

TOWN OF THUNDERBOLT



ZONING ORDINANCE

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ARTICLE I.

ZONING ORDINANCE

ARTICLE I: ENACTMENT, SHORT TITLE, JURISDICTION

1. Enactment Clause. The Mayor and Alderman of the Town of Thunderbolt In Council assembled do hereby ordain and enact into law these zoning regulations.

2. Short Title. These regulations shall be known and may be cited as the Zoning Ordinance of the Town of Thunderbolt, Georgia.

3. Jurisdiction. These regulations shall govern the use of all land and the developments thereof within the incorporated areas of the Town of Thunderbolt, Georgia. Except as otherwise provided, no structure or land shall hereafter be used and no structures or parts thereof shall be erected, altered or moved except in conformity with the regulations herein specified.



ARTICLE II.

ZONING ORDINANCE

ARTICLE II: PURPOSE

The purpose of these regulations shall be to encourage such distribution of population and such classification of land use and such distribution of land development and utilization, and such standards for land development, as will lessen and prevent congestion in the streets, help secure safety from fire, panic and other dangers; promote the health and general welfare of the citizens of the Town of Thunderbolt; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; prevent urban sprawl; facilitate the adequate provision of transportation, water, sewerage, schools, parks, police, and fire protection, and other public requirements; promote desirable living conditions and the sustained stability of neighborhoods; protect property against blight and deterioration; secure economy in governmental expenditures; conserve the value of building and land; encourage the most appropriate use of land, buildings, and other structures; and for other purposes.



ARTICLE III.

ZONING ORDINANCE

ARTICLE III: DEFINITIONS

For the purpose of this Ordinance, certain words or terms used herein shall be defined as follows:

Words used in the singular number include the plural, and the words used in the plural include the singular.

Words used in the present tense include the future tense.

The word person includes a firm, partnership or corporation.

The word lot includes the word plot or parcel.

The word building includes the word structure.

The word shall is always mandatory and not merely discretionary.

The word used or occupied as applied to any land or building shall be construed to include the words intended, arranged or designed to be used or occupied.

1. **Alcoholic Beverages.** Any beverage or class of beverage with an alcoholic content, including beer and wine, the sale of which must be specifically licensed by the Town.
2. **Alteration.** A change in size, shape, character, occupants or use of a building or structure.
3. **Alteration - Structure.** Any change in the support members of the building, such as bearing walls, columns, beams or girders.
4. **Accessory Building and Uses.** A secondary building or a portion of the main building, the use of which is incidental to that of the primary use of the main

building or land. An accessory use is one, which is incidental to the main use of the premises.

5. **Billboard.** Any sign with an advertising surface measuring eight (8) feet or more in length, width, height, diameter, or along any single dimension.
6. **Board of Zoning Appeals** - The mayor and aldermen serve as the Board of Zoning Appeals.
7. **Building Height.** Building Height requirements shall be controlled by section 5-201 (2)(B) of the general ordinances of the Town of Thunderbolt.
8. **Building Setback Line (Front Yard).** A line extending across the front of a lot from side lot line to side lot line and lying between the property line and the edge of the roof, or eaves, of the principal building on the lot.
9. **Building.** Any structure except a mobile home, which has a roof, designed or built for the support, enclosure, shelter or protection of persons, animals, chattels or property of any kind.
10. **Certificate of Occupancy.** A certificate issued by the Zoning Administrator stating that the occupancy and use of land, building or structure referred to therein complies within the provisions of this ordinance.
11. **Childcare Facility –** A family daycare home (for children) is defined as daytime care or instruction within an occupied residence of not more than six pre-school children, including all pre-school children that currently reside in the premises. This will come under the home occupation provisions of the Town of Thunderbolt provided that such use meets any County or State requirements.
12. **Clinic.** An establishment where patients who are not lodged overnight are

admitted for medical examination and treatment.

13. **Condition of Fact.** Statement of presentation including but not limited to drawings, planning and engineering data and design criteria demonstrating that a proposed development or use of land meets the intent of the zoning district for which it is proposed.
14. **Dwelling.** Any building or portion thereof, which is designed for or used for residential purposes.
15. **Dwelling, One-Family.** A building designed for one family.
16. **Dwelling, Two-Family.** A building with or without party wall, designed for two families.
17. **Dwelling, Multi-Family.** A building either designed, constructed, altered or used for more than two adjoining dwelling units, with each dwelling unit having a party wall or party floor where it joins at least one other dwelling unit in the building. This includes but is not limited to apartments, condominiums, townhouses, row houses or any other type of dwelling whether detached or semi-detached.
18. **Family.** One or more persons occupying a dwelling and living as a single housekeeping unit, as distinguished from persons occupying a boarding house or hotel or motel as described herein.
19. **Gross Floor Area** - The sum of the gross horizontal areas of the several floors of a building from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor-to-ceiling height is less than six feet.

20. **Housing, Boarding.** A building other than a hotel or motel where for compensation and by arrangement for a definite period of time, meals or lodging or both are provided for three or more persons who are not related to each other by blood, marriage, or adoption.
21. **Height** – Height requirements shall be controlled by section 5-201 (2)(B) of the general ordinances of the Town of Thunderbolt.
22. **Home Occupation.** An occupation customarily carried only within a home for gain or support, involving the sale of only those articles, products or services produced on the premises, conducted entirely within a dwelling unit and conducted entirely by persons residing in such dwelling unit, using only such equipment as is customarily found in a home and involving no display of articles, products or advertising signs. A home occupation shall include the boarding of not more than two nontransient guests. Childcare facilities as defined herein shall be considered a permissible home occupation. A beauty parlor which is operated in a room separate from but attached to a dwelling unit and which uses equipment other than that customarily found in a home shall be defined as a home occupation under the following specific conditions:
- (a) Such beauty parlor shall occupy not more than 500 square feet of floor space.
 - (b) There shall be no more than two employees, both of whom shall reside in the dwelling unit to which the beauty parlor is attached.
23. **Hospital.** Any institution receiving in-patients or a public institution receiving outpatients and authorized under state law to render medical, surgical, or obstetrical care.
24. **Hotel.** A building which is open to the public, for compensation, lodging or board, or both, for 20 or more persons and in which ingress and egress to and from all rooms are made through an inside lobby or office supervised by a person in charge at all times.

25. **Junk Yard.** Use of property for indoor or outdoor storage, keeping, abandonment, sale or resale of junk including scrap metal, rags, paper or other scrap materials, used lumber, salvaged house wrecking and structural steel materials and equipment or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof.
26. **Kennels.** Any establishment engaging in boarding, caring for and keeping of dogs, and/or cats for hire and commercial purposes.
27. **Laundromat.** A business that provides home type washing, drying, and/or ironing machines for hire.
28. **Lot.** A developed or undeveloped tract of land in one-ownership, legally transferable as a single unit of land.
29. **Lot Coverage.** The percentage of the lot area covered by the building.
30. **Lot Width.** The horizontal distance between the side lot lines of a lot measured at the front yard building setback line.
31. **Manufactured Home:** (Also known as Mobile Home, Trailer, Double and Triple Wide Home) Manufactured home means a structure, transportable in one or more sections which in a traveling mode is 8 body feet or more in width or 40 body feet or more in length or when erected on sight, is 320 or more square feet which is built on a permanent chassis and designed to be used as dwelling with or without permanent foundation when connected to the required utilities, including plumbing, heating, and air conditioning and electrical systems contained therein. A permanent chassis as used herein is defined as the entire transportation system comprised of the following systems: drawbar and coupling mechanism, frame, running gear assembly and lights. It is the intention of this definition to comply

- with the definitions used for manufactured homes found in the National Manufactured Home Construction and Safety Standards Act of 1974, 42 USC, Section 5401 et. Seq. and also to comply with any definition of manufactured home or similar nomenclature found in the Official Code of Georgia Annotated.
32. **Marquee**. A roof-like structure suspended over an entrance to a structure.
 33. **Modular or Industrialized Home**. An industrialized building, a modular home is a factory fabricated, transportable structure, consisting of units that are brought in on a trailer, to be constructed on top of a permanent foundation at the site for residential use. Such buildings are defined in O.C.G.A 8-2-111[3] and should bear the insignia of approval issued by the Commissioner of Community Affairs. Industrialized Buildings are regulated in Georgia under the O.C.G.A. Industrialized Buildings Act. The Act defines industrialized buildings and preempts local government authority on building code issues.
 34. **Mobile Home Parks**. A parcel of land, which has been planned and improved for the placement of mobile homes for nontransient uses.
 35. **Motel**. A building or a group of buildings containing sleeping accommodations and customary accessory uses for rental primarily to automobile transients.
 36. **Nonconforming Use**. A structure or land lawfully occupied by a use at the time of the adoption or subsequent amendment of this ordinance that is not permitted in the district in which such structure or land is located.
 37. **Nursing Home**. A home for the aged, chronically ill or incurable persons in which three or more persons not of the immediate family are received, kept or provided with food and shelter or care for compensation; but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

38. **Personal Care Homes** – A home in which protective care and a watchful oversight is given a resident who needs a watchful environment, but does not have an illness, injury or disability which requires chronic or convalescent care including medical and nursing services. Protective care and watchful oversight includes but it not limited to a daily awareness by the management of the resident's functioning, his or her whereabouts, the making and reminding a resident of appointments for medical checkups, the ability to intervene if a crises arises for a resident, supervision in the areas of nutrition, medication and actual provision of transient medical care with 24-hour responsibility for the well-being of the resident but not including facilities for the care of persons suffering from drug addiction, abuse and/or alcoholism (while in recovery rehabilitation or halfway house programs and treatments).
39. **Parking Space**. The space required to park one automobile, which shall be a minimum of 9 feet wide and 20 feet long, exclusive of passageways. A thoroughfare of 24' in width with a turning angle of not more than 18 degrees. On Multi-family dwellings the required spaces shall increase to 2½ spaces per dwelling.
40. **Public Use**. Buildings, structures and uses of land owned, operated and maintained by a government unit or government agency, including but not restricted to public schools, fire stations, recreation sites and facilities and water treatment facilities.
41. **Recreation Vehicle**. A vehicular-type structure, primarily designed as temporary living quarters for recreation, camping, or travel use that either has its own motive power or is mounted on or drawn by another vehicle which is self powered.
42. **Rezoning**. The change in zoning classifications of any parcel or parcels of land from one zoning district to another.

