

STATE OF GEORGIA

CITY OF STOCKBRIDGE

ORDINANCE NO. OR 15-364

AN ORDINANCE TO ANNEX CERTAIN PROPERTY INTO THE CITY OF STOCKBRIDGE AND TO AMEND THE OFFICIAL ZONING MAP, CITY OF STOCKBRIDGE, GEORGIA, AS AMENDED; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the governing authority of the City of Stockbridge is the Mayor and Council thereof;

WHEREAS, the governing authority of the City of Stockbridge, Georgia desires to annex certain property into the City and to modify the zoning designation of certain property located within the City; and,

WHEREAS, the health, safety, and welfare of the citizens of Stockbridge, Georgia, will be positively impacted by the adoption of this Ordinance.

BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF STOCKBRIDGE, GEORGIA, and by the authority thereof:

Section 1. The property located on 519 Country Club Drive described in Exhibit "A," a copy of which is attached hereto and incorporated herein by reference, is hereby annexed into the City of Stockbridge, Georgia pursuant to the authority of O.C.G.A. Sections 36-36-1 *et seq.* and 36-36-90 *et seq.*

Section 2. The property located on 519 Country Club Drive described in Exhibit “A,” a copy of which is attached hereto and incorporated herein by reference, is hereby rezoned to RM (Multiple-family Residence) District (City of Stockbridge’s Classification), such rezoning to be noted on the City of Stockbridge Official Zoning Map approved by Mayor and Council as soon as reasonably possible following adoption of this Ordinance by the Zoning Administrator along with an editorial note on the City of Stockbridge Official Zoning Map approved by Mayor and Council specifying the parcel(s) affected by this Ordinance and the date of adoption of this Ordinance. Until the rezoning is indicated on the City of Stockbridge Official Zoning Map approved by Mayor and Council, this Ordinance shall govern over the City of Stockbridge Official Zoning Map approved by Mayor and Council to the extent of any discrepancy between this Ordinance and the City of Stockbridge Official Zoning Map approved by Mayor and Council.

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this

Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 6. Penalties in effect for violations of the Zoning Ordinance of the City of Stockbridge at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 7. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

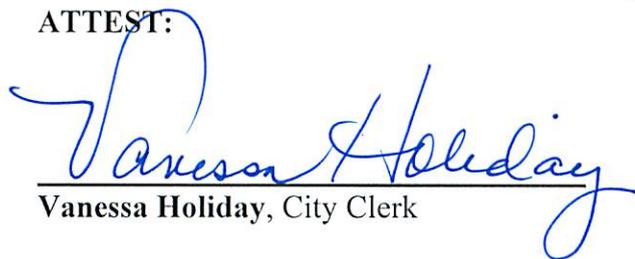
ORDAINED this 13th day of April, 2015.

CITY OF STOCKBRIDGE, GEORGIA



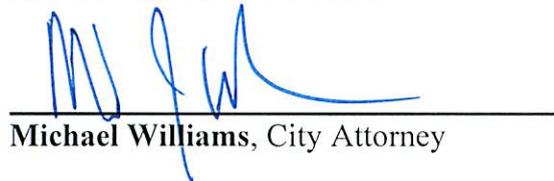
Tim L. Thompson, Mayor

ATTEST:



Vanessa Holiday, City Clerk

APPROVED AS TO FORM:



Michael Williams, City Attorney

Date Presented to Mayor: 4/15/2015

Date Received from Mayor: 4/17/2015



EXHIBIT "A"

519 Country Club Drive, also known as Tax Parcel Number 051D-02010000 according to the system of number tax parcels in Henry County, Georgia.



Henry County Planning & Zoning

AX-14-01-S

Commission District: 4
Commissioner: Blake Prince
Report Prepared by: Daunte' Gibbs, Director

Applicant: Ms. Eugenie Murekatete

Property Owner: Ms. Eugenie Murekatete

Location: 519 Country Club Drive
Land Lot 13 & 14 of the 6th & 12th District

Parcel ID(s): 051D-02010000

Request: Annexation

Lot Size: 0+/- acres

Zoning History: The subject property is currently zoned R3 (Single Family Residential). Adjacent properties are currently zoned as follows:

North	RM (Multiple-family)City of Stockbridge
South	RM (Multiple-family)City of Stockbridge
East	R-3 (Single-family Residence)
West	RM (Multiple-family)City of Stockbridge

Current Land Use: Single-family Residence

Future Land Use: Medium-High Density Residential (3.6 to 6.0 du/ac)

City Future Land

Use Map Designation: Medium-High Density Residential (3.6 to 6.0 du/ac)

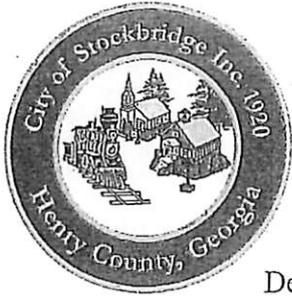
City Proposed

Proposed Zoning: RM (Multiple-family Residence)

Comments: The City of Stockbridge intends to annex the subject property under the One Hundred Percent (100%) method. The zoning of the property will be RM (Multiple-family Residence). Properties adjoining the northern and southern property boundaries of the subject site are currently within the City Limits of Stockbridge.

