

**ORDINANCE NO. 616-2023**

**AN ORDINANCE AMENDING ORDINANCE NO. 51-96 OF THE CITY OF SPANISH FORT CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY LOCATED AT 30362 HIGHWAY 181, SPANISH FORT, ALABAMA, FROM R-1 TO B-3**

**WHEREAS**, the owner of the property made the subject of this change in zoning classification has requested that the zoning classification on the property be changed from R-1 to B-3; and

**WHEREAS**, the Planning Commission of the City of Spanish Fort, Alabama, held a meeting on Monday, December 12, 2022, and the City Council of the City of Spanish Fort held a meeting on January 3 2023, for the purpose of receiving public comments on the proposed change in zoning classification.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT, ALABAMA, AS FOLLOWS:**

**SECTION 1. Change in Zoning Classification.**

Ordinance No. 51-96, as amended, of the City of Spanish Fort, Alabama, is hereby amended by changing the zoning classification of certain property located at 30362 Highway 181, bearing tax parcel number 05-32-07-26-0-000-021.005, and being more particularly described in Exhibit 1 which is attached hereto and made a part of this Ordinance as though set forth fully herein, from R-1, Single Family Low Density Residential District, to B-3, General Business District.

**SECTION 2. Change in Zoning Map.**

The official zoning map for the City of Spanish Fort is hereby amended, changed or altered to reflect the change in zoning classification from R-1, Single Family Low Density Residential District, to B-3, General Business District, on the above referenced property.

**SECTION 3. Repealer Clause.**

Any ordinance heretofore adopted by the City Council of the City of Spanish Fort, Alabama, which is in conflict with this Ordinance is hereby repealed to the extent of such conflict. Except as expressly amended herein, all terms and provisions contained in Ordinance No. 51-96, as amended, shall remain in full force and effect.

**SECTION 4. Severability Clause.**

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

**SECTION 5. Effective Date.**

This Ordinance shall become effective upon its adoption or as otherwise required by state law.

***ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.***

\_\_\_\_\_  
Michael M. McMillan  
Mayor

ATTEST:

\_\_\_\_\_  
Rebecca A. Gaines  
City Clerk

**EXHIBIT "1" TO ORDINANCE NO. 616-2023**

LEGAL DESCRIPTION:

Lot I according to the map of Malbis Business Park, Unit One, as recorded on Slide 1183-A, in the Office of the Judge of Probate of Baldwin County, Alabama, and being more particularly described as follows: Commencing at the Northwest corner of Section 26, Township 4 South, Range 2 East, Baldwin County, Alabama; thence East a distance of 35.00 feet to a point; thence South along the East margin of Alabama State Highway No. 181 a distance of 3409.79 feet to the Northwest corner of Lot I and the Point of Beginning of property herein described; thence North 89 degrees 52 minutes 37 seconds East a distance of 210.00 feet to the Northeast corner of Lot I; thence South 00 degrees 05 minutes 40 seconds East a distance of 200.00 feet to the Southeast corner of Lot I; thence South 89 degrees 51 minutes 24 seconds West a distance of 189.88 feet to a point on the East margin of Alabama State Highway No. 181; thence North 29 degrees 30 minutes 34 seconds West and along said East margin a distance of 20.07 feet to a point; thence North 00 degrees 12 minutes 37 seconds West a distance of 160.11 feet to a concrete right-of-way monument; thence South 89 degrees 41 minutes 27 seconds West a distance of 9.98 feet to a point; thence North 00 degrees 00 minutes 53 seconds East a distance of 22.51 feet to the Point of Beginning.