

STATE OF GEORGIA  
COUNTY OF HART

**AN ORDINANCE TO AMEND THE HART COUNTY CODE OF ORDINANCES, AND PARTICULARLY CHAPTER 18 – BUILDINGS AND BUILDING REGULATIONS TO ADD PROVISIONS FOR THE BUILDING OF DUPLEX HOUSING, AND FOR OTHER PURPOSES.**

WHEREAS, by the Board of Commissioners of Hart County, Georgia, and it is hereby ordained by authority of same:

ARTICLE V. – Duplex Construction

Sec 18-100 Purpose and Intent.

To allow for the issuance of building permits for the construction of duplex residential housing subject to the conditions herein Chapter 18 and the Land Development standards of Chapter 46 not in conflict herewith;

Sec. 18-101 Definitions.

Duplex - A duplex means two dwelling units attached by a common party wall and placed on one individual lot.

Lot – A lot means a portion or parcel of land separated from other portions of parcels by description as on a subdivision plat or record survey map or as described by metes and bounds, and intended for transfer of ownership or for building development. For the purpose of this chapter, the term does not include any portion of a dedicated right-of-way, or land subdivided to achieve a boundary and adjustment with adjoining property. Lots must not be irregular in shape and must contain few angles.

And other definitions as are found in this Chapter 18 and in Chapter 46 on Land Development Standards.

Sec. 18-102 Lot size and setback requirements. Lot size and setback requirements are as follows:

- a. Minimum lot size: 65,340 square feet.
- b. All lots shall have a minimum of one hundred (100) feet of road frontage or sixty (60) feet adjacent to a cul de sac, or as otherwise required by the health department at the septic site, whichever is greater.
- c. The principal building, HVAC, and any structures including retaining walls on any lot shall meet the following setback requirements which shall be clear and unobstructed:
  1. Front:
    - (i) Sixty (60) feet from the right of way of the county road or the specific state highways of Smith McGee, Cokesbury and Reed Creek Highways.
    - (ii) On interior subdivision roads, (40) feet from the right of way of the interior roadway (see corner lots below).
    - (iii) For all state highways except Smith McGee, Cokesbury and Reed Creek Highways, and for all county roads with a speed limit of 50 miles per hour or more, building setbacks must be one hundred (100) feet from the edge of the right of way which abuts the property line.
    - (iv) All corner lots must meet the requirements for either type of roadway that the property line is adjacent to.
  2. Rear: Ten (10) feet from the property line.

3. Side: Ten (10) feet from the property line.

Note: All setbacks shall be measured from future right-of-way.

Sec. 18-103 Use limitations:

- a. There shall be no more than one duplex unit per lot.
- b. The first story of each duplex dwelling unit shall have a minimum of 750 square feet of heated floor space, for a total of 1,500 square feet of heated floor space per duplex building.
- c. Architectural style and design shall be compatible with or upgrade the existing neighborhood.
- d. Adequate parking shall be provided outside of the setback requirements with parking spaces totaling no less than two spaces per duplex dwelling unit with a size of no less than 9' x 18' each space. No parking shall be allowed within the road right of way.
- e. There shall only be one curb cut per lot (minimum 24 feet in width) and a shared driveway (minimum 12 feet in width, including all segments after a driveway split) on all county roads. Any radius on turns or curves shall have adequate clearance for service and emergency vehicles.
- f. Whenever a duplex dwelling unit shares a private water source, a septic system, and/or a driveway, shared maintenance agreements and easements shall be recorded in the property records with the County Clerk of Court.
- g. No building permit shall be issued prior to County Health Department approval of a septic permit for duplex housing upon the subject lot.

The Amendment adopted by the Board of Commissioners at open and public meetings for official purposes, and shall become effective immediately upon its final reading.

SO RESOLVED, this 25<sup>th</sup> day of July, 2023.

**BOARD OF COMMISSIONERS OF  
HART COUNTY, GEORGIA**

By: \_\_\_\_\_

Marshall Sayer, Chairman

Attest: \_\_\_\_\_

County Clerk

(SEAL)

First Reading: 06/27/2023

Second Reading: 07/11/23

Third Reading and Adoption on 07/25/23 by a vote of 4 for and 0 against