

## R-1 Access to Public Water and Sewer

**Purpose.** To revise our Development Code to allow minor subdivisions in the R-1 district to occur without a request for variance to public water and sewer. The intent of the public water and sewer requirement for the R-1 District is to direct residential density to areas of the County where adequate infrastructure exists. In practice, the provision for public water and sewer has impacted several recent applicants for R-1 rezoning that were seeking flexibility to create only one or two lots, oftentimes for family members. The intent of this amendment is to allow minor divisions to occur, without public infrastructure, as these smaller subdivisions of property do not represent a significant increase in residential density and therefore a significant impact on the surrounding area.

### Section 503.02 Access to Infrastructure

- a) **Requirements.** This district must be located on paved, public roads with access to public water and sewer.
- b) **Exceptions.** Minor Subdivisions, as defined in Section 1002.01 of this Development Code, may be exempt from the requirement for public water and sewer in the R-1 district.

## Lot Width

**Purpose.** To revise our Development Code to allow flexibility in design standards for minor subdivisions as it pertains to lot width in agricultural and single-family residential zoning districts and to clarify the definition of lot width to eliminate irregular configurations and an over-dependence on private access easements. Additionally, this text amendment revises formatting for spatial requirements in A-1 from a list format to a chart format to match formatting for spatial requirements in all other sections.

### Section 201. Specific Definitions

~~LOT WIDTH—The least horizontal distance between side lot lines, as measured at the minimum required front building setback line.~~

**LOT WIDTH:** The horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line. The lot width shall be measured beginning at the front lot line, except for lots entirely fronting turnaround areas of cul-de-sacs, where the lot width shall be measured at the minimum required front setback line.

### Section 401.03 Minimum Required Width for Lots

- a) Any lot served by both an individual well and an individual septic tank system shall have a minimum width of not less than ~~two~~ one hundred (200'~~100'~~) feet, at the building setback line, unless otherwise specified in this Ordinance.
- b) Any lot served by a public or approved community water system and an individual septic tank system shall have a minimum width of not less than one hundred ~~twenty-five~~ (125'~~100'~~) feet at the building setback line, unless otherwise specified in this Ordinance.
- c) Any lot served by a public or approved community water system and a public sewage system shall have a minimum width of not less than one hundred (100') feet, unless otherwise specified in this Ordinance.
- d) The minimum required street frontage at the property line or street right-of-way line for all lots shall be fifty (50') feet, except for lots fronting on a private access drives as specified in Section 1112.07, Private Access Drives, herein, ~~and provided that for all lots, the minimum lot width at the minimum required front building setback line or uniform designated building setback line shall be as specified herein.~~

### ~~Section 500.09 Spatial Requirements in the A-1 Zoning District~~

- ~~a) A-1 zoned property used for animal containment facilities or for swine, dairy, livestock or poultry feeding operations must have a minimum area of 30 acres and have a minimum width of 400 feet.~~
- ~~b) A-1 zoned property used for a single-family dwelling (where permitted) must have minimum area of 1.5 acres and a minimum lot width of 200 feet.~~
- ~~c) Unusual topographical or soil conditions may necessitate larger minimum area or lot width requirements for certain properties than those prescribed in this subsection. Moreover, certain uses may require larger lot sizes as determined by the Oglethorpe County Health Department. In no case shall the minimum lot area be less than deemed necessary for safe and adequate sewage disposal and water supply as determined by the Health Department and the County Sanitarian.~~

### ~~Section 500.10 Minimum Front Yard Setbacks in the A-1 District~~

~~In addition to all other setback requirements, the following front yard setbacks shall be required for structures in the A-1 District:~~

- ~~a) Arterial Streets/Highway—100 feet from right-of-way line or 150 feet from centerline of street if no established right-of-way.~~
- ~~b) Collector Streets—50 feet from right-of-way line or 80 feet from centerline if no established right-of-way.~~

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- c) ~~Local Streets and Private Access Drives/Easements— 20 feet from right-of-way line or 50 feet from centerline if no established right-of-way.~~
- d) ~~For property rezoned to A-1 after September 8, 2015, the front yard setbacks provided in this Subsection 500.05.e may be increased as a condition of a rezoning to A-1 based upon the zoning and uses of property in the vicinity of the rezoned property.~~

Insert the following chart and delete lists in Sections 500.09 and 500.10. Renumber subsequent sections to account for consolidation so that current section 500.11 becomes 500.10, 500.12 becomes 500.11 and so on through the end of the section:

