



on a CBADING SCALE

Planning Department

April 29, 2013

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

RE: Rezoning Request 1269-13

Gentlemen:

At the April 23, 2013 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 1269-13 as an amendment to the Zoning Ordinance of the City of Decatur, Alabama. The request is to rezone a parcel of land from a B-1, Business (Local Shopping) District, to a B-2, Business (General) District. The property is located south of Austinville Road SW and east of Sandlin Road SW.

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

Planning Department

308 Cain St. NE • Post Office Box 488 • Decatur, AL 35602-0488
Phone (256) 341-4720 • Fax (256) 341-4727 • www.decatURALabamAUSA.com

ORDINANCE NO. 13-4149

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. 1269-13

The property being considered for rezoning is located south of Austinville Road SW and east of Sandlin Road SW.

Beginning at the southwest corner of the SE ¼ of Section 30, Township 5 South, Range 4 West, and running east along the section line 30 feet to a point; thence running an angle of 90° 15' measured clockwise from back tangent and running northerly along the east margin of Sandlin Road 656.72 feet to a point on the easterly margin of Austinville Road; thence turning an angle of 140° 49' 44" measured counterclockwise from back tangent and running northeasterly along the easterly margin of Austinville Road 240.3 feet to the true point of beginning; thence continuing northeasterly along the easterly margin of said Austinville Road 150 feet to a point; thence turning an angle of 90° to the right and running southeasterly 185.19 feet to a point; thence turning an angle of 90° to the right and running southwesterly 150 feet to a point; thence turning an angle of 90° to the right and running northwesterly 185.19 feet to the true point of beginning, which area is now shown and classified on said map as being in a B-1, Business (Local Shopping) District, and shall be shown and classified on said map as being in a B-2, Business (General) 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

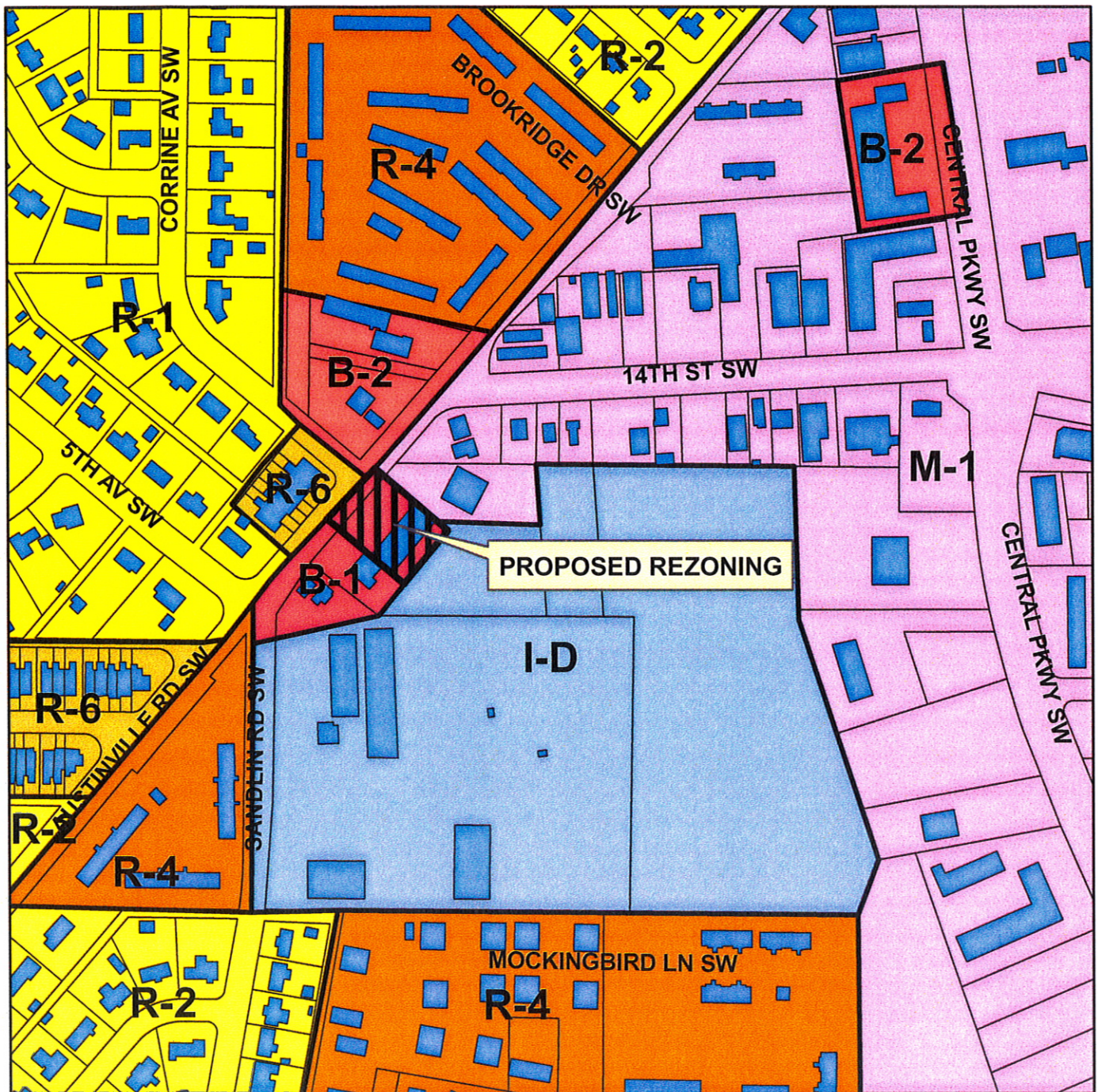
Authenticated:

