

ORDINANCE NO. 1722

AN ORDINANCE AMENDING ORDINANCE NO. 1120, AS AMENDED BY ORDINANCES HERETOFORE ADOPTED, SAID ORDINANCE, AND THE AMENDMENTS RELATED THERETO, BEING ENTITLED "TALLADEGA, ALABAMA, ZONING ORDINANCE", AS FOLLOWS, AND IN NO OTHER PARTICULARS;

WHEREAS, the Talladega City Planning Commission has adopted and presented to the City Council of said City a resolution reciting that, after due consideration, it recommends that said Ordinance No. 1120, entitled "Talladega, Alabama, Zoning Ordinance", as amended by ordinances heretofore adopted, be further amended as hereinafter set out, and

WHEREAS, the City Council of the City of Talladega, Alabama, desires to concur in and act upon said recommendation as provided by law in such cases, and

WHEREAS, all preliminary requirements as in such cases provided by law have been complied with;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TALLADEGA, ALABAMA AS FOLLOWS:

**Section 1.** That Ordinance No. 1120 entitled "Talladega, Alabama, Zoning Ordinance", as amended by ordinances heretofore adopted, be, and the same is, further modified, changed and amended as follows:

That the following described property that was annexed to the City of Talladega by Act Number 2009-606 was not zoned and is to be zoned by this amendment to the Talladega, Alabama Zoning Ordinance as follows:

A. The following described property is zoned M-2 General Industrial:

All that part of Sections 18 and 19, Township 18 South, Range 6 East, of the Huntsville Meridian, Talladega County, Alabama, more particularly described as beginning at a point located at the intersection of the West boundary of the Northeast Quarter of said Section 19 and the South right-of-way of Alabama Highway 21; thence from the POINT OF BEGINNING in an easterly direction and along the South right-of-way of Alabama Highway 21 to a point located at the intersection of the South right-of-way of Alabama Highway 21 and the East boundary of said Section 18; thence in a southerly direction and along the East boundary of said Section 18 to a point located at the northeast corner of said Section 19; thence in a southerly direction and along the East boundary of said Section 19 to a point located at the Southeast corner of the Northeast Quarter of said Section 19; thence in a westerly direction and along the South boundary of the Northeast Quarter of said Section 19 to a point located on the existing corporate limits of the City of Talladega; thence in a Northerly direction and along the existing corporate limits of the City of Talladega 2,514.16 feet; thence in a Westerly direction and along the existing corporate limits of the City of Talladega 116.79 feet to a point located on the South right-of-way of the Norfolk Southern Railroad; thence in a southwesterly direction and along the existing corporate limits of the City of Talladega and the South right-of-way of the Norfolk Southern Railroad 2,420.96 feet; thence in a northerly direction and along

the existing corporate limits of the City of Talladega 782.00 feet to the POINT OF BEGINNING.

B. The following described property is zoned C-4 Shopping Center District:

All that part of Sections 7, 17, and 18, Township 18 South, Range 6 East, of the Huntsville Meridian, Talladega County, Alabama, more particularly described as beginning at a point located at the intersection of the North boundary of said Section 17 and the East right-of-way of Alabama Highway 21; thence in a Southwesterly direction and along the East right-of-way of Alabama Highway 21 to a point located at the intersection of the East right-of-way of Alabama Highway 21 and South boundary of the Northwest Quarter of said Section 17; thence in a Westerly direction along a line that is 600.00 feet equidistant from and parallel to the South right-of-way of the 275 Northern Bypass to a point located on the West boundary of said Section 18; thence in a northerly direction and along the West boundary of Section 18 to a point located at the southwest corner of said Section 7; thence in a northerly direction and along the West boundary of said Section 7 to a point located 600.00 feet North of the North right-of-way of the 275 Northern Bypass; thence in an easterly direction along a line that is 600.00 feet equidistant from and parallel to the North right-of-way of the 275 Northern Bypass to a point located on the East line of the West Half of the Northwest Quarter of said Section 17 that is 600.00 feet West of the West right-of-way of Alabama Highway 21; thence in a northeasterly direction along a line that is 600.00 feet equidistant from and parallel to the West right-of-way of Alabama Highway 21 to a point located on the North boundary of said Section 17; thence in an easterly direction and along the North boundary of said Section 17 to the POINT OF BEGINNING.

