

AN ORDINANCE
TO PRE-ZONE CERTAIN REAL PROPERTY
ORDINANCE 440

BE IT ORDAINED by the City Council of the City of Troy, Alabama, as follows:

Section 1. That the Troy Zoning Ordinance and Zoning Map, as amended, are hereby amended to reclassify the certain real property described below as R-3: High Density Residential Zoning District:

Parcel B according to the Final Plat of Enzor Road Plat No. 1 as recorded in the Office of the Judge of Probate of Pike County, Alabama in Plat Book 2022 at Page 13.

Section 2. That due notice of said proposed pre-zoning and public hearing has been provided to the public as required by law through publication.

Section 3. That the City Council of the City of Troy held a public hearing regarding the Ordinance for said proposed pre-zoning and that at such time and place all persons who desired had an opportunity to be heard in favor of or in opposition to this Ordinance.


Section 4. That this ordinance is adopted under the authority of §11-52-85 of the Code of Alabama, 1975, as amended, and is contingent on the completion of the process to annex said property described herein.

Section 5. It is the intention of the City Council of the City of Troy that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the City Council that if any provision of this ordinance be declared invalid or unconstitutional, all other provisions thereof shall remain valid and enforceable.

Section 6. All ordinances or parts of ordinances in conflict herewith, are to the extent of such conflict hereby repealed.

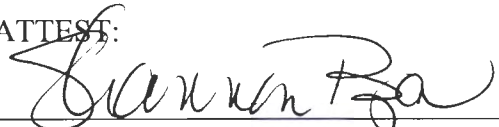
Section 7. This Ordinance and, in particular the pre-zoning shall take effect after the date of its approval by the City Council of the City of Troy and publication as required by law. Pursuant to the *Code of Alabama* (1975), §11-52-85, the zoning of the property shall become effective upon the date the territory is annexed into the corporate limits. If any portion of the territory is not annexed into the corporate limits within 180 days of the initiation of annexation proceedings as provided by law, then this pre-zoning shall be null and void.

ADOPTED AND APPROVED this 14th day of February, 2023.

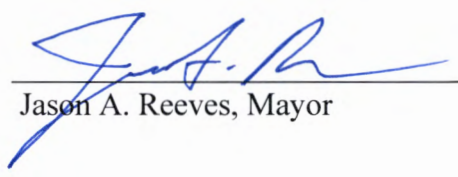


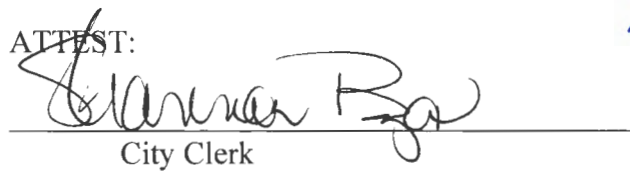
Greg Meeks, Presiding Officer

ATTEST:

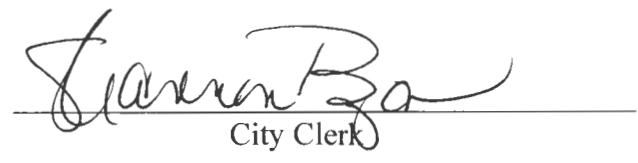


APPROVED this the 14th day of February, 2023.


Jason A. Reeves, Mayor

ATTEST:

City Clerk

Passed and Approved this 14th day of February, 2023.


City Clerk

JASON A. REEVES
Mayor

MARCUS PARAMORE
Council President, District 3

GREG MEEKS
Council President Pro Tempore, District 2

CITY OF TROY



PLANNING AND ZONING

SHARON McSWAIN-HOLLAND
District 1 Councilwoman

STEPHANIE BAKER
District 4 Councilwoman

WANDA H. MOULTRY
District 5 Councilwoman

MEMORANDUM

Date: December 27, 2022

To: Mrs. Shannon Bryan (via email)
City Clerk & Treasurer

From: Ms. Melissa Sanders
Planning & Zoning Administrator

Re: Prezoning & Annexation Requests – 5.85 +/- acres of land located west of and adjacent to, but not including, 956 Trojan Parkway

This is to advise you that the Planning Commission, at its December 22, 2022 meeting, approved the request for recommendation to the City Council to pre-zone and annex 5.85 +/- acres of land located west of and adjacent to, but not including, 956 Trojan Parkway as R-3: High Density Residential Zoning District.

