

Pre-Agenda Session @ 5:30 p.m.

A G E N D A
City Council Meeting
Monday, March 6, 2023 – 6:00 p.m.

➤ **OPENING**

- **Call to Order**
- **Invocation**
- **Pledge of Allegiance**
- **Roll Call**

➤ **FORMAL PUBLIC COMMENT**

Formal Public Comment – City Council Agenda Protocol

The City of Garden City has identified this portion of the meeting to allow individuals an opportunity to formally address the City Council on issues of importance. Garden City requires that individuals who desire to formally address the City Council submit a written request form outlining the subject matter that they intend to discuss so that they can be placed on the meeting agenda. Members of the public desiring to be placed on the agenda to present or address matters to the City Council must submit a formal ***“REQUEST TO BE PLACED ON THE CITY COUNCIL AGENDA”*** form to the Office of the City Manager at least 10 days prior to the requested City Council meeting date that you wish to speak. City Council meetings are held on the first and third Monday of each month so the request must be submitted no later than 5:00 pm on the Friday which constitutes 10 days prior. The request can be done in person, regular mail, fax or e-mail and the speaker should obtain acknowledgement of the request from the City to demonstrate that the 10 day requirement has been met. The request form may be obtained from the Office of the City Manager and on the City's website www.gardencity-ga.gov. The request should state the name of the individual(s) desiring to be heard and the subject matter to be presented to City Council. Requests may be referred at the discretion of the City Manager, to appropriate staff for mediation prior to being placed on the public agenda. Please be advised the completion of a request form does not entitle the speaker to be added to the agenda.

➤ **RECEIPT OF INFORMAL PUBLIC COMMENT:**

- **Procedure:** To best manage this meeting section, any person who desires to address the City Council must sign up using the process outlined on the website where this meeting is advertised. Once recognized by the Mayor, the person will be allowed to speak in accordance with the Informal Public Comment-Speaker Protocols outlined below.

Informal Public Comment – Speaker Protocol

The City of Garden City believes that any member of the general public should be afforded the opportunity to address the City Council provided that designated rules are followed by the speaker. Any member of the public who wishes to address the City Council and offer public comment on items within the City Council's jurisdiction, may do so during the Informal Public Comment period of the meeting. However, no formal action will be taken on matters that are not part of the posted agenda. Informal Public Comments are scheduled for a total of fifteen (15) minutes and each person will be limited to three (3) minutes. In order to ensure the opportunity for all those desiring to speak before the Council, there is no yielding of time to another speaker. Speakers not heard during the limited fifteen (15) minute period will be first to present their comments at the next Council meeting. The opportunity to address City Council on a topic of his/her choice shall be used by an individual only one (1) time per month. It may not be used to continue discussion on an agenda item that has already been held as a public hearing. Matters under negotiation, litigation, or related to personnel will not be discussed. If a member of the general public would like to address the City Council during the Informal Public Comment portion of the meeting, please respectfully indicate your desire to address the City Council when the Mayor solicits members of the general public to come forward and speak. You will be recognized by the Mayor and asked to come forward to the podium so that you can address the City Council in accordance with the rules outlined herein. Once the speaker has been recognized to speak, he/she will be given three (3) minutes to address the City Council. The speaker should not attempt to engage the City Council and/or Staff in a discussion/dialogue and the speaker should not ask specific questions with the expectation that an immediate answer will be provided as part of the three (3) minute time frame since that is not the intent of the Informal Public Comment period. If the speaker poses a question or makes a request of the City, the Mayor may refer the issue or request to the City Manager for follow up. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. The Mayor may rule out of order any Speaker who uses abusive or indecorous language, if the subject matter does not pertain to the City of Garden City, or if the Speaker(s) attempts to engage the City Council Members in a discussion or dialogue on issues. City Council shall not discuss non-agendized matters because it does not give the public adequate notice. Accordingly, City Council shall be limited to asking factual and clarifying questions of staff, and when appropriate, the Council may consider placing a matter on a future agenda. In addition, it is not reasonable to expect staff to respond to any of a variety of issues on which they may or may not be prepared to respond to on a moment's notice, so the City Manager may respond, or direct staff to respond at a later time.

