

“ZONING NOTICE

Notice is hereby given that at a special meeting of the City Council of the City of Mountain Brook to be held on Monday, January 30, 2023, at 5:00 p.m., in the Council Chamber of the Mountain Brook City Hall located at 56 Church Street, Mountain Brook, Alabama 35213, the City Council will hold a public hearing regarding a proposal that the City Council adopt an ordinance in words and figures substantially as follows:

“ORDINANCE NO.

AN ORDINANCE TO REZONE CERTAIN PARCELS OF LAND IN THE CITY OF MOUNTAIN BROOK, ALABAMA FROM RESIDENCE B DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

WHEREAS, after due consideration, the City Council has determined that the zoning classification of the real estate owned by Montevallo Road Partners, LLC, which is located along Montevallo Road, as more particularly described below, should be zoned Planned Unit Development (PUD) District, such property being presently zoned Residence B District.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mountain Brook as follows:

1. Amendment of Zoning Ordinance and Map. The zoning ordinance of the City of Mountain Brook and zoning map established under authority of Section 129-17 of the Mountain Brook City Code are hereby amended by rezoning the property described hereinbelow from its present Residence B District under Chapter 129, Article IV, of said Code to Planned Unit Development (PUD) District as described in Chapter 129, Article XVI. The zoning ordinance of the City of Mountain Brook shall further be amended to set forth that the development of the subject property shall be governed by the zoning standards set forth in the PUD Rezoning Application and Master Development Plan.

2. Development Standards. The Master Development Plan and the materials submitted by the applicant, as required by Section 129-265 of the Mountain Brook City Code, are made a part hereof and are specifically incorporated herein by reference, said plan and materials constituting regulatory standards for use of the affected property, subject to modification only as provided for in Article XVI, Chapter 129 of the Mountain Brook City Code

3. Description of Affected Property. The property that is the subject of the rezoning approved by this ordinance is described as follows:

PARCEL I:

Lots 330 and 331, according to the Survey of Mountain Brook Estates, Chester Road, as recorded in Map Book 24, page 37, in the Probate Office of Jefferson County, Alabama.

+/- 17,256 Square Feet or 0.4 Acres

PARCEL II:

Begin at the center of the North boundary line of the NW 1/4 of the SW 1/4 of Section 8, Township 18, Range 2 West; thence run South along the center line of said NW 1/4 of SW 1/4 790 feet; thence East and parallel with the North boundary line of the said NW 1/4 of SW 1/4 234 feet; thence North 790 feet to the North boundary line of said 40 acre tract; thence West along the said North boundary line 234 feet to Point of Beginning.

LESS AND EXCEPT any portion of subject property lying in US Highway 280. Situated in Jefferson County, Alabama.

+/- 151,035.66 Square Feet or 3.5 Acres

4. Repealer. All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Mountain Brook, Alabama that are inconsistent with the provisions of this ordinance are hereby expressly repealed.

5. Severability. The provisions of this ordinance are severable. If any provision of this ordinance is held by a court of competent jurisdiction to be invalid, such invalidity shall in no way affect the remaining provisions of this ordinance.

6. Effective Date. This ordinance shall become effective when published by posting the same as required by law.”

At the aforesaid time and place, all interested parties will be heard in relation to the changes proposed by said ordinance.

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A map of the property, a development plan proposed for the property, and other documents, information, and materials filed in conjunction with the application for rezoning may also be viewed on the City’s website by going to:

www.mtnbrook.org

- Calendar (upper right corner)
- City Council (January 30, 2023)
- Meeting Information (for agenda) and Supporting Documents (to view proposed plans and related materials select link associated with the case number P-22-16)

For inquiries, please contact Dana Hazen at 802-3816 (hazend@mtnbrook.org).

Heather Richards
City Clerk
802-3823
boones@mtnbrook.org

CERTIFICATION

I, Tammy Reid, Administrative Analyst for the City of Mountain Brook, Alabama, do hereby certify that I have caused notice of the proposed rezoning and of public meeting thereupon set forth above to be published and provided in the manner specified by Article XXV, Sec. 129-431, of the Mountain Brook City Code. I further certify that I have posted said notice in four conspicuous places within the City of Mountain Brook, in the manner and within the time permitted by law, said places being:

Mountain Brook City Hall, 56 Church Street
Cahaba River Walk, 3503 Overton Road

Gilchrist Pharmacy, 2850 Cahaba Road
Overton Park, 3020 Overton Road

Tammy Reid, Administrative Analyst