

## Chapter 22

### LAND USE\*

#### Article II. Zoning

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##### DIVISION 2. ESTABLISHMENT OF DISTRICTS

###### Sec. 22-41. Establishment of Districts.

For the purpose of this article, Elberton, Georgia is divided into zoning districts as follows:

R-1	Single Family District
R-1A	Single Family District
R-1B	Single Family District
R-2	Multi-family District
P	Professional District
CBD	Central Business District
B-1	Neighborhood Business District
B-2	General Business District
I	Industrial District
FH	Flood Hazard District
HC	Historic Commercial
HR	Historic Residential

[Ord. No. 2050, § 1(Art. IV(4.1), 9-13-99]

###### Sec. 22-42. Zoning Atlas.

The boundaries of these districts are hereby established as shown on the City of Elberton "Comprehensive Zoning Map". Said map is hereby made a part of this article and shall be available for public inspection in the office of city clerk. As evidence of its authenticity, the official comprehensive zoning map shall be signed by the mayor and attested to by the city manager and city clerk.

(Ord. No. 2050, § 1(Art. IV (4.2), 9-13-99)

###### Sec. 22-43. Map Amendment.

If, in accordance with provisions of this article, changes are made in the district boundaries or other information portrayed in the official zoning atlas, such changes must be made on the

official zoning atlas within a practical time frame after the amendment has been approved by the mayor and council together with a numerical entry on the official comprehensive zoning maps referring to the application on file which states the date of the official action and the brief description of the nature of the changes. No amendment to this article which involves a matter portrayed on the official zoning atlas is effective until after such change and entry is made on the map.

All changes to the official comprehensive zoning map or matters shown thereon must be in conformity with the procedures set forth in this zoning ordinance. Any unauthorized change by any person is considered a violation of this article and punishable as provided by law and this article. (Ord. No. 2050, § 1(Art. IV(4.3), 9-13-99)

#### **Sec. 22-44. Rules for Determining Boundaries.**

The following rules apply where uncertainty exists with respect to the boundaries of any of the zoning districts shown on the official comprehensive zoning map for Elberton, Georgia.

- (1) Unless otherwise indicated, the district boundaries are indicated as approximately following property lines, land lot lines, centerlines of streets, highways, alleys or railroads, centerlines of streams, reservoirs, or other bodies of water, or civil boundaries, and they shall be construed to follow such lines.
- (2) Where district boundaries are approximately parallel to or extend to the centerlines of streets, highways, railroads, including their rights-of-way, or the centerlines of streams, reservoirs, or other bodies of water, district boundaries shall be construed as being parallel thereto and at such distance there from as indicated on the official comprehensive zoning map. If no distance is given, dimensions shall be determined by the scale shown on the official comprehensive zoning map.
- (3) Where a district boundary line divides a lot that is under single ownership at the time of enactment of this article, the use classification of a larger portion may be extended by the mayor and council to the remainder without recourse to the amendment procedure.
- (4) Where a public road, street or alley is officially abandoned, the ordinance applicable to the parcel to which it reverts shall apply.
- (5) In case the exact location of a boundary cannot be determined by the foregoing methods, the mayor and council shall, upon application, determine the location of the boundary.

(Ord. No. 2050, § 1(Art. IV(4.4), 9-13-99)

#### **Sec. 22-45. Temporary Buildings.**

Temporary buildings used in conjunction with construction work only may be permitted in any district and shall be removed upon completion of construction.

(Ord. No. 2050, § 1(Art. IV(4.5), 8-13-99)

#### **Sec. 22-46. Annexation.**

Property to be annexed in Elberton shall be zoned according to the following procedures:

- (1) The city may undertake the procedures for zoning at any time on or after the date the notice of the proposed annexation is provided to the Elbert County board of commissioners as required under O.C.G.A. § 36-36-6.
- (2) The public hearing required for the zoning action shall be conducted prior to the annexation of the property into the city.
- (3) Elberton shall also publish within a newspaper of general circulation in the county, a notice of the hearing, shall post the property pursuant to section 22-223(c) and section 22-43 where required by state law.
- (4) The zoning classification approved by the mayor and council following the hearing shall become effective on either the date the zoning is approved or the date the annexation becomes effective, whichever is later.

(Ord. No. 2050, § 1(Art. IV (4.6), 9-13-99)

**Sec. 22-47-22-62. Reserved**