

AN ORDINANCE
(Troup County Ordinance No.: 2010 - 11)

An Ordinance to amend the Troup County Code by adopting certain text amendments and revisions to Troup County Zoning Ordinance; to provide for an effective date; to repeal all inconsistent ordinances and resolutions; to provide severability; and for such other purposes.

WHEREAS, Troup County, Georgia, by and through the Troup County Board of Commissioners is authorized pursuant to O.C.G.A. §36-66-1 *et seq.* to exercise zoning power within unincorporated Troup County, Georgia; and

WHEREAS, all procedural requirements for the enactment of text amendments to the Troup County Zoning Ordinance as required by O.C.G.A. §36-66-1 *et seq.* have been met; and

WHEREAS, the Board of Commissioners assisted by county staff has reviewed and wishes to make text revisions throughout its existing Zoning Ordinance; and

WHEREAS, the Board of Commissioners has determined that such text amendments will promote desirable living conditions, the stability of neighborhoods, responsible growth and quality development, the protection the environment and natural resources of Troup County, Georgia, and will assist in securing economy in governmental expenditures and in encouraging the appropriate use of land.

NOW THEREFORE, BE IT ORDAINED as follows:

SECTION I

The text of the Troup County Zoning Ordinance (Appendix “A” to the Troup County Code) is hereby amended as follows:

- A. The definition of “Setback Line” in Section 3.1 of Article III, Definitions, is amended so that it shall read:

“Setback Line. The minimum required distance from the street right-of-way line or any other property line that the principal building or other structure shall observe. See "Building Line" as defined in this section.”

- B. Section 5.4-11 of Article V, Supplemental Regulations, is deleted and the following new

Section 5.4-11 shall be inserted in lieu thereof:

“5.4-11 Accessory structures, such as a barn, intended for housing livestock whether - commercially or for personal use; or a kennel for commercially housing pets, shall observe a 200 foot setback from any property line.”

- C. Section 5.5-4 of Article V, Supplemental Regulations, is amended so that it shall read:

“5.5-4 Onsite employment for the residential home occupation/business is limited to residents of the property.”

- D. Section 5.6-8 of Article V, Supplemental Regulations, is amended so that it shall read:

“5.6-8 Onsite employment (including contract employment) for the rural home occupation/business is limited to residents of the property and not more than two additional persons.”

- E. Table 7.2 of Article VII, Zoning District Standards and Permitted Uses, is amended so that the title of Table 7.2 shall read:

“Appearance Standards for Single-Family Detached Dwellings and Offices.”

and is further amended by adding the following number 8 to the “Notes” to said Table 7.2:

“8. Manufactured offices shall have a minimum 500 heated square feet.”

- F. Table 7.3 of Article VII, Zoning District Standards and Permitted Uses, is amended so that the title of Table 7.3 shall read:

“Table 7.3 Permitted, Not Permitted, Special and Conditional Uses for Residential Districts (USD shall use the AGR permitted uses).”

- G. Section 11.2-10 of Article XI, Manufactured Homes and Manufactured Home Parks, is amended so that said Section 11.2-10(h) shall read:

“h. Any replacement manufactured home or office unit may be administratively approved only if the home to be replaced is still existing on the lot where the replacement is to be located; or, a demolition or moving/installation permit has been issued within the prior twelve months;”

and is further amended by the addition of the following new subsection (i), which shall read:

“i. Decal and property taxes are current.”

H. Section 25.5-9 of Article XXV, Development and Design Standards, is deleted and the following new Section 25.5-9 shall be inserted in lieu thereof:

25.5-9 Unrestricted Subdivision (USD). This district is intended to provide suitable locations for residential uses with a mixture of single-family housing types including manufactured homes and site built homes. Each USD must have a minimum of three parcels which meet the minimum lot standards and all other Troup County subdivision requirements in effect at the time the subdivision is approved.

a.	Minimum road frontage		150'
		Culdesac	75'
b.	Front yard:	Arterial road	125'
		Collector road	100'
		Local (subdivision)	90'
c.	Side yard		25'
d.	Rear yard		40'
e.	From U.S. Army Corps of Engineers property		0'
f.	Building height maximum		40'
g.	Permitted, special and conditional uses. Permitted, special and conditional uses are listed in table 7.3		
h.	Minimum lot size is two-acres.		

SECTION II

This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the County of Troup.

SECTION III

(a) It is hereby declared to be the intention of the Troup County Board of

Commissioners that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their enactment, believed by the Troup County Board of Commissioners to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Troup County Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause, or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause, or phrase of this Ordinance. It is hereby further declared to be the intention of the Troup County Board of Commissioners that, to the greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of this Ordinance.

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

SECTION IV

All resolutions or ordinances or parts of resolutions or ordinances in conflict herewith are hereby repealed.

SECTION V

This Ordinance is adopted in the manner provided by law and after public hearing as provided by the Georgia Zoning Procedures Law (O.C.G.A. §36-66-1 *et seq.*) at a meeting held this ____ day of _____, 2010, and shall be effective immediately.

TROUP COUNTY BOARD OF COMMISSIONERS

By: _____
Richard C. Wolfe, Chairman

Attest: _____
Stewart Mills, Clerk

Publication date of notices: _____

Public hearing dates: _____

Date sent for codification: _____