

ORDINANCE 1022



AN ORDINANCE OF THE CITY COUNCIL OF BAY MINETTE, REGARDING
Case No. Z-23001, Rezoning of the Hoover Property,
AS AUTHORIZED PURSUANT TO SECTION 11-52-1 THROUGH 11-52-85, CODE OF ALABAMA (1975).

WHEREAS, Jonathan Hoover, has petitioned the City of Bay Minette to rezone certain property located within the municipal limits along U.S. Hwy 31 S, said property containing approximately 1.52 acres, identified herein and described as follows:

Commencing at the point on the East margin of Daphne Road which is 244 feet South and 383 feet East from the Southeast corner of the Northwest Quarter of Section 28, Township 2 South, Range 3 East, run thence Southerly along the East margin of said Daphne Road (now U.S. Highway 31) 495 feet to a point, the Point of Beginning; run thence Southerly and along said margin 160 feet to a point; run thence South 88 degrees 28 minutes East to a point on the West margin of the Bay Minette to Fort Morgan Branch of the L and N Railroad; run thence North 4 degrees 45 minutes East along the said margin of the L and N Railroad 160 feet to a point; run thence North 88 degrees 28 minutes West to the Point of Beginning.

Otherwise known as tax parcel number 05-23-08-28-4-000-009.000 (PIN# 40864) as found in the office of the Revenue Commissioner of Baldwin County, Alabama. Said property further identified as set forth on a map of the property attached hereto and made a part of this Ordinance as Exhibit "A"; and

WHEREAS, the petitioner has requested that property herein identified be rezoned from R-2, Medium Density Single Family Residential District to B-2, General Business District; and

WHEREAS, the Planning Commission of the City of Bay Minette held a public hearing in a regular meeting on March 9, 2023, and voted to recommend to the City Council approval of the rezoning request from R-2, Medium Density Single Family Residential District to B-2, General Business District; and

WHEREAS, due notice of said proposed rezoning has been provided to the public as required by and in accordance with Section 11-45-8 of the *Code of Alabama* (1975), upon 15 or more days' notice of the time, place and purpose of the public hearing, and the City Council held a public hearing on April 3, 2023; and

WHEREAS, the City Council of Bay Minette after due consideration and upon consideration of the recommendation and notes of the Planning Commission, deemed that said application for rezoning of the above described real property and as set forth in Exhibit "A" is proper and in the best interest of the health, safety, and welfare of the citizens of the City of Bay Minette, Alabama;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAY MINETTE, ALABAMA, IN REGULAR MEETING ASSEMBLED, AS FOLLOWS:

SECTION I: ZONING.

That above-described real property is hereby rezoned from R-2, Medium Density Single Family Residential District to B-2, General Business District. Upon adoption and publication as required by law, the properties shall be assigned the zoning district in accordance with the rezoning; and the zoning ordinance and zoning map shall be amended to reflect said zoning.

SECTION II: REPEALER.

Any ordinance or resolution heretofore adopted by the Council which is in conflict with this Ordinance is hereby repealed to the extent of such conflict.

SECTION III: SEVERABILITY.

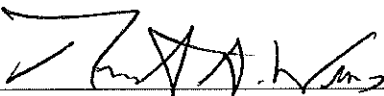
The provisions of this Ordinance are severable. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION IV: EFFECTIVE DATE.

This Ordinance shall be in full force and effect upon its adoption by the City Council of the City of Bay Minette and publication as required by law.


FURTHER, BE IT RESOLVED AND ORDAINED, BY THE CITY COUNCIL OF BAY MINETTE, ALABAMA IN REGULAR MEETING ASSEMBLED, in the interest of public health, safety and welfare of the general public, determined that **Ordinance 1022**, Case Z-23001, Rezoning of the Hoover Property, is hereby **ADOPTED AND IMPLEMENTED**.

Done this the 17th day of April, 2023.



Robert A. Wills, Mayor
City of Bay Minette, Alabama

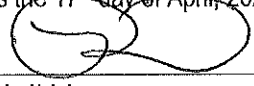
ATTEST:



Rita Diedrich, City Clerk

I, the undersigned qualified and acting Clerk of the City of Bay Minette, Alabama, do hereby certify that the above and foregoing is a true copy of an Ordinance lawfully passed and adopted by the Bay Minette City Council, at a regular meeting of such council, held on the 17th day of April, 2023 and that said Ordinance is on file in the office of the Bay Minette City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Bay Minette, on this the 17th day of April, 2023.



