

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 43

AN ORDINANCE

Amending Ordinance No. 25 relating to zoning to add thereto a multiple family dwelling district, to delineate the boundaries of said district, to promulgate regulations and restrictions with regard thereto, to add front yard restrictions in the Community Convenience Commercial District, and to change the front yard requirements of the Residential District and for other purposes.

Section 1. Section 10 - 1 (14) is amended by adding thereto a new sentence as follows: "For the purpose of the Multiple Family Dwelling District the word lot shall include all contiguous properties in one ownership, upon any portion of which one or more structures for multiple family use are erected or to be erected."

Section 2. Section 10 - 2 is amended to add thereto a new paragraph (D) as follows:

"(D) Multiple Family Dwelling District.

A part of the old Carroll Crest Tract now known as the Voges Tract and beginning at an iron pipe on the northwest corner of the Voges tract and bearing south 82°10' East 200 feet to an iron pipe; thence south 22°12' West a distance of 272.4 feet to a point; thence westwardly a distance of 122.5 feet, more or less, to a point; thence south 22°12' West a distance of 147 feet, more or less, to a point on the north line of the right-of-way of McFarland Road; thence westwardly following the northern line of the right-of-way of McFarland Road a distance of

73 feet, more or less, (on the Chord) to an iron pipe; thence north 21°54' East 336.9 feet to the Point of Beginning."

Section 3. Section 10 - 2 is further amended by deleting from Paragraph (C) thereof the property described in new paragraph (D) hereinabove.

Section 4. Section 10 - 3(A)(2) is amended by deleting the words "Board of Zoning Appeals" and substituting in lieu thereof the words "Municipal Planning Commission".

Section 5. Article IV is amended by adding thereto a new Section 10 - 5.1(a) as follows:

"Section 10 - 5.1 - Multiple Family District

(a) Uses Permitted: Multiple family dwellings upon issuance of a building permit as provided in the Ordinances of this City."

Section 6. Article IV, Section 10 - 7(C) is amended by deleting the first full sentence and inserting in lieu thereof the following:

"(C) Front Yard Required. There shall be a front yard having a depth of not less than thirty (30) feet."

Section 7. Article IV, Section 10 - 8 is amended by adding thereto a new subparagraph (C) as follows:

"(C) There shall be a front yard of not less than thirty (30) feet in depth."

Section 8. Article IV is further amended by adding thereto new Sections 10 - 9.1 and 10 - 9.2 as follows:

"Section 10 - 9.1 - Regulations of Multiple Family Dwelling District.

"(a) Building Height Limit. No building or structure hereafter erected or structurally altered shall exceed two (2) stories or thirty-five (35) feet in heighth.

"(b) Area and Parking Regulations. At least one and one-half (1-1/2) off-street parking spaces,

each full parking space to be at least ten (10) feet wide and twenty-two (22) feet long shall be provided for each unit in any multiple family dwelling.

"(c) Lot Size Requirement. The minimum lot size shall be Four Thousand (4,000) square feet for each unit of a multiple family dwelling. Such parcels or lots shall have a minimum width of at least One hundred and ninety (190) feet.

"(d) Front Yard Requirement. There shall be a front yard having a depth of not less than 30 feet.

"(e) Side Yard Requirements. On each side of a building there shall be a side yard of not less than thirty feet provided that where a side yard adjoins a different zone there shall be a side yard of forty feet.

"(f) Rear Yard Requirement. There shall be a rear yard of not less than twenty-five feet in depth provided that where the rear yard adjoins a different zone, there shall be a rear yard of thirty-five feet.

"(g) Building Arrangement Requirements. All buildings containing multiple family dwellings shall be set apart in accordance with the following regulations:

Front to Front Arrangement	- 60 feet
Front to Rear Arrangement	- 70 feet
Rear to Rear Arrangement	- 50 feet
Side to Side Arrangement	- 30 feet
Other Arrangements	- 40 feet

"(h) Landscaping. At least 50 per cent of the lot upon which multiple family dwellings are to be located will either be landscaped or, in conjunction with the landscaping, the natural state of the lot may be retained, the intention of this provision being to afford as much natural screening as possible and

to blend the entire lot with the general landscaping of the community.

"Between all parking areas and the buildings there shall be a landscaped area of at least ten (10) feet provided that when the rear of a building faces the side or rear yard where a buffer zone is required, the buffer zone may, at the option of the developer, be in lieu of the landscaped area required herein.

"(i) Buffer Zone. Where the lot upon which multiple family dwellings are constructed adjoins a different zone, a ten foot buffer on all lot lines adjoining such zone shall be landscaped with emphasis on the deciduous and evergreen trees and shrubs of sufficient height and density as to provide adequate screening from adjoining properties and no parking or paving shall be permitted within the buffer zone.

"(j) Illumination. Illumination for signs, buildings and parking areas and drives shall be placed and directed so that the source of light is not directly visible from adjoining properties.

"(k) Parking and Drives. All parking areas and driveways shall be paved and the size, location and arrangement shall be such as to permit fire department access to all fire hydrants without interference.

"(l) Garbage Bins. All garbage areas shall be located so as to be easily accessible to the City's garbage collection service and shall be landscaped to provide screening from adjoining properties.