43. **Service Station**. A building or lot where gasoline, oil and grease are supplied and dispensed to the motor vehicle trade, and/or where battery, tire and other similar sales are minor incidental repair services are rendered.
44. **Setback**. The minimal horizontal distance between the front, side, and rear lot lines of a parcel as measured between the outer edge of the building's or structure's most outward structural appendage, including its eaves, from a point projected vertically down to the ground and to the front, side or rear property lines, respectively.
45. **Sign**. Any structure, part thereof, or device attached thereto or painted or represented thereon or any material or thing, illuminated or otherwise, which displays or includes any numeral, letter, word, model, banner, pennant, flag, poster, balloon, emblem, insignia, device, trademark, or other representation used as or in the nature of an announcement, advertisement, direction or designation of any person, group, organization, place, commodity, product, service, business, profession, enterprise or industry which is located upon any land or any building or upon a window. The flag, emblem, or other insignia of a nation, governmental unit, educational, charitable or religious group shall not be included within the meaning of this definition; provided however within any residential zoning district, the aggregate size of such flag, emblem or insignia shall not exceed thirty (30) square feet in area; and, no more than one such device shall be displayed for the same entity or governmental body per street frontage. For the purpose of the Article, sign types shall be identified as follows:
- A. Sign, Temporary:** A display, information sign, banner, or other advertisement device with or without a structural frame, not permanently attached to a building, structure or the ground for a permanent period. The sign may include, but not be restricted to signs used for a limited period for interior displays viewed from the outside of a use, or exterior real estate or pre-development signs,

accessory temporary window or display case signs, and/or decorative displays for holidays or public demonstrations.

- (1) **Sign, Development:** A temporary pre-development or construction sign denoting the architect, engineer, contractor, subcontractor, financier or sponsor of a development which may also designate the future occupant of the use.
- (2) **Sign, Real Estate:** A temporary sign announcing the sale, lease, or rental of a land use or property for the duration of the sale or rental period offered.
- (3) **Sign, Window:** A temporary interior window sign viewed from the outside of a use announcing the relocation or closing of a use, special sales, or other short term business related matters.

- B. Sign, Directional:** A sign containing information relative to the location, distance to, entrance to, and exit from on-site structures(s) or land use activities or signs erected and maintained on public right-of-way by an authorized governmental department.
- C. Sign, Incidental:** A small single face non illuminated professional or announcement sign not greater than one (1) square foot in size attached wholly to building, window, or door, and included only emergency information, business hours, credit cards honored, and other accessory information. Also pump island identification signs(s), not larger than one (1) square foot in size, located on the fuel pumps identifying type of service offered, the price of fuel, operational instructions of fueling system, but not containing any advertising material of any kind other than the logo of the principal use of the service station.
- D. Sign, Portable:** Any sign posted on a cart truck on wheels or other mobile device that is not permanently affixed, including but not limited to signs mounted or painted on vehicles not used primarily for other purposes.
- E. Sign, Double-faced:** A sign, with two(2) sides of which are visible. A “V” sign shall be considered a double-faced sign providing the least angle of intersection does not exceed sixty (60) degrees.

46. **(Reserved)**
47. **Site Development Plan.** A detailed plan showing proposed buildings, uses or reuses of all land, open spaces, location of major structures, recreation areas, schools and public facilities and such other planning elements and reasonable design criteria as may be deemed necessary by the reviewing agency.
48. **Story.** The portion of the building included between the surface of any floor and the surface of the floor next above, or, if there is no floor above, the space between the floor and the ceiling next above.
49. **Street.** A public or private vehicular way, open to general public use and having a pavement or roadbed width of not less than 20 feet, which affords the principal means of access to abutting property. Streets are divided into three classes: major arteries, collector streets, and minor streets.
50. **Structure.** Anything constructed or erected, the use of which requires a location on the ground including, but not limiting, the generality of the foregoing: advertising signs, billboards, backstops for tennis courts or baseball diamonds, fences and pergolas.
51. **Trailer - Utility.** A vehicle with or without its own motive power, which is mounted on the wheels or is designed to be so mounted and transported.
52. **Use, Principal.** The principal purpose, for which a lot or the main building thereon is designed, arranged or intended and for which it is or may be used.
53. **Use, Temporary.** A temporary use or building established in connection with a

construction project or real estate development, excluding facilities for sleeping or cooking.

54. **Used Car Lot.** Any parcel of land used for storage, display and sales of used automobiles and where no repair work is done except the necessary reconditioning of the cars to be displayed and sold on the premises.
55. **Variance.** An authorization by the Board of Zoning Appeals granting relief and doing substantial justice in the use of property, where, owing to special conditions, a literal enforcement of this ordinance would result in unnecessary hardship.
56. **Yard.** An open space at grade between a building and the adjoining lot lines or road right-of-way, unoccupied and unobstructed by any portion of a structure from the ground upward.
57. **Yard, Front.** A yard extending across the front of a lot from side lot line to side lot line and lying between the front property line and the principal building on the lot.
58. **Yard, Rear.** A yard extending across the rear of a lot from side lot line to side lot line and lying between the rear property line and the principal building on the lot.
59. **Yard, Side.** A yard extending along either side of a lot between the front and rear yard and lying between the side lot line and the principal building on the lot.
60. **Zoning Administrator or Office of Zoning Administrator.** That person or persons appointed by the Town Council to enforce the provisions of the zoning ordinance.



ARTICLE IV.

ZONING ORDINANCE

ARTICLE IV: GENERAL PROVISIONS

1. **Vision Clearance at Intersections.** On corner lots within all zoning districts, no fence, shrubbery or other obstruction to traffic sight vision, except utility poles, or light or sign standards, shall exceed a height of three feet within a triangular area formed by the intersection of the right-of-way lines of two streets, or railroads, or a street intersection with a railroad right-of-way line, and a diagonal line which intersects the right-of-way lines at two points, each twenty feet distant from the intersection of the right-of-way lines, or in the case of a rounded corner, from the point of intersection of their tangents.
2. **Lots with Multiple Frontage.** Except in the case of corner lots, any building constructed on a lot having a frontage of two or more streets shall be so located as to comply with the regulations governing the front yard setbacks on the street on which the structure, or use has frontage.
3. **Corner Lots, Side Yard Setback from Center of Street.** When a side yard of a building lies between the building and an abutting street, such side yard shall extend the entire width or length of the lot. The width of such side yard, measured from the centerline of the abutting street, shall be equal to one-half of the right-of-way distance established by the Subdivision Regulations for the Town of Thunderbolt for the class of a street to which such street belongs, plus the minimum side yard width established for the district in which the property is located. In no case shall the setback be less than the latter.
4. **Street Access.** No building shall be erected on a lot that does not abut an open street that shall be either a public street, a publicly approved street or a publicly maintained street.
5. **Encroachment on Public Rights-of-Way.** No building, structure, service area, or off-street parking and loading facilities, except driveways, shall be permitted to encroach on public rights-of-way.

6. **Sidewalks and Walkways.** Developers and subdivision developers shall be required to construct sidewalks in all districts, except for R-1 and R-2 dwellings (for single and two family dwellings and minor subdivisions), unless a variance is applied for and granted.

7. **Building Footprint.** Building and fixed structures for development or enlargement of any existing structure shall use no more than 50% of the total square footage of the lot or lots upon which the structures are built.



ARTICLE V.

ZONING ORDINANCE

ARTICLE V: ESTABLISHMENT OF ZONING DISTRICTS

1. **Classification of Districts.** In order to classify, regulate and restrict the uses of land, buildings, structures, and other open spaces about buildings, the Town of Thunderbolt, Georgia is hereby divided into districts as follows:

1. **Use Districts.**

- B: Business
- M-C: Marsh Conservation
- I: Industrial
- R-1: One-Family Residential
- R-2: Two-Family Residential
- R-3: Multi-Family Residential
- R-M-H: Residential-Mobile Home
- W-I: Waterfront Industry
- I-P: Institutional-Professional
- L-I: Light Industrial
- H-M: Hotel-Motel

2. **Overlay District.**

- P: Planning District

2. **Definition of Districts.**

B: Business. An area designated for development of, and occupied exclusively by, businesses providing for the retailing of goods and the furnishing of services.

Uses Permitted

- 1. Accessory uses and buildings
- 2. Churches

3. Hospitals, nursing homes and charitable institutions
4. Childcare facilities (provided that a minimum of 100 sq. Ft. of out-door play area is provided for each child and that all such areas are enclosed on all sides with at least a four foot high fence and a thirty (30) sq. Ft. Inside floor area is provided for each child).
5. Clubs, golf clubs, country clubs, privately owned recreational facilities, athletic fields or stadiums, swimming pools, clubs and lodges.
6. Public utilities including radio and television towers and transmitters when enclosed in an eight-foot chain link fence.
7. Automobile service stations.
8. New auto sales.
9. Banks and offices; banks, loan offices, professional offices, business offices
10. Cold storage locker.
11. Dry goods and variety store.
12. Plant nursery.
13. Food and drugstores; drug stores, meat market, bakery products store, dairy produce, confectionery.
14. Home furnishings and hardware appliance store and repair, hardware, paint, sporting goods, furniture upholstery.
15. Office supply stores.
16. Personal service shops, barber shop, beauty shop, shoe repair and sales, dry cleaning and laundry pick-up, Laundromat, watch repair.
17. Pipe line, power transmission line, and telephone, telegraph line, and such related public utility structure or station, except cellular phone towers, necessary for the installation or maintenance of utility services.
18. Publicly owned or operated building or uses, including a school, library, museum or art gallery, fire or police stations, community building in a public park, public park, playground, picnic area, swimming pool, golf course, and other public recreation uses.
19. Equipment and material sheds, as a temporary accessory use.

20. Restaurant
21. Specialty shops, gift shops, florist, jewelry, craft shops, ceramics, camera shops, antique shops, book stores, art supplies, music stores, photography shop and studio.
22. Tailor or dressmaker, pressing and cleaning shop, having not more than three pressing machines and one dry cleaning unit.
23. Taxicabs stand or office.
24. Telegraph or messenger service.
25. Telephone exchange.
26. Theater.
27. Wearing apparel store.
28. Marina, yacht club.
29. Sign, incidental.
30. Sign, principal use.
31. Sign, separate use.

