a distance of 483.59' feet to a 1/2" rebar in place at the Southeast corner of the Southeast ¼ of the Northwest ¼ Section 35 Township 16 South Range 3 East St, Claire County, Alabama; thence proceed North 89° 03' 31" East for a distance of 103.97' feet to a point; thence proceed North 89° 03' 23" East for a distance of 1192.79' feet to the POINT OF BEGINNING of the Parcel containing approximately 26.49+/- acres.

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

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

ADOPTED AND APPROVED this the 30th day of March, 2020.


James McGowan - Council President

ATTEST:

Penny Isbell
Penny Isbell - City Clerk

APPROVED this 30th day of March, 2020.

William T. Pruitt, IV
William T. Pruitt, IV - Mayor

ATTEST:

Penny Isbell
Penny Isbell - City Clerk

I, Penny Isbell, Clerk of the City of Pell City, hereby certify that the above Ordinance was duly adopted by the City Council of the City of Pell City at a regular meeting held on the 30th day of March, 2020, and that the same has been published by posting in accordance with §11-45-8, Ala. Code 1975, by posting a copy of the Ordinance in three public places within the municipality, one of which was the Mayor's office in the City, on this the 31st day of March, 2020. I further certify and confirm that the City shall take reasonable steps to maintain the posting for not less than 30 days. In addition, the City shall include a copy of this Ordinance on its website for 30 days.

Penny Isbell
City Clerk

CITY OF PELL CITY

INTEROFFICE MEMORANDUM

TO: City Council

FROM: Jeanette Jueckstock, Planning and Zoning Administrator

SUBJECT: Rezone request from P-R to PUD, Case number PL2020-00270

DATE: March 30, 2020

Birmingham LD, LLC, submitted a rezoning request for property they are acquiring from Daris Jordan, parcel number 23-07-35-0-001-007.000, located to the South of Fox Hollow phase 4. This parcel of property will become phase 5 of Fox Hollow subdivision; to consist of 95 new residential lots. The Planning Commission heard this request on the meeting held on February 27, 2020. The parcel is currently zoned P-R (Planned Residential District), the request is for PUD (Planned Unit Development District). The Planning Commission unanimously approved to send this request to the City Council for final approval for the PUD request.

The Notice of Public Hearing ran in the News Aegis on March 5, 2020 and March 12, 2020.

If in accordance with the provisions of this Ordinance and the *Code of Alabama, 1975, §11-52-7*, changes are made in district boundaries or other matter portrayed on the Official Zoning Map promptly after the amendment has been approved by the City Council with an entry on the official Zoning Map as follows: "On (date), by official action of the following (change) changes were made in the Official Zoning Map"; (brief description of nature of change), which entry shall be signed by the Mayor and attested by the City Clerk. No amendment to this Ordinance which involves matter portrayed on the Official Zoning Map shall become effective until after such change and entry has been made on said map.

//attachments

