

ORDINANCE NO. 135-213

AN ORDINANCE OF THE CITY OF PELHAM, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF PELHAM, ALABAMA, BE AMENDED BY ADDING A SECTION TO BE NUMBERED 135-213 PROVIDING THE FOLLOWING AMENDMENT TO THE ZONING ORDINANCE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELHAM, ALABAMA AS FOLLOWS:

SECTION ONE: The zoning of property located at Highway 33 – West of Interstate 65 to be conditionally rezoned from B-1 Neighborhood Business District to R-G Residential Garden Home District and A-1 Agricultural District to R-G Residential Garden Home District and R-1 Residential Single Family District. Applicant: Randall Goggans

Legal Description is attached.

This rezoning is subject to the following conditions:



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Shelby Cnty Judge of Probate, AL
05/30/2017 11:09:16 AM FILED/CERT

- A. Applicant will dedicate to the City of Pelham, at no cost to the City of Pelham, a public road or street right of way 100 feet in width across the southern portion of the NW ¼ of the SW ¼, Section 7, Township 20 South, Range 2 West, located as shown on the attached diagram.
- B. Applicant will dedicate to the City of Pelham, at no cost to the City of Pelham, a public road or street right of way 100 feet in width as a “stub” road to be integrated into the City’s comprehensive road system for access to Pelham Board of Education property as shown on the attached diagram.
- C. Both public roads or streets shall be shown on the subdivision plat or plats of the property being conditionally rezoned.
- D. Applicant shall also grant the City of Pelham any and all temporary construction easements required to construct the future public roads or streets listed above.
- E. Should these conditions not be satisfied, then the rezoning shall be null and void, and the property shall revert to its prior zoning classification.

SECTION TWO: All ordinances or parts of ordinances, in any manner conflicting herewith are hereby repealed.

SECTION THREE: This ordinance shall become effective on the 20th day of May 2017.

Ron Scott, a member of the Pelham City Council, moved that all rules which would prevent the immediate consideration of **Ordinance No. 135-213**, hereupon attached, be suspended and immediate consideration given to passage of said Ordinance. Said motion was seconded by Beth McMillan, a member, and passed unanimously by roll call vote. The vote on said motion was as follows:

Rick Hayes, Council President	<u>yes</u>
Ron Scott, Council Member	<u>yes</u>
Beth McMillan, Council Member	<u>yes</u>
Maurice Mercer, Council Member	<u>yes</u>
Mildred Lanier, Council Member	<u>yes</u>

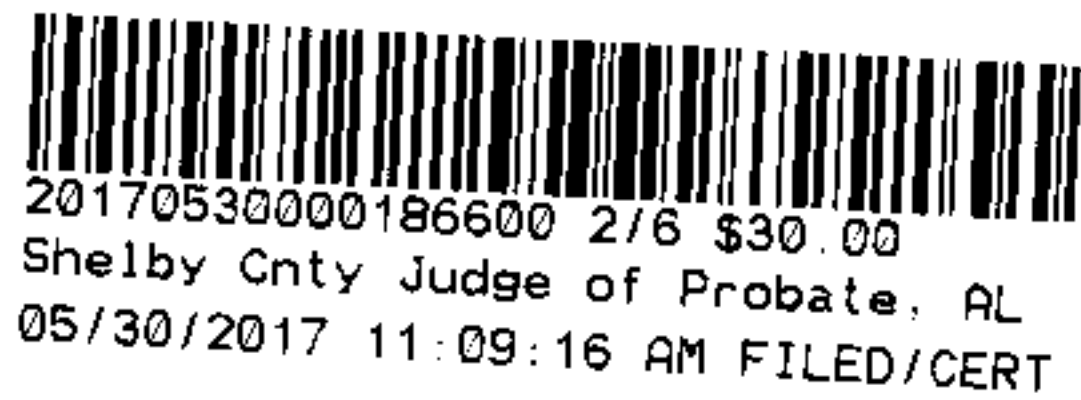
THEREUPON Beth McMillan, a council member moved and Ron Scott, a council member seconded the motion that Ordinance No. 135-213 be given vote. The roll call vote on said motion was as follows:

Rick Hayes, Council President	<u>yes</u>
Ron Scott, Council Member	<u>yes</u>

Beth McMillan, Council Member yes
Maurice Mercer, Council Member yes
Mildred Lanier, Council Member yes

Ordinance No. 135-213 passed by majority vote of the Council and the Council President declared the same passed.

ADOPTED this 15th day of May 2017.