➤ PUBLIC HEARINGS

Speaking to a Public Hearing Item Protocol

In the interests of time and to ensure fairness of all persons who appear before the City Council to speak for or against a public hearing item, speakers will be limited to three (3) minutes each to address City Council except as described herein. One speaker for the Petitioner may address the City Council for no more than 10 minutes, unless extended by the Mayor. In an effort help the City Council and the general public to better understand the issues, the Mayor may request that a City staff member address the City Council from the podium. Speakers from the general public may only speak when recognized by the Mayor during the public hearing. Speakers will be asked to come to the podium to address the City Council for three (3) minutes and they shall state their name and resident address for the record.

Speakers addressing City Council on a public hearing item should coordinate comments to respect City Council's time limits. Groups should select a spokesperson to present the major points that summarize their position and opinions. Speakers are urged to be brief and non-repetitive with their comments. Comments shall specifically address the public hearing item before the City Council, and the speaker shall maintain appropriate tone and decorum when addressing the City Council. City Council may ask questions of the applicant, speakers, or staff during these proceedings only for the purpose of clarifying information. The speaker shall not direct derogatory comments to any individual, organization, or business. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed, and the next speaker will be recognized to come forward to the podium and address the City Council. Once the public hearing is closed on an item, there will be no further opportunity for formal or informal public input at a City Council meeting.

***PROCEDURES FOR CONDUCTING PUBLIC HEARINGS ON PROPOSED ZONING DECISIONS BEFORE
GARDEN CITY'S MAYOR AND COUNCIL AND STANDARDS GOVERNING THE EXERCISE OF
CITY COUNCIL'S ZONING POWER***

Procedures for Conducting Public Hearings on Proposed Zoning Decisions:

All public hearings conducted by the Mayor and Council on Garden City, Georgia, on proposed zoning decisions shall be conducted as follows:

- (1) All public hearings by the Mayor and Council on zoning amendments shall be chaired by the Mayor.
- (2) The Mayor shall open the hearing by stating the specific zoning amendment being considered at the public hearing and further stating that printed copies of the adopted standards governing the exercise of the Mayor and Council's zoning power and the procedures governing the hearing are available to the public.
- (3) The Director of the City's Planning and Zoning Department shall advise the Mayor and Council of the recommendation of the Planning Commission when applicable.
- (4) The Mayor shall determine the number of attendees who desire to testify or present evidence at the hearing.
- (5) When there is a large number of individuals wishing to testify at a hearing, the Mayor may invoke time limits on individual speakers. In such cases, these time limits shall apply to all speakers. Proponents, including the petitioner or the petitioner's agent requesting the zoning decision, shall have no less than ten (10) minutes for the presentation of data, evidence, and expert opinions; opponents of the proposed decision shall have an equal minimum period of time. The Mayor may grant additional time; provided, however, an equal period of time shall be granted both sides.
- (6) The petitioner requesting such zoning decision, or the applicant's agent, shall be recognized first and shall be permitted to present and explain the request for the zoning decision. Thereafter, all individuals who so desire shall be permitted to speak in favor of the zoning decision.
- (7) After all individuals have had an opportunity to speak in accordance with subparagraph (6) above, those individuals present at the public hearing who wish to speak in opposition to the requested zoning decision shall have an opportunity to speak.
- (8) The Mayor may limit repetitious comments in the interest of time and may call for a show of hands of those persons present in favor of or opposed to the proposed decision.
- (9) It shall be the duty of the Mayor to maintain decorum and to assure the public hearing on the proposed decision is conducted in a fair and orderly manner.
- (10) Once all parties have concluded their testimony, the Mayor shall adjourn the public hearing.

Standards Governing the Exercise of The Zoning Powers of Garden City's Mayor and Council:

Prior to making a zoning amendment, the Mayor and Council shall evaluate the merits of a proposed amendment according to the following criteria:

- (1) Is this request a logical extension of a zoning boundary which would improve the pattern of uses in the general area?
- (2) Is this spot zoning and generally unrelated to either existing zoning or the pattern of development of the area?
- (3) Could traffic created by the proposed use or other uses permissible under the zoning sought traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- (4) Will this request place irreversible limitations or cause material detriment on the area similarly zoned as it is or on future plans for it?
- (5) Is there an imminent need for the rezoning and is the property likely to be used for the use requested?
- (6) Would the proposed use precipitate similar requests which would generate or accelerate adverse land use changes in the zone or neighborhood?

➤ **Approval of City Council Minutes**

- Consider the minutes from the February 20th Pre-Agenda Session and City Council Meeting.

