

ORDINANCE NO. 2021 – 52
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, James and Shelbie Hankey, the following describe the tract or parcel of land, to-wit:

Property Address: 101 Main Ave SW

Parcel: 17-05-16-1-012-001.000

PPIN: 10271

Legal Description: Lots numbered One (1) and Two (2) as shown on the recorded plat of Musgrove's Addition to Cullman, Alabama, said above mentioned plat being recorded in the office of the Judge of Probate of Cullman County, Alabama in Book 10 page 362.

Less and Except that parcel as conveyed to City of Cullman in Deed Book 689 page 802, described as follows: A tract or parcel of land containing 0.25 acres of land and being a part of Lot 2 of Block 2 of Musgrove's Addition to the City of Cullman, as recorded in Map Book 10, page 362 in the Office of the Judge of Probate of Cullman County, Alabama and being more particularly described as follows:

Begin at the Southwest corner of Lot 2 Block 2 of said Musgrove's Addition to the City of Cullman, having an Alabama State Plane, West Zone, NAD 83 Coordinate value of N1519542.85', E 2165498.45', and run South 89 degrees 33 minutes 02 seconds East; (Bearing based on Alabama State Plane, West Zone, NAD 83 GRID), along the South line of said lot 2, a distance of 200.00 feet to a found capped corner (Conn-17831), marking the Southeast corner of said Lot 2 and being on the Westerly right of way of Main Avenue Southwest; thence North 00 degrees 27 minutes 20 seconds East, along said Westerly right of way line, a distance of 53.16 feet to a set rebar (Conn-17831), thence North 88 degrees 46 minutes 14 seconds West, a distance of 95.87 feet to a set rebar, thence South 78 degrees 54 minutes 09 seconds West, a distance of 14.29 feet to a set rebar; thence North 82 degrees 59 minutes 10 seconds West, a distance of 90.68 feet to a set rebar on the West line of said Lot 2; a distance of 61.98 feet to the point of beginning.

Description taken from survey of Joseph E. Conn, III, AL. Reg. No. 17831, dated 6/6/2019.

within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as R-4 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-4 Residential 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 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 11th day of October, 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 25th day of October, 2021.

President of the City Council

ATTEST:

City Clerk

APPROVED BY THE MAYOR, this the 25th day of October, 2021.

Mayor