

Notice is hereby given that at 6:30 p.m. on _____, 2010 at 2194 Emory Street, Covington, Georgia the Mayor and Council of the City of Covington, Georgia, shall provide for a hearing on the passage of an ordinance entitled:

“AN ORDINANCE OF THE CITY OF COVINGTON, GEORGIA, TO AMEND THE COVINGTON MUNICIPAL CODE, ENACTED AND ADOPTED ON THE 16TH DAY OF OCTOBER, 2001, AS AMENDED BY PREVIOUS AMENDMENTS, TO ALTER CERTAIN PROVISION OF TITLE 16 OF THE SAID CODE OF ORDINANCES FOR THE PURPOSE OF ADDING A NEW SECTION 16.24.030 (WALKER’S BEND OVERLAY ZONING DISTRICT) OF CHAPTER 16.24 (OVERLAY ZONING DISTRICTS) THEREOF TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”

A copy of said proposed ordinance is posted on the bulletin board at the City Hall, 2194 Emory Street, Covington, Georgia.

This ____ day of _____, 2010.

THE CITY OF COVINGTON
Tonya R. Grier
City Clerk

BE IT ORDAINED by the Mayor and Council of the City of Covington duly assembled and its ordained by the authority of same that Chapter 16.24 (Overly Zoning Districts) of Title 16 (Zoning) of the Covington Municipal Code is hereby amended to read as follows:

1.

By adding a new Section 16.24.030 (Walker's Bend Overlay Zoning District) thereto as follows:

“16.24.030 Walker's Bend Overlay Zoning District.

A. Findings of fact. The mayor and council of the city find that residents of the Walker's Bend subdivision, as hereinafter defined, have requested an overlay zoning district be established for that neighborhood to govern and direct property maintenance, aesthetic issues, and architectural control through design guidelines and that establishment of such an overlay zoning district will promote the general health, safety and welfare of the residents of that neighborhood.

B. Purpose. The purpose of the Walker's Bend Overlay District is:

1. To promote the general health, safety and welfare of the residents of Walkers Bend ;

2. To create a sense of place and neighborhood that is aesthetically appealing and environmentally responsible;

3. To encourage development of the Walkers Bend subdivision with consistent and harmonious landscaping and design standards so as to promote development of the Walkers Bend subdivision in accordance with the master plan presented by the original developer of such subdivision; which developer failed to establish such standards by restrictive covenants.

C. Walker's Bend Overly District. In order to carry out the provisions of this section, there is created and established an overlay zoning district (the “Walker's Bend Overlay District”) incorporating all of that land described on that Final Plat of Walker's Bend prepared by John F. Brewer, III, last revised October 11, 2004 and recorded in the Office of the Newton County Clerk of Court at Plat Book 42, page 46, et. seq., on October 21, 2004 which plat is by this reference incorporated herein and made a part hereof.

D. Property Maintenance. All property shall be maintained by its respective owners to the following standards:

1. Landscaping. Grass shall be cut on a regular basis, never allowing the length to exceed eight (8") inches; ornamental plantings shall be properly maintained to typical industry standards; dead plant material shall be promptly removed. Ornamental plantings, excluding food producing plants, may be watered with potable water only during the twelve month period following initial planting and shall thereafter be watered only with non-potable water.
2. Paint. All exterior, painted surfaces shall be properly maintained through cleaning or repainting when appropriate.
3. Siding/Trim/Exterior Materials. Damaged or missing exterior siding, trim, shutters, etc. shall be promptly repaired or replaced.
4. Vehicles. Vehicles parked outside shall be properly registered and in working condition.
5. Outdoor Recreational/Play/Exercise Equipment. Any recreational, play, or exercise equipment kept outdoors shall be equipment specifically designed and intended for outdoor use and be kept in proper working condition. Broken equipment shall be promptly repaired, replaced or removed.
6. Pets. Pets kept outdoors shall be confined by fencing in an area appropriate for their size and breed and provided proper shelter, shade and water. Tethering of animals is not allowed.
7. Outdoor Laundry. The drying of laundry is allowed on appropriate clothes lines strung between wood, metal, or masonry posts only. Laundry shall not be allowed to remain on the line for more than 24 hours.
8. Antennas. Antennas visible from beyond any parcel shall be limited to one (1) satellite dish receiver with a maximum diameter of thirty (30") inches or one (1) VHF residential antenna.
9. Trash and Refuse. All trash and refuse shall be kept in proper containers and disposed of regularly. Trash containers shall be removed from the street frontage within twenty-four (24) hours following pick up and kept to the side or rear of the principal structure.
10. Outdoor Storage. Outdoor storage of household goods or equipment shall be confined to enclosures, storage sheds, outbuildings etc. approved as set forth at subsection E of this § 16.24.030.

E. Permits.

1. Permit Required; Application. In addition to permits otherwise required by ordinance, permits are required for fences, outbuildings, storage sheds, garages, and additions. Applications will be considered using the standards set forth in subsection F of this § 16.24.030. Permit applications are available at the Covington Planning & Zoning Office, 2116 Usher Street, Covington, Georgia 30014 during regular business hours.

2. Variances. Any person denied a permit for any of the above or who desires to use his property in a manner other than in accordance with the provisions of this section may apply to the board of appeals and adjustments for a variance from such provisions as more particularly provided in § 16.12.160 of this code.

F. Exterior Element Approvals. The following exterior elements shall require an application for administrative approval by the planning and zoning director. The planning and zoning director shall review and decide upon each such application pursuant to the following applicable standards and shall make a written decision on each such application no later than 30 days from the date such application was filed. Failure of the planning and zoning director to render a decision within such time shall be deemed approval of the application.

1. Fences. Fences shall be wood, metal, or finished masonry only. No PVC or plastic fencing shall be allowed. Fences located in the front yard and/or side yard of corner lots shall be no taller than 36 inches. Privacy fences up to 8' tall are allowed in the rear yard only.

2. Outbuildings/Sheds. The architectural character of outbuildings or sheds shall be consistent and/or compatible with the style, materials and detailing of the main dwelling on the property. All designs are subject to review by the planning and zoning director or designee of the planning and zoning director and must comply with the standards set forth in Marianne Cusato, et. al., *Get Your House Right* (2007), a copy of which shall be available for public inspection at the Planning and Zoning department, 2116 Usher Street, Covington, Georgia 30014 during regular business hours.

G. Architectural Design Guidelines. All construction shall comply with the following design guidelines. All applications for construction or other improvements as required by this Chapter shall be reviewed by the Planning and Zoning Director for compliance with such guidelines. The Planning and Zoning Director shall review and decide upon each such application pursuant to the applicable standards set forth below and shall make a written decision on each such application no later than 30 days from the date such application was filed. Failure of the planning and zoning director to render a decision within such time shall be deemed approval of the application. All designs are subject to review by

the planning and zoning director or designee of the planning and zoning director and must comply with the standards set forth in Marianne Cusato, et. al., Get Your House Right (2007), a copy of which shall be available for public inspection at the Planning and Zoning department, 2116 Usher Street, Covington, Georgia 30014 during regular business hours.

H. Nonconforming uses.

1. The provisions of this section shall not be construed to require the removal, or other changes or alteration of any building or structure not conforming to the said provisions as of the date of enactment of this section, or otherwise interfere with the continuance of such nonconforming characteristic(s).

2. Nonconforming buildings and structures shall be governed by the provision of Chapter 16.36 of this code.

I. Administration and enforcement. The city planning and zoning department shall have primary responsibility for administration and enforcement of the provisions of this section and shall have all requisite power and authority necessary to carry out such responsibility, including without limitation entry onto private property for inspections, issuance of administrative orders, and civil or criminal prosecution of violations of said provisions, in accordance with Chapter 16.04 of this code.

J. Penalties. Violations of the provisions of this section shall be punished as provided in section 16.04.110 of this code. Each violation shall be a separate offense.”

2.

This ordinance shall be effective as of the date of its enactment. All ordinances and parts of the ordinances in conflict herewith shall be and the same are hereby repealed.

ENACTED AND ADOPTED this _____ day of _____, 2010.

CITY OF COVINGTON

By: _____
KIMBERLY C. CARTER, Mayor

Attest: _____
TONYA R. GRIER, City Clerk

(CITY SEAL)