

**PROCEDURES FOR BUILDING
IN THE CITY OF LOOKOUT MOUNTAIN, GEORGIA**

In order to maintain an efficient process for obtaining building permits for the construction and/or remodeling of structures in the City of Lookout Mountain Georgia (“the City”), the following procedural requirements and information are being provided to help guide both property owners and contractors in the building process.

Where should I apply?

Application for a Building Permit should be submitted to:

Ms. Cindy Roberts
City Clerk
1214 Lula Lake Road
Lookout Mountain, GA 30750

706-820-1586 ext. 1

Hours of operation: Monday – Friday, 8:00 AM to 4:00 PM

Who must apply?

Either the resident or contractor should complete and submit the permit application.

What building projects require a building permit?

A Building Permit is required for:

- New construction
- Addition of rooms, dormers, decks, porches, fireplaces, carports, garages, or any other structure as defined in the adopted Zoning Regulations.
- Enclosure of existing porches, decks, breezeways, etc. with walls or glass that causes the outdoor space to become interior space.
- Addition or construction of sunrooms, greenhouses, portable storage building, swimming pools, placement of fuel tanks, as well as construction of all fences, new lighting fixtures, electrical outlets, etc.

No permit is required for work that is clearly considered as repair or maintenance of an existing, conforming structure, i.e., appliance replacement using plug in devices, replacement of siding or roofing, driveway repairs, or interior projects that are limited to painting, tiling, carpet and/or trim work, etc. If there is a question as to whether a permit should be requested, please contact Cindy Roberts, our City Clerk.

What is involved in the review?

The building plans will be reviewed for compliance with the City's adopted Zoning Ordinances and the International Building Code, following state minimum standard codes "Building Codes" together with all mandatory Georgia State Amendments and appendices now or hereafter adopted by the Georgia Department of Community Affairs (See City Ordinance 248). The City Building Official will conduct a site visit to review the proposed work to validate that the documents accurately represent the work to be performed.

What is required for review?

The Applicant must fill out a **Building Permit Application** from City Hall along with two sets of the building plans, as well as one set of the following digital drawings:

- **SITE PLAN** should show the location of the proposed project in reference to all property lines and indicate compliance with City Building Setback requirements. All existing and new structures and fences shall be shown and located by dimension in reference to existing property lines. This drawing may be a tax plat from the Owner's deed documents, with notes as needed to show compliance with setback requirements. In cases where the Owner is proposing a structure being built in proximity to a property line that cannot be clearly determined, the Building Official will require a boundary survey by a registered Surveyor.
- **FLOOR PLANS** of each level showing new and remodel work, dimensions, and notes needed to clearly describe the scope of the work to be performed, the materials used, and the appearance of finishes.
- **EXTERIOR ELEVATIONS** should show new and remodel work, as well as materials to be used.
- **FOUNDATION PLAN** must show location of all footings around and within the structure. **This is one of the most important drawings in the required package.** In most cases it must be prepared by a Registered Structural Engineer, especially in cases where retaining walls are required due to site conditions. Please contact the Building Official for verification.
- **FRAMING & ROOF PLANS** should show the intended materials, including beams, joists, etc.
- **WALL SECTIONS** should show materials, structural members, heights, etc. as needed to describe the work being performed.

It is not necessary for the drawings to be produced by a registered Architect; however, the drawings must be to scale, clearly legible, and complete enough for the Building Official and the Planning Commission to make an educated assessment of compliance with Zoning and Building Code regulations. Unclear or incomplete drawings will not be approved. If drawings do not meet acceptable standards, the Property Owner will be required to resubmit the drawings.

If plans are purchased through a Plan Service or Magazine, or other generic source to construct a structure, the Property Owner is required to provide "Site Specific" information, including a Site Plan; Engineered, Specific Foundation Plan; and other documents that may be necessary to show the adaptability of the stock plan to the specific location. Absence of such information will cause rejection by the Building Official.

A set of this information will be returned to the Owner for their records, and one set will be retained by the Building Official for the City's records. The Owner's set must be kept on the job site and made available to the Building Official during inspections.

What are the building setback requirements?

No building can be located closer to the property line than indicated below. In many cases lots are large enough that there is no real concern with building over the setback line. In these cases, it is not necessary for the Owner to provide a survey of the property or stake the corners for verification. However, in those cases where the new work may encroach upon the setbacks, the Owner must provide proof that the setback lines are not violated.

Building setback lines shall be as follows:

Front Setback:	30 feet	
Rear Setback:	25 feet	
Side Setbacks:	15 feet	
Interior Lots	(See Diagram A)	
Corner Lots:	30 feet on each street	(See Diagram B)
Through Lots	30 feet at each end facing a street	(See Diagram C)

What are the guidelines for fences?

See the drawings for an Interior Lot (Diagram D), Corner Lot (Diagram E) and Through Lot (Diagram F) following the guidelines below:

Sec. 10-19.3. Fences.

(A) General Fence Prohibitions.

- (1) No fences constructed of, or consisting of, or containing barbed wire or barbs shall be erected or placed on any property within the City.
- (2) No fences containing or facilitating the use of electrical current shall be erected or placed on any property within the City.
- (3) No fences, walls, screens, or fence-like garden structures shall be erected or placed on any property within the City without the prior approval of the Municipal Planning Commission obtained as hereinafter provided.
- (4) No fences shall be constructed of exposed concrete or concrete masonry unless they are coated on all exposed surfaces with cement plaster or other approved materials. EIFS coatings are not approved or acceptable.
- (5) No fences shall be constructed of any type of wire mesh or chicken wire. There are special provisions for chicken coops (see Appendix H, Ordinance 292)
- (6) No fences shall be constructed of scrap materials.

(B) Limited Exceptions to General Fence Prohibitions.

Notwithstanding the foregoing:

- (1) The prohibitions set forth in subparagraphs (1), (2) and (5) of Section 10-19.3 above shall not apply to fences erected on property of five (5) acres or more, so long as the purpose of such fencing is the enclosure of large animals which may legally be kept on such property; and
- (2) Seasonal and temporary wire mesh fencing shall be permitted for the protection of garden plants, provided that: (a) no such fencing may be erected within the applicable setback requirements for the lot in question; (b) such fencing cannot at any point be more than three (3) feet from the plants being protected; and (c) the plants being protected must occupy at least eighty percent (80%) of the area enclosed by the fencing.

