

Proposed Ordinance: #0-23-21
Subject Matter: Rezoning of 187 N 85 PKWY (Parcel Nos. 053913006 and 053913007)
Zoning request: M-1 (Light Manufacturing) to C-3 (Highway Commercial)
Date of Published Notice of Public Hearing: October 6, 2021
Date of Planning and Zoning Commission Public Hearing: November 3, 2021
Date of Public Hearing and Adoption: November 18, 2021

CITY OF FAYETTEVILLE
COUNTY OF FAYETTE
STATE OF GEORGIA

ORDINANCE NUMBER 0-23-21
CITY OF FAYETTEVILLE, GEORGIA

PREAMBLE AND FINDINGS

The City of Fayetteville (the “City”) is seeking to rezone property located at 187 North 85 Parkway, Fayetteville GA, consisting of Parcel 053913006 (1.00 acres) and Parcel 053913007 (1.00 acres) described in EXHIBIT "A". Said parcel of property is presently zoned M-1 Light Industrial and the Applicant desires to rezone the property to C-3 Highway Commercial.

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-3 Highway Commercial 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Any ordinance or part of any ordinance in conflict herewith is hereby repealed.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 18th day of November, 2021.

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

Tract One:

All that tract or parcel of land lying and being in Land Lot 184 of the 5th District of Fayette County, Georgia, and being Tract AA of North 85 Business Park, as shown on a plat of survey filed for record at Plat Book 21, Page 35, Fayette County, Georgia records. The description of the property as contained on said plat of survey is incorporated herein by reference and made a part hereof.

Tract Two:

All that tract or parcel of land lying and being in Land Lot 184 of the 5th District of Fayette County, Georgia, and being Tract BB of North 85 Business Park, Phase Two, as shown on a plat of survey filed for record at Plat Book 21, Page 79, Fayette County, Georgia records. The description of the property as contained on said plat of survey is incorporated herein by reference and made a part hereof.