City Manager's Report

- Updates and announcements

➤ **ITEMS FOR CONSIDERATION**

- **Ordinance - Zoning Map Amendment (1616 Dean Forest Road):** An ordinance to amend the zoning ordinance and map of Garden City, Georgia, as amended, to rezone certain property owned by 1608 Dean Forest, LLC, at 1616 Dean Forest Road, Garden City, Georgia, from its present zoning classification of "I-1" to an "I-2" zoning classification.
- **Ordinance - Zoning Map Amendment (35 Telfair Place):** An ordinance to amend the zoning ordinance and map of Garden City, Georgia, as amended, to rezone certain property owned by Maxwell P. Beatty at 35 Telfair Place, Garden City, Georgia, from its present zoning classification of "C-1" to an "I-1" zoning classification.
- **Ordinance - Zoning Map Amendment (38 Telfair Place):** An ordinance to amend the zoning ordinance and map of Garden City, Georgia, as amended, to rezone certain property owned by Maxwell P. Beatty at 38 Telfair Place, Garden City, Georgia, from its present zoning classification of "C-1" to an "I-1" zoning classification.

➤ **ADJOURN**

Synopsis
Pre-agenda Session
Monday, February 20, 2023 – 5:30 p.m.

Call to Order: Mayor Campbell called the pre-agenda session to order at approximately 5:30 p.m.

Opening: Councilmember Hall gave the invocation.

Attendees:

Council Members: Mayor Bruce Campbell, Mayor Pro-tem Marica Daniel, Councilmember Gwyn Hall, Councilmember Richard Lassiter, Councilmember Natalyn Morris, Councilmember Debbie Ruiz, and Councilmember Kim Tice.

Staff Members: Scott Robider, City Manager; James P. Gerard, City Attorney; Rhonda Ferrell Bowles, Finance Director/Clerk of Council; Jon Bayer, Water Operations Manager; Cliff Davis, Public Works Manager; Cliff Ducey, Recreation Director; Gil Ballard, Chief of Police; Mike Dick, Fire Chief; Yolanda Irizarry, HR Director; Chris Snider, Systems Administrator, and Veronica Enoch, Executive Administrative Assistant.

Mayor's Updates: Mayor Campbell had no updates to report.

City Manager's Updates: The City Manager stated that the contract/MOU was sent to the School Board for review. He said we are finalizing the date to interview the firms for the new Gym. He said I'm trying to schedule the work, so no time is lost constructing the new gym complex. He noted that the Konter contract to develop the Highway 80 project is moving forward.

Councilmember Hall stated that we need to make sure we don't substitute quality by fast-tracking the project. The City Manager said that we will make sure that there is no compromise on quality.

Councilmember Ruiz asked if there would be an opportunity to make changes. The City Manager stated that the Parks and Recreation staff are closely involved in the design process.

Review of Council Agenda Items: The City Manager gave an overview of the items on the agenda.

Adjournment: Given that no other items were on the agenda, Mayor Campbell and the City Council adjourned the pre-agenda session at approximately 5:50 p.m.

*Transcribed & submitted by: The Clerk of Council
Accepted & approved by: The City Council on 3/6/23*

M I N U T E S
City Council Meeting
Monday, February 20, 2023 – 6:00 p.m.

Call to Order: Mayor Campbell called to order the meeting at approximately 6:00 p.m.

Opening: Mayor Campbell gave the invocation and led the City Council in the pledge of allegiance to the flag.

Roll Call

Council Members: Mayor Bruce Campbell, Mayor Pro-tem Marica Daniel, Councilmember Gwyn Hall, Councilmember Richard Lassiter, Councilmember Natalyn Morris, Councilmember Debbie Ruiz, and Councilmember Kim Tice.

Staff Members: Scott Robider, City Manager; James P. Gerard, City Attorney; Rhonda Ferrell Bowles, Finance Director/Clerk of Council; Jon Bayer, Water Operations Manager; Cliff Davis, Public Works Manager; Cliff Ducey, Recreation Director; Gil Ballard, Chief of Police; Mike Dick, Fire Chief; Yolanda Irizarry, HR Director; Chris Snider, Systems Administrator, and Veronica Enoch, Executive Administrative Assistant.

Informal Public Comment: Mayor Campbell opened the floor to receive public comment from the audience. There were no speakers. Therefore, Mayor Campbell closed the informal public comment portion of the meeting.