Uses permitted upon review and approval by the Board of Zoning Appeals.

1. Garage-Auto repair and service.
2. Beer, wine; tavern, nightclub.
3. Animal hospital and kennels.
4. Liquor store.

M-C: Marsh Conservation. The purpose of the M-C District is to encourage all reasonable public and private uses and developments of the marshlands, such as rice farming, marshland grass cultivation and harvesting, grazing, boating, fishing, hunting, and swimming that will not be significantly detrimental to the biological ecology, aquatic life, wildlife, recreation and scenic resources of the marshlands and will not pollute the inlets and coastal waters with human or industrial wastes or the long term silting that would result from unduly disturbing the marshlands, all for the purpose of furthering the social and economic welfare of the citizens of Thunderbolt of the State of Georgia and of the nation.

Uses Permitted.

1. Marshland agriculture, swimming, boating, and hunting, fishing.
2. Private residential boat docks.
3. Sign, incidental.
4. Sign, principal use.
5. Sign, separate use.

I: Industrial. An area set aside and so situated as to be well adapted to industrial and commercial development, but where the proximity to residential and commercial districts will not be undesirable.

Uses Permitted.

1. Accessory uses and buildings.
2. Clubs, golf clubs, country clubs, privately owned recreational facilities, athletic fields or stadiums, swimming pools, clubs and lodges.
3. Public utilities including radio and television towers and transmitters when enclosed in an eight-foot chain link fence.
4. Automobile service stations
5. New auto sales.
6. Banks and offices; banks, loan offices, professional offices, business offices.
7. Cold storage locker.
8. Dry goods and variety store.
9. Plant nursery.
10. Food and drugstores; drug stores, meat market, bakery products store, dairy produce, confectionery.
11. Home furnishings and hardware appliance store and repair, hardware, paint, sporting goods, furniture upholstery.
12. Office supply stores.
13. Personal service shops, barber shop, beauty shop, shoe repair and sales,

- dry cleaning and laundry pick-up, Laundromat, watch repair.
14. Pipeline, power transmission line, and telephone, telegraph line, and such related public utility structure or station necessary for the installation or maintenance of utility services.
 15. Cellular Phone Towers.
 16. Publicly owned or operated building or uses, including a school, library, museum or art gallery, fire or police stations, community building in a public park, public park, playground, picnic area, swimming pool, golf course, and other public recreation uses.
 17. Equipment and material sheds, as a temporary accessory use.
 18. Restaurant
 19. Specialty shops, gift shops, florist, jewelry, craft shops, ceramics, camera shops, antique shops, book stores, art supplies, music stores, photography shop and studio.
 20. Tailor or dressmaker, pressing and cleaning shop, having not more than three pressing machines and one dry cleaning unit.
 21. Taxicabs stand or office.
 22. Telegraph or messenger service.
 23. Telephone exchange.
 24. Garage - Auto Repair and Service.
 25. Used car lot.
 26. Warehousing and storage.
 27. Manufacturing, processing, fabrication, repair and servicing related to the marine industry.
 28. Truck terminals.
 29. Animal hospital and kennels.
 30. Marina, yacht club.
 31. Fishing, seafood processing.
 32. Sign, incidental.
 33. Sign, principal use.

Uses permitted upon review and approval by the Board of Zoning Appeals

1. Similar industrial uses not listed.
2. Liquor stores.

P-: Planning District. The purpose of this district shall be to provide areas within which comprehensive development plans shall be prepared and reviewed by the Planning and Zoning Commission in order to secure an orderly development pattern. Such districts shall be considered an overlay district and the uses permitted in such districts shall be those uses permitted in the zoning district which it overlays.

R-1: One-Family Residential: The purpose of this district shall be to create an environment in which one-family dwellings are permitted in order to promote stability and character of low density residential development with adequate open space. No uses other than One Family Residences will be permitted unless Board of Zoning Appeals grants a variance.

Uses Permitted

In an R-1 District, land may be used and buildings or structures may be erected or used for the following:

1. One-family dwellings.
2. Accessory uses and buildings.
3. Pipe line, power transmission line, and telephone, except cellular phone towers, telegraph line, and such related public utility structure or station necessary for the installation or maintenance of public utility services.
4. Publicly owned or operated buildings or uses, including a school, library, museum or art gallery, fire or police stations, community building in a public park, public park, playground, picnic area, swimming pool, golf course, and other public recreation uses.

5. Private residential boat docks.
6. Public community buildings, libraries, recreation centers, museums
7. Sign, incidental.
8. Sign, principal use.
9. Family Personal Care Home.
10. Family Care Home for the Mentally Retarded.

Uses permitted upon review and approval by the Board of Zoning Appeals.

1. Hospitals, nursing homes, and charitable institutions
2. Childcare Facility - provided that a minimum of 100 sq. Ft. of outdoor play area is provided for each child and that all such areas are enclosed on all sides with at least a four foot high fence and a thirty sq. Ft. inside floor area is provided for each child
3. Clubs & Lodges, golf clubs, country clubs privately owned recreational facilities, athletic fields, or stadiums, swimming pools.
4. Bed & Breakfast: Conditional Use
5. Personal Care Home for conditions other than allowed in a Family Personal Care Home or a Family Care Home for the Mentally Retarded.

R-2: Two-Family Residential. An area designated for the development of up to two-family dwellings, with compatible nonresidential uses. See Article XI: Development Standards for Dwellings

Uses Permitted:

1. One-family dwelling.
2. Two-family dwelling.
3. Accessory uses and buildings.
4. Lodging and boarding houses.
5. Pipeline, power transmission line, and telephone, except cellular tower, telegraph line, and such related public utility structure or station necessary for the installation or maintenance of utility services.

6. Publicly owned or operated buildings or uses, including a school, library, museum or art gallery, fire or police stations, community building in a public park, public park, playground, picnic area, swimming pool, golf course, and other public recreation uses.
7. Private residential boat docks.
8. Sign, incidental.
9. Sign, principal use.
10. Family Personal Care Home.
11. Family Care Home for the Mentally Retarded.

Uses permitted upon review and approval by Board of Zoning Appeals.

1. Hospital, nursing homes and chartered institutions
2. Clubs & lodges, golf clubs, country clubs, privately owned recreational facilities, athletic fields or stadiums, swimming pools
3. Personal Care Home for conditions other than allowed in a Family Personal Care Home or a Family Care Home for the Mentally Retarded

R-3: Multi-Family Residential. An area designated for the development of multi-family dwellings, with compatible nonresidential uses. See Article XI: Development Standards for Dwellings.

Uses Permitted.

1. One-family dwelling.
2. Two-family dwelling.
3. Accessory uses and buildings.
4. Churches.
5. Day nurseries, pre-schools and kindergartens provided that a minimum of 100 sq. Ft. of outdoor play area is provided for each child and that all such areas are enclosed on all sides with at least a four foot high fence and a thirty (30) sq. Ft. inside floor area is provided for each child.
6. Pipeline, power transmission line, and telephone, except cellular phone tower, telegraph line, and such related public utility structure or station

necessary for the installation or maintenance of utility services.

7. Publicly owned or operated buildings or uses, including a school, library, museum or art gallery, fire or police stations, community building in a public park, public park, playground, picnic area, swimming pool, golf course, and other public recreation uses.
8. Private residential boat docks.
9. Sign, incidental.
10. Sign, principal use.

Uses permitted upon review and approval by Board of Zoning Appeals.

1. Hospital, nursing homes and chartered institutions.
2. Day nurseries, pre-school and kindergartens provided that a minimum of 100 sq. Ft. of outdoor play area is provided for each child and that all such areas are enclosed on all sides with at least a four foot high fence and a thirty sq. Ft. inside floor area is provided for each child.
3. Clubs & lodges, golf clubs, country clubs, privately owned recreational facilities, athletic fields or stadiums, swimming pools
4. Multi-family dwelling

R-M-H: Residential-Mobile Home. The purpose of this district shall be to establish a residential district in which the uses and regulations are restricted to permit the development of mobile homes and single-family residences and certain compatible non-residential uses, and to permit the development in a manner, which protects and preserves property values of adjacent properties.

Uses Permitted.

1. One-family dwelling.
2. Manufactured homes.
3. Accessory uses and buildings.
4. Childcare facilities provided that a minimum of 100 sq. Ft. of outdoor play area is provided for each child and that all such areas are enclosed on all

sides with at least a four foot high fence and a thirty (30) sq. Ft. inside floor area is provided for each child.

5. Clubs, golf clubs, country clubs, privately owned recreational facilities, athletic fields or stadiums, swimming pools, clubs and lodges.
6. Public utilities including radio and television towers and transmitters when enclosed in an eight-foot chain link fence.
7. Sign, incidental.
8. Sign, principal use.

Uses permitted upon review and approval of Board of Zoning Appeals.

1. Hospitals, nursing homes, and charitable institutions.

W-I: Waterfront Industry. The purpose of this district shall be to create and protect areas for commercial fishing operations and other activities that are dependent upon a waterfront location.

Uses Permitted:

1. Accessory uses and buildings.
2. Clubs, golf clubs, country clubs, privately owned recreational facilities, athletic fields or stadiums, swimming pools, clubs and lodges.
3. Cold storage locker.
4. Food and drugstores; drug stores, meat market, bakery products store, dairy produce, confectionery.
5. Pipeline, power transmission line, and telephone, except cellular phone tower, telegraph line, and such related public utility structure or station necessary for the installation or maintenance of utility services.
6. Publicly owned or operated buildings or uses, including a school, library, museum or art gallery, fire or police stations, community building in a public park, public park, playground, picnic area, swimming pool, cold course, and other public recreation uses.
7. Marshland agriculture, swimming, boating, and hunting, fishing.

8. Restaurant.
9. Specialty shops, gift shops, florist, jewelry, craft shops, ceramics, camera shops, antique shops, book stores, art supplies, music stores, photography shop and studio.
10. Bar, nightclub, tavern.
11. Warehousing and storage.
12. Manufacturing, processing, fabrication, repair and servicing related to the marine industry.
13. Marina, yacht club.
14. Fishing, seafood processing.
15. Sign, incidental.
16. Sign, principal use.
17. Signs, separate use.

