

RESOLUTION NO. 26-678

WHEREAS, on July 28, 2026, the Planning Commission of the City of Huntsville, Alabama, adopted Resolution No. 2026-01 approving and recommending to the City Council of the City of Huntsville, Alabama, the amendment of certain plat restrictions established pursuant to Code of Ala. 1975 § 11-52-32(c), and the City Council of the City of Huntsville, Alabama, will give its consideration to the adoption of an ordinance amending said restrictions, a synopsis of which is as follows:

- (1) Amend the Plat Restrictions established on the **Zoning Plat of “The Cove at Green Mountain”**, as recorded in **Plat Book 2024, pages 100-101 of the Probate Records of Madison County, Alabama** (“Plat”) pursuant to Code of Ala. 1975 §11-52-32(c), to remove the restriction requiring compliance with the front and rear yard setback requirements of the Residence 1-B District and leave unaffected and in full force and effect the remaining restrictions including requiring the compliance with the minimum lot size requirement of the Residence 1-B District, the current zoning classification of the property, that is, Residence 2 District and all other plat restrictions.
- (2) The first publication of this resolution, this synopsis, and the ordinance hereinafter set out at length shall be in the *Speakin’ Out News* on the 26th day of August, 2026, and the second publication shall be one week thereafter on the 2nd day of September, 2026, both of which publications shall be at least 15 days in advance of the date of the public hearing hereinafter referred to.

WHEREAS, it is the judgement and opinion of the City Council of the City of Huntsville, Alabama, that consideration should be given to the adoption of an ordinance amending the Restrictions established on the **Zoning Plat of “The Cove at Green Mountain”**, as recorded in **Plat Book 2024, pages 100-101 of the Probate Records of Madison County, Alabama** (“Plat”) pursuant to Code of Ala. 1975 §11-52-32(c).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, as follows:

1. That the City Council of the City of Huntsville, Alabama, shall meet at 5:30 p.m. on the 24th day of September, 2026, in the Council Chambers of the City of Huntsville Administration Building at 305 Fountain Circle in the City of Huntsville, Alabama, for the purpose of holding a public hearing at which time and place all persons, parties in interest and citizens who desire, shall have an opportunity to be heard in opposition to or in favor of said Ordinance No. 26-679, which is introduced by the City Council of the City of Huntsville on the 13th day of August, 2026, amending the Zoning Ordinance of the City of Huntsville, Alabama.

2. That the proposed ordinance amending the Restrictions is substantially in words and figures as follows:

ORDINANCE NO. 26-679

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, ALABAMA,
TO AMEND RESTRICTIONS SET FORTH ON THE FOLLOWING PLAT:

Zoning Plat of “The Cove at Green Mountain”, as recorded in Plat Book 2024, pages 100-101 of the Probate Records of Madison County, Alabama.

WHEREAS, upon the petition of the property owner(s), the Planning Commission of the City of Huntsville, Alabama, on July 28, 2026, adopted Resolution No. 2026-01 to recommend and approve an amendment to eliminate from the following plat restrictions, which were established on the *Zoning Plat of “The Cove at Green Mountain”, as recorded in Plat Book 2024, pages 100-101 of the Probate Records of Madison County, Alabama* (“Plat”) pursuant to Code of Ala. 1975 §11-52-32(c) (“Restrictions”), the restriction of front and rear yard setback requirements to that of the Residence 1-B District:

RESTRICTIONS FOR THIS SUBDIVISION

Pursuant to the Code of Alabama of 1975, Section 11-52-32(c) by approval of this plat the Planning Commission for the City of Huntsville hereby agrees with the application upon certain use, height, area or bulk requirements or restrictions governing buildings and premises within this zoning plat, providing such requirements or restrictions shall be state in the recorded plat, and premises shall not be used in violation thereof as follows:

- Restricted to single-family detached dwellings and other uses permitted in Section 10.1 of the Zoning Ordinance.
- Restricted to the minimum lot size, front and rear yard setback requirements of the Residence 1-B District.
- Restricted to minimum lot width of 60 feet.

In accordance with Section 11-52-32(c) the above requirement governing buildings and premises within the Zoning Plat shall have the same force of law and be enforced in the same manner with the same sanctions and penalties and subject to the same power of amendment or repeal as though set out as a part of the Zoning Ordinance or Zoning Map of the City of Huntsville.

WHEREAS, a public hearing has been held on the matter, and the City Council of the City of Huntsville, Alabama, has determined the public welfare requiring it, and under the authority granted by Section 11-52-78 and Section 11-52-32(c) of the Code of Ala. 1975 that the foregoing Restrictions should be amended to eliminate therefrom the restriction of front and rear yard setback requirements to that of the Residence 1-B District.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Huntsville, Alabama as follows:

Section 1. That the Restrictions on the Plat are hereby amended to eliminate therefrom the

restriction of front and rear yard setback requirements to that of the Residence 1-B District.

Section 2. That the result of the amendment of the Restrictions shall be to remove only the restrictions requiring compliance with the front and rear yard setback requirements of the Residence 1-B District and leave unaffected and in full force and effect the remainder restrictions including requiring the compliance with the minimum lot size requirement of the Residence 1-B District, the current zoning classification of the property, that is, Residence 2 District and all other plat restrictions, as such may be amended from time to time, until such time, if ever, as said property is rezoned or until such time, if ever, as such property is subjected to different or additional restrictions pursuant to Code of Ala. 1975 § 11-52-32(c).

Section 3. That the remainder of the matters contained on the Plat, including, but not necessarily limited to, the dedications of public right-of-way and/or public easement(s) thereon, shall otherwise remain in full force and effect.

Section 4. That the Planning Department of the City of Huntsville, Alabama, is hereby authorized and directed to record this Ordinance, along with the Resolution No. 2026-01 of the Planning Commission of the City of Huntsville, Alabama, in the Probate Records of Madison County, Alabama, at the cost of the owners of the lands embraced by the Plat.

Section 5. This ordinance shall take effect from and after the date of its publication.

ADOPTED this the _____ day of _____, 2026.

President of the City Council of
the City of Huntsville, Alabama

APPROVED this the _____ day of _____, 2026.

Mayor of the City of Huntsville,
Alabama

RESOLUTION NO. 26-678 (Cont'd)

ADOPTED this the 13th day of August, 2026.

/s/ Jennie Robinson
President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 13th day of August, 2026.

/s/ Tommy Battle
Mayor of the City of Huntsville,
Alabama