Public Hearings

PC2301 - Zoning Map Amendment Request: Mayor Campbell opened the public hearing to receive public comment on a request by Ryan Smith, 1608 Dean Forest Road LLC, to rezone 1616 Dean Forest Road from I-1 to I-2 for proposed use as a transportation logistics terminal.

There were no speakers for or against the rezoning request. Therefore, Mayor Campbell closed the public hearing on PC2301.

PC2305 - Zoning Map Amendment Request: Mayor Campbell opened the public hearing to receive public comment on a request by Maxwell P. Beatty to rezone 35 Telfair Place (Formerly 4 Telfair Place) from C-1 to I-1 for industrial outdoor storage.

Corey Foreman Rowe Avenue, Garden City, stated that the City Council should uphold the Planning Commission's recommendation to deny the request.

Since there were no other speakers, Mayor Campbell closed the public hearing on PC2305.

PC2306 - Zoning Map Amendment Request: Mayor Campbell opened the public hearing to receive public comment on a request by Maxwell P. Beatty to rezone 38 Telfair Place from C-1 to I-1 for industrial outdoor storage.

Corey Foreman, Rowe Avenue, Garden City, stated that this request should be denied too.

Since there were no other speakers, Mayor Campbell closed the public hearing on PC2306.

Alcoholic Beverage License Application (Caribbean Shack): Mayor Campbell opened the public hearing to receive public comment on an alcoholic beverage license application made by the Caribbean Shack, LLC, to sell spirituous liquors (by the drink), beer, and/or malt beverages at 5220 August Road, Garden City, Georgia, 31408.

Ms. German, 100 Dogwood Circle, Rincon, Georgia, stated that she is the owner of the Caribbean Shack and appreciated her application being on the agenda for consideration.

Since there were no other speakers, Mayor Campbell closed the public hearing on the alcoholic beverage license application for the Caribbean Shack.

City Council Minutes: Councilmember Tice motioned to approve the minutes from the February 6th pre-agenda session, the city council meeting, and the February 14th workshop. The motion was seconded by Councilmember Daniel and passed without opposition.

City Manager's Updates: The City Manager reported on the new gym and the Highway 80 property development.

Items for Consideration

Second Reading - Ordinance Amendment to the City's Charter for New Council Districts: The Clerk of Council read the second reading of the heading of an ordinance to amend the Charter for the City of Garden City, Georgia, approved April 17, 1973, as amended, so as to create new council districts based on the report of the Bureau of Census for the United States Decennial Census of 2020 for the State of Georgia.

Councilmember Tice motioned to adopt the ordinance on the second reading. The motion was seconded by Councilmember Lassiter and passed without opposition.

Councilmember Morris stated that we need to look at having racial demographic balance when doing the district maps during the next census. The City Manager stated that the State approved the maps. The City Attorney said that the State did look at racial balance. He noted that they try to get as much balance as possible. Councilmember Morris stated that based on the information in the packet, it doesn't indicate balance. Councilmember Lassiter asked when will the new maps take effect. The City Attorney stated when they are delivered to the office of the Secretary of the State.

First Reading - Ordinance Amendment to Fire Protection Billing Rate Structure: The Clerk of Council read the first reading of the heading of an ordinance to amend Chapter 34, Article IV, of the Code of Ordinances of the City of Garden City, Georgia, pertaining to the establishing of the City's fire protection fee rate structure and billing rate for the purpose of defining "Fire Protection Utility Manager"; to establish a late fee for delinquent fire fee payments.

Councilmember Ruiz motioned to approve the ordinance on the first reading. The motion was seconded by Councilmember Daniel and passed without opposition.

Councilmember Daniel motioned to suspend the council rules and hold the second reading of the ordinance. The motion was seconded by Councilmember Hall and passed without opposition.

Second Reading - Ordinance Amendment to Fire Protection Billing Rate Structure: The Clerk of Council read the second reading of the heading of an ordinance to amend Chapter 34, Article IV, of the Code of Ordinances of the City of Garden City, Georgia, pertaining to the establishing of the City's fire protection fee rate structure and billing rate for the purpose of defining "Fire Protection Utility Manager"; to establish a late fee for delinquent fire fee payments.

Councilmember Daniel motioned to adopt the ordinance on the second reading. The motion was seconded by Councilmember Tice and passed without opposition.