(C) Acceptable Materials for the Construction of Fences.

- (1) Fences may be constructed with brick, stone, manufactured stone, and tile.
- (2) Fences may be constructed with wood in pickets, planks, grids, etc. Split rail style wood fences are also allowed.
- (3) Fences may be constructed with PVC or Vinyl materials, so long as they meet the criteria listed in item (F)(3).
- (4) Fences may be constructed of wrought iron or other decorative metal materials such as steel or aluminum, so long as they meet the criteria listed below in item (F)(4).
- (5) Chain link fences may only be approved for side or rear yards and must meet the criteria listed below in item (F)(5).
- (6) Other materials not expressly prohibited may be approved at the discretion of the Municipal Planning Commission, but only upon unanimous vote of the members present and only after the Commission has had at least thirty (30) days to research the quality and suitability of the materials proposed.

(D) Location and Height of New Fences.

- (1) Side yard and rear yard fences shall not be in excess of 6 feet in height from ground level when located in any area less than fifteen (15) feet from any side lot line in any side yard or less than twenty-five (25) feet from any rear lot line in any rear yard.
- (2) Front yard fences shall not under any circumstances exceed 42 inches in height from ground level.
- (3) Front and side yard fences may not be constructed in such a way as to limit visibility of oncoming traffic at either street intersections or driveways. The burden will be on the property owner to demonstrate to the Municipal Planning Commission that any proposed fence will not obstruct the view of oncoming traffic.
- (4) The Municipal Planning Commission may review submitted drawings and on-site conditions and place appropriate limitations on fences to prevent obstruction of vision. If a fence is not built as approved, or presents a concern regarding safety, the Municipal Planning Commission will require that it be removed, modified, or relocated.

(E) Maintenance of fences, walls, etc.

- (1) Property owners shall have the responsibility of maintaining fences, walls, screens and fence-like garden structures in good repair and condition for the life of the structure. This standard shall be followed regardless of whether the structure is new or is in existence at the time of the adoption of this Ordinance.
- (2) Portions of fences and other structures regulated by this Ordinance that are not in good repair or are in substandard condition must be replaced. Any portion of a fence or other structure that has missing or damaged members, is leaning out of plumb, or has become unsightly due to lack of paint or other finish shall be considered to be in substandard condition.
- (3) Any property owner who does not maintain in good repair and condition a fence or other structure regulated by this Ordinance shall be required to make such reasonable modifications and/or repairs as are directed by the City Building Official and/or Municipal Planning Commission.
- (4) The property owner's application for a permit to erect or place a fence, wall, screen or fence-like garden structure within the City of Lookout Mountain, as required by this Ordinance, shall constitute the property owner's approval, consent and permission for the Building Official to enter onto the property, either before or after the fence or other structure is erected, to review the condition of fences and other structures regulated by this Ordinance. If the property owner has not made application for a permit to erect the fence or other structure as required by this Ordinance, the Building Official may nevertheless enter onto the property for the aforesaid purpose, if (a) the property owner gives his or her written or verbal consent, or (b) the City gives the property owner ten (10) days' advance written notice of the Building Official's intent to enter onto the property.
- (5) If, in his judgment, the Building Official believes a fence or other structure regulated by this Ordinance is not in compliance with this or other applicable Ordinances, he will report his findings to the Municipal Planning Commission which will then determine if the property owner is to be cited for noncompliance.

(F) Criteria for Accepted Fences.

- (1) Brick, stone, manufactured stone, and tile fences shall have a continuous concrete foundation that is a minimum of 30 inches wide and 12 inches thick with two # 4 continuous reinforcing bars. Such fences shall also have vertical reinforcing consisting of a minimum # 4 reinforcing bar at 32 inches on center. Vertical reinforcing shall be tied to the horizontal reinforcing.
- (2) Wood fences with vertical posts shall have the posts spaced at not greater than eight feet on center. Posts shall have a 12-inch diameter concrete foundation around them and shall be set a minimum 30 inches deep.
- (3) Vinyl or PVC fences shall have posts spaced not greater than eight feet on center. Posts shall be set a minimum two feet deep into a 12-inch diameter footing. All posts and horizontal rails shall have a steel inner sleeve for added strength. A manufacturer's non-prorated lifetime warranty must be provided to the Municipal Planning Commission if the fence is to be approved.
- (4) Steel, wrought iron, decorative metal or aluminum fences shall have posts spaced not greater than eight feet on center, set a minimum two feet deep into a 12-inch diameter footing.

