

*A Grand City* in a Grand State

**Planning Department**

April 18, 2012

Honorable Mayor and City Council  
City of Decatur  
P.O. Box 488  
Decatur, AL 35602

RE: Rezoning Request 1264-12

Gentlemen:

At the March 20, 2012 meeting of the Decatur City Planning Commission, action was taken recommending to the City Council that they **approve** the attached ordinance pertaining to rezoning request 1264-12 as an amendment to the Zoning Ordinance of the City of Decatur, Alabama. The request is to rezone a parcel of land from an R-2, Single Family Residential District, to a B-6, Business Office District. The property is located at 904 Sims Street.

If you have any questions concerning this request, please contact the City Planning Department.

Very truly yours,

DECATUR CITY PLANNING COMMISSION

A handwritten signature in black ink, appearing to read "Karen J. Smith".

Karen J. Smith, Planner  
For Gil Aldrich, Chairman

Cc: Herman Marks, City Attorney

LEGAL NOTICE

Notice of a proposed amendment to the district boundaries of the City of Decatur Official Zoning Map, heretofore adopted by Section 27-1, Code of Decatur, Alabama, 1956, now Section 25-1, Code of Decatur, Alabama, as thereafter amended.

Pursuant to instructions given by the City Council of the City of Decatur, Alabama, notice is hereby given that the proposed amendment hereinbelow set forth to the Code of Decatur, Alabama, will be considered by the City Council of the City of Decatur, Alabama, at a meeting of said City Council in the Council Chambers in the City Hall of Decatur, Alabama, at 402 Lee Street, N.E. at \_\_\_\_\_, on \_\_\_\_\_, 20\_\_\_\_\_.

This proposed amendment will be to rezone approximately .25 acres from an R-2, Single-Family Residential District, to a B-6, Business Office District. The property being considered for rezoning is located at 902 Sims Street SW.

At the said time and place, all persons will have the right and are invited to be present and to be heard either for or against the adoption of said amendment.

An ordinance containing the proposed zoning ordinance changes may be reviewed in the office of the Planning Department.

This is the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

---

Stacy Gilley  
CITY CLERK

LEGAL NOTICE

The City Council of the City of Decatur, Alabama, will consider at their regular meeting of \_\_\_\_\_, at \_\_\_\_\_ in the Council Chambers of the City Hall at 402 Lee Street, N.E., the proposed amendment to the Zoning Ordinance of the City of Decatur set forth in Ordinance No. \_\_\_\_\_, as published in The Decatur Daily on \_\_\_\_\_.

This proposed amendment will be to rezone approximately .25 acres from an R-2, Single-Family Residential District, to a B-6, Business Office District. The property being considered for rezoning is located at 902 Sims Street SW.

At said hearing all persons will have the right and are invited to be present and to be heard either for or against the adoption of said amendment.

---

Stacy Gilley  
City Clerk

ORDINANCE NO. \_\_\_\_\_

BE IT ORDAINED by the City Council of the City of Decatur, in the State of Alabama, as follows:

Section 1. That the district boundaries of the City of Decatur Official Zoning Map, heretofore adopted by Section 27-1, Code of Decatur, Alabama, 1956, now Section 25-1, Code of Decatur, Alabama, as thereafter amended, are further amended, changed and modified as follows:

**Rezoning Request No. 1264-12**

The property being considered for rezoning is located at 902 Sims Street SW.

Lot 67, Springdale Acres Subdivision, Decatur, Alabama, as shown by map or plat thereof on file and record in the Office of the Judge of probate of Morgan County, Alabama, in Map Book 5 at Page 2, which area is now shown and classified on said map as being in an R-2, Single-Family Residential District, and shall be shown and classified on said map as being in a B-6, Business Office District, and shall be shown and classified on said map as being in a B-2, General Business District, subject to all rules, regulations and requirements therefore set forth in Section 25-11, Code of Decatur Alabama, and other provisions applicable therefore.

