


NOTICE

Notice is hereby given that the provisions of the foregoing Ordinance amending the Homewood Zoning Ordinance, as amended, will be considered by the City Council of the City of Homewood, at a public meeting to be held for that purpose at the City Hall in Homewood, on **September 11, 2017, at 6:00 o'clock P.M.**, at which time and place all persons who desire shall have an opportunity of being heard in opposition to, or in favor of, such Ordinance or any provision thereof.

Additionally, prior to considering the Zoning Ordinance, the City Council will also consider the Development Plan related to the Zoning Amendment as required by the Homewood Zoning Ordinance at the same date, time and place as the public hearing on the proposed amendment to the Homewood Zoning Ordinance. The Development Plan is attached to the foregoing as Exhibit B and is available for inspection at the office of the City Clerk of the City of Homewood, Alabama at Homewood City Hall.

Witness my hand this 14 day of August, 2017.



Melody Salter, City Clerk
City of Homewood

This notice posted: August 15, 2017

At the following locations: Mayor's Office (City Hall), Homewood Public Library, Homewood Senior Center (Oak Grove Road) and Lee Community Center (Rosedale)

And at www.homewoodal.net.

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND ORDINANCE NO. 1602 OF THE CITY OF HOMEWOOD ENTITLED "THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF HOMEWOOD," AS HERETOFORE ADOPTED ON THE 9th DAY OF DECEMBER, 1986, AND AS HERETOFORE AMENDED.

WHEREAS, the Planning Commission of the City of Homewood, Alabama, has approved and recommended to the City Council that Ordinance No. 1602 of the City of Homewood, Alabama, entitled "The Zoning Ordinance and the Zoning Map of the City of Homewood, Alabama," as heretofore adopted on the 9th day of December, 1986, and as heretofore amended, be further amended by taking the property described in Section 1 hereof from Homewood C-4 and C-4b Zoning Districts and rezoned to the City of Homewood's MXD Zoning District; and

WHEREAS, the City Council of the City of Homewood has found it necessary and desirable that the zoning on the hereinafter described parcel of property be considered and has set a public hearing on said ordinance on **September 11, 2017**, and has directed the City Clerk to give notice thereof, as provided by law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOMEWOOD, ALABAMA, that Ordinance No. 1602 of said City, as heretofore adopted, as amended, and the Zoning Map of said City, be and the same hereby are amended as follows:

Section 1. That the following described parcel of property described in Exhibit A located in the City of Homewood, Jefferson County, Alabama, more particularly described as follows:

**2713 18th Street South
Parcel ID No. 28-00-07-3-014-006.000
See Exhibit A**

**2725 18th Street South
Parcel ID No. 28-00-07-3-014-007.000
See Exhibit A**

**2727 18th Street South
Parcel ID No. 28-00-07-3-014-008.000
See Exhibit A**

**2739 18th Street South
Parcel ID No. 28-00-07-3-014-009.000
See Exhibit A**

2717 18th Street South
Parcel ID No. 28-00-07-3-014-013.000
See Exhibit A

2728 Mamie L. Foster
Parcel ID No. 28-00-07-3-014-012.000
See Exhibit A

be and the same hereby is taken out of the City of Homewood's C-4 (Central Business District) and C-4b (High Rise Office/Commercial District) Districts and rezoned to the City of Homewood's MXD Zoning District, subject to the terms and provisions of the Final Development Plan attached hereto as Exhibit B and approved by the City Council immediately preceding the adoption of this Ordinance, which Development Plan is incorporated into and becomes a part of this Ordinance.

Section 2. That from and after the enactment of this Ordinance by the City Council of the City of Homewood and its approval by the Mayor, or its otherwise becoming a law, the uses and restrictions applicable to MXD as set out in Ordinance No. 1602 of the City of Homewood previously adopted and as heretofore amended, and as further restricted by the provisions of paragraph 1 above, shall govern and control the uses made of and permitted on the property described in Section 1 hereof.

Section 3. That on **September 11, 2017, at 6:00 o'clock, P.M.**, in the City Hall of the City of Homewood, Alabama, be, and the same hereby is, fixed as the time when, and the place where, the City Council will hold a public hearing on said proposed amendment of said ordinance, at which time, all interested parties may appear and be heard.

