

ADVERTISED _____
PUBLIC HEARING _____
PUBLIC HEARING _____
ADOPTED _____

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ARTICLE VII(A). - R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT SECTION 701(A) ENTITLED "PURPOSE AND INTENT" TO PROVIDE FOR MINIMUM ACREAGE REQUIREMENTS; TO PROVIDE FOR MINIMUM SQUARE FOOTAGE; TO PROVIDE FOR SIDING; TO PROVIDE FOR CRAWL SPACE OR BASEMENT; TO AMEND SECTION 702(A) ENTITLED "PERMITTED USES" TO PROVIDE FOR LOCATION OF ACCESSORY BUILDINGS; 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 VII(A). - R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT SECTION 701(A) ENTITLED "PURPOSE AND INTENT" TO PROVIDE FOR MINIMUM ACREAGE REQUIREMENTS; TO PROVIDE FOR MINIMUM SQUARE FOOTAGE; TO PROVIDE FOR SIDING; TO PROVIDE FOR CRAWL SPACE OR BASEMENT; TO AMEND SECTION 702(A) ENTITLED "PERMITTED USES" TO PROVIDE FOR LOCATION OF ACCESSORY BUILDINGS;

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

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Section 701(A), entitled "PURPOSE AND INTENT" is hereby amended by deleting it in its entirety and adding thereto the following:

The R-1, single-family residential district is intended to provide an opportunity for the establishment and preservation of quiet, stable, single-family residential neighborhoods at low densities free from other uses except those which are compatible with and convenient to the residents of such a district. To qualify acreage for rezoning to R-1, there shall be a minimum of 2 acres in the tract for consideration of Class IV Subdivision. To qualify acreage for rezoning to R-1, there shall be a minimum of 5 acres in the tract for consideration of Class II Subdivision. To qualify acreage for rezoning to R-1, there shall be a minimum of 10 acres in the tract for consideration of Class III Subdivision. There must be at least 2,000 square feet of heated space in each dwelling, not including basements, garages and porches with a minimum of 1,500 square feet on main floor of the dwelling. Each dwelling shall have four (4) sides of Masonry, Wood or Concrete Composite Siding. Each Dwelling shall have a basement or crawl space (no slab).

Sites for private landfills in this district is inconsistent with the intent of this district.

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Section 702 (A) "PERMITTED USES" PARAGRAPH 1 is hereby amended by deleting it in its entirety and substituting in lieu thereof the following.

1. One accessory building (permanent structure built on site), customarily incidental to the principal permitted use, not to exceed 250 square feet. The minimum roof pitch of the accessory building shall be four feet of rise per 12 feet of run. Accessory building must be constructed beside or behind principal dwelling.

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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.

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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.

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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.

BANKS COUNTY BOARD OF COMMISSIONERS

Chairman

Vice Chairman

Commissioner

Commissioner

Commissioner

ATTEST:

County Clerk

County Seal