C. The following described property is zoned C-4 Shopping Center District:

All that part of Sections 11, 12, 14 and 15, Township 18 South, Range 5 East, of the Huntsville Meridian, Talladega County, Alabama, more particularly described as beginning at a point located at the southeast corner of said Section 12; thence in a westerly direction and along the South boundaries of said Section 12 and said Section 11 to a point located at the southwest corner of the Southeast Quarter of said Section 11; thence in an easterly direction along a line that is 600.00 feet equidistant from and parallel to the North right-of-way of the 275 Northern Bypass to a point located on the East boundary of said Section 12; thence South and along the East boundary of said Section 12 to the POINT OF BEGINNING.

LESS AND EXCEPT ONE:

Commencing at the Southeast corner of Section 12, Township 18 South, Range 5 East, thence North 88 degrees 00 minutes 00 seconds West, a distance of 3200.20 feet; thence North 3 degrees 35 minutes 00 seconds West, a distance of 690.59 feet; thence South 86 degrees 50 minutes 16 seconds East, a distance of 414.02 feet to the point of curvature of a non-tangent curve, concave to the Northwest having a radius of 364.75 feet a central angle of 52 degrees 31 minutes 30 seconds, and a chord of 322.79 feet bearing South 42 degrees 04 minutes 58 seconds West; thence westerly along said curve, a distance of 334.38 feet; thence South 80 degrees 28 minutes 18 seconds West, a distance of 179.37 feet; thence North 3 degrees 56 minutes 54 seconds West, a distance of 292.77 feet to the POINT OF BEGINNING; said described tract containing 1.6 acres,

more or less, and lying in the South Half of Section 12, Township 18 South, Range 5 East, Talladega, Alabama.

**LESS AND EXCEPT TWO:**

Beginning at the southeast corner of Section 12, Township 18 South, Range 5 East; go thence North 88 degrees West along the South boundary line of said section a distance of 3200.2 feet to a point; go thence North 3 degrees 35 minutes West 690.59 feet to a point; go thence North 3 degrees 08 minutes 30 seconds East 687.82 feet to the POINT OF BEGINNING of the tract or parcel of land herein described; from said POINT OF BEGINNING go thence North 3 degrees 08 minutes 30 seconds East 140 feet to a point; go thence South 81 degrees 46 minutes 30 seconds East 605 feet to a point on the West boundary line of an existing paved street; go thence South 7 degrees 33 minutes 30 seconds West along the West boundary line of said existing paved street a distance of 450 feet to a point; go thence North 81 degrees 46 minutes 30 seconds West a distance of 300 feet to a point; go thence North 7 degrees 33 minutes 30 seconds East 310 feet to a point; go thence North 81 degrees 46 minutes 30 seconds West 298 feet to the POINT OF BEGINNING.

**LESS AND EXCEPT THREE:**

Beginning at the southeast corner of Section 12, Township 18 South, Range 5 East; go thence North 88 degrees West 3200.2 feet to a point; go thence North 3 degrees 35 minutes West 690.59 feet to a point; go thence South 86 degrees 51 minutes 30 seconds East 607.3 feet to the POINT OF BEGINNING of the tract or parcel of land herein conveyed; go thence South 86 degrees 51 minutes 30 seconds East 692.7 feet to a point; turn thence to the left an angle of 90 degrees 04 minutes for a distance of 229 feet to a point on the South boundary of the 50 foot right-of-way for a railroad; go thence Westerly along the South boundary line of said railroad right-of-way to the East boundary line of an existing paved street; go thence South 7 degrees 33 minutes 30 seconds West along said existing paved street 60 feet to a POINT OF BEGINNING.

**LESS AND EXCEPT FOUR:**

Beginning at the southeast corner of Section 12, Township 18 South, Range 5 East; go thence North 88 degrees West 3200.2 feet to a point; go thence North 3 degrees 35 minutes West 690.59 feet to a point; go thence South 86 degrees 51 minutes 30 seconds East 607.3 feet to a point; go thence North 7 degrees 33 minutes 30 seconds East a distance of 110 feet to a point on the East side of an existing paved street and the North boundary of a 50 foot railroad right-of-way for the POINT OF BEGINNING of the lot, tract or parcel of land herein conveyed; go thence North 7 degrees 33 minutes 30 seconds East a distance of 405 feet to a point; turn thence to the right an angle of 90 degrees for a distance of 300 feet to a point; turn thence to the right an angle of 90 degrees for a distance of 366 feet, more or less, to the North line of the 50 foot right-of-way of said railroad; go thence westerly along the North right-of-way line of said railroad to the POINT OF BEGINNING of the tract or parcel of land herein conveyed.

