

ORDINANCE NO. 2022 – 22

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 owners, the petitioners, the following describe the tract or parcel of land, to-wit:

Property Owner: Jeff Hill Development, LLC.

PPIN: 38547. Parcel No.: 17-05-15-2-025-001.000. Property Address: Lot 465 on 5th Street SE and 3rd Avenue SE.

Legal Description: Commence at the Southeast corner of Lot No. 465 (as the same is indicated by the recorded plat of the City of Cullman, Alabama) of the City of Cullman, Alabama, and go North along the West edge of 3rd Avenue East 160 feet, then go at right angles West 132 feet, to West line of said Lot No. 465, then go at right angles South 160 feet, to South line of said Lot No. 465 (and the North edge of 5th Street East), then go East along the North edge of 5th Street East 132 feet to point of beginning.

ALSO THE FOLLOWING PARCEL:

PARCEL I:

A tract or parcel of land in the City of Cullman, Alabama, being a part of Lot No. 465 of the City of Cullman, Alabama and particularly described as follows: Commence the Northeast corner of Lot 465 for the point of beginning of the land herein conveyed; thence South 26°58'12" East 5 feet, more or less to the Northeast corner of the property currently owned by Vincent Eric Quick and wife, Suzanne J. Quick; thence South 63°00'49" West 131.36 feet more or less to a point, said point being the Northwest corner of the property currently owned by Vincent Eric Quick and wife, Suzanne J. Quick; thence North 26°58'10" West 5 feet, more or less to the Northwest corner of Lot 465; thence North 63°01'48" East 131.36 feet more or less to the Northeast corner of Lot 465 and the point of beginning.

Source of Title: Deed Book 635, Page 87

Property Owner: Klein Properties, LLC.

PPIN: 59104. Parcel No.: 17-05-15-2-025-001.001. Property Address: Lot 466 on 4th Street SE and 3rd Avenue SE.

Legal Description: Commence at the Northeast corner of Lot 466 (as the same is indicated by the recorded plat of the City of Cullman, Alabama) of the City of Cullman, Alabama, and go West along the North line of said lot (which is also the South edge of 4th Street East) 122 feet, then go at right angles South 160 feet, then go at right angles East 122 feet to the East line of said Lot No. 466 (which is the West edge of 3rd Avenue East), then go North along said East line 160 feet to the point of beginning.

ALSO THE FOLLOWING PARCELS:

PARCEL II.

A tract or parcel of land in the City of Cullman, Alabama, being a part of Lot No. 466 of the City of Cullman, Alabama and more particularly described as follows: Commence at the Southeast corner of Lot 466 for the point of beginning of the land herein conveyed, thence North 26°58'09" West 5 feet, more or less, to the Southeast corner of the property currently owned by Vincent Eric Quick and wife, Suzanne J. Quick; thence South 63°01'48" West 122.00 feet, more or less, to the Southwest corner of the property currently owned by Vincent Eric Quick and wife, Suzanne J. Quick; thence continue South 63°01'48" West 10 feet, more or less; thence South 26°58'10" East 5 feet, more or less to the Southwest corner of Lot 466, thence North 63°01'48" East 131.36 feet to the point of beginning.

PARCEL III.

A tract or parcel of land in the City of Cullman, Alabama, being a part of Lot No. 466 of the City of Cullman, Alabama and more particularly described as follows: Commence at the Northwest corner of Lot 466 for the point of beginning of the land herein conveyed, thence North 63°01'48" East 10 feet, more or less to the Northwest corner of the property currently owned by Vincent Eric Quick and wife, Suzanne J. Quick; thence South 26°58'09" East 160.00 feet to the Southwest corner of the property currently owned by Vincent Eric Quick and wife, Suzanne J. Quick; thence continue South 26°58'09" East 5 feet, more or less to the South line of Lot 466; thence South 63°01'48" West 10 feet, more or less to the Southwest corner of Lot 466; thence North 26°58'10" West 165.47 to the Northwest corner of Lot 466 and the point of beginning.

Source of Title: Deed Book 635, Page 90

VACATION OF EASEMENT:

Commence at the Northwest corner of Lot 466 of The City of Cullman, Alabama, of the Probate of Cullman County, Alabama, same being the point of beginning; thence run East 10' feet, more or less; thence run S 26 degrees 58'10"E 165.47 feet; thence run West 10' feet, more or less, to the Southwest corner of Lot 466; thence run North 26 degrees 58'09"W 165.47' feet, more or less to the point of beginning.

Vacation of Easement is pursuant to Ordinance No. 2020-04.

within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as M-1 Manufacturing 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 M-1 Manufacturing District to CBD Central Business 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 7th day of July, 2022 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 7th day of July, 2022.

President of the City Council

ATTEST:

City Clerk

APPROVED BY THE MAYOR, this the 7th day of July, 2022.

Mayor