Section 4. That the City Clerk shall give notice of the time and place of such hearing by posting a copy of this ordinance at the places listed below once a week for two consecutive weeks in advance of its passage, and, in addition thereto, shall give not less than fifteen (15) days' notice in writing prior to **September 11, 2017**, to all owners of property located in whole, or in part, within 500 feet from the boundaries of the above-described property, as shown on the records in the office of the Tax Assessor of Jefferson County, Alabama, on a date not more than one (1) year prior to the date of said notice.

Section 5. That if any part, provision, or section of this ordinance is declared to be unconstitutional or invalid by any court of competent jurisdiction, all other parts, provisions or sections of this ordinance not thereby affected shall remain in full force and effect.


Section 6. That this ordinance shall become effective immediately upon its passage and approval by the City Council and Mayor of the City of Homewood, Alabama, or its otherwise becoming a law.

Dated this _____ day of _____, 2017.



President of the Council

APPROVED:



Mayor

ATTESTED:



City Clerk

This notice posted: _____, 2017

At the following locations: Mayor's Office (City Hall), Homewood Public Library, Homewood Senior Center (Oak Grove Road) and Lee Community Center (Rosedale)

And at www.homewoodal.net.

EXHIBIT "A"

LEGAL DESCRIPTION: (Book LR 201008, Page 27919)

TRACT I:

THAT PART OF LOTS 21, 22, AND THE NORTH 5 FEET OF LOT 23 LYING EAST OF THE EASTERLY RIGHT OF WAY LINE OF THE MONTGOMERY HIGHWAY, ALL IN BLOCK 7, ACCORDING TO THE MAP AND SURVEY OF ROSEDALE PARK AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, JEFFERSON COUNTY, ALABAMA, IN MAP BOOK 3, PAGE 49, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF LOT 8, BLOCK 7, ACCORDING TO THE MAP AND SURVEY OF ROSEDALE PARK AS RECORDED IN MAP BOOK 3, PAGE 49, IN THE OFFICE OF THE JUDGE OF PROBATE, JEFFERSON COUNTY, ALABAMA, RUN WEST ALONG THE SOUTH LINE OF SAID LOT 8 FOR A DISTANCE OF 150 FEET TO THE SOUTHWEST CORNER OF SAID LOT 8; THENCE TURN AN ANGLE TO THE RIGHT OF 89° 44' AND RUN NORTH ALONG THE WEST LINE OF SAID LOT 8 FOR A DISTANCE OF 50 FEET TO THE NORTHWEST CORNER OF SAID LOT 8, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 24 IN SAID BLOCK 7; THENCE TURN AN ANGLE TO THE LEFT OF 89° 44' AND RUN WEST ALONG THE SOUTH LINE OF SAID LOT 24 FOR 114.40 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE MONTGOMERY HIGHWAY; THENCE TURN AN ANGLE TO THE RIGHT OF 95° 33' 30" AND RUN IN A NORTHERLY DIRECTION ALONG SAID RIGHT OF WAY LINE FOR A DISTANCE OF 95.45 FEET TO THE POINT OF BEGINNING; THENCE TURN AN ANGLE TO THE RIGHT OF 84° 26' 30" AND RUN IN AN EASTERLY DIRECTION FOR A DISTANCE OF 104.72 FEET TO A POINT ON THE EAST LINE OF LOT 23 IN SAID BLOCK 7; THENCE TURN AN ANGLE TO THE LEFT OF 90° 16' AND RUN IN A NORTHERLY DIRECTION ALONG THE EASTERLY LINE OF LOTS 23, 22, AND 21, IN SAID BLOCK 7 FOR A DISTANCE OF 105.0 FEET; THENCE TURN AN ANGLE TO THE LEFT OF 89° 44' AND RUN IN A WESTERLY DIRECTION ALONG THE NORTH LINE OF SAID LOT 21 FOR A DISTANCE OF 94.01 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE MONTGOMERY HIGHWAY; THENCE TURN AN ANGLE TO THE LEFT OF 84° 26' 30" AND RUN IN A SOUTHERLY DIRECTION ALONG SAID EASTERLY RIGHT OF WAY LINE OF THE MONTGOMERY HIGHWAY FOR A DISTANCE OF 105.50 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TRACT II:

TOGETHER WITH THE RIGHTS OBTAINED, THAT CONSTITUTE AND INTEREST IN REAL ESTATE, UNDER THAT CERTAIN CROSS-EASEMENT AGREEMENT, DATED DECEMBER 30, 1992, AND RECORDED IN REAL VOLUME 4452, PAGE 367, OF THE JEFFERSON COUNTY PROBATE OFFICE, ALABAMA.

