

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF HOGANSVILLE TO AMEND THE CODE OF THE CITY; TO AMEND THE ZONING ORDINANCE OF THE CITY IN ORDER TO DEFINE, ALLOW AND REGULATE ACCESSORY DWELLINGS WITHIN THE R-1 AND R-2 ZONES; TO PROVIDE MINIMUM AND MAXIMUM FLOOR AREAS, BUILDING HEIGHTS AND SET BACK RESTRICTIONS; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE COUNCIL OF THE CITY OF HOGANSVILLE HEREBY ORDAINS:

SECTION 1:

That the Code of Ordinances of the City of Hogansville be amended by inserting therein a new Section 102-241, to be entitled "Accessory Dwellings in R-1 and R-2 District Zones" and to read as follows:

"Sec. 102-241. – Accessory Dwellings in R-1 and R-2 District Zones.

(a) Accessory dwelling defined. Also known as an Accessory Dwelling Unit or ADU, an accessory dwelling is a smaller, secondary home on the same lot as the primary dwelling. Accessory dwellings are independently habitable and provide the basic requirements of shelter, heating, cooking, water and sanitation.

(b) Types of accessory dwellings. Accessory dwellings may be attached to or detached from the primary dwelling.

(c) Permitted locations. Accessory dwellings shall be permitted in or to the rear of an existing or new primary dwelling in R-1 and R-2 residential district zones. No accessory dwelling or other accessory structure is allowed on a site that lacks a primary structure.

(d) Number of accessory dwellings allowed. One attached or detached accessory dwelling is permitted per residentially zoned lot.

(e) Occupancy. The lot owner is required to reside in either the primary dwelling or the accessory dwelling for at least 8 months of the year. An affidavit will be required of the owner confirming residency.

(f) Minimum and maximum floor area. Accessory dwelling floor area may range from 160 square feet to 1,000 square feet, but in no case shall the accessory dwelling floor area exceed that of the primary dwelling.

(g) Building height. No detached accessory dwelling unit shall exceed the height of the primary dwelling, nor the maximum allowable height allowed in its zoning classification.

(h) Required setbacks. Accessory dwelling units shall be situated no fewer than ten (10) feet from any property line; on corner lots, such

accessory dwellings shall be set back at least twenty (20) feet from any side street right-of-way line.

(i) Distance from primary dwelling. Except where attached by an open breezeway, detached accessory dwellings must be located no fewer than ten (10) feet from the primary dwelling, as measured from the closest points of each dwelling.

(j) Lot coverage. Primary dwellings, accessory dwellings and any other impervious surfaces cannot cover more than 40% of the subject lot. A lot already noncompliant with coverage limits shall not be made more noncompliant.

(k) Building permit required. Building permits are required for any accessory dwelling.

(l) Building standards. Accessory dwellings must meet the International Building Code and International Plumbing Code with Georgia Amendments; National Electrical and Fire Safety Codes; and all other building codes as adopted from time to time by the City.

(m) Exterior design standards. Exterior finish materials must visually match in type size and placement, the exterior finish materials of the primary dwelling.

(n) Roof Pitch. The roof pitch must be the same as the predominant roof pitch of the primary dwelling.

(o) Windows. If the street-facing façade of the accessory dwelling is visible from the street, its windows must match, in proportion and orientation, the windows of the primary dwelling.

(p) Eaves. If the primary dwelling has eaves, the accessory dwelling must have eaves that project the same distance from the building. If the primary dwelling does not have eaves, no eaves are required for the accessory dwelling unit.

(q) Historic Preservation Commission Review. If the accessory dwelling is to be located within the City's Historic Preservation District, exterior plan review by the City of Hogansville Historic Preservation Commission will be required at the same time as the building permit is sought, and before any accessory dwelling is placed or constructed on site.

(r) Entrances. Only one entrance may be located on the façade of the primary dwelling facing the street, unless the primary dwelling contained additional entrances before the accessory dwelling was created. An exception to this regulation is entrances that do not have access from the ground such as entrances from balconies or decks. No new entrance drive may be constructed from the street.

(s) Exterior stairs. Fire escapes or exterior stairs for access to an upper level accessory suite shall not be located on the front of the primary dwelling.”

SECTION 2:

All ordinances or parts of ordinances in conflict with the provisions of this ordinance shall be and the same are hereby repealed.

SECTION 3:

This ordinance, after adoption by the Council and upon approval by the Mayor, shall become effective immediately.

INTRODUCED AND FIRST READING _____

SECOND READING AND ADOPTED/REJECTED _____

SUBMITTED TO MAYOR AND APPROVED/DISAPPROVED _____

BY: _____
Mayor

ATTEST: _____
Clerk