Stacy Gilley

APPROVED this the ____ day of _____, 20 ____.

Don Kyle, Mayor

REZONING REQUEST NO. 1269-13 FROM B-1 TO B-2 .63 ACRES



Legend

-  bldg
-  Ownership

LOCATION MAP

PREPARED BY THE CITY OF DECATUR
PLANNING DEPARTMENT



APPLICANT : ROBERT E. LEWIS JR.

DRAWING NOT TO SCALE



SUBJECT PROPERTY

PROPERTY ZONED B-1

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.

Compare B-1 to B-2

	B-1	B-2
Uses Permitted	<i>Uses permitted:</i> Off-premises sale of beer and table wine; neighborhood retail stores and markets, including the following types: food, general merchandise, apparel; furniture; household and hardware; radio and television; drugs and sundries; jewelry and gifts; florists; sporting goods; pet shops, photograph studios and photo retail sales. Neighborhood services including the following types: Dry cleaning and laundry pickup stations; customer operated launderettes and customer operated dry cleaning establishments; filling stations, provided, however, that gasoline storage above ground in excess of five hundred(500) gallons is prohibited; barber and beauty shops; shoe repair; offices, banks; post offices; playgrounds; parks; public building (i.e., municipal, county, state or federal, including public schools and libraries); public utilities; churches and similar places of worship; dancing and music academies; nurseries, kindergartens, or day care for children; parking lots.	Uses permitted: Clubs; on premises and off premises sale of alcoholic beverages; any retail or wholesale business or service not specifically restricted or prohibited; and places of amusement and assembly.
Uses Permitted On Appeal	<i>Uses permitted on appeal:</i> Restaurants; any uses permitted or permitted on appeal in an R-4, Residential District as subject to all district requirements of said district as specified in section 25-10 of this Code.	<i>Uses permitted on appeal:</i> Dry cleaners and laundries; and manufacturing incidental to a retail business where articles are sold at retail on the premises, not specifically prohibited herein; major automobile repairs. Any use permitted or permitted on appeal in the R-4, Residential District, and subject to all district requirements of an R-4 District as specified in section 25-10, hereof, other than the maximum height provision set forth therein which shall not be applicable.
Uses Prohibited	<i>Uses prohibited:</i> Any use not permitted or permitted on appeal.	<i>Uses prohibited:</i> Stockyard; live animal or poultry sales; coal yards; lumber yards or mills; auto wrecking; gasoline, oil or alcohol storage above the ground in excess of five hundred (500) gallons, grist or flour mills; ice plants; junk, scrap paper, rag, storage or bailing, stone or monument works.
SPACE AND HEIGHT REGULATIONS	<i>Minimum lot size:</i> 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 space required for the other normal operations of the business or services. <i>Minimum yard size:</i> 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.	<i>Minimum lot size:</i> Same as for B-1 Business District <i>Minimum yard size:</i> Same as for B-1, Local Shopping District <i>Off-street parking:</i> See § 25-16. <i>Off-street loading and unloading:</i> Shall provide space for loading and unloading for structures hereafter erected or altered when same is not on lot adjoining a public or private alley.

Compare B-1 to B-2

	B-1	B-2
	<p><i>Maximum height:</i> 45 feet or 3 stories</p> <p><i>Off-street parking:</i> See § 25-16</p> <p><i>Off-street loading and unloading:</i> Shall use required rear or side yard for loading and unloading.</p>	