Uses permitted upon review and approval of the Board of Zoning Appeals.

1. Liquor Stores.

I-P. Institutional Professional: An area set aside and so situated as to be well adapted to professional and institutional development as outlined in the use schedule, but where the proximity to residential districts will not be undesirable.

Uses Permitted.

1. Pipeline, power transmission line, and telephone, except cellular phone towers, telegraph line, and such related public utility structure or station necessary for the installation or maintenance of utility services.

Uses permitted upon review and approval of the Board of Zoning Appeals.

1. Animal hospitals and kennels.
2. Churches
3. Sign, incidental.
4. Sign, principal use.

5. Restaurant.
6. Specialty shops, gift shops, florist, jewelry, craft shops, ceramics, camera shops, antique shops, book stores, art supplies, music stores, photography shop and studio.
7. Tailor or dressmaker, pressing and cleaning shop, having not more than three pressing machines and one dry cleaning unit.
8. Telegraph or messenger service.
9. Telephone exchange.
10. Wearing apparel store.
11. Multi-family dwelling.
12. Accessory uses and buildings.
13. Hospitals, nursing homes and charitable institutions.
14. Day nurseries, pre-school and kindergartens provided that a minimum of 100 sq. Ft. of outdoor play area is provided for each child and that all such areas are enclosed on all sides with at least a four foot high fence and a thirty sq. Ft. inside floor area is provided for each child.
15. Clubs & lodges, golf clubs, country clubs, privately owned recreational facilities, athletic fields or stadiums, swimming pools.
16. Public utilities including radio and television towers and transmitters when enclosed in an eight-foot chain link fence.

L-I: Light Industrial. This district is composed of land and structures so situated as to be well adapted to industrial development but where the proximity to residential and commercial districts makes it desirable to limit the manner and extent of industrial operations. Development within this district is subject to the approval of the governing body. The purpose of the district is to permit the normal operation of a limited number of light industrial uses under such conditions of operation as will protect the abutting residential and commercial uses and adjacent industrial uses.

Uses Permitted. Within any L-I district, unless otherwise permitted by this

ordinance, no building, land or structure shall be used except for the following:

1. Machine shop fabrication, repair, and servicing of any commodity or product; and sale, retail or wholesale of any product or commodity, which does not produce noise, odors, dust, fumes, fire hazard or other nuisance features which might adversely affect either this district or surrounding districts.
2. Warehousing, storage and distributing of any product or commodity;
3. Offices, including medical and dental;
4. Automotive repair and service stations;
5. Animal hospitals and kennels;
6. Cellular phone towers.

Conditional Uses. All other uses not listed as permitted uses shall be subject to approval following a determination of conditions of fact as follows (in addition refer to Article XIII, Paragraph 2, for extensions or conditional uses);

1. The development of such an industrial use at the location proposed, and in the manner proposed, will not adversely affect abutting residential and commercial property.
2. The site development plan of such an industrial use provides for adequate vehicular and pedestrian access and circulation, and that the resulting concentration of vehicular traffic will not present traffic problems or impede normal movement on adjacent streets.
3. The need for such a use is justified on the basis of facts presented by the applicant to the Planning and Zoning Commission which clearly indicates that such use would be appropriate, add to the orderly development of the community, and would further the purpose and intent of this ordinance.

H-M: Hotel-Motel. Any area designated or to be designated for development of hotels or motels. This District shall be composed of land and structures so situated as to be well adapted to Hotel or Motel development where the proximity to residential and commercial districts makes it desirable to limit the manner and

extent of hotel or motel operations. Development within this District is subject to approval of the governing body. The purpose of this District is to permit the normal operation of a limited number of Motel and/or Hotel uses under such conditions or operations as will protect the abutting residential and commercial use or other adjacent uses.

Uses Permitted: Unless otherwise permitted by this ordinance, no building, land or structure shall be used expect for the following:

1. Motels
2. Hotels

Conditional Uses: All other uses not listed as a permitted use shall be subject to approval following a determination of conditions of fact as follows:

1. The development of such transient Lodging use of the location proposed, and in the manner proposed, will not adversely affect the abutting residential and commercial property and other adjoining uses.
2. The Site Development for such a transient Lodging facility provides for adequate vehicular and pedestrian access and circulation, and the resulting concentration of vehicular traffic will not present traffic problems or impede normal movement on the adjacent streets.
3. The need for such use is justified on the basis of facts presented by the applicant to the planning and Zoning Commission which clearly indicates such use would be appropriate, add to the orderly development of the community, and would further the propose and intent of this ordinance.

** Please refer to additional provisions of Hotel-Motel in Article XI. **
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Yard Requirements. Same as Industrial Zone or as provided in Article XI.

Parking Requirements. Same as Industrial Zone or as provided in Article X.



ARTICLE VI.

ZONING ORDINANCE

ARTICLE VI: DISTRICTS SHOWN ON MAPS

The boundaries of the various districts are shown on a Zoning Map of Thunderbolt, Georgia, which is located in the office of the Town Hall. The Zoning Map of the incorporated area is hereby made a part of this Ordinance; and all notations, references, and other information shown thereon shall be as much a part of this Ordinance as if all the matter and information set forth by said maps were fully described herein.



ARTICLE VII.

ZONING ORDINANCE

ARTICLE VII: INTERPRETATION OF ZONING DISTRICT BOUNDARIES

When uncertainty exists with respect to the location of boundaries of any zoning district as shown on the Zoning Map of the Town of Thunderbolt the following rules shall apply:

1. Unless otherwise specifically indicated, where district boundaries are indicated on the Zoning map as approximately following the centerline of a street, highway, railroad right-of-way, stream bed or river bed or such centerlines extended, then such centerlines shall be construed to be such district boundaries.
2. Where district boundaries are indicated on the Zoning Map as approximately following the corporate limits line of the Town, then such corporate limits line shall be construed to be such district boundaries.
3. Where district boundaries are indicated on the Zoning map as being setback from a street, road, highway, railroad, stream or river and parallel thereto, then such district boundaries, unless otherwise specifically indicated, shall be construed as being at the scaled distance from the centerline of such street, road, highway, railroad, stream or river as being parallel thereto.
4. Where a district boundary divides a lot, the requirements for the district in which the greater portion of the lot lies shall be extended to the balance of the lot; provided, however, that such extension shall not include any part of such lot which lies more than 50 feet beyond the district boundary; and provided further, that this provision shall not apply to a through lot. In the case of a through lot, the restrictions of the district applying to adjoining lots which front on the same street as the lot frontage in question shall apply.
5. The Board of Zoning Appeals shall determine questions regarding the exact location of district boundary lines.



ARTICLE VIII.

ZONING ORDINANCE

ARTICLE VIII: PROVISIONS REGARDING USES

Permitted uses in the various zoning districts are identified in this Ordinance. Uses permitted upon review require site plan approval by the Board of Zoning Appeals. Such designation requires a finding by the Board of Zoning Appeals of the following conditions of fact prior to issuing a conditional approval:

1. The development of such use at the location proposed, and in the manner proposed, will not adversely affect abutting residential property.
2. The site development plan of such use provides for adequate vehicular and pedestrian access and circulation, and that the resulting concentration of vehicular traffic will not present traffic problems or impede normal movement on adjacent streets.
3. The need for such a use is justified on the basis of facts presented by the applicant which clearly indicates that such use would be appropriate, add to the orderly development of the community, and would further the purpose and intent of this ordinance.



ARTICLE IX.

ZONING ORDINANCE

ARTICLE IX: PLANNED DEVELOPMENT DISTRICT

Planned Requirement

1. Purpose. Planned Development Districts may be required by the Mayor and Alderman for properties which, in their judgment, deserve or require special considerations for site plan development due to proximity of residential uses, the intensity of proposed development, or the presence of actual or potential traffic problems, including access and egress. The prefix “P” may be applied to any zoning district classification for any property that meets the aforementioned criteria.

2. Planned Requirement. A “P” district classification may be initiated by a petitioner or by the Mayor and Aldermen. Prior to adoption of a plan development classification for a property a sight development plan shall be presented to the Planning and Zoning Commission for approval. As a part of its consideration of a sight plan in a plan district the Planning and Zoning Commissioner shall recommend a maximum density for residential uses within the proposed “P” district. Such recommendation shall be considered by the Mayor and Aldermen at the time of the public hearing on any re-zoning proposed. The Mayor and Aldermen may elect to approve the recommended density requirement, modify it or reject it. If the maximum density standard is approved, it shall become a part of the zoning classification of the property and be so stated on the official Zoning Map. (For example an R-3 may become a P-R-3-15 meaning a maximum of 15 units per net acre).

3. Land Development Standards. The Planning and Zoning Commission may require developers or contractors to provide a General Development Plan for consideration at the time of application for rezoning.

4. General Plan. The general plan for a proposed P-District shall include proposed uses and overall development standards and shall indicate the proposed use or reuse of all land, open spaces, location of major streets, recreation areas, school

sites, religious centers, and such other plan elements and reasonable design criteria as may be deemed necessary by the Planning and Zoning Commission in a pre-application conference to accomplish the purposes of the Zoning Ordinance.

5. Intent. Such plan shall promote a stable environment, and desirable character in harmony with the established or proposed land use pattern in surrounding areas.

6. Specific Plan. Following approval of the generalized development plan by the Planning and Zoning Commission, no development shall take place until detailed development plans or subdivision plats, where required, be submitted for review and are approved. Specific site plans shall be considered after approval of a General Development Plan by the Planning and Zoning Commission and the Mayor and Aldermen of the Town of Thunderbolt. In smaller projects, a general development plan may be required, but the Planning and Zoning Commission should be consulted as to the requirement for a general development plan.

If property within a P- (Planned) zone is to be developed in phases, such detailed development plans may be submitted in phases.

Specific development plans shall indicate in detail the layout of proposed streets and curb cuts; parking areas; amenities such as open spaces, landscapes, pedestrian and bicycle trails; major drainage ways; school locations; church locations; locations of public facilities; building arrangements; commercial areas; lot arrangements and other significant details as may be reasonably required.