Section 2. This Ordinance shall take effect and be in force from and after the date of its adoption and publication as required by law.

ADOPTED this the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Gary Hammon, President  
Decatur City Council

Authenticated:

Stacy Gilley

APPROVED this the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Don Stanford, Mayor

ORDINANCE NO. \_\_\_\_\_

BE IT ORDAINED by the City Council of the City of Decatur, in the State of Alabama, as follows:

Section 1. That the district boundaries of the City of Decatur Official Zoning Map, heretofore adopted by Section 27-1, Code of Decatur, Alabama, 1956, now Section 25-1, Code of Decatur, Alabama, as thereafter amended, are further amended, changed and modified as follows:

**Rezoning Request 1264-12**

The property being considered for rezoning is located at 902 Sims Street SW.

Lot 67, Springdale Acres Subdivision, Decatur, Alabama, as shown by map or plat thereof on file and record in the Office of the Judge of probate of Morgan County, Alabama, in Map Book 5 at Page 2, which area is now shown and classified on said map as being in an R-2, Single-Family Residential District, and shall be shown and classified on said map as being in a B-6, Business Office District, subject to all rules, regulations and requirements therefore set forth in Section 25-11, Code of Decatur Alabama, and other provisions applicable therefore.

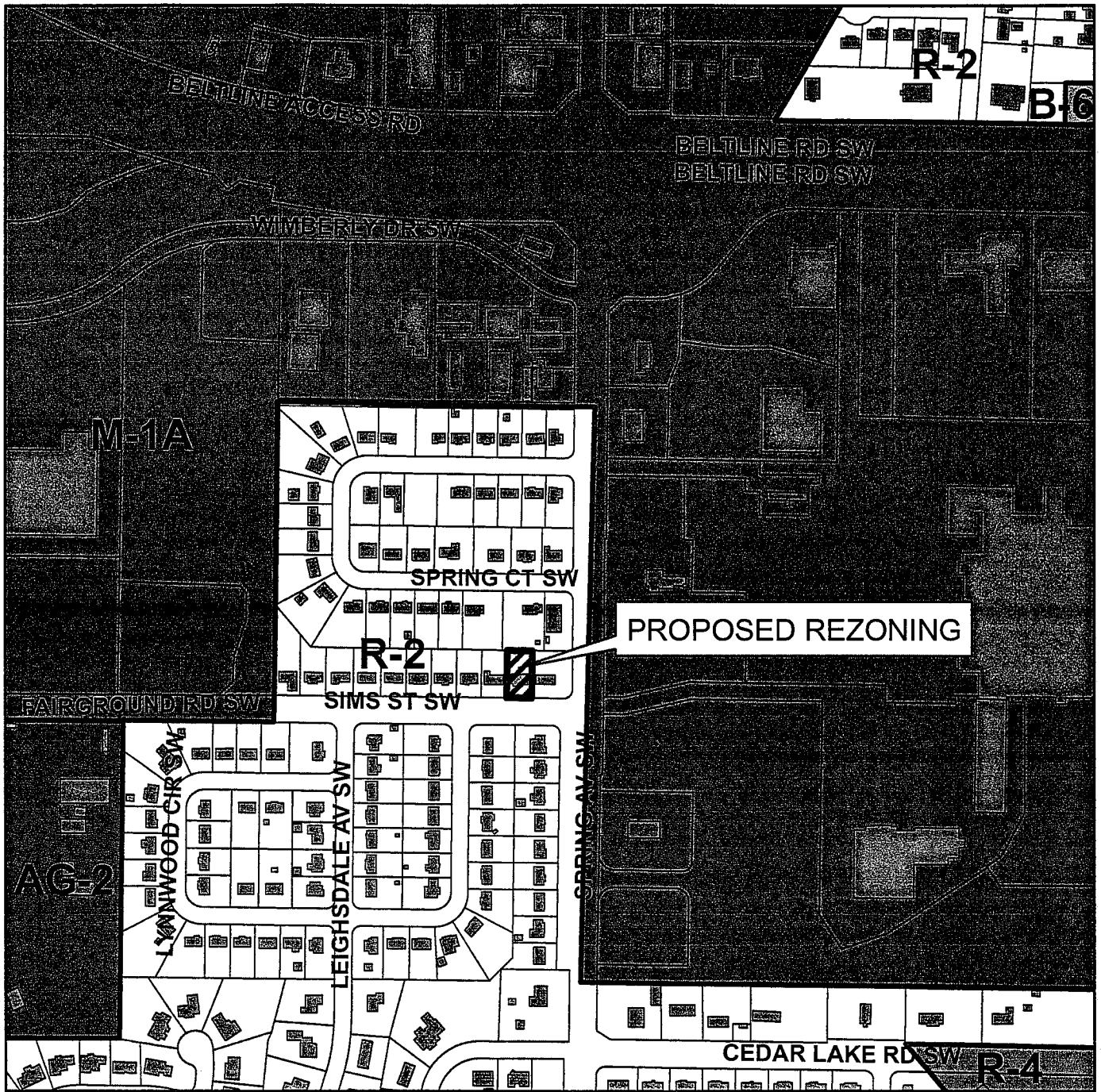
## COMPARE R2 TO B6

SECTION	R2	B6
USES PERMITTED	<p><b>From R2 Section</b></p> <p>There is hereby created an R-2 Residential District for those areas so designated by this chapter and the zoning map of the City, which R-2 Districts shall allow: Single family dwellings. (See also regulations common to all "R" Districts, listed in Section 25-10)</p> <p><b>District Requirement</b> R" Districts shall allow: Accessory structures; gardens; playgrounds; parks; public buildings; including public schools and libraries.</p>	<p><b>Uses permitted:</b> The following specified office uses, with structures to accommodate the same; real estate, professional, managerial, insurance, clerical, clinics, health clubs, health spas and related uses.</p>