**Section 500.09 Spatial Requirements in the A-1 General Agricultural District**

<b>Minimum Lot Size and Width</b>			
<b>Use</b>	<b>Minimum Area<sup>1</sup></b>	<b>Minimum Lot Width</b>	
Principal Agricultural Use	10 acres	400 feet	
Animal feeding/containment facilities for swine, dairy, livestock or poultry operations	30 acres	400 feet	
Single-Family Dwelling (As Permitted in Subdivisions Section of this Development Ordinance)	1.5 acres	200' 100'	
<b>Minimum Building Setback Line Requirements<sup>3,4</sup></b>			
<b>Street Classification</b>	<b>Front Yard</b>	<b>Side Yard</b>	<b>Rear Yard</b>
Arterial Streets/Highways	100 feet from R/W	20 feet	20 feet
Arterial Street/Highway without an established R/W	150 feet from centerline		
Collector Street	50 feet from R/W		
Collector Street without an established R/W	80 feet from centerline		
Local Street or Private Drive	20 from R/W		
Local Street or Private Drive without an established R/W	50 feet from centerline of drive		
<b>Building Requirements</b>			
<b>Structure</b>	<b>Floor Area</b>	<b>Maximum Height</b>	
Single-Family Dwelling	900 sf <sup>2</sup>	35 feet	
Accessory Structures	N/A	N/A	

<sup>1</sup> Unusual topographical or soil conditions may necessitate larger minimum requirements on certain properties. Certain types of commercial, industrial, institutional, and multifamily uses may require larger lot sizes as determined by the Health Department based on the proposed intensity and/or density of use. In no case shall the minimum lot area be less than deemed necessary for safe and adequate sewage disposal and water supply as determined by the Oglethorpe County Health Department.

<sup>2</sup> Not including porches, patios, garages, or carports.

<sup>3</sup> For property rezoned to A-1 after September 8, 2015, the front yard setbacks provided in this Subsection 500.05.e may be increased as a condition of a rezoning to A-1 based upon the zoning and uses of property in the vicinity of the rezoned property.

<sup>4</sup> See Section 500.3.d or Section 500.4.e for additional setback requirements for animal containment or feeding operations for swine, livestock, dairy or poultry uses.

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**Section 501.08 Spatial Requirements in the A-2 General Agricultural District**

<b>Minimum Lot Size and Width</b>			
<b>Use</b>		<b>Minimum Area<sup>3</sup></b>	<b>Minimum Width</b>
Principal Agricultural Use		10 acres	400'
Single-Family Dwelling <i>(As Permitted in Subdivisions Section of this Development Ordinance)</i>		1.5 acres	<del>200'</del> 100'
<b>Minimum Building Setback Line Requirements</b>			
<b>Street Classification</b>	<b>Front Yard</b>	<b>Side Yard</b>	<b>Rear Yard</b>
Arterial Streets/Highways	100 feet from R/W	20 feet	20 feet
Arterial Street/Highway without an established R/W	150 feet from centerline		
Collector Street	50 feet from R/W		
Collector Street without an established R/W	80 feet from centerline		
Local Street or Private Drive	20 from R/W		
Local Street or Private Drive without an established R/W	50 feet from centerline of drive		
<b>Building Requirements</b>			
<b>Structure</b>	<b>Floor Area</b>	<b>Maximum Height</b>	
Single-Family Dwelling	900 sf <sup>4</sup>	35 feet	
Accessory Structures	N/A	N/A	

<sup>3</sup> Unusual topographical or soil conditions may necessitate larger minimum requirements on certain properties. Certain types of commercial, industrial, institutional, and multifamily uses may require larger lot sizes as determined by the Health Department based on the proposed intensity and/or density of use. In no case shall the minimum lot area be less than deemed necessary for safe and adequate sewage disposal and water supply as determined by the Oglethorpe County Health Department.

<sup>4</sup> Not including porches, patios, garages, or carports.

**Section 503.05 Spatial Requirements for the R-1 Single-Family Residential District**

<b>Minimum Lot Size and Width</b>			
<b>Available Infrastructure</b>	<b>Minimum Area<sup>1</sup></b>	<b>Minimum Width</b>	
Public Sewer	0.5 acres	100 feet	
Without Public Sewer	1.5 acres	100 feet	
<b>Minimum Building Setback Line Requirements</b>			
<b>Street Classification</b>	<b>Front Yard</b>	<b>Side Yard</b>	<b>Rear Yard</b>
Arterial Streets/Highways	100 feet from R/W	10 feet	10 feet
Arterial Street/Highway without an established R/W	150 feet from centerline		
Collector Street	50 feet from R/W		
Collector Street without an established R/W	80 feet from centerline		
Local Street or Private Drive	20 from R/W		
Local Street or Private Drive without an established R/W	50 feet from centerline of drive		
<b>Building Requirements</b>			
<b>Structure</b>	<b>Floor Area</b>	<b>Maximum Height</b>	
Single-Family Dwelling	900 sf <sup>2</sup>	35 feet	
Accessory Structures	N/A	N/A	

<sup>1</sup> Unusual topographical or soil conditions may necessitate larger minimum requirements on certain properties. Certain types of commercial, industrial, institutional, and multifamily uses may require larger lot sizes as determined by the Health Department based on the proposed intensity and/or density of use. In no case shall the minimum lot size be less than deemed necessary for safe and adequate sewage disposal and water supply as determined by the Oglethorpe County Health Department and County Sanitarian.

<sup>2</sup> Not including porches, patios, garages, or carports.