- (5) Chain link fences are not allowed in front yards and may only be approved for rear and side yards if they do not exceed three (3) feet in height and are planted with sufficient shrubbery, bushes, hedges, plants, trees, or other natural foliage which will grow to sufficient height and density to substantially cover and screen the outside of the fence from view within three to five years.
- (G) Encroachment.** Nothing contained in this Ordinance shall be interpreted to permit encroachment into adjacent lots or rights-of-way for the purpose of providing any screening and foliage cover required by this Ordinance. Any such required screening and foliage cover shall be placed and located solely within the property where the fence is erected or placed but may be rooted on either the inside or the outside of the fence, so long as the outside of the fence has the required cover and screening.
- (H) Existing Fences.** The lawful use, size or location of a fence existing as of the effective date of this Ordinance, shall not be affected by this Ordinance although such existing fence may not conform to or comply with the provisions hereof; provided, however, that such fences shall be maintained in good repair and condition as provided in this Ordinance, and no such fence shall be extended, enlarged or replaced except in full conformity and compliance with the terms hereof.
- (I) Municipal Planning Commission Approval.**
- (1) Applications for permits to erect or place fences, walls, screens, or fence-like garden structures within the City of Lookout Mountain must be made in writing to the Municipal Planning Commission. The Commission may require as a condition to considering the application such plans, drawings, photographs, maps, manufacturers' brochures, and other data as it may deem material and may conduct such investigations and inquiries as it may deem necessary or expedient. All such plans, drawings, etc., shall be submitted to the Commission at least ten (10) calendar days before the meeting at which the application is to be considered. The applicant shall have the burden of showing to the satisfaction of the Commission that the proposed fence will not adversely affect motor vehicle and traffic safety, accessibility to buildings on the property in the event of fire or other emergency, police protection, accessibility for garbage and leaf service, the natural beauty of the neighborhood, and scenic views. The Commission may also consider such factors as objections of other persons in the neighborhood, the extent that adjacent and neighboring yards are open, and such other practical and aesthetic factors deemed material by the Commission.
 - (2) Except for the fences and other structures authorized by the limited exceptions set forth in Section 10-19.3(B) of this Ordinance, any fence, wall, screen or fence-like garden structure erected without the prior approval of the Municipal Planning Commission may be ordered removed by the City Building Official or the Municipal Planning Commission; provided, however, that if the property owner proves to the Commission that an illegally erected fence is in full compliance with the requirements of this Ordinance and pays a building permit fee twice the amount of the fee that would have otherwise been charged for the fence, the Commission may, in its discretion, allow the fence to remain.
 - (3) If a property owner fails to remove an illegally erected fence, wall, screen, or fence-like garden structure within thirty (30) days of notification from the City Building Official or Municipal Planning Commission, the City may, at its option, remove the fence at the property owner's expense. The cost of such removal shall constitute a lien on the property and may be collected by levy and sale of the property or by any other lawful means.
 - (4) In the event any property owner or other interested party is aggrieved by any decision of the Municipal Planning Commission either granting or denying an application for the approval of a fence, or by any other action of the City Building Official or Municipal Planning Commission under this Ordinance, they may within, but no later than ten (10) days after such decision, petition

the City Council in writing for a hearing, and the action of the City Council by resolution of a majority of the Council at a meeting at which a quorum is present shall be final and binding upon the property owner or other interested party.

(Ord. No. 323 , § 4, 11-14-2019)

What are the guidelines for the keeping and raising of chickens?

Detailed guidelines can be found in Appendix H, Ordinance 292, the amended and revised zoning ordinance.

What are the guidelines for swimming pools?

Swimming pool plans must be submitted and approved before work begins. All pool drainage plumbing must be connected to the sewer grinder pump and inspected by the City Sewer Department.

When can land disruption begin?

Projects that disturb 400 square feet or more of ground (clearing, grubbing, excavation, etc.) will require a City Stormwater Permit. All projects that disturb one acre or more or create 5000 square feet of impermeable surface will, in addition to the City Stormwater Permit, require a state of Georgia Erosion and Sediment Permit and must follow the City Ordinance 331 Post Development Ordinance. Particular care needs to be taken to adhere to the City's twenty-five-foot stream buffer.

What are the required inspections that must be obtained before a Certificate of Occupancy is awarded?

Following being granted a Building Permit, the Owner may begin construction. The Contractor must contact the City Clerk at least 24 hours in advance to request the following building inspections:

Temporary Power Electrical Inspection if the project requires temporary power.

Foundation Inspection. The Contractor shall not call before all footings are dug, steel reinforcing is completed, and he is ready to pour.

Framing Inspection. All primary and incidental framing must be complete. This inspection should coincide with the Electrical Rough-in inspection. All framing shall be left exposed. No insulation shall be in place, and all areas shall be left open for review.

Rough In and Final Inspections will be required on the following:

- Electrical
- Plumbing
- HVAC
- Mechanical
- Gas and Insulation
- Structural

and any other areas that the Building Official or City Official may deem necessary.

There may also be times that the Inspector or Building Official may require clarification or guidance from a Certified Engineer on certain construction components of the construction to verify it meets the minimum code requirements. The cost for such related expenses will be the responsibility of the contractor and/or the property owner, not the City. Also, at the Final Inspection the Energy Code Compliance Certificate form must be presented and a copy must be posted at or near the Electrical Panel or Air Handler Equipment.

Final Building Inspection. This will occur after the Contractor has reached the point of Substantial Completion but has not vacated the site.

A Certificate of Occupancy shall be issued after all final Inspections have been made and documents received to include all required fees for permits, fees for Inspections and Reinspection have been received by the City Clerk. **The new structure may not be occupied until this document has been produced and presented to the Contractor or Property owner.**

- If at any time during the duration the Building Official finds work that does not comply with the Building Code or other ordinances, he shall have the right to reject that portion of the work and require that the Contractor take the necessary steps to comply. If the Owner does work through his personal efforts or those of a hired person that does not comply with the Code, he shall be required to correct deficient work, regardless of cost or difficulty. Regardless of who performs the work, it shall be the Owner's responsibility to ensure that all work is performed within the Code.
- The Building Official will make one visit for each phase of the work that he inspects. Any additional visits required to check on corrections or to revisit issues shall be performed at an additional cost and shall be paid by the Owner. The cost of the re-visits is available through the City Clerk. Payment for additional visits must be made in full before the inspection occurs.

The Property Owner, or the person or company retained to provide plans for the proposed project, is responsible to become familiar with the Zoning ordinance, and to abide by the regulations of the International Building Code, following state minimum standard codes "building Codes" together with all mandatory Georgia State Amendments and appendices now or hereafter adopted by the Georgia Department of Community Affairs. (Ordinance 248)

Additional information or questions can be obtained as follows:

A copy of the Zoning Ordinance is available for review at City Hall. It shall be the Property Owner's responsibility to assure that the contractor and architect shall comply with all provisions.

All requests for inspections, as well as questions about regulations must be made to the City Clerk 706-820-1586.

Any person who starts construction before a Permit has been approved is subject to a fine of two times the assessed cost of the original Building Permit.

How do I file an appeal if my permit request is denied?