Enclosed are the drafted Prezoning Ordinance and notices for such and the Annexation Ordinance. Per Act 2021-291, the police jurisdiction will not be extended with the proposed annexation ordinance.

If I can be of any further assistance, feel free to call on me.

attachments

cc: Mayor Jason A. Reeves (via email)

MELISSA SANDERS, PLANNING AND ZONING ADMINISTRATOR

P.O. Box 549 • 301 Charles W. Meeks Avenue • Troy, Alabama 36081 • Tel: (334) 670.6058 • Fax: (334) 670.6078
www.troyal.gov

TROY PLANNING COMMISSION AGENDA

December 22, 2022

4:00 PM

Council Chambers, City Hall, Troy

CALL TO ORDER

ROLL CALL

CHAIRMAN'S MESSAGE

APPROVAL OF MINUTES: November 17, 2022 Meeting

PUBLIC HEARING:

FINAL PLAT APPROVAL REQUEST

APPLICANT: Allen C. Jones

SUBJECT: Request for final plat approval of the **Replat of Lot 1, Block B - Town & Country Estates, Sector 2** located at 116 N. Hunter Lane in the RR: Reserved Residential Zoning District.

ADMINISTRATIVE HEARING:

PRELIMINARY PLAT CONSIDERATION REQUEST

APPLICANT: Walter H. Stell

SUBJECT: Request for consideration of an application for preliminary plat approval of the **Trojan Parkway Storage No. 1** located on Trojan Parkway and located south of and adjacent to, but not including, 1225-1259 (odd) US Hwy 231 South in the M-1: Light Industrial Zoning District.

PUBLIC HEARINGS:

PRELIMINARY PLAT APPROVAL REQUEST

APPLICANT: Walter H. Stell

SUBJECT: Request for preliminary plat approval of the **Trojan Parkway Storage No. 1** located on Trojan Parkway and located south of and adjacent to, but not including, 1225-1259 (odd) US Hwy 231 South in the M-1: Light Industrial Zoning District.

PREZONING REQUEST

APPLICANT: Walter H. Stell

SUBJECT: Request for recommendation to the City Council to pre-zone 5.85 +/- acres of land located west of and adjacent to, but not including, 956 Trojan Parkway as R-3: High Density Residential Zoning District.

ANNEXATION REQUEST

APPLICANT: Walter H. Stell

SUBJECT: Request for recommendation to the City Council for annexation of a 5.85 +/- acres parcel of land located west of and adjacent to, but not including, 956 Trojan Parkway.

ZONING ORDINANCE TEXT AMENDMENT

SUBJECT: Consideration of recommendation to City Council of proposed amendments to Articles Five (Classification of Schedule of District Regulations) and Eleven (Definitions) of the Zoning Ordinance of the City of Troy.

OTHER BUSINESS

ADJOURNMENT

TROY CITY PLANNING COMMISSION

December 22, 2022

(Public Hearing – Item 3 of 5)

PREZONING REQUEST

APPLICANT: Walter H. Stell

SUBJECT: Request for recommendation to the City Council to pre-zone 5.85 +/- acres of land located west of and adjacent to, but not including, 956 Trojan Parkway as R-3: High Density Residential Zoning District.

PURPOSE OF REQUEST AND INTENDED USE OF PROPERTY IS PREZONED – PER THE APPLICATION: R-3 to match Cottage Home property. To combine with Cottage Home property for Phase II of Cottage Home.

PLANNING REMARKS: Section 11-52-85, Code of Alabama 1975, allows proposed annexed areas to be pre-zoned prior to the effective date of the annexation. Municipalities may pre-zone territory by complying with Article 4 of Chapter 52 of Title 11, Code of Alabama 1975. Section 11-52-85 states the following:

Pre-zoning of territory proposed for annexation by municipality.

(a) A municipality which exercises its authority to zone territory within its corporate limits may pre-zone territory proposed for annexation into the corporate limits of the municipality prior to the effective date of the annexation by complying with this article. If all the requirements, including all notice and public hearing requirements, of this article are met, the zoning shall become effective upon the date the territory is annexed into the corporate limits, or upon the date the zoning process is completed, whichever is later.

(b) A municipality which exercises its authority to zone territory within its corporate limits shall pre-zone territory as provided in subsection (a) and issue a statement of zoning classification to an affected property owner if the individual property owner residing in the area to be annexed requests in writing that a zoning determination be made pursuant to this section prior to being annexed.

(c) Any pre-zoning established by a municipality pursuant to this section for territory proposed for annexation shall be null and void as to any portion of the territory that is not annexed into the corporate limits within 180 days of the initiation of annexation proceedings as provided by law.

(d) Nothing contained in this section shall allow a municipality to zone territory outside the corporate limits of the municipality that is not in the process of being annexed into the corporate limits of a municipality as provided by law.

(e) Section 6-5-127 shall be applicable to any property pre-zoned pursuant to this section.

Per Counsel, this Section makes Section 3.15 of the Troy Zoning Ordinance stating, "All territory which may hereafter be annexed to the City shall be considered to be in the RR: Reserved Residential District, until otherwise classified." Null and void and all annexation requests must have prezoning to determine the zoning district in which it will be annexed into.

The property requested for prezoning is Parcel B of the Enzor Road Plat No. 1 which was recorded in October 2022. The Planning Commission approved this plat at its September 22, 2022. It was noted in that meeting that that no structures could be built on the lot until combined with another lot. Mr. Stell replied that there is a note on the plat and structures would not be built on it until it is brought into City Limits, zoned appropriately, and combined.

TROY CITY PLANNING COMMISSION

December 22, 2022

(Public Hearing – Item 3 of 5)

PREZONING REQUEST

Intent and Use Information related to the Proposed Zoning District – R-3: High Density Residential:

5.24 R-3: High Density Residential:

5.241 Statement of Intent: The intent of the R-3: High Density Residential District is to promote an opportunity for various living environments by providing land for high density residential uses appropriate to the environmental character of the Troy area and including provisions for those non-residential uses considered compatible with the character of the residential district itself and providing essential community services for residents of the community.

5.242 Uses Permitted:

1. All uses in and regulated by the provisions for an R-2, Medium Density Residential District.
2. Townhouses as regulated in Section 5.237.
3. Multi-family structures.
4. Cottage Housing Developments as regulated in Section 5.248 of these District Regulations.

5.243 Uses Permitted on Appeal:

1. All uses permitted on appeal in an R-2, Medium Density Residential District.
2. Rooming, tourist, and boarding houses provided that the floor area for such proposed use shall not exceed 75% of the total floor area of the residence.
3. Home occupations, only in accordance with Article 6.24.
4. Retirement or assisted-living facilities and nursing homes in accordance with the provisions of Section 6.29.

5.245 Uses Prohibited:

1. Mobile homes.
2. Commercial and industrial uses not specifically permitted.

APPLICABLE DEFINITION(S) FROM THE COMMUNITY MASTER PLAN:

Traditional Neighborhood- A neighborhood composed primarily of single family residential units, designed in traditional street grid, which may also include a variety of small scale multi-family residential units consistent with a planned use development plan, design standards and overall density consistent with adjacent properties; including important neighborhood amenities such as sidewalks, streetlights, and appropriately sized open space. The road network in this neighborhood should encourage connectivity and cohesiveness; these neighborhoods may exist in all types of districts.

Residential Neighborhood - Residential neighborhoods and communities composed of a variety in sizes of single family residential units, primarily single family with related parks, etc.; generally adjacent to existing neighborhoods.

DEPARTMENT COMMENTS:

TROY CITY PLANNING COMMISSION

December 22, 2022

(Public Hearing – Item 3 of 5)

PREZONING REQUEST

APPLICABLE MINUTES FROM THE SEPTEMBER 22, 2022 PLANNING COMMISSION MEETING: Mr. Bill Hopper introduced the request, presented by Mr. Walter H. Stell, for final plat approval of the Enzor Road Plat No. 1 located east of, but not including, 619 and 667 Enzor Road and west and north of, but not including, 695 Enzor Road in the Planning Jurisdiction. Mr. Stell gave an overview of the request and stated that Ms. Outlaw is the owner of the property. Mr. Stell noted the dashed line which is a 20' wide strip that Ms. Outlaw wanted to keep with her property and that Cottage Home is purchasing the back. Mr. Stell stated that the property is outside City Limits and that they plan to bring it into the City and combine it with Cottage Home. Mr. Bill Hopper mentioned that no structures could be built on the lot until combined with another lot. Mr. Stell replied that there is a note on the plat and structures would not be built on it until it is brought into City Limits, zoned appropriately, and combined.

