

ORDINANCE NO. 2023 - 09

**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 tract or parcel of land, to-wit:

Property Owner: Bark-ley Plumbing Contractors, Inc.
PPIN: 28034. Parcel No.: 17-07-26-2-001-001.000.
Property Address: Bolte Road and Old Hanceville Highway.
Legal Description:

A TRACT OR PARCEL OF LAND CONTAINING 1.00 ACRES OF LAND, MORE OR LESS AND BEING A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 10 SOUTH, RANGE 3 WEST, CULLMAN COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT A FOUND BAR MARKING THE NORTHWEST CORNER OF SAID QUARTER-QUARTER HAVING AN ALABAMA STATE PLANE, WEST ZONE, NAD 83 COORDINATE VALUE OF N. 1509571.86', E 2170996.26' AND RUN THENCE SOUTH 89 DEGREES 46 MINUTES 40 SECONDS EAST (BEARING BASED ON AL. STATE PLANE, WEST ZONE, NAD 83, GRID, A DISTANCE OF 790.85 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 55 SECONDS EAST, A DISTANCE OF 7.46 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BOLTE ROAD; THENCE SOUTH 89 DEGREES 49 MINUTES 39 SECONDS EAST AND RUN ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 207.98 FEET TO A SET REBAR (CONN-17831) MARKING THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89 DEGREES 49 MINUTES 39 SECONDS EAST, A DISTANCE OF 144.42 FEET TO A FOUND PIPE MARKING THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY LINE WITH THE WEST RIGHT-OF-WAY LINE OF OLD HANCEVILLE HIGHWAY; THENCE SOUTH 31 DEGREES 45 MINUTES 30 SECONDS EAST AND RUN ALONG SAID WEST LINE, A DISTANCE OF 246.14 FEET TO A FOUND REBAR; THENCE NORTH 89 DEGREES 49 MINUTES 14 SECONDS WEST, A DISTANCE OF 274.09 FEET TO A SET REBAR; THENCE NORTH 00 DEGREES 02 MINUTES 01 SECONDS EAST, A DISTANCE OF 208.86 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 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-2 Manufacturing District to B-2 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 9th day of January, 2023 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 January, 2023.

President of the City Council

ATTEST:

City Clerk

APPROVED BY THE MAYOR, this the 9th day of January, 2023.

Mayor