

**RESOLUTION AMENDING THE ZONING ORDINANCE
OF MADISON COUNTY, GEORGIA**

For the purpose of promoting the health, safety, and general welfare of the present and future inhabitants of Madison County and to further the purposes of the Madison County Zoning Ordinance as set forth therein, the Board of Commissioners of Madison County does hereby ordain and enact into law the following changes to the Zoning Ordinance.

11.1.1 Where a legal lot of record at the time of the enactment of this ordinance cannot meet the minimum yard and setback requirements in any Zoning District in which single-family dwellings are permitted and the owner of such lot does not own sufficient adjoining land that can be incorporated into such lot to meet the minimum yard and setback requirements of this ordinance; or if the topography, physical shape, or other unique features of such lot of record, prevent reasonable compliance with the setback requirements, the yard, side-yard and rear- yard setback requirements of the district in which the property is located may be reduced by the smallest amount that will permit reasonable use of the property as a single-family dwelling site, upon approval of the Planning and Zoning Commission. Such reduction of these space requirements shall constitute a variance. However, in no case shall the Planning and Zoning Commission permit any lot in a residential district (R-1, R-2 or R-3) to be used as a building site that is less than seventy-five percent (75%) of the district's minimum lot size as set forth in Article VIII of this ordinance. Further, the Planning and Zoning Commission may grant variances only upon certification by the Madison County Board of Health that such lot can meet the water and sewer requirements of the Georgia Environmental Protection Division and that all of the following conditions exist:

Shall be deleted and replaced with the following:

11.1.2 Where a legal lot of record at the time of the enactment of this ordinance cannot meet the minimum yard and setback requirements in any Zoning District in which single-family dwellings are permitted and the owner of such lot does not own sufficient adjoining land that can be incorporated into such lot to meet the minimum yard and setback requirements of this ordinance; or if the topography, physical shape, or other unique features of such lot of record, prevent reasonable compliance with the setback requirements, the yard, side-yard and rear- yard setback requirements of the district in which the property is located may be reduced by the smallest amount that will permit reasonable use of the property as a single-family dwelling site, upon recommendation of the Planning and Zoning Commission and the approval of the Board of Commissioners. Such reduction of these space requirements shall constitute a variance. However, in no case shall the Planning and Zoning Commission and the Board of Commissioners permit any lot in a residential district (R-1, R-2 or R-3) to be used as a building site that is less than seventy-five percent (75%) of the district's minimum lot size as set forth in Article VIII of this ordinance. Further, the Planning and Zoning Commission and Board of Commissioners may grant variances only upon certification by the Madison County Board of Health that such lot can meet the water and sewer requirements of the Georgia Environmental Protection Division and that all of the following conditions exist:

The provisions of this resolution shall be effective upon approval by the Madison County Board of Commissioners.

Approved by the Madison County Board of Commissioners on the _____ day of _____, 2013

BOARD OF COMMISSIONERS, MADISON COUNTY, GEORGIA

By: _____

Anthony Dove, Chairman

ATTEST:

Linda Cox, County Clerk