USES PERMITTED ON APPEAL	<p><b>Residential District Requirements</b></p> <p>These uses shall also be permitted on appeal: Customary home occupations; public utilities, general hospitals for humans, except primary for mental cases; semi-public buildings; golf courses; municipal, county, state or federal use; clubs located on and embracing within its sole possessory right, one tract or parcel of land not less than twenty (20) acres in size; and on premises and off premises sale of alcoholic beverage by clubs meeting the acreage requirements above when duly licensed as a class I or class II club by the City of Decatur and the Alabama Alcoholic Beverage Control Board under and pursuant to the Alcoholic Beverage Licensing Code.</p>	<p><b>Uses permitted on appeal:</b> Any uses permitted or permitted on appeal in an R-4, Residential District, and subject to all district requirements of said district as specified in section 25-10, hereof, other than the maximum height provision set forth therein which shall not be applicable; and any office use not specified as a permitted use.</p>
USES PROHIBITED	<p><b>From R2 Section</b></p> <p>Uses prohibited: Any use not permitted, or permitted on appeal, is prohibited</p> <p><b>From Residential District Requirements</b></p> <p>Uses prohibited: Except as expressly permitted, or permitted on appeal, the following uses are prohibited in all residential districts, including without limitation planned residential development districts, specialty and restricted residential districts: ("R" Districts): All buildings, structures and units constructed off-site (except for modular homes as in section 25-2) without regard to whether or not such building, structures or units are designed and built in compliance with state or federal standards, including without limitation, mobile homes,</p>	<p><b>Uses prohibited:</b> Any use not permitted or permitted on appeal.</p>

