



Information Packet for Annexation

City of Buchanan
(770) 646-3081

4300 GA HWY 120
Buchanan, GA 30113

Q: Where do I begin?

A: Get the City of Buchanan Zoning ordinance available at City Hall or online at www.buchananga.gov. Review the Zoning Ordinance to make sure the property's intended purpose meets City ordinance requirements.

If you feel that ordinance requirements will be met:

Step 1 If you do not already have a plat showing ownership of the property to be rezoned
AND:

- (a) You live in the Haralson County district of Buchanan: a plat may be obtained from 8:00 AM to 5:00 PM, Monday- Friday at the
Haralson County Superior Court Clerk's Office
4485 Georgia highway 120
Buchanan, GA 30113
(770) 646-2005

Current charge for copy of plat: .50 cents per page

Aerial maps, that may be useful, may be obtained from the Board of Assessors Office for a fee.

HOWEVER, if a plat can not be found on record, the petitioner (you) must have the property surveyed and the resulting plat recorded with the county before you may proceed.

Step 2 Fill out the Annexation Application available at the City Hall. You will need:

- street address & a plat of the property
- present zoning category & requested zoning category
- the legal description of the property

Annexation Request/Application- \$

Step 3 The completed application and payment are due by 5:00 PM the day of the Planning and Zoning Commission Meeting. If a subdivision is being planned for the rezoned area, the petitioners will also have to submit any materials at this time communicating their intent. The application and any additional information will be introduced to the City's 3-member Planning and Zoning Commission for a first reading. The Commission will set a date and time for a second public hearing on the issue.

Step 4 A Public Hearing Notice of the Intent to Annex will be placed in the local newspaper, a sign posted on the property, and a notice will be mailed to all adjacent property owners. All residents will be invited to attend the hearing, overseen by the commission, to voice their opinions on the plan.

Step 5 At the second public hearing, the Commission will make sure the proposal meets with City Ordinance standards and assess its impact on the community. Any additional information the petitioner would like to present should be brought to the second hearing. Although the petitioner (you) is not required to attend, attendance is recommended to answer any questions that may arise.

Step 6 The Zoning Board can not vote on the proposal but does make its formal recommendation to the Mayor and Council at the next available council meeting. The meetings are held every 2nd Tuesday of each month at the City Hall at 6:00 PM.

Step 7 The petitioner (you) is not required to attend, attendance is recommended to answer any questions that may arise, or possibly defend any objections raised by the public at hand. After the hearing, the Council will again review all the factors, and decide whether to grant the application for rezoning. Their decision will be announced at the conclusion of the hearing.

Public Hearing

The public hearing shall be conducted in the following manner:

- The public hearing shall be convened at the scheduled time and place by the Chairman, Vice-Chairman, or the Chairman's Designee, who shall act as the presiding Official.
- The Presiding Official shall submit each proposed zoning change for consideration.
- No person in attendance shall speak unless formally recognized by the Presiding Official. Upon rising to speak each person shall state their name and home address. The Presiding Official may place reasonable limits on the number of persons who may speak for or against a proposal, on the time allowed for each speaker, and on the total time allowed for presentation. In accordance with Georgia law, no less than 10 minutes shall be provided

for all those speaking against, unless such proponents or opponents take less time than the minimum allowed. If reasonable time limitations permit, any member of the general public may speak at a hearing. However, the applicant and nearby property owners shall be afforded the first opportunity to speak.

- The applicant shall be allowed to speak first in order to present the application. Others may then speak, indicating first their support for or opposition to the applicant. The applicant will then be allowed time for rebuttal. Rebuttal must be limited to points or issues raised by opponents to the application at the hearing.
- During the public hearing, the Commission members Council may ask questions at any time. Time devoted to questions and answers will not be counted against any time limitations that have been imposed on presentations.

At the meeting, following consideration of the application, action shall be taken under the following rules:

- A motion to approve or deny an application must be approved by an affirmative vote of at least a quorum of the members in order for the motion to be approved.
- If a motion to approve an application fails, the application is denied. If a motion to deny and application fails, then another motion would be in order.
- A tie vote on a motion for approval of an application shall be denial of the application. A tie vote on any other motion shall be deemed to be no action and another motion would be in order.

In taking action on an application, the Commission may:

- Approve, approve with conditions, or deny the proposal; or,
- Allow withdrawal if so requested by the applicant (with or without imposing a 12 month period during which another zoning change on the property may not be considered); or,
- Table the proposal for consideration at a subsequent meeting; or,
- Public notice

Notification to the General Public

- At least 15 days but not more than 45 days prior to the public hearing, notice shall be published in a newspaper of general circulation within the jurisdiction. The City shall prepare such notice, which shall state at the time, place and purpose of the hearing.
- A zoning change initiated by a party other than the local governing body shall be heard at a public hearing only upon:
- The published notice, in addition to the requirements above, shall include the location of the property, the present zoning classifications of the property, and the proposed zoning classifications of the property or the conditional use requested; and
- At least 15 days prior to the public hearing, a sign or signs shall be posted stating the date, time and place for the public hearing, the present zoning classification, and the nature of the proposed zoning change. Such sign shall be placed in a conspicuous location along the street frontage of the property for which the zoning change has been

requested. If the property has no street frontage, the sign shall be placed on the street from which access will be gained to the property.

Notice to Surrounding Property Owners

- If the zoning change was initiated by a party other than the governing body, or if it affects only one property owner, notice shall be given to surrounding owners as follows:
- Prior to the public hearing at which a zoning change will be considered, a notice to be mailed to all persons owning property located adjacent to or across the street from the property that is the subject matter of the zoning change.
- The notice shall state the time, place and purpose of the hearing and the date of the meeting. The written notice shall be mailed to the property owners as such names and addresses appear on the Haralson County Ad valorem tax records.

Zoning Map Amendments (Rezoning)

The Planning Commission and the Mayor and City Council may consider, in addition to others, the following standards in considering any zoning proposal that would result in a change in the boundary of a zoning district, giving due weight or priority to these factors that are appropriate to the circumstances of each proposal:

1. Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?
2. Will the proposed use not adversely affect the existing use or usability of adjacent or nearby property?
3. Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?
4. Are there substantial reasons why the property cannot or should not be used as currently zoned?
5. Will the proposed use not cause an excessive or burdensome use of public utilities or services, including but limited to streets, schools, water or sewer facilities, and public safety services?
6. Is the proposed use supported by new or changing conditions not anticipated by the comprehensive Plan or reflected in the existing zoning on the property of surrounding properties?
7. Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

Rezoning of Areas to be Annexed

- An area proposed for annexation into the City shall first be considered for rezoning prior to its annexation. Consideration of the rezoning shall be subject to the same procedures, standards, and requirements for any zoning change as contained in this section, except as modified below:
- Upon or following the date of notice to the county of the proposed annexation as required under O.C.G.A 36-36-6, the governing body shall initiate the rezoning of the property to

be annexed or considered an application for a zoning change submitted by or on behalf of the owner of such property under the provisions of the ordinance.

- The public hearing on the zoning change shall be conducted under the provisions of this section prior to the annexation of the land into the City. Notice of such hearing shall be provided under the provisions of this section for zoning changes, provided further that the notice shall be published in a newspaper of general circulation in the county.
- Following its public hearing on a zoning change for a property proposed to be annexed, the governing body may take action on the zoning change or it may table such action pending action on the proposed annexation. In any event, the zoning change shall become effective either 1) on the date the zoning is approved by the governing body, or 2) on the date that the annexation becomes effective under O.C.G.A. 36-36-2, whichever occurs last.