

**CITY OF ROANOKE
ORDINANCE NO. 829**

AN ORDINANCE TO AMEND THE ZONING ORDINANCE NO. 682 OF THE CITY OF ROANOKE, ALABAMA AND THE ZONING MAP OF ROANOKE, ALABAMA ENACTED PURSUANT TO THE AUTHORITY GRANTED BY TITLE 11-52-70 THROUGH 84, INCLUSIVE OF THE CODE OF ALABAMA, 1975, AS AMENDED; REPEALING ALL CONFLICTING ORDINANCES AND MAPS, AND PROVISIONS FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, Title 11, Chapter 52, Code of Alabama, 1975, as amended authorizes the City Council to enact a zoning ordinance to govern all territory within the corporate limits of the City of Roanoke Alabama; and

WHEREAS, the City of Roanoke desires to continue exercising its zoning powers in accordance with Alabama law; and

WHEREAS, the City of Roanoke Planning Commission has considered a petition for amendments to the Zoning Ordinance, Roanoke Alabama upon which a public hearing was duly conducted and has submitted to the City Council of the City of Roanoke a formal written report and recommendation for action regarding said petition; and

WHEREAS, the City Council also conducted a formal public hearing to receive public comments on the proposed revisions to the zoning ordinance and all applicable requirements of the Zoning Ordinance, Roanoke Alabama and Title 11-52-77 of the Code of Alabama 1975, as amended have been satisfied.

NOW THEREFORE LET IT BE ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROANOKE, ALABAMA AS FOLLOWS;

SECTION 1

That Ordinance number 682 entitled the “Roanoke Alabama Zoning Ordinance” and /or the “Roanoke Alabama Zoning Map”, enacted pursuant to the authority granted by title 11-52-70 through 11-52-84, inclusive of the code of Alabama, 1975, as amended, be and the same hereby amended;

SECTION 2

To rezone a parcel of land containing 70 acres, more or less, from Agricultural (AG) Zoning District to that of a Industrial (IND) Zoning District. Except the part which is already zoned Highway Commercial. The Application lists this property as owned by Mary M. Peterson and Margie Avery and located on Bud Cummings Road and Highway 431 South and recorded under the Tax Parcel # 56-21-11-0-001-033 as further outlined in “EXHIBIT A” which is attached hereto and made a part as if wholly contained herein.

NOTE: The above described property may possibly involve properties in addition to those as may be outlined in any above Tax Identification numbers

SECTION 3

That all conflicting ordinances and zoning maps adopted previously by the City Council, be repealed.

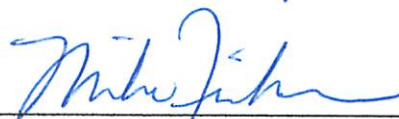
SECTION 4

Except as herein amended said Ordinance 682 shall remain in full force and effect.

SECTION 5

That the aforementioned revisions to the zoning ordinance and/or zoning map become effective on 1-14-2009 the date of final posting of this ordinance in accordance with Section 11-45-8 of the Code of Alabama, 1975 as amended.

ADOPTED AND APPROVED this 12 day of January 2009



Mike Fisher, Mayor

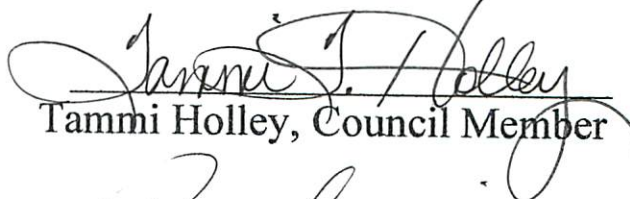


Mack Bell, Council Member

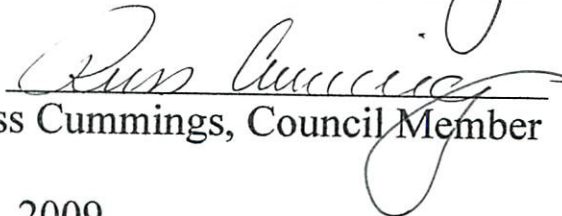


Joseph Roberson, Council Member

Buster Robinson, Council Member

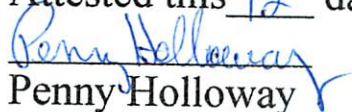


Tammi Holley, Council Member



Russ Cummings, Council Member

Attested this 12 day of January 2009



Penny Holloway
Assistant City Clerk, City of Roanoke

EXHIBIT "A"