Rick Hayes
Rick Hayes, Council President

Ron Scott
Ron Scott, Council Member

Beth McMillan
Beth McMillan, Council Member

Maurice Mercer
Maurice Mercer, Council Member

Mildred Lanier
Mildred Lanier, Council Member



[SEAL]

ATTEST

Marsha Yates
Marsha Yates, MMC, City Clerk

APPROVED:

Gary Waters 5/15/17
Gary Waters, Mayor Date

POSTING AFFIDAVIT

I, the undersigned qualified acting City Clerk of the City of Pelham, Alabama, do hereby certify that the above and foregoing ORDINANCE 135-213 was duly ordained, adopted, and passed by the City Council of the City of Pelham, Alabama at a regular meeting of such Council held on the 15th day of May 2017 and duly published by posting an exact copy thereof on the 16th day of May 2017 at four public places within the city, including the Mayor's Office at City Hall, City Park, Water Works and Library, and at www.pelhamalabama.gov. I further certify that said ordinance is on file in the office of the City Clerk and a copy of the full ordinance may be obtained from the office of the City Clerk during normal business hours.



Marsha Yates
Marsha Yates, MMC, City Clerk

LEGAL DESCRIPTION

PARCEL TO BE ZONED R-G - LEGAL DESCRIPTION

BEGIN at the NW Corner of Section 7, Township 20 South, Range 2 West, Shelby County, Alabama, said point being the POINT OF BEGINNING; thence S85°23'20"E, a distance of 628.28'; thence N02°57'13"E and crossing into Section 6, Township 20 South, Range 2 West, Shelby County, Alabama, a distance of 750.00'; thence S85°23'20"E, a distance of 700.00'; thence S02°57'13"W, a distance of 750.00' to the NE Corner of the NW 1/4 of the NW 1/4 of said Section 7; thence S84°52'43"E, a distance of 350.34'; thence S28°15'27"W, a distance of 1441.37'; thence N85°26'39"W, a distance of 250.00' to the SE Corner of said NW 1/4 of the NW 1/4; thence S48°32'22"W, a distance of 1843.78' to the SW Corner of the SW 1/4 of the NW 1/4 of said Section 7; thence N03°07'55"E, a distance of 1327.08' to the SW Corner of the NW 1/4 of the NW 1/4 of said Section 7; thence N03°00'26"E, a distance of 1325.02' to the POINT OF BEGINNING.

Said Parcel containing 73.72 acres, more or less.

