

Proposed Ordinance: #0-9-21
Subject Matter: Rezoning of 563 Sandy Creek RD (Parcel 0706 019)
Date of Published Notice of Public Hearing: May 5, 2001
Date of Planning and Zoning Commission Public Hearing: April 27, 2021
Date First Presented at City Council Public Meeting: May 20, 2021
Date of Public Hearing and Adoption: June 3, 2021

CITY OF FAYETTEVILLE
COUNTY OF FAYETTE
STATE OF GEORGIA

ORDINANCE NUMBER 0-9-21
CITY OF FAYETTEVILLE, GEORGIA

PREAMBLE AND FINDINGS

Four Stones-Trilith Studios LLC (the “Applicant”) is seeking to rezone a 24.5-acre tract located at 563 Sandy Creek Road (Parcel No. 052304003 described in EXHIBIT "A". Said parcel of property is presently zoned R-70 Single Family Residential and the Applicant desires to rezone the property to BP Business Park.

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 BP Business Park 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Any ordinance or part of any ordinance in conflict herewith is hereby repealed.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 3rd day of June, 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 11 & 12, of the 7th Land District. Fayette County, Georgia and being more particularly described as follows:

Beginning at an iron pin found (1" Rod) located on the northern right of way line of Sandy Creek Rd (80' R/W) and the Western Line of Land Lot 11, said point being the true POINT OF BEGINNING: thence along the Western Line of Land Lot 11 N 00° 12' 59" E a distance of 344.26' to an iron pin found (1 ½" Rod); thence leaving said land lot line S 87° 36' 00" E a distance of 67.34' to an iron pin found (axle); thence N 01° 36' 53" E a distance of 745.29; to an iron pin found (1" open top pipe): thence N 88 04' 02" W a distance of 63.99' to an iron pin found (Axle); thence N 01° 02' 57" W a distance of 368.75' to an iron pin found (1" Rod); thence S 89° 01' 53" E a distance of 479.15' to an iron pin found (1/2" rebar); thence S 88° 45' 48" E a distance of 316.44' to an iron pin found (1" open top pipe); thence S 00° 02' 04" W a distance of 1,128.32' to an iron pin found (1" open top pipe)' thence N 87° 53' 57" W a distance of 359.00' to an iron pin found (rebar with cap stamped ISE INC LSF 136); thence S 00° 17' 42" W a distance of 615.85' to an iron pin found (1/2" rebar) on the northern right of way line of Sandy Creek Road (80' R/W); thence along said right of way N 57° 25' 15" W a distance of 536.06' to an iron pin found (1" Rod) and the true POINT OF BEGINNING.

Said tract of land containing 24.409 Acres more or less.