

ADVERTISED _____
PUBLIC HEARING _____
PUBLIC HEARING _____
ADOPTED _____

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ARTICLE VI. - ARR, AGRICULTURAL-RURAL RESIDENTIAL DISTRICT, SECTION 602 TITLE "PERMITTED USES" TO ADD MINIMUM REQUIREMENTS FOR SINGLE FAMILY DWELLINGS; TO REMOVE THE SIZE PROHIBITION FOR STRUCTURES FOR AGRICULTURAL USES; TO PROVIDE FOR CLASS I SUBDIVISIONS TO COMPLY WITH BANKS COUNTY SUBDIVISION REGULATIONS; TO PROVIDE FOR AN EFFECTIVE DATE AND TO REPEAL CONFLICTING ORDINANCES AND RESOLUTIONS, AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners of Banks County adopted by resolution on March 12, 2002, the codification of Resolutions, General Resolutions and Ordinances passed by the Board of Commissioners of Banks County as "The Code of Banks County, Georgia" published by Municipal Code Corporation; and further provided for the manner of amending the Code of Banks County, Georgia;

WHEREAS, the Board of Commissioners of Banks County desires to amend ARTICLE VI. - ARR, AGRICULTURAL-RURAL RESIDENTIAL DISTRICT, SECTION 602 TITLE "PERMITTED USES" TO ADD MINIMUM REQUIREMENTS FOR SINGLE FAMILY DWELLINGS; TO REMOVE THE SIZE PROHIBITION FOR STRUCTURES FOR AGRICULTURAL USES; TO PROVIDE FOR CLASS I SUBDIVISIONS TO COMPLY WITH BANKS COUNTY SUBDIVISION REGULATIONS;

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF BANKS
COUNTY, GEORGIA, AS FOLLOWS:

-1-

Section 602 entitled "PERMITTED USES" PARAGRAPH 4 is hereby amended by adding thereto the following:

4. Dwellings, single-family.

- (i) 1,200 minimum square feet of heated space, excluding garages and porches;
- (ii) Driveway permit required for Certificate of Occupancy;
- (III) Driveway pipes on county roads;
- (iv) Engineer provides required specifications for pipes on driveways; and
- (v) Lots in Class I Subdivision may share a common driveway.

-2-

Section 602 entitled "PERMITTED USES" PARAGRAPH 13 is hereby amended by deleting it in its entirety and substituting in lieu thereof the following.

13. Agricultural uses (excluding animal waste lagoons), including forestry, commercial greenhouses and plant nurseries (wholesale and retail), livestock (except dairies, hog parlors, and feed lots), and poultry [except turkey ranges and commercial egg operations (caged layers)], provided that no structure housing poultry or other livestock as permitted herein is located closer than 800 feet from an existing dwelling unit other than that of the property owner and 400 feet from any common property line.

-3-

Section 602 entitled "PERMITTED USES" PARAGRAPH 15 is hereby amended by deleting it in its entirety and substituting in lieu thereof the following.

15. Class I Subdivisions shall comply with Banks County Subdivision Regulations but all lots shall be at least two acres.

-4-

All Resolutions, or Ordinances, or parts thereof, in conflict with the terms of this Resolution are hereby repealed, but it is hereby provided that any resolution, ordinance or law, which may be applicable hereto and aid in carrying out and making effective the intent, purpose and provisions hereof, which shall be liberally construed to be in favor of Banks County, is hereby adopted as part hereof.

-5-

If any paragraph, sub-paragraph, sentence, clause, phrase, or any portion of this Resolution shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this Resolution as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Resolution not so held to be invalid. It is hereby declared to be the intent of the Board of Commissioners to provide for separable and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

-6-

This Resolution is hereby adopted this _____ day of _____, 20____, and shall be codified as a part of the Code of Banks County, Georgia, to become effective upon the _____ day of _____, 20____, the public health, safety and general welfare demanding it.

SIGNATURES ON NEXT PAGE

BANKS COUNTY BOARD OF COMMISSIONERS

Chairman

Vice Chairman

Commissioner

Commissioner

Commissioner

ATTEST:

County Clerk

County Seal