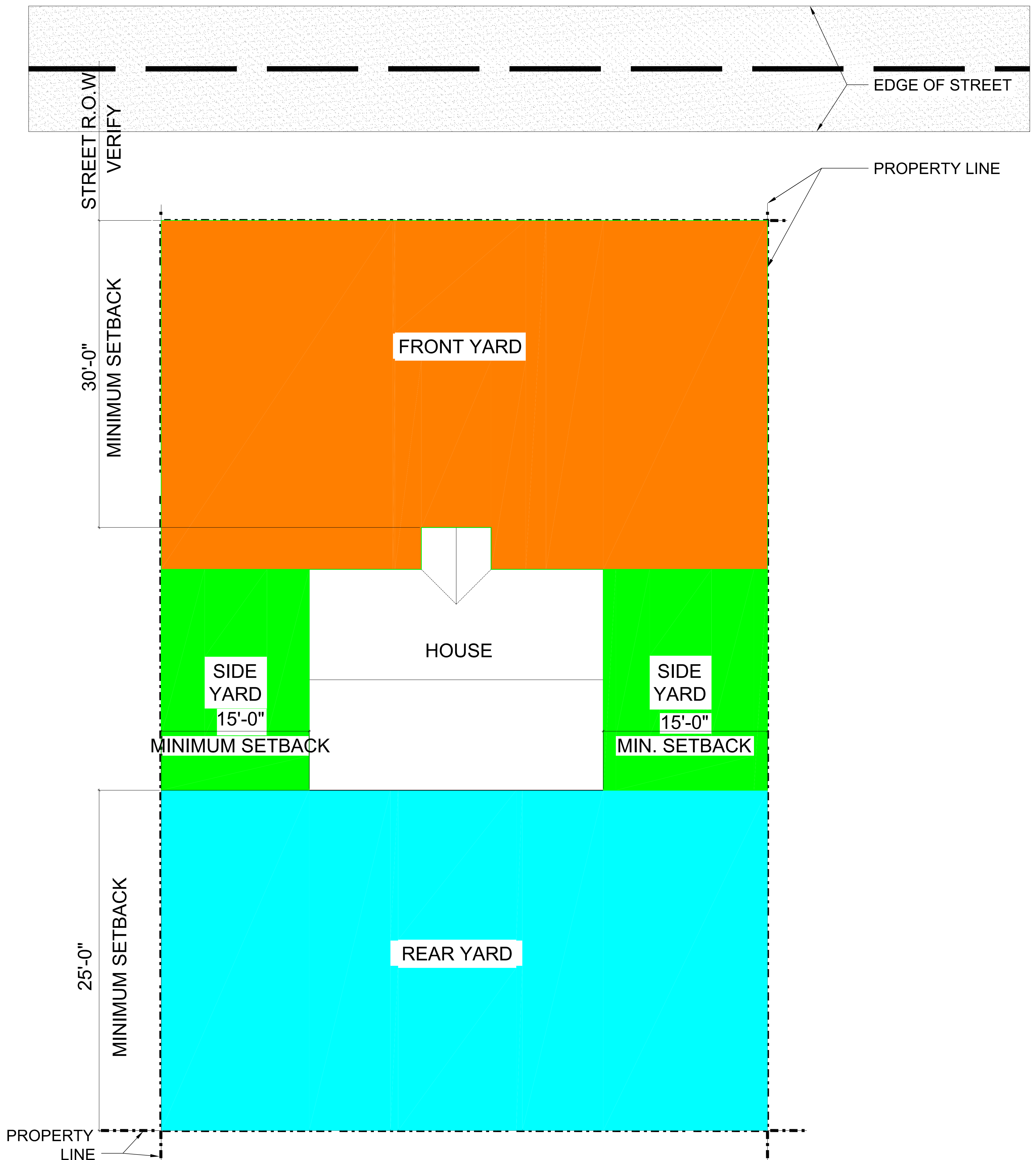
At the point a permit is denied, the applicant may make a request for review by the Board of Zoning Appeals. This group meets on an “as needed basis” to consider appeals. A secondary option is to request a hearing with the City Council. This request must be submitted within 10 days of the Municipal Planning Commissions denial.

Requirements for Granting a Variance: Section 4-7 of Ordinance No. 116 authorizes the Board of Zoning Appeals to grant a variance in special cases if a literal enforcement of the zoning ordinance would create an unnecessary hardship on the individual property owner. There are requirements for granting a variance. All four requirements must be satisfied.

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.
2. The application of the zoning ordinance to this particular piece of property would create an unnecessary hardship.
3. The extraordinary and exceptional conditions (see #1 above) are peculiar to the particular piece of property involved.
4. The relief (the variance), if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning ordinance. No variance may be granted for a use of land for a building or structure that is prohibited by the zoning ordinance. Normally, consideration for a variance is only given for hardship reasons such as oddly shaped property configurations, topography, limitations due to natural features, or other special reasons. Variances granted shall not establish a precedent for any future consideration, and no Property Owner shall be allowed to use past incidences of approval in their case. The Property Owner is encouraged to seek approval from neighbors for variances. A letter written by adjacent neighbors will be accepted as part of the consideration for a variance, however, Variance Board members are not obligated to give approval based on such letters and will weigh the interests of the community at large to a greater extent than the opinions of neighbors in their decisions. The Variance Board will carefully consider the information submitted, as well as the recommendation of the Building Official, and will judge whether the request should be accepted or rejected.

DIAGRAM A- INTERIOR LOT- BUILDING SETBACK REQUIREMENTS

DIAGRAM NOT TO SCALE



NOTES

ON INTERIOR LOTS IN THE SINGLE FAMILY RESIDENTIAL DISTRICT, THE FRONT YARD REGULATIONS SHALL APPLY ON THE STREET SIDE ONLY