## COMPARE R2 TO B6

SECTION	R2	B6
	manufactured homes, house trailers, and trailer coaches; trailer or manufactured home parks, courts or camps, and commercial and industrial uses, including parking lots and parking areas in connection with any of these uses, not specifically permitted	
MINIMUM LOT SIZE	<p><b>From R2 Section</b></p> <p>(2) Specific requirements:</p> <p>a. Minimum lot area: Ten thousand (10,000) square feet.</p> <p>b. Maximum building area: None specified</p>	<p><b>Minimum lot size:</b> It is the intent of this section that lots of sufficient size be used for any business or service use to provide adequate parking and loading space in addition to the spaces required for the other normal operations of the business or service.</p>
MINIMUM YARD SIZE	<p><b>From R2 Section</b></p> <p>c. Minimum front yard setback: Thirty-five (35) feet</p> <p>d. Minimum rear yard setback: Forty (40) feet</p> <p>e. Minimum side yard setbacks: Eight (8) feet</p> <p>f. Minimum feet at building line: Seventy (70) feet</p>	<p><b>Minimum yard size:</b> Front 25 feet; rear 20 feet; side, not specified, except on a lot adjoining along its side lot line which is in a residential district, there shall be a side yard not less than eight (8) feet wide.</p>
MAXIMUM BUILDING AREA	Maximum coverage - None specified	Maximum coverage - None specified
MAXIMUM HEIGHT	<p><b>From R2 Section</b></p> <p>g. Maximum building height: Thirty-five (35) feet.</p> <p>h. Maximum height in stories: Two and one half (2 1/2).</p>	<p><b>Maximum height:</b> None.</p>
OFF STREET PARKING	<p><b>From R2 Section</b></p> <p>(1) <i>General requirements.</i></p> <p>a. Off-street parking and vehicle access shall be provided as set forth in section 25-16 hereof</p>	<p><b>Off-street parking:</b> (See Section 25-16. Off-street automobile storage.)</p>
OFF STREET LOADING AND UNLOADING	<p><b>From R2 Section</b></p> <p>b. <i>A carport, porte-cochere, porch or structure part thereto, attached to or situated within five feet of the main structure as defined in section 25-2 thereof, shall be considered as a part of the main building and shall be subject to the setback and side yard requirements of the district in which it is located.</i></p>	<p><b>Off-street loading and unloading:</b> See Section 25-16: Off-street Parking (required rear or side yard for loading and unloading.)</p>

# REZONING REQUEST NO. 1264-12 FROM R-2 TO B-6 .25 ACRES



## LOCATION MAP

PREPARED BY THE CITY OF DECATUR  
PLANNING DEPARTMENT

### Legend

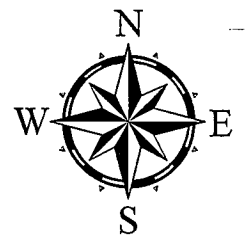


bldg



SUBJECT PROPERTY

PROPERTY ZONED R-2



**APPLICANT : LARON HARDY**

DRAWING NOT TO SCALE

Note: Every reasonable effort has been made to assure the accuracy of this map. The City of Decatur does not assume liability arising from the use of this map. This map is provided without warranty of any kind, either expressed or implied.





*Charming Scale* CHARMING SCALE

**Planning Department**

April 18, 2012

Honorable Mayor and City Council  
City of Decatur  
P.O. Box 488  
Decatur, AL 35602

RE: Resolution No. 003-12 – Planning Commission Support of accepting the IARB grant and the city making improvements to the Riverview Dr. SE.

Gentlemen:

On April 17, 2012 the Decatur City Planning Commission voted unanimously for approval of Resolution 003-12, recommending to the City Council that the resolution to support the IARB grant and the city making improvements to Riverview Dr. SE, be adopted and followed as stated within.

If you have any questions concerning this recommendation, please contact the City Planning Department.

Very truly yours,

DECATUR CITY PLANNING COMMISSION

Karen J. Smith  
for Gil Aldrich, Chairman

Attachment

CC: Herman Marks, City Attorney