

# Steps for Zoning Change



## Annexation, Zoning, and Rezoning

### Items Needed for Submission

- Notarized Letter of Request (must comply with ZO §4.7.1(A)(3))
- Copy of the Deed
- Supporting legal documentation regarding property ownership.  
Copies of Deeds for sold off or deeded off property
- Digital Copy of Legal Description (MS Word compatible)
- A scaled plat/map showing property (see ZO §4.7.1(A)(2))
- Application Fee (\$1,000.00)

In cases with multiple deeds or zoning that does not follow property lines, a Surveyor's or Professional Engineer's services will be required to combine legal descriptions into a unified description of all property.

- Petition to annex
- Annexation Survey

### Annexation Only

**NOTE: Timeline shows an ideal zoning change scenario. During the process, issues may arise which require a longer period of time for the request to be approved.**

| Start |     |     |     |     |     |     |
|-------|-----|-----|-----|-----|-----|-----|
| Sun   | Mon | Tue | Wed | Thu | Fri | Sat |
|       |     |     |     |     |     | 1   |
| 2     | 3   | 4   | 5   | 6   | 7   | 8   |
| 9     | 10  | 11  | 12  | 13  | 14  | 15  |
| 16    | 17  | 18  | 19  | 20  | 21  | 22  |
| 23    | 24  | 25  | 26  | 27  | 28  | 29  |
| 30    | 31  | #2  |     |     |     |     |

| Month 1 |     |     |     |     |     |     |
|---------|-----|-----|-----|-----|-----|-----|
| Sun     | Mon | Tue | Wed | Thu | Fri | Sat |
|         |     | 1   | 2   | 3   | 4   | 5   |
| 6       | 7   | 8   | 9   | 10  | 11  | 12  |
| #4      |     |     | #5  |     |     |     |
| 13      | 14  | 15  | 16  | 17  | 18  | 19  |
| 20      | 21  | 22  | 23  | 24  | 25  | 26  |
| 27      | 28  |     |     |     |     |     |
|         | #6  |     |     |     |     |     |

| Month 2 |     |     |     |     |     |     |
|---------|-----|-----|-----|-----|-----|-----|
| Sun     | Mon | Tue | Wed | Thu | Fri | Sat |
|         |     | 1   | 2   | 3   | 4   | 5   |
| 6       | 7   | 8   | 9   | 10  | 11  | 12  |
| #7      |     |     |     |     |     |     |
| 13      | 14  | 15  | 16  | 17  | 18  | 19  |
| #8      |     |     |     |     |     |     |
| 20      | 21  | 22  | 23  | 24  | 25  | 26  |
| 27      | 28  | 29  | 30  | 31  |     |     |
|         | #9  |     |     |     |     |     |

| Month 3 |     |     |     |     |     |     |
|---------|-----|-----|-----|-----|-----|-----|
| Sun     | Mon | Tue | Wed | Thu | Fri | Sat |
|         |     |     |     |     | 1   | 2   |
| 3       | 4   | 5   | 6   | 7   | 8   | 9   |
| #10     |     |     |     |     |     |     |
| 10      | 11  | 12  | 13  | 14  | 15  | 16  |
| 17      | 18  | 19  | 20  | 21  | 22  | 23  |
| 24      | 25  | 26  | 27  | 28  | 29  | 30  |

### Steps

- 1. Consultation.** Ask the Engineering Services Department staff if a zoning change\* is feasible.
- 2. Submission.** Submit zoning change request to Engineering Services & Community Development (ES&CD) Department at City Hall. The submission deadline is the last Tuesday of the month. Also, the submission dates for Planning Commission are available on the City of Athens Website on the Planning Commission page or from our office.
- 3. Notification of City/County Departments.** For annexations, City, County, State departments will be notified of annexations. Comments will be accepted.
- 4. Subdivision Committee.** This is a staff review meeting for items that go before the Planning Commission. Engineers, land surveyors, and developers are encouraged to attend. This meeting is held at 1:00 p.m. the first Wednesday of the month at the Public Works Building.
- 5. Legal Notice.** Fourteen (14) days prior to the Planning Commission meeting, the ES&CD Department will place a legal advertisement in the Athens News Courier giving notice of public hearings on submitted requests. Also, the ES&CD Department will place a sign on the property giving notice that "This property is being considered for (RE)ZONING, for more information call 233-2224."
- 6. Planning Commission.** A Public Hearing on the request will be held during the Planning Commission Meeting. The Planning Commission meets at 5:45 p.m. on the third Tuesday of the month at the City Council

Chamber located in the Athens City Hall(200 Hobbs Street West).