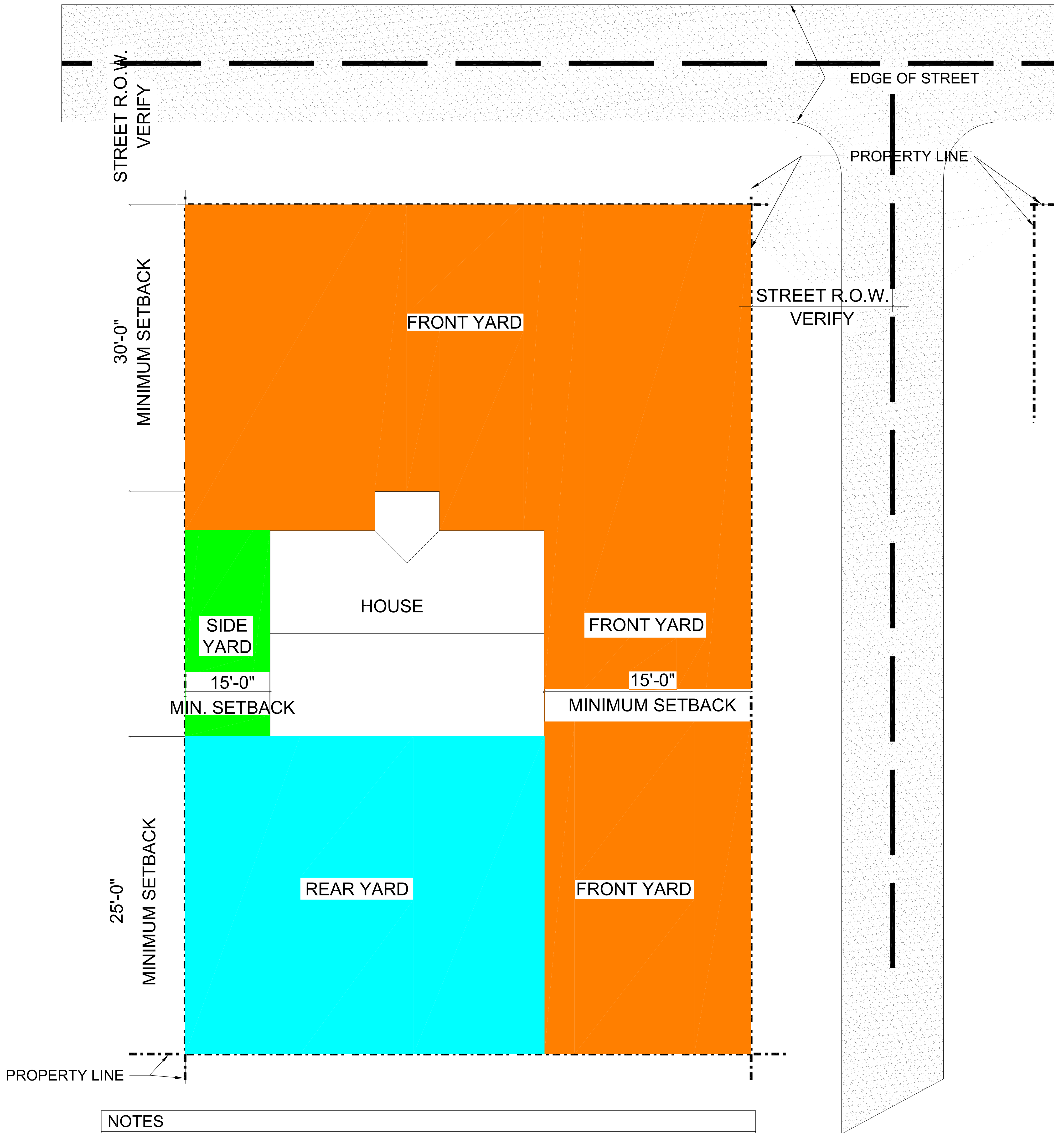
UNDER THE CITY OF LOOKOUT MOUNTAIN GEORGIA'S ZONING ORDINANCE, THE MINIMUM LOT SIZE IS 15,000 SQUARE FEET. BUT, FOR LOTS CREATED IN A "SUBDIVISION" (AS DEFINED IN OUR ORDINANCES), THE MINIMUM LOT SIZE IS 35,000 SQUARE FEET

A STORAGE STRUCTURE OR GARAGE IS NOT REQUIRED TO FOLLOW THE BUILDING SETBACK REQUIREMENTS IF IT IS LOCATED BEHIND THE REAR PLANE OF THE PRIMARY STRUCTURE

FRONT YARD SIDE YARD REAR YARD

DIAGRAM B- CORNER LOT- BUILDING SETBACK REQUIREMENTS

DIAGRAM NOT TO SCALE



NOTES

ON INTERIOR LOTS IN THE SINGLE FAMILY RESIDENTIAL DISTRICT, THE FRONT YARD REGULATIONS SHALL APPLY ON THE STREET SIDE ONLY

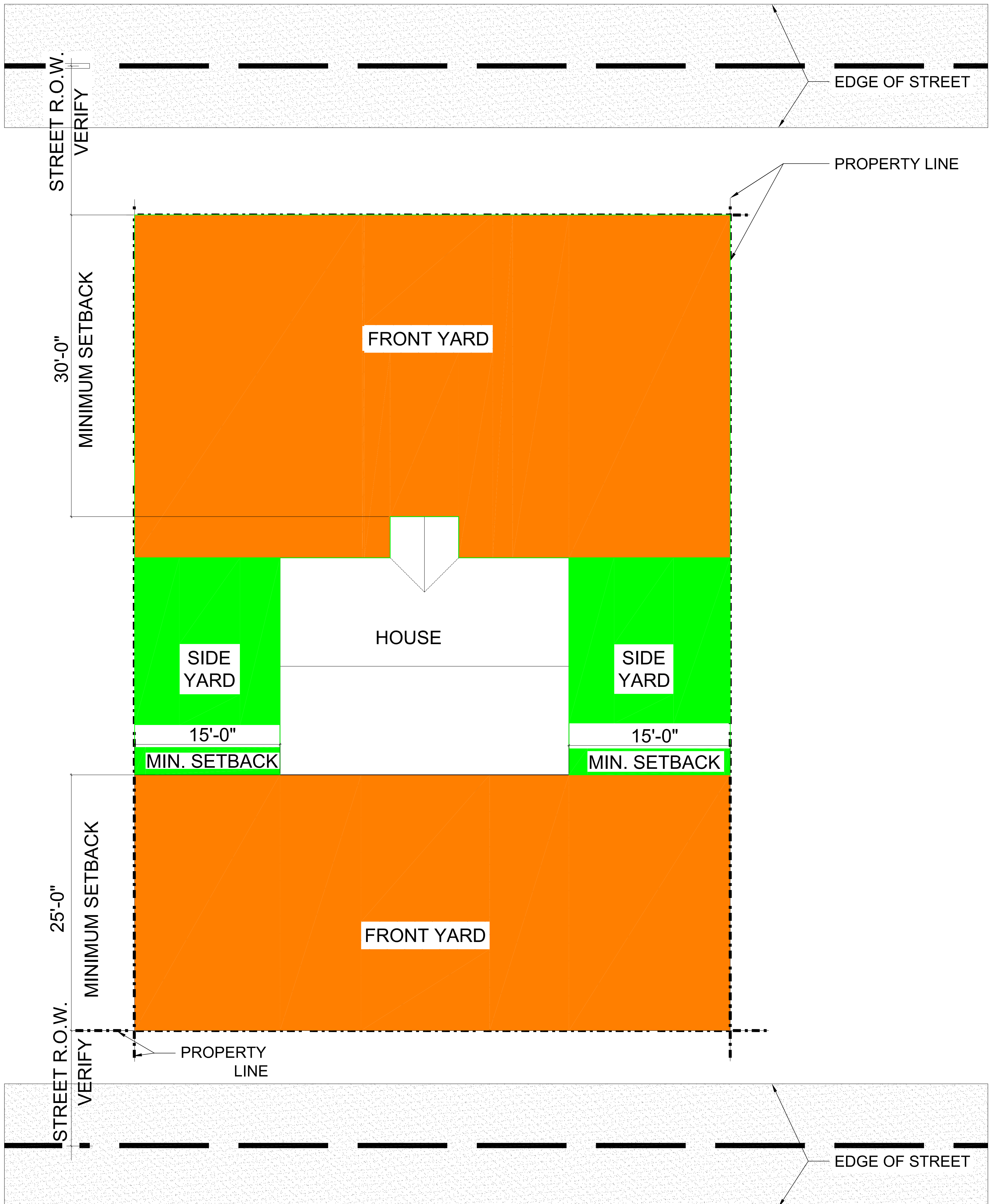
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A STORAGE STRUCTURE OR GARAGE IS NOT REQUIRED TO FOLLOW THE BUILDING SETBACK REQUIREMENTS IF IT IS LOCATED BEHIND THE REAR PLANE OF THE PRIMARY STRUCTURE