**EXHIBIT A
PROPERTY DESCRIPTION**

PI: 2739 18TH STREET SOUTH
PID: 28-00-07-3-014-009.000
PII: 2725 18TH STREET SOUTH
PID: 28-00-07-3-014-007.000

Parcel I:

The South 75 feet of Lots 1 and 2, and all of Lot 3, in Block 7, according to the Survey of Rosedale Park, as recorded in Map Book 3, page 49, in the Probate Office of Jefferson County, Alabama, Birmingham Division.

Parcel II:

Lots 25 and 26, in Block 7, according to the Map and Survey of Rosedale Park, as made by Theodore Smith, as recorded in Map Book 3, page 49, in the Probate Office of Jefferson County, Alabama, except that part of said Lots conveyed to the City of Homewood for use as a public street recorded in Volume 2344, page 119.

EXHIBIT "A"

LEGAL DESCRIPTION

All of Lots 8, 9 and 10 and that part of the South 45 feet of Lot 23, and all of Lot 24, lying East of the Easterly right of way line of the Montgomery Highway, all in Block 7, according to the map and survey of Rosedale Park as recorded in Map Book 3, Page 49 in the Office of the Judge of Probate of Jefferson County, Alabama and being more particularly described as follows: Begin at the Southeast corner of Lot 8, Block 7, according to the map and survey of Rosedale Park as recorded in Map Book 3, Page 49 in the Office of the Judge of Probate of Jefferson County, Alabama; thence run West along the South line of said Lot 8 for a distance of 150 feet to the Southwest corner of said Lot 8; thence turn an angle to the right of $89^{\circ}44'$ and run North along the West line of said Lot 8 for 50 feet to the Northwest corner of said Lot 8, said point also being the Southeast corner of Lot 24, in said Block 7; thence turn an angle to the left of $89^{\circ}44'$ and run West along the South line of said Lot 24 for 114.40 feet to a point on the Easterly right of way line of the Montgomery Highway; thence turn Right $95^{\circ}33'30''$ and run in a Northerly direction along said right of way line for a distance of 95.45 feet; thence turn an angle to the right of $84^{\circ}26'30''$ and run in an Easterly direction for a distance of 104.72 feet to a point on the West line of Lot 10 in said Block 7; thence turn an angle to the left of $90^{\circ}16'$ and run North along the West line of said Lot 10 for a distance of 5.0 feet to the Northwest corner of said Lot 10; thence turn an angle to the right of $90^{\circ}16'$ and run East along the north line of said Lot 10 for 150 feet to the Northeast corner of said Lot 10; thence $89^{\circ}44'$ right and run South along the East line of Lots 10, 9 and 8 in said Block 7 and along the Westerly right of way line of 18th Place South, for a distance of 150 feet, more or less, to the point of beginning.

