

PASSED: 9-10-01

AN ORDINANCE NO. 9-10

AN ORDINANCE TO ANNEX AND BRING WITHIN THE CORPORATE LIMITS OF THE TOWN OF MAYSVILLE, GEORGIA, ALL THAT TRACT OR PARCEL OF LAND OWNED BY KATHRYN LANDUA, AND BEING 5.00 ACRES, MORE OR LESS, AND LYING AND BEING IN 465th GMD OF JACKSON COUNTY, GEORGIA, AND AS DESCRIBED ON A SURVEY ATTACHED TO THIS ANNEXATION ORDINANCE AND INCORPORATED HEREIN BY REFERENCE AND MADE A PART OF THIS DESCRIPTION FOR THIS ANNEXATION ORDINANCE; AND FOR OTHER PURPOSES.

WHEREAS, Kathryn Landua is the owner of all that tract or parcel of land lying and being in the 465th GMD of Jackson County, Georgia, and as described on a survey attached to this annexation ordinance and incorporated herein by reference, and made a part of this description for this annexation ordinance said plat of survey recorded in the Jackson County, Georgia Plat Records at Plat Book 55, page 254;

WHEREAS, said tract or parcel of land is contiguous to the existing corporate limits of the Town of Maysville, Georgia at this time;

WHEREAS, Kathryn Landua has submitted to the Town Council of Maysville, Georgia, a written and signed application for annexation showing that she is the owner of all of the land to be annexed; said application also providing a complete description of the lands to be annexed;

WHEREAS, in compliance with the provision of H.B. 489, O.C.G.A. §36-70-24, and the terms of that certain Agreement Relating to Land Use Plan Coordination and Dispute Resolution Processes, among, *inter alia* the City of Maysville and Jackson County (the "Agreement"), the City of Maysville properly notified the Commission Chairman and Planning Director of Jackson County of the application of Kathryn Landua, and received no objection to the annexation;

BE IT ORDAINED by the Town Council of Maysville, Georgia and it is hereby ordained by the authority of the Town Charter, as amended, Art. IX, § II, ¶ III of the Georgia Constitution of 1983, as amended, and O.C.G.A. §36-36-21, as amended, as follows:

Section 1. Recitals.

All the foregoing recitals of this Ordinance are incorporated herein by reference and made a part of this Annexation Ordinance.

Section 2. Annexation.

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Section 1. Recitals.

All the foregoing recitals of this Ordinance are incorporated herein by reference and made a part of this Annexation Ordinance.

Section 2. Annexation.

Pursuant to the authority of O.C.G.A. §36-36-1 et. seq., and, in particular Article 2 thereof, the Town Council of Maysville, Georgia, being the governing authority of the Town of Maysville, Georgia, does hereby annex and include within the corporate limits of the Town of Maysville, Georgia, all of the property described as all that tract or parcel of land lying and being in the 465th GMD of Jackson County, Georgia, as described on a survey which is recorded in the Jackson County, Georgia Plat Records at Plat Book 55, page 254, and which is annexed into the corporate limits of the City of Maysville, Georgia, by this Ordinance. The complete survey of said tract or parcel of land is attached hereto, and by reference hereof, is made a part of this Ordinance annexing all of the tract or parcel of land.

Section 3. Zoning Classification.

The zoning classification for the property shall be Agricultural District (A), subject to the conditions attached as an exhibit to this Ordinance, which conditions are incorporated herein by reference.

Section 4. Effective Date.

This Annexation shall be effective for all purposes other than ad valorem taxation on the earlier of the date hereof or the earliest date after the date hereof which is otherwise permitted by law. For ad valorem tax purposes, this annexation shall be effective as of the end of the day on December 31, 2001.

Section 5. Certification by the Clerk.

The Town Council hereby authorizes and directs the Town Clerk of Maysville, Georgia, to certify this Ordinance and its attachments, and have a certified copy of this Ordinance and its attachments filed with the Secretary of State of the State of Georgia and other appropriate authorities.

Section 6. Repeal.

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed to the extent of the conflict.

This 10th day of September, 2001.

MAYSVILLE TOWN COUNCIL

By: Richard L. Cosby
Mayor

[Signatures Continue on Next Page]

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MAYSVILLE TOWN COUNCIL

By: Richard L. Presby
Mayor

[Signatures Continue on Next Page]

APPLICATION FOR RE-ZONING

CITY OF MAYSVILLE

Ladies and Gentlemen:

The undersigned petitioner respectfully requests that the property hereinafter described be zoned Agricultural (A) in accordance with the Zoning Ordinance of the City of Maysville by the Mayor and Council dated March 1, 1993, as amended. The applicant would be agreeable to the rezoning being subject to the conditions set out in **Exhibit "A"**.

1. Description of Property involved:

Address: 9081 Highway 82 Spur, Maysville, Georgia 30558

Property fronting on: Highway 82 Spur

Legal description of the property is found below:

See Exhibit "B" attached hereto and by this reference made apart hereof.