FRONT YARD SIDE YARD REAR YARD

DIAGRAM C- THROUGH LOT- BUILDING SETBACK REQUIREMENTS

DIAGRAM NOT TO SCALE



NOTES

ON INTERIOR LOTS IN THE SINGLE FAMILY RESIDENTIAL DISTRICT, THE FRONT YARD REGULATIONS SHALL APPLY ON THE STREET SIDE ONLY

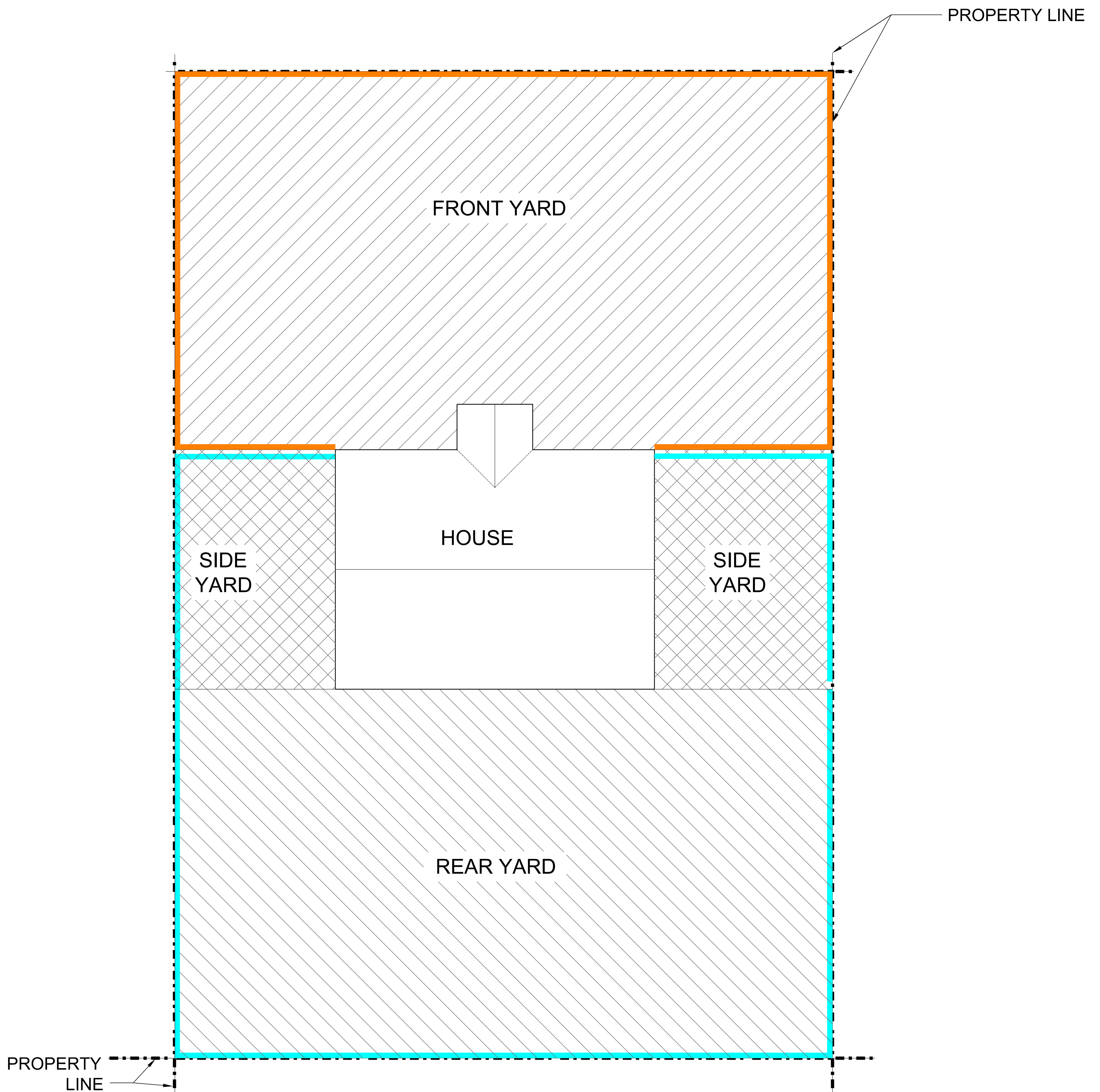
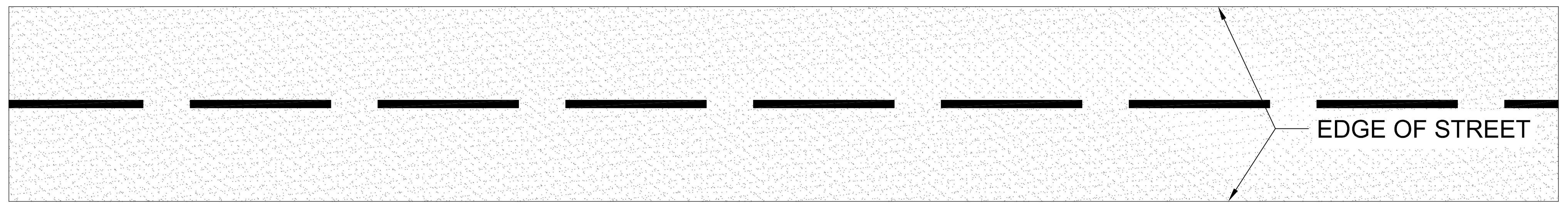
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A STORAGE STRUCTURE OR GARAGE IS NOT REQUIRED TO FOLLOW THE BUILDING SETBACK REQUIREMENTS IF IT IS LOCATED BEHIND THE REAR PLANE OF THE PRIMARY STRUCTURE