Mr. Hopper opened the floor to the public. Ms. Jean Lassiter stated that she owned the land next to this and was wondering if a privacy fence could be built where the home is at, and Mr. Stell replied that he had no objections to building a fence. Ms. Michelle Davenport stated that she is Ms. Lassiter's daughter and mentioned stormwater runoff from Outlaw's property and the sportsplex. Councilman Paramore stated that as City Council District 3 Councilman, he would speak to her after the meeting regarding the stormwater from the street. Mr. Stell stated that stormwater is addressed in site plan review.

Mr. Hopper asked if there were any questions from the Commission. Mr. Sam Green motioned to approve the request for final plat approval of the Enzor Road Plat No. 1 located east of, but not including, 619 and 667 Enzor Road and west and north of, but not including, 695 Enzor Road in the Planning Jurisdiction. Mr. Ed Telfair seconded the motion, and being put to vote the motion passed as follows:

Mr. Vaughn Daniels - Aye
Mr. Jack Norton - Aye
Mr. Troy Weed - Aye

Mr. Sam Green - Aye
Councilman Marcus Paramore - Aye

Mr. Bill Hopper - Aye
Mr. Ed Telfair - Aye

AERIAL OF SITE:



TROY CITY PLANNING COMMISSION

December 22, 2022

(Public Hearing – Item 3 of 5)

PREZONING REQUEST

ZONING MAP:



MASTER PLAN LAND USE MAP:



TROY CITY PLANNING COMMISSION

December 22, 2022

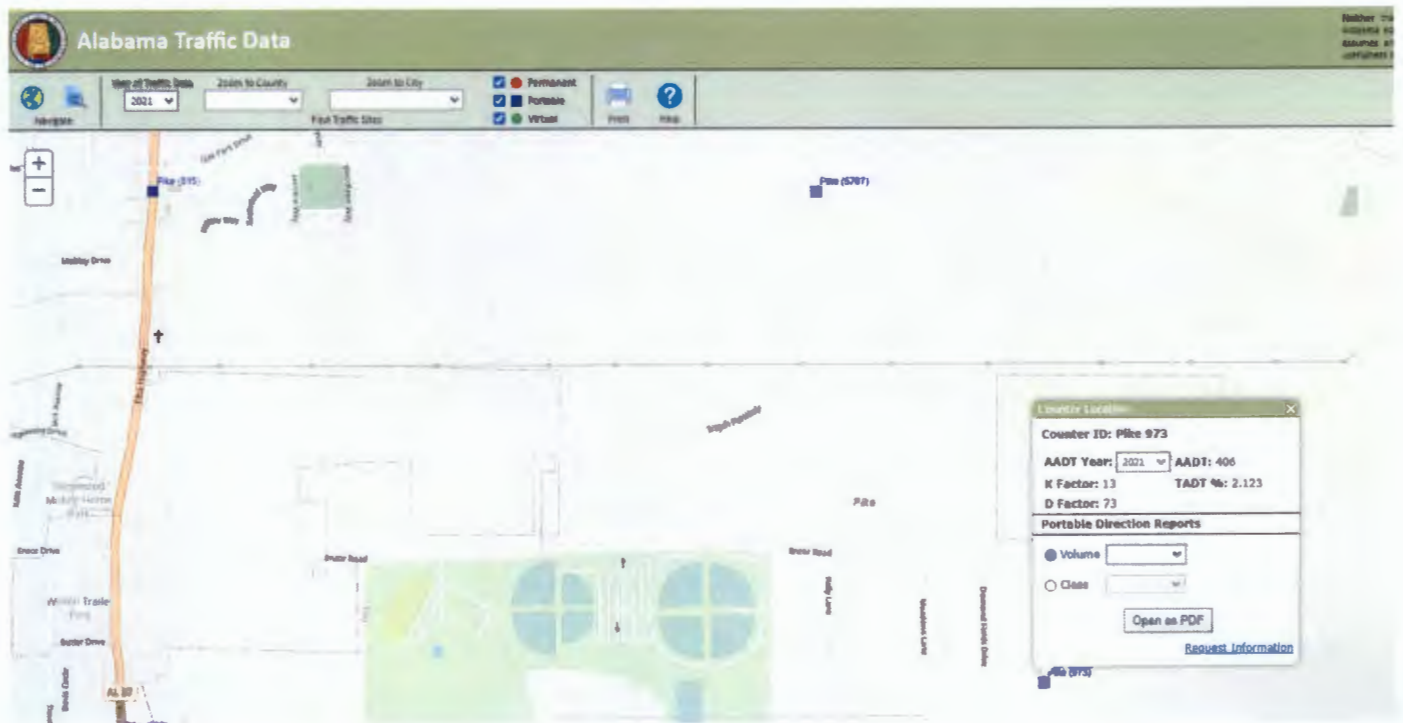
(Public Hearing – Item 3 of 5)