PARCEL I: 2727 18TH STREET SOUTH
PID: 28-00-07-3-014-008.000

PARCEL II: 2728 MAMIE L. FOSTER
PID: 28-00-07-3-014-012.000

**EXHIBIT A
PROPERTY DESCRIPTION**

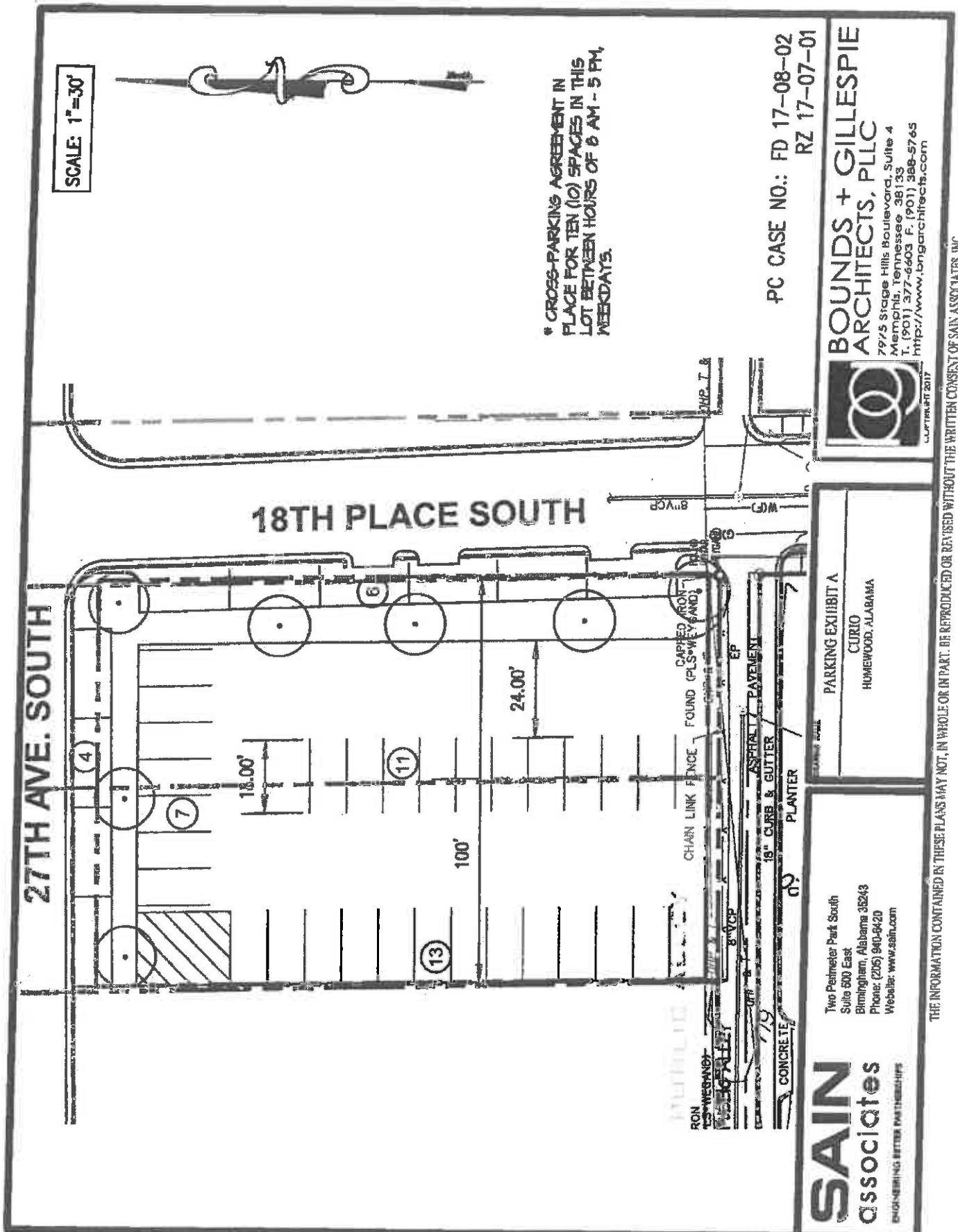
Parcel I:

The North 75 feet of Lots 1 and 2, in Block 7, according to the survey of Rosedale Park as recorded in Map Book 3, page 49, in the Probate Office of Jefferson County, Alabama, except that part of Lot 1 which lies within the right of way for Montgomery Highway.

Parcel II:

Lot 7, in Block 7, according to the Survey of Rosedale Park, as recorded in Map Book 3, page 49, in the Probate Office of Jefferson County, Alabama.

Exhibit B



SAIN
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ENGINEERING BETTER PARTNERSHIPS

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PARKING EXHIBIT A
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THE INFORMATION CONTAINED IN THESE PLANS MAY NOT, IN WHOLE OR IN PART, BE REPRODUCED OR REVISED WITHOUT THE WRITTEN CONSENT OF SAIN ASSOCIATES, INC.