Resolution – Revised Fire Protection Fee/Rate Structure: The Clerk of Council read the heading of a resolution to revise the fire protection service fee rate to provide sufficient funds to implement and provide fire services to the City of Garden City Fire Department service area.

Councilmember Ruiz motioned to adopt the resolution. The motion was seconded by Councilmember Daniel and passed without opposition.

Resolution – Amendment to New Cingular Wireless Tower Attachment Lease: The Clerk of Council read the heading of a resolution consenting to a third amendment to the Tower Attachment Lease Agreement with New Cingular Wireless.

Councilmember Daniel motioned to adopt the resolution. The motion was seconded by Councilmember Ruiz and passed without opposition.

Resolution – FY2022 Year-End Amended Budget: The Clerk of Council read the heading of a resolution to amend the FY2022 Operating and Capital Budgets to adjust for the difference between the originally adopted and presently projected revenues and expenditures in the operating and capital funds of the Garden City Government.

Councilmember Ruiz motioned to adopt the resolution. The motion was seconded by Councilmember Hall and passed without opposition.

Resolution – 2023 LMIG Rossignol Hill Subdivision Project: The Clerk of Council read the heading of a resolution authorizing Brennan Jones Engineering Associates to solicit bids pursuant to the Official Code of Georgia Annotated 36-91-21 for the performance of the Contract Work for the 2023 LMIG Rossignol Hill Subdivision Project.

Councilmember Lassiter motioned to adopt the resolution. The motion was seconded by Councilmember Morris and passed without opposition.

Resolution – FY2023 Staffing Level Amendment (General Fund): The Clerk of Council read the heading of a resolution to amend the FY2023 general fund staffing level in order to create and fill an Assistant Zoning Administrator position.

Councilmember Daniel motioned to adopt the resolution. The motion was seconded by Councilmember Hall and passed without opposition.

Alcoholic Beverage License Application (Caribbean Shack): The Clerk of Council said we have for consideration an alcoholic beverage license application made by the Caribbean Shack, LLC, to sell

spirituous liquors (by the drink), beer, and/or malt beverages at 5220 August Road, Garden City, Georgia, 31408.

Councilmember Morris motioned to approve the alcoholic beverage license application for the Caribbean Shack. The motion was seconded by Councilmember Lassiter and passed without opposition.

Adjournment: Given that no other items were on the agenda, Mayor Campbell called for a motion to adjourn the meeting. Councilmember Ruiz motioned to adjourn the meeting at approximately 6:19 p.m. The motion was seconded by Councilmember Hall and passed without opposition.

Transcribed & submitted by: The Clerk of Council

Accepted & approved by: The City Council on 3/6/23

ORDINANCE NO. 2023-

AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND MAP OF GARDEN CITY, GEORGIA, AS AMENDED, TO REZONE CERTAIN PROPERTY OWNED BY 1608 DEAN FOREST, LLC, AT 1616 DEAN FOREST ROAD, GARDEN CITY, GEORGIA (CHATHAM COUNTY, GEORGIA, TAX PARCEL NUMBER 60988 01001B), FROM ITS PRESENT ZONING CLASSIFICATION OF "I-1" TO A "I-2" ZONING CLASSIFICATION; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY The Mayor and Council of Garden City, Georgia, and it is hereby ordained by the authority of the same that:

Section 1: The zoning ordinance and zoning map of Garden City, Georgia, as amended, is amended so that the following described property presently owned by 1608 Dean Forest, LLC, and located at 1616 Dean Forest Road in Garden City, Georgia, is rezoned from its present "I-1" zoning classification to a zoning classification of "I-2":

All that certain lot, tract, or parcel of land situate, lying, and being in the 8th G.M. District, Chatham County, Georgia, in the City of Garden City, known and designated upon a map or plan of Live Oak Park Subdivision as Lot Three (3), Live Oak Park Subdivision, recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book L, Page 20, said subdivision map being a subdivision of the Northwest portion of Tract No. Four (4), Dean Forest Gardens, 8th G.M. District, Chatham County, Georgia, comprised of lands acquired by Hoke S. Hayes by Warranty Deed from Eugene W. Roberts dated September 5, 1956, and recorded in the aforesaid Clerk's Office in Deed Book 65-K, Page 373, less that certain land conveyed by H. S. Hayes to Chatham County, Georgia, pursuant to a Right-of-Way Deed dated January 7, 1969, and recorded in the aforesaid Clerk's Office in Deed Book 96-L, Page 478, and being incorporated herein by reference and being made a part hereof for better determining the metes bounds, courses, and distances of the property which has a frontage of One Hundred One and Fifty-Three Tents (101.53') feet on the Eastern boundary of Dean Forest Road, a depth along its Northern boundary of Seven Hundred Sixty-Six and Four Tents (766.4') feet, a frontage on its Eastern boundary of Three Hundred (300') feet, and a frontage on its Southern boundary of Six Hundred Eight and Forty-Two Tents (608.42') feet.

