

Proposed Ordinance: #0-7-21
Subject Matter: Rezoning of 305 Beauregard Blvd (Parcel 052304003)
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 0-7-21
CITY OF FAYETTEVILLE, GEORGIA

PREAMBLE AND FINDINGS

The City of Fayetteville (the “City”) is seeking to rezone property owned by Southern Conservation Trust and located at 305 Beauregard Boulevard, Fayetteville GA, Parcel No. 052304003 (3.2 acres) described in EXHIBIT "A". Said parcel of property is presently zoned R-30 Single Family Residential, 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Any ordinance or part of any ordinance in conflict herewith is hereby repealed.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 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 102 of the 5th Land District of Fayette County, Georgia, being 3.2 acres of land and being more particularly described as follows:

BEGINNING at a point located on the northerly land lot line of Land Lot 102, said point being located a distance of 1140.43 feet easterly from the northwesterly corner of said land lot, as measured along the northerly land lot line thereof, and from said point of beginning running thence north 88 degrees 37 minutes 16 seconds east, and following along said northerly land lot line, a distance of 166.57 feet to a point; thence south 0 degrees 49 minutes 34 seconds east a distance of 303.94 feet to a point; thence south 85 degrees 46 minutes 28 seconds east a distance of 175.00 feet to a point located on the northwesterly right-of-way of Redwine Road (60 foot right-of-way); running thence in a southwesterly direction and following along the northwesterly right-of-way of Redwine Road, a distance of 239.84 feet to a point; thence north 85 degrees 35 minutes 35 seconds west a distance of 338.98 feet to a point; thence north 10 degrees 45 minutes 34 seconds east a distance of 512.31 feet to a point and the POINT OF BEGINNING.

NOTE 1: This is the same land conveyed to Glenn Brewer and Jeanne F. Brewer by Barbara Brewer Cooper in a Quitclaim Deed dated May 16, 2003 and recorded in Deed Book 2403, page 486-487, Fayette County records.