Specific development plans approved by the Zoning Commission shall be certified to the Zoning Administrator for the issuance of applicable permits. Development requiring subdivision actions shall be processed in accordance with the provisions of the applicable Thunderbolt Subdivision Regulations. No development shall take place within a P-District that is not shown on a specific development plan as certified by the Planning and Zoning Commission.

7. Standards. Development standards shall be applied as provided elsewhere in this chapter for the particular district. Provided that the Board of Zoning Appeals may approve variances from these requirements at the request of the developer on a finding that such variances would:
 1. Be in keeping with the overall character of the area.
 2. Would not be contrary to the purpose and intent of this Ordinance.
 3. Would not be detrimental to existing or proposed surrounding uses.
 4. Would serve public purposes to a degree equal to or greater than the standards replaced.

8. Overlay District. When an area is rezoned to a Planned District Classification, the letter “P” shall be placed in front of the standard zoning classification identification for the area in question, e.g., an area zoned R-3, which is rezoned to a Planned District Classification, shall be indicated as a P-R-3.



ARTICLE X.

ZONING ORDINANCE

ARTICLE X: OFF-STREET PARKING AND SERVICE REQUIREMENTS

1. Generally.

(a) Duty to Provide Off-Street Parking and Loading. Except as hereinafter provided, no land shall be used or occupied, and no use shall be designed, created, altered, used or occupied, and no use shall be operated unless off-street parking and loading facilities are provided in at least the amount required by this Article; provided, however, that any use in operation on the effective date of this ordinance that does not have the required off-street parking and loading spaces shall not be required to provide off-street parking and loading spaces until such time as the existing gross floor area is increased by 40 percent or more.

(b) Off-Street Loading and Parking to Meet Design Standards. Whenever off-street parking and/or loading facilities are established within any zoning district either as a principal use or an accessory use, and whether or not required by this ordinance, such off-street parking and loading facilities shall comply with design requirements for off-street parking facilities set forth in this Article.

Required minimum off street loading space shall be provided. There shall be sufficient space to accommodate the maximum number of trucks that will be loading, unloading or stored at any one time; provided, however that there shall be a minimum of one off street loading space for each 10,000 square feet of total floor area or fraction thereof. Each loading space shall be not less than ten feet wide and shall be of such length as is necessary to accommodate the type of cab or truck or bus that will be loading, unloading or parking; provided, however, that such length shall be not less than 30 feet. Such spaces, including maneuvering space shall be located entirely off the street. All required off street loading spaces shall be located on the same lot as the building or use, which they are intended to serve.

(c) Permit Required. No land shall be developed as a parking lot and no structure shall be developed as a parking garage without a permit from the zoning administrator.

2. Plan and Design Standards

- (a) Parking and Loading Areas - Surface Materials. Off-street parking and loading areas containing more than 1,000 square feet of parking and driveway space shall be paved with concrete or asphalt pavement and subject to green space provisions.
- (b) Separation from Walkways and Streets. All off-street parking, off-street loading, and service areas shall be separated from walkways, sidewalks, streets, and lanes by curbing or other protective devices.
- (c) Buffer Required When Adjoining Property is Residential. Where off-street parking, loading or service areas are proposed to be located closer than 50 feet to a lot in any R zoning district or to any lot upon which there exists a dwelling as a permitted use, and where such parking, loading or service areas are not entirely screened visually from such lot by an intervening building or structure, there shall be provided along the lot line a continuous visual buffer with a minimum height of six feet. No such buffer shall extend nearer to a street right-of-way line than the established building line of the adjoining residential lot, and no buffer shall be required along a property line immediately adjoining and parallel to a lane. The buffer shall be of a width determined by the board of zoning appeals, and shall contain within such width a compact evergreen hedge or other type of foliage screening, or a combined fence and shrubbery screen, the latter facing the adjoining residential lot.
- (d) Size of Driveways. A driveway exclusive of curb return radii shall be not less than 12 feet in width. A curb return radius for a driveway at its entrance to a public street shall not exceed ten feet. The maximum width of a driveway exclusive of curb return radii shall not exceed 35 feet.
- (e) Location of Curb Cuts. At the Intersection of streets, except lanes and alleys, a curb cut shall be set back not less than 25 feet from the intersection of two curb lines or such lines extended, or shall be set back not less than 15 feet from the

intersection of two property lines or such lines extended, whichever is the less restrictive. Between the curb returns for any two driveways serving the same property, there shall be at least 20 feet of curb; except that this distance may be reduced to as little as five feet where it is demonstrated that restricted frontage makes this necessary in order to provide not more than two adequate driveways for the property.

- (f) Required Off-Street Parking Area Shall Not Be Reduced. No off-street parking area shall be reduced in size or encroached upon by buildings, vehicle storage, loading or unloading, or any other use where such reduction or encroachment will reduce the off-street parking and loading spaces below that required by this Article.
- (g) Joint Parking Facilities. The off-street parking requirements for two or more neighboring uses, of the same or different types, may be satisfied by the allocation of the required number of spaces for each use in a common parking facility; provided, that the number of off-street parking spaces is not less than the sum of individual requirements; and provided further, that there be compliance with all other provisions of this chapter.
- (h) Parking Provided on Same Lot as Main Building. Off-street parking spaces for one-family and two-family dwellings shall be located on the same lots as the main building to be served. Off-street parking spaces for multi-family dwellings shall be located on the same lot as the main building to be served or not more than 300 feet distance, as measured along the nearest pedestrian walkway. Off-street parking spaces for all other uses shall be provided on the same lot as the main building to be served or not more than 600 feet distance, as measured along the nearest pedestrian walkway.
- (i) Sharing of Parking Facilities. Off-street parking facilities for one use shall not be considered as providing the required facilities for any other use; provided, that

one-half of the off-street parking space required by any use whose peak attendance will be at night or on Sundays, such as churches, theaters, and assembly halls, may be assigned to a use which will be closed at night or on Sundays.

- (j) Fractional Spaces. When units of measurements determining the number of required off-street parking and off-street loading spaces result in the requirement of a fractional space, any fraction up to and including one-half shall be disregarded and fractions over one-half shall, require one off-street parking or off-street loading space.
 - (k) Other Use of Off-Street Parking Space Prohibited. No off-street parking or loading area shall be used for the display, sale, repair, dismantling, or servicing of any vehicle, equipment, materials, or supplies.
 - (l) Green space – In all zoning districts, sixty-five (65%) of the designated setback area of a lot shall consist of permanent permeable surface so as to permit the absorption of water and shall not be paved, built upon, or covered with a man made material in such a way so as to interfere with the permeability of the surface.
3. Remote Parking Facility. Where the off-street parking facility for a proposed building or use cannot be provided on the site occupied by such building or use, and is therefore provided in accordance with the provisions of this Article, the applicant shall submit his application for a building permit, an instrument duly executed and acknowledged, which accepts as a condition for the issuance of a building permit or occupancy permit the continued availability of such off-street parking facilities.
4. Minimum Space Requirements for Off-Street Parking Areas. All uses of land and structures within all zoning districts of the Town shall be required to provide off-street parking spaces in the numbers hereinafter specified.

5. Non-Residential Parking - Parking provisions shall apply to all non-residential structures and related remote parking lots, if not otherwise set forth in the parking regulations table in the existing Zoning Ordinance, the facility shall have employee parking of at least one parking space for each two employees.

Parking Requirements

<u>USE</u>	<u>MINIMUM SPACE REQUIREMENTS</u>
Assembly Halls	At least one space for each four seats or similar vantage accommodations provided, plus one space for each two employees.
Automobile Filling Station	At least one space for each gasoline pump, grease rack, or similar service area.
Automobile Repair and Service Station	At least one space for each gasoline pump, grease rack, or similar service area; one additional space for each 500 square feet of gross floor area of the shop or garage.
Boarding House or Rooming House	At least one space for each rental unit, plus one additional space for the owner or manager.
Bowling Establishment	At least four spaces for each bowling lane. If additional facilities, such as bar or restaurant are provided, additional parking spaces shall be provided in accordance with the requirements for similar uses set forth in this Article.
Church, Synagogue, or other Place of Worship	At least one space for each four seats within the church and all buildings.
Commercial or Personal Service Establishment	At least one space for each 150 square feet of total first floor area, plus one additional space for each 200 square feet of additional total floor area.
Educational Institution, Public or Private	At least one space for each two employees, including teachers and administrators, plus sufficient off-street space for the safe and convenient loading and unloading of students, plus additional facilities for student parking, taking into consideration the total number of students, the percentage of students driving automobiles, and the requirements for stadium, gymnasium, and auditorium use.
Charitable or Philanthropic Institution	At least one space for each two employees, plus such additional facilities for residents and visitors as shall be deemed necessary.
Hospital	At least one space for each six patient's beds, excluding bassinets, plus one additional space for each medical staff member or visiting doctor based on the average number of such persons serving the hospital, plus one additional space for each four employees, including nurses.
Hotel	At least one space for each three guests or sleeping rooms or suites.

<u>USE</u>	<u>MINIMUM SPACE REQUIREMENTS</u>
Industrial or Manufacturing Establishment or Warehouse	At least one space for each two plant employees, one space for each managerial personnel, one visitor parking space for each ten managerial personnel and one additional space for each vehicle used directly in the conduct of the enterprise.
Interior Decorating Business	At least one space for each three employees or fraction thereof.
Marina	There should be ½ a parking space for each 20 lineal feet of total dock space available, as measured on all sides of the dock, at the marina and each dry storage space. One additional space is required for each 400 square foot of leased area of enclosed sales or service area and one space for each employee. Additional spaces required for restaurants, lounges, bait shops and other associated marina uses per the existing parking regulations. Future expansion of dockage greater than 200 lineal foot of dockage (as measured on all sides of the proposed dock) in one year will require submission of Site Plan and details of how the parking requirements shall be met.
Mortuary or Funeral Parlor	At least one parking space for each eight seats, in the chapel, one additional space for each resident family, and one additional space for each funeral vehicle.
Multi-Family Dwelling	At least two and one half spaces per dwelling unit. Refer to Article III number 39.
Office Building, Professional Building, or Similar use	At least one space for each 500 square feet of gross floor area.
One or Two Family Detached Dwelling	At least two spaces per dwelling unit.
Private Club	At least one space for each 100 square feet of gross floor area.
Medical or Dental Practitioners Offices	At least three spaces for each professional person occupying or using each office.
Publicly Owned or Operated Building and Use, such as Library, Museum or Post Office	At least one space for each 200 square feet of gross floor area.
Bus Station	At least one space for each 100 square feet of waiting room space, including concession and dining areas.
Recreation Establishment, or Commercial Facility	At least one space for each 100 square feet of nonstorage floor area.
Restaurant or Similar Place Dispensing Food, Drink, or Refreshments	At least one space for each four seats provided for patron use.