"(m) Driveway Entrances and Exits. The location of driveway entrances and exits onto the public streets of the City shall be subject to the approval of the City Engineer who shall consult with the Chief of Police and/or the Councilman in charge of the Police Department and such City Engineer shall take into consideration the following factors

in making their determination as to the number, location and size of entrances and exits:

- "(a) width of lot on public street;
- "(b) on site traffic flow;
- "(c) off site traffic flow;
- "(d) visibility;
- "(e) fire department requirements and garbage truck requirements;
- "(f) speed limits.

The intention of this paragraph is to provide safe ingress and egress onto the public streets to and from the multiple family dwelling project.

"In the event of a finding by the City Engineer, which in the opinion of the applicant is adverse, the applicant for a driveway entrance or exit may petition the City Council for a hearing and the action of the City Council by resolution by a majority of the Council at a meeting at which a quorum are present shall be final and binding upon the applicant.

"(n) Water Mains and Fire Hydrants. The location, size, direction and quantity of flow, length and points of connection of all water mains and fire hydrants shall be subject to the following requirements: Except for multiple family dwellings containing no more than two (2) family dwelling units, at least eight inch mains shall be required to service multiple family dwellings; the size of mains and number and location of hydrants shall be such as to provide a cumulative flow of 1500 gallons of water per minute to each part of every building. In calculating the flow of gallons per minute, only those hydrants which are within 500 feet

of each part of every building and which flow not less than 500 gallons of water per minute shall be used. Each hydrant shall be valved so as to permit its shutdown without interference with the water main.

"(o) Fire Protection. Each multiple dwelling unit shall be initially equipped with at least one portable fire extinguisher of ABC rating of no less than 2.5 pounds located so that it is accessible for kitchen use.

"Section 10 - 9.2 - Application and Issuance of Multiple Family Building Permit. (a) Construction or use for multiple family dwellings shall be allowed only after issuance by the Municipal Planning Commission of the City of Lookout Mountain, Georgia of a building permit.

"(b) The procedure to secure a building permit is as follows:

"1. Any person desiring a permit for property owned by him shall apply, in writing, to the Municipal Planning Commission for the City of Lookout Mountain, Georgia. Such written application shall contain the following information:

(i) the names and addresses of all persons owning or occupying property within Seven Hundred and Fifty (750) feet from any portion of the property in question;

"(ii) the location of the proposed development in relation to the surrounding areas;

"(iii) the existing zoning;

"(iv) the property lines of the site;

"(v) the size of the site;

"(vi) the accessibility to the site;

"(vii) the surrounding type of development and

land use and names of adjoining property owners and/or subdivisions;

"(viii) the topography of the site with contour intervals not more than ten (10) feet;

"(ix) the type of the development proposed;

"(x) the density of the development on the proposed plan;

"(xi) the location and size of proposed buildings, showing number of units therein;

"(xii) the location of streets, parking areas and internal pedestrian circulation walkways and their dimensions;

"(xiii) the location and type of open space and recreation facilities;

"(xiv) the location and size of existing public utilities and easements;

"(xv) the proposed development's name, the name and address of owner, name and address of the designer of the proposed development;

"(xvi) statement relating to ownership or control;

"(xvii) existing drainage easements and proposed on site drainage facilities, showing acreage drained and direction of flow;

"(xviii) delineation of any areas to be dedicated;

"(xix) proposed landscaping and screening;

"(x) proposed size and location of water mains and fire plugs;

"(xi) other such pertinent data as may be deemed necessary by the Municipal Planning Commission. The Municipal Planning Commission may require supplemental data in order to determine if the proposal meets the requirements of the Multiple Family Dwelling regulation and the Southern Standard Building Code, in addition to that described above before issuing a permit.

"2. In the event a permit is granted under the provisions of this ordinance, if the construction authorized by such permit is not undertaken within one (1) year from the date of the granting of such permit, such permit shall be deemed automatically revoked. For the purposes of this section of the ordinance, construction shall be considered as being undertaken if there is visible evidence upon the land or structure involved that substantial continuing steps have been taken toward construction or erection of the structure in the manner authorized by the permit."

Section 9. Interpretation Purpose and Conflict. In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, morals and general welfare of the community. It is not intended by this ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided however, that where this ordinance imposes a greater restriction upon the use of buildings or premises than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of this ordinance shall control.

Section 10. Validity. Should any section, clause or provision of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.


Section 11. Part of Code of Ordinances. It is the intention of the governing body and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lookout Mountain, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.


Section 12. This ordinance shall take effect ten (10) days after its approval and adoption by the City Council of the




City of Lookout Mountain, Georgia after two readings, at least one (1) week apart.

Approved on first reading on October 5, 1972.

  
Member of City Council of Lookout Mountain, Ga.

  
Member of City Council of Lookout Mountain, Ga.

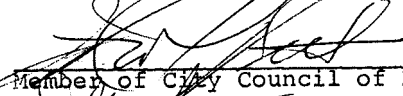
  
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Member of City Council of Lookout Mountain, Ga.


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Mayor of Lookout Mountain, Ga.

Approved and adopted on second reading on October 19, 1972.

  
Member of City Council of Lookout Mountain, Ga.

  
Member of City Council of Lookout Mountain, Ga.

  
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Mayor of Lookout Mountain, Ga.

ATTEST:

  
City Clerk of Lookout Mountain, Ga.

(SEAL)