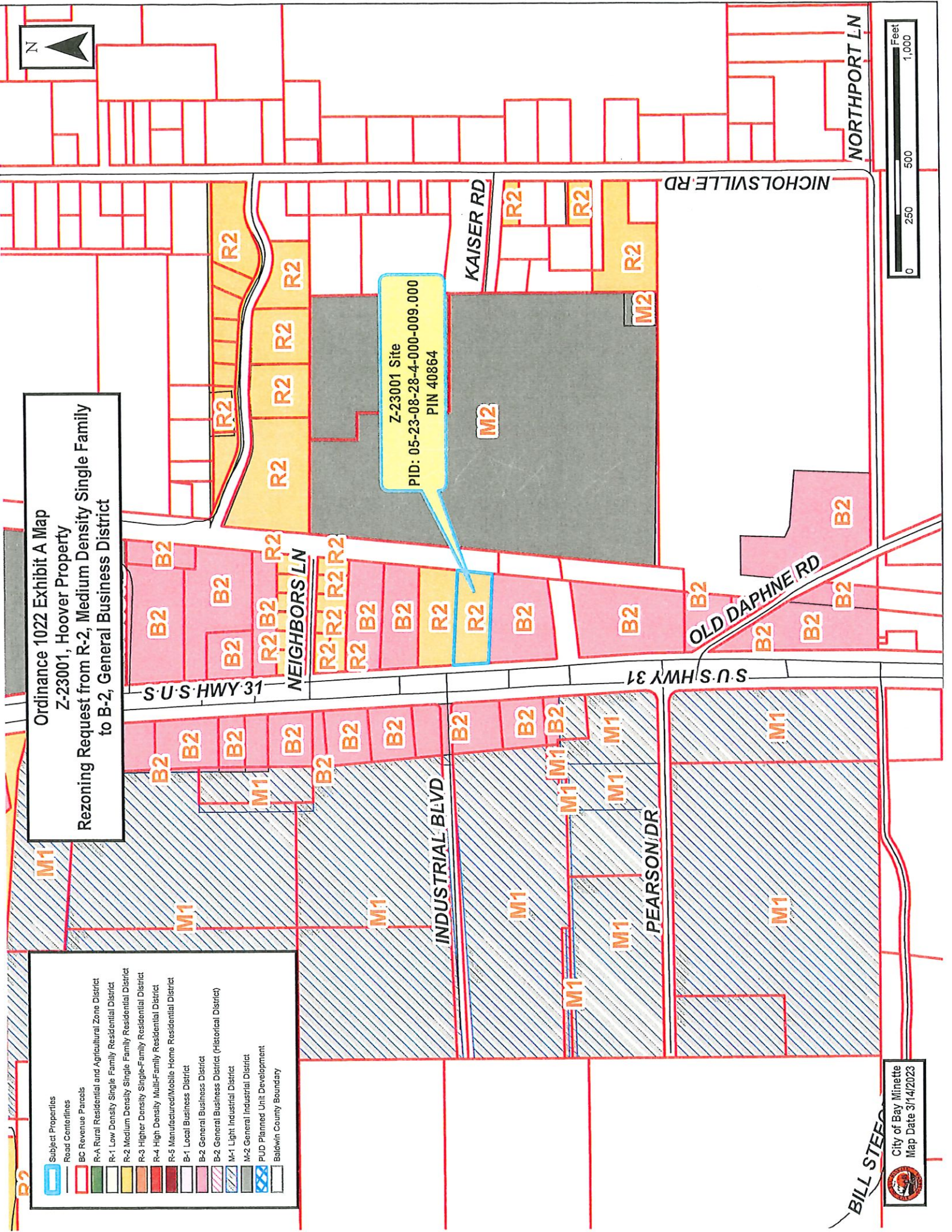
Rita Diedrich
City Clerk



Ordinance 1022 Exhibit A Map
Z-23001, Hoover Property
Rezoning Request from R-2, Medium Density Single Family
to B-2, General Business District

