

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 268

AN ORDINANCE to amend the Lookout Mountain, Georgia, Zoning Ordinance (Ordinance No. 25, as heretofore amended), to extend and further delineate the boundaries of the City of Lookout Mountain's community convenience commercial district, to amend the zoning map of the City of Lookout Mountain accordingly, and for other purposes.

WHEREAS, the extension of the community convenience commercial district to the property hereinafter described promotes the prosperity and general welfare of the City of Lookout Mountain, Georgia, and the extension of such district has been recommended by the Municipal Planning Commission of the City and is consistent with the comprehensive plan for the development of the City;

NOW, THEREFORE, be it ordained by the City Council of the City of Lookout Mountain, Georgia, and it is hereby ordained:

Section 1. Section 10-2(C) of Ordinance No. 25 is amended to add as the second paragraph thereof a new paragraph to read as follows:

In addition, all that tract or parcel of land lying and being in Original Land Lot 36, in the 9th Civil District and 4th Section of Walker County, Georgia, and in the City of Lookout Mountain, Georgia, and being more particularly described as follows: Tract Two (2), The Oaks Ltd., as shown by plat of record in Plat Book 8, Page 322, in the Office of the Clerk of the Superior Court of Walker County, Georgia.

The above described property (Tract Two of The Oaks, Ltd.) is more particularly described on Exhibit A to this Ordinance.

Section 2. Section 10-2(D) of Ordinance No. 25, as added by Ordinance No. 43 and amended by Ordinance Nos. 56, 75 and 99, is amended by deleting therefrom the property described in Section 1 of this Ordinance.

Section 3. The zoning map of the City of Lookout Mountain, particularly the delineations of the community convenience commercial district and the multiple family district shown thereon, is amended so as to conform to the provisions of this Ordinance.

Section 4. Except as provided in the above Sections 1-3 of this Ordinance, the Lookout Mountain, Georgia, Zoning Ordinance (Ordinance No. 25, as heretofore amended) shall remain in full force and effect, unaffected by this Ordinance.

Section 5. Severability. If any of the sections, subsections, sentences, clauses or phrases of this Ordinance are for any reason held to be unconstitutional or invalid, the validity of the remaining portions of this Ordinance shall not be affected, since it is the express intent of the Council of the City to pass each section, phrase, paragraph and word separately.

Section 6. Part of Code of Ordinances. It is the intention of the Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lookout Mountain, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.

Section 7. Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8. Effective Date. This Ordinance shall be effective ten (10) days after its adoption by at least three (3) members of the Council of the City after two (2) readings at least one (1) week apart.

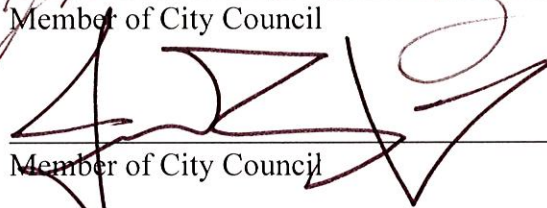
APPROVED on first reading on January ^{31,} 17, 2013.



Member of City Council



Member of City Council



Member of City Council



Member of City Council



Member of City Council



Mayor of Lookout Mountain, Georgia

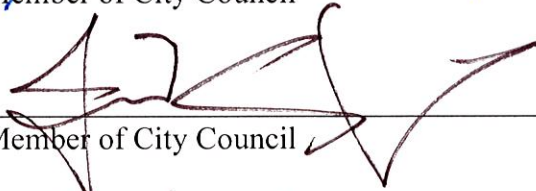
APPROVED AND ADOPTED on second reading on February 21, 2013.



Member of City Council



Member of City Council



Member of City Council



Member of City Council

Sam Taylor M Watson
Member of City Council

William P Blawie
Mayor of Lookout Mountain, Georgia

ATTEST:

Cindy [Signature]
City Clerk

PROPERTY DESCRIPTION - TRACT 2, THE OAKS, LTD.

TRACT 2: Being property lying in Land Lot 36 in the 9th District, Fourth Section in the town of Lookout Mountain, Walker County, Georgia, and formerly being a portion of Lot 10 of T.G. McFarland Estate recorded in Deed Book 11 Page 564 in the Clerk's Office of Walker County, Georgia. The property herein described is now known as Tract 2 of The Oaks, Ltd. Subdivision as shown on plat of survey by Shober & Austin, LLC dated March 9 1999, drawing no. 99-18-04 and is more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence at the point where the north line of Land Lot 36 intersects the west edge of the 40-foot right-of-way of Lula Lake Road, if extended into the 30-foot right-of-way of Durand Drive. Said point is approximately 270 feet south of the southern margin of McFarland Road and is 5.00 feet south of the mathematical centerline of Durand Drive. Run thence westerly along the north line of Land Lot 36, 5.00 south of and parallel to the centerline of Durand Drive, South 89 degrees 49 minutes 26 seconds West a distance of 261.17 feet to a point; thence North 00 degrees 15 minutes 58 seconds West a distance of 20.00 feet to a capped iron rod in the north edge of the right-of-way of Durand Drive; said rod is the southwest corner of the Lookout Mountain Methodist Church property; thence with the west line of said Church property North 00 degrees 15 minutes 58 seconds West a distance of 181.89 feet to a crimped iron pipe at the southeast corner of Martin (D.Bk. 187 Pg. 4 C.O.W.C.); thence with the south line of Martin North 76 degrees 16 minutes 42 seconds West a distance of 16.82 feet to an iron rod at the southwest corner of Martin and the southeast corner of the Citizens Bank and Trust property; thence with the south line of said Bank property North 75 degrees 48 minutes 44 seconds West a distance of 74.86 feet to a capped iron rod; thence continuing with the south line of said Bank property North 56 degrees 51 minutes 22 seconds West a distance of 80.97 feet to a utility pole at the southwest corner of the said Bank property. Said utility pole is the TRUE POINT OF BEGINNING of the property herein described.

From the TRUE POINT OF BEGINNING, run thence with the line of Tract 1 of The Oaks, Ltd. Subdivision South 22 degrees 00 minutes 41 seconds West a distance of 40.92 feet to a capped iron rod, thence continuing with the north line of said Tract 1 North 85 degrees 38 minutes 28 seconds West a distance of 146.59 feet to a capped iron rod at the northwest corner of said Tract 1, being also a point in Giddens' east line; thence with Giddens' east line North 04 degrees 21 minutes 32 seconds East a distance of 406.57 feet to a metal fencepost; thence continuing with Giddens North 04 degrees 21 minutes 32 seconds East a distance of 8.21 feet to the south edge of the 40-foot right-of-way of McFarland Road; thence in an easterly direction with the south edge of the right-of-way of McFarland Road along a curve to the right, said curve having a radius of 55.92 feet, a tangent distance of 38.30 feet, and a delta angle of 68 degrees 49 minutes 03 seconds, a distance of 67.16 feet to a point; thence continuing with the south edge of the right-of-way of McFarland Road South 33 degrees 26 minutes 29 seconds East 156.42 feet to a point; thence continuing with the south edge of the right-of-way of McFarland Road along a curve to the left, said curve having a radius of 680.34 feet, a tangent distance of 42.89 feet, and a delta angle of 07 degrees 12 minutes 53 seconds, a distance of 85.67 feet to a point at the northwest corner of aforementioned Bank property (the total distance along McFarland Road being 309.25 feet); thence with the west line of said Bank property South 22 degrees 00 minutes 41 seconds West a distance of 177.01 feet to the point of beginning. The property herein described contains 1.46 acres.