\* Zoning change refers to the annexation and rezoning processes.

- 7. City Council sets a Public Hearing.** If the request is approved by the Planning Commission, the request is taken to the City Council and they set a public hearing. **You will need to contract with a surveyor or civil engineer to send an electronic written property legal description to our office.**
- 8. Legal Advertisement.** The ES&CD Department will place two (2) legal advertisements in *The Athens News Courier* advertising the proposed zoning change ordinance. The advertisement will include a legal description of the property requesting the zoning change and the time and date of the public hearing on the request.
- 9. 2nd Legal Advertisement.** This advertisement must appear in The Athens News Courier at least fifteen (15) days in advance of the Public Hearing date. This is handled by the ES&CD Department.
- 10. City Council Public Hearing.** The Public Hearing on the requests will normally take place during a regularly scheduled City Council Meeting. Immediately after the public hearing, the City Council will take action by proposing an ordinance to adopt or deny the requested zoning change.
- 11. Advertisement of Adopted Ordinance.** If adopted, the ES&CD Department will place an advertisement in *The Athens News Courier* giving public notice that the ordinance has been adopted. The Ordinance will take effect on the date of publication.
- 12. Billing.** Regardless of whether or not the request is granted, the ES&CD Department incurs charges related to the publication of advertisements. Within ten (10) business days after all the charges are incurred, the ES&CD Department sends an invoice detailing those charges for the person who requested the zoning change, who then remits payment to the City of Athens. **The petitioners/requestors are expected to pay without regard to the request being approved or denied.**
- 13. Other Items.** ES&CD staff also takes care of the following: (a) updating the city limits/zoning maps, (b) recording annexation ordinance in the Limestone County Probate Judge's Office (Code of Ala. §11-42-21), (c) notifying Limestone County Probate Judge's Office. Federal, state and local agencies are notified of property annexations, and (d) filing and keeping records of zoning changes.

#### **City Council and Planning Commission**

##### **Meeting Location**

City Council Chamber  
City Hall  
200 Hobbs Street West  
Athens, AL



A fillable form is available on the City of Athens website [www.AthensAL.us](http://www.AthensAL.us) under the Services Menu under Applications and Forms page.

#### **SUBMIT TO:**

##### **Engineering Services & Community Development Department**

City Hall  
200 Hobbs Street West  
Athens, AL 35611  
256-233-2224  
[www.athensal.us](http://www.athensal.us)



**CITY OF ATHENS**

**APPLICATION DATE:** \_\_\_\_\_

Engineering Services & Community  
Development Department  
Athens City Hall, 200 Hobbs St W, Athens, AL 35611  
Phone: (256) 233-2224  
Hours: Mon-Fri, 8:00 a.m. to 4:30 p.m.  
<mailto:ESCD@athensal.us>

**PROJECT NAME:** \_\_\_\_\_  
**NAME OF APPLICANT:** \_\_\_\_\_  
**EMAIL:** \_\_\_\_\_

**APPLICATION TYPE / FEE**

|  |         |
|--|---------|
| <input type="checkbox"/> <b>REZONING</b>   | \$1,000 |
| <input type="checkbox"/> <b>ANNEXATION / REZONING</b>  | \$1,000 |
| <b>PAYMENT:</b> <input type="checkbox"/> CASH <input type="checkbox"/> CREDIT <input type="checkbox"/> CHECK # _____ |         |

# Rezoning Request Letter

To the Zoning Official:

I/We, \_\_\_\_\_,  
(name(s) of owner(s))

would like to request my/our property at \_\_\_\_\_

\_\_\_\_\_ that

is currently zoned in the \_\_\_\_\_ district

to be rezoned to the \_\_\_\_\_ district. The

reason that (I am/we are) requesting this rezoning is \_\_\_\_\_

\_\_\_\_\_

**Number of Acres:** \_\_\_\_\_

Other information about the proposed use of the property (per ZO §4.7.1(A)):

- How much traffic will the proposed use generate? \_\_\_\_\_ vehicle trips/day
- Thoroughfare classification from the Subdivision Regulations in Section 3.
  - Street: \_\_\_\_\_ Classification: \_\_\_\_\_
  - Street: \_\_\_\_\_ Classification: \_\_\_\_\_
  - Street: \_\_\_\_\_ Classification: \_\_\_\_\_
- Availability of required utilities (answer: Yes, No, or Not Applicable)
  - Electric \_\_\_\_\_ Gas \_\_\_\_\_ Sewer \_\_\_\_\_ Water \_\_\_\_\_

○ Fire Hydrant \_\_\_\_\_ Waterline for Sprinklers \_\_\_\_\_

- Adequacy of required utilities (answer: Yes, No, or Not Applicable)

Gas \_\_\_\_\_ Water \_\_\_\_\_

○ Electric \_\_\_\_\_ Sewer \_\_\_\_\_

○ Fire Hydrant \_\_\_\_\_ Waterline for Sprinklers \_\_\_\_\_

- Relationship of property to other land use patterns in the vicinity \_\_\_\_\_

\_\_\_\_\_

(1)

Applicant's Name (printed): \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

(Applicant's Signature) \_\_\_\_\_

\_\_\_\_\_  
(Date)

Sworn to and subscribed before me on this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(Seal)

\_\_\_\_\_  
Notary Public\*

My Commission Expires on \_\_\_\_\_

(2)

Applicant's Name (printed): \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Applicant's Signature)

\_\_\_\_\_  
(Date)

Sworn to and subscribed before me on this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(Seal)

\_\_\_\_\_  
Notary Public\*

My Commission Expires on \_\_\_\_\_

(3)

Applicant's Name (printed): \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Applicant's Signature)

\_\_\_\_\_  
(Date)

Sworn to and subscribed before me on this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(Seal)

\_\_\_\_\_  
Notary Public\*

My Commission Expires on \_\_\_\_\_

Notes regarding others named on deed not signing (if any): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\* Public notary services are provided at the City of Athens City Hall, during office hours. Under state law, notaries may charge a nominal fee.

# Annexation Request Letter

**\*\*Only Required for Annexation\*\***

Engineering Services & Community Development Dept. City Hall  
200 Hobbs Street West  
Athens, AL 35611

Date: \_\_\_\_\_

To the Zoning Official:

I/We, \_\_\_\_\_  
(name(s) of owner(s))

would like to request my/our property at \_\_\_\_\_

\_\_\_\_\_ to be

annexed into the City of Athens corporate limits and zoned in the \_\_\_\_\_

\_\_\_\_\_ district. The reason that (I am/we are)

requesting annexation is \_\_\_\_\_

\_\_\_\_\_.

Other information about the proposed use of the property (per ZO §4.7.1(A)):

- How much traffic will the proposed use generate? \_\_\_\_\_ vehicle trips/day
- Thoroughfare classification per Subdivision Regulations in Section 3.
  - Street: \_\_\_\_\_ Classification: \_\_\_\_\_
  - Street: \_\_\_\_\_ Classification: \_\_\_\_\_
  - Street: \_\_\_\_\_ Classification: \_\_\_\_\_
- Availability of required utilities (answer: Yes, No, or Not Applicable)
  - Electric \_\_\_\_\_ Gas \_\_\_\_\_ Sewer \_\_\_\_\_ Water \_\_\_\_\_
  - Fire Hydrant \_\_\_\_\_ Waterline for Sprinklers \_\_\_\_\_
- Adequacy of required utilities (answer: Yes, No, or Not Applicable)
  - Electric \_\_\_\_\_ Gas \_\_\_\_\_ Sewer \_\_\_\_\_ Water \_\_\_\_\_
  - Fire Hydrant \_\_\_\_\_ Waterline for Sprinklers \_\_\_\_\_

Number of Acres: \_\_\_\_\_

- Relationship of property to other land use patterns in the vicinity \_\_\_\_\_  
\_\_\_\_\_.