2. Applicant and Ownership Information:

Owner: M. Kathryn Landua

Address: 9081 Highway 82 Spur, Maysville, Georgia 30558

Applicant: M. Kathryn Landua

Address: 9081 Highway 82 Spur, Maysville, Georgia 30558

If the owner and applicant are different then written permission must be obtained from the owner. The applicant or their agent must attend the hearing.

Executed this 17th day of August, 2001.

M Kathryn Landua
Applicant Signature

Applicant Signature

Exhibit "A"
Proposed Conditions to Zoning to Agricultural District

The following shall be conditions to the zoning of the subject annexed property to Agricultural District (A):

1. The property may be used for any of the uses permitted under R-1.
2. The uses set out in Section 91 of the Ordinance shall not be permitted on the premises except as follows:
 - (a) Farm residences.
 - (b) Agricultural and forestry uses shall be limited as follows:
 - (i) commercial gardening and fruit and vegetable production shall be permitted; and
 - (ii) livestock raising shall be limited to small scale raising of yard chickens and other fowl such as guineas, ducks, geese and pea fowl together with the production and sale of product's therefrom (such as eggs) and non-commercial small livestock raising, all to be done in such a manner as to not produce odors, noise or other nuisances to neighboring properties.
 - (c) Customary and essential accessory buildings and uses including barns, storage shed, implement sheds, roadside stands for the sale of products produced on the property and the like.
 - (d) All signs shall be subject to the limitations for Home Occupations in the Zoning Ordinance of the Town, as amended from time to time.

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**CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM REQUIRED FOR
ALL ZONING ACTIONS**

36-67a-3. Disclosure of campaign contributions.

(a) When any applicant for rezoning actions had made, within two years immediately preceding the filing of the applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made, and

(2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of such contribution.

(b) The disclosures required by subsection (a) of this code section shall be filed within ten days after the application for the rezoning action is first filed. (Code 1981, Section 36-67A-3, enacted by Ga. L. 1986, page 1269, Section 1; Ga. L. 1991, page 1365, Section 1.)

I hereby certify that I have read the above and that:

_____ I have*, I have not, within the two years immediately preceding this date, made any campaign contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

M. Kathryn Landua
Applicant's Signature

17 August 2001
Date

Applicant's Signature

Date

Property Owner's Signature

Date

*If you have made such contributions you must provide the date required in subsection (a) above within ten days of the filing of this application.

Exhibit "B"

Legal Description

All that tract or parcel of land, with improvements thereon, lying and being in the 465th G.M. District of Jackson County, Georgia, CONTAINING 5.00 acres and being bounded now or formerly as follows: On the East by right-of-way of GA. Hwy. 82 Spur for a distance of 718.38 feet; on the South by lands of Short for a distance of 492.33 feet; on the West by lands of Short for a distance of 352.31 feet; on the North by lands of Morris for a distance of 564.53 feet + 137.17 feet + 133.64 feet.

Said lands being more particularly described in a plat of survey for Kenneth Chadwick, Donna Chadwick & Norman Wood dated October 14, 1999, prepared by Venable & Associates, Inc., Registered Land Surveyor, recorded in Plat Book 55, page 254, Jackson County Public Records. Said plat and the recordation thereof are by reference incorporated herein and made a part of this legal description.

Subject to all zoning ordinances, easements, rights of way for public roads and public utilities and any restrictions of record affecting said described property.

Exhibit "A"
Proposed Conditions to Zoning to Agricultural District

The following shall be conditions to the zoning of the subject annexed property to Agricultural District (A):

1. The property may be used for any of the uses permitted under R-1.
2. The uses set out in Section 91 of the Ordinance shall not be permitted on the premises except as follows:
 - (a) Farm residences.
 - (b) Agricultural and forestry uses shall be limited as follows:
 - (i) commercial gardening and fruit and vegetable production shall be permitted; and
 - (ii) livestock raising shall be limited to small scale raising of yard chickens and other fowl such as guineas, ducks, geese and pea fowl together with the production and sale of product's therefrom (such as eggs) and non-commercial small livestock raising, all to be done in such a manner as to not produce odors, noise or other nuisances to neighboring properties.
 - (c) Customary and essential accessory buildings and uses including barns, storage shed, implement sheds, roadside stands for the sale of products produced on the property and the like.
 - (d) All signs shall be subject to the limitations for Home Occupations in the Zoning Ordinance of the Town, as amended from time to time.

Exhibit "A"
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 - (c) Customary and essential accessory buildings and uses including barns, storage shed, implement sheds, roadside stands for the sale of products produced on the property and the like.
 - (d) All signs shall be subject to the limitations for Home Occupations in the Zoning Ordinance of the Town, as amended from time to time.