Attachments:

- Notice of Annexation
- Application for Annexation
- Tax Map
- Current Zoning Map
- Aerial Map
- Future Land Use Map



City of Stockbridge

4640 North Henry Blvd. • Stockbridge, GA 30281

City Hall: (770) 389-7900 • Fax: (770) 389-7912

December 11, 2014

Ms. Cheri Hobson Matthews
Deputy County Manager, Henry County
140 Henry Parkway
McDonough, Georgia 30253

Re: Notification of Annexation

Dear Ms. Matthews,

The City of Stockbridge recently received an annexation request from Ms. Eugenie Murekatete for her property located at 519 Country Club Drive, Stockbridge, GA 30281. Attached please find that annexation application which includes the owner's authorization and warranty deed providing a legal description of the property.

This item will be heard by the Stockbridge City Council at their regularly scheduled meeting on January 12, 2015 at 6:00 pm.

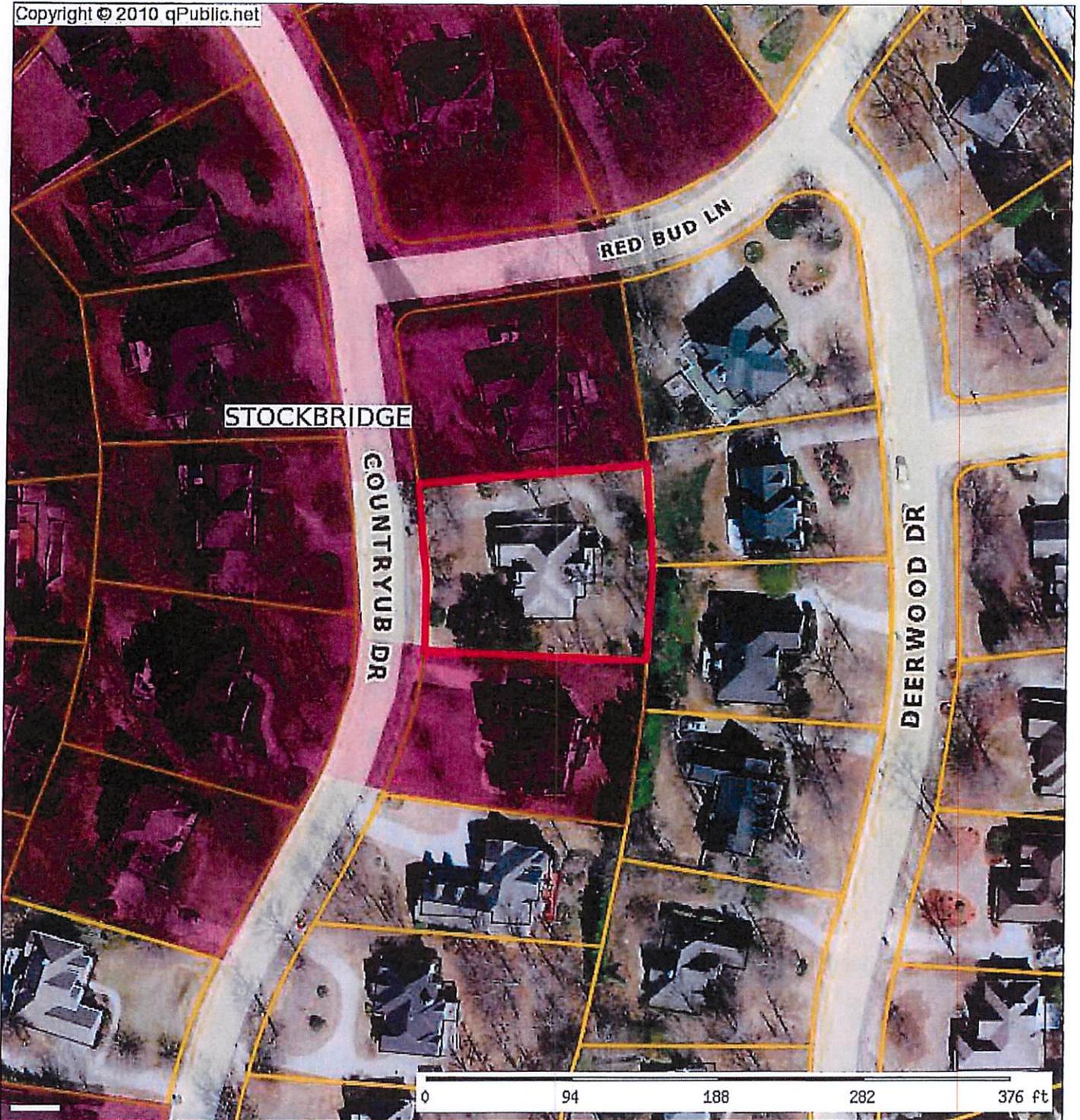
If you should have any questions or require any additional information, please do not hesitate to contact me directly.