**LESS AND EXCEPT FIVE:**

Beginning at the southeast corner of Section 12, Township 18 South, Range 5 East; go thence North 88 degrees West along the South boundary line of said section a distance of 3200.2 feet to a point; go thence North 3 degrees 35 minutes West 690.59 feet to a point; go thence South 86 degrees 51 minutes 30 seconds East a distance of 1300 feet to a point; go thence North 3 degrees 08 minutes 30 seconds East a distance of 332 feet for the POINT OF BEGINNING of the tract or parcel of land herein conveyed; continue thence North 3 degrees 08 minutes 30 seconds East a

distance of 380.18 feet to a point; go thence North 81 degrees 46 minutes 30 seconds West 640.13 feet to a point on the East boundary of an existing paved street; go thence South 7 degrees 33 minutes 30 seconds West 290 feet along said paved street to a point being the northwest corner of property acquired by Burton Milling Company, Inc., from O.L. Peters and situated on the East side of said paved street; turn thence to the left an angle of 90 degrees for a distance of 300 feet along the North line of the property of said Burton Milling Company, Inc., to a point turn thence to the right an angle of 90 degrees for a distance of 366 feet, more or less, and along the East boundary line of the property of Burton Milling Company to a point of intersection of the North boundary line of a 50 foot right-of-way for a railroad; go thence northeasterly along said railroad right-of-way to the point of intersection with the South prolongation of the East boundary line of the property herein conveyed with the North boundary line of said railroad right-of-way; run thence North 3 degrees 08 minutes 30 seconds East to the POINT OF BEGINNING of the tract or parcel of land herein conveyed.

**LESS AND EXCEPT SIX:**

Beginning at the southeast corner of Section 12, Township 18 South, Range 5 East; go thence North 88 degrees West along the South boundary line of said section a distance of 3200.2 feet to a point; go thence North 3 degrees 35 minutes West 690.59 feet to a point; go thence North 3 degrees 08 minutes 30 seconds East a distance of 687.82 feet to the POINT OF BEGINNING of the lot, tract or parcel of land herein conveyed; from said POINT OF BEGINNING go thence South 81 degrees 45 minutes 30 seconds East 298 feet to a point; go thence South 7 degrees 33 minutes 30 seconds West 310 feet to a point; go thence South 81 degrees 46 minutes 30 seconds East a distance of 300 feet to a point on the West boundary line of an existing paved street; go thence South 7 degrees 33 minutes 30 seconds West along the West boundary line of an existing paved street to the center line of a railroad intersecting the West boundary line of said paved street; go thence Westerly along the center line of said railroad a distance of 550 feet, more or less, to a point; go thence North 3 degrees 08 minutes 30 seconds East a distance of 534.82 feet to the POINT OF BEGINNING.

**D. The following described property is zoned M-2 General Industrial:**

All that part of Sections 14 and 15, Township 18 South, Range 4 East, of the Huntsville Meridian, Talladega County, Alabama, more particularly described as commencing at a point located at the Southeast corner of Section 12, Township 18 South, Range 5 East, of the Huntsville Meridian, Talladega County, Alabama; thence in a westerly direction and along the South boundaries of Section 12 and Section 11 to a point located at the Southwest corner of the Southeast Quarter of said Section 11, being the POINT OF BEGINNING of the tract hereinafter described. From said POINT OF BEGINNING run thence in a southerly direction and along the East boundary of the Northwest Quarter of said Section 14 to a point located on the South right-of-way of the 275 Northern Bypass; thence Southwesterly along the South right-of-way of the 275 Northern Bypass to the West boundary of said Section 14 at a point on the existing corporate limits of the City of Talladega; thence North 87 degrees 27 minutes 30 seconds West and along the existing corporate limits of the City of Talladega 450.0 feet to a point on the existing corporate limits of the City of Talladega, said point being 450.0 feet West of the Southeast corner of the Southeast Quarter of the Northeast Quarter of said Section 15; thence due North to a point located 600.00 feet North of the North right-of-way of the 275 Northern Bypass; thence in an easterly direction along a line

that is 600.00 feet equidistant from and parallel to the North right-of-way of the 275 Northern Bypass to a point located on the East boundary of the Northwest Quarter of said Section 14, the POINT OF BEGINNING of the tract herein described.