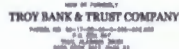
PREZONING REQUEST

MASTER PLAN THOROUGHFARE AND STREET PLAN MAP:



ALDOT TRAFFIC COUNTS:





VOLUME MAP 14.14

NOTE ON PUBLISHER
FRANK THOMAS
PUBLISHER, 401 N. 12th St., 12th & 13th Sts., S.W., OMAHA, NEB.
JAMES SHANE ROAD
PUBLICATIONS, 10th & 11th Sts., OMAHA, NEB.

100% OF PROFITS
CAROLINA CTRLS LLC

PARCEL B
8.83 ACRES

STAGE HOME LLC

TRIDIAN PARKWAY
(100' ROW)

ENTER ROAD (60' ROW)

JOHN & GWYN HUGGINS

① = Զարգացող առաջնության ցուցանիշ
 ② = ՏԻՄ ՔՁ
 ③ = ՎՃԱԿԻ ՔՁ
 ④ = Ժամանակակից ՎՃԱԿԻ
 ⑤ = Ընդհանուր առաջնություն
 ⑥ = Զարգացող առաջնության ցուցանիշ
 ⑦ = Զարգացող առաջնության ցուցանիշ

SITE DATA
ADDRESS: 8108 AGNES
CITY: MOBILE (NOT IN CITY LIMIT)
LOT: 2

FINAL PLAT OF
ENZOR ROAD PLAT NO. 1
A SUBDIVISION OF LAND IN THE EAST 1/2
OF SECTION 9, TOWNSHIP 9 NORTH,
RANGE 21 EAST, CITY OF TROY,
PIKE COUNTY, ALABAMA
DEVELOPED BY: MS. LINDA OUTLAW

Linda Sutter

1. The undersigned is a member of the _____
2. The undersigned is a member of the _____
3. The undersigned is a member of the _____
4. The undersigned is a member of the _____
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8. The undersigned is a member of the _____
9. The undersigned is a member of the _____
10. The undersigned is a member of the _____

Courtesy return
BY CHANDLER COMPANY CO. TO Mr. J. H. [unclear]

[illegible]

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OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20315

Sherman, Alabama

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U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

44-38861-5000

THE UNITED STATES OF AMERICA
DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

[Signature] 10/6/82
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STATEMENT OF AFFIDAVIT BY THE GROUP LEADER
[Illegible text]

THE STATE OF NEW YORK
IN SENATE
JANUARY 11, 1917.
REPORT
OF THE
COMMISSIONER OF THE LAND OFFICE
IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE
JANUARY 11, 1916.
ALBANY: J. B. LIPPINCOTT COMPANY, PRINTERS.
1917.

RESEARCH

Michael J. Bane, Inc.