Regards,

Michael Harris
City Manager

Attachment

C: Dale Hall, Administration & Community Services Director
✓ Daunte Gibb, Henry County Planning & Zoning



Henry County Assessor

Parcel: 051D02010000 Acres: 0

Name:	MUREKATETE EUGENIE	Land Value:	\$20,000.00
Site:	519 COUNTRY CLUB DR	Building Value:	\$148,600.00
Sale:	\$168,900 on 07-2010 Reason=SW Qual=X	Misc Value:	\$0.00
Mail:	519 COUNTRY CLUB DR STOCKBRIDGE, GA 30281	Total Value:	\$168,600.00



Parcel lines depicted on the maps do not reflect a true and exact representation of property boundaries and should not be relied upon for said purpose. Property boundary lines are depicted on recorded plats available at the Henry County courthouse or can be determined by employing the services of a licensed surveyor.
Date printed: 02/23/15 : 08:47:15



CITY OF STOCKBRIDGE | APPLICATION FOR ANNEXATION

4640 North Henry Boulevard
Stockbridge, GA 30281
Phone: (770) 389-7900
Fax: (770) 389-7912

Annexation No: 2014-001 Date: 11/14/2014

Received by: [Signature]

TYPE OF ANNEXATION

- 60% Method:** Petitioners owning at least 60% of the property in the area to be annexed, and at least 60% of the voters in an area, may seek to have their property annexed into an adjacent city.
- 100% Method:** Property owners of all the land in an area may seek to have their property annexed into an adjacent city by signing a petition.

Property Address: 519 COUNTRY CLUB DRIVE, STOCKBRIDGE GA, 30281

Is this property contiguous to the city limits? Yes No

LAND USE AND ZONING

County: HENRY

County Zoning Classification: R2 R3

Present Land Use: R-3 for surrounding COS properties

Requested Zoning Classification: R2 RM

PROPERTY OWNER

Name: EUGENIE MUREKATETE

Mailing Address: 519 COUNTRY CLUB DRIVE, STOCKBRIDGE GA, 30281

Telephone: (678) 272 2064

Email: emurekatete@yahoo.com

Signature: _____

Date: 11/12/2014

* If this application is submitted pursuant to the 60% Method, please attach additional names, signatures, addresses, dates of signature, and elector/landowners information on a separate sheet.

APPLICANT

Name: EUGENIE MUREKATETE

Mailing Address: 519 COUNTRY CLUB DRIVE, STOCKBRIDGE GA, 30281

Telephone: (678) 272 2064

Email: emurekatete@yahoo.com

Signature: _____

Date: 11/12/2014

PLEASE DO NOT WRITE BELOW THIS LINE -- OFFICE USE ONLY

Signature: _____

Date: _____



CITY OF STOCKBRIDGE | ANNEXATION CHECKLIST

4640 North Henry Boulevard
Stockbridge, GA 30281
Phone: (770) 389-7900
Fax: (770) 389-7912

NON-REFUNDABLE APPLICATION FEE - \$50.00

Payment: Check or Money Order Payable to the City of Stockbridge.

APPLICATION FORM

Two Original (2) Copies: Complete and signed with original signatures.

PETITION FOR ANNEXATION

Two (2) Original Copies: The Annexation Petitions must be notarized and signed by the owner or authorized applicant. (The petition for the 60% Method must clearly indicate if the applicant is an elector or a landowner.)

CONSENT OF OWNER(S)

Original: If the property owner does not sign the application and/or petition, submit a notarized affidavit signifying the approval or consent of all owners. (An affidavit form is attached.) Use additional affidavits, if necessary, for multiple owners.

PLAT OF SURVEY AND/OR LEGAL DESCRIPTION

Original and One (1) copy - Submit an accurate, as-built survey showing all improvements on the site, to scale. The survey must be completed by a registered surveyor and must be reproducible. If a photocopy is submitted, the original seal must be visible and the survey must still be to scale. The survey must not be more than 1 year old.

VERIFIED LEGAL DESCRIPTION FORM

Original and One (1) Copy - Submit one original, signed copy of the verified legal description form and 1 copy. Forms should be typed and include acreage. If the legal description does not fit on one form, additional forms shall be used and numbered accordingly.



CITY OF STOCKBRIDGE | OWNER'S AUTHORIZATION

4640 North Henry Boulevard
Stockbridge, GA 30281
Phone: (770) 389-7900
Fax: (770) 389-7912

The undersigned below, or as attached, is the owner of the property that is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of an annexation of the property.

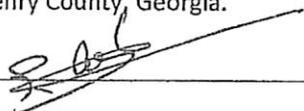
Name:
EUGENIE MUREKATETE

Property Address: 519 COUNTRY CLUB DRIVE, STOCKBRIDGE GA, 30281

Telephone: (678) 272 2064

Email: emurekatete@yahoo.com

I swear that I am the owner of the property that is the subject matter of the attached application, as it is shown in the records of Henry County, Georgia.

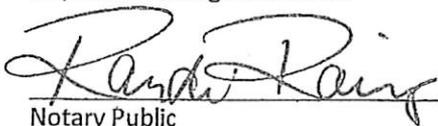
Signature: 

Date: 11/12/2014

Personally appeared before me

Eugenie Murekatete

Who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.