The above-described real property and the improvements located thereon are commonly known as 1616 Dean Forest Road, Garden City, Georgia, and have been

assigned a property identification number of 60988 01001B by the Board of Tax Assessors for Chatham County, Georgia.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall become effective on the date of passage.

ADOPTED this 6th day of March, 2023.

RHONDA FERRELL-BOWLES,
Clerk of Council

RECEIVED AND APPROVED this the 6th day of March, 2023.

BRUCE CAMPBELL, Mayor

Read first time:

Read second time and approved:

ORDINANCE NO. 2023-

AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND MAP OF GARDEN CITY, GEORGIA, AS AMENDED, TO REZONE CERTAIN PROPERTY OWNED BY MAXWELL P. BEATTY AT 35 TELFAIR PLACE (FORMERLY 4 TELFAIR PLACE), GARDEN CITY, GEORGIA (CHATHAM COUNTY TAX PARCEL NUMBER 60799 02002C), FROM ITS PRESENT ZONING CLASSIFICATION OF "C-1" TO A "I-1" ZONING CLASSIFICATION; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY The Mayor and Council of Garden City, Georgia, and it is hereby ordained by the authority of the same that:

Section 1: The zoning ordinance and zoning map of Garden City, Georgia, as amended, is amended so that the following described property presently owned by Maxwell P. Beatty and located at 35 Telfair Place in Garden City, Georgia, is rezoned from its present "C-1" zoning classification to a zoning classification of "I-1":

All that certain lot, tract, or parcel of land situate, lying, and being in Garden City, Chatham County, Georgia, containing 3.0 acres, being a portion of Lot Number Four (4) of a Subdivision of the Estate of J H. Roberts on Telfair Road and being more particularly described as follows: Commencing at the Northwestern point of the intersection of Telfair Road and the Seaboard Coast Line Railroad right-of-way and running thence North 70° 26' West a distance of 1671.70 feet to a concrete monument which marks the POINT OF BEGINNING; running thence North 70° 46' West along the Northern side of the right-of-way line of the Seaboard Coast Line Railroad a distance of 259.50 feet to a point; running thence 19° 14' East a distance of 503.73 feet; running thence South 70° 46' East a distance of 259.50 feet; running thence South 19° 14' West a distance of 503.73 feet to the POINT OF BEGINNING. Said property is bounded on the North by Telfair Road; on the East by Lot Number Five (5), Plaza Industrial Park, Phase 1; on the South by the Seaboard Coast Line Railroad right-of-way; and on the West by the remaining lands of Jack Harris. Said property is a portion of the property conveyed to Jack Harris by an instrument dated November 7, 1975, filed for record and recorded on November 24, 1975, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Book 105-Y, Page 498. The herein described property is more particularly described on a plat of a 3-acre portion of Lot Number Four (4) of the J. H. Roberts Estate Subdivision, 7th G.M. District, Chatham County, Georgia, prepared for Maxwell Beatty by Vincent Helmy, Georgia Registered Land Surveyor No. 1882, on December 12, 1979, and recorded in the aforesaid Clerk's Office in Plat Record Book 3-P, Folio 18, which plat is hereby expressly referred

to herein and made a part hereof by reference for better determining the metes, bounds and dimensions of the property herein described.

Less and except that certain tract or parcel of land situate, lying, and being in the 7th G.M. District, Garden City, Chatham County, Georgia, measuring 0.392 acres, more or less, condemned by Chatham County, Georgia, for the widening of Chatham Parkway, in those certain proceedings in the Superior Court of Chatham County, Georgia, styled Chatham County, Georgia v. 0.392 Acres of Land and Maxwell P. Beatty, Civil Action No. 1197-M, in which an Order and Judgment was issued on April 19, 1993, filed for record and recorded on April 20, 1993, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Book 159-N, Page 513.

