

**ORDINANCE NO. 231**

AN ORDINANCE OF UPSON COUNTY, GEORGIA TO CHANGE THE ZONING OF CERTAIN PROPERTY DESCRIBED AS 745 WEST MOORE'S CROSSING ROAD (PARCEL NO. 056 046) FROM THAT OF M-1 – MANUFACTURING LIGHT TO C-2 – COMMERCIAL – GENERAL HIGHWAY TO AMEND THE OFFICIAL ZONING MAP OF UPSON COUNTY, GEORGIA, TO REFLECT SAID CHANGE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

\* \* \* \* \*

WHEREAS, pursuant to The Zoning Procedures Law, OCGA §36-66-1, the Upson County Board of Commissioners adopted the Official Zoning Map, dated December 30, 1994 and zoning regulations through Ordinance No. 79, February 15, 1995; and

WHEREAS, Section 410 of the Upson County Zoning Ordinance (UCZO) lists the procedures by which the Official Map may be amended; and

WHEREAS, Scott and Mandy Batchelor, the owners of 745 West Moore's Crossing Road filed an application for rezoning said property from M-1 to C-2; and

WHEREAS, the Planning Commission public hearing to consider the rezoning request was held May 12, 2014; and

WHEREAS, the subject property was posted May, 26, 2014 and published notice of the Board of Commissioners public hearing on the rezoning request appeared in the May, 21, 2014 edition of the Upson Beacon; and

WHEREAS, the Upson County Board of Commissioners has determined that the rezoning of said property meets the required review standards and serves to enhance the public health, safety, morality or general welfare of Upson County, Georgia, therefore:

BE IT ORDAINED by the Board of Commissioners of Upson County, Georgia, and it is hereby ordained by the authority of same, as follows:

**SECTION ONE**

The herein described property, depicted on the attached map, which is presently located in an M-1 (Manufacturing Light) zoning district is hereby removed therefrom and placed in a C-2 – (Commercial – General Highway) zoning district.

Said property is more legally described as:

*All of a one-half undivided interest in and to all that lot, tract or parcel of land, situate, lying and being in Land Lot 178 of the 10<sup>th</sup> Land District of Upson County, Georgia, and being all of Tract "B" which is shown and delineated on that certain plat entitled "Plat for Georgia's King Catfish Company", dated April 17, 1986, prepared by Charles L. Moore and Gary F. Self, Registered Professional Land Surveyors, of record in Plat Record 11, at page 210, in the Office of the Clerk of the Superior Court of Upson County, Georgia, EXCEPT THE WESTERMOST FIFTY (50) FEET THEREOF, the portion of said Tract "B" hereby conveyed being more particularly described as follows, to wit: Beginning at a point on the north line of said Tract "B" which point is located 50 feet east, as measured along said north line, from the northwest corner of said Tract "B"; and run thence south 01 degree 59 minutes 39 seconds west a distance of 1040 feet, more or less, to the south line of said Tract "B"; run thence northeasterly along the south line of said Tract "B" to the southeast corner thereof; thence north 01 degree 59 minutes 39 seconds east 956.48 feet to the northeast corner of said Tract "B", and thence north 88 degrees 00 minutes 21 seconds west along the north line of said Tract "B" a distance of 380 feet to the point of beginning.*

**SECTION TWO**

The Official Zoning Map of Upson County, Georgia is hereby amended by repealing page 82 of 179 pages plus index and inserting in lieu thereof a new page 82 of 179 pages plus index as part of the Official Zoning Map of Upson County, Georgia, which said page is dated June 10, 2014, and is certified by the Chairman of the Board of Commissioners of Upson County, Georgia, as required by Section 2302 of the Upson County Zoning Ordinance, which said page is hereby adopted as a part of the Official Zoning Map of Upson County, Georgia, and the same shall remain on file in the office of the Zoning Administrative Officer of Upson County, Georgia, and shall be accessible to the public.

