

Proposed Ordinance: #0-9-22
Subject Matter: Rezoning of 6.69-acre 1302 Highway 85 N (Parcel 053801011)
from C-2 (Community Commercial) to C-3 (Highway Commercial)
Date of Published Notice of Public Hearing: April 1, 2022
Date of Planning and Zoning Commission Public Hearing: March 16, 2022
Date First Presented at City Council Public Meeting: April 21, 2022
Date of Public Hearing and Adoption: April 21, 2022

CITY OF FAYETTEVILLE
COUNTY OF FAYETTE
STATE OF GEORGIA

ORDINANCE NUMBER 0-09-22
CITY OF FAYETTEVILLE, GEORGIA

PREAMBLE AND FINDINGS

The City of Fayetteville (the "City") has received an application for rezoning by Darrell Baker for the property located at 1302 Highway 85 N, Fayetteville GA, Parcel No. 053801011 (9.64 acres) described in **EXHIBIT "A"**. Said parcel of property is presently zoned C-2 (Community Commercial). The applicant desires to rezone the parcel to zoned 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Any ordinance or part of any ordinance in conflict herewith is hereby repealed.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 21ST day of April, 2022.

Attest:

Edward J. Johnson, Jr., Mayor

T. Joe Clark, Mayor Pro Tem

Attest:

Darryl Langford, Councilmember

Anne Barksdale, City Clerk

Richard J. Hoffman, Councilmember

Niyah Glover, Councilmember

Scott Stacy, Councilmember

