

**Proposed Ordinance: #0-19-21**  
**Subject Matter: Rezoning of 240 South Glynn Street (Parcel 052302001)**  
**Date of Published Notice of Public Hearing: September 22, 2021**  
**Date of Planning and Zoning Commission Public Hearing: Not Applicable**  
**Date of Public Hearing and Adoption: October 7, 2021**

**CITY OF FAYETTEVILLE**  
**COUNTY OF FAYETTE**  
**STATE OF GEORGIA**

**ORDINANCE NUMBER 0-19-21**  
**CITY OF FAYETTEVILLE, GEORGIA**

**PREAMBLE AND FINDINGS**

The City of Fayetteville (the "City") is seeking to rezone property owned by the City of Fayetteville and located at 240 South Glynn Street, Fayetteville GA, Parcel No. 052302001 (1.6-acres) described in EXHIBIT "A". Said parcel of property is presently zoned RP Residential Professional and the city desires to rezone the property to C-1 Downtown Historic Mixed Use.

The City has given notice to the public of this proposed rezoning as required by law and public hearings have been conducted as required by law. The City complied with the requirements of O.C.G.A. § 36-36-4 and § 36-36-5 prior to the adoption of this Ordinance.

**ORDINANCE**

**IT IS HEREBY ADOPTED AND ORDAINED BY THE CITY OF FAYETTEVILLE AS FOLLOWS:**

**ARTICLE I**

The zoning classification of the property described in Exhibit "A" attached hereto and incorporated herein, shall be, and is hereby established as C-1 Downtown Historic Mixed Use pursuant to the City of Fayetteville's Comprehensive Zoning Ordinance and in accordance with the understandings and conditions imposed by the Mayor and City Council.

The City's new ordinance classification upon the described property shall become immediately effective. The City's Comprehensive Zoning Map is hereby amended to reflect this rezoning.

**ARTICLE II**

Any ordinance or part of any ordinance in conflict herewith is hereby repealed.

**ARTICLE III**

If any section, subsection, sentence, clause, phrase, or other portion of this ordinance for any reason is held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

**ARTICLE IV**

This ordinance shall become immediately effective upon its adoption, subject to the any conditions contained in the minutes of the City Council, which are part of this ordinance; any representations submitted by the applicant to the City Council, accepted by the City Council, and reflected in the minutes of the City Council; all of which representations shall be an amendment to the rezoning application and a part of this ordinance.

**BE IT RESOLVED**, that the Mayor and Council of the City of Fayetteville, Georgia do hereby adopt the attached City of Fayetteville ordinance.

**SO RESOLVED**, this 7<sup>th</sup> day of October, 2021.

**Attest:**

\_\_\_\_\_  
Edward J. Johnson, Jr., Mayor

\_\_\_\_\_  
Darryl Langford, Mayor Pro Tem

**Attest:**

\_\_\_\_\_  
T. Joe Clark, Councilmember

\_\_\_\_\_  
Anne Barksdale, City Clerk

\_\_\_\_\_  
Richard J. Hoffman, Councilmember

\_\_\_\_\_  
Paul C. Oddo, Jr., Councilmember

\_\_\_\_\_  
Scott Stacy, Councilmember

## **Exhibit "A"**

### **Legal Description**

All that tract or parcel of land lying and being in Land Lot 123 of the 5th District of Fayette County, Georgia, and being more particularly described as follows:

BEGINNING at the Northeast corner of the intersection of the Northerly right-of-way of Fischer Street and the Westerly right-of-way of Lee Street (80 foot right-of-way), and from said point of beginning running thence South 89° 17' 58" West, and following along the right-of-way of Fisher Street, a distance of 263.15 feet to a point, which point is located on the Easterly right-of-way of Georgia Highway 85 (80 foot right-of-way); running thence North 2° 26' 28" West, and following along the Easterly right-of-way of Georgia Highway 85, a distance of 209.57 feet to a point; continuing thence along said right-of-way, North 02° 08' 13" West a distance of 54.98 feet to a point; running thence North 88° 24' 51" East a distance of 250.24 feet to a point, which point is located on the Westerly right-of-way of Lee Street; running thence South 05° 14' 58" West, and following along the right-of-way of Lee Street, a distance of 141.79 feet to a point; continuing thence along said right-of-way, South 04° 57' 00" East a distance of 127.31 feet to a point and the POINT OF BEGINNING.