Legal Description Parcel 2

Commencing at the Southeast Corner of the Northwest ¼, of Section 11, T-22-S, R-12-E, Randolph County, Alabama; thence N01°29'38"E, a distance of 217.71' to a point; thence N01°27'19"E, a distance of 797.98' to a point; thence N87°13'00"E, a distance of 39.70', to a point; thence N38°11'09"E, a distance of 424.83' to a point; thence N00°51'15"W, a distance of 144.19', to a point on the southerly right of way of an Unnamed County Road; thence along said right of way of the Unnamed County Road N84°52'17"E, a distance of 189.08', to a point; thence N83°19'05"E, a distance of 135.00' to a point; thence N80°18'16"E, a distance of 187.17' to a point on the westerly right of way of the Central of Georgia Railroad; thence across said right of way of Central of Georgia Railroad S73°26'10"E, a distance of 100.64' to a point at the intersection of the easterly right of way of the Central of Georgia Railroad and the westerly right of way of LaFayette Highway; thence along said right of way of LaFayette Highway S08°55'54"W, a distance of 133.94', to a point; thence across said right of way of LaFayette Highway S81°04'06"E, a distance of 50.00' to a point on the southerly right of way of Bud Cummings Road; thence S62°34'13"E, a distance of 208.75' to a concrete right of way monument; thence S18°26'30"E, a distance of 143.46', to a concrete right of way monument on the westerly right of way of U.S. Highway Number 431, S62°34'08"E, a distance of 195.48', to a concrete right of way monument on the easterly right of way of U.S. Highway Number 431; thence leaving said right of way of U.S. Highway Number 431, S25°52'54"W, a distance of 134.90', to a point; said point being the POINT OF BEGINNING of PARCEL 2, From said POINT OF BEGINNING leaving said right of way of U.S. Highway Number 431, S64°26'08"E, a distance of 210.00' to a ¾" iron pipe crimped; thence N25°40'22"E, a distance of 228.79' to a ¾" iron pipe crimped on the westerly right of way of Old State Highway Number 37; thence along said right of way of Old State Highway Number 37, S62°21'56"E, a distance of 78.00' to a concrete right of way monument; thence a curve to the left having a radius of 2961.02', a length of 834.06', a chord bearing S70°50'22"E, and a distance of 831.30'; thence S79°23'41"E, a distance of 241.45' to a point on the easterly right of way of Old State Highway Number 37; thence leaving said right of way of Old State Highway Number 37, S00°29'35"W, a distance of 757.80' to a point; thence S89°16'13"E, a distance of 881.51' to a point in the centerline of a creek; thence the following chords along the centerline of a creek; S34°02'32"E, a distance of 39.35', S34°48'13"E, a distance of 140.02', S03°51'30"W, a distance of 115.00', S14°31'36"E, a distance of 27.04', S71°41'45"E, a distance of 33.33', S87°26'28"E, a distance of 57.69', S84°03'55"E, a distance of 44.58', S35°35'34"E, a distance of 41.32', S13°45'36"E, a distance of 159.45' to a point at the intersection of a creek and the northerly right of way of a field road; thence the following chords along the right of way of the field road; S64°50'12"W, a distance of 209.14', S80°21'09"W, a distance of 469.37', S63°54'46"W, a distance of 56.42', S50°53'20"W, a distance of 118.86', S46°23'21"W, a distance of 280.06', S56°00'57"W, a distance of 244.96', S78°50'36"W, a distance of 220.54' to a 2' open pipe, thence leaving said right of way of a field road N08°48'15"E, a distance of 347.21' to a 2" open pipe; thence N78°41'48"W, a distance of 149.69' to a ½" rebar; thence N08°37'16"E, a distance of 210.06' to a ½" rebar; thence N79°57'42"W, a distance of 662.83', to a 1" open pipe; thence N69°00'48"W, a distance of 363.00' to a point; thence S19°35'38"W, a distance of

EXHIBIT "A"

273.01' to a ½" rebar on the easterly right of way of U.S. Highway Number 431; thence along said right of way of U.S. Highway Number 431, N42°54'56"W, a distance of 24.77' to a concrete right of way monument; thence a curve to the right having a radius of 1429.96', a length of 192.45', a chord bearing of N43°22'40"W, and a distance of 192.30'; thence N04°11'33"E, a distance of 434.70' to a 2" open pipe; thence N02°32'38"E, a distance of 170.40' to a ¾" iron pipe crimped; thence N03°10'11"E, a distance of 197.25' to a 1" open pipe; thence N88°31'42"W, a distance of 185.15' to a point; thence N25°46'54"E, a distance of 677.17' to a point and the POINT OF BEGINNING of Parcel 2; said described tract containing 70.245 Acres more or less.