



COUNCIL AGENDA REPORT

FROM: Community Development Department
Prepared by: Ken Patton

CC: City Clerk
Public Information

SUBJECT: Submittal of application for annexation of property – Case AX1605-001 – A portion of Tax Parcel 089E found on Tax Map # 14N09

DATE: June 21, 2016

RECOMMENDATION

REPORT-IN-BRIEF

Lifestyle at Laurel Canyon, LLC has submitted an application seeking to annex +/- 3.309 acres of land into the City of Canton for the purpose of constructing a roadway that would serve as the second entrance into Laurel Canyon. This roadway would be a public road and be located in front of the security gate of Soleil. The road would be approximately .377 of a mile in length and would be built to City of Canton standards.

DISCUSSION

CONCURRENCES

FISCAL IMPACT

ALTERNATIVES

Attachments



Pickett
Creek
Road

Subject AREA

LAUREL CANYON PKWY

Ordinance #AX1605-001

AN ORDINANCE TO ANNEX CERTAIN CONTIGUOUS AREA TO
THE CITY OF CANTON, TO PROVIDE FOR THE EXTENSION OF
CITY SERVICES TO THE AREA ANNEXED, TO DESIGNATE A ZONING
CLASSIFICATION FOR THE AREA ANNEXED AND THE REPEAL CONFLICTING
ORDINANCES AND FOR OTHER PURPOSES
(Lifestyle at Laurel Canyon, LLC, applicant, 329 Puckett Creek Road, LLC, owner)

WHEREAS, the above referenced applicant and property owner, as the applicant for and owner of the land area by acreage involved, have filed an application to annex a certain area contiguous to the existing city limits of the City of Canton, Georgia, the area to be annexed being described as follows:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 117 of the 14th District, 2nd Section of Cherokee County, Georgia and being more particularly described on Exhibit "1" and Exhibit "2" attached hereto and incorporated herein by reference.

WHEREAS, upon filing, the Mayor and City Council of the City of Canton determined that such application met the requirements of the O.C.G.A. Section 36 Title 36 for annexation of property by municipalities and fixed a date for a meeting on such annexation application, such date being not less than fifteen (15) or more than forty-five (45) days from the date of such determination; and

WHEREAS, notice of time and place of such meeting was given in writing to the persons presenting the application and was advertised twice not less than 15 days nor more than 45 days immediately preceding such meeting in the "Cherokee Tribune", a newspaper of general circulation in the municipality and in the area proposed for annexation; and

WHEREAS, notice of receipt of the proposed annexation was given in writing to Cherokee County within five (5) days of the City's acceptance of the completed application;

NOW, THEREFORE, the Council of the City of Canton hereby ordains as follows: The aforesaid real property is contiguous to the City of Canton at said property's southern boundary. Said application for annexation is hereby approved.

ORDAINED FURTHER that the area annexed shall have a zoning classification of PD-MU (Planned Development-Mixed Use),

ORDAINED FURTHER that this ordinance shall become effective on the 1st day of August 2016.

ORDAINED FURTHER that the City of Canton Planning and Zoning Department will submit to the Georgia Department of Community Affairs per O.C.G.A. 36-36-3. The City of Canton participates in the U. S. Census Bureau's Boundary and Annexation Survey (BAS) and will include this parcel per O.C.G.A. 36-36-3. Certified copies of this ordinance will be submitted to the U. S. Department of Justice, Voting Rights Section pursuant to Section 5 for preclearance, and to Cherokee County thirty (30) days after the effective date of this annexation.

ADOPTED this 21st day of July 2016.

Attest: _____

City Clerk, Susan Stanton

Approved as to form and content:

Robert M. Dyer., City Attorney

First Reading: July 7, 2016

Adopted by Council: July 21, 2016

Approved by Mayor: _____

Veto by Mayor: _____

Second vote by Council: _____

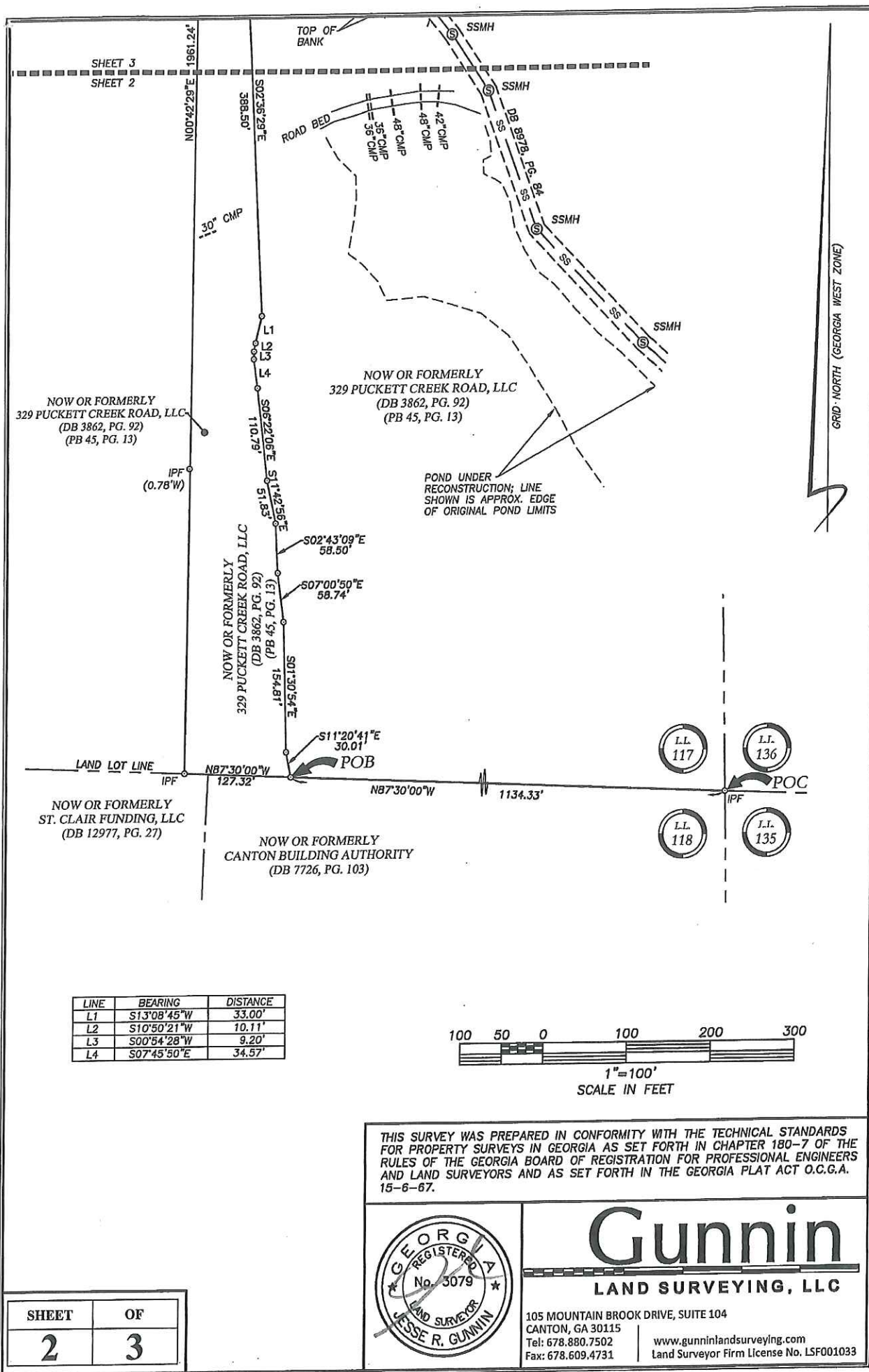
Effective Date: _____

The legal description of the Property is:

All that tract or parcel of land lying and being in Land Lot 117 of the 14th District, 2nd Section, Cherokee County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a ½" rebar found at the southeast corner of Land Lot 117, said corner being common to Land Lots 117, 118, 135 and 136; Thence along the southerly line of Land Lot 117, North 87 Degrees 30 minutes 00 seconds West, 1134.33 feet to a point, said point being the TRUE POINT OF BEGINNING;

FROM THE POINT OF BEGINNING AS THUS ESTABLISHED, thence continuing along the southerly line of Land Lot 117, North 87 Degrees 30 Minutes 00 Seconds West a distance of 127.32 feet to a ½" rebar found; thence leaving said land lot line, North 00 Degrees 42 Minutes 29 Seconds East a distance of 1961.24 feet to a ½" rebar found on the southern right of way of Puckett Creek Road (40' right-of-way); thence along said right of way along a curve turning to the left with an arc length of 63.47 feet, with a radius of 448.00 feet, with a chord bearing of South 70 Degrees 08 Minutes 00 Seconds East, with a chord length of 63.42 feet to a ½" rebar found; thence leaving said right-of-way South 00 Degrees 41 Minutes 40 Seconds West a distance of 1009.81 feet to a ½" rebar found; thence South 02 Degrees 36 Minutes 29 Seconds East a distance of 388.50 feet to a point; thence South 13 Degrees 08 Minutes 45 Seconds West a distance of 33.00 feet to a point; thence South 10 Degrees 50 Minutes 21 Seconds West a distance of 10.11 feet to a point; thence South 00 Degrees 54 Minutes 28 Seconds West a distance of 9.20 feet to a point; thence South 07 Degrees 45 Minutes 50 Seconds East a distance of 34.57 feet to a point; thence South 06 Degrees 22 Minutes 06 Seconds East a distance of 110.79 feet to a point; thence South 11 Degrees 42 Minutes 56 Seconds East a distance of 51.83 feet to a point; thence South 02 Degrees 43 Minutes 09 Seconds East a distance of 58.50 feet to a point; thence South 07 Degrees 00 Minutes 50 Seconds East a distance of 58.74 feet to a point; thence South 01 Degrees 30 Minutes 54 Seconds East a distance of 154.81 feet to a point; thence South 11 Degrees 20 Minutes 41 Seconds East a distance of 30.01 feet to a point on the southerly line of Land Lot 117, said point being the TRUE POINT OF BEGINNING; being shown as 3.309 Acres on plat entitled "Survey for Southeast Capital Companies" prepared by Gunnin Land Surveying, LLC, bearing the seal of Jesse R. Gunnin, Georgia RLS #3079, Project No. 15088, dated May 9, 2016.



THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.



Gunnin
 LAND SURVEYING, LLC

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 Land Surveyor Firm License No. LSF001033

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