Notary Public

3-6-2015
Date



Print

After Recording Return To:
Brian K. Widener, Closing Department
Johnson & Freedman, LLC
1587 N. E. Expressway
Atlanta, GA 30329

File No.: FNM2010030945GA1

Morris|Hardwick|Schneider, LLC
1410 Pennsylvania Avenue
McDonough, GA 30253
STK-150700 719 S

BOOK

PAGE

011820 0026

DOCN 016662
FILED IN OFFICE
08/03/2010 03:03 PM
BK:11820 PG:26-27
BARBARA A. HARRISON
CLERK OF SUPERIOR COURT
HENRY COUNTY

Barbara A. Harrison

REAL ESTATE TRANSFER TAX
PAID: \$0.00

SPECIAL WARRANTY DEED

STATE OF GEORGIA
COUNTY OF DEKALB

PT-61 075-2010 - 006546

This Indenture made this 28th day of July, in the year 2010, between Federal National Mortgage Association, of the County of Dallas, State of Texas, as party or parties of the first part, hereinafter called Grantor, and EUGENIE MUREKATETE, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100 Dollars (\$10.00) and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Land Lot 3 of the 12th District, Henry County, Georgia, being Lot 10, Block A, of Windsong Plantation at Eagle's Landing, Unit I, as per plat recorded in Plat Book 19, page 16, Henry County Records, which plat is incorporated herein by this reference and made a part of this description.

Subject Property Address: 519 COUNTRY CLUB DRIVE, Stockbridge, Georgia 30281

Parcel ID: 051D02010000

By virtue of a Special Warranty Deed from Chase Home Finance LLC to Federal National Mortgage Association dated 1/5/10, filed 2/15/10 in Deed Book 11645, Page 140, Henry County Records.

SUBJECT to restrictive covenants and general utility easements of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in Fee Simple.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the lawful claims and demands of all persons claiming by, through, or under the above named Grantor, but against none other.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

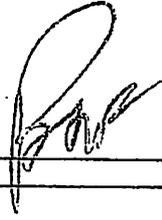
Signed, sealed and delivered in
the presence of:

+1

SPECIAL WARRANTY DEED
(Continued)

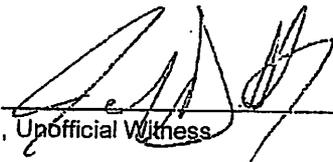
BOOK PAGE
011820 0027

By: Johnson and Freedman, LLC, Pursuant
to Power of Attorney recorded in Deed Book
1625 Page 160, Thomas County, Georgia
Records



By: _____ as Attorney-In-Fact
Its: _____

Brian Widener, Partner



Unofficial Witness

Eric Porter 7/29/10
Notary Public
My commission expires: 5/24/2014





Henry County Assessor

Parcel: 051D02010000 Acres: 0

Name:	MUREKATETE EUGENIE	Land Value:	\$20,000.00
Site:	519 COUNTRY CLUB DR	Building Value:	\$148,600.00
Sale:	\$168,900 on 07-2010 Reason=SW Qual=X	Misc Value:	\$0.00
Mail:	519 COUNTRY CLUB DR STOCKBRIDGE, GA 30281	Total Value:	\$168,600.00



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Date printed: 02/23/15 : 08:40:05



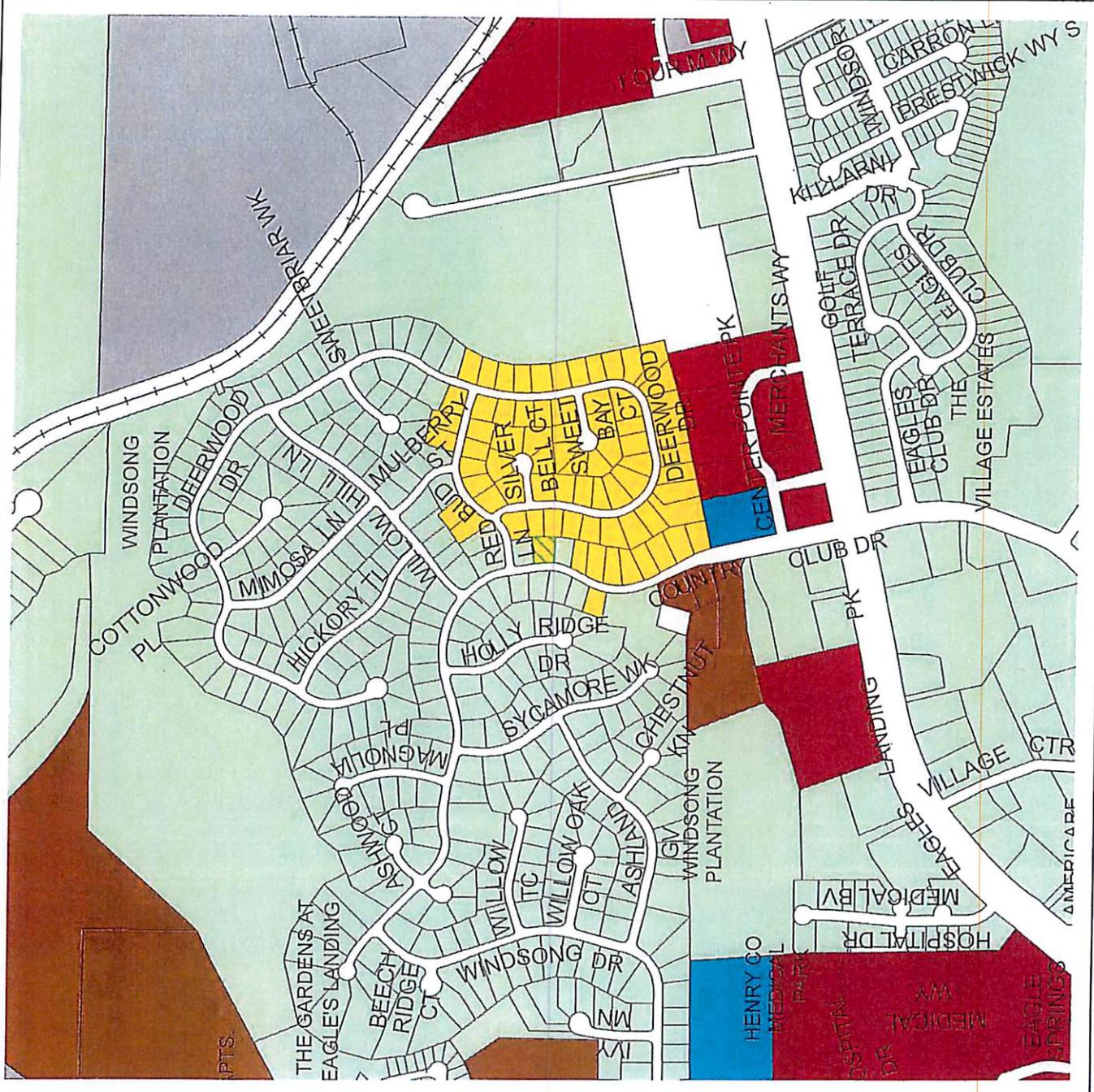
Legend

- RA
- R-1
- R-2
- R-3
- R-4
- RD
- RM
- RMH
- OI
- C-1
- C-2
- C-3
- M-1
- M-2
- PD
- CITY
- Request
- AX-14-01-S

Scale: 1" = 800'

Current Zoning Map

This map is for graphical representation only. It is not a legal document.



Legend

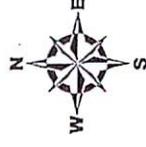
Request



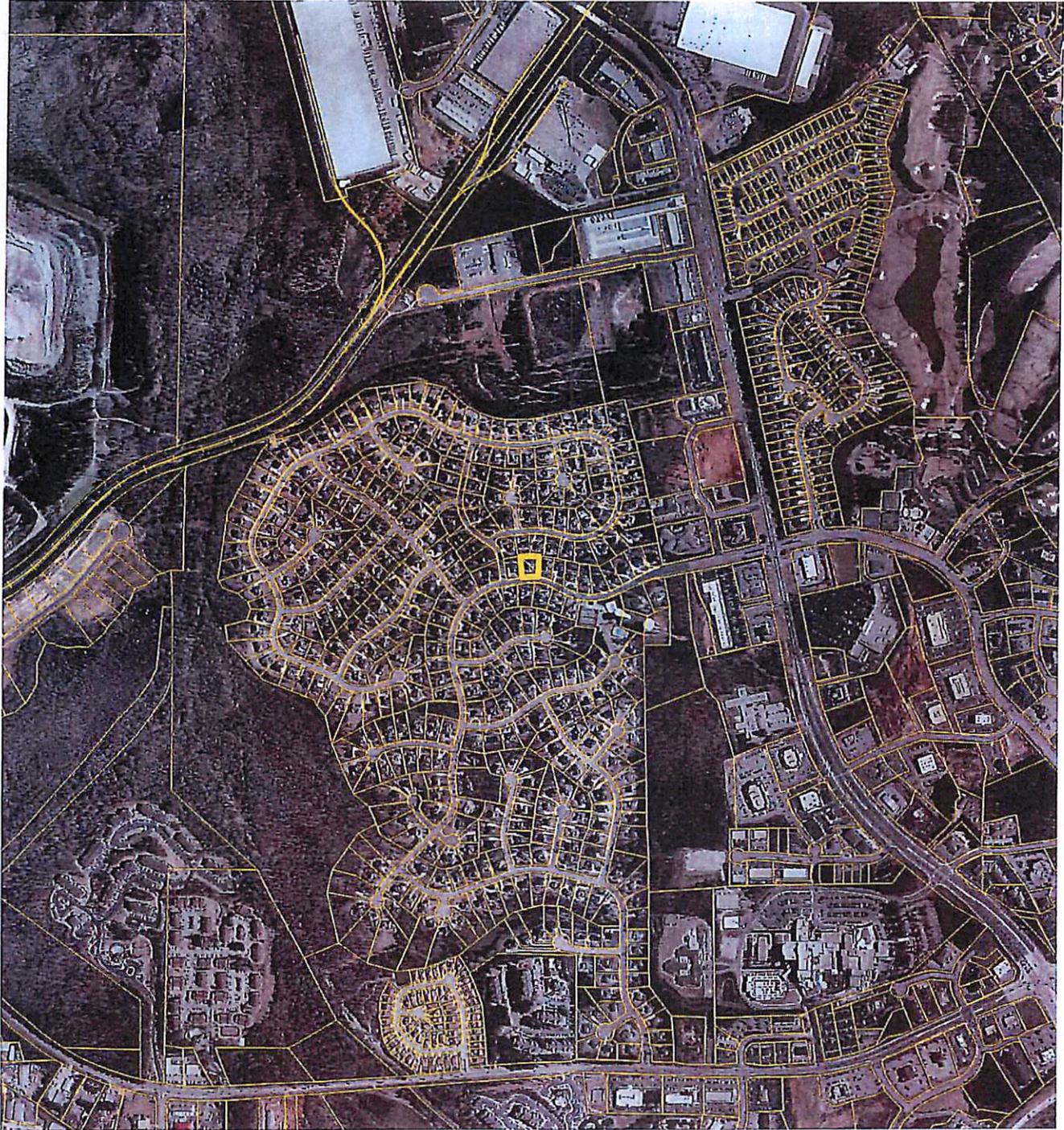
AX-14-01-S

AERIAL MAP

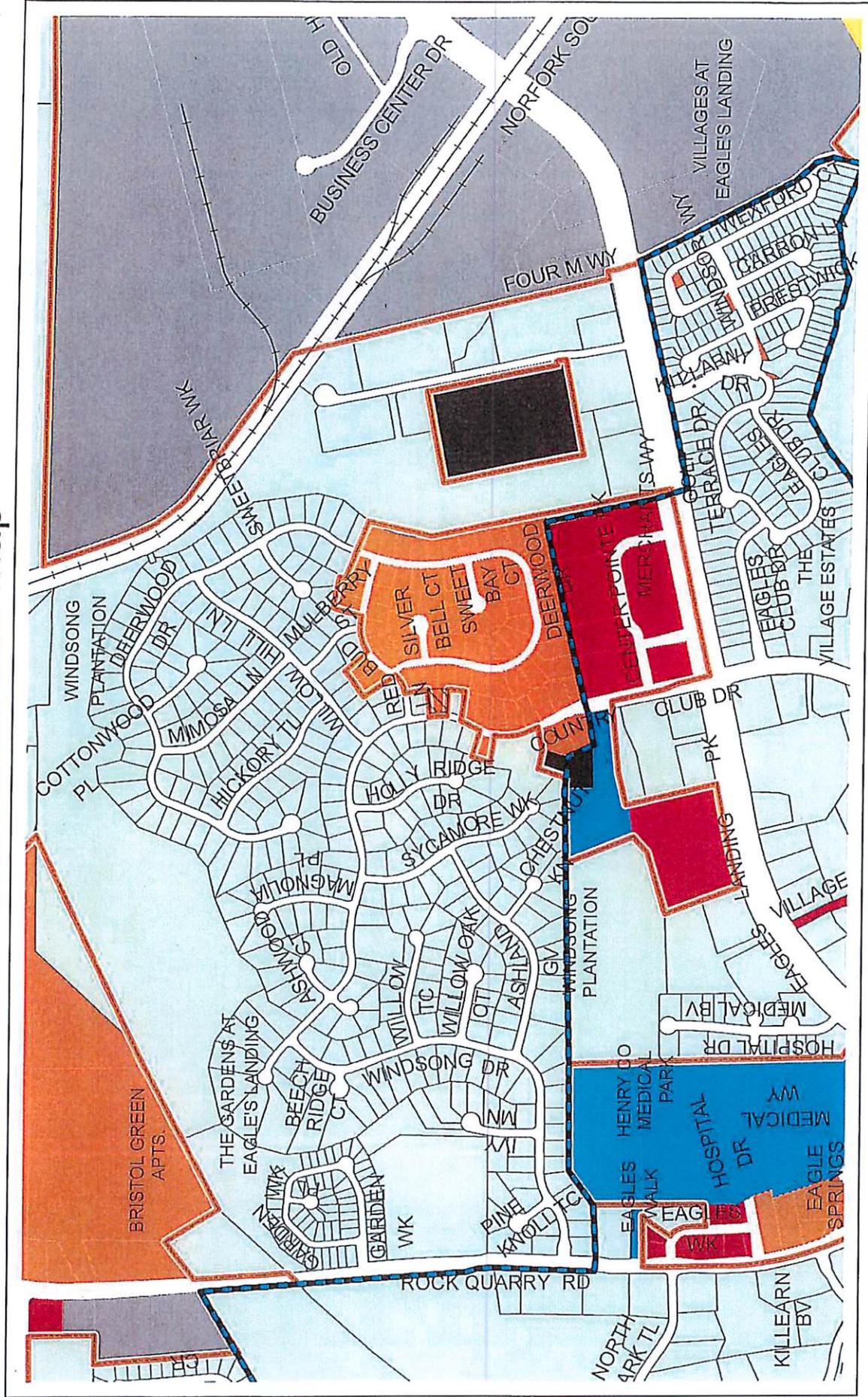
Scale: 1"=1,000'



This map is for graphical representation only. It is not a legal document.

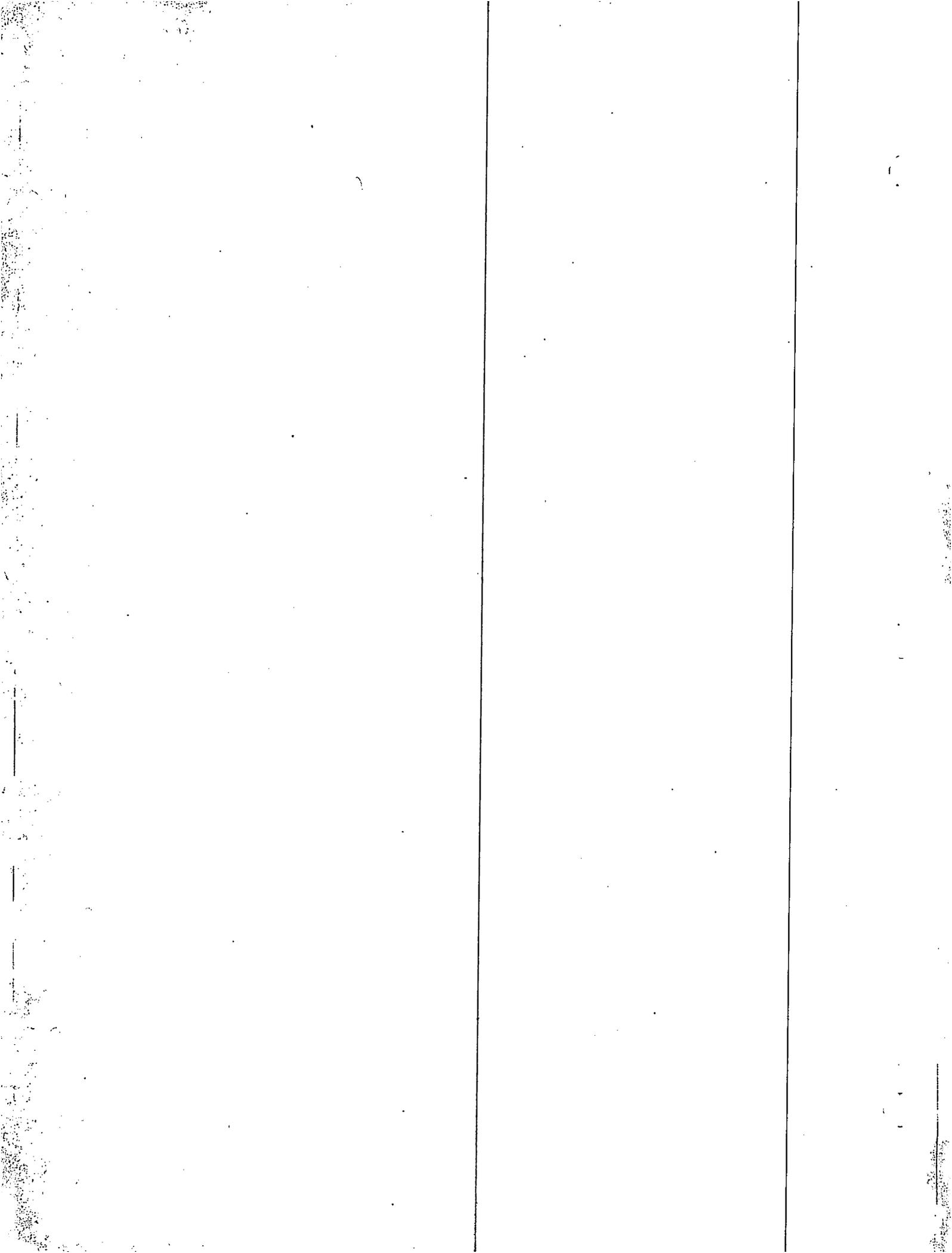


Future Land Use Map



- Rural Residential
- Low Density Residential
- Medium Density Residential
- Medium-High Density Residential
- Office Institutional
- Industrial
- Public/Institutional
- Park/Recreation/Conservation
- Transportation/Communication/Utilities





PUBLIC HEARINGS

PUBLIC HEARING NOTICE
Henry County Zoning
Advisory Board (ZAB)

Date: Thursday, March 12,
2015
Location: Henry County
Administration Building
140 Henry Parkway,
McDonough, Georgia 30253
Work Session: 6:00 P.M.,
Conference Room B
Public Meeting: 7:30 P.M.,
Community Meeting Room

**UNIFIED LAND DEVELOPMENT
CODE AMENDMENT:**
ULDC-AM-15-01

An Ordinance by Henry
County to amend Chapter
3, Sections 3.01.00 General-
ly, Section 3.01.01 General
Provisions, Section 3.01.02
Permit Procedures and Re-
quirements, Section 3.01.03
Standards of Development,
Section 3.01.04 Provisions
for Flood Damage Reduction,
Section 3.01.05 Reserved,
Section 3.01.08 Violations,
Enforcement and Penalties
and the subsequent defini-
tions to reflect changes made
to the Model Floodplain Or-
dinance by the Metro North
Georgia Water Planning Dis-
trict as required by the GA
EPD in accordance with Sec-
tions 12.02.11 and 12.03.00.

ANNEXATION:

AX-14-01-S
Eugenia Murskatela of
Stockbridge, GA request an
annexation into the City of
Stockbridge for property
located at 519 Country Club
Drive in Land Lot 13 of the
12th District and Land Lot 14
of the 6th District. The prop-
erty consists of less than one
acre of land, and the request
is to rezone from the County
designation of R-3 (Single-
Family Residence) to the City
designation of RM (Multi-
Family). City of Stockbridge

REZONING:

RZ-15-01
Neal Electric, Inc. of Mc-
Donough, GA requests a
rezoning from C-1 (Neigh-
borhood Commercial) to C-3
(Highway Commercial) for
property located at 3650 Jo-
hoco Road in Land Lot 65 of
the 7th District. The property
consists of 0.997 +/- acres
and the request is for heavy
consumer goods sales and
service. District 3

RZ-15-02

Davis Bros., Inc. of Mc-
Donough, GA requests a re-
zoning from RA (Residential-
Agricultural) to C-3 (Highway
Commercial) for property
located on the northside of
Jonesboro Road, east of Fos-
ter Drive in Land Lot 112 of
the 6th District. The property
consists of 12.55 +/- acres for
the purpose of a commercial
development. District 3

RZ-15-03

Jeremy Wayne Lange of
Hampton, GA requests a
rezoning from R-2 (Single-
Family Residence) to C-1
(Neighborhood Commercial)
for the property located at 29
East King Road in Land Lot
144 of the 3rd District. The
property consists of 1.89 +/-
acres and the request is for
general office space. City of
Hampton

CONDITIONAL USE:

CU-15-01
Verizon Wireless of Atlanta,
GA requests a conditional
use for property located at
281 Mount Olive Road in
Land Lot 83 of the 8th Dis-
trict. The request is for a new
Wireless Communication
Facility in the C-3 (Highway
Commercial) zoning district.
District 2

CU-15-02
Eagle West, LLC of Mc-
Donough, GA requests a
conditional use for prop-
erty located at 852 Bailey
Mill Road in Land Lot 68 of
the 7th District. The request
is for a sports and recreation
facility in the M-1 (Light
Manufacturing) zoning dis-
trict. District 3

CU-15-03
Charle Burns of McDonough,
GA requests a conditional
use for property located at
1839 Kellytown Road in Land
Lot 44 of the 11th District.
The request is for a commer-
cial kennel in the RA (Resi-
dential Agricultural) zoning
district. District 4

CU-15-04
Verizon Wireless of Atlanta,
GA requests a conditional
use for property located at
58 Banks Road in Land Lot
29 of the 12th District. The
request is for a new Wireless
Communication Facility in the
M-2 (Heavy Manufacturing)
zoning district. District 4
928-239114, 2/18

Pg C-2
Henry Herald

REZONING

HENRY COUNTY PUBLIC RECORDS
Annexation
RE: County Pkg. to City RM
DATE: March 12, 2015
TIME: 7:40 P.M.
LOCATION: County Administration Building
140 Henry Parkway, Marietta, GA
FOR MORE INFO:
770-288-7526 / www.hcga.gov 02/19/15

REZONING

HENRY COUNTY PUBLIC HEARING

Annexation

RE: County R-3 to City RM

DATE: March 12, 2015

TIME: 7:30 PM

**LOCATION: County Administration Building
140 Henry Parkway, McDonough, GA**

FOR MORE INFO:

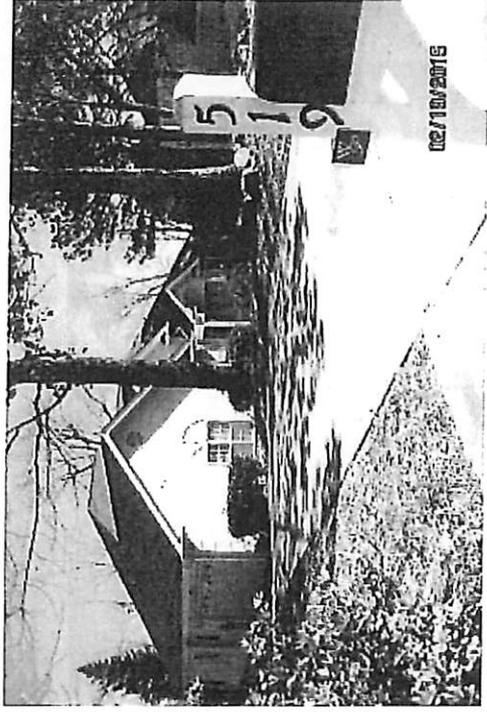
770-288-7526 / www.hcopz.org

02/19/2015

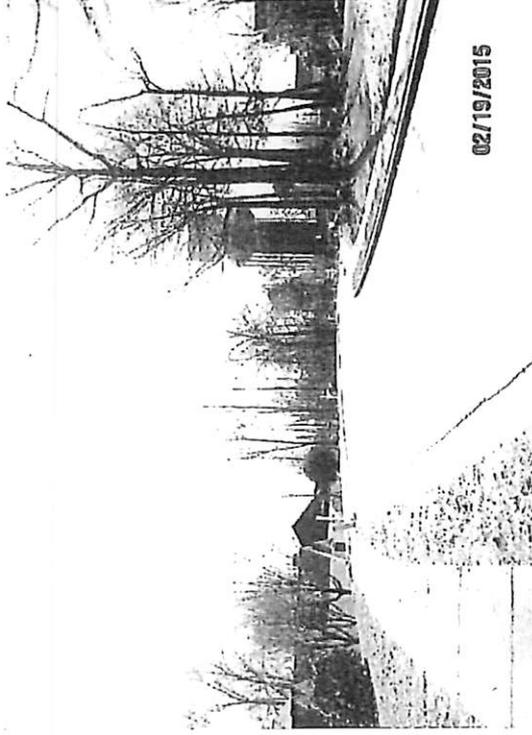
519 Country Club Drive, AX-14-01-S



West of the Property



Subject Property



East of the Property



South of the Property