<u>USE</u>	<u>MINIMUM SPACE REQUIREMENTS</u>
Shopping Center	At least one space for each 150 square feet of total floor area in the shopping center.
Swimming Pool	At least one space for each four persons within the recommended or legal capacity prescribed under applicable state and local laws, ordinances, or resolutions.
Theater, Auditorium, Stadium	At least one space for each four seats or similar vantage accommodations provided.
Tourist Home, Motel	At least one space for each guest or sleeping room or suite. Refer to Article III - Definitions to address the size of the <u>Parking Spaces</u> .
Trailer Park	At least one space for each trailer space, plus one additional space for each two employees.
Furniture Stores	At least one space for each 500 square feet of total floor area.

6. Minimum Space Requirements for Uses Not Specifically Covered by Article X.

Each public or private building or land use not covered by these requirements shall provide such parking space for residents, visitors, or patrons, as the Board of Zoning Appeals shall deem necessary. In making such a determination, the Board of Zoning Appeals shall be guided by the number of persons to be employed in such building or by such use; the number of persons expected to reside in, visit, or patronize such building or use; the anticipated percentage of residents, visitors, or patrons driving automobiles; and the need for safe and convenient loading space for visitors or patrons and goods arriving by motor transport.

7. Additional Off-Street Parking Regulations for Commercial Establishments.

- (a) The commercial establishments to be served by new parking spaces shall be conforming uses.
- (b) The remote off-street parking spaces shall either adjoin the commercial district on the same side of the street or shall be directly across the street from a commercial district.
- (c) The proposed design and proposed location of such remote off-street

parking facilities shall be approved by the Board of Zoning Appeals.

8. Continuing Character of Obligation. The schedule of requirements in this chapter for off-street service space shall be a continuing obligation. It shall be unlawful for any owner of any land or building affected by this chapter to discontinue, change, or dispense with such off-street parking or loading facilities without establishing alternate off-street parking or loading facilities, which comply with the requirements of this chapter.

9. Solid Waste Storage and Disposal Facilities.
 - (a) Purpose. The purpose of this Section is to insure that adequate provision be made for the placement and location of solid waste and storage disposal facilities in the development plans for new construction. These provisions are an effort to avoid conditions that could lead to health hazards, unsightliness, inefficient collection systems, and improper use of available land.

 - (b) Duty to Provide and Maintain. The establishment, expansion, or modification of multi-family and nonresidential uses shall require provision for storage and disposal facilities.

 - (c) Approval by Zoning Administrator.
 - (1) All plans and descriptions of systems for solid waste storage and disposal facilities shall be submitted to and approved by the zoning administrator prior to the issuance of a building permit.

 - (2) If Board of Zoning Appeals approval is necessary for a development plan, the plans and description of the system must be approved by the zoning administrator, and certified approved by the Board of Zoning Appeals before any permits are issued.



ARTICLE XI.

ZONING ORDINANCE

ARTICLE XI. SPECIAL USE REGULATIONS

1. BED & BREAKFAST ORDINANCE

There are two types of bed and breakfast uses defined in this ordinance, a Bed & Breakfast and a Bed & Breakfast Inn. A Bed & Breakfast is permitted in certain residential areas and intended to be residential in nature. Any slight diversion from the Bed & Breakfast parameters will change a residential use to a commercial use. A Bed & Breakfast Inn is intended for commercial districts only. Therefore, there can be no variance from the regulations specific to a Bed & Breakfast. Such a variance will alter the use of the property and thus require a change in the zoning district. The regulations that list requirements for both types of bed and breakfast uses are as follows:

Bed and Breakfast (Residential). Limited to no more than five (5) rental units consisting of sleeping and sanitary accommodations, and one dwelling unit to be owner occupied. The owner is required to live on premise and agree to make available proof of residency. Food service limited to breakfast for guests only and to be served between the hours of 5:00 AM – 12:00 Noon. Under no circumstances will an alcoholic beverage license be issued. No less than one off street parking space per rental unit, and a minimum of two parking spaces for the owner. A buffer is required with a minimum height of six (6) feet. One on premise sign, not to exceed twelve (12) square feet, may either be posted on the building or on a post. A post sign may not exceed a height of six (6) feet from the highest point of the sign. A post sign is to be located no nearer than ten (10) feet of the right of way. No signs are to be allowed that are illuminated from within. Post signs may be lit with no more than two (2) spotlights with a maximum wattage of 75 watts per bulb located on each side of the sign. Sign posted on building may be lit with no more than one spotlight with wattage not to exceed 75 watts. All sign designs must be submitted as part of the conditional use permit drawn using a 1/4 inch scale. A Public Hearing before Mayor and Council is required. This permit is only valid as long as all conditions specified are met.

Bed & Breakfast Inns (Commercial). These land uses are subject to an approved site development plan as required for all commercial development.

2. HOTEL-MOTEL ORDINANCE

Any area designated or to be designated for development of hotels or motels. This District shall be composed of land and structures so situated as to be well adapted to Hotel or Motel development where the proximity to residential and commercial districts makes it desirable to limit the manner and extent of hotel or motel operations. Development within this District is subject to approval of the governing body. The purpose of this District is to permit the normal operation of a limited number of Motel and/or Hotel uses under such conditions or operations as will protect the abutting residential and commercial use or other adjacent uses.

Uses Permitted: Unless otherwise permitted by this ordinance, no building, land or structure shall be used except for the following:

1. Motels
2. Hotels

Conditional Uses: All other uses not listed as a permitted use shall be subject to approval following a determination of conditions of fact as follows:

1. The development of such transient Lodging use of the location proposed, and in the manner proposed, will not adversely affect the abutting residential and commercial property and other adjoining uses.
2. The Site Development for such a transient Lodging facility provides for adequate vehicular and pedestrian access and circulation, and the resulting concentration of vehicular traffic will not present traffic problems or impede normal movement on the adjacent streets.
3. The need for such use is justified on the basis of facts presented by the applicant to the planning and Zoning Commission which clearly indicates such use would be appropriate, add to the orderly development of the community, and would further the propose and intent of this ordinance.

Permitted uses and conditional uses shall meet the standards set forth here in below:

(1) **Building Footprint:**
Building and fixed structures for such development shall use no more than fifty percent of the square footage of the lot or lots upon which the development is built.

(2) **Height and Setbacks:**
a. Height requirements shall be controlled by section 5-201 (2)(B) of the general ordinances of the Town of Thunderbolt.

If a variance in the height is requested and approved, set-backs from the front, rear and side property lines shall be increased two feet for every foot above the 36 foot maximum height requirement.

b. Minimum front yard set backs from the property line shall be:

1. Major arterial street: eighty-five feet.
2. Minor or Marginal access street: seventy-five feet.

c. Minimum side yard set back shall be fifteen feet.

d. Minimum rear set-back lines shall be thirty feet.

(3) **Parking:**
a. There shall be a minimum of one parking space allowed for each guest room and an additional parking space for each two employees. Additionally, there shall be one parking space for each four seats in a restaurant, lounge or outdoor seating area.

b. Remote Parking may be made available for overflow parking only and may not be used to satisfy the requirements stated above. Remote parking shall be located within 600 feet of the Hotel/Motel. If remote parking is located on a lot designated as R-1 or R-2 not more than twenty-five percent of any such lot may be used for parking.

(4) Off Street Loading:
In addition to parking, off-street loading space shall be provided. Such space shall be sufficient to accommodate the maximum number of trucks that would be loading, unloading or stored at anyone time; provided. However, that their shall be a minimum of one off-street loading space for each ten thousand square feet of total floor area or fraction thereof. Each such loading space shall not be less than ten feet wide and shall be of such length as is necessary to accommodate the type of cab or truck or bus that will be loading or unloading or parking on a temporary basis. Such loading or unloading space shall not be less than 30 feet in length. Such loading and unloading spaces, including maneuvering space shall be located entirely off street. All such required off street loading and unloading spaces shall be located on the same lot as the building which they are intended to serve.

(5) Buffers and Green Space:
(a) Green Space: Sixty-five (65) percent of the designated set back area of a lot shall consist of permanent permeable surface so as to permit the absorption of water and shall not be paved, built upon or covered with manmade material in such a manner so as to interfere with the permeability of the surface.

(b) Buffers: Where off street parking, loading or surface areas are proposed to be located closer than 50 feet to a lot in an R zoning district or to any lot upon which there exists a dwelling as a permitted use, and where such parking, loading or service areas are not entirely screened visually from such lot by an intervening building or structure, there shall be provided along such lot line a continuous visual buffer of a minimum of six feet. No such buffer shall extend nearer to a street right of way line than the established building line of the adjoining residential lot, and no buffer shall be required along a property line immediately adjoining and parallel

to a lane. The buffer shall be of a width determined by the Governing Body, and shall contain within such width a compact evergreen hedge or other type of foliage screening, or combined fence and shrubbery screen, the latter facing the adjoining residential lot.

(c) Number of Trees: If the lot or lots to be built upon contain any trees greater than six inches in diameter such trees shall be identified on a landscape plan both before the project begins and after the project is completed. All green space and buffers shall also be required to be shown on such plans. The pre-project site plan shall be reviewed by the Planning and Zoning Commission who shall make any recommendations or changes it deems advisable to the proposed site plan to the Governing Body.

(6) Hotel/Motel Structure and Improvements::

- (a) All hotels and motels shall be constructed in a manner that the rooms are accessed only through an interior hallway. There shall not be any exterior collecting balconies, porches or walkways.
- (b) Sidewalks for pedestrians with curbing and guttering along public paved streets shall be required with such cost to be borne by the developer of the hotel/motel facility.