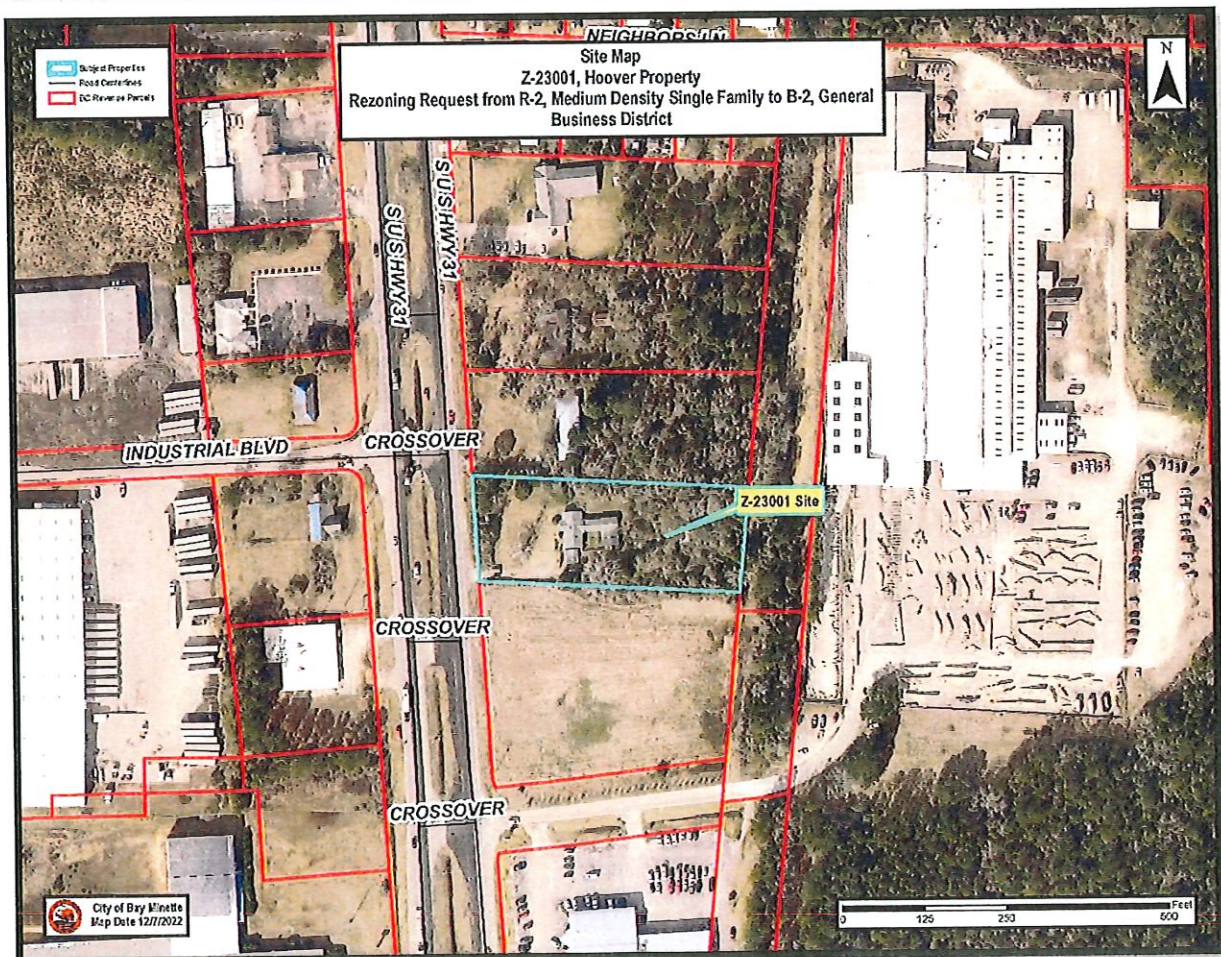
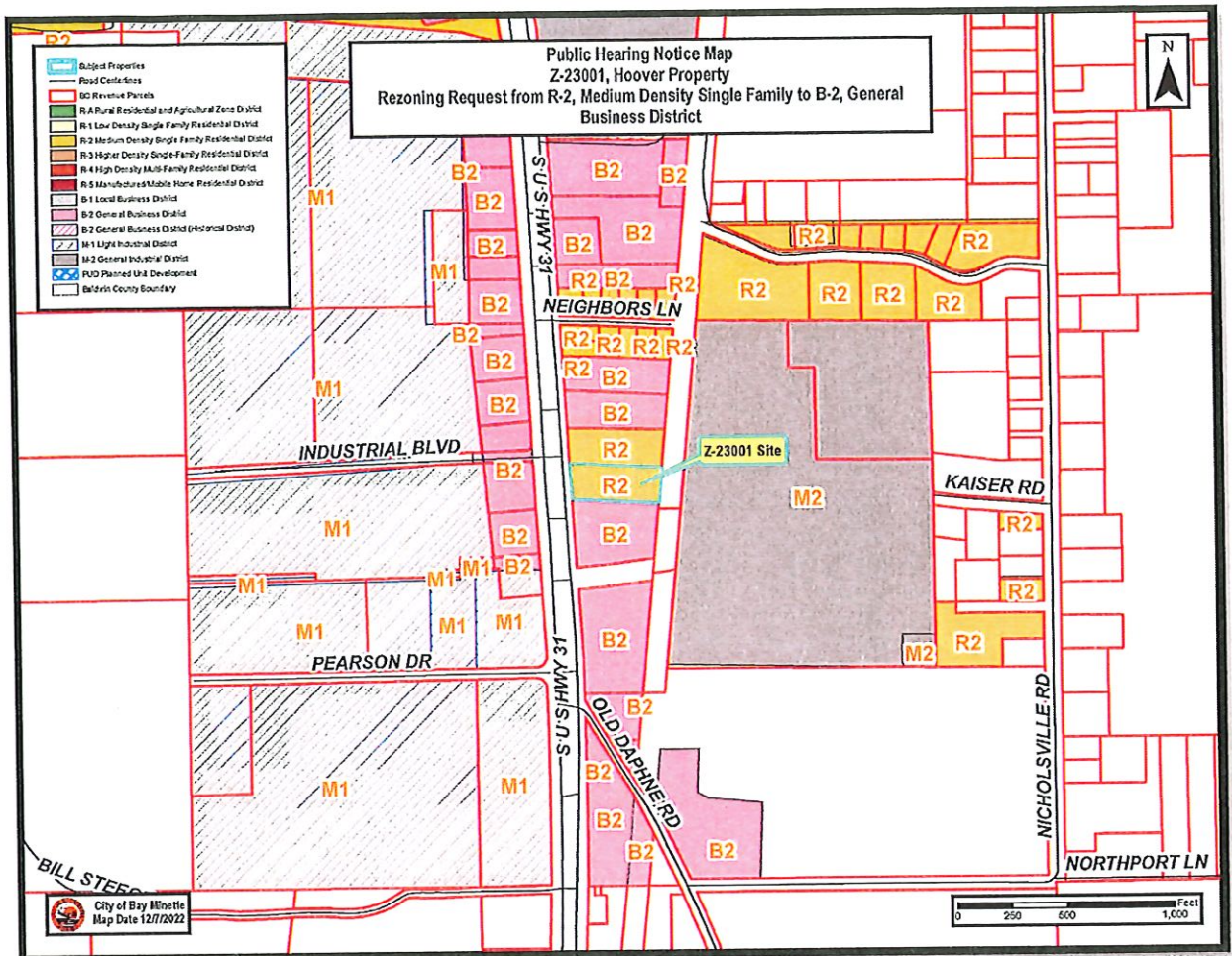
Z-23001 Site
PID: 05-23-08-28-4-000-009.000
PIN 40864

