

## ORDINANCE O-1305-006

AN ORDINANCE AMENDING THE ORDINANCE PASSED AND ADOPTED ON THE 10TH DAY OF DECEMBER, 2002, KNOWN AS " THE LAND DEVELOPMENT CODE OF THE CITY OF MILLEDGEVILLE, GEORGIA."

WHEREAS, the Mayor and Aldermen of the City of Milledgeville, did submit to the Milledgeville Planning and Zoning Commission for review and recommendation, a request that the Land Development Code of the City of Milledgeville, Georgia, be amended so as to allow Group Residence as a special use within certain streets in the Historic District; and

WHEREAS, the Milledgeville Planning and Zoning Commission, in session duly called and assembled, did consider said request and said Commission approved proposed amendments and thereafter notified The Mayor and Aldermen of the City of Milledgeville of its decision thereof; and

WHEREAS, notice of the time and place of said hearing was duly published in The Union Recorder, a newspaper having general circulation in the City of Milledgeville, on the 15th day of November, 2013, all as is set forth in an affidavit of Keith Barlow, Publisher of said newspaper, and attached to said original petition filed in this matter; and,

WHEREAS, The Mayor and Aldermen of the City of Milledgeville held a public hearing on said proposed amendment on the 10th day of December, 2013 at 6:30 P.M., at the City Hall.

NOW THEREFORE BE IT ORDAINED by the Mayor and Aldermen of the City of Milledgeville, and it is ordained by authority thereof:

SECTION I. That the Land Development Code passed and adopted on the 10<sup>th</sup> day of December, 2002, known as the " Land Development Code of the City of Milledgeville, Georgia" , be and the same is hereby amended as follows to read:

- I. Article 3 Section 3 Table 3-1 entitled " List of Permitted Principal and Accessory Uses: under SIC Code " Group Residence" is hereby deleted in its entirety and the following language shall be substituted in lieu thereof:

GROUP RESIDENCE – Subject to the restrictions set forth in Article 4 Section 4.1.28, use may be permitted as a Special Use within the Historic District in the SFR1 district; see parking requirements under 7.4.6 ( 6).

- II. Article 4 Section 4.1.28 entitled " GROUP RESIDENCE" is hereby deleted in its entirety and the following language shall be substituted in lieu thereof:

## GROUP RESIDENCE:

- a. A group residence within the SFR1 districts are only permitted as a special use within the Historic District overlay in the below designated and described blocks and partial blocks:

Four complete and contiguous blocks bounded by: North Jackson Street, West Hancock Street, West Montgomery Street and North Clarke Street and appropriately designated as such on the Historic District overlay.

In addition to the four complete and contiguous blocks identified above, a group residence within the SFR1 districts shall be permitted as a special use on those specific parcels fronting and contiguous to the northern right-of-way of West Montgomery Street between North Columbia Street and North Liberty Street and those parcels fronting and contiguous to the southern right-of-way of West Hancock Street between South Jackson Street and South Columbia Street and appropriately designated as such on the Historic District overlay; provided the parking requirements in Section 7 Article 7.4.6 (6) are satisfied.


- b. Upon application by the property owner for a special use “ Group Residence” in the above designated areas of the Historic District Overlay, the property owner shall certify in writing to the Zoning Administrator as to the maximum number of persons to occupy said structure if the special use “ Group Residence” is granted. In addition, the certification required by this sub-section shall also be required of the property owner annually on the anniversary date of the granting of the special use “ Group Residence” .
- c. Upon application by the property owner for a special use “ Group Residence” in the above designated areas of the Historic District Overlay, the Building Department and the Fire Department shall cause to be inspected the subject structure and premises. No application for special use “ Group Residence” in the above designated areas of the Historic District Overlay shall be presented for consideration by the Zoning Commission prior to these required inspections. In addition, the inspections required by this sub-section shall also be conducted on an annual basis after receipt by Zoning Administrator of the annual certification required by sub-section B. The property owner shall be responsible for all

designated inspection fees associated with the inspection of the premises and structure.

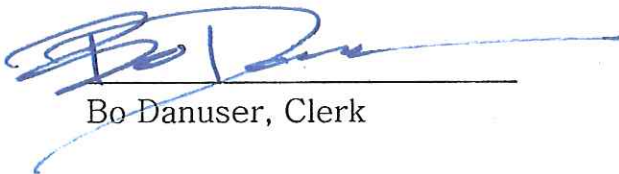
- d. Failure of the property owner to provide the required certifications set forth in sub-section B and/or failure of the property owner to comply with the inspections set forth in sub-section C shall result in a revocation of the subject property' s special use " Group Residence" designation by the Zoning Administrator upon providing the property owner sixty (60) days written notice of said revocation. Said written notice of revocation under this sub-section shall state the specific reasons for revocation of the special use " Group Residence" designation. Any property owner who receives notice of revocation by the Zoning Administrator shall have the right to appeal such revocation to the Board of Zoning Appeals.

SECTION II. All provisions of said ordinance passed and adopted on the 10<sup>th</sup> day of December, 2002, known as the " Land Development Code of the City of Milledgeville, Georgia" , not in conflict herewith are hereby reaffirmed.

PASSED AND ADOPTED THIS 10<sup>th</sup> day of December, 2013.

  
Richard A. Bentley, Mayor

ATTEST:

  
Bo Danuser, Clerk

