

## ARTICLE 5 GENERAL PROVISIONS

### **Section 501. Use, Occupancy and Erection.**

No building, structure, land, or water shall hereafter be used or occupied, and no building or structure or part hereof shall be erected, constructed, reconstructed, moved or structurally altered except in conformity with the regulations of this ordinance or amendments thereto, including the use provisions for the zoning district in which it is located. In addition, the following requirements shall apply:

No building, structure or land shall be occupied for residential purposes unless such building or structure has been approved by the Zoning Administrator as a lawfully established dwelling unit or other permitted use. In instances where an existing single-family dwelling unit has been damaged and is not habitable due to such damage, the Zoning Administrator is authorized to permit, in the rear yard on the lot of such existing but damaged dwelling unit, a recreational vehicle for temporary occupancy of the household while the damaged unit is being repaired. Said permission by the Zoning Administrator shall not exceed ninety (90) days initially, but the permission can be renewed up to two times for consecutive ninety (90) day periods for good cause shown.

Each dwelling unit in the City of Cornelia shall have at least 300 square feet of habitable floor area per adult occupant, and occupancy by more than one adult per 300 square feet of habitable floor area shall be unlawful.

### **Section 502. Minimum Requirements.**

Within each district, the regulations set forth shall be minimum requirements and shall apply uniformly to each class or kind of building, structure or land.

### **Section 503. Every Use Must Be Upon a Lot.**

No building or structure shall be erected or use established unless upon a lot of record as defined by this ordinance unless specifically provided otherwise in this ordinance.

### **Section 504. One Principal Building on a Lot.**

Except as otherwise specifically provided in this Ordinance, only one principal building and its accessory buildings may hereafter be erected on any one lot intended for such use; provided, however, that more than one multiple dwelling, office, institutional, commercial or industrial building may be located upon a lot, subject to setbacks and separation as provided in this ordinance.

### **Section 505. Height Limitations.**

Except as exempted in this section, no building or structure shall hereafter be erected, constructed, reconstructed, or altered, to exceed the maximum height of buildings and structures or the number of stories specified in this ordinance; provided, however, the Governing Body may upon application and approval of a conditional use permit buildings and structures to exceed these height limitations, subject to procedures for conditional uses established in this ordinance.

The height limitations established herein shall not apply to chimneys, smokestacks, church spires and steeples, domes, flag poles, public monuments, observation towers, water towers, non-commercial radio and television towers, electricity transmission towers, utility poles and similar structures.

**Section 506. Maximum Density, Minimum Lot Size, and Minimum Lot Width.**

No lot shall hereafter be developed with a number of housing units that exceeds the residential density for the zoning district in which the lot is located as established by this ordinance. No lot shall hereafter be developed that fails to meet the minimum lot size and minimum lot width for the zoning district in which the lot is located as established by this ordinance, except as otherwise specifically provided. No lot shall be reduced in size, and no principal building shall hereafter be constructed, so that the minimum lot size or minimum lot width of the zoning district in which said lot and building are located are not maintained.

**Section 507. Minimum Floor Area Per Dwelling Unit.**

No dwelling shall hereafter be constructed or occupied that fails to meet the minimum floor area for a dwelling unit as established by the zoning district in which the property is located. No existing dwelling shall be reduced in size so that its floor area fails to meet the minimum floor area for a dwelling unit as established by the zoning district in which the property is located.

**Section 508. Minimum Required Yards and Building Setbacks.**

No building shall hereafter be erected in a manner to have narrower or smaller rear yards, front yards, or side yards than specified for the zoning district in which the property is located, or for the specific use if yards and setback regulations pertain to a specific use in this ordinance. The buffer requirements established by this ordinance may supersede these minimum required yards.

No lot shall be reduced in size, and no principal building shall hereafter be constructed, so that the front, side, or rear yards of the zoning district in which said lot and building are located are not maintained. This section shall not apply to portions of lots affected by public acquisition of part of the lot. No part of a yard shall be included as a part of the yard required for another building.

**Section 509. Principal Building Separation.**

On lots where more than one principal building is permitted on a lot, no principal building shall be located closer than twenty (20) feet to another principal building on the lot; provided, however, that this shall not apply to buildings in the CBD, Central Business District.

**Section 510. Coverage Requirements.**

No lot shall hereafter be developed to exceed the maximum lot coverage as specified for the zoning district in which it is located. No lot shall be developed with less than the minimum landscaped open space specified for the zoning district in which said lot is located.

**Section 511. Street Frontage Requirement.**

No building or structure shall hereafter be erected on a lot, and no lot shall hereafter be created or subdivided, that does not abut for at least thirty (30) feet on a public street, or an approved private street.

**Section 512. Visibility at Intersections.**

No fence, wall, sign, hedge or planting which obstructs the sight lines at elevations between two (2) and twelve (12) feet above any roadway shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines, or such lines extended, and a line connecting such right-of-way lines at points twenty-five (25) feet from the intersection of the right-of-way lines. In such cases as right-of-way lines do not exist or cannot be determined, said measurements shall be made from points fifteen (15) feet from the centerline of the existing road or ten (10) feet from the existing pavement or roadbed, whichever is greater.