E. The following described property is zoned M-2 General Industrial:

All that part of Section 14, Township 18 South, Range 5 East, of the Huntsville Meridian, Talladega County, Alabama, more particularly described as beginning at the point of intersection of the West boundary of said Section 14 and the South right-of-way of the 275 Northern Bypass; thence southerly along the West boundary line of Section 14 a distance of 1541.6 feet, more or less, to the southern most point of the former U.S. Government Reservation for Coosa River Ordinance Plant, the said point being on the existing corporate limits of the City of Talladega; thence North 64degrees 03 minutes 30 seconds East along the existing corporate limits of the City of Talladega a distance of 1419.93 feet to a point; thence North 25 degrees 48 minutes 30 seconds West a distance of 535.98 feet to a point; thence North 64 degrees 11 minutes 30 seconds East a distance of 950.0 feet to a point on the existing corporate limits of the City of Talladega; thence northwesterly along the existing corporate limits of the City of Talladega to a point on a prolonged line that is 600.00 feet South of and perpendicular to the South right-of-way the 275 Northern Bypass; thence northeasterly along a line that is 600.00 feet equidistant from and parallel to the South right-of-way of the 275 Northern Bypass to the East boundary of the Northwest Quarter of said Section 14; thence North along the East boundary of the Northwest Quarter of said Section 14 to the South right-of-way of the 275 Northern Bypass; thence southwesterly along the South right-of-way of the 275 Northern Bypass to the POINT OF BEGINNING.

F. The following described property is zoned R-2 Rural Residential:

All that part of Section 15, Township 18 South, Range 5 East, of the Huntsville Meridian, Talladega County, Alabama, more particularly described as beginning at a point located at the southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 15; said point is further described as being located on the existing corporate limits of the City of Talladega; thence South 88 degrees 30 minutes 00 seconds East and along the existing corporate limits of the City of Talladega to a point located on the East right-of-way of Jackson Trace Road; thence North 00 degrees 30 minutes 00 seconds East and along the existing corporate limits of the City of Talladega 640.00 feet; thence North 81 degrees 30 minutes 00 seconds West and along the existing corporate limits of the City of Talladega 194.00 feet; thence due South to a point located on the northeasterly right-of-way of Jackson Trace Road; thence in a northwesterly direction and along the northeasterly right-of-way of Jackson Trace Road to a point located at the intersection of the East boundary of the Southwest Quarter of said Section 15 and the North right-of-way of Jackson Trace Road; thence South 66 degrees 00 minutes 00 seconds West along a line that is 600.00 feet equidistant from and parallel to the North right-of-way of the 275 Northern Bypass to a point located at the southwest corner of the Northeast Quarter of the Southwest Quarter of said Section 15; thence South 88 degrees 30 minutes 00 seconds East and along the South boundary of the Northeast Quarter of the Southwest Quarter of said Section 15 to the POINT OF BEGINNING.

G. The following described property is zoned C-3 General Commercial:

All that part of Sections 15 and 16, Township 18 South, Range 5 East, of the Huntsville Meridian, Talladega County, Alabama, more particularly described as beginning at a point located at the intersection of the North boundary of said Section 16 and the East right-of-way of Alabama Highway 77; thence in an easterly direction and along the North boundary of said Section 16 to a point located 100.00 feet from the East right-of-way of Alabama Highway 77; thence in a southerly direction along a line that is 100.00 feet equidistant from and parallel to the East right-of-way of Alabama Highway 77 to a point on the South boundary of Peters Road; thence continue in a southerly direction along a line that is 100.00 feet equidistant from and parallel to Alabama Highway 77 385.00 feet to a point; thence East along a line that is parallel to the South right-of-way of Peters Road 500 feet to a point; thence in a southerly direction along a line that is 600.00 feet equidistant from and parallel to the East right-of-way of Alabama Highway 77 to a point located on the South boundary line of the North Half of the Northwest Quarter of Section 15; thence West along the South boundary of the North Half of the Northwest Quarter of Section 15 and the South boundary of the North Half of the Northeast Quarter of Section 16 to a point on the East right-of-way of Alabama Highway 77; thence in a northerly direction along the East right-of-way of Alabama Highway 77 to the POINT OF BEGINNING.

