

Proposed Ordinance: #0-24-22
Subject Matter: Annexation Request – Trilith (24.3 acres)
Parcel Numbers: 0706 016 & 0706 001B
Date of Published Notice of Public Hearing: 09-07-22
Date of Planning Commission Public Hearing: 09-27-22
Date of Published Notice of Public Hearing: 10-05-22
Date of City Council Public Hearing: 10-20-22 (no vote)
Date of Published Notice of Public Hearing: 11-23-22 & 11-30-22
Date of City Council Public Hearing and Adoption: 12-15-22

**CITY OF FAYETTEVILLE
COUNTY OF FAYETTE
STATE OF GEORGIA**

**ORDINANCE NUMBER #0-24-22
CITY OF FAYETTEVILLE, GEORGIA**

PREAMBLE AND FINDINGS

The City of Fayetteville (the “City”) has received an application for rezoning from Trilith Development, LLC (“Applicant”) for the properties described in **EXHIBIT "A"** (hereinafter referred to as “the subject parcels”). Under separate application the Applicant is requesting that the subject parcels be annexed into the city limits. Should the annexation be approved the Applicant is requesting a zoning designation of PCD Planned Community Development.

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 PCD Planned Community Development 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 and incorporated into the annexation ordinance (#0-23-22).

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Any ordinance or part of any ordinance in conflict herewith is hereby repealed.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 15th day of December, 2022.

Attest:

Edward J. Johnson, Jr., Mayor

Attest:

Anne Barksdale, City Clerk

T. Joe Clark, Mayor Pro Tem

Niyah Glover, Councilmember

Richard J. Hoffman, Councilmember

Darryl Langford, Councilmember

Scott Stacy, Councilmember

Exhibit "A"

LEGAL DESCRIPTIONS

PARCEL NO. 0706 016

All that tract or parcel of land lying and being in Land Lot 22, 7th District, Fayette County, Georgia, and being more particularly described as follows:

BEGINNING at a point located at the intersection of the eastern land lot line of Land Lot 22 with the southerly right-of-way of Sandy Creek Road (80 foot right- of-way); thence run, leaving said right-of-way, along the common property line of property now or formerly owned by Trilith Studios, LLC, south 01 degree 19 minutes 21 seconds east a distance of 1,987.49 feet to a point, said point being the True Point of Beginning; running thence, along the common property line of property now or formerly owned by Trilith Studios, LLC, south 01 degree 19 minutes 21 seconds east a distance of 542.00 feet to a point located at the common corner of Land Lots 11, 10, 23, and 22; running thence, along the southern land lot line of Land Lot 22, south 89 degrees 28 minutes 51 seconds west, a distance of 400.00 feet to a point; running thence, north 01 degree 19 minutes 21 seconds west a distance of 542.00 feet to a point; running thence along the common property line of property now or formerly owned by Donna Kay Kirby, north 89 degrees 28 minutes 51 seconds east a distance of 400.00 feet to the True Point of Beginning.

Said property containing approximately 4.98 acres and being the same property as identified as tract 4 on that certain survey prepared by Delta Surveyors, Inc., bearing the seal of Swinson A. Gaskins, Sr., recorded September 6, 1996, in Plat Book 28, Page 69, in the office of the Clerk of Superior Court of Fayette County, Georgia.

PARCEL NO. 0706 011B

All that tract or parcel of land lying and being in Land Lot 22, 7th District, Fayette County, Georgia, and being more particularly described as follows:

BEGINNING at a point located at the intersection of the eastern land lot line of Land Lot 22 with the southerly right-of-way of Sandy Creek Road (80 foot right- of-way); running thence, leaving said right-of-way, along the common property line of property now or formerly owned by Trilith Studios, LLC, south 01 degree 19 minutes 21 seconds east a distance of 1,987.49 feet to a point; running thence along the common property line of property now or formerly owned by Marcus L. Bramblett, Sr. and Geraldine Kirby Bramblett, south 89 degrees 28 minutes 51 seconds west a distance of 400.00 feet to a point; running thence, north 01 degree 19 minutes 21 seconds west a distance of 2,111.99 feet to a point; running thence north 31 degrees 22 minutes 18 seconds east a distance of 106.55 feet to an iron pin located on said right-of-way of Sandy Creek Road; running thence, along said right-of-way of Sandy Creek Road, south 58 degrees 37 minutes 42 seconds east a distance of 406.87 feet to the point of beginning.

Said property containing approximately 19.32 acres and being the same property as identified as tract 3 on that certain survey prepared by Delta Surveyors, Inc., bearing the seal of Swinson A. Gaskins, Sr., recorded September 6, 1996, in Plat Book 28, Page 69, in the office of the Clerk of Superior Court of Fayette County, Georgia.