

**Proposed Ordinance: #0-21-21**  
**Subject Matter: Rezoning of 210 Stonewall Ave W (Parcel 052303012)**  
**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 0-21-21**  
**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 210 Stonewall Avenue West, Fayetteville GA, Parcel No. 052303012 (7.76-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Any ordinance or part of any ordinance in conflict herewith is hereby repealed.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:

COMMENCE at a found 1 1/2" open top pipe at the southwest corner of Land Lot 123 of the 5th District of Fayette County, Georgia;

Thence along the west line of said Land Lot 123 also being the east line of lands shown in Plat Book 36 Page 46, North 00 degrees 28 minutes 32 seconds East, a distance of 239.59 feet to a found ½" rebar;

Thence along the south line of City of Fayetteville Cemetery, South 89 degrees 31 minutes 36 seconds East, a distance of 538.98 feet to a found nail and disk;

Thence along the east line of City of Fayetteville Cemetery, North 00 degrees 28 minutes 24 seconds East, a distance of 625.09 feet to the south public right-of-way of W Stonewall Avenue(variable width);

Thence along said right-of-way, South 89 degrees 03 minutes 27 seconds East, a distance of 50.00 feet to the POINT OF BEGINNING;

Thence South 89 degrees 03 minutes 27 seconds East, a distance of 282.95 feet to the westline of lands described in Deed Book 484 Page 480;

Thence along said west line, South 00 degrees 12 minutes 02 seconds West, a distance of 307.00 feet;

Thence leaving said west line, North 89 degrees 47 minutes 58 seconds West, a distance of 284.41 feet;

Thence North 00 degrees 28 minutes 24 seconds East, a distance of 310.67 feet to the POINT OF BEGINNING.

Being depicted as Lot 2 containing 2.01 acres as set forth on that survey entitled "Final Plat of City Complex", prepared by Scott D. Grusenmeyer, GA RLS, dated May 21, 2018, and last revised June 12, 2018, reference to which is hereby made and being recorded in Plat Book 50, Page 200, Fayette County, Georgia records.

**Less and Except** any portion of the above-described property lying within the bounds of the described Right of Way as conveyed in that certain Right of Way Deed recorded in Deed Book 37, Page 17, Fayette County, Georgia records.

**Less and Except** any portion of the above-described property lying within the bounds of the described Right of Way as conveyed in that certain Right of Way Deed recorded in Deed Book 79, Page 96, Fayette County, Georgia records.