H. The following described property is zoned R-1 Agricultural:

All that part of Sections 15 and 16, Township 18 South, Range 5 East, of the Huntsville Meridian, Talladega County, Alabama, more particularly described as beginning at a point located at the intersection of the South boundary line of the North Half of the Northeast Quarter of said Section 16 and the East right-of-way of Alabama Highway 77; thence in an easterly direction and along the South boundary line of the North Half of the Northeast Quarter of Section 16 and the South boundary line of the North Half of the Northwest Quarter of said Section 15, 600.00 feet to a point; thence in a southerly direction along a line that is 600.00 feet equidistant from and parallel to the East right-of-way of Alabama Highway 77 to a point located on the North boundary of the Southeast Quarter of said Section 16; thence in a Westerly direction along the North boundary of the Southeast Quarter of said Section 16 to a point located on the East right-of-way of Alabama Highway 77; thence in a northerly direction and along the East right-of-way of Alabama Highway 77 to the POINT OF BEGINNING.

I. The following described property is zoned C-3 General Commercial:

All that part of Sections 9 and 10, Township 18 South, Range 5 East, of the Huntsville Meridian, Talladega County, Alabama, more particularly described as beginning at a point located at the intersection of the South boundary of said Section 9 and the East right-of-way of Alabama Highway 77; thence in an easterly direction and along the South boundary of Sections 9 and 10 to a point located 600.00 feet from the East right-of-way of Alabama Highway 77; thence in a Northerly direction and along a line that is 600.00 feet equidistant from and parallel to the East right-of-way of Alabama Highway 77 to a point located on the North boundary of said Section 9; thence in a westerly direction and along the North boundary of said Section 9 to a point located on the West right-of-way of Alabama Highway 77; thence South along the West right-of-way of Alabama Highway 77 South to the North line of the Southwest Quarter of said Section 9; thence turn 90 degrees right and proceed along a line that is perpendicular to the West line of Alabama Highway 77 to a point on the West boundary of Alabama Highway 34; thence proceed in a

Southwesterly direction and along the West right-of-way of Alabama Highway 34 to a point located at the intersection of the West right-of-way of Alabama Highway 34 and the West right-of-way of Alabama Highway 77; thence due South 350.00 feet; thence due East to a point located on the East right-of-way of Alabama Highway 77; thence in a southerly direction and along the East right-of-way of Alabama Highway 77 to the POINT OF BEGINNING.

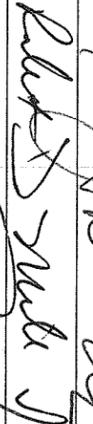
J. The following described property is zoned R-1:

All that part of Section 9, Township 18 South, Range 5 East, of the Huntsville Meridian, Talladega County, Alabama, more particularly described as beginning at the Northwest corner of said Section 9; thence in an easterly direction along the North boundary of said Section 9 to a point on the West boundary line of Alabama Highway 77; thence proceed Southeastwardly along the West boundary line of Alabama Highway 77 to the North line of the Southwest Quarter of said Section 9; thence turn 90 degrees right and proceed along a line that is perpendicular to the West boundary line of Highway 77 to a point on the West side of Alabama Highway 34; thence proceed Northwesterly along the West boundary of Alabama Highway 34 to a point on the West boundary of said Section 9, the said point being the intersection of the West boundary of Alabama Highway 34 and the West boundary of said Section 9; thence proceed North along the West boundary of said Section 9 to the POINT OF BEGINNING.

**Section 2.** Except as herein amended, said Ordinance No. 1120, as amended by ordinances heretofore adopted, shall remain in full force and effect.

**Section 3.** This ordinance shall take effect from and after the date of its adoption and publication, as provided by law.

ADOPTED and APPROVED this the 30<sup>th</sup> day of January, 2012.

  
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Members of Council

APPROVED and ATTESTED this the 30<sup>th</sup> day of January, 2012.

  
Elizabeth Cheeks, City Clerk