FRONT YARD SIDE YARD REAR YARD

DIAGRAM D- INTERIOR LOT- FENCES

DIAGRAM NOT TO SCALE





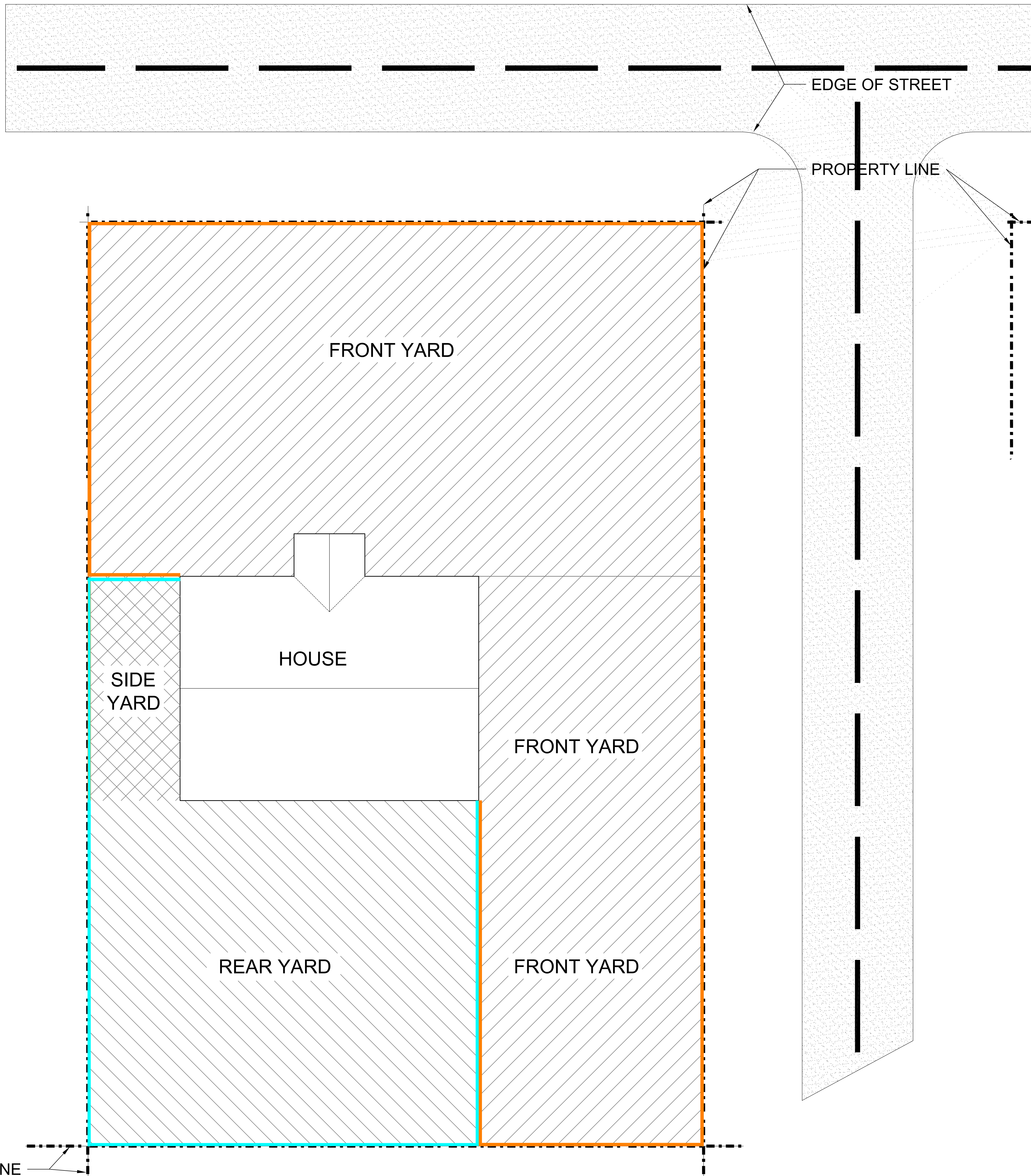
FENCES	
MAXIMUM FENCE HEIGHTS	
6 FEET HIGH	 42" HIGH 