PARCEL TO BE ZONED R-1 - LEGAL DESCRIPTION

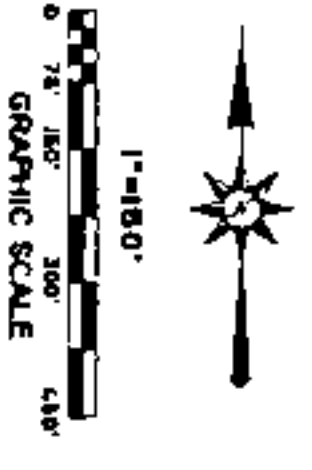
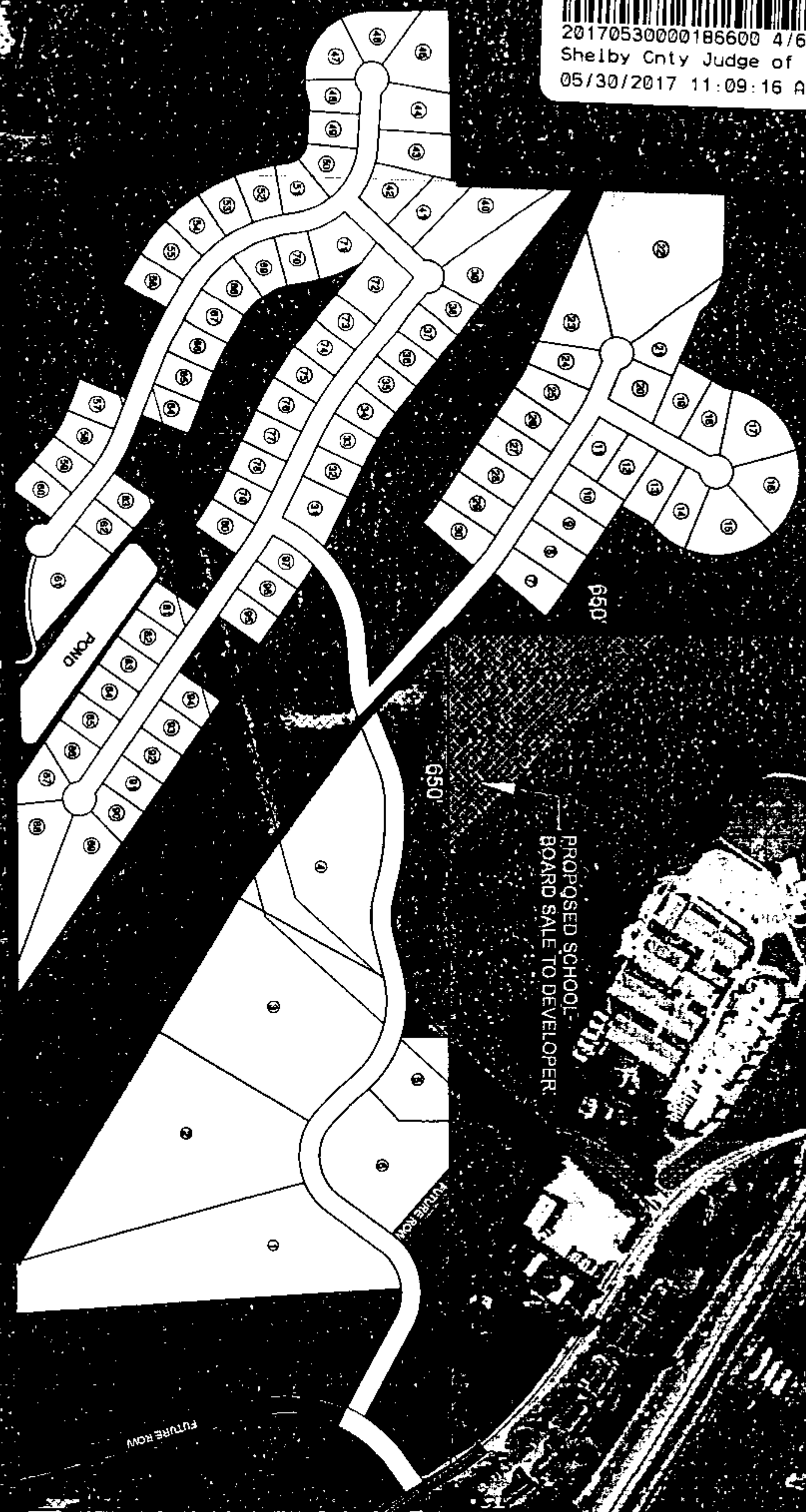
Commence at the NW Corner of Section 7, Township 20 South, Range 2 West, Shelby County, Alabama; thence S85°23'20"E, a distance of 1328.28' to the NE Corner of the NW 1/4 of the NW 1/4 of said Section 7; thence S84°52'43"E, a distance of 350.34' to the POINT OF BEGINNING; thence S84°52'41"E, a distance of 653.00' to the Southwesterly R.O.W. line of Interstate I-65; thence S31°59'03"E and along said R.O.W. line, a distance of 565.94'; thence S04°11'43"E and along said R.O.W. line, a distance of 38.80'; thence S04°13'04"W and leaving said R.O.W. line, a distance of 442.60' to the Southwesterly R.O.W. line of Interstate I-65; thence S27°31'45"W and along said R.O.W. line, a distance of 6.36'; thence S00°12'07"E and along said R.O.W. line, a distance of 32.65'; thence S04°13'04"W and leaving said R.O.W. line, a distance of 344.83' to the SE Corner of the NE 1/4 of the NW 1/4; thence N85°12'25"W, a distance of 1330.10' to the SW Corner of the NE 1/4 of the NW 1/4; thence N85°26'39"W, a distance of 250.00'; thence N28°15'27"E, a distance of 1441.37' to the POINT OF BEGINNING.

Said Parcel containing 37.16 acres, more or less.



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EXISTING TOPOGRAPHY
 BOUNDED FROM SHELBY
 COUNTY ONE.

GONZALEZ - STRENGTH & ASSOCIATES, INC.
 CIVIL ENGINEERING, LAND SURVEYING, PLANNING, TRAFFIC & TRANSPORTATION
 8175 PARKWAY LAKE DRIVE
 HOUSTON, ALABAMA 35894
 PHONE: (205) 548-8888
 FAX: (205) 548-8888
 WWW.GONZALEZ-STRENGTH.COM

CONCEPT PLAN
RESIDENTIAL SUBDIVISION
 COUNTY HIGHWAY 88
 GOGGANS PROPERTIES
 PELHAM, ALABAMA

DATE BY 5/1/2017, P.E.	DATE BY 5/1/2017, P.E.	SCALE 1"=150'	DATE 5/1/2017
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NO.	REVISIONS	DATE
1	ISSUED FOR APPROVAL	

FOR
 INFORMATION
 ONLY

DATE
 5/1/2017

