

**ORDINANCE NO. 2024 – 08**

**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, the petitioner, the following describe the tracts or parcels of land, to-wit:

Property Owner: Blue Hole, LLC.

Lot 2. Legal Description: A TRACT OR PARCEL OF LAND CONTAINING 11.14 ACRES OF LAND, MORE OR LESS AND BEING A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND A PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, ALL IN SECTION 18, TOWNSHIP 10 SOUTH, RANGE 3 WEST, CULLMAN COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 18 AND RUN THENCE NORTH 87 DEGREES 38 MINUTES 22 SECONDS WEST (BEARING BASED ON AL. STATE PLANE, WEST ZONE, NAD 83, GRID) AND RUN ALONG THE ACCEPTED SOUTH LINE, A DISTANCE OF 657.92 FEET; THENCE SOUTH 00 DEGREES 49 MINUTES 52 SECONDS WEST, A DISTANCE OF 159.45 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 31 AND BEING IN A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 04 DEGREES 14 MINUTES 34 SECONDS, A RADIUS OF 1,979.85 FEET, A CHORD BEARING OF NORTH 76 DEGREES 54 MINUTES 31 SECONDS WEST AND A CHORD LENGTH OF 146.58 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 146.61 FEET TO A SET REBAR (CONN-17831); THENCE NORTH 16 DEGREES 17 MINUTES 20 SECONDS WEST, DEPARTING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 412.09 FEET TO A SET REBAR; THENCE NORTH 49 DEGREES 09 MINUTES 40 SECONDS EAST, A DISTANCE OF 437.20 FEET TO A SET REBAR; THENCE SOUTH 82 DEGREES 05 MINUTES 26 SECONDS EAST, A DISTANCE OF 269.56 FEET TO A SET REBAR; THENCE NORTH 48 DEGREES 11 MINUTES 10 SECONDS EAST, A DISTANCE OF 146.94 FEET TO A SET REBAR; THENCE NORTH 65 DEGREES 55 MINUTES 43 SECONDS EAST, A DISTANCE OF 40.24 FEET TO A SET REBAR; THENCE NORTH 86 DEGREES 23 MINUTES 30 SECONDS EAST, A DISTANCE OF 162.40 FEET TO A POINT ON THE WEST BANK OF RYAN'S CREEK; THENCE RUN IN A SOUTHERLY DIRECTION FOLLOWING SAID WEST BANK THE FOLLOWING 3 COURSES: SOUTH 22 DEGREES 30 MINUTES 15 SECONDS WEST, A DISTANCE OF 115.36 FEET; SOUTH 09 DEGREES 17 MINUTES 15 SECONDS EAST, A DISTANCE OF 190.67 FEET; SOUTH 26 DEGREES 23 MINUTES 33 SECONDS EAST, A DISTANCE OF 64.96 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTH 00 DEGREES 38 MINUTES 35 SECONDS WEST, A DISTANCE OF 316.90 FEET TO THE POINT OF BEGINNING.

within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as Agriculture District AG-2 on the Zoning Map of the City of Cullman, Alabama under Ordinance 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 AG-2 Agricultural District and AG-1 Agricultural 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 synopsis, 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 8<sup>th</sup> day of January, 2024 at 7:00 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 8th day of January, 2024.

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President of the City Council

ATTEST:

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City Clerk

APPROVED BY THE MAYOR, this the 8th day of January, 2024.

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Mayor