SURVEY SOUTH
 Lead companies and Lead Participants
 a series of
 independent, rigorous assessments are
 carried out of the
 company and its
 activities

GRAPHIC SCALE

100	100
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1000

DATE _____

Exhibit A
Legal Description of Said Property

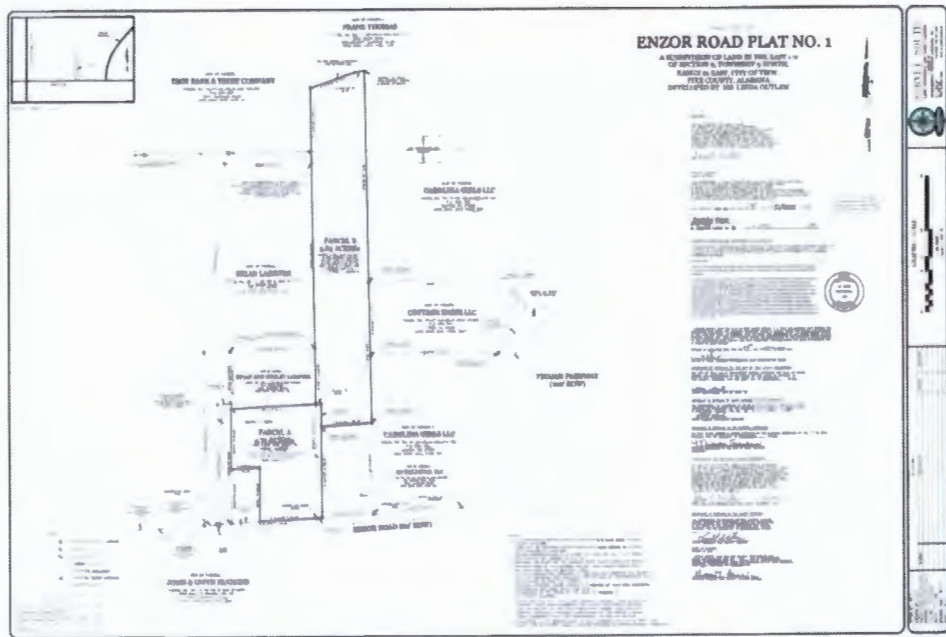
Parcel B according to the Final Plat of Enzor Road Plat No. 1 as recorded in the Office of the Judge of Probate of Pike County, Alabama in Plat Book 2022 at Page 13.

Exhibit B Map of Said Property

(from current City of Troy Zoning Map showing City Limits)



Parcel B according to the Final Plat of Enzor Road Plat No. 1 as recorded in the Office of the Judge of Probate of Pike County, Alabama in Plat Book 2022 at Page 13.

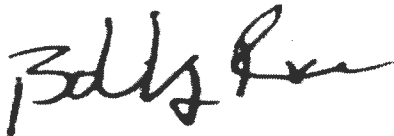


Publisher's Certificate of Publication

STATE OF ALABAMA COUNTY OF PIKE

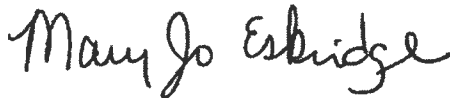
Bobby Rice, being duly sworn, on oath says he is and during all times herein stated has been an employee of Troy Publications, Inc. publisher and printer of the The Messenger (the "Newspaper"), has full knowledge of the facts herein stated as follows:

1. The Newspaper printed the copy of the matter attached hereto (the "Notice") was copied from the columns of the Newspaper and was printed and published in the English language on the following days and dates:
01/14/23
2. The sum charged by the Newspaper for said publication is the actual lowest classified rate paid by commercial customer for an advertisement of similar size and frequency in the same newspaper in which the Notice was published.
3. There are no agreements between the Newspaper, publisher, manager or printer and the officer or attorney charged with the duty of placing the attached legal advertising notice whereby any advantage, gain or profit accrued to said officer or attorney

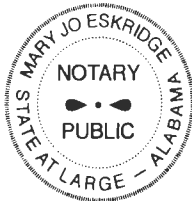


Bobby Rice, publisher

Subscribed and sworn to before me this
14th Day of January, 2023



Mary Jo Eskridge, Notary Public
State of Alabama at large
My commission expires 3-02-2026



Account #
Ad # 1578966

CITY OF TROY
PO BOX 549
TROY AL 36081

PUBLIC NOTICE

NOTICE

Notice is hereby given that at the regular meeting of the City Council of the City of Troy, Alabama, to be held at the Troy City Hall located at 306 E. Academy Street, Troy, Alabama on the 14th day of February, 2023, at 5 o'clock, p.m., the City Council will consider adoption and approval of the following proposed ordinance, at which time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of such ordinance.

