

AN ORDINANCE

AN ORDINANCE TO ANNEX INTO THE CITY OF SENOIA LANDS ABUTTING UPON THE MUNICIPAL BOUNDARY UPON APPLICATION OF THE OWNER(S) THEREOF, PURSUANT TO THE AUTHORITY OF GEORGIA LAW 1992, p. 2592 (O.C.G.A. §36-36-20, et seq.); TO ESTABLISH THE ZONING FOR SAID LANDS; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, J.P. Allen Homes, Inc., for Glazier Living Trust C/O Ted Glazier and Scott Tinsley the owners of +/- 35.63 AC located at Old Hwy 85 & Morgan Road abutting upon the existing municipal boundary of the City of Senoia has applied to the City governing body for annexation of said property, pursuant to O.C.G.A. §36-36-20, et seq. (application method);

WHEREAS, the Mayor and Council, following a duly advertised public hearing, held March 2, 2015, wherein a recommendation for the initial zoning and a study of the potential benefits to be derived from such annexation, compared with the costs of extending municipal facilities and services to the property, as performed by City staff, was presented, after opportunity for citizen comments, finds and concludes that this annexation will benefit and be in the best interests of the City as a whole, by expanding the tax base and providing greater customer access to municipal services;

WHEREAS, the procedures for annexation dispute resolution have been fully complied with and no unresolved objection now exists; and

WHEREAS, the Mayor and Council finds and concludes it is reasonable, lawful and desirable to approve said application(s) for annexation;

NOW, THEREFORE, BE IT ORDAINED AND IT IS HEREBY ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF SENOIA:

Section 1. Upon written and signed application by the owner of all lands, more particularly described in Exhibit "A" attached hereto, which by reference is incorporated herein, there is hereby annexed into the boundaries of the City of Senoia those described lands consisting of 35.653 AC, all being contiguous upon and abutting the existing municipal boundary as defined in O.C.G.A. §36-36-20.

Section 2. The property hereby annexed and described is initially zoned as "Residential Conservation Subdivision – R40C", subject to the owner/developer's written consent to develop said tract in accordance with the uses and conditions of this ordinance and that certain Development Agreement, dated (in development). The Zoning Administrator is hereby directed to cause the Official Zoning Map to be amended to properly reflect the property as annexed and zoned.

Section 3. The following conditions shall apply to the land annexed:

1. Development of the property shall occur in accordance with the City of Senoia R40-C Conservation Subdivision District.
2. Require that public water and public sewer are incorporated into this development.
3. A 50' foot vegetative buffer along the common property lines of the county and city.
4. The preliminary and final plats of the proposed development shall be submitted for review by the county for compliance with these measures.
5. The City of Senoia agreed to provide the following information to the Coweta County Fire Department:
 - a. Water Main Size
 - b. Operating Pressure
 - c. Flow Pressure
 - d. Hydrant Spacing
 - e. Density
 - f. Water plans submitted with construction drawings for review.
6. Any access onto Old Highway 85 will require a permit from Coweta County, include a left turn lane if determined to be warranted by the County Transportation & Engineering Department. Further, a proposed deceleration lane on Old Highway 85 would require coordination with the adjacent property owner to the southwest.
7. Require that sidewalks are provided on both sides of all internal roadways.
8. Entrance landscaping and signage shall be reviewed and approved by the City.
9. Require that the developer conduct a geological study to determine and participate in the development of well sites to increase the capacity of the City Water System.
10. Upon request of Coweta County, the developer shall deed whatever land is necessary for the realignment of Old Highway 85 and GA Hwy 16. Deeded property shall not alter the density yield of the proposed development.

Section 4. The City shall cause municipal services to be extended and delivered to the property within the time permitted by law, in accordance with approved plans for development of said property, pursuant to all applicable laws and ordinances.

Section 5. This ordinance shall become effective on April 1, 2015, except for purposes of ad valorem taxation which shall be effective January 1, 2016 provided, however, no permit for development of the property shall be issued by the City of Senoia until the expiration of thirty (30) days following the date of adoption of this ordinance or the date upon which any legal proceeding contesting the validity of such annexation or initial zoning of the property is final, whichever is later. Further, provided, that no qualified elector residing within the annexed area shall vote in any municipal election unless and until submission is made to the U.S. Department of Justice, Civil Rights Division, under Section 5 of the Voting Rights Act of 1965, as amended, and preclearance is received thereon.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

LEGISLATIVE HISTORY

Re Property of: JP Allen, LLC.
Public Hearing: March 2, 2015
First Reading: March 2, 2015
Final Reading: March 16, 2015
Effective Date(s): April 1, 2015 (except for purposes of ad valorem taxation,
which becomes effective January 1, 2016)
Voting rights effective upon final preclearance from DOJ.

The terms and conditions attached to the property annexed are consented to:

Owner: JP Allen, LLC.

By: _____
Officer