- Subject Properties
- Road Centerlines
- B-2 Revenue Parcels
- R-2 Rural Residential and Agricultural Zone District
- R-1 Low Density Single Family Residential District
- R-2 Medium Density Single Family Residential District
- R-3 Higher Density Single-Family Residential District
- R-4 High Density Multi-Family Residential District
- R-5 Manufactured/Mobile Home Residential District
- B-1 Local Business District
- B-2 General Business District
- B-2 General Business District (Historical District)
- M-1 Light Industrial District
- M-2 General Industrial District
- PUD Planned Unit Development
- Baldwin County Boundary



BILL STEEN

City of Bay Minette
Map Date 3/14/2023



* *HAVE A NICE DAY* *
 * *HARRY D'OLIVE, JR.* *
 * *PROBATE JUDGE* *
 * *BALDWIN COUNTY, ALABAMA* *
 RECEIPT NUMBER..... 2124321
 INSTRUMENT NUMBER..... 2059309
 Rcvd of: CITY OF BAY MINETTE
 Date: 4/21/2023 Time 15:23
 For: ORDINANCE
 TpIN Bk Pg2059309 Inst 2059309
 Grantor
 Grantee
 Cash Drawer 70 ID LSWILLIAMS
 Recording Fee 12.00
 D.P. Fee 5.00
 Archive 5.00
 Total..... 22.00

 Paid:
 Cash 22.00

* *HAVE A NICE DAY* *
 * *HARRY D'OLIVE, JR.* *
 * *PROBATE JUDGE* *
 * *BALDWIN COUNTY, ALABAMA* *
 RECEIPT NUMBER..... 2124324
 INSTRUMENT NUMBER..... 2059310
 Rcvd of: CITY OF BAY MINETTE
 Date: 4/21/2023 Time 15:25 For: ORDINANCE
 TpIN Bk Pg2059310 Inst 2059310
 Grantor
 Grantee
 Cash Drawer 70 ID LSWILLIAMS
 Recording Fee 12.00
 D.P. Fee 5.00
 Archive 5.00
 Total..... 22.00

 Paid:
 Cash 22.00

 *** Batch ID..... CASH BW ***
 *** Number of Receipts... 2 ***
 *** Total of Receipts..\$ 44.00***