

ORDINANCE NO. 2022-16

AMENDING THE CURRENT ZONING ORDINANCE AND ZONING MAP OF THE CITY OF CULLMAN, ALABAMA, TO RE-ZONE CERTAIN PARCELS OF PROPERTY AS SET FORTH HEREIN

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

SECTION 1. Under the authority of Chapter 52, Articles 1 through 4, Section 11-52-1 through Section 11-52-84, Code of Alabama 1975, as amended, and specifically Sections 11-52-77 and at the request of property owner, GLB Cullman, LLC, the following describe the tract or parcel of land, to-wit:

PPIN: 24706. Parcel No.: 17-05-22-1-001-001.000. Property Address: 3rd Avenue SE.

Legal Description: A TRACT OF PARCEL OF LAND CONTAINING 5.15 ACRES OF LAND, MORE OR LESS AND BEING A PART THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 10 SOUTH, RANGE 3 WEST, CULLMAN COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A FOUND ½ INCH REBAR MARKING THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SAID SECTION 22, HAVING AN ALABAMA STATE PLANE, WEST ZONE, NAD 83 COORDINATE VALUE OF N. 1514862.92', E. 2171027.25' AND RUN THENCE NORTH 89 DEGREES 45 MINUTES 50 SECONDS WEST, (BEARING BASED ON AL. STATE, WEST ZONE, NAD 83, GRID) AND RUN ALONG THE SOUTH RIGHT-OF-WAY OF SIXTEEN STREET SE., A DISTANCE OF 15.00 FEET TO A FOUND 5/8 INCH BAR; THENCE SOUTH 00 DEGREES 20 MINUTES 18 SECONDS WEST, A DISTANCE OF 165.00 FEET TO A FOUND CAPPED CORNER (HARRIS-5742); THENCE NORTH 89 DREGEES 45 MINUTES 50 SECONDS WEST, A DISTANCE OF 236.32 FEET TO A FOUND CAPPED REBAR (CONN-17831) ON THE EAST RIGHT-OF-WAY LINE OF OLD HANCEVILLE HIGHWAY; THENCE SOUTH 00 DEGREES 27 MINUTES 33 SECONDS WEST AND RUN ALONG SAID RIGHT-OF-WAY LINE,, A DISTANCE OF 250.37 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 15 DEGREES 33 MINUTES 56 SECONDS, A RADIUS OF 1,508.63 FEET, A CHORD BEARING OF SOUTH 07 DEGREES 19 MINUTES 25 SECONDS EAST AND A CHORD LENGTH OF 408.59 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 409.85 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 15 DEGREES 06 MINUTES 23 SECONDS EAST AND CONTINUE ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 520.04 FEET TO A SET REBAR ON THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 88 DEGREES 55 MINTUES 09 SECONDS EAST AND RUN ALONG SAID SOUTH LINE, A DISTANCE OF 58.96 FEET TO A FOUND PIPE MARKING THE SOUTHEAST CORNER OF SAID QUARTER-QUARTER; THENCE NORTH 00 DEGREES 19 MINUTES 53 SECNDS EAST. A DISTANCE OF 628.97 FEET TO A FOUND PIPE; THENCE NORTH 00 DEGREES 20 MINUTES 18 SECONDS EAST, A DISTANCE OF 693.83 FEET TO THE POINT OF BEGINNING. SUBJECT TO ANY RIGHT-OF-WAY AND/OR EASMENTS OF RECORD.

within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as R-1 Residential District on the Zoning Map of the City of Cullman, Alabama, under Ordinances No. 2004-03 and as may be reflected in any comprehensive master plan for the City of Cullman, Alabama, be, and is hereby changed from R-1 Residential District to R-4 Residential District.

SECTION 2. That this ordinance be published at least once a week for two consecutive weeks in advance of its final passage in a newspaper with general circulation within the City of Cullman, Alabama, the first publication of said notice and ordinance being verbatim and the second publication either verbatim or synopsised, with the last publication being at least 15 days prior to the date set for public hearing and passage of said ordinance.

SECTION 3. That a public hearing be held relative to the passage of this ordinance on the 9th day of May, 2021 at 7:00 o'clock p.m., at which time interested parties and citizens shall have the opportunity to be heard concerning said ordinance and any changes relating thereto.

SECTION 4. That all notices as required by law be given by the City Clerk concerning said public hearing, and in addition thereto, a certified letter be sent by the Clerk to all contiguous property owners at their last known addresses as shown by the tax records for the City of Cullman, Alabama.

SECTION 5. That upon final passage of this ordinance, all zoning maps, master comprehensive plans or any other documents of the City of Cullman, Alabama, in conflict with this ordinance are hereby changed and amended to reflect the changes and amendments herein.

SECTION 6. Should any part or portion of this ordinance be held invalid, unenforceable or unconstitutional, for whatever reason, by a court of competent jurisdiction, such ruling shall not affect any other part or portion of this Ordinance.

SECTION 7. This ordinance shall take effect and be in force from and after its passage or adoption as required by law, including notice, publication and public hearing, all in accordance with Section 11-52-1, et seq., Code of Alabama 1975, as amended.

ADOPTED BY THE CITY COUNCIL, this the 9th day of May, 2022.

President of the City Council

ATTEST:

City Clerk

APPROVED BY THE MAYOR, this the 9th day of May, 2022.

Mayor