**SECTION THREE**

All ordinances or parts thereof in conflict with the terms and provisions of this Ordinance are, and the same hereby, are repealed

**SECTION FOUR**

Should any sentence, paragraph or section of this Ordinance be declared to be invalid, for any reason, such declaration shall not affect the validity of any other sentence, paragraph or section of this Ordinance and all such remaining sentences, paragraphs and sections hereof shall remain valid and of full force and effect, and the Board of Commissioners of Upson County, Georgia, hereby declares that such continuing validity of the remaining portions hereof is its intent as of the date of the enactment hereof.

The foregoing ordinance this day adopted by the Board of Commissioners of Upson County, Georgia, and effective, this 10th day of June, 2014.

**BOARD OF COMMISSIONERS  
OF UPSON COUNTY**

BY: *Rusty Blackston*  
RUSTY BLACKSTON, Chairman

BY: *Frank Spraggins*  
FRANK SPRAGGINS, Vice Chairman

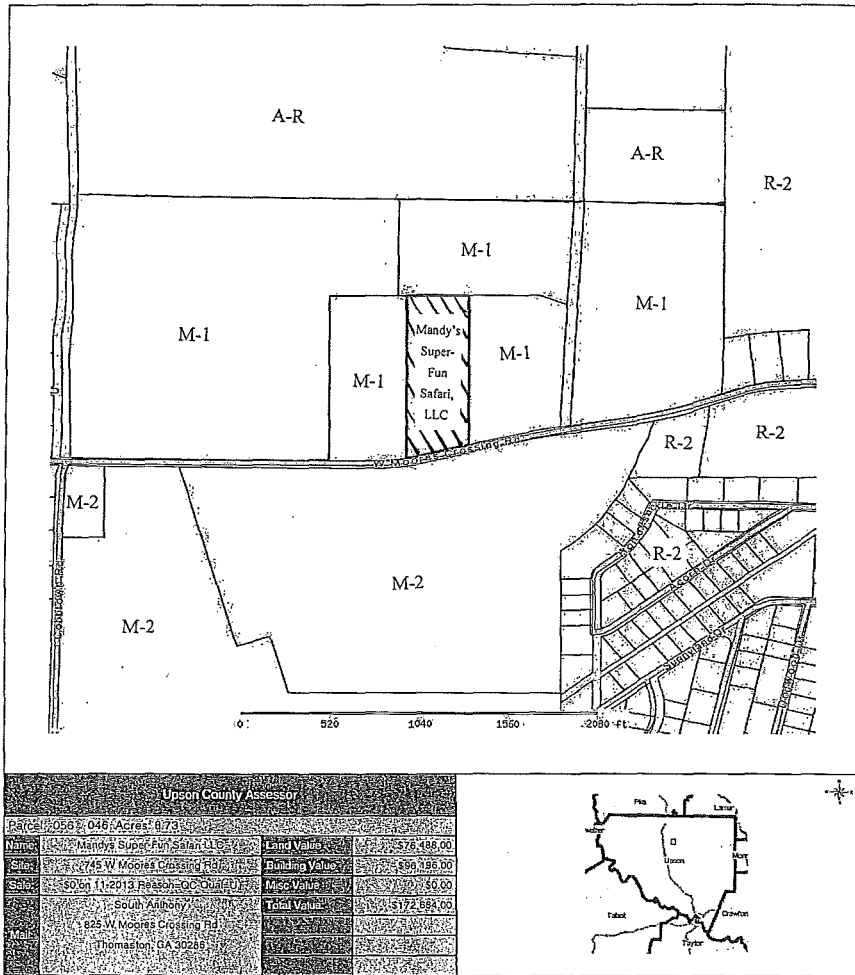
BY: *Steve Hudson*  
STEVE HUDSON, Commissioner

BY: *Ralph Ellington*  
RALPH ELLINGTON, Commissioner

BY: *Lorenzo Wilder*  
LORENZO WILDER, Commissioner

ATTEST:

*J. Jones*  
Upson County Clerk



PARCEL MAP ATTACHMENT TO UPSON COUNTY REZONING  
 ORDINANCE NUMBER \_\_\_\_\_, JUNE 10, 2014 FOR 745 WEST MOORE'S  
 CROSSING ROAD, SCOTT & MANDY BATCHELOR - APPLICANTS