AN ORDINANCE TO PRE-ZONE CERTAIN REAL PROPERTY ORDINANCE 440

BE IT ORDAINED by the City Council of the City of Troy, Alabama, as follows:

Section 1. That the Troy Zoning Ordinance and Zoning Map, as amended, are hereby amended to reclassify the certain real property described below as R-3: High Density Residential Zoning District:
Parcel B according to the Final Plat of Enzor Road Plat No. 1 as recorded in the Office of the Judge of Probate of Pike County, Alabama in Plat Book 2022 at Page 13.

Section 2. That due notice of said proposed pre-zoning and public hearing has been provided to the public as required by law through publication.

Section 3. That the City Council of the City of Troy held a public hearing regarding the Ordinance for said proposed pre-zoning and that at such time and place all persons who desired had an opportunity to be heard in favor of or in opposition to this Ordinance.

Section 4. That this ordinance is adopted under the authority of §11-52-85 of the Code of Alabama, 1975, as amended, and is contingent on the completion of the process to annex said property described herein.

Section 5. It is the intention of the City Council of the City of Troy that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the City Council that if any provision of this ordinance be declared invalid or unconstitutional, all other provisions thereof shall remain valid and enforceable.

Section 6. All ordinances or parts of ordinances in conflict herewith, are to the extent of such conflict hereby repealed.

Section 7. This Ordinance and, in particular the pre-zoning shall take effect after the date of its approval by the City Council of the City of Troy and publication as required by law. Pursuant to the Code of Alabama (1975), §11-52-85, the zoning of the property shall become effective upon the date the territory is annexed into the corporate limits. If any portion of the territory is not annexed into the corporate limits within 180 days of the initiation of annexation proceedings as provided by law, then this pre-zoning shall be null and void.

The Messenger:
Jan. 14, 2023
ORDINANCE 440

Publisher's Certificate of Publication

STATE OF ALABAMA COUNTY OF PIKE

PUBLIC NOTICE

NOTICE

Bobby Rice, being duly sworn, on oath says he is and during all times herein stated has been an employee of Troy Publications, Inc. publisher and printer of the The Messenger (the "Newspaper"), has full knowledge of the facts herein stated as follows:

1. The Newspaper printed the copy of the matter attached hereto (the "Notice") was copied from the columns of the Newspaper and was printed and published in the English language on the following days and dates:

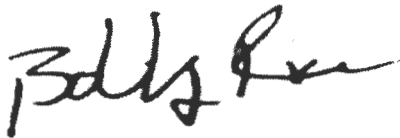
01/21/23

2. The sum charged by the Newspaper for said publication is the actual lowest classified rate paid by commercial customer for an advertisement of similar size and frequency in the same newspaper in which the Notice was published.

3. There are no agreements between the Newspaper, publisher, manager or printer and the officer or attorney charged with the duty of placing the attached legal advertising notice whereby any advantage, gain or profit accrued to said officer or attorney

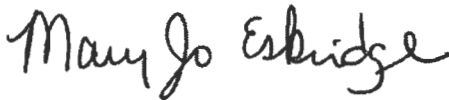
Notice is hereby given that at the regular meeting of the City Council of the City of Troy, Alabama, to be held at the Troy City Hall located at 306 E. Academy Street, Troy, Alabama on the 14th day of February, 2023, at 5 o'clock, p.m., the City Council will consider adoption and approval of Ordinance 440 to pre-zone 5.85 +/- acre of land located west of and adjacent to, but not including, 956 Trojan Parkway, Troy, Alabama, as R-3: High Density Residential Zoning District, at which time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of such ordinance. This Ordinance was published in full on the 14th day of January, 2023 in the legal section of The Troy Messenger. A copy of the full ordinance may be obtained from the office of the City Clerk of the City of Troy, Alabama, Troy City Hall, 301 306 E. Academy Street, Troy, Alabama, during regular business hours.

The Messenger:
Jan. 21, 2023
ORDINANCE 440



Bobby Rice, publisher

Subscribed and sworn to before me this
21st Day of January, 2023



Mary Jo Eskridge, Notary Public
State of Alabama at large
My commission expires 3-02-2026



Account #
Ad # 1581219

CITY OF TROY
PO BOX 549
TROY AL 36081