

ORDINANCE #Z1604-001
ORDINANCE #AX1604-001

REZONING/ANNEXATION

CITY OF CANTON

Applicant: Mountain Express Oil Company

An Ordinance approving the annexation and rezoning of the following described property:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 91 of the 14th District, 2nd Section of Cherokee County, Georgia and being more particularly described on Map Book Page 14N12B, Parcels 019 and 020 and the attached legal description and survey labeled as Exhibit "A".

WHEREAS, it is hereby found and determined that a petition to annex the above referenced property into the corporate limits of the City of Canton and an application to change the zoning of the above-described property from GC (Cherokee County) to GC (City of Canton) was filed with the City of Canton and a public hearing was held on May 16, 2016 at the Canton City Hall, located at 151 Elizabeth Street, Canton, Georgia.

PROPOSED USE: Commercial area consisting of a coffee shop, convenience store with gas pumps and retail strip center

WHEREAS, the Planning Commission of the City of Canton recommended approval of the rezoning application with the following conditions: 1) The submitted site plan is conceptual in nature. All required development requirements and zoning conditions must be complied upon submission of any Land Disturbance Permits; 2) Prior to the issuance of a Land Disturbance Permit the properties must be consolidated into a single lot of record; 3) There shall be a 25' undisturbed buffer along the entire southern property line adjacent to Pope Circle except where curb cuts are approved. This buffer shall be enhanced in areas of sparse vegetation as approved by the Department of Community Development; 4) Roadway improvements along the entire frontage of Pope Circle shall be constructed as required. These improvements may include but are not limited to the dedication of right of way to allow for a 50' right-of-way along Pope Circle, the installation of curb and gutter, the installation of sidewalks and proper stripping of Pope Circle; 5) All proposed curb cuts along Knox Bridge Highway shall be as approved by the Georgia Department of Transportation; 6) There shall be no wall mounted security lights on the rear of any structure abutting Pope Circle and 7) The area of driveway and fence encroachment along the western property line shall be corrected prior to the submission of any Land Disturbance Permits and the City of Canton Mayor and City Council APPROVED the rezoning application and annexation request on June 16, 2016.

NOW THEREFORE, be it resolved that the Mayor and City Council of the City of Canton does hereby amend the Official Zoning Map to reflect the above referenced property being zoned to GC (General Commercial) and does hereby amend the corporate limits of the City of Canton by annexing the above referenced property.

Adopted this ____ day of _____ 2017.

Gene Hobgood, Mayor

Attest: _____
Susan C. Stanton, City Clerk

Approved as to Form:

Robert M. Dyer, City Attorney

Adopted by Council:
