

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 242

AN ORDINANCE

To amend Ordinance No. 25 prescribing a zoning plan for the territory within the corporate limits of the City of Lookout Mountain and to add thereto a Municipal District, to delineate the initial boundaries of said district, to set forth the uses permitted in said district, and for other purposes.

WHEREAS, the Council of the City of Lookout Mountain, Georgia, has determined that the creation of an additional district within the City for the limited use of municipal buildings and facilities is in the best interest of the City and will promote the prosperity and general welfare of the City; and

WHEREAS, the land identified below is appropriate for said use and will constitute the initial boundaries of the new district, it being understood that additional land may be added to said district pursuant to amendment of the City's zoning ordinance initiated under the provisions of that ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lookout Mountain, Georgia, and IT IS HEREBY ORDAINED:

Section 1. Article III, Section 10-2, on page 7 of Ordinance No. 25 is amended by deleting the first seven lines of said section (excluding the heading of the section) and substituting in lieu thereof the following:

For the purposes enumerated in this chapter, the City is hereby divided into eight districts. The use, height, area, etc., regulations are uniform within each district, and such districts shall be known as:

Single Family District

Tourist Oriented Commercial District

Community Convenience Commercial District

Multiple Family Dwelling District

Single Family/Church-Related District

Single Family/Business Conference District

Single Family/Neighborhood Commercial District

Municipal District

Section 2. Section 10-2 of Ordinance No. 25, as heretofore amended, is further amended by the addition thereto of a new paragraph (H), setting forth the boundaries of the Municipal District, as follows:

(I) Municipal District.

That certain tract of land located on the east side of Lula Lake Road at 1827 Lula Lake Road, identified in the City of Lookout Mountain, Georgia's Tax Digest as Nos. 4-31-001; 4-31-002; 4-31-003; and 4-31-003A of record in Deed Book 1587, Page 589 and Deed Book 581, Page 93 in the Clerks' Office of Walker County, Georgia (C.O.W.C.) and being more particularly described as follows:

THE POINT OF BEGINNING being the intersection of the east Right-of-Way (R/W) line of Lula Lake Road with the south line of the aforesaid Land Lot Number 55, said point being located 6 tenths of a foot east of a one inch Iron Pipe Old, said point located 25 feet east of the centerline of Lula Lake Road and said Point of Beginning being located a chord distance of 112.8 feet southwardly along aforesaid east R/W line from the intersection of the centerline of a 24 inch corrugated metal pipe (if said centerline is extended eastwardly) with the east R/W line of Lula Lake Road;

THENCE Northwardly along the east R/W line of Lula Lake Road the following courses and distances;

THENCE along a curve to the left having a radius of 415.6 feet and an arc length of 30.4 feet, being subtended by a chord of North 12 degrees 44 minutes 40 seconds East for a distance of 30.4 feet to a point;

THENCE along a curve to the right having a radius of 1502.9 feet and an arc length of 131.8 feet, being subtended by a chord of North 13 degrees 09 minutes 50 seconds East for a distance of 131.8 feet to a point;

THENCE North 15 degrees 40 minutes 30 seconds East for a distance of 346.7 feet to a point;

THENCE South 75 degrees 49 minutes 00 seconds East along the Southern boundary line of the property of JOE A. MURRAY, et al of Record in Deed Book 705, Page 285, C.O.W.C., said line also being the same as in prior Deed Book 211, Page 387 C.O.W.C., said prior deed line also being called for in the property description of JUDY NEWSOM, of Record in Deed Book 1472, Page 19, C.O.W.C., for a total distance of 501.9 feet to a half inch Iron Rod New;

THENCE North 88 degrees 11 minutes 00 seconds East continuing along the south line of the aforesaid property of JOE A. MURRAY, et al for a distance of 265.0 feet to a half inch Iron Rod New;

THENCE South 00 degrees 10 minutes 00 seconds East, along the eastern line of the aforesaid Land Lot Number 55, for a distance of 354.0 feet to a 1-inch Iron Pipe Old, said point being the southeast corner of the aforesaid Land Lot Number 55;

THENCE South 88 degrees 30 minutes 00 seconds West, along the south line of the aforesaid Land Lot Number 55, for a distance of 883.2 feet to the POINT OF BEGINNING.

Said property contains 7.61 acres more or less.

All as shown on the plat/survey by True Line Company, Land Surveyors, Job No. 08-7538, dated December 22, 2008, revised January 2, 2009 and recorded at Plat Book 14, Page 250-251 in the Walker County, Georgia Superior Court Clerk's Office.

Section 3. Section 10-2 of Ordinance No. 25 is further amended by deleting from paragraph (A) thereof the property described in new paragraph (H) above.

Section 4. Article IV of Ordinance No. 25 is amended by adding thereto a new Section 10-5.5, setting forth the uses permitted in the Municipal Buildings and Facilities District, as follows:

Section 10-5.5-- Municipal District.

(A) Uses Permitted:

(1) All uses permitted in the Single Family District.

(2) Municipal buildings, facilities and operations, including but not limited to a City Hall; municipal offices; fire stations and police stations; facilities for public works, sanitation, sewer and other municipal services; and municipal operations and activities.

(3) Accessory buildings and uses customarily incident to the above uses.

Section 5. City buildings will continue to be a permitted use in the Community Convenience Commercial District.

Section 6. The Municipal District and all structures contained therein and uses made thereof shall be subject to the same Height and Area Regulations as those provided for the Single Family District (set forth in Section 10-7 of Ordinance No. 25, as amended), as amended or supplemented by Section 10-10.1 of Ordinance No. 25.

Section 7. 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.

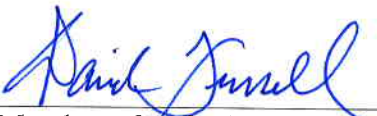
Section 8. Part of Code of Ordinances. It is the intention of the Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lookout Mountain, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.

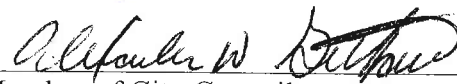
Section 9. Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

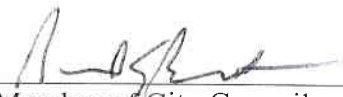
Section 9. Effective Date. This Ordinance shall be effective ten (10) days after its adoption by at least three (3) members of the Council of the City after two (2) readings at least one (1) week apart.

APPROVED ON FIRST READING ON January 29, 2009.


Member of City Council


Member of City Council


Member of City Council

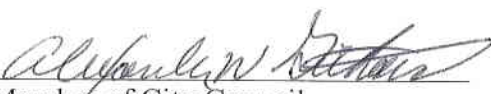

Member of City Council


Member of City Council


Mayor of Lookout Mountain, Georgia

APPROVED AND ADOPTED ON SECOND READING ON February 19, 2009.

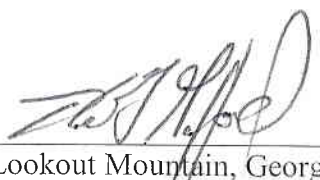

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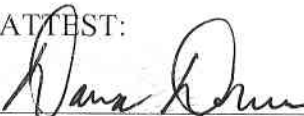

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ATTEST:

City Clerk