

Ordinance
of the
City of Cartersville, Georgia

Ordinance No. 26-05

Petition No. Z05-04

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that all that certain tract of land owned by Grove Park Neighbors HOA, Inc., property is located on the northeast quadrant of the intersection of Douthit Ferry Road and Pine Grove Road. Said property contains 52 acres, located in the 4th District, 3rd Section, Land Lots 737,738,775 & 776 as shown on the attached plat, Exhibit "A". Property is hereby rezoned from PD w/conditions to PD w/conditions. Zoning shall be duly noted on the official zoning map of the City of Cartersville, Georgia

1f. Minimum Buffer Requirements: Thirty (30) feet along eastern edge of Grove Park adjacent to Wellington Subdivision, with the exception of the segment behind lots 1-9 of Grove Park; fifty (50) feet on the western line of Lot 23 of Grove Park, not adjacent to Wellington; fifteen (15) feet adjacent to the northern property line.

3a. Said buffers as identified in condition 1f. will be designated as "tree safe" area. It is the intent of this requirement that the buffer area is to preserve trees, allow for planting screens, but also to allow for proper drainage. Any tree consisting of three (3) inch caliper must remain unless diseased or damaged. Any tree larger than four (4) inches in diameter removed because it is diseased or damaged must be replaced by a tree of at least two (2) inch caliper. There shall be no grading within said "tree safe" area unless it is necessary for drainage purposes, and replacement of trees shall be in the same manner as prescribed for diseased or damaged trees. However, The Grove Park Homeowners Association and the Wellington Homeowners Association may jointly approve a landscaped plan or other plan for any individual lot in Grove Park, and if they do so, may allow said plan to be constructed in the buffer area provided herein and removal of any existing vegetation or trees as indicated on said plan. The buffer zone shall be clearly marked during construction.

3b. No fences, dog yards, out buildings or any other structures may be erected in the tree safe buffer zone. This does not disallow ornamentals such as bird baths or bird feeders. If any lot owner causes or allows any obstruction of the drainage through the tree safe buffer by vegetation or otherwise, and refuses to clean and remove such obstruction at the request of the Grove Park Homeowners

Association, the Homeowners Association shall have the right responsibility to enforce said condition.

3c. The rear building setback, including the buffer zone, shall be a minimum of eighty-five (85) feet along the eastern boundary of the development, and shall be a minimum of sixty (60) feet along the northern boundary of the development.

All other conditions are to remain as previously approved.

BE IT AND IT IS HEREBY ORDAINED.

**ADOPTED this the 17th day of March 2005. First Reading.
ADOPTED this the 21st day of April 2005. Second Reading.**

**/s/ _____
Michael G. Fields
Mayor**

ATTEST:

**/s/ _____
Sandra E. Cline
City Clerk**