**Section 504.05 Spatial Requirements for the R-2 Two-Family Residential District**

<b>Minimum Lot Size and Width</b>			
<b>Infrastructure</b>	<b>Use</b>	<b>Minimum Area<sup>1</sup></b>	<b>Minimum Width</b>
<b>Public Sewer</b>	Single Family Detached Dwelling	0.5 acres <sup>2</sup>	100 feet
	Two-Family Dwelling or Two-Family Duplex Dwelling	0.5 acres/dwelling unit	100 feet
<b>Without Public Sewer</b>	<b>Single Family Detached Dwelling</b>	<b>1.5 acres</b>	<b>100 feet</b>
	<b>Two-Family Dwelling or Two-Family Duplex Dwelling</b>	<b>1.5 acres/dwelling unit</b>	<b>100 feet</b>
<b>Minimum Building Setback Line Requirements</b>			
<b>Street Classification</b>	<b>Front Yard</b>	<b>Side Yard</b>	<b>Rear Yard</b>
Arterial Streets/Highways	100 feet from R/W	20 feet	20 feet
Arterial Street/Highway without an established R/W	150 feet from centerline		
Collector Street	50 feet from R/W		
Collector Street without an established R/W	80 feet from centerline		
Local Street or Private Drive	20 from R/W		
Local Street or Private Drive without an established R/W	50 feet from centerline of drive		
<b>Building Requirements</b>			
<b>Structure</b>	<b>Minimum Floor Area</b>	<b>Maximum Height</b>	
Single-Family Dwelling	900 sf <sup>3</sup>	35 feet	
Two-Family Dwelling	900 sf /Principal Dwelling Unit 450 sf/Secondary Dwelling Unit	35 feet	
Two-Family Duplex Dwelling	600 sf /Dwelling Unit	35 feet	

<sup>1</sup> Unusual topographical or soil conditions may necessitate larger minimum requirements on certain properties. Certain types of commercial, industrial, institutional, and multifamily uses may require larger lot sizes as determined by the Health Department based on the proposed intensity and/or density of use. In no case shall the minimum lot size be less than deemed necessary for safe and adequate sewage disposal and water supply as determined by the Oglethorpe County Health Department and County Sanitarian.

<sup>2</sup> For R-2 properties without public water and sewer access, the minimum area is 1.5 acres and the minimum lot width is 200'. For R-2 properties with public water access, but without public sewer access, the minimum lot width may be reduced to 125'.

<sup>3</sup> Not including porches, patios, garages, or carports.

**Section 505.06 Spatial Requirements for the R-3 Multi-Family Residential District**

<b>Minimum Lot Size and Width</b>			
<b>Use</b>	<b>Minimum Lot Area<sup>1</sup></b>	<b>Minimum Width</b>	
Single Family Attached or Detached Dwelling	0.5 acres <sup>2</sup>	100 feet	
Two-Family Dwelling or Two-Family Duplex Dwelling:	0.5 acres/dwelling unit	100 feet	
Multifamily Dwellings	10,000 sf/dwelling unit	200 feet	
<b>Minimum Building Setback Line Requirements</b>			
<b>Street Classification</b>	<b>Front Yard<sup>3</sup></b>	<b>Side Yard<sup>3</sup></b>	<b>Rear Yard<sup>3</sup></b>
Arterial Streets/Highways	100 feet from R/W	20 feet + any required buffer	20 feet + any required buffer
Arterial Street/Highway without an established R/W	150 feet from centerline		
Collector Street	50 feet from R/W		
Collector Street without an established R/W	80 feet from centerline		
Local Street or Private Drive	20 from R/W		
Local Street or Private Drive without an established R/W	50 feet from centerline of drive		
<b>Building Requirements</b>			
<b>Structure</b>	<b>Minimum Floor Area<sup>4</sup></b>	<b>Maximum Height</b>	
Single-Family Dwelling	900 sf	35 feet	
Two-Family Dwelling	900 sf /Principal Dwelling Unit 450 sf/Secondary Dwelling Unit	35 feet	
Two-Family Duplex Dwelling	600 sf /Dwelling Unit	35 feet	
Multifamily Dwelling	600 sf/Dwelling Unit	45 feet	
Class B Mobile Homes	600 sf/Dwelling Unit	35 feet	
Accessory Structures	-	-	
Minimum Building Separation	20 feet	Maximum Lot Coverage	60%

<sup>1</sup> Unusual topographical or soil conditions may necessitate larger minimum requirements on certain properties. Certain types of commercial, industrial, institutional, and multifamily uses may require larger lot sizes as determined by the Health Department based on the proposed intensity and/or density of use. In no case shall the minimum lot size be less than deemed necessary for safe and adequate sewage disposal and water supply as determined by the Oglethorpe County Health Department.

<sup>2</sup> For R-3 properties without public water and public sewer access, the minimum area is 1.5 acres and the minimum lot width is ~~200'~~100'.

<sup>3</sup> Plus an additional five (5') feet for every story above two (2) stories.

<sup>4</sup> Not including porches, patios, garages, or carports.