3. PERSONAL CARE HOMES

Personal Care Homes - A home in which protective care and a watchful oversight is given a resident who needs a watchful environment, but does not have an illness, injury or disability which requires chronic or convalescent care including medical and nursing services. Protective care and watchful oversight includes but it not limited to a daily awareness by the management. If the resident's functioning, his or her whereabouts, the making and reminding a resident of appointments for medical checkups, the ability to intervene if a crises arises for a resident, supervision in the areas of nutrition, medication and actual provision of transient medical care with 24-hour responsibility for the well-being of the resident but not including facilities for the care of persons suffering from drug addiction, abuse and/or alcoholism (while in recovery rehabilitation or halfway house programs and treatments).

Personal Care Homes shall be designated in one of three categories as follows:

- A. Family Personal Care Home - A home for the elderly or handicapped adults (in a residence or other type building(s), non-institutional in character), licensed, inspected and regulated by the State of Georgia, offering care for up to six ambulatory persons. Care is limited to six ambulatory persons unless a zoning variance is requested.

- B. Family Care Home for the Mental Retarded - A home for individuals who are classified as mentally retarded, which is licensed, inspected and regulated by a State of Georgia agency or by the Georgia Dept. of Human Resources, and which is under the supervision of a certified State or public local welfare employee. Residents participate in day training or educational programs or are employed outside the Home when not under the care of a resident supervisor. Care is limited to six ambulatory persons unless a zoning variance is requested.

- C. Personal Care Home for Conditions other than allowed in a Family Personal Care Home or a Family Care Home for the Mentally Retarded. –

A Home for services to patients for other medical conditions not listed in the firsts two definitions (A and B). *(Note: "Ambulatory" is defined that a person is able to move around and not confined to bed.)*



ARTICLE XII.

ZONING ORDINANCE

ARTICLE XII. DEVELOPMENT STANDARDS FOR DWELLING

1. When permitted in a district, dwellings shall comply with the development standards set forth in the following schedule.

Condition	Lot Area and Lot Width		Minimum Front Yard Setback from Property Line			Minimum Side Yard	Minimum Rear Yard	Maximum Building Height ** ***	Max. Dwelling units permitted per acre of gross land area (dwelling unity density)
	Min. Lot area per dwelling unit (sq. Ft.)	Min. Lot Width (Feet)	Major Arterial Street*	Secondary Arterial Street*	Minor Street				
Dwellings served by public water supply and public sewerage.									
A. One-family dwellings									
1. Detached - residence	6,000	60	25	25	25	7	25	36	7
B. Two-family dwelling									
1. Attached; semi-detached	3,600	70	25	25	25	0	25	36	6(2 fam)
2. Detached	3,600	70	25	25	25	7	25	36	6(2 fam)
C. Multi-family dwellings (NOTE)									
1. Efficiency	1,800	100	25	25	25	10	25	36	12
2. One-bedroom unit	1,800	100	25	25	25	10	25	36	10
3. Two-bedroom unit	1,800	100	25	25	25	10	25	36	9
4. Three (or more) bedroom unit	1,800	100	25	25	25	10	25	36	7

* No structure shall be located closer than 15 feet from any right-of-way line.

** Height restrictions shall be controlled by section 5-201 (2)(B) of the general ordinances of the Town of Thunderbolt.

*** For setback requirements if height variance granted setbacks from front, rear, and side property lines shall be increased two feet for every foot above the maximum height allowed.

Thunderbolt street classifications within the Thunderbolt Town limits :

- Victory Drive is hereby designated as a major arterial roadway.
- No streets are presently designated as secondary arterial roadways.
- All other streets are designated as minor streets.

(NOTE) See Article III. Definition (#17)

2. Development Standards for Dwellings. When permitted in a district, dwellings shall comply with the development standards set forth in the following schedule.

Condition	Lot Area and Lot Width		Minimum Front Yard Setback from Property Line			Minimum Side Yard	Minimum Rear Yard	Maximum Building Height ** ***	Max. Dwelling units permitted per acre of gross land area (dwelling unity density)
	Min. Lot area per dwelling unit (sq. Ft.)	Min. Lot Width (Feet)	Major Arterial Street*	Secondary Arterial Street*	Minor Street				
2. Dwellings served by public water and by own individual waste disposal system	As approved by County health Dept, but not less than:								
a. One-family dwelling	10,000	75	85	75	60	7	25	36	4
b. Two-family dwellings	14,000	80	85	75	60	7	25	36	3 (6 fam)
c. Three-family dwellings	20,000	90	85	75	60	10	25	36	2 (6 fam)
d. Multi-family dwellings (NOTE)	42,500	120	85	75	60	15	25	36	3 units
3. Dwellings served by own individual water supply and waste disposal system	As approved by County health Dept, but not less than:								
a. One-family dwellings	20,000	100	85	75	60	10	25	36	2
b. Two-family dwellings	35,000	110	85	75	60	10	25	36	1 (2 fam)
c. Three-family dwellings	42,500	120	85	75	60	15	25	36	1 (3 fam)
d. Multi-family dwellings (NOTE)	42,500	160	85	75	60	20	25	36	1 (3 fam)

*No structure shall be located closer than 15 feet from any right-of-way line.

**Height restrictions shall be controlled by section 5-201 (2)(B) of the general ordinances of the Town of Thunderbolt.

*** For setback requirements if height variance granted setbacks from front, rear, and side property lines shall be increased two feet for every foot above the maximum height allowed.

Thunderbolt street classifications within the Thunderbolt Town limits:

- Victory Drive is hereby designated as a major arterial roadway.
- No streets are presently designated as secondary arterial roadways.
- All other streets are designated as minor streets.

(NOTE) See Article III. Definition (#17)

3. Development Standards: Unless otherwise provided in this ordinance, a non-dwelling use when permitted in a district shall comply with development standards established by this schedule for the District in which located.

Setback from Property Lines in Feet Height Restrictions in Feet

	Minimum Front Yard			Minimum side yard **	Minimum rear yard **	Maximum Height *** ****
District	Major Arterial	Secondary Arterial	Minor Street			
B, I-P	50	40	40	7 or 10*	30	36
C-M	85	75	60	15	35	36
H/M (Hotel & Motel)	85	85	75	15	30	36
I, L-I	50	40	40	7 or 10*	30	36
R-1	85	75	60	15	30	36
R-2	85	75	60	15	30	36
R-3 *****	85	75	60	15	30	36
R-M-H	85	75	60	15	30	36
W-I	50	40	40	7 or 10*	30	36

*Where abutting property is in an R-District then 10 feet is required.

** Provided that no structure shall be located closer than 15 feet from the right-of-way.

***Height restrictions shall be controlled by section 5-201 (2)(B) of the general ordinances of the Town of Thunderbolt.

****For setback requirements if height variance granted setbacks from front, rear, and side property lines shall be increased two feet for every foot above the maximum height allowed.

Thunderbolt street classifications within the Thunderbolt Town limits :

- Victory Drive is hereby designated as a major arterial roadway.
- No streets are presently designated as secondary arterial roadways.
- All other streets are designated as minor streets.

***** Article III. Definition (#17) Dwelling, Multi-family- A building either designed, constructed, altered or used for more than two adjoining dwelling units, with each dwelling unit having a party wall or party floor where it joins at least one other dwelling unit in the building. This includes but is not limited to apartments, condominiums, townhouses, or any type of multi-family structure.

*****See Article III. Definition (#17)



ARTICLE XIII.

ZONING ORDINANCE

ARTICLE XIII: SIGN ORDINANCE

I. Purpose and Findings

The Town Council has considered the aesthetic and safety reasons for limiting signage within the Town of Thunderbolt. The Council has determined that signs can detract from the aesthetic beauty of the Town which is located in the scenic Georgia coastal and wetland setting. Further, unregulated sign proliferation may contribute to a lowering of commercial and residential property values. Lastly, signs can be detrimental to the safety of motorists in the Town which has a substantial road way, Victory Drive, passing through it. It has been found by the Council by limiting the number, type, location, and dimension of signs in accordance with the following regulations will serve these substantial governmental and community interests.

In furtherance of the above stated goals the Town of Thunderbolt affirms the goals of the C.U.T.S. Transportation Amenities Program that was adopted by the city of Savannah and Chatham County and was also adopted by the Town of Thunderbolt on September 10, 2003 and notes that one of the goals of the C.U.T.S. Transportation Amenities Program is to protect and preserve canopy and palm lined historic roads. In such regard the Town of Thunderbolt hereby names Victory Drive within the jurisdiction of the Town of Thunderbolt as an amenities corridor.

The Council is well aware that signs are an important means by which the Town's residents, organizations, institutions, and businesses convey constitutionally protected commercial and noncommercial messages. The following regulations provide an appropriate balance between the right to communicate via signs and the protection of the community interests stated above.

The Council recognizes that it is rarely proper for the government to determine the content of speech that will be allowed on signs. As such, it is the intent of the Council that except as specified by the state's statutes, rules and regulations signs will be approved or disapproved entirely without regard to the content to be posted on all signs.

II. Definitions Specific to this Article XIII

Administrator. The Town Administrator or Clerk or the authorized designee of the Town Administrator or Clerk.

Major Roads. Victory Drive from the western city limit line to Whatley Avenue is hereby defined as a major road for purposes of this Ordinance. The governing body may declare other thoroughfares to be major roads in the future.

III. Signs Requiring Permit.

All signs not exempted by Section V of this Ordinance require a permit.

