

A-R AGRICULTURAL—RESIDENTIAL

This document will provide information and details concerning the New Land Use district. The information here in will be formatted properly into the Brantley County Land Use Ordinance.

Purpose.

A-R zoning districts are intended to establish and preserve areas where the primary activities are those of residential, farming, agriculture, livestock, and related uses consistent with maintaining the land resources of Brantley County reserved for these purposes. Residences of a low-density nature which are incidental to these activities are also permitted. Some business type activities are allowed either as home-based occupations or agritourism when it is found to have a zero or low impact on surrounding property owners. These districts are free from other uses which are incompatible with a low-density agricultural-residential neighborhood except as granted by **special exception**.

Determining if an area is suitable for inclusion within an A-R district.

The factors contained in Brantley County Zoning criteria must be thoroughly considered by the planning commission as well as the Brantley County Board of Commissioners when determining in which zoning district an area of land is to be placed. This will ensure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of Brantley County.

Boundaries of A-R districts.

The addition of this new district will be included in the Brantley County Comprehensive Plan and the boundaries of all A-R districts will be marked within Brantley County zoning maps.

Permitted uses.

- (a) The following principal and accessory uses are permitted in A-R districts:
- (1) **Site-built** single-family dwellings, with a floor space of at least one thousand four hundred (1,400) square feet.
 - (2) Local, state, or federal government buildings.
 - (3) Crop farming, fisheries and aquaculture, and forestry.

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- (4) Publicly owned and operated park or recreation area.
 - (5) Livestock: Must have three (3) acres or more, all structures must be set back at least thirty (25) feet from property lines.
 - (6) Livestock will include horses, cows, goats, sheep, and other such animals: Must have three (3) acres and not more than ten (10) acres. One (1) Livestock animal per acre of **pasture land** is permitted. A special exception can be sought for smaller animals such as Sheep and Goats. **Livestock does not include pigs or hogs.**
 - (7) Poultry meeting the following standards:
 - a. A Chicken House (non commercial) can be built, 30 feet setback from land lines.
 - b. 4 Chickens or other fowl per acre – up to 24 total.
 - c. A plat will be attached to the permit application and will show the following:
 1. All adjoining property owners.
 2. State waters.
 3. Residential wells.
 4. Existing structures.
 5. The proposed location of the Chicken houses.
 - (8) Agritourism, small scale: This may include the sale of eggs or homegrown vegetables.
 - (9) Structures used in the personal enjoyment of the property owner: Examples include private swimming pools, tennis courts, children's playhouses, etc. All structures must be placed at least Twenty (20) feet from the side and back property line. None are allowed in front of the main dwelling, unless given an administrative variance by the Board of Commissioners.
 - (10) Structure for the storage of equipment and supplies used in maintaining the principal building, its grounds, and/or its agricultural activities.
 - (11) The parking of unoccupied travel trailers, motor coaches, or pleasure boats.
 - (12) Guest quarters meeting the following development standards:
 - a. No more than one (1) is permitted on a lot with another dwelling.
 - b. It is permitted only within a rear yard and must be set back at least forty (40) feet from all property lines.
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- c. Property must be at least three (3) acres and not more than ten (10) acres. Unless a Special Exception is permitted.
 - d. Guest quarters must be site built, smaller in size than the main dwelling and must meet minimum standard building codes.
 - e. Manufactured homes, campers, travel trailers, or modified buses may not be used as guest quarters.
- (b) The following principal or accessory uses may be permitted as special exceptions in A-R districts:
- (8) Dog kennel meeting the following development standards:
 - a. All structures must be set back thirty (30) feet from all property lines.
 - b. Kennel is limited to no more than four (4) dogs.
 - c. To have more dogs requires a Special Exception to be approved by the Board of Commissioners.

Development standard for A-R districts.

In addition to the development standards contained in Article 4 of these regulations, the following standards are required within A-R districts:

- (a) *Minimum floor area per dwelling unit:* One thousand four hundred (1,400) square feet of heated space.
- (b) *Minimum/Maximum lot area:*
 - (1) As specified by the Brantley County Board of Commissioners, but in no case less than three (3) acres and not more than ten (10) acres; however, a lot of record lawfully existing at the time of passage of these regulations and having an area of less than three (3) acres (nonconforming) may nevertheless be developed with a use which is permitted within an A-R district, unless that use has a stated minimum acreage, if approved by the Brantley County Health Department.
- (c) *Minimum lot width:* One Hundred Fifty (150) feet.
- (d) *Minimum front yard:* Twenty Five (25) feet.
- (e) *Minimum side yard:* Twenty (20) feet.
- (f) *Minimum rear yard:* Ten (10) feet.
- (g) *Maximum lot coverage by impervious surfaces:* Forty (40) percent.

Note: The following development standards apply to all zoning districts, except as noted.

