

ORDINANCE NO. 17-2343

AN ORDINANCE TO APPROVE A PRE-ZONING ACTION TO AMEND
ORDINANCE NO. 263 OF THE CITY OF HOOVER, ALABAMA, ENTITLED
"THE ZONING ORDINANCE OF THE CITY OF HOOVER, ALABAMA".

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

SECTION 1. Section 11-52-85 of the *Code of Alabama* (1975) authorizes the City of Hoover ("City") to pre-zone territory proposed for annexation by the City prior to the effective date of the annexation. The Alabama Code further requires that any pre-zoned property be annexed into the City within one hundred (180) days of the initiation of annexation proceedings as provided by law. If the annexation of such pre-zoned property is not completed within such period of time, then the pre-zoning shall be null and void.

SECTION 2. The Zoning Map of the City of Hoover, Alabama, adopted as part of the Zoning Ordinance of the City of Hoover, Alabama, will be hereby amended as follows:

That the property described on Exhibit "A" attached hereto and made a part hereof, now located in Jefferson County, Alabama, be and from and after the enactment hereof and the annexation thereof into the City of Hoover, zoned **C-2 Community Business District**, and the uses and restrictions applicable to **C-2 Community Business District**, as set out in the Zoning Ordinance of said City, as amended, shall govern and control the uses made of and permitted in said property.

SECTION 3. All ordinances or parts of ordinances contrary to the provisions hereof are hereby repealed.

SECTION 4. If any part, provision or section of this ordinance is declared to be unconstitutional, or invalid by any court of competent jurisdiction, such holdings shall not affect any other part, provision or section of this ordinance not thereby affected.

SECTION 5. This ordinance shall become effective upon (i) its passage and approval by the Council and the Mayor of the City of Hoover, Alabama, (ii) the publication as required by law, and (iii) the annexation of the subject property into the City within one hundred eighty (180) days from the date of application for annexation.

ADOPTED this the 17th day of July, 2017.


Gene Smith, Council President

APPROVED:


Frank V. Brocato, Mayor

ATTESTED BY:


Margie Handley, City Clerk

EXHIBIT A

PART OF LOT 1- DOUGLAS COMMONS AT PATTON CHAPEL SUBDIVISION COMMERCIAL SECTOR

A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 19 SOUTH, RANGE 3 WEST, JEFFERSON COUNTY, ALABAMA, BEING A PART OF LOT 1, DOUGLAS COMMONS AT PATTON CHAPEL AS RECORDED IN MAP BOOK 236, PAGE 38 IN THE OFFICE OF THE JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 12, TOWNSHIP 19 SOUTH, RANGE 3 WEST AND RUN NORTH 00 DEGREES 09 MINUTES 43 SECONDS WEST ALONG THE EAST SIDE OF POLO TRACE SUBDIVISION AS RECORDED IN MAP BOOK 24, PAGE 72, FOR 661.78 FEET TO THE SOUTHWEST CORNER OF LOT 17, BLOCK D, ACCORDING TO THE AMENDED MAP OF POLO PARC, AS RECORDED IN MAP BOOK 160, PAGE 74; THENCE RUN NORTH 89 DEGREES 48 MINUTES 52 SECONDS EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION FOR 249.23 FEET TO THE SOUTHEAST CORNER OF LOT 17, BLOCK C, ACCORDING TO THE SAID AMENDED MAP OF POLO PARC SUBDIVISION; THENCE RUN NORTH 00 DEGREES 06 MINUTES 16 SECONDS WEST ALONG THE EAST LINE OF SAID SUBDIVISION FOR 85.00 FEET TO THE SOUTHWEST CORNER OF LOT 1, DOUGLAS COMMONS AT PATTON CHAPEL AS RECORDED IN MAP BOOK 236, PAGE 38 IN THE OFFICE OF THE JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA; THENCE CONTINUE NORTH 00 DEGREES 06 MINUTES 16 SECONDS WEST FOR 575.98 FEET TO THE NORTHWEST CORNER OF LOT 1 OF SAID DOUGLAS COMMONS AT PATTON CHAPEL SUBDIVISION; THENCE RUN SOUTH 89 DEGREES 12 MINUTES 27 SECONDS EAST ALONG THE SOUTH LINE OF SECOND ADDITION TO GREEN VALLEY ESTATES OF HOOVER, AS RECORDED IN MAP BOOK 62, PAGE 70, AND ALSO ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 12 AND SAID LOT 1 FOR 536.26 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN SOUTH 07 DEGREES 11 MINUTES 31 SECONDS EAST FOR 356.01 FEET; THENCE RUN NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST FOR 20.16 FEET; THENCE RUN NORTH 88 DEGREES 50 MINUTES 39 SECONDS EAST FOR 120.67 FEET; THENCE RUN NORTH 85 DEGREES 56 MINUTES 38 SECONDS EAST FOR 174.24 FEET; THENCE RUN NORTH 89 DEGREES 47 MINUTES 00 SECONDS EAST FOR 97.30 FEET; THENCE RUN SOUTH 07 DEGREES 06 MINUTES 36 SECONDS EAST FOR 163.48 FEET; THENCE RUN SOUTH 00 DEGREES 23 MINUTES 24 SECONDS EAST FOR 188.46 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE RUN SOUTH 89 DEGREES 17 MINUTES 39 SECONDS EAST FOR 54.12 FEET ALONG SAID SOUTH LINE OF LOT 1; THENCE RUN NORTH 00 DEGREES 06 MINUTES 35 SECONDS WEST FOR 352.05 FEET ALONG THE EAST LINE OF SAID LOT 1; THENCE RUN SOUTH 89 DEGREES 16 MINUTES 20 SECONDS EAST FOR 104.76 FEET TO A POINT ALONG THE WESTERLY RIGHT-OF-WAY LINE OF OLD COLUMBIANA ROAD; THENCE RUN NORTH 15 DEGREES 15 MINUTES 41 SECONDS WEST ALONG SAID ROAD RIGHT-OF-WAY FOR 105.00 FEET TO THE POINT OF BEGINNING OF A TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1227.71 FEET AND AN ARC DISTANCE OF 263.39 FEET; THENCE RUN A CHORD BEARING OF NORTH 09 DEGREES 06 MINUTES 55 SECONDS WEST FOR A CHORD DISTANCE OF 262.89 FEET ALONG SAID ROAD RIGHT-OF-WAY; THENCE RUN NORTH 89 DEGREES 12 MINUTES 27 SECONDS WEST FOR 693.51 FEET TO A POINT; THENCE RUN SOUTH 01 DEGREES 02 MINUTES 39 SECONDS EAST FOR 30.02 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1; THENCE RUN SOUTH 89 DEGREES 12 MINUTES 27 SECONDS EAST FOR 126.01 FEET TO THE POINT OF BEGINNING OF SAID PARCEL OF LAND.

SAID PARCEL OF LAND CONTAINING 235,896 SQUARE FEET or 5.415 ACRES, MORE OR LESS

