


NOTICE

Notice is hereby given that the provisions of the foregoing ordinance approving the Amended Development Plan for the Mixed Use Zoning District (MXD) 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 **June 12, 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.

Witness my hand this 8 day of May, 2017.



Melody Salter, City Clerk
City of Homewood

This notice posted: May 9, 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

And on Channel No. 10 – Homewood Public Access Channel.

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 City has previously rezoned the property described hereinbelow as MXD based on a Development Plan that was approved prior to and simultaneously with the rezoning of the subject property, which property and Development Plan was approved on the ____ day of _____, 2____ by Ordinance No. ____; and

WHEREAS, the owner of the property has requested the City to amend the previously approved Development Plan for MXD zoning for the property described hereinbelow; and

WHEREAS, the Planning Commission of the City of Homewood has 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, now be further amended by approving the Amended Development Plan attached hereto as the basis of the MXD Zoning District for the subject property; and

WHEREAS, the City Council has found it necessary and desirable that the Amended Development Plan be considered and has set a public hearing on said request and on the adoption of this Ordinance on **June 12, 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 located at 2756 BM Montgomery Street in the City of Homewood, Jefferson County, Alabama, more particularly described as follows:

**2756 BM Montgomery Street
Homewood, Alabama 35209
Parcel ID #: 28-00-07-3-008-006.000**

More particularly described in Exhibit A

be and the same hereby is rezoned to MXD Zoning District, subject to the terms and provisions of the Amended Development Plan approved by the City Council immediately preceding the adoption

of this Ordinance, which Amended Development Plan is attached as Exhibit B and 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 the Amended Final Development Plan attached hereto as Exhibit B shall govern and control the uses made of and permitted on the property described in Section 1 hereof.

Section 3. That on **June 12, 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 Amended Final Development Plan 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 **June 12, 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