

STATE OF GEORGIA

CITY OF STOCKBRIDGE

RESOLUTION NO. R16-736

A RESOLUTION TO AUTHORIZE A VARIANCE FROM CERTAIN PROVISIONS OF OF THE ZONING CODE OF THE CITY OF STOCKBRIDGE AT THE SOUTHEAST CORNER OF THE INTERSECTION OF HIGHWAY 42; TO PROVIDE SEVERABILITY; TO PROVIDE A PENALTY; TO PROVIDE FOR REPEAL OF CONFLICTING RESOLUTIONS; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES..

WHEREAS, the governing authority of the City of Stockbridge is the Mayor and Council thereof;

WHEREAS, the governing authority of the City of Stockbridge, Georgia desires to authorize a variance from the parking and façade requirements at the southeast corner of the intersection of Highway 42; and

WHEREAS, the health, safety, and welfare of the citizens of Stockbridge, Georgia, will be positively impacted by the adoption of this Resolution.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY RESOLVES:

Section 1. That the variance request at the southeast corner of the intersection of Highway 42, more particularly described in Exhibit “A,” a copy of which is attached hereto and incorporated herein by reference, from the parking and façade requirements of the Zoning Code

of the City of Stockbridge is hereby approved subject to the following conditions:

1. The requested reduction in the minimum parking requirements is approved.
2. Fiber board and stone for the first level is approved.

Section 2. The preamble of this Resolution shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Resolution are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Resolution is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Resolution and that, to the greatest extent allowed by law, all remaining phrases,

clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. All resolutions and parts of resolutions in conflict herewith are hereby expressly repealed.

Section 5. Penalties in effect for violations of the Zoning Ordinance of the City of Stockbridge at the time of the effective date of this Resolution shall be and are hereby made applicable to this Resolution and shall remain in full force and effect.

Section 6. The effective date of this Resolution shall be the date of adoption unless otherwise specified herein.

RESOLVED this 13th day of June, 2016.

CITY OF STOCKBRIDGE, GEORGIA


Anthony S. Ford, Mayor Pro Tem

ATTEST:


Vanessa Holiday, City Clerk

APPROVED AS TO FORM:


Michael Williams, City Attorney