In order to pay the cost of the incurred legal advertisements,

I, \_\_\_\_\_, agree to

reimburse the City of Athens for 100% of the publication fees after the process,

please evenly divide the charges among my co-applicants as follows: \_\_\_\_\_  
\_\_\_\_\_

or (other arrangement, please specify): \_\_\_\_\_  
\_\_\_\_\_ . I will pay my portion of the

legal advertisement fees regardless of the request being approved or denied. I have enclosed a copy of my deed, a signed petition to annex, and a completed survey form.

Sincerely,

(1)

Applicant's Name (printed): \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone No.: \_\_\_\_\_

\_\_\_\_\_  
(Applicant's Signature)

\_\_\_\_\_  
(Date)

Sworn to and subscribed before me on this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(Seal)

\_\_\_\_\_  
Notary Public\*

My Commission Expires on \_\_\_\_\_

(2)

Applicant's Name (printed): \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Applicant's Signature)

\_\_\_\_\_  
(Date)

Sworn to and subscribed before me on this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(Seal)

\_\_\_\_\_  
Notary Public\*

My Commission Expires on \_\_\_\_\_

(3)

Applicant's Name (printed): \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Applicant's Signature)

\_\_\_\_\_  
(Date)

Sworn to and subscribed before me on this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(Seal)

\_\_\_\_\_  
Notary Public\*

My Commission Expires on \_\_\_\_\_

Notes regarding others named on deed not signing (if any): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\* Public notary services are provided at the City of Athens City Hall, during office hours. Under state law, notaries may charge a nominal fee.



# Petition for Annexation \*\*Only Required for Annexation\*\*

TO THE CITY OF ATHENS, ALABAMA:

“We, the undersigned, being all of the owners of the hereinafter described property, such property being contiguous to the corporate limits of the City of Athens and such property not lying within the corporate limits or police jurisdiction of any other municipality, do hereby petition that said property be annexed into the City of Athens. A map/deed of said property is hereto attached. This petition is filed under authority of Sections 11-42- 20 through 11-42-24, Code of Ala. 1975, as amended.”

PLEASE SEE ATTACHED PROPERTY DESCRIPTION AND MAP

We do hereby request that the City Council and City Clerk give such notice, hold such hearings, adopt such ordinances and do all such things or acts as are required by law so that the corporate limits of the City of Athens shall be rearranged so as to include such territory.

IN WITNESS WHEREOF, we have hereunto subscribed our names this

\_\_\_\_ day of \_\_\_\_\_ 202 \_\_\_\_.

Signature of each property owner (per the deed):

Signature:

Name, address and telephone number:

|       |       |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

# Annexation Survey Form

## Contact Information

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone No. \_\_\_\_\_

Annexation into Athens City Limits, I am:  In favor of  Not in favor of

I am the:  Land Owner  Renter

If **RENTING**, please supply the property owner's information below.

## Property Owner

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone No. \_\_\_\_\_

Are there habitable structures on the property being annexed?  Yes  No

If **YES**, how many? \_\_\_\_\_

How many are currently inhabited? \_\_\_\_\_ Vacant? \_\_\_\_\_

## Residential Annexations

Fill out this section below **ONLY** if you have inhabited structures. If there is more than one (1) inhabited structure, please make copies of this form for each inhabited structure.

Number of people living in the household:

Male \_\_\_\_\_ Female \_\_\_\_\_ Total \_\_\_\_\_

Number of school aged children:

Grade K-5 \_\_\_\_\_ 6-8 \_\_\_\_\_ 9-12 \_\_\_\_\_

School(s) the children are now attending: \_\_\_\_\_

Race:

Minority \_\_\_\_\_ Non-Minority \_\_\_\_\_

Number of Register voters in the household \_\_\_\_\_