DIAGRAM E- CORNER LOT- FENCES

DIAGRAM NOT TO SCALE



FENCES

MAXIMUM FENCE HEIGHTS

6 FEET HIGH

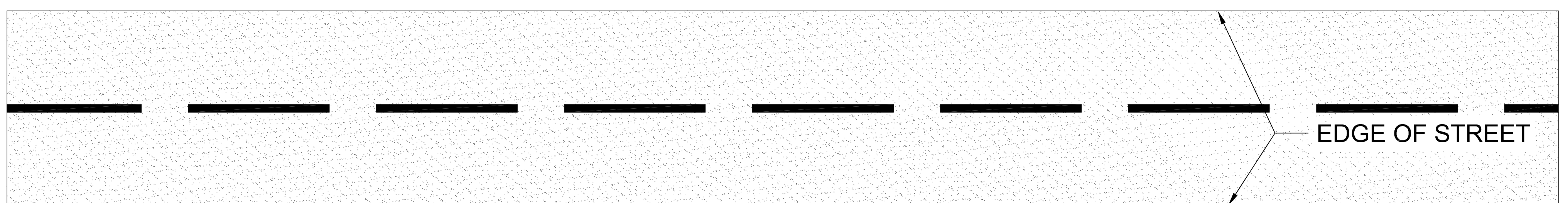
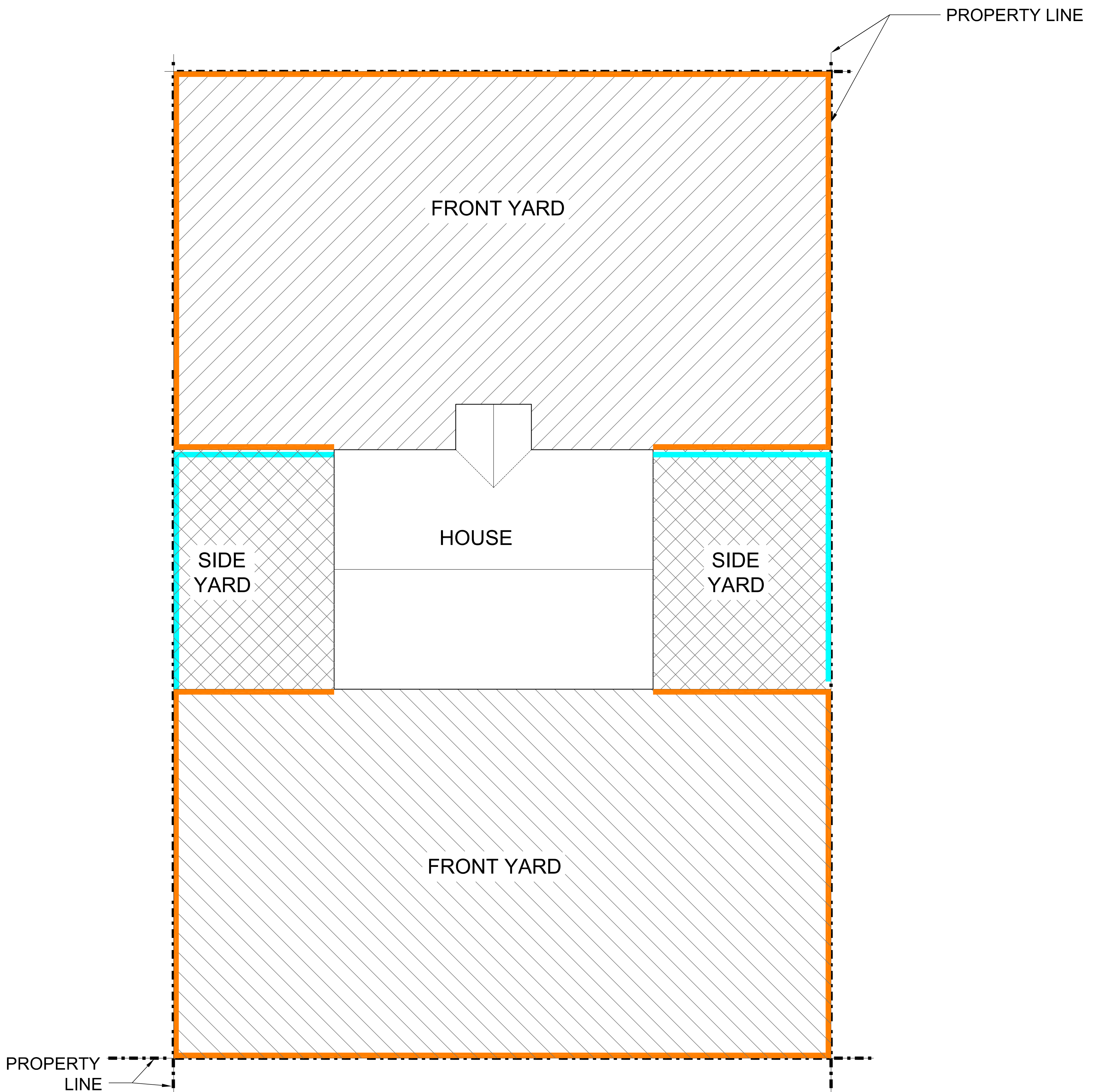
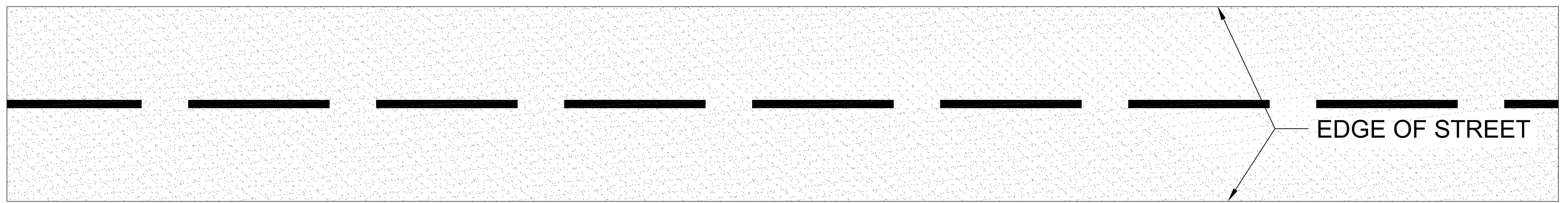


42 INCHES HIGH



DIAGRAM F- THROUGH LOT - FENCES

DIAGRAM NOT TO SCALE



FENCES	
MAXIMUM FENCE HEIGHTS	
6 FEET HIGH	42" HIGH