

# ARTICLE V

## ESTABLISHMENT OF ZONING DISTRICTS

### SECTION 500: DISTRICTS ENUMERATED

For the purpose of this Regulation, Oglethorpe County, Georgia is divided into districts designated as follows:

<b>A-1</b>	Intensive Agricultural District
<b>A-2</b>	General Agricultural District
<b>A-R</b>	Agricultural/Rural Residential District
<b>R-1</b>	Single Family Residential District
<b>R-2</b>	Double-Family Residential District
<b>R-3</b>	Multi-Family Residential District
<b>OIP</b>	Office/Institutional/Professional District
<b>B-1</b>	Local Business District
<b>B-2</b>	Highway Business District
<b>B-3</b>	General Business District
<b>LI</b>	Light Industrial
<b>HI</b>	Heavy Industrial District
<b>HI(me)</b>	Heavy Industrial District (Mineral/Material Extraction, Surface Mining, Mining, Quarrying, Dimension Stone Quarrying, and Stone Crushing Operations only)
<b>PG</b>	Public/Government
<b>PD</b>	Planned Development District
<b>PRD</b>	Planned Residential District
<b>PCD</b>	Planned Commercial District
<b>PPD</b>	Planned Professional District
<b>PID</b>	Planned Institutional District
<b>PLID</b>	Planned Light Industrial District
<b>OS</b>	Open Space Development District
<b>SP</b>	Scenic Preservation District
<b>RSC</b>	River/Stream Corridor Protection District
<b>WSW</b>	Water Supply Watershed Protection District
<b>WP</b>	Wetlands Protection District
<b>GRA</b>	Groundwater Recharge Area Protection District

### SECTION 501: INTERPRETATION OF ZONING DISTRICT BOUNDARIES

Where uncertainty exists with respect to the locations of the boundaries of any Zoning District in Oglethorpe County, Georgia, the following rules shall apply:

1. Where a zoning district boundary line is shown as approximately following a corporate limits line; a militia district line; a land lot line; or the centerline of a street, public road, or state highway, or of a creek or stream; or such lines extended, then such lines shall be construed to be the zoning district boundary lines.
2. Where a boundary line is given a position within a street, road or alley, or non-navigable stream, it shall be deemed to be in the center of the street, road, alley, or stream, and if the actual location of such street, road, alley, or stream varies slightly from the location as shown on the Official Zoning Map, then the actual location shall control.
3. Where a zoning district boundary line is shown or noted as being located a specific distance from a street, property line, or other discernable physical feature, and approximately parallel thereto, then such zoning district boundary line shall be construed as being the noted distance or failing such a note, the scaled distance from the centerline of the street or property line, or other discernable physical feature, and as being parallel thereto.

4. Where a district boundary line, as appearing on the zoning map, divides a lot in single ownership at the time of the enactment of these regulations, the location of the line shall be the noted distance, or failing such a note, the scaled distance from the lot lines. In this situation, the requirements of the Zoning District in which the greater portion of the lot lies shall apply to the balance of the lot, except that such extension shall not include any part of a lot that lies more than fifty (50') beyond the Zoning District boundary lines. In those cases where only a portion of a lot is within a zoning district, required setbacks shall be measured from the property line and not the zoning district boundary.
5. In the case of a through lot fronting on two approximately parallel streets, where such lot is divided by a Zoning District boundary line generally paralleling the streets, the restrictions of the Zoning District in which each frontage of the through lot lies shall apply to that portion of the through lot.
6. Whenever a zoning district boundary line divides a structure, the use of the entire structure shall either be those uses permitted in the less intensive district, or if more than fifty (50%) percent of the heated area of the structure and lot are located in the more intensive district and has its street frontage and access located in the more intensive district, the entire structure may be used for any use permitted in the more intensive district. This clause applies to the use of the structure and not to the surrounding property. The use of the surrounding property or expansion of the structure must follow the requirements of the district in which it is located. In addition, the heated floor space of such structure cannot be increased (if less than fifty (50%) percent of the structure is located in the more intensive district) so as to increase the percentage of the structure located in the more intensive district above fifty (50%) percent. If a structure is more than fifty (50%) percent located in the more intensive district, expansion of the structure for nonresidential use may only occur in the more intensive district (if nonresidential use is allowed in that district.) If such structure is used for any nonresidential use, front, rear, and side yard buffer requirements are applicable with the necessary buffer/screening requirements situated on the property lines and not the zoning boundary. Lot coverage, whether residential or nonresidential, may be calculated using the entire area of the lot; however, no development from the more intensive district can occur within the less intensive district.
7. Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the Official Zoning Map, the Planning Commission shall, upon application, determine the location of the boundary, using the appropriate scale from the Official Zoning Map.

#### **SECTION 502: OFFICIAL ZONING MAP**

The boundaries of these districts are hereby established as shown on the map entitled "The Official Zoning Map of Oglethorpe County, Georgia." Said map is hereby adopted by reference and declared to be a part of this Ordinance. As evidence of its authenticity, the Official Zoning Map and amendments shall be certified by the Mayor and Town of Maxeys.

Regardless of the existence of purported copies of the Official Zoning Map, which may from time to time be made or published, the Official Zoning Map shall be located in the offices of the Planning and Zoning Official(s) and shall be the final authority as to the current zoning status of Oglethorpe County.

#### **SECTION 503: AMENDMENTS TO OFFICIAL ZONING MAP**

If, in accord with the provisions of this Ordinance, changes are made in district boundaries portrayed on the Official Zoning Map, the date of such changes shall be promptly noted on the Official Zoning Map after the amendment has been approved by the Maxeys Town Council and duly noted in the minutes of the Commissioners' meeting. No changes of any nature shall be made to the Official Zoning Map except in conformity with the procedures set forth in this Ordinance.

#### **SECTION 504: REPLACEMENT OF OFFICIAL ZONING MAP**

In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the Maxeys Town Council may by resolution adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other

errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map.