

ORDINANCE NO. 2023 - 33

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: Alumni Properties of Alabama, LLC

PPIN: 84798. Parcel No.: 17-05-22-3-001-003.005. Property Address: Swafford Road.

PPIN: 84797. Parcel No.: 17-05-22-3-001-009.004. Property Address: Swafford Road.

PPIN: 84796. Parcel No.: 17-05-22-3-001-009.003. Property Address: Cherokee Ave SW.

PPIN: 28688. Parcel No.: 17-05-22-3-001-009.000. Property Address: 0 Main Ave SW.

Legal Description: Lots 1, 2, 3, and Common Area, according to H&A Lessman Subdivision, as recorded in Cabinet B, Plat 355F, as recorded in Map Book 2020, Page 24, in the Probate Office of Cullman County, Alabama.

PPIN: 49162. Parcel No.: 17-05-22-3-001-010.000.

Property Address: 0 Main Ave SW.

Legal Description: A parcel of land located in the Southwest Quarter of the Southwest Quarter of Section 22, Township 10 South, Range 3 West, Cullman County, Alabama, and being more particularly described as follows: Commencing at the Southwest corner of said Section 22, thence North 48 degrees 10 minutes 48 seconds East a distance of 53.64 feet to the point of beginning of said parcel being a found 1-inch open top pipe at the intersection of the North margin of Swafford Road and the East margin of Main Avenue; thence North 00 degrees 32 minutes 43 seconds East along the East margin of Main Avenue a distance of 312.29 feet to a found 1-inch open top pipe; thence leaving said margin South 89 degrees 25 minutes 09 seconds East a distance of 200.14 feet to a found 1-inch crimped top pipe; thence South 00 degrees 33 minutes 32 seconds West a distance of 312.11 feet to a found 1-inch open top pipe on the North margin of Swafford Road; thence North 89 degrees 28 minutes 09 seconds West along said margin a distance of 200.07 feet to the point of beginning. According to survey of Joshua L. Howard, dated October 18, 2021.

within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as B-1 Business 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 B-1 Business 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 11th day of September, 2023 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 11th day of September, 2023.

President of the City Council

ATTEST:

City Clerk

APPROVED BY THE MAYOR, this the 11th day of September, 2023.

Mayor