Arthur S. ...
Councilperson

Vincent A. Mays
Councilperson

[Signature]
Councilperson

Councilperson

Attest:

Laini S. Harper
Town Clerk

Andrew B. ...
Councilperson

Vincent A. ...
Councilperson

...
Councilperson

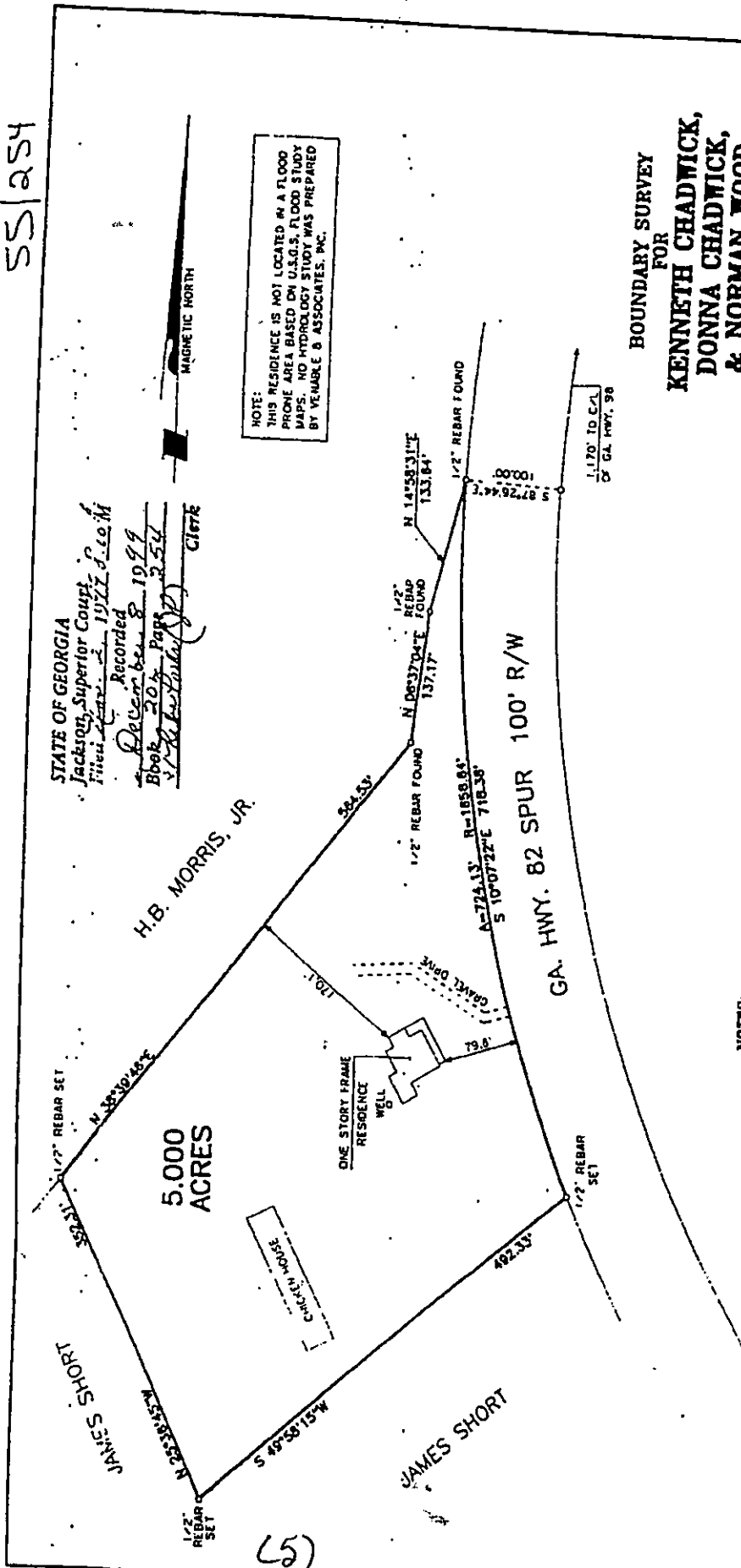
Councilperson

Attest:

Lois M. Harper
Town Clerk

14/14

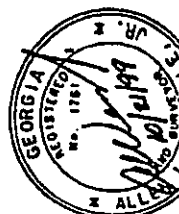
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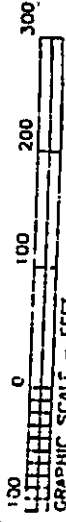
NOTE:
THIS RESIDENCE IS NOT LOCATED IN A FLOOD PRONE AREA BASED ON U.S.G.S. FLOOD STUDY MAPS. NO HYDROLOGY STUDY WAS PREPARED BY VENABLE & ASSOCIATES, INC.

STATE OF GEORGIA
Jackson Superior Court
Filed 10/14/99
Book 204 Page 254
V.B. Morris (Jr.) Clerk

BOUNDARY SURVEY FOR
KENNETH CHADWICK,
DONNA CHADWICK,
& NORMAN WOOD
LOCATED WITHIN
G.M.D. 485
JACKSON COUNTY, GEORGIA
SCALE: 1" = 100' OCTOBER 14, 1999
Prepared By
VENABLE & ASSOCIATES, INC.
1842 WINDER HIGHWAY - P.O. BOX 366
JEFFERSON, GEORGIA 30520



- NOTES:
1. The field data upon which this plat is based has a closure precision of one foot in 38961 feet and an angular error of 3.2" per angle point and was adjusted using the Compass Rule.
 2. This plat has been calculated for closure and is found to be accurate within one foot in 1,289,423 feet.
 3. The field equipment used in this survey was a Topcon GTS-305 Total Station.



(5)