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- (h) *Maximum building height:* Thirty-five (35) feet. However, this height limit does not apply to projections not intended for human habitation.
- (i) *Sight distance:* In order to assure maintenance of adequate sight distances at intersections, no fence, wall, shrubbery, or other obstruction to vision between the heights of three (3) feet and fifteen (15) feet above the ground is permitted within twenty (20) feet of the intersection of the rights-of-way of streets or of streets and railroads.
- (j) *Applicability to land, buildings, and open space:* No building, structure, land, open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all the regulations specified for the district in which it is located. No exceptions.
- (k) *Every use must be on a lot:* No building or structure may be erected, or use established unless upon a lot as defined by these regulations. No exceptions.
- (l) *Only one (1) principal building per lot:* Only one (1) principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
- (m) *Open space not to be encroached upon:* No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces, and other such required development standards contained in these regulations. Shrubby, driveways, retaining walls, fences, curbs, and buffers are not considered to be encroachments of yards. Open space areas as required by these regulations must be permanently maintained as open space in accordance with the requirements of these regulations. No exceptions.
- (n) *Reduction of yards or lot area:* Except as otherwise provided in these regulations, a lot existing at the time of passage of these regulations may not be reduced, divided, or changed as to produce a tract of land which does not comply with the minimum dimension or area requirements of these regulations for the district in which it is located, unless that reduction or division is necessary to provide land which is needed and accepted for public use. No exceptions.
- (o) *Lots with multiple frontages:* In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street. No exceptions.
- (q) *Street frontage:* No principal building may be erected on any existing lot which has less than thirty (30) feet of immediate frontage on at least one (1) public street.
- (r) *Yards and other spaces:* No part of a yard, other open space, off-street parking, or loading space required for another building may be
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included as a part of the yard, off-street parking, or loading space required for another building, except as specifically provided for in these regulations. No exceptions.

- (s) *Substandard lots*: Any lot existing at the time of the adoption of these regulations, which has an area or a width which is less than required by these regulations, is subject to the following exceptions and modifications:
- (1) *Adjoining lots in same ownership*: When two (2) or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be re-platted or re-parceled so as to create one (1) or more lots which conform to the minimum frontage and area requirements of the district.
 - (2) *Single lots*: When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but was a lot at the effective date of these regulations, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of these regulations are met.
 - (3) *Lot Size*: When a lot was established prior to this new district, and does not meet the size standard, the owner may utilize the lot for listed purposes. However, site-built homes will have to meet building criteria set by both state and county guidelines.
- (t) *Encroachment on public rights-of-way*: No building, structure, service area, required off-street parking, or loading/unloading facilities are permitted to encroach on public rights-of-way. No mailbox will be allowed to exist on the state or county's right-of-way if it interferes with the safety of the traveling public. A mailbox that does not conform to the provisions of this section is an encroachment under O.C.G.A. § 32-6-1. No exceptions.
- (1) All mailboxes shall be located in accordance with the rules and regulations of the postmaster general. However, on an uncurbed roadway, mailboxes should be set back a sufficient distance to allow the postal delivery person to be completely off the travel lanes to deliver mail.
 - (2) Mailbox supports or posts shall not be made of a material that will not readily yield upon impact (masonry or concrete); nor shall any other construction which could be classified by the zoning administrator or the state highway engineer, as a hazardous fixed object be allowed either as a support, or as an encasement, or housing for the box itself. Also, when using wood, the size of the

support or the post will be a maximum nominal four (4) inches by four (4) inches if square or maximum four (4) inches in diameter if round. If a metal post is to be used, the post shall be hollow and no greater than three (3) inches in diameter.

- (u) *Physical design standards:* Minimum design standards for driveways, loading areas, and other such physical site developments are contained in applicable development regulations of Brantley County. Consult that document for specific requirements. No exceptions.
- (v) *Other applicable development regulations:* Information concerning any other applicable development regulations may be obtained by consulting the administrative officer. No exceptions.

Agritourism development standards and procedures.

- (a) The purpose of these standards is to allow agritourism uses in Brantley County while maintaining the rural character and preserving farmland of the area and protecting the health, safety and welfare of the citizens while recognizing that agriculture is not a passive activity. Agritourism presents a unique opportunity to combine aspects of tourism and agriculture to provide a number of financial, educational and social benefits to tourists, producers and communities. Agritourism gives producers an opportunity to generate additional income and an avenue for direct marketing to consumers. It enhances the tourism industry by increasing the volume of visitors to an area and the length of their stay. Agritourism also provides communities with the potential to increase their local tax bases and to create new employment opportunities. In addition, agritourism provides educational opportunities to the public, helps preserve agricultural lands and allows the development of businesses that cannot later be outsourced. Agritourism is divided into two (2) categories: Small scale, which is a permitted use in AR and large scale, which is a special exception in AR. The following design standards are considered and applied as is applicable to the specific request:

- (b) *Small Scale Agritourism:* Facility or use that poses minimal or small impact to surrounding farms and/or residential properties. In order to maintain minimal or small impact, all uses are limited to no more than twenty-five (25) visitors at one time unless otherwise noted. Examples include:

Cut your own/pick your own. A working farm that grows trees, fruits, vegetables, and/or nuts where sales are made directly to the public and where the customers may participate in the harvesting.

Educational demonstrations. Demonstrations that teach the ability to create a product where raw materials are grown from a working farm.

Seasonal events. Hay rides, Christmas lights, Easter egg hunts.

Special events, small private use of the property or a building on the property for twenty-five (25) people or less and for three (3) hours or less. All property and buildings used must be able to be used for farming activities immediately after the event. All requirements of the Brantley County Noise Ordinance will apply for these types of events.

Horseback riding. Lessons in riding to members of the public for pay. Also includes offering trails for horse owners to bring and ride their own stock. This does not include facilities open to the public to watch horses and riders train.