

ORDINANCE NO. 250

AN ORDINANCE OF UPSON COUNTY, GEORGIA TO CHANGE THE ZONING OF CERTAIN PROPERTY DESCRIBED AS 7350 MCCRARY ROAD (PARCEL NO. 005 067) FROM THAT OF M-1-C -- MANUFACTURING LIGHT WITH CONDITIONS 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, Dependable Waste Services, Inc., the owner of 7350 McCrary Road (2 acres MOL) had an application for rezoning filed on its behalf by SW Molena, LLC, to rezone said property from M-1-C to C-2; and

WHEREAS, the Planning Commission public hearing to consider the rezoning request was held June 13, 2016; and

WHEREAS, the subject property was posted June 27, 2016 and published notice of the Board of Commissioners public hearing on the rezoning request appeared in the June 22, 2016 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-C, Manufacturing Light with Conditions District, is hereby removed therefrom and placed in a C-2 -- Commercial, General Highway District.

Said property is more legally described as:

All of two (2) acres, more or less, of land, together with all improvements thereon, lying and being in Land Lot 249 of the 15th Land District of Upson County, Georgia bounded now or formerly as follows: Northerly by Newnan Road leading easterly from Highway 74 to the Jones and McCrary Settlement; Easterly by lands of W..F. Wise; southerly by the northerly right-of-way of McCrary Road; and westerly by Highway 74.

This is the identical real estate conveyed to Trellis R. Daniel and Kathy June Riggins Schreiner by Executors Deed of Assent, dated March 1993, and or record in Deed Book 440, page 325, in the Office of the Clerk of Superior Court of Upson County, Georgia.

There is excepted from this conveyance, however, those portions of said two (2) acres, more or less, that may have been taken and used by Newnan Road and McCrary Road.

SECTION TWO

The Official Zoning Map of Upson County, Georgia is hereby amended by repealing page 4 of 172 pages plus index and inserting in lieu thereof a new page 4 of 172 pages plus index as part of the Official Zoning Map of Upson County, Georgia, which said page is dated July 12, 2016, 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

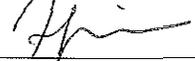
SECTION FOUR

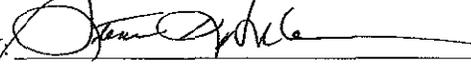
Should any sentence, paragraph or section of this Ordinance be declared to be invalid, for any reason, such declaration shall not affect the validity of any other sentence, paragraph or section of this Ordinance and all such remaining sentences, paragraphs and sections hereof shall remain valid and of 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 12th day of July, 2016.

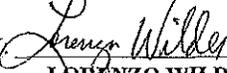
**BOARD OF COMMISSIONERS
OF UPSON COUNTY**

BY: 
RUSTY BLACKSTON, Chairman

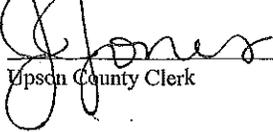
BY: 
FRANK SPRAGGINS, Commissioner

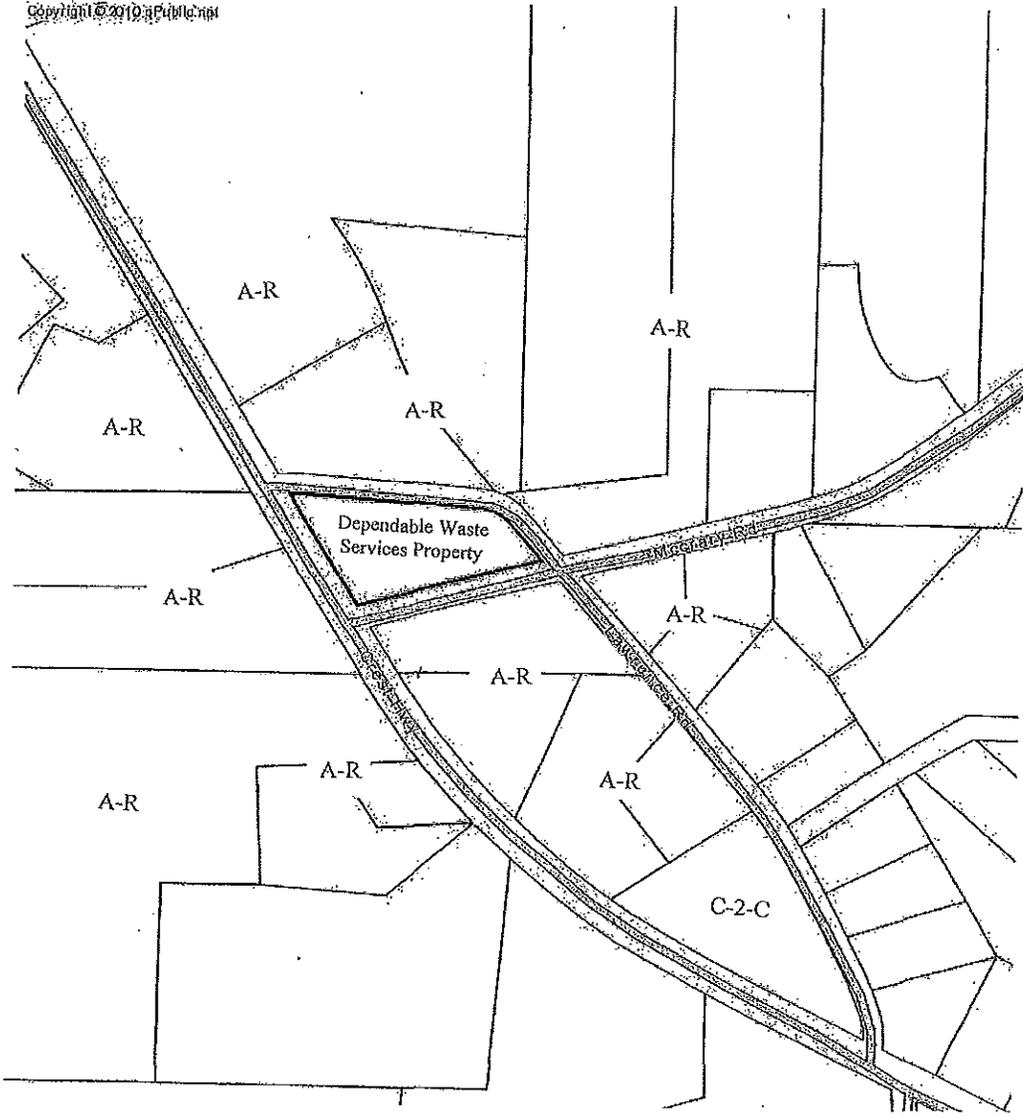
BY: 
STEVE HUDSON, Vice Chairman

BY: 
RALPH ELLINGTON, Commissioner

BY: 
LORENZO WILDER, Commissioner

ATTEST:


Upson County Clerk



PARCEL MAP ATTACHMENT TO UPSON COUNTY REZONING
ORDINANCE NO. _____, M-1-C TO C-2, JULY 12, 2016 FOR 2.0 ACRES -
7350 McCRARY ROAD, SW MOLENA, LLC - APPLICANT