The above-described real property and the improvements located thereon are commonly known as 35 Telfair Place, Garden City, Georgia, and have been assigned a property identification number of 60799 02002C by the Board of Tax Assessors for Chatham County, Georgia.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall become effective on the date of passage.

ADOPTED this 6th day of March, 2023.

RHONDA FERRELL-BOWLES,
Clerk of Council

RECEIVED AND APPROVED this the 6th day of March, 2023.

BRUCE CAMPBELL, Mayor

Read first time:

Read second time and approved:

ORDINANCE NO. 2023-

AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND MAP OF GARDEN CITY, GEORGIA, AS AMENDED, TO REZONE CERTAIN PROPERTY OWNED BY MAXWELL P. BEATTY AT 38 TELFAIR PLACE, GARDEN CITY, GEORGIA (CHATHAM COUNTY, GEORGIA, TAX PARCEL NUMBER 60799 01001A), FROM ITS PRESENT ZONING CLASSIFICATION OF "C-1" TO A "I-1" ZONING CLASSIFICATION; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY The Mayor and Council of Garden City, Georgia, and it is hereby ordained by the authority of the same that:

Section 1: The zoning ordinance and zoning map of Garden City, Georgia, as amended, is amended so that the following described property presently owned by Maxwell P. Beatty and located at 38 Telfair Place in Garden City, Georgia, is rezoned from its present "C-1" zoning classification to a zoning classification of "I-1":

All that certain lot, tract, or parcel of land situate, lying, and being in the 7th G.M. District of Chatham County, Garden City, Georgia, being known as the Eastern Portion of Lot 20, Plaza Industrial Park, Phase 1, said portion of lot containing 1.52 acres, being generally triangular in shape, and situated at the northeastern corner of the intersection of Chatham Parkway and Telfair Place of said City, and being more particularly described as follows: Commencing at a concrete monument marking the northeastern corner of the intersection of Chatham Parkway and Telfair Place of said City, which point is the POINT OF BEGINNING; proceeding thence North 10° 26' 15" West, along the eastern right-of-way line of Chatham Parkway, a distance of 81.62' to a $\frac{1}{2}$ " iron rod; thence North 79° 36' 10" West, along a jog in the eastern right-of-way line of Chatham Parkway, a distance of 5.04' to $\frac{1}{2}$ " iron rod; thence along the curve of the eastern right-of-way line of Chatham Parkway an arc distance of 138.47' (radius 1,492.40', chord bearing North 04° 12' 00" West, a distance of 138.42') to a $\frac{1}{2}$ " iron rod; thence North 06° 51' 40" West, along the eastern right-of-way line of Chatham Parkway, a distance of 341.39' to a concrete monument; thence South 70° 46' 00" East a distance of 254.37' to a $\frac{1}{2}$ " iron rod; thence South 19° 14' 00" West a distance of 503.74' to $\frac{1}{2}$ " iron rod on the northern right-of-way line of Telfair Place; thence North 70° 46' 00" West, along the northern right-of-way line of Telfair Place, a distance of 3.78' to the POINT OF BEGINNING.

The above-described property is more particularly shown on that certain plat prepared for Stefanos Vasilakos by Helmly & Associates, Inc. dated June 27, 1995,

certified by Vincent Helmly, Georgia Registered Land Surveyor No. 1882, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia in Plat Record Book 14-P, Page 49, which plat is hereby incorporated herein by this reference for all purposes.

Less and except that certain lot, tract, or parcel of land situate, lying, and being in the 7th G.M. District, Garden City, Chatham County, Georgia, shown as a 0.02 acre portion of Lot 20, Plaza Industrial Park, Phase 1, on that certain plat dated August 11, 2015, prepared by James M. Sims, Georgia Registered Land Surveyor No. 2280, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat Book 50, Page 287, said plat being incorporated herein by reference and being made a part hereof for better determining the metes, bounds, courses, and distance of the excepted property.

The above-described real property and the improvements located thereon are commonly known as 38 Telfair Place, Garden City, Georgia, and have been assigned a property identification number of 60799 01001A by the Board of Tax Assessors of Chatham County, Georgia.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall become effective on the date of passage.

ADOPTED this 6th day of March, 2023.

RHONDA FERRELL-BOWLES,
Clerk of Council

RECEIVED AND APPROVED this the 6th day of March, 2023.

BRUCE CAMPBELL, Mayor

Read first time:

Read second time and approved: