

Zoning Ordinance

**TOWN OF SHARPSBURG
COUNTY OF COWETA
STATE OF GEORGIA**

WHEREAS, in pursuance of authority conferred by the State of Georgia, and for the purposes of promoting the health, safety, convenience, order, prosperity, or general welfare of the municipality; promoting desirable living conditions and the sustained stability of neighborhoods; protecting property against blight and depreciation; securing economy in government expenditures; lessening congestion in the streets; securing safety from fire, panic, and other dangers; providing adequate light and air; preventing the overcrowding of land; avoiding undue concentration of population; facilitating the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; protecting the value of existing properties; reducing the negative impact of mass retailers which the council has found by promoting the most appropriate use of land, buildings, and structures throughout the municipality; the Town Council of the Town of Sharpsburg does ordain and enact into law this Zoning Ordinance; and

WHEREAS, the purpose of this Ordinance is to establish minimum standards for the use of land and improvements in the Town of Sharpsburg, Georgia. The zoning regulations and districts herein established are designed to lessen congestion in the streets; provide safety from fire, panic, and other dangers; promote health, and general welfare; provide adequate light and air; avoid undue concentration of the population; provision of transportation, water, sewerage, schools, parks and other public requirements; conserve the value of the Town's economy; encourage the most appropriate use of land and structures; promote quality of life for all citizens; provide consistency with Land Use Element of the Comprehensive Plan.

NOW THEREFORE, THE MAYOR AND THE COUNCIL OF THE TOWN OF SHARPSBURG HEREBY ENACT AND ORDAIN THE TOWN OF SHARPSBURG'S ZONING ORDINANCE AS FOLLOWS:

CHAPTER 9

ZONING ORDINANCE

ARTICLE 1

Title

An Ordinance of the Town of Sharpsburg, Georgia, regulating the location, and use of buildings, structures, and land for residence, trade, industry, and other purposes, the height, bulk and size of

buildings and other structures; the use of buildings, and land for business, industry, residence, public activities and other purposes; and for dividing the incorporated area into districts for such purposes and establishing boundaries; providing for a Planning Commission, defining its power and duties; the method of administration, amendment and enforcement; prescribing penalties for the violation of its provisions; and repealing conflicting resolutions.

ARTICLE 2

Purpose

2.1 The Town Center and Traditional Neighborhoods Principles:

The Purpose of this Ordinance is to establish minimum standards for the use of land and improvements in the Town of Sharpsburg, Georgia. The zoning regulations and districts herein established are designed to create Traditional Town and Neighborhood Development which shall embrace the following principles:

- Residents, shops, workplaces and Civic Buildings are interwoven within the neighborhood, and all are in close proximity.
- A hierarchy of streets serves equitably the needs of the pedestrian and the automobile.
- Carefully placed Civic Buildings and Squares reinforce the identity of the Town and Neighborhoods.
- Spatially defined Squares and Parks provide places for informal social activity and recreation.
- Civic Buildings provide places of purposeful assembly for social, cultural or religious activities, becoming symbols of community identity through their architectural clarity.
- Private buildings form a disciplined edge, spatially delineating the public street space and the private block interior.
- Promote general health and welfare.
- Provide consistency with the Land Use Elements of the Comprehensive Plan.

Social Objectives:

They shall pursue certain social objectives:

- By bringing most activities of daily living, including dwelling, shopping and working within walking distance, the elderly and the young gain independence of movement.
- By reducing the number and length of automobile trips, traffic congestion is minimized and necessary road construction is limited.
- By providing defined public spaces such as streets and squares, citizens come to know each other and watch over their collective security.
- By providing a full range of housing types and workplaces, age and economic class are integrated and the bonds of an authentic community are formed.
- By integrating the various functions of daily life within neighborhoods of appropriate scale, meaningful involvement in local decision-making is facilitated.

2.2 The requirements of these regulations are minimum permissible standards; and it is expected that developers and the respective decision making authority will normally strive for quality developments which will exceed these minimum requirements.

- 2.3** By this section, the Comprehensive Plan adopted by resolution of the Town Council of the Town of Sharpsburg is established as the official policy of the Town concerning land uses. The incorporated areas of the Town are divided into land use categories consistent with the Future Land Use Plan in the Land Use Element of the Comprehensive Plan. The Comprehensive Plan does not alter or affect the existing zoning districts in the Town, does not effectuate an amendment to the official zoning maps, and does not itself permit or prohibit any existing land uses. The Land Use Element of the Comprehensive Plan shall be amended, if necessary, to reflect changes in land use and to discover any inconsistencies zoning changes have caused in the Future Land Use map.
- 2.4** The Land Use Element of the Comprehensive Plan shall be updated once each year. This update shall be used to identify current uses of land, emerging growth patterns and any significant change in land use policy as identified by the Future Land Use map of the comprehensive plan. This update shall also be used as policy in the Town's consideration of proposed amendments to the zoning map or text of the zoning ordinance. All amendments to the Town of Sharpsburg's Comprehensive Plan shall be in accordance with the Minimum Planning Standards and Procedures of the Georgia Planning Act.

ZONING DEFINITIONS

ARTICLE 3 DEFINITIONS

Accessory Structure: A structure detached from the principal building on the same lot and customarily incidental and subordinate to the principal building.

Accessory Use: A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use.

Addition: To an existing building any walled or roofed expansion to the perimeter of a building in which the addition is connected by a common load bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by an independent perimeter load bearing wall is new construction.

Administrator, Zoning: The person, officer, or official and his duly authorized representative, whom the Town Council has designated as its agent for the administration of this ordinance. If the Town Council fails to designate a Zoning Administrator, the Council shall act as the Zoning Administrator.

Alley: A public thoroughfare which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

Alteration: Any change in the supporting members of a building or structure such as bearing walls, columns, and girders, except such emergency change as may be required for safety purposes; any addition to a building; any change in use from one district classification to another; or, any movement of a building from one location to another.

Animal Hospital: Facility for the temporary boarding and treatment of domestic animals operated under the supervision of a licensed veterinarian.

Apartment: See Dwelling, Multi-Family.

Awning: A roof-like cover that projects from the wall of a building for the purpose of shielding a doorway, walkway, or window from the elements.

Basement: The area below the first floor level in a building and having not more than one-half (1/2) of its height above grade.

Bed and Breakfast Inn: A building, not necessarily owner occupied, which offers transient lodging accommodations and breakfast for four (4) or more guest rooms for compensation provided:

- a. Compliance with the same licensing, inspection and taxation requirements as hotels motels, and restaurant.
- b. If within a residential district, the building shall be residential in character.
- c. Breakfast is the only meal served and only to overnight guests.
- d. The owners may have employees.
- e. The owner shall provide one (1) off street parking space for each rental room and one (1) space for each employee.
- f. In a residential district, signage shall be limited to one (1) sign and maximum size of two (2) square feet.

Berm: A mound of earth or the act of pushing earth into a mound. A berm is usually two to six feet high and is used to shield, screen, and buffer undesirable views or to separate incompatible land uses. In traffic work, berm refers to the raised area between the curb line and right of way line.

Buffer: An area of natural vegetation or man-made construction which is intended to provide a visual and dimensional separation between dissimilar land uses.

- **Natural Buffer:** A visual screen created by vegetation of such density so as to present an opaque visual separation when viewed from one side to the other throughout the year.
- **Structural Buffer:** A visual screen created through construction of a solid wooden fence, decorative masonry wall, earthen berm, or combination so as to present an opaque visual separation when viewed from one side to the other throughout the year.

Building: Any structure having a roof supported by columns or walls designed or built for the support, enclosure, shelter, or protection of persons, animals, or property of any kind.

Building Alteration of: Any change or rearrangement in the supporting (such as bearing walls, beams, columns, or girders) of a building, any addition to a building, or movement of a building from one location to another.

Building Floor Area: The sum of the gross horizontal areas of the several floors of a dwelling unit, exclusive of porches, balconies, garages, basements and cellars, measured from the exterior faces of the exterior walls or from the center lines of walls or partitions separating dwelling units. For uses other than residential, the floor area shall be measured from the exterior faces of the exterior walls or from the center lines of walls or partitions separating such uses, and shall include all floors, lofts, balconies, mezzanines, cellars, basements and similar areas devoted to such uses.

Building Height: The vertical distance measured from the highest grade adjacent to the highest point of roof surface of a flat roof, to the deck line of a mansard roof, or to the average height between eaves and ridges of a gable, hip or gambrel roof.

Building Line: A line parallel to the street right-of-way line at a distance from the right- of-way line equal to the depth of the required front yard for the zoning district in which the lot is located.

Building Site: The portion of a “lot”, as defined elsewhere in this ordinance, which shall meet or exceed the minimum area and other requirements specified herein for placement of a principal building and/or any necessary on-site septic tanks and drainfields, and/or wells for water supply.

Such building site shall meet the minimum area requirements as specified for the zoning district in which it is located, exclusive of any land area located within the 100 year flood plain, and such “building site” shall meet all requirements as established by the Coweta County Health Department.

Caliper: The diameter of a tree (usually nursery stock) measured at the point 6 inches above the ground or top of root ball for up to and including 4-inch caliper trees, and at a point 12 inches above the ground or top of root ball for larger sizes.

Canopy Tree: A tree that grows above a height of 50 feet.

Centerline of Street: That survey and monument line by the survey of the Town of Sharpsburg or Coweta County shall be the centerline of the street, or if such a centerline has not been surveyed, it shall be that line running midway between the outside curbs or ditches of street, or the middle of the traveled roadway of the street.

Cemetery, Public: Any plot of ground, building, mausoleum, or other enclosure not located on property owned by or adjacent to a religious institution but used for the burial of deceased persons.

Cemetery, Private: Any plot of ground, building, mausoleum, or other enclosure used for the burial of deceased persons of one collateral line of descent.

Cemetery, Religious Institution: A plot of ground, building, mausoleum, or other enclosure owned by or adjacent to a religious institution and used for the burial of deceased persons who are generally members of that religious institution.

Chapter: An “ordinance” and “chapter” as this ordinance may be codified.

Child Care Facility: A building or portion of a building where care and supervision is provided to persons away from their place of residence for less than twenty-four hours per day on a regular basis for compensation; serves nineteen (19) or more persons and is licensed by the State of Georgia; for children, the outdoor play area shall be enclosed by a fence of not less than four (4) feet in height in the rear yard only. For the purpose of this Ordinance, the term “child care” shall include but not be

limited to the terms “Day Care”, “Nursery School”, “Early Learning Center”, “Pre-Kindergarten”, “Private Kindergarten”, “Play School” and “Pre-School”.

Child Care Home, Family: A customary home occupation which provides for six (6) or less persons who are not residents of the premises; care and supervision by a State of Georgia registered resident adult for less than twenty four (24) hours per day on a regular basis for compensation.

Child Care, Group: A building or portion of a building which provides care and supervision of persons away from their place of residence for less than twenty-four (24) hours a day on a regular basis for compensation; serves seven (7) to eighteen (18) persons and is licensed by the State of Georgia.

Church: A building or structure, or groups of buildings or structures, which by design and construction are primarily intended for conducting organized religious services and associated accessory uses.

Clinic: An establishment where patients are admitted for examination and treatment on an outpatient basis by one or more physicians, dentists, other medical personnel, psychologists, or social workers and where patients are not lodged overnight.

Club, Private: An establishment or premises owned or operated by a corporation, association, person or persons for a social, educational or recreational purpose but not primarily for profit or to render a service which is customarily carried on as a for profit business.

Commercial Parking Garage: A building designed and used for the temporary storage or parking of motor vehicles which is operated as a business enterprise with a service charge or fee being paid to the owner or operator for the storage or parking of privately owned vehicles.

Commercial Parking Lot: A tract of land designed and used for the temporary storage or parking of motor vehicles which is operated as a business enterprise with a service charge or fee being paid to the owner or operator for the storage or parking of privately owned vehicles.

Comprehensive Plan: An all inclusive, long-range plan intended to guide the growth and development of a community or region which typically includes inventory and analytic sections leading to a recommendation for the community’s future economic development, housing, recreation, transportation, community facilities and land use, all related to the community’s goals and objectives for these elements.

Condominium: A multi-family dwelling, office or commercial building in which each owner enjoys exclusive fee-simple title and ownership in an individual unit while retaining an undivided interest in the common facilities and areas of the building and grounds which are used by all the owners or tenants of the condominium.

Crown Dripline: A vertical line extending from the outer surface of a tree branch tips to the ground.

Cul-de-sac: A dead-end street that terminates in a permanent turnaround and not intended for future extension.

Day Care Facility: The use of a building or premises for the care and supervision of children or elderly adults who do not reside on the property, for periods of less than 24 hours.

- **Day Care Center:** A day care facility that enrolls for pay, supervision and non-medical care, 19 or more children or elderly adults with no overnight stays.
- **Family Day Care Home:** An accessory use within a private residence operated by the occupant of the dwelling that enrolls for pay, supervision and non-medical care, 5 or fewer children or elderly adults with no overnight stays, or no more than 6 children or elderly adults if the structure meets the building code requirements for institutional uses.
- **Group Day Care Home:** A day care facility that enrolls for pay, supervision and non-medical care, up to 18 children or elderly adults with no overnight stays.

Development: Subdividing a tract of land into two or more lots whether for sale or rental; construction, erection or expansion of a structure, filling, grading, excavation or land disturbing activities affect more than one acre; recording a plat in the office of the Clerk of Superior Court; or location of a facility.

Development Permit: The authorization necessary to initiate and conduct a land-disturbing activity and to carry out the planned development of land and structures.

Development Site: That portion of a tract of land that will be dedicated to a proposed development, including the land containing trees that will be counted toward satisfying the requirements of these provisions.

Diameter Breast Height (DBH): The diameter of an existing tree trunk measured at a height of 4 ½ feet above the ground. If a tree splits into multiple trunks below 4 ½ feet, the trunk is measured at its most narrow point beneath the split.

Deciduous Tree: Any tree that drops its leaves at the end of a growing season.

District: A delineated section or sections of the Town of Sharpsburg for which the zoning regulations governing the use of buildings and premises, the height of buildings, the size of yards, and the intensity of use are uniform.

Dripline Area: The total area underneath a tree, which encompasses all crown drip lines.

Dwelling: A building which is designed or used exclusively for residential purposes, including single-family, multi-family residential buildings, rooming and boarding houses, manufactured homes and industrialized homes but not including hotels and motels.

- **Single Family Detached Residence:** A residential building, whether site-built or a manufactured home designed for occupancy by one family.
- **Single Family Attached Duplex:** A residential building designed exclusively for occupancy by two families in separate dwelling units living independently of each other.
- **Multi-Family:** A residential building designed exclusively for occupancy by three or more families in separate dwelling units living independently of each other.

- **Multi-Family Attached:** A multi-family dwelling in which the dwelling units may adjoin on another only at the vertical walls.
- **Multi-Family Apartment Building:** A multi-family dwelling in which a dwelling unit may be located above another, such as in a garden apartment building.

Dwelling Unit: One or more rooms connected together and constituting a separate, independent housekeeping establishment with complete provisions for cooking, eating, sleeping, bathing and personal hygiene, and physically set apart from any other dwelling unit in the same structure.

Easement: A grant of one or more property rights to and/or for a person, government agency, or public utility company to use public or private land owned by another for a specific purpose.

Evergreen Tree: Any tree that retains its foliage throughout the year.

Family: One (1) or more individuals permanently occupying a dwelling unit and living as a single housekeeping unit, as distinguished from persons occupying a boarding house, group home, or hotel, as defined in this Ordinance.

Fence: An artificially constructed barrier of wood, wire, wire mesh, or decorative metal erected to enclose, screen or separate portions of a lot.

Fill: A portion of land surface to which soil or other solid material, either organic or inorganic, on a natural ground surface or excavation.

Finished Grade: The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.

Flood: A rise in stream flow or stage that results in temporary inundation of the areas adjacent to the channel.

Floor: The top surface of an enclosed area in a building, including basement, (i.e. top of slab in concrete slab construction or top of wood flooring in wood frame construction).

Floor Area, Gross: The gross heated areas of all floors, measured from the exterior faces of the exterior walls of the building.

Flowering Trees: Ornamental trees that are known for their blooms and generally mature at a height of less than 40 feet. Flowering trees approved for use include dogwood, redbud, crape myrtle, and ornamental cherry. Flowering trees not approved for use include Bradford Pear.

Freestanding Sign: A sign permanently attached to the ground which is wholly independent of any building or other structure. The term “freestanding sign” includes but is not limited to the following:

- **Pole sign:** A sign that is mounted on a freestanding pole, columns, or similar support such that the bottom of the sign face or lowest sign module is not in contact with the ground.
- **Ground sign:** A freestanding sign in which the entire bottom of the sign face or structure is in contact with the ground providing a solid and continuous background

for the sign face from the ground to the top of the sign. (Also referred to as a “monument sign”.)

Garage, Private: An accessory building designed or used for the storage of motor-driven vehicles owned and used by the occupants of the buildings to which it is an accessory.

Grade: The average level of the finished ground surface adjacent to the exterior walls of the building.

Green space: A plot of undeveloped land separating or surrounding areas of intensive residential or industrial use that is maintained for recreational enjoyment.

Gross Floor Area: The total area of all floors of a building, measured from the outside planes of the exterior walls.

Group Home: A residence composed of non-related individuals with one or more surrogate parents that function as a singular house-keeping unit. All group homes shall be approved and licensed by the State of Georgia Department of Human Resources.

Ground Cover: A low growing plant of less than 3 feet in height, other than turf grass, which forms a continuous cover over the ground surface.

Groundwater Recharge Area: The land area where the water that eventually seeps down into an aquifer first enters the ground.

Hardship: An unusual situation present which affects an individual property owner and will not permit the owner to enjoy the full utilization of the property which is given to others in the community. A hardship exists only when it is not owner-created, or when it is not economic in nature.

Health Department: The Coweta County Health Department.

Handicapped Parking Space: A space laid out and designated by signage in accordance with the requirements of the federal American with Disabilities Act.

Home Occupation: Any activity carried out for profit by the resident and conducted as an accessory use in the resident’s dwelling unit.

- **Home Office:** A home occupation that is limited to an office use and does not involve visits or access by the public, suppliers or customers, and does not involve the receipt, maintenance, repair, storage or transfer of merchandise at the home.
- **Home Business:** A home occupation that is limited to the use of a practicing professional, an artist, homemaker production (such as sewing or baking), or instruction in the in the fine arts, and may involve very limited visits or access by clients or pupils, but does not involve the maintenance, repair, storage or transfer of merchandise received at the home.

Hotel: A facility offering transient lodging on a daily rate to the general public and typically providing additional services, such as restaurants, meeting rooms, and recreational facilities: but in which no provision is made for cooking in any individual room or suites.

Household: An individual living alone or a group of individuals living together in a single dwelling unit, sharing common use of and access to all living and eating areas, bathrooms, and food preparation areas, who mutually combine their efforts and share responsibilities for domestic chores such as child rearing, cleaning and cooking in a permanent and long term relationship, as contrasted to one in a transient relationship who pays for lodging such as a boarder.

Illuminated signs:

- **Internally illuminated sign:** Any sign that is illuminated by an artificial light source from within the sign structure, usually projected through a transparent or translucent sign face.
- **Externally illuminated sign:** Any sign that is partially or completely illuminated at any time by an artificial light source that directly or indirectly illuminates the face of the sign from outside the sign structure.

Impervious Surface: A surface that rainwater cannot penetrate or be absorbed by, such as a paved or gravel parking lot, paved road or building.

Incidental sign: A small sign, emblem, or decal no larger than one square foot. Such signs are normally located on doors, windows, and gas pumps, and are generally not readily visible or legible from public rights-of-way.

Industrialized Home: Any structure or component thereof which is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof. Industrialized buildings are constructed and regulated in accordance with the “Industrialized Building Act” Title 8, Chapter 2, Article 2, Part 1 of the Georgia Code Annotated.

Infill Development: The subdivision of, development of or construction on a parcel of land that is adjacent to developed land on two or more sides.

Junk: The term “junk” as used by this ordinance means any used article of commerce which is composed principally of iron, steel, brass, copper, or zinc, or their alloys, or any other base metal, and which is commonly bought for the purpose of resale and refabrication, either or both (See O.C.G.A. Section 43-22-1); provided further, the term “junk” as used by this ordinance means worn out and discarded material that may be returned to some use, especially old rope, chain, iron, copper, parts or machinery, electrical and electronics equipment, and bottles gathered or brought up by trade persons called junk dealers; hence, rubbish of any kind; odds and ends provided further, the term “junk” as used by this ordinance does not include scrap or steel recovered from automobiles, etc., being cut to size with or without being baled to meet specifications of steel mills and foundries for remelting.

Junk Business: All “junk business” is strictly prohibited in the Town of Sharpsburg. For the purposes of this ordinance, the term “junk business” is the pursuit, for profit, of purchasing old iron, brass, bottles etc., and selling them again in the condition in which they were purchased by said dealer.

Junk Dealer: Junk Dealers and Junk Dealing are strictly prohibited activities within the Town of Sharpsburg. A “junk dealer” is any person, firm or corporation having a fixed place of business, or

officer, agent and employee of any person, firm or corporation who engages in the purchase of used articles of commerce principally composed of iron, steel, brass, copper, or zinc, or their alloys, or any other base metals, and which is commonly bought for the purpose of resale and re-fabrication, either or both (See O.C.G.A. Section 43-22-1).

Junk Yard: Lot or part thereof, whether enclosed or not, used for the collection, storage, keeping, sale, abandonment, or resale of junk including scrap metal, rags, paper and other scrap materials and equipment, or for the dismantling, demolition or abandonment of three (3) or more disabled automobiles, not bearing current auto tags/decals, or other machinery, appliances or parts thereof.

Kennel: Any location where breeding, raising, boarding, caring for, and the keeping of more than five (5) dogs or cats or other small animals or a combination thereof (except litters of animals not more than six (6) months of age) is carried on for commercial purposes.

Land Disturbing Activity: Any grading, scraping, excavating, or filling of land, clearing of vegetation; and any construction, rebuilding, or alteration of a structure. Land disturbing activity shall not include activities such as ordinary maintenance and landscaping operations, individual home gardens, yard and grounds upkeep, repairs, additions, or minor modifications to a single family dwelling, and the cutting of firewood for personal use.

Land Disturbance Permit: A permit issued to authorize the disturbance of land and vegetation.

Livestock: The “livestock” as used herein shall mean and include cattle, horses, goats, sheep, swine, rabbits, poultry, ducks, geese, and other fowl customarily bred or raised in captivity.

Lot: A designated parcel, tract or area of land established by plat, subdivision or as otherwise permitted by law, to be separately owned, used, developed or built upon. The word “lot” includes the words “plot” and/or “parcel”.

Lot, Corner: A lot abutting upon two or more streets at their intersection.

Lot, Through: A lot other than a corner lot abutting two streets.

Lot of Record: A lot which exists prior to the first published notice or subsequent amendment of this Ordinance, as shown or described on a plat or deed in the records of the local registry of deeds.

Lot Width: The width of the lot at the front setback line.

Manufactured Home: A structure defined by and constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 as amended, 42 U.S.C. 5401, et seq.

Manufactured Home means a structure, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical system contained therein; except that such term shall include any structure which meets all the requirements and the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development complying with the standards established under this title.

A manufactured home is a single family detached dwelling and its placement in a residential district must meet or exceed the Appearance Standards as provided in Article 5.1 of this ordinance.

Minimum front setback: The Principal Setback Line required on the front of a lot by the zoning district.

Mobile Home: A dwelling manufactured prior to June 15, 1976, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet in floor area, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.

Motel: A permanent building or group of permanent buildings in which overnight sleeping accommodations are provided for travelers and having a parking space near or adjacent to the entrance of the room. Such use has eighty (80) percent of the rooms occupied by a different registered guest every five (5) days, provides patrons with daily maid service, twenty-four (24) hour desk/counter clerk service, and a telephone service to receive incoming and outgoing messages, and shall comply with the applicable requirements of the Coweta County Health Department and O.C.G.A. Section 31-28-1 et. Seq., and may provide additional services such as restaurants, retail gift shops, meeting rooms, swimming pools and exercise facilities.

Non-Conforming Use: The use of any building or land which was lawful at the time of passage of this ordinance, or amendment thereto, but which use does not conform, after the passage of this ordinance or amendment thereto, with the regulations of the district in which it is situated.

One-Hundred-Year Flood: A 100-year frequency flood that has the probability of occurring once every 100 years and thus has a 1 percent chance of occurring in any given year.

One-Hundred-Year Flood Plain: A land area corresponding to the 100-year Flood as defined above.

Open space: An area of land or water that is permanently set aside through dedication, designation or reservation to remain in a natural and unimproved state or that may be improved only for active or passive recreation or enjoyment.

- **Common Open Space:** Privately-owned land or water areas within a development project that are available to or benefit all occupants of the development on a continuing and permanent basis, such as walking trails, community centers or clubhouses, golf courses and other recreation areas, protected flood plains or wetlands, and fishing or boating lakes. Common open space does not include any streets or public rights-of-way or yard areas or landscape areas located on private property.
- **Public Open Space:** Land reserved for preservation, leisure or recreational use but dedicated in fee simple to a governing body or agency to be responsible for operation and maintenance. Public open space may not be reserved for or dedicated to the exclusive use of the residents of a particular development.

Over story Tree: Any deciduous or evergreen tree that has the potential to grow to a mature height of 40 feet or more (Reference Landscape Plant Materials for Georgia, Cooperative Extension Service, The University of Georgia College of Agriculture, Bulletin No. 625 or any similar publication.).

Parking Lot: An open area used exclusively for the temporary parking of vehicles and bicycles and which no gasoline or vehicular accessories are sold or no other business is conducted.

Parking Lot Island: A landscaping strip located in a parking lot. Such islands must be sized to allow the plants and trees located within it to grow to their mature size.

Parking Space: A space, enclosed or unenclosed, having an area of not less than 108 square feet (9' x 12') exclusive of access, permanently reserved for the temporary storage of one vehicle and having access to the street.

Permit: Any written authorization for building, construction, alteration, development, occupancy, or other matter required by this Ordinance to be approved by a designated commission, board, official or employee. The person to whom such permit is issued shall be known as the "permittee."

Permitted Use: Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

Personal Care Home: A building or group of buildings, a facility or place in which is provided two or more beds and other facilities and services, including room, meals and personal care, for non-family ambulatory adults. For the purpose of these Rules, Personal Care Homes shall be classified as: Family Care Personal Care Home, Group Personal Care Home, or Congregate Personal Care Home. This term does not include buildings which are devoted to independent living units which include kitchen facilities where residents have the option of preparing and serving some or all of their own meals or boarding facilities which do not provide personal care.

- **Family Personal Care:** A home for adults in a family type residence, noninstitutional in character, which offers care for two to six persons.
- **Group Personal Care Home:** A home for adult persons in a residence or other type building(s), noninstitutional in character, which offers care for seven to fifteen persons.
- **Congregate Personal Care Home:** A home for adults which offers care to or sixteen more persons.

Planning Commission: The Planning Commission for the Town of Sharpsburg as may be established by the Town Council. If the Planning Commission is not established, the Town Council shall act as the Planning Commission.

Plat: A map, plan or layout of a county, town, town, lot, section, subdivision or development indicating the location and boundaries of properties.

Pond: A body of standing water less than one acre in surface area, created either by a natural dam, or other means of water impoundment.

Principal Building: A building where the main or principal use of the lot is conducted.

Principal Building Setback Line: A line delineating the minimum allowable distance between a property line or the right-of-way line of an abutting street and a principal building on a lot.

- **Front Building Setback:** The minimum allowable distance between the right-of-way line of any abutting street and any part of a principal building on a lot. The front setback distance is applied along the full length of the right-of-way and is parallel to it.
- **Rear Building Setback:** The minimum allowable distance between a rear lot line and any part of a principal building on a lot. The rear building setback extends along and parallel to the full length of the rear lot line.
- **Side Building Setback:** The minimum allowable distance between a side lot line and any part of a principal building on a lot. The side building setback extends along and parallel to the side lot line between the front building setback and a rear building setback (if any).

Principal Freestanding Sign: The main, predominant or largest freestanding sign or signs on a property.

Principal Use: The specific, primary purpose for which land or a building is used.

Protection Area: All lands that fall outside the buildable area of a lot or parcel of land, all areas of the parcel required to remain in open space, the drip line areas beneath a tree or clusters of trees to be retained, and all areas required to remain landscape strips or buffers, and other areas as may be established by conditions of zoning approval.

Restaurant, Custom Service: An establishment where food and drink are prepared to individual order, ordered and served at the table, and consumed primarily within the principal building or in established outdoor dining areas, as contrasted to a fast food restaurant.

Restaurant, Fast Food: Any establishment, building or structure where food or drink are served for consumption either on or off the premises, by order from or service to persons either over an interior counter, outside the structure or from an outdoor service window or automobile service window, or by delivery. This definition shall not include otherwise permitted restaurants where outdoor table service is provided to customers in established outdoor dining areas or where drive-through or take-out service is provided incidental to a Custom Service Restaurant.

Retirement Community: An age-restricted residential development that offers significant services and facilities for the elderly, including social and recreational activities, personal care services, or health facilities limited to use by the development's residents. At least 80% of the units must be occupied by residents 62 years old or older, and the remaining units must be occupied by at least one resident 55 years old or older.

Rooming or Boarding House: A dwelling within which a resident family or manager offers lodging or lodging and meals to two or more persons not under the resident's parental or protective care in exchange for monetary compensation or other consideration.

Scale of Development: The relationship of a particular project or development, in terms of size, height, bulk, intensity and aesthetics.

Setback: The mean horizontal distance between the front street right-of-way line and the front line of the building or the allowable building lines as defined by the front yard regulations of this ordinance.

Setback Line: The line which is the required minimum distance from any lot line and that established the area within which the principal structure must be erected or placed.

Setback Minimum: The shortest distance allowed between a street right-of-way or any other lot line and the nearest point on principal or accessory building on a lot. Minimum setback requirements for buildings are associated with the type of lot line from which the setback is taken; for instance, a “side yard setback” is measured from a side lot line.

Shrub: A self-supporting woody plant that normally reaches a height of more than 2 but less than 12 feet.

Sign: Any surface, material, fabric, device, object, or display which bears lettered, numbered, pictorial, or sculptured matter, designed to convey information visually or to draw attention, and which is exposed to public view. For the purpose of this chapter, the term “sign” shall include all structural members used to erect or mount same.

Sign Face: That portion of the surface of a sign structure where words, letters, figures, symbols, logos, fixtures, colors, or other design elements are or may be located in order to convey the message, idea, or intent for which the sign has been erected or placed. The sign face may be composed of two or more modules on the same surface that are separated or surrounded by portions of a sign structure not intended to contain any advertising message or idea and are purely structural or decorative in nature.

Sign Structure: All elements of a freestanding sign, including the sign face, background or decorative elements related to the presentation of the sign’s message, and the structural supports.

Special Uses: A use not ordinarily permitted but which may be permitted with imposition of conditions related to the promotion of the public health, safety, morals, or general welfare and designed to minimize the negative impact on surrounding lands. Such conditions may include, but are not limited to, restriction on land use; height, setback and other non-use requirements; physical improvements, including infrastructure, to the property.

Specimen Tree or Stand: Any tree or grouping of trees that has been determined to be of high value because of its species, size, historic significance, age or location. General criteria for the determination of specimen trees or stands are as follows:

1. Any deciduous tree whose DBH exceeds 30 inches.
2. Any evergreen tree whose DBH exceeds 24 inches.
3. Any under story tree whose DBH exceeds 10 inches.
4. Any tree that has historic value and can be documented through historical records or otherwise.

State Waters: Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells and other bodies of surface or subsurface water, natural or artificial, lying

within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership or corporation.

Stormwater Detention Facility: A facility that provides storage and controlled release of stormwater runoff during and after a flood or storm.

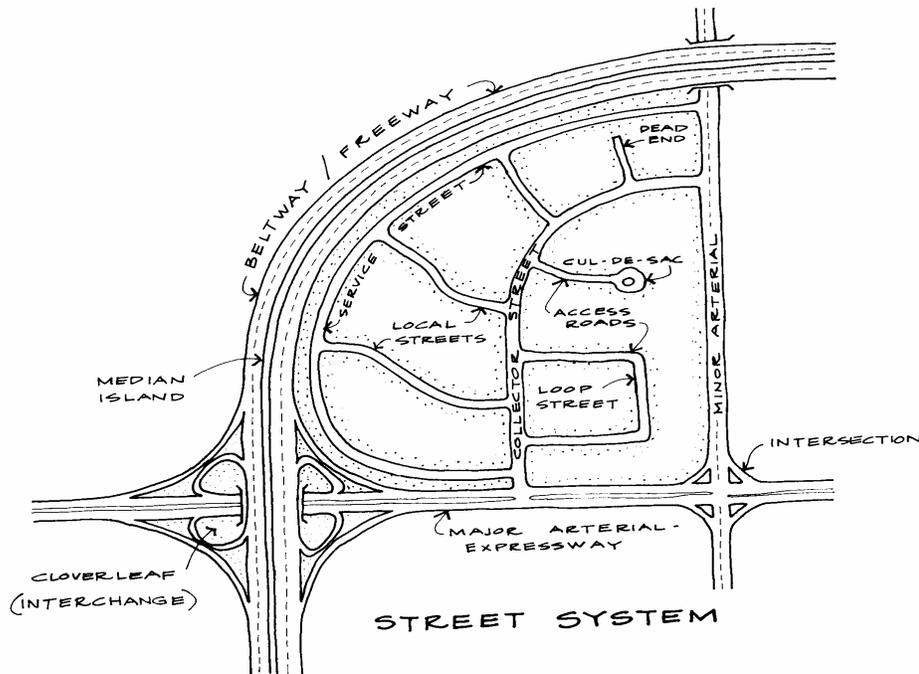
Story: The portion of a building included between the surface of any floor and the surface of the floor above it; or if there is no floor above it, the space between any floor and the ceiling next above it.

Stream: A natural body of running water flowing continuously or intermittently in a channel on or below the surface of the ground.

Street: A public right-of-way, whether designated as an avenue, boulevard, road, highway, expressway, lane or other way, that is dedicated or devoted to the public pedestrian or vehicular use by deed, plat, and/or prescription, which affords the principal means of access to abutting property (See Fig. 1).

1. **Minor Arterial:** A street with signals at important intersections and stop signs on the side streets and collects and distributes traffic to and from collector streets.
2. **Collector Streets:** A street that collects traffic from local streets and connects with minor arterials.
3. **Local Streets:** A street designed to provide vehicular access to abutting property and to discharge through traffic.
4. **Minor Arterial Streets:** State Highway 54, State Highway 16, State Highway 154, and McIntosh Trail; Collector Streets are: Main Street and Terrentine Street; All other streets are local streets. Driveways or other curb-cuts leading in or out of property zoned THC, TNC, or LI may not open into a local street. Driveways or other curb-cuts leading in or out of property zoned THC or LI may open into a collector street only by special use permit.

Figure 1: Street Types



Structure: Anything constructed or erected on the ground or attached to something on the ground. A fence or a wall is not a structure.

Temporary Structure: A structure without any foundation or footings and which is removed when the designated time period, activity or use for which the temporary structure was erected has ceased.

Tenant: A natural person, business or other entity that occupies land or buildings by title, under a lease, or through payment of rent: an occupant, inhabitant, or dweller of a place.

Town Council: Town Council and governing body are used throughout this document and both mean the elected officials of the Town of Sharpsburg

Tree: Any living, self-supporting woody perennial plant which normally obtains a trunk diameter of at least 2 inches and a height of at least 12 feet and typically has one main stem or trunk and many branches.

Turf: Ground cover composed of one or more species of perennial grass that is grown as a permanent lawn.

Under story Tree: Any deciduous or evergreen tree that has the potential to grow to a mature height of less than 50 feet.

Use: The purpose for which land or a building or other structure is designed or arranged, or for which it is occupied.

Variance: Permission to depart from the literal requirements of a zoning ordinance.

Vegetation: All plant growth, such as trees, shrubs, mosses and grasses.

Vehicular sign: Any sign placed, mounted, painted on or affixed to a motor vehicle, freight, flatbed or storage trailer or other conveyance when same are placed or parked in such a manner as to be viewed or intended to be viewed from the public right(s)-of-way except that this definition shall not apply when:

- Such conveyances are actively being used to transport persons, goods or services in the normal course of business;
- When such conveyances are parked in an inconspicuous area; or
- When such conveyances are actively being used for storage of construction materials for, and on the same lot with a bona fide construction project for which building and other applicable permits have been issued and where construction is underway and provided said conveyances are located within designated storage areas.

Vernacular: Vernacular architecture is historic architecture unique to a region. Of or being an indigenous building style using local materials and traditional methods of construction and ornament, especially as distinguished from academic or historical architectural styles. This includes architectural styles circa early 1800's to 1920's within a radius of 500 miles of Sharpsburg. Styles may include Georgian, Classic Revival, Colonial Adam, Victorian Stick, Victorian Folk, Victorian Shingle and Victorian Craftsman.

Visual Screen: Natural vegetation or a decorative structure that creates an opaque visual block or obscures an unattractive view. Screening may consist of any combination of the following, as approved by the Zoning Administrator:

- Fencing constructed of cedar, redwood, treated wood, or other suitable all-weather material.
- Masonry walls.
- Plant materials or natural vegetation.
- Earthen berms.

For the purpose of this ordinance, a screen is opaque to a height of 6 feet above the ground surface.

Yard: An open space that lies between the principal building or buildings and the nearest lot line. The minimum required yard as set forth in the ordinance is unoccupied and unobstructed from the ground upward except as may be specifically provided in the zoning ordinance.

Yard, Front: A space extending the full width of the lot between any building and the front lot line and measured perpendicular to the building at the closest point to the front lot line.

Yard, Rear: A space extending across the full width of the lot between the principal building and the rear lot line and measured perpendicular to the building to the closest point of the rear lot line.

Wetlands, Protected: Those wetlands identified on the National Wetlands Inventory maps prepared by the U.S. Fish and Wildlife Service, or otherwise approved by the U.S. Army Corps of Engineers as jurisdictional wetlands based on competent studies prepared by a registered and qualified professional engineer.

Zoning: The delineation of districts and the establishment of regulations governing the use, placement, spacing and size of land and buildings.

Zoning Map: The map which is part of the zoning ordinance and delineates the boundaries of zone districts.

ARTICLE 4 ZONING DISTRICTS AND BOUNDARIES

4.1 Establishment of Districts. In order to carry out the intent and purpose of this Ordinance, the Town of Sharpsburg is hereby divided into the following districts:

R1	Rural Residential
R2	Single-Family Residential
TND	Traditional Neighborhood Development
TMF	Traditional Multi-family Residential
TC	Town Center
TNC	Traditional Neighborhood Commercial
THC	Traditional Highway Commercial
LI	Light Industry / Technology Park
HD	Historic District Overlay

4.1-1 Rural Residential District (R1). This district is intended to permit a combination of low-density residential uses of various types, agricultural activities and associated uses. The regulations of the district are designed primarily to encourage a compatible relationship between agriculture and low density, single-family rural residential development.

4.1-2 Single-Family Residential (R2). The purpose of this district is to accommodate medium-density single-family residences. Single-family dwellings are restricted to meeting Appearance Standards as shown in Table 5.2. R2 zoning may only be used with the Town limits as they existed on January 1, 2005.

4.1-3 Traditional Neighborhood Development (TND). The purpose of this district is to provide for a full range of housing types and workplaces interwoven within the neighborhood. A hierarchy of streets provides for the needs of the pedestrian and motorists. Carefully placed civic buildings and squares reinforce the identity of the town and neighborhoods. Spatially defined squares and parks provide places for informal social activity and recreation. Civic buildings provide places of purposeful assembly for social, cultural or religious activities. Private buildings form a disciplined edge, spatially delineating public streets.

4.1-4 Traditional Multi-family Residential (TMF). The purpose of this district is to provide for higher density residences that include apartment buildings, attached housing and live-work flex units.

4.1-5 Town Center (TC). The purpose of this district is to provide for mixture of housing types, including detached single-family residences, apartments, attached housing and live-work flex units, and to provide for workplaces interwoven within the district. This district shall follow the design principles of TND districts including hierarchy of streets, placement of squares and parks, location of civic and private buildings and architectural guidelines.

4.1-6 Traditional Neighborhood Commercial (TNC). The purpose of this district is to provide for shop-front commercial uses, office-work places, live-work flex residential units.

4.1-7 Traditional Highway Commercial (THC). The purpose of this district is to provide for shop-front commercial uses and offices.

4.1-8 Light Industry / Technology Park General Industrial (LI). The purpose of this district is to provide suitable areas for warehousing, assembly and other activities of a non-polluting industrial nature.

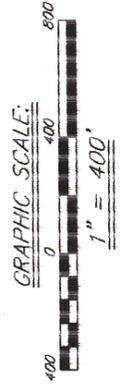
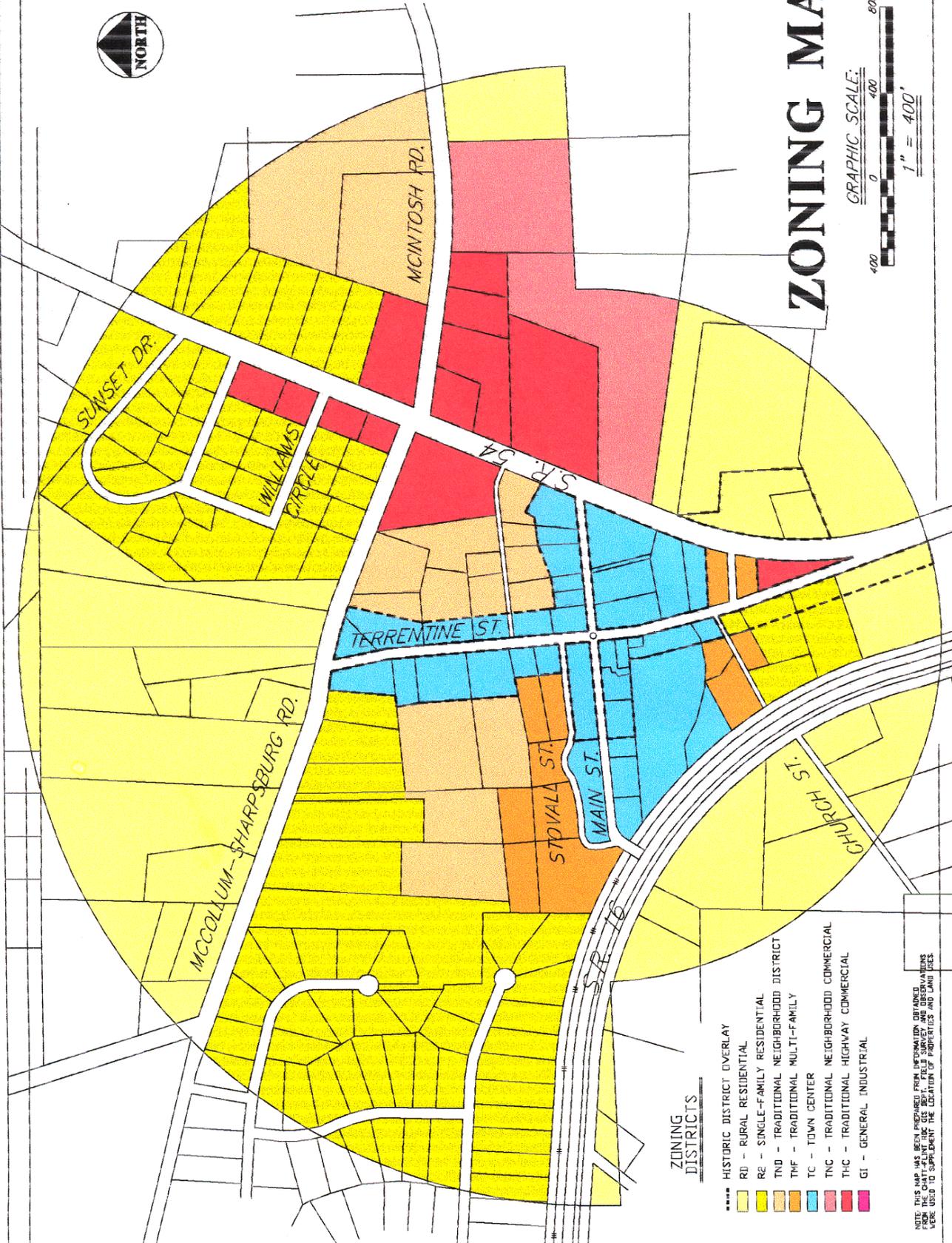
4.1-9 Historic District Overlay. The purpose of the Historic District Overlay is to protect the town's historic town areas from incompatible development and to advance long-term plans for these areas in accordance with the Master Town Plan.

4.2 Zoning District Map. The boundaries of zoning districts are shown on the map designated as the "Zoning Map". The Zoning Map and all notations, references, and other information shown thereon are a part of this Ordinance and have the same force and effect as if the zoning district map and all notations, references and other information shown thereon were fully set forth and described in the text of this ordinance. This zoning map is properly attested and is on display at Town Hall.

4.3 District Boundaries.

4.3-1 The district boundaries shown on the zoning district map are generally intended to follow streets, alleys or lot lines; where the districts designated on said map are bounded by such street, alley or lot lines, the centerline of the street, alley or lot line shall be the boundary of the district unless such boundary is otherwise indicated on the map. In all other cases, the district boundary line shall be determined by use of the scale appearing on the Zoning Map.

4.3-2 When the boundary line of a district divides a lot or tract held in single-ownership at the time of the adoption of this Ordinance, the boundary line may be allowed to extend a distance of not more than fifty (50) feet to the least restrictive zone district.



ZONING MAP

ZONING DISTRICTS

- HISTORIC DISTRICT OVERLAY
- RD - RURAL RESIDENTIAL
- R2 - SINGLE-FAMILY RESIDENTIAL
- TND - TRADITIONAL NEIGHBORHOOD DISTRICT
- TMF - TRADITIONAL MULTI-FAMILY
- TC - TOWN CENTER
- TNC - TRADITIONAL NEIGHBORHOOD COMMERCIAL
- THC - TRADITIONAL HIGHWAY COMMERCIAL
- GI - GENERAL INDUSTRIAL

NOTE: THIS MAP HAS BEEN PREPARED FROM INFORMATION OBTAINED FROM THE CITY OF CHARLOTTE. THE CITY OF CHARLOTTE IS NOT RESPONSIBLE FOR THE LOCATION OF PROPERTIES AND LAND USES.

ARTICLE 5
ZONING DISTRICT STANDARDS AND PERMITTED USES

5.1 District Lot Area, Yard and Height Standards. The requirements regarding lot size, building size, and building placement on the lot for each zone district shall be met as indicated in Table 5.1: Zoning District Area Yard and Height Requirements.

Table 5.1: Zoning District Area Yard and Height Requirements

ZONING DISTRICT	MINIMUM LOT AREA	MINIMUM LOT WIDTH AT SETBACK LINE. (FEET)	FRONT YARD SETBACK FROM ARTERIAL & COLLECTOR/LOCAL STREET. (FEET)	SIDE YARD. (FEET)	REAR YARD. (FEET)	MAX. BUILDING HEIGHT. (FEET)
R1 RURAL RESIDENTIAL	1.5 ACRES	100'	50'/45'	20'	50'	35'
R2 SINGLE-FAMILY RESIDENTIAL	33,000 SF ¾ ACRE	100'	45'/40'	15'	20'	35'
*TND TRADITIONAL NEIGHBORHOOD DEVELOPMENT	60 ACRES. 5 ACRES FOR MINI-TND	*	*	*	*	*
*TMF TRADITIONAL MULTI-FAMILY RESIDENTIAL	*	*	*	*	*	*
*TC TOWN CENTER	*	*	*	*	*	*
*TNC TRADITIONAL NEIGHBORHOOD COMMERCIAL	*	*	*	*	*	*
*THC TRADITIONAL HIGHWAY COMMERCIAL	*	*	*	*	*	*
*LI LIGHT INDUSTRIAL	0.5 ACRE	80'	45'/40'	15'	15'	40'

**Note: See Sharpsburg Traditional Zoning Matrix, Table 5.3.*

5.2 Appearance Standards. In R1 and R2 zoning districts, appearance standards shall apply to single-family detached dwellings including site-built housing, industrialized housing, and manufactured homes. A Certificate of Occupancy may only be granted upon the finding that such development shall meet or exceed the Appearance Standards as shown on Table 5.2: Appearance Standards for Single-family Detached Dwellings.

Table 5.2: Appearance Standards for Single-family Detached Dwellings

	TYPE 1 PERMITTED IN R1 AND R2 ZONING DISTRICTS
MINIMUM DWELLING WIDTH	24'
MINIMUM ROOF PITCH	4:12
MINIMUM HEATED LIVING FLOOR AREA	1700 SF
ROOF MATERIAL	(SEE NOTE 1 BELOW)
EXTERNAL SIDING MATERIALS	(SEE NOTE 2 BELOW)
PERMANENT FOUNDATION	(SEE NOTE 3 BELOW)
UTILITY METER	MOUNTED ON DWELLING STRUCTURE
LANDING AREA	(SEE NOTE 4 BELOW)
TOWING DEVICES	(SEE NOTE 5 BELOW)

Notes:

- 1. The roof shall have a surface of fire-resistant wood shakes, asphalt composition, fire-resistant wood shingles, concrete, fiberglass, asphalt, or standing seam metal, slate, or other materials approved by the Building Inspector.*
- 2. The exterior siding materials shall consist of traditional wood siding, cement-fiber siding, brick, hard stucco(not synthetic stucco) maybe used for accents only, vinyl siding .044' thickness (heaviest grade), or stone.*
- 3. Permanent foundation (including manufactured homes) shall meet the requirements of standard building codes for manufactured homes. The pier foundation shall be 24" x 24" x 16" deep concrete footing. The underpinning for manufactured homes shall be 8" x 8" x 16" masonry block on a foundation 10" wide and 6" deep, unpierced, except for the required ventilation and access, which must be installed so that it encloses the area under the manufactured home to ground level. Weather strapping is mandatory.*
- 4. For manufactured homes, a front landing area is required of at least 100 square feet with a side to side dimension of at least 8', on a concrete footing, no less than 12" x 12" x 12". All other landings to be a minimum of 10' x 10' on not less than a fabricated masonry footing.*
- 5. Manufactured homes are required to remove all towing devices.*

In TND, TMF, TC, TNC, and THC zoning districts, architectural design requirements, parking requirements and additional setbacks are included in the Sharpsburg Traditional Zoning Matrix, Table 5.3.

5.3 SHARPSBURG TRADITIONAL ZONING MATRIX

**DETACHED HOUSE
ZONING DISTRICTS TND, TC**

BUILDING TYPE	FRONT YARD SETBACK	SIDE YARD SETBACK	REAR YARD SETBACK	PARKING	ARCHITECTURAL
<p>DETACHED HOUSE</p> <p>Note: For Zoning Districts TND, TC</p> <p>TRADITION AL SINGLE FAMILY</p>	<p>SEE DESIGN GUIDELINES SECTION 5.6</p>	<p>5' MIN. OR 10' ONE SIDE, 0' OTHER</p>	<p>25' MIN.TO HOUSE 5' MIN. TO GARAGE</p>	<p>2 SPACES PER DWELLING UNIT</p>	<ol style="list-style-type: none"> 1. FRONTS OF RESIDENCES SHALL BE ORIENTED TO FRONT SIDEWALK. 2. RESIDENTIAL PARKING SHALL BE LOCATED IN REAR GARAGES, CARPORTS, OR SURFACE AREAS OFF ALLEYS PRIMARILY. PARALLEL PARKING ON FRONT STREETS IS ACCEPTABLE. 3. SIDEWALKS SHALL BE PLACED IN FRONT OF ALL RESIDENTIAL AREAS – 5' WIDTH MINIMUM WITH A LANDSCAPE STRIP IN FRONT. 4. STREET TREES SHALL BE PLANTED 30' O.C. BRADFORD PEAR TREES ARE NOT PERMITTED. 5. STREET LIGHTING STANDARDS SHALL BE TRADITIONAL DESIGN 16' MAX. HEIGHT. 6. MOST RESIDENTS SHALL HAVE ALLEYS OF 12' MIN: 20' R/W. WHERE PRACTIBLE, UNDERGROUND UTILITIES SHALL BE PLACED IN ALLEYS. 7. FRONT LOADED HOUSES SHALL HAVE GARAGES LOCATED BACK A MIN. OF 20' FROM FRONT FAÇADE. 8. ALL HOUSES SHALL HAVE FRONT PORCHES 8' MIN. DEPTH COVERING A MINIMUM WIDTH OF ¼ FRONT OF HOUSE. 9. FENCING. IT IS REQUIRED THAT SINGLE FAMILY RESIDENCES HAVE WOOD OR APPROVED VINYL FENCING ON FRONTS. MIN. OF 3' HEIGHT. 10. ARCHITECTURAL CONSIDERATIONS: <ul style="list-style-type: none"> ➤ ARCHITECTURAL STYLE SHALL BE “VERNACULAR”, REFLECTIVE OF THE ARCHITECTURE OF HISTORIC DISTRICTS IN SURROUNDING REGION. ➤ GARAGES SHALL BE LOCATED IN REAR OF HOUSES OFF ALLEYS. ➤ GARAGE SETBACK FROM REAR LINE 5' FROM OUTSIDE EDGE OF 12' ALLEY. SECOND FLOORS OF GARAGES CAN BE USED FOR “GRANNY FLATS”, HOME OFFICES, OR RENTAL. ➤ MATERIALS – EXTERIOR MATERIALS SHALL BE TRADITIONAL WOOD SIDING, CEMENT-FIBER SIDING, BRICK, HARD STUCCO (NOT SYNTHETIC STUCCO) MAY BE USED FOR ACCENTS ONLY, VINYL SIDING .044” THICKNESS (HEAVEST GRADE), OR STONE. ALL SIDING SHALL BE MINIMUM 5' VERTICAL DIMENSION. BRICK HOUSES MUST HAVE A MINIMUM OF 3 SIDES BRICK. ➤ COLORS – EXTERIOR PAINTED COLORS SHALL BE WHITE OR A TRADITIONAL SOLID COLOR (SAVANNAH OR CHARLESTON COLORS) TRIMMED IN WHITE OF LIGHTER COLOR. ➤ ROOF PITCH – 6:12 TO 12:12. PORCH ROOF PITCH 2:12 MINIMUM. ➤ ROOF MATERIAL CAN BE ASPHALT SHINGLES, WOOD SHAKES, SLATE, OR METAL STANDING SEAM. ➤ RESIDENTIAL CEILING HEIGHTS FOR FIRST FLOOR SHALL BE 9' MINIMUM. ➤ ALL RESIDENCES SHALL HAVE CRAWL SPACES. EXCEPTION, RESIDENCES DESIGNED FOR SENIORS OR HANDICAPPED MAY HAVE SLAB ON GRADE. ➤ RESIDENTIAL WINDOWS SHALL BE VERTICAL. ACCENT WINDOWS MAY BE CIRCULAR, SEMI-CIRCULAR, OCTAGONAL, OR HEXAGONAL.

**ATTACHED HOUSE
ZONING DISTRICTS TND, TMF, TNC**

BUILDING TYPE	FRONT YARD SETBACK	SIDE YARD SETBACK	REAR YARD SETBACK	PARKING	ARCHITECTURAL
<p>ATTACHED HOUSE</p> <p>Note: For Zoning Districts TND, TMF.</p>	10' TO 25'	5'	35' MIN. 5' MIN. TO GARAGE	<p>1 SPACE PER BEDROOM.</p> <p>MAXIMUM 2 SPACES PER UNIT.</p>	<ol style="list-style-type: none"> 1. FRONTS OF RESIDENCES SHALL BE ORIENTED TO FRONT SIDEWALK. 2. RESIDENTIAL PARKING SHALL BE LOCATED IN REAR GARAGES, CARPORTS, OR SURFACE AREAS OFF ALLEYS PRIMARILY. PARALLEL PARKING ON FRONT STREETS IS ACCEPTABLE. 3. SIDEWALKS SHALL BE PLACED IN FRONT OF ALL RESIDENTIAL AREAS – 5' WIDTH MINIMUM WITH A LANDSCAPE STRIP IN FRONT. 4. STREET TREES SHALL BE PLANTED 30' O.C. BRADFORD PEAR TREES ARE NOT PERMITTED. 5. STREET LIGHTING STANDARDS SHALL BE TRADITIONAL DESIGN 16' MAX. HEIGHT. 6. MOST RESIDENTS SHALL HAVE ALLEYS OF 12' MIN: 20' R/W. WHERE PRACTICABLE, UNDERGROUND UTILITIES SHALL BE PLACED IN ALLEYS. 7. BUILDINGS SHALL BE SMALL FOOTPRINT. MAXIMUM LENGTH, 150 FEET. 8. MAXIMUM HEIGHT, 36 FEET. 9. PARKING SHALL BE LOCATED IN REAR OF BUILDING SIDE-YARD PARKING SHALL OCCUPY NO MORE THAN 25% OF THE PRIMARY PARKING. 10. ARCHITECTURAL CONSIDERATIONS: <ul style="list-style-type: none"> ➤ ARCHITECTURAL STYLE SHALL BE "VERNACULAR", REFLECTIVE OF THE ARCHITECTURE OF HISTORIC DISTRICTS IN SURROUNDING REGION. ➤ GARAGES, CARPORTS, OR PARKING SLIPS ARE REQUIRED IN REAR OFF ALLEYS. ➤ GARAGE SETBACK FROM REAR LINE 5' FROM OUTSIDE EDGE OF 12' ALLEY. SECOND FLOORS OF GARAGES CAN BE USED FOR "GRANNY FLATS", HOME OFFICES, OR RENTAL. ➤ MATERIALS – EXTERIOR MATERIALS SHALL BE TRADITIONAL WOOD SIDING, CEMENT-FIBER SIDING, BRICK, HARD STUCCO (NOT SYNTHETIC STUCCO) MAY BE USED FOR ACCENTS ONLY, STONE. OR VINYL SIDING .044" THICKNESS (HEAVEST GRADE), OR STONE. ALL SIDING SHALL BE MINIMUM 5" VERTICAL DIMENSION ➤ COLORS – EXTERIOR PAINTED COLORS SHALL BE WHITE OR A TRADITIONAL SOLID COLOR (SAVANNAH OR CHARLESTON COLORS) TRIMMED IN WHITE OF LIGHTER COLOR. ➤ ROOF PITCH – 6:12 TO 12:12. PORCH ROOF PITCH 2:12 MINIMUM. ➤ ROOF MATERIAL CAN BE ASPHALT SHINGLES, WOOD SHAKES, SLATE, OR METAL STANDING SEAM. ➤ RESIDENTIAL CEILING HEIGHTS FOR FIRST FLOOR SHALL BE 9' MINIMUM. ➤ ALL RESIDENCES SHALL HAVE CRAWL SPACES. EXCEPTION, RESIDENCES DESIGNED FOR SENIORS OR HANDICAPPED MAY HAVE SLAB ON GRADE. ➤ RESIDENTIAL WINDOWS SHALL BE VERTICAL. ACCENT WINDOWS MAY BE CIRCULAR, SEMI-CIRCULAR, OCTAGONAL, OR HEXAGONAL. ➤ PORCHES AND BALCONIES ARE REQUIRED.

**APARTMENT BUILDING
ZONING DISTRICTS TMF, TND, TNC**

BUILDING TYPE	FRONT YARD SETBACK	SIDE YARD SETBACK	REAR YARD SETBACK	PARKING	ARCHITECTURAL
<p>APARTMENT BUILDING</p> <p>Note: For Zoning Districts TMF, TND, AND TNC,</p>	8' TO 25'	8' MIN.	25' MIN. TO HOUSE 5' MIN. TO GARAGE	1 SPACE PER BEDROOM. MAXIMUM 2 SPACES PER UNIT.	<ol style="list-style-type: none"> 1. FRONTS OF APARTMENT BUILDINGS SHALL BE ORIENTED TO FRONT SIDEWALK. 2. RESIDENTIAL PARKING SHALL BE LOCATED IN REAR GARAGES, CARPORTS, OR SURFACE AREAS OFF ALLEYS PRIMARILY. PARALLEL PARKING ON FRONT STREETS IS ACCEPTABLE. 3. SIDEWALKS SHALL BE PLACED IN FRONT OF ALL RESIDENTIAL AREAS – 6' WIDTH MINIMUM WITH A LANDSCAPE STRIP IN FRONT. 4. STREET TREES SHALL BE PLANTED 30' O.C. BRADFORD PEAR TREES ARE NOT PERMITTED. 5. STREET LIGHTING STANDARDS SHALL BE TRADITIONAL DESIGN 16' MAX. HEIGHT. 6. MOST APARTMENT BUILDINGS SHALL HAVE ALLEYS OF 12' MIN: 20' R/W. WHERE PRACTICABLE, UTILITIES SHALL BE PLACED IN ALLEYS. 7. BUILDINGS SHALL BE SMALL FOOTPRINT. MAXIMUM LENGTH, 150 FEET. 8. MAXIMUM HEIGHT, 36 FEET. 9. PARKING SHALL BE LOCATED IN REAR OF BUILDING SIDE-YARD PARKING SHALL OCCUPY NO MORE THAN 25% OF THE PRIMARY PARKING. 10. ARCHITECTURAL CONSIDERATIONS: <ul style="list-style-type: none"> ➤ ARCHITECTURAL STYLE SHALL BE "VERNACULAR", REFLECTIVE OF THE ARCHITECTURE OF HISTORIC DISTRICTS IN SURROUNDING REGION. ➤ GARAGES, CARPORTS, OR PARKING SLIPS ARE REQUIRED IN REAR OFF ALLEYS. ➤ GARAGE SETBACK FROM REAR LINE 5' FROM OUTSIDE EDGE OF 12' ALLEY. ➤ MATERIALS – EXTERIOR MATERIALS SHALL BE TRADITIONAL WOOD SIDING, CEMENT-FIBER SIDING, BRICK, STUCCO (NOT SYNTHETIC STUCCO) MAY BE USED FOR ACCENTS ONLY, VINYL SIDING .044" THICKNESS (HEAVEST GRADE), OR STONE. ➤ COLORS – EXTERIOR PAINTED COLORS SHALL BE WHITE OR A TRADITIONAL SOLID COLOR (SAVANNAH OR CHARLESTON COLORS) TRIMMED IN WHITE OR LIGHTER COLOR. ➤ ROOF PITCH – 6:12 TO 12:12. PORCH ROOF PITCH 2:12 MINIMUM. ➤ ROOF MATERIAL CAN BE ASPHALT SHINGLES, WOOD SHAKES, SLATE, OR METAL STANDING SEAM. ➤ RESIDENTIAL CEILING HEIGHTS FOR FIRST FLOOR SHALL BE 9' MINIMUM. ➤ RESIDENTIAL WINDOWS SHALL BE VERTICAL. ACCENT WINDOWS MAY BE CIRCULAR, SEMI-CIRCULAR, OCTAGONAL, OR HEXAGONAL. ➤ PORCHES AND BALCONIES ARE REQUIRED.

**LIVE-WORK FLEX UNIT
ZONING DISTRICT TND, TC, TNC**

BUILDING TYPE	FRONT YARD SETBACK	SIDE YARD SETBACK	REAR YARD SETBACK	PARKING	ARCHITECTURAL
<p>LIVE-WORK FLEX UNIT</p> <p style="text-align: center;">Note: For Zoning Districts TND, TC, TNC</p>	0' TO 20'	0'	35' MIN. 5' MIN. TO GARAGE	1 SPACE PER BEDROOM. MAXIMUM 2 SPACES PER UNIT. 1 SPACE PER 300 SF OF WORK SPACE	<ol style="list-style-type: none"> 1. FRONTS OF LIVE-WORK FLEX UNITS SHALL BE ORIENTED TO FRONT SIDEWALK. 2. RESIDENTIAL PARKING SHALL BE LOCATED IN REAR GARAGES, CARPORTS, OR SURFACE AREAS OFF ALLEYS PRIMARILY. PARALLEL PARKING ON FRONT STREETS IS ACCEPTABLE. 3. SIDEWALKS SHALL BE PLACED IN FRONT OF ALL RESIDENTIAL AREAS – 7' WIDTH MINIMUM WITH A LANDSCAPE STRIP IN FRONT. 4. STREET TREES SHALL BE PLANTED 30' O.C. BRADFORD PEAR TREES ARE NOT PERMITTED. 5. STREET LIGHTING STANDARDS SHALL BE TRADITIONAL DESIGN 16' MAX. HEIGHT. 6. MOST LIVE-WORK FLEX UNITS SHALL HAVE ALLEYS OF 12' MIN; 20' R/W. WHERE PRACTICAL, UNDERGROUND UTILITIES SHALL BE PLACED IN ALLEYS. 7. BUILDINGS SHALL BE SMALL FOOTPRINT. MAXIMUM LENGTH, 150 FEET. 8. MAXIMUM HEIGHT, 36 FEET. 9. PARKING SHALL BE LOCATED IN REAR OF BUILDING SIDE-YARD PARKING SHALL OCCUPY NO MORE THAN 25% OF THE PRIMARY PARKING 10. ARCHITECTURAL CONSIDERATIONS: <ul style="list-style-type: none"> ➤ ARCHITECTURAL STYLE SHALL BE "Vernacular", REFLECTIVE OF THE ARCHITECTURE OF HISTORIC DISTRICTS IN SURROUNDING REGION. ➤ GARAGES ARE REQUIRED FOR ALL APARTMENT HOUSES OFF ALLEYS. ➤ GARAGE SETBACK FROM REAR LINE 5' FROM OUTSIDE EDGE OF 12' ALLEY. ➤ MATERIALS – EXTERIOR MATERIALS SHALL BE TRADITIONAL WOOD SIDING, CEMENT-FIBER SIDING, BRICK, HARD STUCCO (NOT SYNTHETIC STUCCO) NOT PRIMARY MATERIAL (ACCENTS ONLY), VINYL SIDING .044" THICKNESS (HEAVEST GRADE), OR STONE. ➤ COLORS – EXTERIOR PAINTED COLORS SHALL BE WHITE OR A TRADITIONAL SOLID COLOR (SAVANNAH OR CHARLESTON COLORS) TRIMMED IN WHITE OF LIGHTER COLOR. ➤ ROOF SLOPE – 6:12 TO 12:12. ➤ ROOF MATERIAL CAN BE ASPHALT SHINGLES, WOOD SHAKES, SLATE, OR METAL STANDING SEAM. ➤ RESIDENTIAL CEILING HEIGHTS FOR FIRST FLOOR SHALL BE 9' MINIMUM. ➤ ALL RESIDENCES SHALL HAVE CRAWL SPACES. EXCEPTION, RESIDENCES DESIGNED FOR SENIORS OR HANDICAPPED MAY HAVE SLAB ON GRADE. ➤ RESIDENTIAL WINDOWS SHALL BE VERTICAL. ACCENT WINDOWS MAY BE CIRCULAR, SEMI-CIRCULAR, OCTAGONAL, OR HEXAGONAL. ➤ PORCHES AND BALCONIES ARE REQUIRED.

**SHOP-FRONT/OFFICE WORKPLACE BUILDING
ZONING DISTRICT TND, TC, TNC, THC**

BUILDING TYPE	FRONT YARD SETBACK	SIDE YARD SETBACK	REAR YARD SETBACK	PARKING	ARCHITECTURAL
<p align="center">SHOP-FRONT/OFFICE WORKPLACE BUILDING</p> <p align="center">Note: For Zoning Districts TND, TC, TNC, THC</p>	<p align="center">0' TO 25'</p>	<p align="center">0'</p>	<p align="center">25' MIN.</p>	<p>1 SPACE PER 300 SF. FOR COMMERCIAL. FOR RESTAURANTS, 1 SPACE PER 100 SF. OF GROSS AREA.</p> <p>FOR MULTIFAMILY, 1 SPACE PER BEDROOM. MAXIMUM 2 SPACES PER UNIT.</p> <p>FOR SHARED PARKING BETWEEN COMMERCIAL AND RESIDENTIAL, RESIDENTIAL PARKING MAY BE REDUCED 50%. (NO RESIDENTIAL ALLOWED IN THC).</p>	<ol style="list-style-type: none"> 1. TRADITIONAL COMMERCIAL CATEGORY (TC) ENCOURAGES A MIX OF SHOPFRONT BUILDINGS, OFFICE WORKPLACE, LIVE-WORK FLEX UNITS, AND ATTACHED HOUSING. 2. BUILDINGS SHALL BE SMALL FOOTPRINT - MAXIMUM LENGTH 150 FEET. 3. HEIGHTS -1 TO 2 STORIES WITH 2 STORIES REQUIRED IN TOWN CENTER. 4. FRONTS OF BUILDINGS SHALL BE ORIENTED TO FRONT SIDEWALK. 5. PARKING SHALL BE LOCATED IN REAR OF BUILDING: SIDE YARD PARKING SHALL OCCUPY NO MORE THAN 25% OF THE PRIMARY FRONTAGE. 6. SIDEWALKS SHALL BE PLACED IN FRONT OF ALL FRONTS OF COMMERCIAL DEVELOPMENTS - 12' MINIMUM WIDTHS WITH A LANDSCAPE STRIP IN FRONT. 7. STREET TREES SHALL BE PLANTED 30' O.C. BRADFORD PEAR TREES ARE NOT PERMITTED. 8. STREET LIGHTING STANDARDS SHALL BE TRADITIONAL DESIGN 16' MAX. HEIGHT. 9. MOST SHOPFRONT BUILDINGS SHALL HAVE ALLEYS OF 12' MIN: 20' R/W. WHERE PRACTICABLE, UNDERGROUND UTILITIES SHALL BE PLACED IN ALLEYS. 10. ARCHITECTURAL CONSIDERATIONS: <ul style="list-style-type: none"> ➤ ARCHITECTURAL STYLE SHALL BE "Vernacular", REFLECTIVE OF THE ARCHITECTURE OF HISTORIC DISTRICTS IN SURROUNDING REGION. ➤ MATERIALS - EXTERIOR MATERIALS SHALL BE TRADITIONAL WOOD SIDING, CEMENT-FIBER SIDING, BRICK, STUCCO (NOT SYNTHETIC STUCCO) NOT PRIMARY MATERIAL (ACCENTS ONLY), VINYL SIDING .044" THICKNESS (HEAVEST GRADE), OR STONE. BUILDINGS IN TOWN CENTER SHALL BE BRICK. ➤ COLORS - EXTERIOR PAINTED COLORS SHALL BE WHITE OR A TRADITIONAL SOLID COLOR (SAVANNAH OR CHARLESTON COLORS) TRIMMED IN WHITE OF LIGHTER COLOR. ➤ COLONNADES, PORCHES, BALCONIES ARE REQUIRED. CANOPIES MAY BE CORRUGATED METAL SUPPORTED BY METAL POLES SIMILAR TO THOSE IN EXISTING HISTORIC ANTIQUE DISTRICT OR CANVAS AWNINGS. CANOPIES SHALL BE A MINIMUM OF 6' OVERHANG. CANOPIES ONLY IN THE TOWN CENTER.

**CIVIC BUILDING
ZONING DISTRICT TC, TND**

BUILDING TYPE	FRONT YARD SETBACK	SIDE YARD SETBACK	REAR YARD SETBACK	PARKING	ARCHITECTURAL
<p style="text-align: center;">CIVIC</p> <p>Note: For Zoning District TC AND TND</p>	<p style="text-align: center;">0' TO 25'</p>	<p style="text-align: center;">8' MIN. 0' MIN. IN SPECIAL CASES AT CORNERS</p>	<p style="text-align: center;">50' MIN.</p>	<p>FOR ADMINISTRATIVE (OFFICE) USE, 1 SPACE PER 300 SF.</p> <p>AUDITORIUM, 1 SPACE FOR EVERY 4 SEATS.</p>	<ol style="list-style-type: none"> 1. BUILDING USES ARE PUBLIC IN NATURE (eg. SCHOOLS, LIBRARIES, GOVERNMENT BUILDINGS, AND CHURCHES). 2. HEIGHTS – MAX. 45' OF VERTICLE FAÇADE TO BOTTON OF EAVE LINE. HEIGHT ABOVE EAVE LINE VARIES (INCLUDING SPIRES OR CUPOLAS). SEE DESIGN GUIDELINES FOR “CIVIC BUILDINGS”. 3. FRONTS OF BUILDINGS SHALL BE ORIENTED TO FRONT SIDEWALK. 4. PARKING SHALL BE LOCATED IN REAR OF BUILDING: SIDE YARD PARKING SHALL OCCUPY NO MORE THAN 25% OF THE PRIMARY FRONTAGE. 5. SIDEWALKS SHALL BE PLACED IN FRONT OF ALL FRONTS OF COMMERCIAL DEVELOPMENTS – 12' MINIMUM WIDTHS WITH A LANDSCAPE STRIP IN FRONT. 6. STREET TREES SHALL BE PLANTED 30' O.C. BRADFORD PEAR TREES ARE NOT PERMITTED. 7. STREET LIGHTING STANDARDS SHALL BE TRADITIONAL DESIGN 16' MAX. HEIGHT. 8. ARCHITECTURAL CONSIDERATIONS: <ul style="list-style-type: none"> ➤ ARCHITECTURAL STYLE SHALL BE “VERNACULAR”, REFLECTIVE OF THE ARCHITECTURE OF HISTORIC DISTRICTS IN SURROUNDING REGION. ➤ MATERIALS – EXTERIOR MATERIALS SHALL BE PREDOMINANTLY BRICK, OR STONE. CHURCHES MAYBE PREDOMINANTLY BRICK, STONE OR CEMENT FIBER SIDING. ➤ COLORS – TRIM COLORS SHALL BE SELECTED FROM SAVANNAH OR CHARLESTON COLOR BOOKS). ➤ ROOF MATERIAL CAN BE ASPHALT SHINGLES, WOOD SHAKES, SLATE, OR METAL STANDING SEAM. ➤ COLONNADES, PORCHES, BALCONIES ARE REQUIRED.

**TRADITIONAL HIGHWAY COMMERCIAL BUILDING
ZONING DISTRICT THC**

BUILDING TYPE	FRONT YARD SETBACK	SIDE YARD SETBACK	REAR YARD SETBACK	PARKING	ARCHITECTURAL
<p>TRADITIONAL HIGHWAY COMMERCIAL</p> <p>Note: For Zoning Districts (THC)</p>	<p>0' TO 15'</p>	<p>0'</p>	<p>25' MIN.</p>	<p>1 SPACE PER 300 SF. FOR COMMERCIAL.</p> <p>RESTAURANTS, 1 SPACE PER 100 SF. OF GROSS AREA.</p>	<ol style="list-style-type: none"> 1. BUILDINGS SHALL BE SMALL FOOTPRINT - MAXIMUM LENGTH 150 FEET. 2. HEIGHTS - 2 STORIES MAXIMUM. 3. FRONTS OF BUILDINGS SHALL BE ORIENTED TO FRONT SIDEWALK. 4. PARKING SHALL BE LOCATED IN REAR OF BUILDING: SIDE YARD PARKING SHALL OCCUPY NO MORE THAN 25% OF THE PRIMARY FRONTAGE. 5. FOR SERVICE STATIONS, FUEL PUMPS SHALL BE LOCATED IN REAR OF BUILDING. 6. SIDEWALKS SHALL BE PLACED IN FRONT OF ALL FRONTS OF COMMERCIAL DEVELOPMENTS – 12' MINIMUM WIDTHS WITH A LANDSCAPE STRIP IN FRONT. 7. STREET TREES SHALL BE PLANTED 30' O.C. BRADFORD PEAR TREES ARE NOT PERMITTED. 8. STREET LIGHTING STANDARDS SHALL BE TRADITIONAL DESIGN 16' MAX. HEIGHT. 9. ARCHITECTURAL CONSIDERATIONS: <ul style="list-style-type: none"> ➤ ARCHITECTURAL STYLE SHALL BE "Vernacular", REFLECTIVE OF THE ARCHITECTURE OF HISTORIC DISTRICTS IN SURROUNDING REGION. ➤ MATERIALS – EXTERIOR MATERIALS SHALL BE TRADITIONAL WOOD SIDING, CEMENT-FIBER SIDING, BRICK, HARD STUCCO (NOT SYNTHETIC STUCCO) NOT PRIMARY MATERIAL (ACCENTS ONLY), VINYL SIDING .044" THICKNESS (HEAVEST GRADE) OR STONE. ➤ COLORS – EXTERIOR PAINTED COLORS SHALL BE WHITE OR A TRADITIONAL SOLID COLOR (SAVANNAH OR CHARLESTON COLORS) TRIMMED IN WHITE OF LIGHTER COLOR. ➤ ROOF PITCH - 4:12 TO 12:12. PITCH OF PORCH OR CANOPY 2:12 MINIMUM. ➤ ROOF MATERIAL CAN BE ASPHALT SHINGLES, WOOD SHAKES, SLATE, OR METAL STANDING SEAM. ➤ COLONNADES, PORCHES, BALCONIES ARE REQUIRED.

**LIGHT INDUSTRY/TECHNOLOGY PARK
ZONING DISTRICT LI**

BUILDING TYPE	FRONT YARD SETBACK	SIDE YARD SETBACK	REAR YARD SETBACK	PARKING	ARCHITECTURAL
LIGHT INDUSTRY/ TECHNOLOGY PARK Note: For Zoning Districts LI	0' TO 25'	25' MINIMUM	50' MINIMUM	REAR OF THE BUILDING	1. FRONTS OF BUILDINGS SHALL BE ORIENTED TO FRONT SIDEWALK. 2. SIDEWALKS SHALL BE PLACED IN FRONT OF ALL BUILDINGS – 8' WIDTH MINIMUM WITH A LANDSCAPE STRIP IN FRONT. 3. STREET TREES SHALL BE PLANTED 30' O.C. BRADFORD PEAR TREES ARE NOT PERMITTED. 4. STREET LIGHTING STANDARDS SHALL BE TRADITIONAL DESIGN 16' MAX. HEIGHT. 5. ARCHITECTURAL CONSIDERATIONS: <ul style="list-style-type: none"> ➤ ARCHITECTURAL STYLE SHALL BE "VERNACULAR", REFLECTIVE OF THE ARCHITECTURE OF HISTORIC DISTRICTS IN SURROUNDING REGION. ➤ MATERIALS – EXTERIOR MATERIALS SHALL BE MASONRY (NOT EXPOSED CONCRETE BLOCK), BRICK, OR STONE. ➤ ROOF PITCH – FLAT ROOF OR SLOPED ROOF PITCH 6:12 TO 12:12. PORCH ROOF PITCH 2:12 ➤ ROOF MATERIAL CAN BE ASPHALT SHINGLES, WOOD SHAKES, SLATE, OR METAL STANDING SEAM.

TRADITIONAL NEIGHBORHOOD DEVELOPMENT ZONING DISTRICTS TND, TC

BUILDING TYPE	ARCHITECTURAL
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TRADITIONAL NEIGHBORHOOD DEVELOPMENT

PLANNING PRINCIPLES FOR TOWN CENTER (TC) AND TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND):

THEY SHALL EMBRACE THE FOLLOWING PRINCIPLES:

- RESIDENCES, SHOPS, WORKPLACES, AND CIVIC BUILDINGS ARE INTERWOVEN WITHIN THE NEIGHBORHOOD, AND ALL ARE IN CLOSE PROXIMITY.
- A HIERARCHY OF STREETS SERVES EQUITABLY THE NEEDS OF THE PEDESTRIAN AND THE AUTOMOBILE.
- CAREFULLY PLACED CIVIC BUILDINGS AND SQUARES REINFORCE THE IDENTITY OF THE TOWN AND NEIGHBORHOODS.
- SPATIALLY DEFINED SQUARES AND PARKS PROVIDE PLACES FOR INFORMAL SOCIAL ACTIVITY AND RECREATION.
- CIVIC BUILDINGS PROVIDE PLACES OF PURPOSEFUL ASSEMBLY FOR SOCIAL, CULTURAL OR RELIGIOUS ACTIVITIES, BECOMING SYMBOLS OF COMMUNITY IDENTITY THROUGH THEIR ARCHITECTURAL CLARITY.
- PRIVATE BUILDINGS FORM A DISCIPLINED EDGE, SPATIALLY DELINEATING THE PUBLIC STREET SPACE AND THE PRIVATE BLOCK INTERIOR.

Note:
For Zoning District
TND AND TC.

THEY SHALL PURSUE CERTAIN SOCIAL OBJECTIVES:

- BY BRINGING MOST ACTIVITIES OF DAILY LIVING, INCLUDING DWELLING, SHOPPING AND WORKING WITHIN WALKING DISTANCE, THE ELDERLY AND THE YOUNG GAIN INDEPENDENCE OF MOVEMENT.
- BY REDUCING THE NUMBER AND LENGTH OF AUTOMOBILE TRIPS, TRAFFIC CONGESTION IS MINIMIZED AND NECESSARY ROAD CONSTRUCTION IS LIMITED.
- BY PROVIDING DEFINED PUBLIC SPACES SUCH AS STREETS AND SQUARES, CITIZENS COME TO KNOW EACH OTHER AND WATCH OVER THEIR COLLECTIVE SECURITY.
- BY PROVIDING A FULL RANGE OF HOUSING TYPES AND WORKPLACES, AGE AND ECONOMIC CLASS ARE INTEGRATED AND THE BONDS OF AN AUTHENTIC COMMUNITY ARE FORMED.
- BY INTEGRATING THE VARIOUS FUNCTIONS OF DAILY LIFE WITHIN NEIGHBORHOODS OF APPROPRIATE SCALE, MEANINGFUL INVOLVEMENT IN LOCAL DECISION-MAKING IS FACILITATED.

DESIGN PRINCIPLES FOR TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND):

1. IN A TND, THERE SHALL BE A MIX OF ATTACHED AND DETACHED HOUSES, A VILLAGE CENTER MEETING HALL, PARKS, AND CONVENIENCE SHOPPING, SIDEWALKS BOTH SIDES OF STREETS, STREET TREES, PARKING IN ALLEYS WHEN PRACTICAL, AND NARROW STREETS AND OTHER DEVICES FOR TRAFFIC CALMING
2. ACCEPTABLE BUILDING TYPES ARE: DETACHED HOUSE, ATTACHED HOUSE, APARTMENTS, SHOPFRONT BUILDINGS, OFFICE WORKPLACE, LIVE-WORK FLEX BUILDING, AND CIVIC BUILDING.
3. ARCHITECTURAL STYLE SHALL BE "Vernacular", REFLECTIVE OF THE ARCHITECTURE OF HISTORIC DISTRICTS IN SURROUNDING REGION.
4. GARAGES ARE REQUIRED FOR ALL SINGLE-FAMILY OFF ALLEYS. GARAGE SECOND FLOORS CAN BE USED FOR "GRANNY FLATS", HOME OFFICES OR RENTAL.
5. SIDEWALKS SHALL BE PLACED IN FRONT OF ALL FRONTS OF RESIDENTIAL AND COMMERCIAL DEVELOPMENTS WITH A LANDSCAPE STRIP IN FRONT. MINIMUM WIDTH FOR RESIDENTIAL IS 5'; FOR TOWN CENTER, COMMERCIAL AND OFFICE, MINIMUM WIDTH IS 12'.
6. FENCING – ALL SINGLE FAMILY RESIDENTIAL ARE REQUIRED TO HAVE WOOD OR APPROVED VINYL FENCING ON FRONTS, MIN. 3' HIGH.
7. STREET WIDTHS – ENTRY STREET AND COMMERCIAL STREETS, 24' TO 30'. RESIDENTIAL STREETS, 20' TO 24'. STREET CONSTRUCTION SHALL CONFORM TO GEORGIA DOT CONSTRUCTION STANDARDS.
8. ALLEYS SHALL HAVE A MINIMUM 12' WIDTH, CONCRETE WITH CURBS. RIGHT OF WAY SHALL BE MIN. 20'. GARAGES SHALL BE A MINIMUM OF 5' FROM ALLEY R/W.
9. MOST APPLICABLE UNDERGROUND UTILITIES SHALL BE LOCATED IN ALLEYS.
10. STREET SIGNS SHALL BE OF TRADITIONAL DESIGN. COMMERCIAL SIGNS SHALL HAVE NO NEON OR BE BACK LIGHTED. TRADITIONAL DESIGN REQUIRED.
11. LANDSCAPING SHALL BE INDIGENOUS, SUSTAINABLE REQUIRING MINIMUM WATER AND MAINTENANCE. NO RED MULCH SHALL BE ALLOWED.
12. STREET TREES – MINIMUM CALIPER, 3" WITH CANOPY OF 1,000 SF. AT MATURITY, PLANTED 30' ON CENTER, RED MAPLE TREES PREFERRED. NO BRADFORD PEAR TREES SHALL BE ALLOWED.
13. COMMERCIAL BUILDING WINDOWS – LARGE ENOUGH TO VIEW MERCHANDISE. MINIMUM OF 70% OF FRONT OF STOREFRONT SHALL BE GLAZED. TINTED OR REFLECTIVE GLASS NOT ACCEPTED.
14. HOUSING MIX – WITHIN A NEIGHBORHOOD, MIXED HOUSING TYPES ARE ENCOURAGED. RECOMMENDED, RESIDENTIAL ABOVE STORE OR OFFICE.

15. THE CONCEPT OF "TRAFFIC CALMING" IS REQUIRED BY UTILIZING A RANGE OF STRATEGIES AND DEVICES INCLUDING "ROUND ABOUTS", DISCONTINUATION OF LONG STREETS, STREETS TERMINATING IN FOCAL POINTS, PARALLEL PARKING ON STREETS, RAISED PEDESTRIAN WALKWAYS, AND NARROW STREETS WIDTHS.
16. CIVIC SPACES – INCLUDES SQUARES AND PARKS DESIGNED FOR PASSIVE ACTIVITY. NO RESIDENCE SHALL BE LOCATED FURTHER THAN 500' FROM A SQUARE OR PARK.
17. ARCHITECTURAL CONTROL:
 - ALL RESIDENTIAL AND COMMERCIAL PLANS SHALL BE SUBJECT TO APPROVAL AND MONITORING BY A QUALIFIED CONSULTANT AND APPROVED BY TOWN COUNCIL.
18. ASSOCIATIONS:
 - A NEIGHBORHOOD HOMEOWNERS ASSOCIATION IS MANDATORY AND SHALL PROVIDE MAINTENANCE OF PUBLIC SPACES IN TND RESIDENTIAL AREAS.
 - THE DEVELOPER OR A COMMERCIAL ASSOCIATION SHALL PROVIDE MAINTENANCE OF THE COMMERCIAL PUBLIC AREAS.

HISTORIC DISTRICT OVERLAY	ARCHITECTURAL
<p>DEFINED BY BOUNDARIES ON TOWN ZONING MAP</p> <hr/> <p>INCLUDES FOLLOWING SUB-CATEGORIES:</p>	<p>(SEE ARTICLE 5.5 HISTORIC DISTRICT OVERLAY STANDARDS)</p>
<p>ANTIQUE CENTER</p> <p>STRUCTURES FRONTING ON MAIN ST. FROM TERRENTINE RD. TO TENNIS COURTS.</p>	<p>FACADES OF EXISTING BUILDINGS SHALL NOT BE ALTERED. EXCEPTION IS ADDITIONS THAT ECHO THE SAME MATERIALS, TEXTURES, COLORS, AND DETAILS AS EXISTING STRUCTURES.</p> <p>ARCHITECTURAL CHARACTER: MATERIALS – EXTERIOR MATERIALS SHALL BE BOARD AND BATTEN BARNWOOD STAINED GREY (TO MATCH EXISTING SIDING IN THS AREA), BRICK, OR STONE. CANOPIES SHALL BE CORRUGATED METAL SUPPORTED BY IRON POLES SIMILAR TO EXISTING CANOPIES.</p> <p>INFILL: IN ORDER TO FILL GAPS BETWEEN BUILDINGS, STRUCTURES SHOULD BE MOVED INTO THIS AREA FROM OTHER AREAS. THEY SHALL BE OF SIMILAR SCALE, CHARACTER. MATERIAL, TEXTURE, COLOR, DETAILS, AND RYTHEM OF SPACING.</p> <p>ARCHITECTURAL CHARACTER: MATERIALS – EXTERIOR MATERIALS SHALL BE BOARD AND BATTEN BARNWOOD STAINED GREY (TO MATCH EXISTING SIDING IN THS AREA), BRICK, OR STONE. CANOPIES SHALL BE CORRUGATED METAL SUPPORTED BY IRON POLES SIMILAR TO EXISTING CANOPIES.</p>
<p>OLD TOWN CENTER</p> <p>STRUCTURES AT CORNERS AND FRONTING ON MAIN ST. AND TERRENTINE RD.</p>	<p>STRUCTURES SHALL BE OF SIMILAR ARCHITECTURAL CHARACTER AS BUILDING ON SOUTH WEST CORNER OF MAIN STREET AND TERRENTINE STREET.</p> <p>ARCHITECTURAL CHARACTER: EXTERIOR MATERIAL, BRICK COLOR AND JOINTING SHALL MATCH BUILDING ON SOUTH WEST CORNER OF MAIN STREET AND TERRENTINE. CANOPIES SHALL BE CORRUGATED METAL SUPPORTED BY IRON POLES SIMILAR TO EXISTING CANOPIES IN THE ANTIQUE CENTER. BUILDINGS SHALL CONFORM TO "SHOPFRONT BUILDING" CATEGORY.</p>
<p>"THOROUGHFARE OF GRAND HOMES"- TERRENTINE ROAD SOUTH.</p> <p>STRUCTURES FRONTING ON TERRENTINE RD. FROM MAIN STREET TO HIGHWAY 16</p>	<p>ARCHITECTURAL CHARACTER:</p> <p>ARCHITECTURAL STYLE FOR NEW INFILL HOUSES SHALL BE OF "VERNACULAR", REFLECTIVE OF THE ARCHITECTURE OF HISTORIC DISTRICTS IN SURROUNDING REGION.</p> <p>INFILL HOUSES SHALL CONFORM TO "DETACHED HOUSE", ESTATE CATEGORY. DUPLEX AT NORTH WEST CORNER OF TERRENTINE ROAD AND CHURCH STREET SHOULD BE MOVED OR RESTORED TO THE ORIGINAL SCHOOLHOUSE.</p>
<p>TERRENTINE ROAD NORTH</p> <p>STRUCTURES FRONTING ON TERRENTINE RD. FROM MAIN ST. TO HIGHWAY 154.</p>	<p>ARCHITECTURAL CHARACTER:</p> <p>ARCHITECTURAL STYLE FOR NEW INFILL HOUSES SHALL BE OF "VERNACULAR", REFLECTIVE OF THE ARCHITECTURE OF HISTORIC DISTRICTS IN SURROUNDING REGION.</p> <p>INFILL HOUSES SHALL CONFORM TO "DETACHED HOUSE" CATEGORY. HOUSES MAY BE USED FOR HISTORIC ADAPTIVE USE.</p>
<p>MAIN STREET EAST</p> <p>STRUCTURES FRONTING ON MAINS ST. FROM TOWN SQUARE TO HIGHWAY 54</p>	<p>ARCHITECTURAL CHARACTER:</p> <p>ARCHITECTURAL STYLE FOR NEW INFILL HOUSES SHALL BE OF "VERNACULAR", REFLECTIVE OF THE ARCHITECTURE OF HISTORIC DISTRICTS IN SURROUNDING REGION.</p> <p>INFILL HOUSES SHALL CONFORM TO "DETACHED HOUSE" CATEGORY. HOUSES MAY BE USED FOR HISTORIC ADAPTIVE USE.</p>

5.4 Permitted Uses.

No principal building, structure or land use shall be permitted except in the zoning districts indicated and for the purposes permitted in Table 5.4 Each use is mutually exclusive and does not include other uses listed in the table. A principal use denoted by the letter “S” is permitted only if a special use permit is granted by the Town Council. For uses not included in this list where the Building Inspector is unable to determine clear placement, application shall be made to the Town Council for interpretation. There may be only one permitted use per lot except in TC, TNC, and TND.

Note: If a use is not specifically listed in Table 5.4 it is a prohibited use.

Table 5.4 Permitted Uses

PERMITTED USES	R1	R2	TND	TMF	TC	TNC	THC	LI
ACCESSORY USES	X	X	X	X	X			X
ADULT ENTERTAINMENT								X
ADVERTISING DISPLAY, SALES AND MANUFACTURING						X	X	X
AGRICULTURE EQUIPMENT SALES, SUPPLY, STORAGE							X	X
AMBULANCE SERVICES							X	X
ANIMAL CARE FACILITY SHALL BE LOCATED AT LEAST 100' FROM ANY PROPERTY ZONED FOR RESIDENTIAL USE							X	X
ANTIQUE SHOP					X	X		
APPAREL AND ACCESSORY STORE			X		X	X		
APPLIANCE SALES AND REPAIR			X		X	X	X	
ART GALLERY/PHOTOGRAPHY					X	X		
ATHLETIC/HEALTH CLUB & FACILITIES			X		X	X		
ASSEMBLY HALL, CIVIC CENTER					X			
AUTOMOBILE AND TRUCK SALES, SERVICE AND REPAIR							X	X
AUTOMOBILE, TRUCK REPAIR AND BODY SHOP							X	X
BAIT SHOP							X	X
BAKERY/PASTRY SHOP			X		X	X	X	
BANK OR FINANCIAL INSTITUTION			X		X	X	X	
BARBER SHOP/BEAUTY SHOP			X		X	X	X	
BASEBALL BATTING CAGES						X		
BED AND BREAKFAST HOME	X	X	X					
BED AND BREAKFAST INN			X		X	X		
BOAT STORAGE								X
BOAT SALES, SERVICE & REPAIR								X
BOOKS, CARDS AND STATIONARY STORES			X		X	X	X	
BUILDER SUPPLIES AND STORAGE								X
BUILDING MATERIALS SALES, SUPPLIES AND STORAGE								X
CAR WASH							X	X
CARPET CLEAN. STORE							X	X

PERMITTED USES	R1	R2	TND	TMF	TC	TNC	THC	LI
CARPET AND RUG SALES, FLOOR COVERING AND STORAGE							X	X
CEMETERY, PRIVATE	S	S						
CEMETERY, PUBLIC	S	S					S	
CEMETERY, RELIGIOUS INSTITUTION GROUP	S	S						
CHILD CARE CENTER, GROUP			X		X	X	X	
CHILD CARE FACILITY			X		X	X	X	
CHILD CARE HOME	S	S	S					
CHURCHES	S	S	S	S	S	S	S	S
CINEMA OR MOVIE THEATER			X		X	X		
CLINIC, PUBLIC OR PRIVATE			X		X	X	X	
CLUB OR LODGE			X		X	X	X	
COLLEGE, UNIVERSITY OR JUNIOR COLLEGE			S		S	S	S	
CONGREGATE PERSONAL CARE HOME			S	S	S	S	S	
CONTRACTOR EQUIPMENT-MATERIAL STORAGE								X
CONVENIENCE STORES WITHOUT FUEL PUMP SERVICE			X		X	X	X	
CONVENIENCE STORES WITH FUEL PUMP SERVICE- PROVIDED THAT ALL PUMPS SHALL BE AT LEAST 15 FEET FROM STREET RIGHT-OF-WAY			X		X	X	X	
CURIO AND SOUVENIR SHOPS			X		X	X	X	
DRUG STORES, PHARMACIES			X		X	X	X	
DWELLING, MULTI-FAMILY			X	X	X	X		
DWELLING, SINGLE-FAMILY DETACHED	X	X	X		X	X		
EQUIPMENT RENTAL							X	X
EQUIPMENT SUPPLIES							X	X
FARMING, HORTICULTURE FOR PERSONAL USE							X	X
FLEA MARKET								X
FLORIST SHOP			X		X	X	X	
FUNERAL HOME, MORTUARY					X	X	X	
FURNITURE AND HOME FURNISHINGS					X	X	X	X
GARDEN LANDSCAPING SUPPLIES			X		X	X	X	X
GOLF COURSES AND CLUB HOUSES			S					
GOLF DRIVING RANGE			S				S	
GOVERNMENT BUILDINGS			X		X	X		
GROCERY STORE			X	X	X	X	X	X
GROUP CARE PERSONAL HOME	S	S	S	S	S	S	S	

PERMITTED USES	R1	R2	TND	TMF	TC	TNC	THC	LI
HARDWARE, PAINT AND WALLPAPER STORE			X		X	X	X	X
HOBBY, TOY AND GAME STORE			X		X	X	X	
HOME OCCUPATION-SUBJECT TO ARTICLE 9 REGULATIONS.	X	X	X	X				
HOSPITAL, HEALTH AND MEDICAL INSTITUTION			X		X	X	X	
HOTEL			X		X	X	X	
INN			X		X	X	X	
JEWELRY STORE			X		X	X	X	
KENNEL							X	X
LAUNDRY, PICK UP AND DRY CLEAN SERVICES			X		X	X	X	
LAUNDRY, COIN OPERATED			X		X	X	X	
LIBRARY			X		X	X	X	
LIVESTOCK-RAISING/KEEPING FOR PERSONAL PLEASURE, PROVIDED THAT ALL STRUCTURES SHALL BE AT LEAST 100' FROM ANY PROPERTY LINE.	X							
MACHINE SHOP, FABRICATION, WELDING, SALES								X
MANUFACTURING INVOLVING THE ASSEMBLY OF PRE-MANUFACTURED COMPONENT PARTS.								X
MINI-WAREHOUSE (SELF-STORAGE FACILITY)							X	X
MOTEL							X	X
MUSEUM			X		X	X		
NURSERY, GREENHOUSE -PROVIDED THAT NO STRUCTURE SHALL BE LOCATED CLOSER THAN 100' TO ANY ADJOINING RESIDENTIAL PROPERTY.						X	X	X
OFFICE, BUSINESS AND PROFESSIONAL			X		X	X	X	
OFFICE SUPPLIES			X		X	X	X	
PARKING LOT			X		X	X	X	X
PARKS & RECREATION	X	X	X	X	X	X	X	X
PET AND DOG GROOMING SHOPS						X	X	X
PRINT SHOP			X		X	X	X	X
RECREATIONAL FACILITIES	X	X	X	X	X	X	X	X
RECYCLING COLLECTION STATION								X
REPAIR SERVICE, GENERAL MERCHANDISE						X	X	X
RESTAURANT			X		X	X	X	
RESTAURANT W/ DRIVE-IN AND/OR DRIVE-THROUGH FACILITIES.							X	
RETAIL STORES			X		X	X	X	
SCHOOL – PUBLIC OR PRIVATE	S	S	S		S	S	S	

PERMITTED USES	R1	R2	TND	TMF	TC	TNC	THC	LI
SEWERAGE TREATMENT FACILITIES-PUBLIC OR PRIVATE			S	S			S	S
SHOE REPAIR			X		X	X	X	
TAXIDERMY							X	X
TIRE SALES AND SERVICE							X	X
UTILITY FACILITIES			X	X	X	X	X	X
VETERINARY CLINIC/ANIMAL HOSPITAL/GROOMING							X	X
VIDEO SALES AND RENTAL			X		X	X	X	X
VOCATIONAL SCHOOL			S		S	S	S	X
WATER DISTRIBUTION OR TREATMENT FACILITIES							X	X

5.5 Historic District Overlay Standards.

The purpose of the Historic District Overlay is to protect the town’s historic town areas from incompatible development and to advance long-term plans for these areas in accordance with the Master Town Plan. The Town of Sharpsburg finds that its historic town areas are important cultural and economic assets, critical to the town’s downtown development, heritage tourism and heritage education goals, and ultimately to the public’s long-term interest.

Definitions:

Historic District Overlay – A geographically definable area, possessing a significant concentration, linkage, or continuity of sites, buildings, structures or objects united by past events or aesthetically by plan or physical development, listed and described within this Article, and further delineated on the Official Zoning Map.

New Construction – The fabrication or placement of any building or other structure on a lot, or an addition to an existing building if such addition is visible from the street or streets and would increase living space.

Description of the District:

The Historic District Overlay is delineated on the Zoning Map for the Town of Sharpsburg, which is incorporated and made a part of this ordinance.

Applicability:

Within the Historic District Overlay, the provisions of this Article shall apply to:

- New construction and building additions, if such additions will increase habitable space and/or would be visible from the street or streets,
- Relocation of existing buildings, into, out of, or within the Historic District.
- Proposed demolition of existing structures, and
- Other applicable issues, if specified herein.

The Historic District Overlay includes areas that may include, be contiguous with, or later become historic districts (adopted in accordance with the Georgia Historic Preservation Act of 1980), designated National Register properties or districts, or portions thereof. The regulations of such underlying districts and of the underlying zoning districts shall be maintained and not affected, except in the event of conflict or discrepancy between the Overlay and the underlying zoning district. In that case, the more stringent requirements shall be observed, unless noted otherwise in this Article.

Conditions and Compatibility Standards:

Within the Historic District Overlay, the following conditions and compatibility standards shall apply.

1. New construction and building additions:

- a. Size, Scale and Setback: New buildings shall be similar in height, width and setback to nearby buildings (within an area of 1300' radius from the center of town).
- b. Materials: New buildings shall utilize exterior materials common to the exterior of the buildings in the Historic District Overlay area.
- c. Shapes: Roof pitches and building shapes should be consistent with those within the Historic District Overlay area.
- d. Rhythm: New construction shall respect the pattern of windows and doors of buildings in the vicinity.
- e. Orientation or directional expression of front elevation: New structures shall be compatible with the orientation of the buildings, squares and places to which they are visually related.
- f. Landscaping: Landscaping shall attempt to maintain the historic characteristics and be visually compatible with the overall environment of the Historic District Overlay area.
- g. Appurtenances: Appurtenances related to a building (such as fences, stone walls, light fixtures, steps, paving, sidewalks, and sign) shall be visually compatible with the environment of the buildings, places, and squares to which they are related.
- h. Modern Design: Modern designs shall not be prohibited, if they are sensitive to the characteristics of the Historic Overlay District.

2. Demolition of existing structures:

- a. Proposed demolition of existing structures within the Historic District Overlay shall be subject to the prior review by the Town Council.
- b. Upon receipt of any request to demolish a building, or any part thereof, the Town Council shall review the circumstances and conditions of the structure or part proposed for demolition, and make an initial determination as to whether any of the following criteria apply to the structure:
 - Is the building of such architectural or historical interest that its removal would be to the detriment of the public interest?
 - Is the building of such old and unusual or uncommon design, texture and material that it could not be reproduced or be reproduced only with great difficulty?
 - Would retention of the building help preserve and protect the Historic District Overlay area?
 - Would retention of the building promote the general welfare by maintaining and increasing real estate values; generating business; creating jobs; attracting

new residents; promoting heritage education; or making the town a more attractive and desirable place to live?

- c. Should the town determine that none of the criteria listed above are applicable, then permission to demolish the building shall be granted, no later than 90 days after the property owner's written request to demolish the building is presented to the Town of Sharpsburg.
- d. If the Town Council, instead, should determine that at least one of the above criteria is applicable, then the Town of Sharpsburg shall notify persons or groups interested in historic preservation who may wish to work with the owner in an effort to preserve the structure, or locate purchasers who would agree to preserve the building in accordance with the "*Secretary of Interior Standards for the Treatment of Historic Properties*".
- e. If efforts to preserve the building (in accordance with the above provisions) have failed, 180 days after the owner's written request for demolition, permission to demolish the building shall be granted.

3. Building relocation: Buildings shall be retained on their present sites whenever possible. Relocation shall be considered only as an alternative to demolition.

- a. For buildings to be moved into the Historic District Overlay area, or relocated within the Historic District Overlay area, new construction standards shall apply (see Section 2 above).
- b. For buildings to be moved out of the Historic District Overlay area, demolition standards shall apply (See Section 1 above).

4. Ordinary Maintenance: Property owners shall not allow their buildings to deteriorate by failing to provide ordinary maintenance.

Administration of this Article:

- 1. Provisions of the Overlay District shall be administered by the Town Clerk and/or designee appointed by the Town Council.
- 2. The Town of Sharpsburg shall prepare and adopt rules and regulations for the administration of this Article, such as permit issuance procedures and forms, and detailed design guidelines and criteria. The Town Council shall have the flexibility to adopt rules and standards without amendment to this Zoning Ordinance.
- 3. The Town Council shall have the power to seek technical advice from outside its members on any application.
- 4. A public record shall be kept of all resolutions, proceedings and official actions taken in accordance with this Article.
- 5. Violations of any provisions of this Article shall be punished in the same manner as provided for punishment of violations of validly enacted Ordinances of the Town of Sharpsburg.
- 6. On matters of new construction or building additions, failure of the Town of Sharpsburg to act within ninety (90) days after receipt of property owner's duly submitted application shall constitute approval, and no other evidence of approval shall be needed.
- 7. On matters of new construction or building additions, permits or certificates issued by the Town Clerk shall become void unless construction is commenced within six (6) months of date of issuance. Such permits or certificates shall be issued for a period of eighteen (18) months and shall be renewable.
- 8. All work performed pursuant to an issued permit or certificate shall conform to the requirements of such certificate. If the work performed is not in accordance with such certificate, the administering agency shall issue a cease and desist order and all work shall cease.

9. The Town of Sharpsburg shall be authorized to institute any appropriate action or proceeding in a court of competent jurisdiction to prevent any new construction, demolition or building relocation not in compliance with the provisions of this ordinance or to prevent any illegal act or conduct with respect to the designated Historic District Overlay.
10. On matters of building maintenance, if the Town of Sharpsburg determines a failure to provide ordinary maintenance or repair, the agency will notify the owner of the property and set forth the steps which need to be taken to remedy the situation. The owner of such property will have thirty (30) days in which to do this. In the event that the condition is not remedied in thirty (30) days, the owner shall be subject to the noncompliance penalties of this Ordinance and, the Town may perform such maintenance or repair as is necessary to prevent deterioration of the property by neglect. The owner of the property shall be liable for the cost of such maintenance and repair performed by the Town of Sharpsburg.
11. Additional Historic District Overlay areas may be designated by amendment to the Zoning Ordinance, following local procedures.

Undue Hardship:

When, by reason of unusual circumstances, the strict application of any provision of this Article would result in the exceptional practical difficulty or undue economic hardship upon any owner of a specific property, the Town of Sharpsburg, in passing upon applications, shall have the power to vary or modify strict adherence to said provisions, or to interpret the meaning of said provisions, so as to relieve such difficulty or hardship; provided such variances, modifications or interpretations shall remain in harmony with the general purpose and intent of said provisions, so that the architectural or historical integrity, or character of the Historic Overlay District shall be conserved and substantial justice done. In granting variances, the Town of Sharpsburg may impose such reasonable and additional stipulations and conditions as will, in its judgment, best fulfill the purpose of this Article. An undue hardship shall not be a situation of the person's own making.

Appeals:

Any person adversely affected by any determination made by the Town Clerk or his/her designee relative to the issuance or denial of a permit or certificate under this Article may appeal such determination to the Town Council. Any such appeal must be filed with the Town of Sharpsburg within fifteen (15) days after the issuance of the determination, or in the case of a failure of the Town to act, within fifteen (15) days of the expiration of the forty-five (45) day period allowed for action by the Town. The Town Council may approve, modify, or reject the determination made by the Town Clerk or his/her designee, if the Town Council finds abuse or error in its discretion in reaching a decision. Appeals from decisions of the Town Council may be taken to the Superior Court of Coweta County in the manner provided by law for appeals from conviction for the local government ordinance violations.

Affirmation of Existing Building and Zoning Codes:

Nothing in this Article shall be construed as to exempt property owners from complying with existing Town or County building and zoning codes, nor to prevent any property owner from making any use of this property not prohibited by other statues, ordinances or regulations.

5.6 Design Guidelines

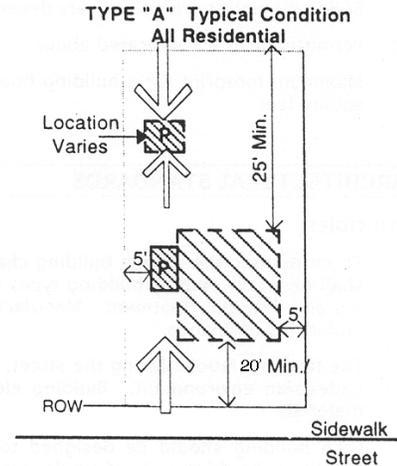
Detached house

LOT TYPE / DETACHED HOUSE

DESCRIPTION: The detached house is a single family house that is located on a single lot.

BUILDING PLACEMENT/PARKING/VEHICLE ACCESS

1. Buildings shall be placed on the lot within the zone represented by the hatched area.
2. Garages may be detached (entered from rear only), or attached to the main dwelling, with or without habitable rooms above. Front loaded garages, if provided, shall be set back a minimum of 20' from front of house.
3. Points of permitted front or rear access to parking indicated by arrows.
4. Main pedestrian access to the building is from the street. Secondary access may be from parking areas.
5. For buildings set back from sidewalk, balconies, stoops, stairs, open porches, bay windows, and awnings are permitted to encroach into the front setback area up to 8'.
6. Hedges, garden walls, or fences may be built on property lines or as the continuation of building walls.
7. Mechanical equipment at ground level shall be placed on the parking lot side of building and away from buildings on adjacent sites and shall be screened.

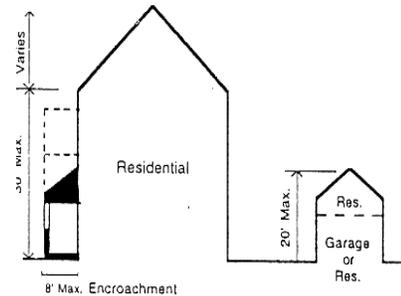


Detached house

BUILDING TYPE / DETACHED HOUSE

PERMITTED HEIGHT/ ENCROACHMENTS

1. Building height of main dwelling to ridge may vary depending on the roof pitch.
2. Maximum footprint for a building housing a detached accessory dwelling is 650 square feet.
3. Balconies, stoops, stairs, open porches, bay windows, and awnings are permitted to encroach into setback up to 8'.
4. Decks, balconies, and porches are permitted to encroach into rear setback up to 15'.



ARCHITECTURAL STANDARDS:

Principles:

1. Development shall generally employ building types that are compatible to the Town's Zoning District Standards.
2. The front elevations facing the street and the overall massing shall communicate an emphasis on the human scale and the pedestrian environment. Building elevations shall be clad with brick, traditional wood, fiber-cement siding, hard stucco (not synthetic stucco) may be used for accents only or stone.
3. Each building should be designed to form part of a larger composition of the area in which it is situated. Adjacent buildings should thus be of similar scale, height, and configuration.
4. Building silhouettes should be generally consistent. The scale and pitch of roof line should thus be similar across groups of buildings.

- Porches should form a predominant motif of house designs and be located on the front or to the side of the dwelling. When attached to the front, they should extend over at least 75% of the front façade. All porches should be constructed of materials in keeping with those of the main building.

Configurations:

- Main roofs on residential buildings shall be symmetrical gables or hips with a pitch of between 4:12 and 12:12. Porch roof pitch minimum is 2:12.
- Balconies should generally be simply supported by posts and beams. The support of cantilevered balconies should be assisted by visible brackets.
- Columns should be simple wooden posts, typically 5" square, or if round or square columns with classical details, the dimensions and moldings should be of correct proportions
- Residential windows shall be vertical. Accent windows may be circular, semi-circular, octagonal or hexagonal.
- Overhanging eaves may expose rafters: flush eaves should be finished with profiled molding or gutters.



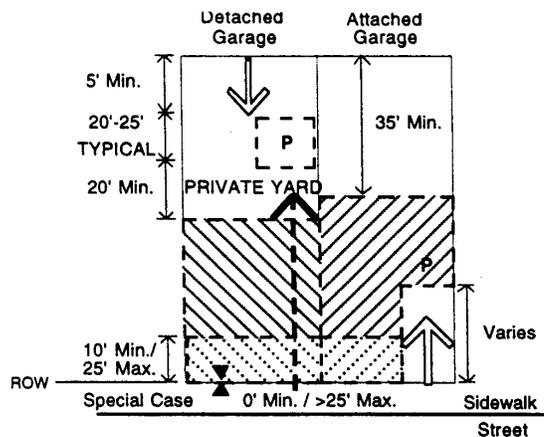
Attached house

LOT TYPE / ATTACHED HOUSE

DESCRIPTION: The attached house is a row house, a townhouse, a duplex, or a live-work flex unit.

BUILDING PLACEMENT/PARKING/VEHICLE ACCESS

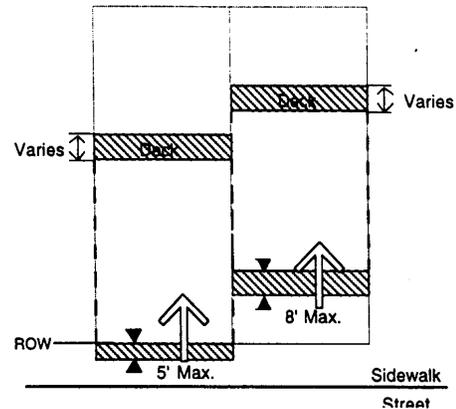
- Buildings shall be placed on the lot within the zone represented by the hatched area.
- Along new streets, the build-to line shall be a minimum of 10' to 25' behind the street right of way.
- A detached garage may be located only in the rear yard.
- Hedges, garden walls, or fences may be built on property lines or as the continuation of building walls. A garden wall, fence, or hedge (min. 3' in height) shall be installed along any street frontage adjacent to parking areas.
- Points of permitted front or rear access to parking indicated by arrows.
- Main pedestrian access to the building is from the street. Secondary access may be from parking areas.
- Mechanical equipment at ground level shall be placed on the parking lot side of building and away from buildings on adjacent sites and shall be screened.



ENCROACHMENT/PEDESTRIAN ACCESS:

- For buildings set up to the sidewalk, balconies and upper level bay windows may encroach over the sidewalk area up to 5'.

- For buildings set back from sidewalk, balconies, stoops, stairs, open porches, bay windows, and awnings are permitted to encroach into the front setback area up to 8'.
- Main pedestrian access to the building is from the street (indicated by larger arrow). Secondary access may be from parking areas (indicated by smaller arrow).
- Decks must be constructed only in rear yard area and are permitted to encroach into the rear setback up to 25'.



SPECIAL CONDITIONS:

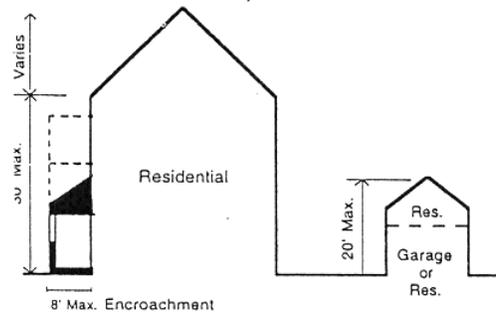
- The intention of buildings in all locations must be to relate the principal façade to the sidewalk and public space of the street.
- Corners: Setback at street corners will generally replicate frontage conditions. However, side setbacks on a minor street may be less than the front dimension.
- Within the limits described, front and side setbacks will vary depending upon site conditions. Setbacks should be used in a manner, which encourages pedestrian activity.

Attached house

BUILDING TYPE / ATTACHED HOUSE

PERMITTED HEIGHT/ENCROACHMENTS

- Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves.
- Building height to ridge will vary depending upon the roof pitch.
- Maximum footprint for a building housing a detached accessory dwelling is 750 square feet.



ARCHITECTURAL STANDARDS:

Principles:

- To perpetuate the unique building character of the Town and its environs and to re-establish its local identity, development shall generally employ building types that are compatible to the Town's Zoning District Standards in their massing and exterior treatment. Manufactured homes will not be permitted as part of any multi-unit residential development under this ordinance.
- The front elevations facing the street and the overall massing shall communicate an emphasis on the human scale and the pedestrian environment. Building elevations shall be clad with brick, traditional wood, fiber-cement siding, hard stucco (not synthetic stucco) may be used for accents only or stone.
- Each building should be designed to form part of a larger composition of the area in which it is situated. Adjacent buildings should thus be of similar scale, height, and configuration.
- Building silhouettes should be generally consistent. The scale and pitch of roof line should thus be similar across groups of buildings.
- Porches should form a predominant motif of house designs and be located on the front or to the side of the dwelling. When attached to the front, they should extend over at least 30% of the front façade. All porches should be constructed of materials in keeping with those of the main building.

Configurations:

- Main roofs on residential buildings shall be symmetrical gables or hips with a pitch of between 4:12 and 12:12. Monopitch (shed) roofs are allowed only if they are attached to the wall of the main building. Porch roof pitch minimum is 2:12. All accessory buildings shall have roof pitches that conform to those of the main building.

2. Balconies should generally be simply supported by posts and beams. The support of cantilevered balconies should be assisted by visible brackets.
3. Columns should be simple wooden posts, typically 5" square, or if round or square columns with classical details, the dimensions and moldings should be of correct proportions. Extended and distorted classic of proportions are not acceptable.
4. Residential windows shall be vertical. Accent windows may be circular, semi-circular, octagonal or hexagonal.
5. Overhanging eaves may expose rafters: flush eaves should be finished with profiled molding or gutters.



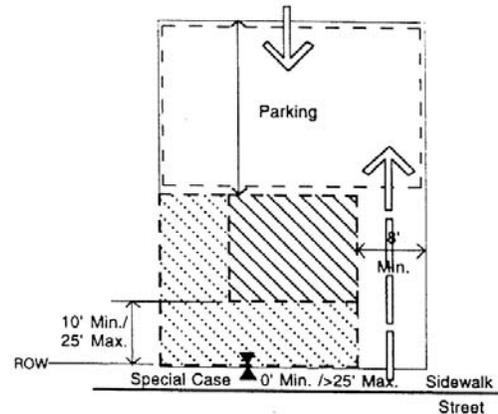
Apartment building

LOT TYPE / APARTMENT BUILDING

DESCRIPTION: The apartment building is a residential building accommodating several households.

BUILDING PLACEMENT/PARKING/VEHICLE ACCESS

1. Buildings shall be placed on the lot within the zone represented by the hatched area.
2. In most cases, the build to line will range from 10' to 20' behind street ROW. Special site conditions such as topography, pattern of lot widths, or setbacks of existing buildings permit a larger building setback. Downtown (mainstreet) apartments may be set up to the property line at the sidewalk, including corner conditions.
3. Building facades shall be generally parallel to frontage property lines.
4. Parking shall be located primarily to the rear of the building: side yard parking shall occupy no more than 25% of the primary frontage line and shall not be placed in any side yard abutting an intersecting street. Where dimensions of existing lots restrict parking behind buildings, the limitation on side yard parking may be modified.
5. Points of permitted front or rear access to parking indicated by arrows.
6. Hedges, garden walls, or fences may be built on property lines or as the continuation of building walls. A garden wall, fence, or hedge (min. 3' in height) shall be installed along any street frontage adjacent to parking areas.
7. Parking areas on adjacent lots shall be connected whenever practical.
8. Trash containers shall be located in a rear parking area and shall be screened.
9. Mechanical equipment at ground level shall be placed on the parking lot side of building and away from buildings on adjacent sites and shall be screened.
10. Building facades at street frontage lines shall be pedestrian oriented and of pedestrian scale.



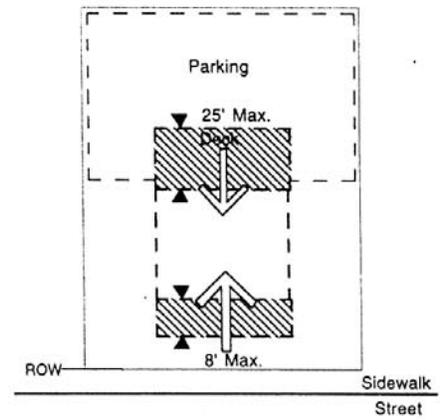
ENCROACHMENT/PEDESTRIAN ACCESS:

1. For buildings set back from sidewalk, balconies, stoops, stairs, open porches, bay windows, and awnings are permitted to encroach into the front setback area up to 8'.

- For buildings set up to the sidewalk, balconies and upper level bay windows may encroach over the sidewalk area up to 5'.
- Main pedestrian access to the building is from the street (indicated by larger arrow). Secondary access may be from parking areas (indicated by smaller arrow).

SPECIAL CONDITIONS:

- The intention of buildings in all locations must be to relate the principal façade to the sidewalk and public space of the street.
- Corners: Setback at street corners will generally replicate frontage conditions. However, side setbacks on a minor street may be less than the front dimension.
- Within the limits described, front and side setbacks will vary depending upon site conditions. Setbacks should be used in a manner, which encourages pedestrian activity.

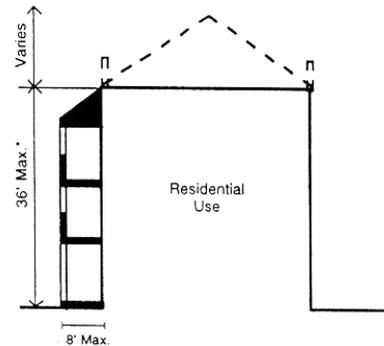


Apartment building

BUILDING TYPE / APARTMENT BUILDING

PERMITTED HEIGHT

- Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves or highest level of a flat roof. Exception is for apartments exclusively for persons over 55 years of age, height shall not exceed 60 feet and shall have elevators if over one story.
- The height of parapet walls may vary depending upon the need to screen mechanical equipment.
- Building height to the ridge may vary depending on the roof pitch.



ARCHITECTURAL STANDARDS:

Principles:

- To perpetuate the unique building character of the Town and its environs and to re-establish its local identity, development shall generally employ building types that are compatible to the Town's Zoning District Standards in their massing and exterior treatment.
- The front elevations facing the street and the overall massing shall communicate an emphasis on the human scale and the pedestrian environment. Building elevations shall be clad with brick, traditional wood, fiber-cement siding, hard stucco (not synthetic stucco) may be used for accents only or stone.
- Each building should be designed to form part of a larger composition of the area in which it is situated. Adjacent buildings should thus be of similar scale, height, and configuration.
- Building silhouettes should be generally consistent. The scale and pitch of roof line should thus be similar across groups of buildings.
- Porches should form a predominant motif of house designs and be located on the front or to the side of the dwelling. When attached to the front, they should extend over at least 30% of the front façade. All porches should be constructed of materials in keeping with those of the main building.

Configurations:

- Main roofs on residential buildings shall be symmetrical gables or hips with a pitch of between 4:12 and 12:12. Porch roof pitch minimum is 2:12. All accessory buildings shall have roof pitches that conform to those of the main building.
- Balconies should generally be simply supported by posts and beams. The support of cantilevered balconies should be assisted by visible brackets.

- Columns should be simple wooden posts, typically 5" square, or if round or square columns with classical details, the dimensions and moldings should be of correct proportions. Extended and distorted proportions are not acceptable.
- Residential windows shall be vertical. Accent windows may be circular, semi-circular, octagonal or hexagonal.
- Overhanging eaves may expose rafters: flush eaves should be finished with profiled molding or gutters.



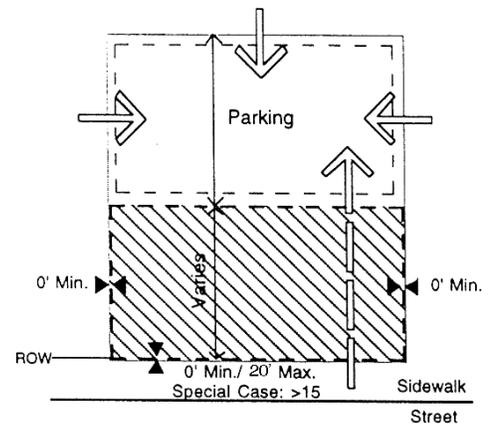
Live-work flex unit

LOT TYPE / LIVE-WORK FLEX UNIT

DESCRIPTION: The Live-work flex unit is a small scale structure in which one can live and work. It can be combined with other building types to form a mixed-use neighborhood center. Live-work units can be used for creative studios, professional offices, and incubator businesses.

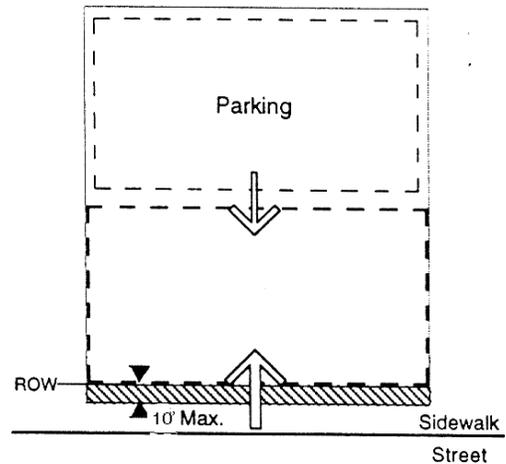
BUILDING PLACEMENT/PARKING/VEHICLE ACCESS

- Buildings shall be placed on the lot within the zone represented by the hatched area. In most cases, the build to line will range from 0' to 20' behind street ROW. Special site conditions such as topography, pattern of lot widths, or setbacks of existing buildings permit a larger building setback.
- Building facades shall be generally parallel to frontage property lines.
- Parking shall be located primarily to the rear of the building; side yard parking shall occupy no more than 25% of the primary frontage line and shall not be placed in any side yard abutting an intersecting street. Where dimensions of existing lots restrict parking behind buildings, the limitation on side yard parking may be modified.
- Points of permitted front or rear access to parking indicated by arrows.
- Hedges, garden walls, or fences may be built on property lines or as the continuation of building walls. A garden wall, fence, or hedge (min. 3' in height) shall be installed along any street frontage adjacent to parking areas.
- Parking areas on adjacent lots shall be connected whenever practical.
- Trash containers shall be located in a rear parking area and shall be screened.
- Mechanical equipment at ground level shall be placed on the parking lot side of building and away from buildings on adjacent sites and shall be screened.
- Building facades at street frontage lines shall be pedestrian oriented and of pedestrian scale.



ENCROACHMENT/PEDESTRIAN ACCESS:

1. Balconies, bay windows, arcades, porches at an upper level and their supports at ground level, together with awnings above head height (min 7') are permitted within the sidewalk as shown by the hatched area. Encroaching arcaded should cover entire sidewalk.
2. Primary pedestrian access to the building is from the street (indicated by larger arrow). Secondary access may be from parking areas (indicated by smaller arrow).



SPECIAL CONDITIONS:

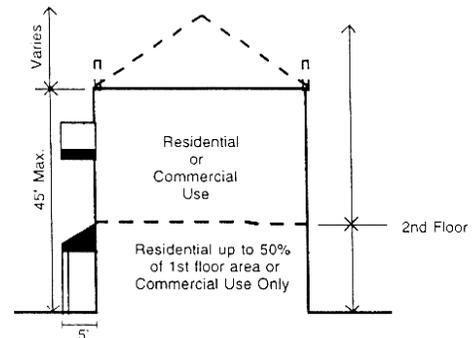
1. The intention of buildings in all locations must be to relate the principal façade to the sidewalk and public space of the street.
2. Corners: Setback at street corners will generally replicate frontage conditions. However, side setbacks on a minor street may be less than the front dimension.
3. Within the limits described, front and side setbacks will vary depending upon site conditions. Setbacks should be used in a manner, which encourages pedestrian activity.

Live-work flex unit

BUILDING TYPE / LIVE-WORK FLEX UNIT

PERMITTED HEIGHT

1. Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves or highest level of a flat roof.
2. Building height to the ridge may vary depending on the roof pitch.



ARCHITECTURAL STANDARDS:

Principles:

1. To perpetuate the unique building character of the Town and its environs and to re-establish its local identity, development shall generally employ building types that are compatible to the Town's Zoning District Standards in their massing and exterior treatment.
2. The front elevations facing the street and the overall massing shall communicate an emphasis on the human scale and the pedestrian environment. Building elevations shall be clad with brick, traditional wood, fiber-cement siding, hard stucco (not synthetic stucco) may be used for accents only or stone.
3. Each building should be designed to form part of a larger composition of the area in which it is situated. Adjacent buildings should thus be of similar scale, height, and configuration.
4. Trailers (mobile units) may not be used a permanent workplace buildings.

Configurations:

1. Main roofs on Live-work flex unit buildings shall be symmetrical gables or hips with a pitch of between 4:12 and 12:12. Porch roof or canopy pitch minimum is 2:12. All accessory buildings shall have roof pitches that conform to those of the main building.
2. Balconies should generally be simply supported by posts and beams. The support of cantilevered balconies should be assisted by visible brackets.

3. Columns should be simple wooden posts, typically 5" square, or if round or square columns with classical details, the dimensions and moldings should be of correct proportions. Extended and distorted proportions are not acceptable.
4. Residential windows shall be vertical. Accent windows may be circular, semi-circular, octagonal or hexagonal.
5. Overhanging eaves may expose rafters: flush eaves should be finished with profiled molding or gutters.
6. Street level windows shall be untinted. Mirrorized glass is not permitted in any location.



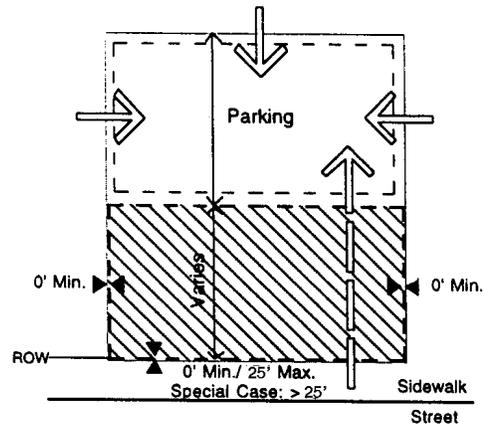
Shopfront/Office Workplace

LOT TYPE / SHOPFRONT BUILDING / OFFICE WORKPLACE

DESCRIPTION: The shopfront building is a small-scale structure, which can accommodate a variety of shopping uses. The structure is a maximum of 15,000 square feet. A group of shopfront buildings can be combined to form a mixed-use neighborhood center. Individual shopfront buildings can be used to provide some commercial services such as a convenience food store in close proximity to homes.

BUILDING PLACEMENT/PARKING/VEHICLE ACCESS

1. Buildings shall be placed on the lot within the zone represented by the hatched area. In most cases, the build to line will range from 0' to 25'.behind street ROW. Special site conditions such as topography, pattern of lot widths, or setbacks of existing buildings permit a larger building setback.
2. Building facades shall be generally parallel to frontage property lines.
3. Parking shall be located primarily to the rear of the building: side yard parking shall occupy no more than 25% of the primary frontage line and shall not be placed in any side yard abutting an intersecting street. Where dimensions of existing lots restrict parking behind buildings, the limitation on side yard parking may be modified.
4. A garden wall, fence, or hedge (min. 3' in height) shall be installed along any street frontage adjacent to parking areas.
5. Points of permitted front or rear access to parking indicated by arrows.
6. Parking areas on adjacent lots shall be connected whenever practical.
7. Trash containers shall be located in a rear parking area and shall be screened.
8. Mechanical equipment at ground level shall be placed on the parking lot side of building and away from buildings on adjacent sites and shall be screened.
9. Building facades at street frontage lines shall be pedestrian oriented and of pedestrian scale.

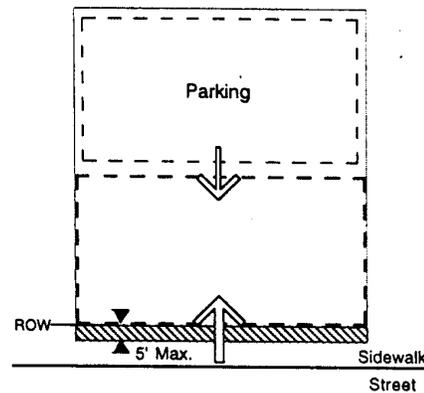


ENCROACHMENT/PEDESTRIAN ACCESS:

1. Balconies, bay windows, arcades, porches at an upper level and their supports at ground level, together with awnings above 0 head height (min 7'-6") are permitted within the sidewalk as shown by the hatched area. Encroaching arcaded should cover entire sidewalk.
2. Primary pedestrian access to the building is from the street (indicated by larger arrow). Secondary access may be from parking areas (indicated by smaller arrow).

SPECIAL CONDITIONS:

1. The intention of buildings in all locations must be to relate the Principal façade to the sidewalk and public space of the street.
2. Corners: Setback at street corners will generally replicate frontage conditions. However, side setbacks on a minor street may be less than the front dimension.
3. Buildings in all locations should relate the principal façade to the sidewalk and public space of the street.

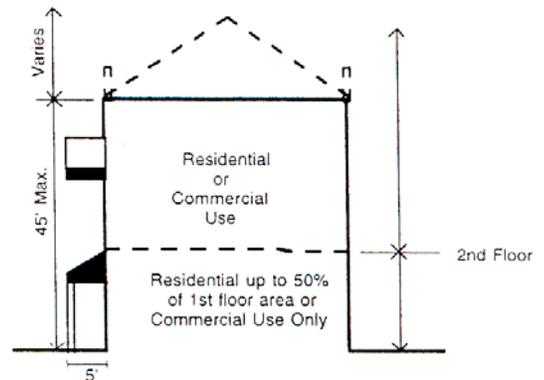


Shopfront building

BUILDING TYPE / SHOPFRONT BUILDING / OFFICE WORKPLACE

PERMITTED HEIGHT

1. Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves or highest level of a flat roof.
2. The height of parapet walls may vary depending upon the need to screen mechanical equipment.
3. Building height to the ridge may vary depending on the roof pitch.



ARCHITECTURAL STANDARDS:

Principles:

1. To perpetuate the unique building character of the Town and its environs and to re-establish its local identity, development shall generally employ building types that are compatible to the Town's Zoning District Standards in their massing and exterior treatment.
2. The front elevations facing the street and the overall massing shall communicate an emphasis on the human scale and the pedestrian environment. Building elevations shall be clad with brick, traditional wood, fiber-cement siding, hard stucco (not synthetic stucco) may be used for accents only, or stone.
3. Each building should be designed to form part of a larger composition of the area in which it is situated. Adjacent buildings should thus be of similar scale, height, and configuration.
4. Trailers (mobile units) may not be used as permanent workplace buildings.

Configurations:

1. Main roofs shall be symmetrical gables or hips with a pitch of between 4:12 and 12:12. Porch or canopy roof pitch minimum is 2:12.
2. Residential windows shall be vertical. Accent windows may be circular, semi-circular, octagonal or hexagonal.
3. Street level windows shall be untinted. Mirrorized glass is not permitted in any location.

- On sloped roof buildings, equipment at ground level shall be placed on the parking lot side of building and shall be screened and away from buildings on adjacent sites. On flat roof buildings, rooftop equipment shall be enclosed by parapet walls.



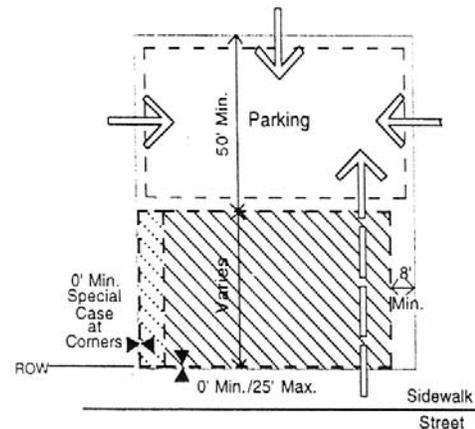
Civic building

LOT TYPE / CIVIC BUILDING

DESCRIPTION: A civic building is a building used for purposes that are public in nature (e.g. Schools, libraries, government buildings, and churches). These buildings must be designed to take their appropriate places within neighborhoods as integral parts of the community. It is expected that the scale and architectural sophistication of these buildings will match their civic importance. Where possible, civic structures shall be designed to terminate vistas or serve as key focal points in the neighborhood. The intention of buildings in all locations must be to relate the principal façade to the sidewalk and public space of the street. Civic buildings shall not be set back on the lot behind a standard parking lot.

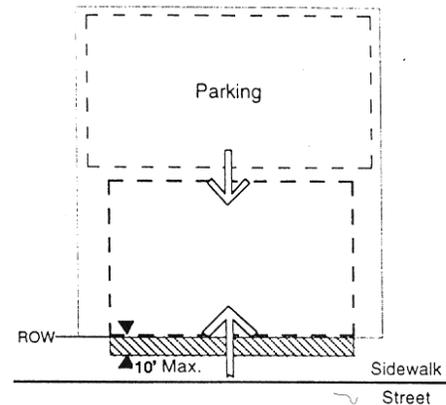
BUILDING PLACEMENT/PARKING/VEHICLE ACCESS

- Buildings shall be placed on the lot within the zone represented by the hatched area. In most cases, the build to line will range from 0' to 25' behind street ROW. Special site conditions such as topography, pattern of lot widths, or setbacks of existing buildings permit a larger building setback.
- Building facades shall be generally parallel to frontage property lines and be pedestrian oriented and of pedestrian scale.
- A planting strip or defined plaza should be provided to relate the building to the street.
- Parking shall be located primarily to the rear of the building; side yard parking shall occupy no more than 25% of the primary frontage line and shall not be placed in any side yard abutting an intersecting street. Where dimensions of existing lots restrict parking behind buildings, the limitation on side yard parking may be modified.
- A garden wall, fence, or hedge (min. 3' in height) shall be installed along any street frontage adjacent to parking areas.
- Points of permitted front or rear access to parking indicated by arrows.
- Trash containers shall be located in a rear parking area and shall be screened.
- Mechanical equipment at ground level shall be placed on the parking lot side of building and away from buildings on adjacent sites and shall be screened.



ENCROACHMENT/PEDESTRIAN ACCESS:

1. For buildings set up to the sidewalk, upper level balconies and bay windows may encroach a maximum of 5' over the sidewalk.
2. For buildings set back from the sidewalk, balconies, stoops, stairs, open porches, bay windows, and awnings are permitted to encroach into front setback area up to 8'.
3. Primary pedestrian access to the building is from the street (indicated by larger arrow). Secondary access may be from parking areas (indicated by smaller arrow).

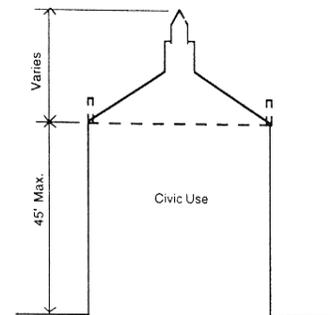


Civic building

BUILDING TYPE / CIVIC BUILDING

PERMITTED HEIGHT AND USES

1. Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves or highest level of a flat roof.
2. The height of parapet walls may vary depending upon the need to screen mechanical equipment. Height to the ridge may vary depending on the roof pitch.
3. Maximum height of occupied building shall be 50 feet. Uninhabitable portions of buildings with foot print area 500 square feet or less may exceed 45 feet (example: spire, cupola).



ARCHITECTURAL STANDARDS:

Principles:

1. To perpetuate the unique building character of the Town and its environs and to re-establish its local identity, development shall generally employ building types that are compatible to the Town's Zoning District Standards in their massing and exterior treatment.
2. The front elevations facing the street and the overall massing shall communicate an emphasis on the human scale and the pedestrian environment. Building elevations shall be clad with brick, traditional wood, fiber-cement siding, hard stucco (not synthetic stucco) may be used for accents only or stone.
3. Each building should be designed to form part of a larger composition of the area in which it is situated. Adjacent buildings should thus be of similar scale, height, and configuration.
4. Trailers (mobile units) may not be used as civic buildings.
5. Schools, churches, and government buildings shall be built so that they terminate a street vista whenever possible and should be of sufficient design quality to create visual anchors for the community.

Configurations:

1. The Orders, if provided, should have proportions and moldings according to The American Vignola.
2. Main roofs shall be symmetrical gables or hips with a pitch of between 4:12 and 12:12. Porches or canopies minimum pitch is 2:12.

3. Residential windows shall be vertical. Accent windows may be circular, semi-circular, octagonal or hexagonal.
4. On sloped roof buildings, equipment at ground level shall be placed on the parking lot side of building and shall be screened and away from buildings on adjacent sites. Rooftop equipment shall be behind parapet walls and all other mechanical equipment shall be enclosed in building materials that matches the structure or is visibly compatible with the structure.



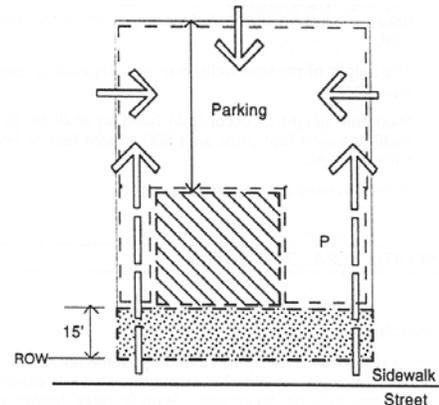
Traditional Highway Commercial

LOT TYPE / TRADITIONAL HIGHWAY COMMERCIAL

DESCRIPTION: The Traditional Highway Commercial generally comprises fast food retail, drive through banks, motels, and other highway dependent uses. These regulations are designed to bring these building types into a framework of town streets.

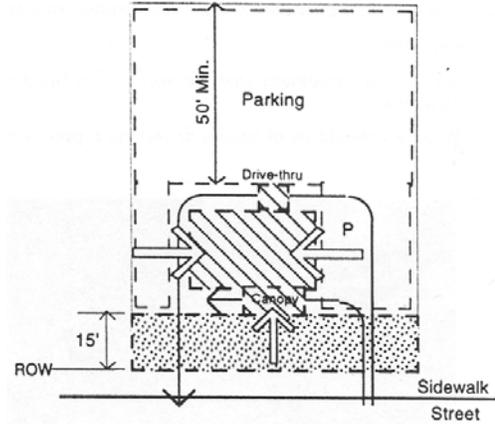
BUILDING PLACEMENT/PARKING/VEHICLE ACCESS

1. Buildings shall be placed on the lot within the zone represented by the hatched area. In most cases, the build to line will range from 0' to 15' behind street ROW. Special site conditions such as topography, pattern of lot widths, or setbacks of existing buildings permit a larger building setback.
2. Building facades shall be generally parallel to frontage property lines.
3. Parking shall be located primarily to the rear of the building; side yard parking shall occupy no more than 25% of the primary frontage line and shall not be placed in any side yard abutting an intersecting street. Where dimensions of existing lots restrict parking behind buildings, the limitation on side yard parking may be modified.
4. Point of permitted access to the parking indicated by arrows.
5. A garden wall, fence, or hedge (min. 3' in height) shall be installed along any street frontage adjacent to parking areas.
6. Parking areas on adjacent lots shall be connected whenever practical.
7. Trash containers shall be located in a rear parking area and shall be screened.
8. On sloped roof buildings, equipment at ground level shall be placed on the parking lot side of building and shall be screened and away from buildings on adjacent sites. Rooftop equipment shall be behind parapet walls and all other mechanical equipment shall be enclosed in building materials that matches the structure or is visibly compatible with the structure.
9. Building facades at street frontage lines shall be pedestrian oriented and of pedestrian scale.



ENCROACHMENT/PEDESTRIAN ACCESS:

1. Main pedestrian access to the building may be from the side (indicated by the larger arrows). Secondary access must be from the street frontage (indicated by the smaller arrow).
2. Drive-thru's shall be located to the rear of the building.
3. Entrance canopies shall face the street.
4. Typical vehicular circulation movement is indicated by thin line arrows.



SPECIAL CONDITIONS:

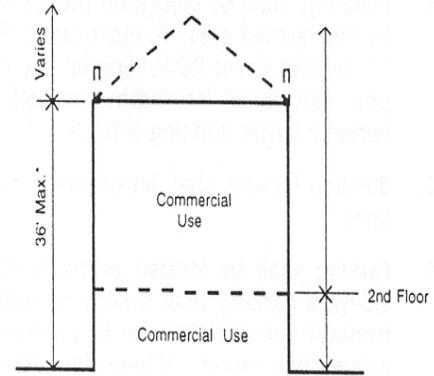
1. Buildings in all locations must be to relate the principal façade to the sidewalk and public space of the street.

Traditional Highway Commercial

BUILDING TYPE / TRADITIONAL HIGHWAY COMMERCIAL

PERMITTED HEIGHT AND USES

1. Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves or highest level of a flat roof
2. The height of parapet walls may vary depending upon the need to screen mechanical equipment.
3. Building height to the ridge may vary depending on the roof pitch.



ARCHITECTURAL STANDARDS:

Principles:

1. To perpetuate the unique building character of the Town and its environs and to re-establish its local identity, development shall generally employ building types that are compatible to the Town's Zoning Districts Standards in their massing and exterior treatment.
2. The front elevations facing the street and the overall massing shall communicate an emphasis on the human scale and the pedestrian environment. Building elevations shall be clad with brick, traditional wood, fiber-cement siding, hard stucco (not synthetic stucco) may be used for accents only or stone.
3. Each building should be designed to form part of a larger composition of the area in which it is situated. Adjacent buildings should thus be of similar scale, height, and configuration.
4. Trailers (mobile units) may not be used as Traditional Highway Commercial buildings.

Configurations:

1. Main roofs shall be symmetrical gables or hips with a pitch of between 4:12 and 12:12. Porch roofs or canopies minimum pitch is 2:12.
2. Residential windows shall be vertical. Accent windows may be circular, semi-circular, octagonal or hexagonal.
3. Street level windows shall be untinted. Mirrorized glass is not permitted in any location.
4. On sloped roof buildings, equipment at ground level shall be placed on the parking lot side of building and shall be screened and away from buildings on adjacent sites. Rooftop equipment shall be behind parapet walls and all other mechanical equipment shall be enclosed in building materials that matches the structure or is visibly compatible with the structure.



Light Industry/Technology Park

LOT TYPE / LIGHT INDUSTRY/TECHNOLOGY PARK

DESCRIPTION: The Light industry/Technology Park category generally comprises non-polluting light industrial and technology uses.

BUILDING PLACEMENT/PARKING/VEHICLE ACCESS

1. Buildings shall be placed on the lot within the zone represented by the hatched area. In most cases, the build to line will range from 0' to 25' behind street ROW. Special site conditions such as topography, pattern of lot widths, or setbacks of existing buildings permit a larger building setback.
2. Building facades shall be generally parallel to frontage property lines.
3. Parking shall be located primarily to the rear of the building; side yard parking shall occupy no more than 25% of the primary frontage line and shall not be placed in any side yard abutting an intersecting street. Where dimensions of existing lots restrict parking behind buildings, the limitation on side yard parking may be modified.
4. Point of permitted access to the parking indicated by arrows.
5. A garden wall, fence, or hedge (min. 3' in height) shall be installed along any street frontage adjacent to parking areas.
6. Trash containers shall be located in a rear parking area and shall be screened.
7. Mechanical equipment at ground level shall be placed on the parking lot side of building and away from buildings on adjacent sites and shall be screened.
8. Building facades at street frontage lines shall be pedestrian oriented and of pedestrian scale.

ENCROACHMENT/PEDESTRIAN ACCESS:

1. Main pedestrian access to the building may be from the side (indicated by the larger arrows). Secondary access must be from the street frontage (indicated by the smaller arrow).
2. Service bays shall be located to the rear of the building.

3. Typical vehicular circulation movement is indicated by thin line arrows.

Light Industry/Technology Park

BUILDING TYPE / LIGHT INDUSTRY/TECHNOLOGY PARK

PERMITTED HEIGHT

- 1. Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves or highest level of a flat roof.
- 2. The height of parapet walls may vary depending upon the need to screen mechanical equipment.
- 3. Maximum building height 40'.

ARCHITECTURAL STANDARDS:

Principles:

Building elevations shall be clad with masonry (no exposed concrete block), fiber-cement siding, hard stucco (not synthetic stucco) may be used for accents only or stone.

Trailers (mobile units) may not be used in Light Industry/Technology Park

Configurations:

On sloped roof buildings, equipment at ground level shall be placed on the parking lot side of building and shall be screened and away from buildings on adjacent sites. Rooftop equipment shall be behind parapet walls and all other mechanical equipment shall be enclosed in building materials that matches the structure or is visibly compatible with the structure.

**ARTICLE 6
General Provisions**

6.1 Use of Land. No land shall be used except for a purpose permitted in the district in which it is located.

6.2 Use of Buildings. No building or structure shall be erected, converted, enlarged, reconstructed, moved, structurally altered or used, except for a use permitted in the district in which such building or structure is located.

6.2-1 Location of Buildings. Every building hereafter erected, converted, enlarged, reconstructed, moved or structurally altered shall be located on lots as herein defined except as approved by the Town Council.

6.2-2 Height of Buildings. No building shall be erected, converted, enlarged, reconstructed, moved or structurally altered to exceed the height limit established in Section 5.6 Design Guidelines for the district in which it is located except for the following:

- | | |
|---------------|---------------------------|
| Antennas | Silos |
| Chimneys | Tanks |
| Church spires | Telecommunications Towers |

6.2-3 Dimensional Regulations. No building or use shall be erected, converted, enlarged, moved or structurally altered except in conformity with the minimum space requirements (i.e. the lot area, floor area, building height, etc.) for the district in which such building is located.

6.2-4 Temporary Buildings. Temporary buildings shall not be permitted in any district except when they are used in conjunction with construction work or pending completion of a permanent building. Such building shall be used for a period not to exceed one (1) year and shall be removed when the construction of the permanent building is completed. Construction of the permanent building is said to be completed at the issuance of a Certificate of Occupancy.

6.3 Interpretation and Application. In interpreting and applying this ordinance, the requirements contained herein are declared to be the minimum requirements necessary to carry out the purpose of this ordinance. Except as hereinafter provided, this ordinance shall not be deemed to interfere with, abrogate, annul or otherwise affect in any manner whatsoever any easements, covenants or other agreements between parties. Whenever the provisions of this ordinance impose greater restrictions upon the use of land or buildings, or upon the height of buildings, or require a larger percentage of a lot to be left unoccupied than the provisions of other ordinances, rules, regulations, permits or any easements, covenants or other agreements between parties, then the provisions of this ordinance shall govern.

6.4 Zoning Affects all Land and Buildings. No buildings, structures or land shall be used or occupied; and no building, structure or part thereof shall be erected, constructed, reconstructed, moved, enlarged or structurally altered unless in conformity with the regulations of this ordinance.

6.5 Principal Building Per Lot. Unless provided for elsewhere in this ordinance, there shall be no more than one (1) principal use structure upon on any lot of record in any residential district. Accessory uses shall be allowed only in accordance with this ordinance.

6.6 Required Open Space May Not be used by Another Building. No part of any yard, other open space, or off-street parking or loading space required in connection with any building, structure, or use by this ordinance shall be considered to be part of a required yard, other open space or off-street parking or loading space for any other building or structure.

6.7 Reduction of Yards or Lot Areas. Unless otherwise provided in this Ordinance, no lot existing at the time of passage of this ordinance shall be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless said reduction or division is necessary to provide land that is needed and accepted for public use.

6.8 Buffer Zones.

(a) Where nonresidential districts are contiguous with residential districts, or where multifamily districts are contiguous with single-family residential districts, buffer zones are required of the nonresidential and multifamily development in addition to normal side and rear yards. Where preexisting nonresidential development is contiguous with proposed residential developments, and

where no buffer in compliance with this chapter is established on the nonresidential development where contiguous with the proposed residential district; or where preexisting multifamily or mobile home districts are contiguous with proposed single-family residential development, and where no buffers in compliance with this chapter are in existence on the multifamily or mobile home district where contiguous to the proposed single-family residential development; then in such cases, the developer of the proposed residential district, as applicable, shall be required to establish a buffer zone between the proposed project and the preexisting use where a buffer is required by this section. All such buffer zones shall be designated on each plat prior to final approval and shall be designated as a permanent buffer zone easement.

(b) Buffer zones shall be provided as follows:

<i>Zoning</i>	<i>Adjacent to Single-Family Residential (R2)</i>	<i>Adjacent to Traditional Multifamily (TMF)</i>	<i>Adjacent to Rural Development (R1)</i>
LI	100	100	50
R1	30	0	0
TNC	50	50	0

(c) Buffer zones shall be left in their natural state unless otherwise approved by the Planning Commission (if not established, the Town Council) and not temporarily or permanently disturbed by grading, property improvements, or construction activities. Where required to achieve effective visual screening, the Planning Commission (Town Council) may require that existing native vegetation be supplemented with additional plantings and/or with a wall, fence or berm. Kudzu shall not be permitted in buffer zones.

(d) Buffer zones shall be used only for a buffer and shall not be used for paving, parking, recreation areas, or as otherwise restricted in Section 3 (definition of “Buffer”) of this chapter, except that a fence or wall may be constructed within the buffer zone.

(e) For future development along McIntosh Trail, GA Highway 54 and GA Highway 16 buffer zones of 50’ are required between the public road and the following districts: R1, R2, TND, TMF, TNC and LI.

Such buffers shall also be left in their natural states unless the property has only one frontage and/or access on a public road. Under such circumstance, the above required buffers can be disturbed to allow a perpendicular curb cut and access to the property, but must be landscaped with a mix of trees and shrubs, approved by the Planning Commission (Town Council), to provide adequate opacity.

ARTICLE 7

Supplemental Regulations

7.1 Lots of Record. Any lot of record which is legal on the date of the first published notice of this Ordinance may be used subject to the following exceptions and modifications.

7.1-1 Use of Substandard Lots. Where the owner of a lot at the time of the adoption or amendment of this Ordinance does not own sufficient area and width to enable him to conform to the dimensional requirements of this Ordinance may be used as a building site for a structure or use permitted in the zone in which it is located; provided the owner has the approval in writing of the Coweta County Health Department (approval of the Health Department is required to assure parcel is large enough to handle septic tank and drain field lines), the Town of Sharpsburg Planning Commission and Town Council. Owner shall provide the Planning Commission and Town Council with a site plan so orientation of all principle and accessory structures shall be clearly delineated.

7.1-2 Residential Use of Substandard Lots. In addition to Section 7.1-1, in any residential district, any lot of record existing at the time of adoption or amendment of this Ordinance which has a width or area less than that required by this Ordinance may be used as a building site for a single-family dwelling only.

In the case of such a lot, when it is not possible to provide the required side yards and at the same time build a minimum width single family dwelling, the is empowered to hear the request for a side yard variance provided there is a ten (10) foot side yard. If a minimum ten (10') foot side yard is not possible then a minimum width for single family dwelling may be requested.

7.2 Corner Visibility. No sign, fence, wall, hedge, planting or other obstruction to vision, extending to a height in excess of three (3') feet above the established street grade, shall be erected, planted or maintained within the area of a corner lot that is included between the lines of the intersecting streets and a straight line connecting them at points twenty-five (25') feet distant from the intersection of the street lines.

7.3 Accessory Uses and Structures.

7.3-1 An accessory structure shall not be permitted in any required front yard, except as specified in Section 7.4-8.

7.3-2 No accessory building or structure shall be erected beyond a required yard line along any street.

7.3-3 Residential accessory uses such as garages, greenhouses or workshops, shall not be rented or occupied for commercial purposes.

7.3-4 Areas in which the accessory storage of a boat, boat trailer or travel trailer is permitted shall not include the required front yard.

7.3-5 Gasoline station pumps and pump islands where permitted shall be located in the rear of major building.

7.3-6 An open or unenclosed swimming pool may occupy a required rear or side yard, provided that the pool is not located closer than six (6') feet to a rear lot line or ten (10') feet to an interior side lot line. A three (3') foot wide walk space shall be provided between pool walls and protective fences or barrier walls.

7.4 Residential Home Occupations. The conduct of business in R-1 and R-2 districts may be permitted under the provisions of this section. It is the intent of this section to ensure the following:

1. Compatibility of home occupations with other uses permitted in residential zoning districts;
2. Maintain and preserve the character of residential neighborhoods and provide peace, quiet and domestic tranquility within all residential neighborhoods.
3. Within the district, in order to guarantee all residents freedom from excessive noise, traffic, nuisance, fire hazard, and other possible effects of commercial uses being conducted in this district.

Residential home occupations, where permitted, must meet the following special requirements:

7.4-1 A home occupation is subordinate to the use of a dwelling unit for residential purposes. No more than twenty-five (25%) percent of the floor area of the dwelling unit may be used in connection with a home occupation or for storage purposes in connection with a home occupation.

7.4-2 No more than one (1) home occupation shall be permitted within a single dwelling unit.

7.4-3 A home occupation shall be carried on wholly within the principal use. No home occupation or any storage of goods, materials, or products connected with a home occupation shall be allowed in accessory buildings or garages which are attached or detached.

7.4-4 The residential home occupation is limited to employment of residents of the property and not more than one (1) additional person.

7.4-5 A home occupation shall produce no noise or obnoxious odors, vibrations, glare, fumes, or electrical interference detectable to normal sensory perceptions outside the principal structure.

7.4-6 No traffic shall be generated by such home occupations in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met by providing off-street space and located in rear or side yard.

7.4-7 On the premises, retail sales are prohibited except for the retail sales of products or goods produced or fabricated on the premises as a result of the home occupation.

7.4-8 There shall be no exterior indication of the home occupation or variation from the residential character of the principal use.

7.4-9 No on-street parking of business related vehicles (either marked or commercially equipped) shall be permitted at any home. No business related

vehicles larger than a van, panel truck or pick up truck is permitted to park overnight on the premises. The number of business related vehicles is one (1).

7.4-10 Permitted residential home occupations:

1. Architectural services
2. Art Studio
3. Consulting services
4. Data Processing
5. Direct sale product distribution (Amway, Avon, Jaffra, Mary Kay, Tupperware etc.) provided there is no production on premises.
6. Drafting and graphic services
7. Dressmaking, sewing, tailoring, contract sewing (1 machine)
8. Engineering service
9. Financial planning or investment services
10. Flower arranging
11. Home office
12. House Cleaning service
13. In-home child care, but not more than six (6) children at a time, including the caregiver's own pre-school children
14. Insurance sales or broker
15. Interior design
16. Laundry and ironing service
17. Locksmith
18. Real estate sales, broker or appraiser
19. Telephone answering, switchboard call forwarding
20. Tutoring, including all indoor and outdoor instructional services limited to two (2) students at a time.
21. Writing, resume services, computer programming
22. One on one religious, ministerial, or pastoral services

23. Beauty/Barber Shops – only two works stations per residence are allowed.

7.4-11 All other occupations are prohibited in residential districts.

7.5 Cemeteries. All proposed cemeteries whether public, private or in conjunction with a religious institution shall not be located in a floodplain area as delineated by FIRM maps for Town of Sharpsburg.

7.6 Property Maintenance. To ensure the health, safety and welfare of the citizens of Town of Sharpsburg the following regulations shall be established for the maintenance of property in the town:

7.6-1 Non-functioning appliances shall be stored in an enclosed accessory or principal building. Any non-functioning appliances such as refrigerators, freezers, stoves, etc., shall have doors removed prior to storage.

7.6-2 Any major auto repairs such as building motors, transmissions or heavy body work shall be done in an enclosed accessory building or on a section of property nor visible from the public street.

7.6-3 Non-licensed and/or inoperable vehicles shall be stored in an enclosed accessory building. No more than two non-licensed and/or inoperable vehicles shall be stored on property.

7.6-4 Yard sales shall last for a maximum of two consecutive days from 8:00 a.m. to 5:00 p.m. in any two (2) day period. There shall not be any continuous yard sales in Town of Sharpsburg. Storing of yard sale items shall be in an enclosed accessory or principal building and shall not be on display in any yard except during the hours of the yard sales. A property owner may hold, or allow to be held, only one (1) yard sale per month.

7.6-5 No abandoned mobile or manufactured homes shall be used as a storage or accessory building. Abandoned mobile/manufactured homes shall be removed from property at owner's expense and upon notification by the Sharpsburg Town Council that the said mobile/manufactured home is abandoned and is causing a health or safety hazard to surrounding property owners.

Sharpsburg's Telecommunication Antenna and Towers Ordinance

ARTICLE 8

Telecommunication Antenna and Towers

8.1 Purpose. The purpose of this Ordinance is to establish guidelines for the sitting of towers and antennas. The goals of this Ordinance are to:

1. Enhance the ability of the providers of telecommunications services to provide such services to the community effectively, and efficiently;
2. Encourage strongly the joint use of new and existing tower sites;
3. Locate towers and antennas, to the extent possible, in areas where the adverse impact on the community is minimal;
4. Configure towers and antennas in a way that minimizes the adverse visual impact of the towers and antennas, and;
5. Encourage the location of towers in non-residential areas and minimize the total number of tower sites.

8.2 Definitions.

1. **Alternative tower structure:** Man made trees, clock towers, bell steeples, light poles, and similar alternative design mounting structures that camouflage or conceal the presence of antennas or towers.
2. **Antenna:** Any exterior apparatus designed for telephonic, radio, or television communication through the sending and/or receiving of electromagnetic waves.
3. **FAA:** The Federal Aviation Administration.
4. **FCC:** The Federal Communications Commission.
5. **Governance Authority:** The Mayor and Council of the Town of Sharpsburg.
6. **Height:** When referring to a tower or other structure, the distance measured from ground level to the highest point on the tower or other structure, even if said highest point is an antenna.
7. **Pre-Existing towers and antennas:** The meaning set forth in Section 8.3(4) of this ordinance.
8. **Tower:** Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers,

microwave towers, common carrier towers, cellular telephone towers, alternative tower structures, and the like.

9. **Tower Facilities:** Includes towers, antennas, and all accessory buildings, excluding tower anchors.
10. **Zoning Administrator:** A person designated by the Town Council of the Town of Sharpsburg. If no Zoning Administrator has been named then the Town Council shall serve the function of the Zoning Administrator.

8.3 Applicability.

1. **District Height Limitations.** The requirements set forth in this ordinance shall govern the location of towers that exceed, and antennas that are installed at a height in excess of, the height limitations specified for each zoning district. The height limitations applicable to building and structures as provided in the zoning ordinance shall not apply to towers and antennas.
2. **Public Property.** Antennas or towers located on publicly owned property, leased, or otherwise controlled by the governing authority shall be exempt from the requirements of this ordinance, provided a license or lease authorizing such antenna or tower has been approved by the governing authority.
3. **Amateur Radio; Receive-Only Antennas.** This ordinance shall not govern any amateur radio tower, or the installation of any antenna, that is under seventy (70) feet in height and is owned and operated by a federally-licensed amateur radio station operator or is used exclusively for receive only antennas.
4. **Pre-Existing Grandfathered Towers and Antennas.** Any tower or antenna existing on the effective date of this ordinance shall not be required to meet the requirements of this ordinance, other than the requirements of Section 8.4(5) and (6). Any such tower or antennas shall be referred to in this Ordinance as “pre-existing towers” or “pre-existing antennas”.

8.4 General Guidelines.

1. **Principal or Accessory Use.** Antennas and towers may be considered either principal or accessory uses. Antennas and towers may not be installed on a lot of record where there is a current principal use for which an antenna or tower would not be considered an accessory use. For purposes of determining whether the installation of a tower or antenna complies with district development regulations, including but not limited to set-back requirements, lot-coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on leased parcels within such lots.
2. **Inventory of Existing or Planned Tower Sites.**
 - (a) Each applicant for a tower or antenna, shall contact the owners of all existing tower sites or planned tower sites approved after the effective date of this Ordinance, that are either within the jurisdiction of the governing authority or within one-quarter mile of the border thereof, and

provide the Town Council with an inventory of said tower sites. The inventory should include the following information:

- (1) The owner and/or lessee of the tower site;
 - (2) The location, height, and design of the tower site;
 - (3) Whether each such tower site could accommodate the tower proposed by the applicant without changing the existing or proposed structure; or
 - (4) Whether each such tower site could accommodate the tower proposed by the applicant of either or both the existing or proposed tower was structurally or otherwise changed. Any changes shall be specified in general terms.
 - (b) The Town of Sharpsburg may share such information with other applicants applying for approval under this Ordinance or other organizations seeking to locate antennas within the jurisdiction of the governing authority, provided, however, that the Town of Sharpsburg is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.
3. Site Plan. Applicants requesting approval shall submit a scaled site plan, showing the location and dimensions of all improvements, including information concerning topography, radio frequency coverage, tower height requirements, setbacks, access, existing and proposed utilities, parking, fencing, landscaping, and other information necessary to assess compliance with this Ordinance. Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a qualified professional engineer.
4. Aesthetics: Lighting. The following guidelines shall govern the aesthetics and lighting of all towers, and the installation of all antennas.
- (a) Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness.
 - (b) At a tower site, the design of the building and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and built environment.
 - (c) If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
 - (d) Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the governing authority may

review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.

5. Federal Requirements. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this ordinance shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a more stringent compliance schedule is mandated by the controlling federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute a violation of this ordinance for which a citation may be issued in accord with paragraph 8.4(7) below.
6. Building Codes; Safety Standards. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the governing authority concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have sixty (60) days to bring such tower into compliance. If the owner fails to bring and maintain such tower into compliance with such standards then the Zoning Administrator may issue a citation for violating this ordinance in accord with paragraph 8.4(7) below.
7. Enforcement. Failure to strictly comply with this ordinance shall constitute a violation of this ordinance for which a citation may be issued by the Zoning Administrator. Such citation shall be returnable to the municipal court. The municipal court is authorized to levy a fine in accordance with the Sharpsburg Town Charter. Each day a tower is operated in non-compliance with this ordinance shall constitute a separate offense.
8. Nondiscriminatory Co-Location. In accord with Section 8.5(7) of this ordinance, all owners and/or operators of telecommunication towers must make all excess capacity available to additional providers (co-locators) and such owners and/or operators shall NOT discriminate among co-locators on any basis except 1) ability to pay rents and 2) compatibility of equipment with current providers.
9. Town of Sharpsburg right to Co-Locate. The Town of Sharpsburg shall have the right to co-locate emergency/public safety equipment at no cost on any approved tower within the Town's jurisdiction, provided that the co-location of antennas do not interfere with the normal tower operations. Each new tower must reserve space for future Town co-location.

8.5 Development Requirements.

1. Zoning Districts allowed: Allowed only in Light Industrial (LI) Districts by Special Use Permit. Special Use applications shall be granted or denied in accord with Section 12.17 of the Town of Sharpsburg Zoning Ordinance.

- (a) Minimum lot area: As required in LI districts.
 - (b) Minimum lot width: As required in LI districts.
2. Setbacks:
- (a) All tower facilities shall be set back from all adjoining properties zoned Residential a distance equal to the height of the tower or 200 feet, whichever is greater.
 - (b) All tower facilities shall be set back from all adjoining properties zoned non-residential a distance equal to the height of the tower or 100 feet, whichever is greater.
3. All anchors shall be set back as required by the GI zoning district.
4. Towers over 70 feet in height shall not be located within ~~1.5 (one and one-half)~~ one miles from any existing or planned tower that is over 70 feet in height regardless of location (i.e. in or out of Town-limits).
5. Security Fencing. Towers and all facilities shall be enclosed by a wood fence or steel chain link fence with inserts for screening not less than eight (8) feet in height and shall be equipped with an appropriate anti-climbing device.
6. Landscaping. The following guidelines shall govern the landscaping surrounding towers;
- (a) The tower and related facilities shall be landscaped with a standard buffer that shall consist of a landscaped strip ten (10) feet in width surrounding the perimeter of the compound. Buffer plantings shall be four (4) feet in height at the time of planting.
 - (b) Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large wooded lots, natural growth around the property perimeter may be a sufficient buffer.
7. All new towers must be constructed in such a manner so as to maximize the availability of tower space for the co-location of addition telecommunication equipment operated by differing providers. Prohibiting co-location, via above market rate rents or by any other direct or indirect means, shall constitute a violation of this ordinance.

8.6 Public Hearing Required.

1. General. All new tower construction and any additions to existing towers shall require an application for a special use permit and a Public Hearing and approval by the Town Council. All such uses shall comply with Sections 8.4 and 8.5 of this Ordinance and all other applicable ordinances. Applicants shall apply for a Public Hearing through the Planning Department.

In granting an approval, the governing authority may impose conditions to the extent the Town of Sharpsburg concludes such conditions are necessary to minimize any adverse effect of the proposed tower on adjoining properties.

2. Factors Considered in Public Hearing Applications. In addition to the factors contained in Section 12.17 of the Sharpsburg zoning ordinance the governing authority shall consider the following factors as well in determining whether to approve a special use application, although the governing authority may waive or reduce the burden on the applicant of one or more of these criteria, if in the judgment of the governing authority, the goals of this ordinance are better served thereby:
 - (a) Height of the proposed tower;
 - (b) Proximity of the tower to residential structures and residential district boundaries;
 - (c) Nature of uses on adjacent and nearby properties;
 - (d) Surrounding topography;
 - (e) Surrounding tree coverage and foliage;
 - (f) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
 - (g) Proposed ingress and egress; and
 - (h) Availability of suitable existing towers and other structures as discussed in Section 8.6(3) of this Ordinance.

3. Availability of Suitable Existing Towers or Other Structures for Co-location.
No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the governing authority that no existing or planned tower or structure can accommodate the applicant's proposed antenna (see Section 8.4). This inventory should also include the following supplemental information:
 - (a) No existing towers or structures are located within the geographical area required to meet applicant's engineering requirements.
 - (b) Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.
 - (c) Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
 - (d) Applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures.
 - (e) The fees or costs required to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed unreasonable.

- (f) Applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

8.7 Removal of Abandoned Antennas and Towers. Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such antenna or tower shall remove same within ninety (90) days of receipt of notice from the Town notifying the owner of such abandonment. If such antenna or tower is not removed within said ninety (90) days, the Zoning Administrator shall take appropriate action to effect the removal of the tower. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

**ARTICLE 9
Off-Street Parking and Loading**

9.1 Off-Street Parking Spaces. There shall be provided on every lot of the following structures parking spaces of not less than 9' by 18'. These parking spaces shall be provided by established structures, new construction and enlargement of established structures. Each space shall be accessible from a driveway or parking lot. Maneuvering and turning areas shall be provided so there are no vehicles required to back into a street. The minimum required number of spaces for specific uses are as follows:

Table 9.1 Minimum Requirements

RESIDENTIAL USE	MINIMUM NUMBER OF SPACES
Multi-Family (Duplex) Dwellings	One parking space per bedroom not to exceed two parking spaces per dwelling unit
Rooming Houses, Boarding Houses and Bed and Breakfast Homes	One parking space per rental room
COMMERCIAL USES	MINIMUM NUMBER OF SPACES
Retail Sales	One parking space for each one hundred square feet (100) of area devoted restaurants. One parking space for each 300 three hundred square feet for retail space.
Professional Offices	One parking space for each three hundred (300) square feet of floor area.
Gasoline Service Stations	Four parking spaces for each service bay Service bays must open to the rear of the building.
INDUSTRIAL USES	MINIMUM NUMBER OF SPACES
Warehousing, Manufacturing or Industrial	One parking space for each two employees, plus one parking space for each vehicle used directly in the conduct of the enterprise.
PUBLIC AND SEMI-PUBLIC	MINIMUM NUMBER OF SPACES

STRUCTURES	
Hospitals or Nursing Homes	One parking space for each bed intended for patients plus one space for each staff member.
Post Office	One parking space for each 300 sq.ft. of P.O. Boxes and one per employee on maximum working shift.
Churches, Auditorium, Clubs	One parking space for each four seats in the principle assembly room.

9.2 Location of Parking Spaces. Parking spaces shall be located in the rear of all buildings unless a condition or hazard exists, outside the control of the owner and which cannot be feasibly remedied, that prohibits the construction of a parking lot in the rear of a building. For commercial uses, if required off-street parking spaces cannot be reasonably provided on the same lot as principal use, such spaces may be provided on other off-street property, provided the spaces are within 400 feet of the main entrance to the principal use. Such parking spaces shall be associated with the permitted use and shall not be reduced or encroached upon in any manner.

9.3 Off-Street Loading Spaces. All commercial loading and unloading spaces shall have access to a public alley or, if there is no alley, to a public street. Business, sales or industry shall provide spaces for the loading and unloading of vehicles off the street or public alley.

**ARTICLE 10
Non-Conforming Uses**

10.1 Purpose. In order to avoid individual hardship whenever reasonable and not in conflict with the general welfare of the Town of Sharpsburg, and for purposes herein outlined, the following provisions apply to all zoning districts.

10.2 Non-Conforming Lots. Any lots for which a plat or legal description has been recorded in Coweta County Clerk of Superior Court prior to the adoption of this ordinance which fails to comply with the dimensional requirements for the district in which it is located may, if vacant, may be used for any of the uses permitted within the district by this ordinance, or if occupied by a structure containing a conforming use, may have the structure improved, enlarged or extended; provided that in either case:

1. Minimum requirements of the district for front, side and rear yard, height and floor area shall be complied with.
2. A lot to be used for duplexes, multi-family dwellings, residential group development projects, or manufactured homes, when allowed within the district, only if the lot meets the minimum lot area requirements for those uses in the district.

10.3 Non-Conforming Uses of Land. The lawful use of any building or lot existing at the time of the enactment of this ordinance may be continued although such use does not conform to the

provisions of this ordinance. In addition the following regulations apply to non-conforming uses:

1. When a non-conforming use of land has been changed to a conforming use, it shall not thereafter be used for any other non-conforming use.
2. Non-conforming uses of land shall not be changed to any but conforming uses.
3. A non-conforming use of land shall not be enlarged to cover more land than was occupied by that use when it became non-conforming.
4. When any non-conforming use of land is discontinued for a period in excess of six (6) months, any future use of the land shall be limited to those uses permitted in that district under the provisions of this ordinance. Vacancy and/or non-use of the land, regardless of the intent of the owner or tenant, shall constitute discontinuance under this provision.

10.4 Non-Conforming Uses of Structures. Non-conforming uses of structures consist of structures used, at the time of passage of this ordinance, for purposes not permitted in the district in which they are located. In addition to the other requirements of this ordinance, non-conforming uses of structures shall be governed by the following restrictions:

1. An existing non-conforming use of a structure shall only be changed to a conforming use.
2. An existing non-conforming use of a structure shall not be changed to another non-conforming use.
3. A non-conforming use of a structure shall not be extended or enlarged except into portions of the structure which at the time the use became non-conforming were already erected and arranged or designed for such non-conforming use. No structural alterations shall be made in any structure occupied by a non-conforming use, which would in any way increase the floor space, area, or volume of space occupied by the use.
4. When any non-conforming use of a structure is discontinued for a period in excess of six months, any future use of the structure shall be limited to those uses permitted in that district under the provisions of this ordinance. Vacancy and/or non-use of the building, regardless of the intent of the owner or tenant, shall constitute discontinuance under this provision.

10.5 Reconstruction of Non-Conforming Structures. When a non-conforming structure or a structure containing a non-conforming use is razed or damaged by fire, flood, wind, or act of God, such structure or sign may be reconstructed as a non-conforming use only if the damage totals less than fifty (50%) percent of the value of the structure. If the non-conforming structure is damaged more than fifty (50%) the structure may be rebuilt only if it conforms to the zoning ordinance as adopted. Non-conforming manufactured homes located in a manufactured home park may be replaced according to Type III appearance standards. Non-conforming, structures which do not conform to the yard requirements and have not received variance from the Town of Sharpsburg shall also be governed by this provision.

- 10.6 Restoration to a Safe Condition.** Nothing in this Ordinance shall prevent the restoration of any structure or use to a safe or sanitary condition, nor shall the ordinance prevent regular maintenance of any non-conforming use or structure.
- 10.7 Abandonment.** Whenever a nonconforming use has been discontinued for a period of six months, such use shall cease and any further use shall be in conformity with the provisions of this ordinance.
- 10.8 Changes in Zoning.** Any non-conformance created by a change in district boundaries or ordinance regulations after the date of passage of this ordinance shall also be governed by the provisions of this section.

ARTICLE 11 Administration

- 11.1** This Ordinance shall be administered by the Zoning Administrator of the Town of Sharpsburg, in cooperation with the Town Council and the Planning Commission, if such commission exists in accordance with this Ordinance.

11.1.1 All duties and obligations contained in this Administration Article shall be the duties and obligations of the Town Council unless and until the Town Council delegates authority to a Planning Commission in accordance with Section 12.1.3 hereof. If at any time there is no Zoning Administrator designated by the Town Council, the Town Council shall act as the Zoning Administrator during such time.

11.1.2 Duties of Town Council

1. Maintain public records concerning the administration of the Zoning Ordinance including all maps, amendments, Certificates of Zoning Compliance, Special uses, Variances, and records of public hearings.
2. Ensure compliance with the Laws of Georgia including the Zoning Procedures Act; and, to administer this Ordinance in such a manner to further the promotion of the health, safety and welfare of the Town of Sharpsburg.

11.1.3 Creation of a Planning Commission.

The Town Council hereby reserves the power to create a Planning Commission to aid in the administration of this Zoning Ordinance. Said Planning Commission shall be constituted by ordinance amending this Article, with such ordinance stating what powers and duties are delegated to the Planning Commission. Notwithstanding the forgoing, final authority in deciding upon zoning matter and the adopting and amending of this Zoning Ordinance shall at all times remain vested in the Town Council.

11.2 Initiation of Amendments:

- 11.2-1** Applications to amend this Ordinance may be in the form of proposals to amend the text, or proposals to amend the Official Zoning Map(s). An

application to amend the Official Zoning Map(s) may be initiated by an individual property owner or his agent, the Planning Commission, or by the Town Council. Unless initiated by the Town Council or the Planning Commission, all applications to amend the Official Zoning Map(s) must be submitted in writing, by the owner or his agent to the Town Council, and shall be accompanied by an appropriate fee as established by the Town Council. An application for an amendment to the Zoning Map(s) affecting the same property shall not be submitted more than once every 12 months, said intervals to begin with the date of final decision by the Town Council.

The 12-month interval shall not apply to applications initiated by the Council or the Planning Commission, except for amendments to the Zoning Map(s) initiated by the Planning Commission which were defeated by the Town Council, in which case the interval required for the subsequent application shall be at least six months. However, an application to alter conditions of rezoning may be submitted at any time.

11.3 Application for Amendments:

11.3-1 Each application to amend this Ordinance or the Official Zoning Map(s) shall be filed with the Town Clerk and deemed submitted to the Town Council when the Clerk has notified the Town Council that an application for amendment has been filed. Initiation of all amendments must be submitted by written request whether the request originates from the Town Council, the Planning Commission or an individual property owner. If Town Council provides an application form, then all applications for amendments must be on such form. Applications shall be submitted in compliance with the following:

11.3-2 Text amendment applications shall include the following:

1. Name and address of applicant.
2. Current provisions of text to be affected by amendment.
3. Proposed wording of text change.
4. Reason for amendment request.

11.3-3 Map and rezoning amendment applications shall include the following:

1. A legal description of the tract(s) to be rezoned, including the street address and subdivision, if any, or area in which the tract is located.
2. Two copies of a plat, drawn to scale, showing north arrow, land lot and district; the dimensions, acreage and location of that tract(s); floodplain and flood hazard areas; unusual topographical features; current zoning of subject tract and all adjacent properties; and existing structures. This plat shall be prepared by an architect, engineer, landscape architect, or planner with an AICP certification or land surveyor whose seal shall be affixed to the plat.

3. When any applicant or his attorney for a rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a written disclosure report with the governing authority of the respective local government showing:
 - a. The name and official position of the local government official to whom the campaign contribution was made; and;
 - b. The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each contribution.

The disclosure required by this Section shall be filed at the time of application for the rezoning action.

4. The names and addresses of the owners of the land and their agents, if any; together with a written notarized authorization for the owner(s) agents, if any, to seek rezoning.
5. A narrative indicating specifically how the property is to be used or development.
6. The name and address of abutting property owners as indicated by Town of Sharpsburg or Coweta County Tax Records.
7. Each zoning map amendment application, whether submitted by local government, or by a party other than local government shall include with it to be complete a written, documented analysis of the impact of the proposed rezoning with respect to each of the following matters:
 - a. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
 - b. Whether the zoning proposal would adversely affect the existing use or usability of adjacent or nearby property.
 - c. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
 - d. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
 - e. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Land Use Plan.

- f. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

11.3-4 Submitted Application. Applications shall be submitted at least 50 days prior to the date on which it is to be considered by the Town Council and in sufficient time so as to permit advance advertising and notice of any public hearing(s) pursuant to the terms of this Section and the Zoning Procedures Act. Each application for an amendment to the Official Zoning Ordinance text or map shall be assessed a fee as established by the Town Council to defray administrative costs. A fee shall not be charged for applications initiated by the Town Council or the Planning Commission.

11.3-5 An application may be withdrawn by the applicant after the legal advertisement has been placed with the publisher as required by this Section shall have first appeared, but the rezoning application fee shall be forfeited. An applicant may also withdraw an application before the legal advertisement is published and in writing to the Town Council. If application is withdrawn before the legal advertisement is placed with the publisher, a full refund of application fee shall be available to the applicant.

11.3-6 An applicant shall file site plans, renderings, construction specifications, written development restrictions, detail description of the proposed use and other conditions which the applicant proposes as binding conditions upon the development and use of the property involved in the application provided, however, that any such conditions or alterations or changes thereto shall be filed with the Town Council at least seven (7) days prior to the public hearing before the Town Council. If any such conditions or alterations or changes thereto are proposed by an applicant and have not been filed as required by this subsection, the Town Council, at the time of the public hearing on the application, may defer any action on such application to a specific meeting date. The date designed for action on the application shall be set at a time, which will allow the applicant to comply with the filing requirements of this subsection.

11.3-7 (a) Information submitted to the Town by the applicant, either in written or verbal form, and accepted by the Town Council shall become an amendment to the application and shall be a condition to the rezoning as provided below. Such amendments and conditions may be evidenced by written representations submitted to the Town by the applicant or as contained in the minutes of Council, both of which are incorporated into any rezoning ordinance granted on the application.

(b) The petitioner's substantial compliance, within 12 months of the date of the ordinance of rezoning, with the plans for the project proposed in the development plan submitted with the initial applicant's application for Rezoning, and as thereafter amended by the applicant and accepted by the Town Council, is required. Substantial compliance means that the applicant must have initiated development of the project to the point that it is clearly in

progress in accordance within the plan. The applicant's final representation of proposed use of the site, the final development plans presented to the Mayor and Council in support of the application (and accepted by the Mayor and Council as reflected in the Zoning Ordinance or the Council's minutes of the proceedings), and the implementation of any conditions imposed upon the proposed use and/or development plans, shall be conditions to the continued existence of any re-zoning granted by this Ordinance. If, within twelve (12) months of the reclassification granted by this Ordinance, the applicant fails to initiate development of the subject site in conformity with said uses and development plans, including any conditions imposed by the Council, the zoning granted in the ordinance of rezoning shall be automatically revoked, and the land's zoning classification shall revert to the zoning classification of the land prior to the rezoning. If an annexation was granted, the site will revert to the zoning classification most compatible with that of the surrounding area, as determined by the Council.

11.4 Public Notification

- 11.4-1 Legal Notice:** Due notice of the public hearing before the Town Council shall be published in a newspaper of general circulation within the Town of Sharpsburg or the newspaper which carries the legal advertisements of the County by advertising the date, time, place, and purpose of the public hearing at least 15 days and not more than 45 days prior to the date of the hearing conducted by the Town Council. If the application is for amendment to the Official Zoning Map(s), then this notice also shall include the location of the property, the present zoning classification of the property, and the proposed zoning classification of the property.
- 11.4-2 Signs Posted:** The town shall, at the expense of the applicant, erect, at least 15 days prior to the date of the hearing, in a conspicuous place on the property in question, a sign of not less than nine square feet, with not less than three inch black letters upon a white background, which shall read as follows:

NOTICE TO THE PUBLIC

A PETITION HAS BEEN FILED WITH THE TOWN OF SHARPSBURG THAT THIS PROPERTY BE CHANGED FROM ITS CURRENT (insert current district name) ZONING TO (insert requested district name) ZONING.

A PUBLIC HEARING WILL BE HELD AT A&O BRIDGES RECREATION CENTER LOCATED ON MAIN STREET IN SHARPSBURG ON (insert date) AT (insert time) P.M. ALL THOSE HAVING AN INTEREST IN THIS PETITION SHOULD BE PRESENT.

MAYOR AND TOWN COUNCIL

11.5 Standards for the Exercise of Zoning Power

11.5-1 In addition to the standards enumerated in other sections of this Ordinance, the Planning Commission and Town Council shall consider the following matters in reference to any rezoning application:

1. The existing land use patterns.
2. The possible creation of an isolated district unrelated to adjacent and nearby districts and not in conformance with the Future Land Use map.
3. The population density pattern and possible increase or overtaxing of the load on public facilities including, but not limited to, schools, utilities, and streets.
4. Whether the proposed change will adversely influence living conditions in the neighborhood.
5. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.
6. Whether the proposed change will create adverse environmental impacts, such as water, erosion and sediment disturbances.
7. Whether the proposed change will adversely affect property values in the adjacent area.
8. Whether the proposed change will seriously reduce light and air to adjacent areas.
9. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.
10. Whether the change suggested is out of scale with the needs of the neighborhood or the Town.
11. The extent to which the proposed change is consistent with, and promotes the comprehensive plan and land use plan, adopted by the Town of Sharpsburg.
12. The relative gain to the public as compared to the hardship, if any, imposed on the property owner by the present zoning.
13. The suitability of the subject property for the proposed zoning and proposed purposes.
14. The length of time the subject property has been vacant as zoned, considered in the context of land development in the vicinity of the

property, and legitimate efforts to develop or sell the property as presently zoned.

15. The possible effects of the proposed zoning change and proposed use on the character of the zoning district, existing land use pattern, and architectural harmony of the subject area.
16. Any other factors relevant to balancing the interest in promoting the public health, safety, morality, or general welfare against the interests of a property owner in rezoning.

11.6 Conflict of Interest and Disclosure Rules

The disclosure required by this section shall be filed at least five (5) calendar days prior to the first hearing by the Town Council or the Planning Commission on the rezoning application.

11.6-1 Any Town Council member, the Mayor, any Planning Commission member who knows or reasonably should know that he or she:

1. has any direct ownership in any real property to be affected by a rezoning action under consideration by Town of Sharpsburg;
2. has a ten percent (10%) or more direct ownership interest in the total assets or capital stock in any business entity which has any direct ownership in any real property affected by a rezoning action under consideration by Town of Sharpsburg; or
3. has a spouse, parent, sibling or child with any interest as described in previous 1 and 2, shall disclose the nature and extent of such interest, in writing, to the Town of Sharpsburg Town Council as soon as he or she knows of its existence. Such an Official shall disqualify himself/herself from voting on the rezoning action and shall not take any other action on behalf of himself or herself or anyone else to influence action on the rezoning action. If written disclosures made pursuant to this section result in the inability of the Town Council to obtain a quorum for the purpose of making a final decision when considering a rezoning action, the Town Council shall initiate the special master process set forth in O.C.G.A. §36-67A-5, as amended. Moreover, questions of interpretation as to the application of this statute should be resolved by reference to the Georgia state law governing campaign contribution disclosures, O.C.G.A. §36-67A-1 et seq., as amended.

11.6-2 When any proponent or opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$ 250.00 or more to a local government official of the local government which will consider the application, it shall be

the duty of the proponent or opponent to file a disclosure with the Town Clerk or Town Council showing:

1. The name and official position of the Sharpsburg official to whom the campaign contribution was made; and
2. The dollar amounts and description of each campaign contribution made by the proponent or opponent to the Sharpsburg official during the two (2) years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

11.7 Procedures for Public Hearing See Zoning Amendment Procedures Ordinance.

11.8 Action by Town Council. The Town Council shall consider the standards in 11.5-1 in evaluating each application. So that the purpose of this Ordinance will be served, health, public safety, and general welfare secured, the Town Council may approve the application, reduce the land area for which the application is made, change the district requested, add or delete conditions of the application, deny an application, or defer consideration of an application to acquire additional information. An action by the Council to defer the application shall include a statement of the date and time of the next meeting at which the application will be considered, which statement shall constitute public notice of the hearing on the application and no further notice, is required. The final decision by the Town Council shall be reduced to writing and mailed to the applicant.

11.9 Enforcing Officer. The provisions of this Ordinance shall be administered and enforced by the Town Council or its designated agent. His duties shall include inspecting premises, and issuing building permits and occupancy permits for uses and buildings that meet the requirements of this Ordinance and other Ordinances of the Town of Sharpsburg.

11.10 Building Permit Required

11.10-1 No building or other structure shall be located, erected, moved, added to, or structurally altered without a building permit issued by the Building Inspector. No building permit shall be issued except in conformity with the provisions of this Ordinance.

11.10-2 It shall be unlawful to commence the excavation or filling of any lot for construction of any building until a building permit has been issued for such work.

11.10-3 Building permits are required for roof repair, replacement or installation of heating and air conditioning systems.

11.10-4 No permit shall be required for any repairs or modernization of any building which does not increase the floor area of such building, providing that no encroachment into any required yard area is built and that the modernization does not include any repair, replacement or installation of new roofing or heating and air conditioning systems.

11.11 Reserved.

11.12 Certificate of Occupancy. The Council or the building inspector, if designated, shall sign and issue an occupancy permit if the proposed use of a lot or building is found to conform to the applicable provisions of this ordinance, and if the building as finally constructed, complies with the plans submitted for the building permit.

11.12-1 A Certificate of Occupancy is required in advance of the use or occupancy of:

1. Any lot or a change in the use thereof.
2. A building hereafter erected, altered or a change in the use of an existing building.
3. Any non-conforming use that exists at the time of the enactment of this Ordinance or an amendment thereto that is changed, extended, altered, or rebuilt thereafter.

11.12-2 No Certificate of Occupancy shall be issued unless the lot or building or structure complies with all provisions of this Ordinance, and other applicable ordinances of the Town and applicable state and county laws and regulations.

11.12-3 A record of all Certificates of Occupancy shall be kept on file in the office of the Town Clerk and a copy shall be furnished on request, to any person having a proprietary or tenancy interest in the building or land involved.

11.13 Powers and Duties of the Building Department. The Mayor and Town Council, or the building official, as designated by the Mayor and Town Council, is hereby authorized and directed to enforce the provisions of this ordinance. Whenever a building official is not designated, "building official" shall mean Mayor and Town Council.

11.13-1 Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of the ordinance, or whenever the building official has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building, structure, premises, electrical, gas, mechanic or plumbing system unsafe, dangerous or hazardous, the building official may enter at all reasonable times to inspect the same or perform any duty imposed upon the building official by this ordinance. If the building official is not granted access at the time of a reasonable request for inspection all utilities shall be disconnected until such time as inspection is made by the proper official.

11.13-2 Unsafe Buildings or Systems. All buildings, structures, electrical, gas, mechanic or plumbing systems which are unsafe, unsanitary or do not provide adequate egress or ingress or which constitute a fire hazard, are otherwise dangerous to human life, which in relation to existing use, constitute a hazard to safety or health, are considered unsafe buildings or systems. All such unsafe buildings, structures or service systems are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition. The repair and rehabilitation is the responsibility of the owner of the building or structure. If demolition is deemed necessary the owner is responsible for all costs. If the

owner does not repair, rehabilitate or demolish the building or structure as deemed appropriate by the building official the owner shall be fined for violation of this Zoning Ordinance. Each day the repair, rehabilitation or demolition is not shown to be underway shall be considered a separate offense.

11.13-3 Stop Work Orders. Upon notice from the building official, work on any building, structure, electrical, gas, mechanical or plumbing system that is being done contrary to the provisions of this ordinance, building codes, manufacturer's specifications or in a dangerous or in a dangerous or unsafe manner, shall immediately cease. Such notice shall be in writing, given to the owner, his agent or person doing the work and shall state the condition under which work may proceed.

11.13-4 Revocation of Permits. The building official may revoke a permit or approval, issued under provisions of this ordinance, where there have been any false statements or misrepresentations as to the material facts in the application or plans on which the permit or approval was based. The building official may revoke a permit upon determination by said official the permit was issued in violation of, or not in conformity with the provisions of this ordinance.

11.14 Permits. Any owner, agent or contractor who desires to construct, enlarge, alter, repair, move or demolish a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by technical codes, or to cause any such work to be done, shall first make application to the building official and obtain the required permit for the work. Ordinary, minor repairs may be made with the approval of the building official without a permit, provided such repairs shall not violate any of the provisions of the technical codes.

11.14-1 Permit Applications. Each application for a permit, with the required fee, shall be filed with the building official on a form furnished by the Town of Sharpsburg for a specific work to be done, including a general description and the location of the proposed work. The application shall be signed by the owner, his agent or contractor. The application shall indicate the proposed occupancy of the building or structure.

1. Each application for the construction, and or the, enlargement, of a building or premises greater than 200 square feet, shall require the number of sets of plans drawn to scale as determined by the Town Council. The official seal of a Certified Architect or engineer legally registered under the laws of this state will be required for all residential and commercial buildings and as required by Georgia Building and Fire Codes.
2. Each application shall contain two copies of the land plat from the Coweta County Tax Assessors office showing the exact location, size of building, distance to property and building lines, total acreage and square footage of lot or parcel. These copies may be duplicates.
3. Where private sewerage systems are used, a copy of the permit for the septic system, issued by the Coweta County Health Department, shall accompany the application for the permit.

11.14-2 Issuing Permits. The building official shall act upon an application for a permit within ten working days from the time application is filed with the Town of Sharpsburg. If the building official is satisfied the work described in the application and contract documents filed, conform to the requirements of the technical codes, state law and this ordinance, the building official is authorized to issue a permit to the applicant.

1. If the application for a permit and the documents describing the work do not conform to technical codes, state law or this ordinance the building official shall not issue a permit, but shall notify the applicant in writing of the reasons for refusal to issue the permit. This written notification shall be postmarked no later than ten working days from the time application is filed with the Town of Sharpsburg.
2. Any person who begins any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fine of \$100 per day from the beginning date of construction until permit application is received by the Town of Sharpsburg, plus the price required for the permit or permits

11.15 Conditional Zoning.

11.15-1 In order to maintain the health, safety, welfare, and morality of the citizens of Town of Sharpsburg the Town Council may impose conditions on rezoning requests. Conditions placed on the property as a part of approval of a rezoning application shall remain in force until such time as an appeal has been granted. Conditions shall be in writing and purpose for the conditions shall be established.

11.15-2 Conditions placed on property at the time of rezoning shall become a written part of the minutes of the Council meeting, or shall be placed in the ordinance, and shall be attached to the amendment to the Official Zoning Map. The conditions imposed shall be part of the rezoning application and kept in the office of the Town Hall.

11.15-3 Any condition or conditions imposed upon the petitioner by the Town Council in its ordinance, or as contained in its minutes, or as contained in written representations by the applicant, accepted by the Town Council, must be satisfied before the change in status will take permanent effect. Should the imposed condition(s) fail to be performed within the prescribed time period set forth by the Town in either the Town minutes or ordinance or in the application, if otherwise so stated, then within one year, the property at issue will automatically revert to the status or classification it occupied before the practitioner's application to re-zone was filed.

11.15-4 Conditions include those contained in the minutes of the Town Council, which shall become a part of the ordinance when enacted and written representations submitted by the applicant to the Town, and accepted by the Town Council,

which shall become an amendment to the applicant's rezoning application and a part of the enacted ordinance.

11.16 Appeal Process for Conditional Zoning. Appeals for removal of conditions placed on rezoned property may be heard by the Town of Sharpsburg Town Council only when the reason for the placement of conditions has changed to allow the use of the property without the conditions. Appeals shall follow the same procedure as that of a rezoning application. Public hearings are required before any conditions placed on property may be dissolved.

11.17 Special Uses

11.17-1 The Planning Commission, if constituted, shall review and recommend approval, denial or approval with conditions and the Town of Sharpsburg shall approve or deny special uses which are specifically authorized by this Ordinance. Public Hearings are required. (See hearing requirements)

11.17 -2 **CONDITIONS AND LIMITATIONS:** The Planning Commission, if constituted, shall include any condition, requirement, or limitation which may be necessary to protect adjacent properties and carry out the provisions of this Ordinance in its review and the Town of Sharpsburg may impose conditions, requirements or limitations it deems necessary. If at any time after a special use permit has been issued, the Building Official (if not appointed, the Mayor and Council) finds that the conditions imposed and the agreements made have not been or are not being fulfilled by the holder of a special use permit, the permit shall be terminated.

11.17 -3 **PROCEDURE:** Application for a special use shall be filed with the Office of the Town Clerk, and the Planning Commission, if available, otherwise with the Mayor and Council, and shall have thirty (30) days within which to consider each request and make written recommendations to the Town Council. A public hearing is required by the Town Council (see Public Hearing Requirements). Upon receiving recommendations from the Planning Commission or after the thirty day period has expired, the Town Council shall schedule the proposed special use to be voted on at the next regularly scheduled Commission meeting. Each application shall be accompanied by a professionally prepared, to scale, site plan, showing the following:

1. General Location of existing structures and property lines.
2. Present zoning of adjacent property.
3. Existing use of adjacent property.
4. Location of proposed buildings and land use.
5. A legal description of the property.
6. Setbacks
7. Parking spaces if applicable

11.17-3.1 FEE: Each application for a special use shall be assessed a fee according to fee schedule established by the Town Council to defray administrative and publication costs.

11.17-4 Specifically, in order to grant approval of a special use, the Town Council must find the following standards have been met:

1. Compliance with the Town of Sharpsburg's zoning ordinance.
2. The character and use of buildings and structures adjoining or in the vicinity of the subject property.
3. The compatibility of the proposed use at the subject property to the present uses of the buildings, structures, or properties adjoining or in the vicinity of the subject property.
4. Impact of the proposed use on nearby properties, including existing and possible future uses.
5. Impact of the proposed use on public facilities, utilities and public infrastructure.
6. Appropriateness of the proposed use as related to the Town's land use plan.
7. The number of persons residing, studying, working in or otherwise occupying buildings adjoining or in the vicinity of the subject property.
8. Traffic conditions in the area of the proposed use and possible aggravation of traffic conditions by the proposed use.
9. Accessibility of building for fire and police protection.
10. Materials of combustible, explosive or inflammable nature to be sold, stored, or kept on the premises.
11. Protection of occupants of adjoining and surrounding buildings from noise, dust, grasses, pollution.
12. Population density in the surrounding area and threats to the public safety created by the proposed use.
13. Relationship of the proposed use to the neighboring areas in the context of how the use might service of have utility to the area.
14. Adequacy of the site in terms of protecting and screening nearby properties from adverse impacts which might result from the proposed use.
15. The number, size, and type of signs proposed for the site.

16. The amount and location of open space on the site.
17. Hours and manner of operation of the proposed use.
18. The type of electrical illumination for the proposed use with special reference to its effects on nearby structures and the glare, if any, from such illumination in surrounding sleeping quarters.
19. Adequacy of available parking and ingress and egress to the property.
20. Impact of the proposed use on the property values of surrounding properties at the uses for which the surrounding properties are presently being used.

11.17-5 Conditional approval. The Planning Commission or the Town Council may impose such conditions as it deems necessary to insure compatibility of the proposed use with the neighboring area and with the policies of the Town's zoning ordinance and land use plan and the standards of this chapter. Such conditions may include, at a minimum, any of the following:

1. The existence of certain public facilities, utilities, or infrastructures.
2. The existence of traffic control devices or modifications to streets and traffic patterns.
3. Parking.
4. Screening or buffering.
5. Distance from other similar uses.
6. Building or improvement setbacks.
7. Minimum lot size.
8. Hours of operation.
9. Number and location of curb cuts or driveway entrances into public roads or into the subject tract.
10. Type and placement of outdoor lighting.
11. Type and placement of signs.
12. Physical design and layout of property.
13. Limitations on operation of use.

11.18 Variances

11.18-1 A variance may be authorized upon application and public hearing appeal, in specific cases, from the terms of this Zoning Ordinance where granting a variance will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of ordinance will, in an individual case, result in unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in such individual case of hardship upon finding by the Planning Commission or Town Council that:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
2. The application of the zoning ordinance to this particular piece of property would create a hardship;
3. Such conditions are peculiar to the particular piece of property involved;
4. Such conditions are not a result of any action of the property owner;
5. Relief, if granted, would not cause a substantial detriment to the public good or impair the purposes and intent of this Zoning Ordinance.

11.18-2 **CONDITIONS AND LIMITATIONS:** The Planning Commission shall include any condition, requirement, or limitation which may be necessary to protect adjacent properties and carry out the provisions of this Ordinance. If at any time after a variance has been issued, the Town Council find the conditions imposed and the agreements made have not been or are not being fulfilled by the holder of a variance, the variance shall be terminated.

11.18-3 **PROCEDURE:** Applications for variance shall be filed with the Town Clerk, if not appointed, and then to the Mayor and Council, and the Planning Commission, if established, otherwise the Town Council shall have sixty (60) days within which to consider each request. Each application shall be accompanied by a professionally prepared, and to scale, site plan, showing the following:

1. General Location of existing structures and property lines.
2. Present Zoning of adjacent property.
3. Existing use of adjacent property.
4. Location of proposed buildings and land use.
5. A legal description of the property.
6. Setback distances

7. Parking spaces if applicable

11.18-3.1 FEE: Each application for a variance shall be assessed a fee according to fee schedule established by the Town Council to defray administrative and notification costs.

11.18-4 Action. The Planning Commission, if established otherwise the Town Council, shall consider the request for a variance at a meeting within sixty days of the submittal of the application. The Planning Commission (or Town Council) shall approve or deny the application for a variance. If the request is denied by the Planning Commission, the applicant, or the Town Council, may appeal the decision to the Town Council for review and final decision. A decision by the Town Council shall be final and non-appealable.

11.18-5 Procedures for Hearing. Procedures for an appeal hearing before the Town Council shall be:

1. The applicant must file a written request for an appeal with the Town Clerk or the Mayor within thirty (30) days of the Planning Commission's decision. A decision of the Town Council is not appealable.
2. The Town Council may call the decision of the Planning Commission for review and decision by the Town Council sending applicant notice of a hearing within thirty (30) days of the Zoning Commission's decision.
3. Evidence shall be produced by the applicant as to why the variance is necessary.
4. A member of the Planning Commission or Town Clerk may be called upon to testify to the rules and regulations in the zoning ordinance.
5. The applicant and the Town Council have the right to question witnesses.
6. The Town Council may uphold or reverse the decision by the Planning Commission. If additional information is needed the hearing may be continued to another date.
7. If the applicant disagrees with the decision of the Town Council regarding the appeal of the decision rendered by the Planning Commission the applicant may appeal to the proper courts.

11.19 Penalties

11.19-1 Any person, firm, or corporation violating a provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction, may be punished for each violation, up to the extent allowed by the Town Charter. Each day such a violation continues shall be deemed separate offense.

11.19-2 In case any building is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, lot, or acreage is used in violation of this Ordinance, the Town Council, or any other appropriate authority, or any person who would be damaged by such violation, in addition to other remedies, may institute injunction, mandamus, or other appropriate action in proceeding to prevent said violation in the case of each such building or use.

11.20 Compliance with Zoning Procedures Law

This Article of the Town of Sharpsburg Zoning Ordinance, as from time to time amended, is intended to set forth and constitute the policies, procedures and standards required under Chapter 66, Title 36 of the Code Annotated of Georgia, and shall be interpreted to be consistent with said Statute, as the same may be amended from time to time.

ARTICLE I

This Ordinance shall become immediately effective upon its second reading and adoption by the Mayor and Town Council.

ARTICLE II

The Preamble of this Ordinance shall be construed to be, and is hereby incorporated by reference as is fully set out herein.

ARTICLE III

This Ordinance shall be codified within the Code of Ordinances of the Town of Sharpsburg, Georgia at Chapter 13 in a manner consistent with the laws of the State of Georgia and of the Town of Sharpsburg.

ARTICLE IV

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, sentence, paragraph, or section of this Ordinance shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such an illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

ARTICLE V

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

Date of first reading at a regular/open meeting of Council: _____

Date of Public Hearing before Council at regular/open meeting: _____

APPROVED BY THE MAYOR AND COUNCIL OF THE TOWN OF SHARPSBURG

at a regular meeting of the Mayor and Council on the _____ day of _____, 2005, by the following voting for adoption:

Mayor

Council Member

Council Member

Council Member

Council Member

Attest:

Town Clerk

Town Administrator