

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 24th day of September 2026.

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

APPROVED this the 24th day of September 2026.

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