IV. Signs Prohibited.

The following signs are prohibited:

- A. Billboards, except in accordance with Section IX of this Ordinance.
- B. Signs on the public right of way, to include medians, sidewalks, curbs, and all other public land except in accordance with Section V(B) below;
- C. Any sign larger than nine (9) square feet on property that is currently vacant or in use for residential or agricultural purposes; any such sign shall not have a height of greater than five (5) feet above the grade level of the adjacent Street to which the parcel on which the sign is located;
- D. Any sign, the erection of which would increase the total aggregate area of all sign faces on property that is currently vacant or in use for residential or agricultural purposes to more than twenty (20) square feet;
- E. Any sign larger than sixty (60) square feet on a property that is currently primarily used for commercial or industrial purposes, except in accordance with Sections IX and XIV of this Ordinance;
- F. Any sign, the erection of which would increase the total aggregate area of all sign faces on a property that is currently primarily used for commercial

or industrial purposes to more than eighty (80) square feet except in accordance Sections IX and XIV of this Ordinance;

- G. Signs attached to the roof of a building or structure;
- H. Portable signs (**See definition in Article III**);
- I. Any sign that is taller than twenty-five (25) feet from the ground at its highest point, except in accordance with Section IX of this Ordinance;
- J. Signs which simulate an official traffic control or warning sign or hides from view any traffic or street sign, signal or public service sign;
- K. Signs which interfere with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic;
- L. Signs erected by nailing, fastening or affixing the sign in any manner to any tree, post, utility pole, or other structure except as set forth herein.
- M. Signs requested to be erected in marshland.
- N. Any sign within fifty (50) feet of the right-of-way of Victory Drive.
- O. Any sign within ten (10) feet of the right -of-way line of all other streets within the Town of Thunderbolt.
- P. All signs as described in OCGA 32-6-75 (a)(1) through(a)(10) and (a) (12) through(a)(16) and (a)(20) through(a)(21) it being the intent hereof that the above referred to code sections as presently existing are incorporated herein and made a part hereof by reference.
- Q. **All signs where a home occupation is located except as allowed in Article V herein.**

V. Exempt Signs.

The following signs are exempt from all provisions of this Ordinance:

- A. One sign smaller than nine (9) square feet in area may be posted on any parcel of land;
- B. Signs posted by authorized government officials in the strict performance of their official duties on public land or right of way;
- C. Signs not visible from public thoroughfares or signs within a business, office, building, or other enclosed heated or cooled structure.

- D. Any sign of six (6) square feet or smaller that is posted by a Town resident at the location of their residence;
- E. One temporary sign or banner of a size not larger than fifty (50) square feet may be posted on property that is currently primarily used for commercial or industrial purposes for a period not exceeding fifteen (15) days. On properties used for other than commercial or industrial purposes a temporary sign shall not remain in place exceeding thirty(30) consecutive days and only twice per year per property. The applicant for a temporary sign permit (whether on commercial or industrial properties or any other property) shall deposit a sum of \$250.00 with the zoning administrator to insure removal of the temporary sign when its purpose ceases to exist or when the permit period expires whichever is the shorter period of time. The deposit shall be returned in full to the applicant upon the satisfaction of the requirements for removal. A temporary sign shall be removed by the person owning such sign or structure or by the owner of the building or premises on which such sign is affixed or erected within ten(10) calendar days following the date on which the permit expires.
- F. Up to three flags measuring no more than an aggregate of thirty (30) square feet.

VI. Permits.

Applications for sign permits shall be made available by the Administrator. The Administrator is hereby authorized to produce an application form and to establish other requirements for sign permit applications. At a minimum the application shall include:

- A. The street address of the property upon which a sign is to be located and a plat or map of the property which bears an indication of the proposed location of the sign;
- B. The number of and aggregate area for all signs on the parcel;
- C. The name(s) and address(es) of the owner(s) of the real property upon which the subject sign is to be located;
- D. Consent of the owner, or the owner's agent, granting permission for the

- placement or maintenance of the sign;
- E. Name, address, phone number, and business license number of the sign contractor;
 - F. The area of the sign, the height of the sign, the shape of the sign, and an explanation of how the sign is to be mounted or erected;
 - G. The distance of the sign from the closest other sign in any direction;
 - H. The size and dimensions of the parcel on which the sign is to be placed.
 - I. Any proposed trimming or cutting down of trees.
 - J. Other information required in XIV of this Article.
 - K. Any other information required for a building permit and/or site plans as required elsewhere in this Zoning Ordinance.

The Administrator shall act to grant or deny each application for a sign permit within fifteen (15) business days. All complete applications for signs which meet the requirements of this Ordinance shall be granted . If the Administrator does not grant or deny a sign permit request within thirty (30) business days , the applicant may post the applied-for sign until such time as the Administrator makes a determination that the permit should be denied. If the permit is denied for a sign that has already been posted, the sign must immediately be removed at the owner's expense until such time as appeals or legal proceedings are finally concluded.

VII. Permit Expiration.

A sign permit shall become null and void if the sign for which the permit was issued has not been completed and installed within six (6) months after the date of issuance. No refunds will be made for permit fees paid for permits that expired due to failure to erect a permitted sign. If later an individual desires to erect a sign at the same location, a new application must be processed and another fee paid in accordance with the fee schedule applicable at such time.

VIII. Appeal.

If an application for a sign permit has been denied by the Administrator, the

applicant may appeal this decision by filing a written request to the Zoning Commission within thirty (30) days of the denial date. Such appeal will be heard and a recommendation made to City Council at the earliest possible meeting of the Zoning Commission, but in no case more than ninety (90) days after the date of the filing of the written request for a hearing before the Zoning Commission. After the Zoning Commission makes its recommendation, the issue may then be heard by the Zoning Board of Appeals pursuant to Article XVI of the Zoning Ordinance. (*Amended 2/11/2009*)

IX. Billboards.

The following regulations of billboard signs shall also apply:

- A. The governing body has considered the need for commercial and noncommercial speech through the medium of billboard signs along major roads, as designated herein. These interests must be weighed against the aesthetic and safety concerns that have been enumerated elsewhere in this Ordinance. After thorough consideration of these countervailing interests, the governing body has developed the following guidelines regarding billboard signs which shall to be allowed only along a designated major road in the Town.
 - (1) All billboards must comply with the State of Georgia's sign regulations, including but not limited to the size and space limitations and restriction found in OCGA 32-6-75 and 32-6-75.3 as now existing or hereinafter amended.
 - (2) No billboard shall exceed thirty (30) feet in height from grade level of the adjacent street to which the property on which the sign is located has access. The level of the ground shall not be altered in such a way as to provide additional sign height;
 - (3) No billboard shall exceed three hundred (300) square feet in size per side ;
 - (4) Seven (7) with a total of no more that nine (9) billboards faces) shall be allowed within the Town;

- (5) To afford greater opportunity for local advertisers on the limited number of allowed billboards, multiple message technology shall be allowed in accordance with Georgia law, to include spacing of at least 5000 feet between any two signs on the same side of Victory Drive using such technology.
- (6) The number of allowed billboards within the Town of Thunderbolt shall decrease if an allowed billboard becomes obsolete, not structurally safe, clean and in good repair or, is not securely affixed to a substantial structure which is permanently attached to the ground. Whenever a billboard meets the requirements of this section in the sole discretion of the Administrator he shall notify the owner of the billboard to make such billboard safe, clean, in good repair or secure within ten (10) business days. If such corrections are not made within ten business days of the Administrator's written notice to the owner the sign shall be considered void and the billboard shall be permanently removed. It is the intent of this section that if a billboard meets any of the above requirements that such billboard shall be removed and not replaced and the number of billboards allowed in the Town shall be reduced by such number of billboards that have been removed for such reasons.

X. Changing Copy.

The text or image posted on a sign may be changed without the Town's permission.

XI. Nonconforming Signs.

Any sign that was in existence at the time this Ordinance was passed, and was legal pursuant to the Town's previous sign regulations, variances, or agreements, will be exempt from the permitting provisions of this Ordinance. The structure, dimensions, location, and/or other physical characteristics of any such sign shall not be changed without first complying with this Ordinance. Nonconforming signs shall be permitted until one of the following conditions occurs.

1. The sign is obsolete, not structurally safe, clean and in good repair or, is not securely affixed to a substantial structure which is permanently attached to the ground or, the deterioration of the sign or damage of the sign makes it a hazard or unsightly.

2. The sign has been damaged to the extent that more than minor repairs are required to restore the sign.

3. Whenever a sign meets the requirements of this section in the sole discretion of the Administrator he shall notify the owner of the sign to make such sign safe, clean, in good repair or secure within ten (10) business days. If such corrections are not made within ten business days of the Administrator's written notice to the owner the sign shall be permanently removed.

XII. Illumination

A. Illumination for a sign shall not cast light on adjoining property or shine in such a manner as to cause traffic interference.

B. Illuminated signs shall conform to the following:

(1) Illumination shall be by an externally located steady stationary light source, shielded and directed solely at the sign;

(2) Light sources to illuminate signs shall neither be visible from any Street right of way nor cause glare hazardous to pedestrians or vehicle drivers or so as to create a nuisance to adjacent properties.

(3) Spot-lighting of signs shall be restricted to not more than one shielded light fixture per side for sign faces up to 40 square feet and not more than 2 shielded light fixtures per side for sign faces over 40 square feet;

(4) The intensity of the light shall not exceed 20 foot candles at any point on the sign face; and

(5) Signs shall not have light-reflecting backgrounds but may use light-reflecting lettering.

(6) Colored lamps are not permitted.

XIII. Sign Design Guidelines

- A. Materials, colors, and shapes of proposed signs shall be compatible with the related buildings. Size and proportion of the sign shall not be a dominant feature of the site and shall be judged by sizes and proportions of signs on adjacent and nearby properties which are compatible with the Town character and substantially in compliance with this Ordinance.

XIV. Freestanding Signs

- A. The area and quantity of any freestanding sign for which a permit is required shall conform with the following requirements:
 - (1) A commercial, institutional, or industrial development approved for more than 100,000 square feet of gross floor area shall be allowed no more than 4 freestanding signs if the business fronts on more than one street. The applicant shall be limited to no more than two (2) signs per street frontage. Each sign shall have no more than a total of 480 square feet of sign face divided among not more than 4 sign faces containing copy. No single sign face shall exceed 120 square feet.
 - (2) A commercial, institutional, or industrial development approved for 100,000 square feet or less, but more than 40,000 square feet of gross floor area shall be allowed no more than 3 freestanding signs if the business fronts on more than one Street. The applicant shall be limited to no more than two (2) signs per street frontage. Each sign shall have no more than a total of 320 square feet of sign face divided among not more than 4 sign faces containing copy. No single sign face shall exceed 80 square feet.
 - (3) A commercial, institutional, or industrial development approved for 40,000 square feet or less, but more than 2,500 square feet of gross floor area shall be allowed no more than 2 freestanding signs. Each sign shall have no more than 160 square feet of sign face divided among not more than 4 sign faces containing copy. No single sign face shall exceed 40 square feet.

- (4) A commercial, institutional, or industrial development approved for 2,500 square feet or less square feet of gross floor area shall be allowed 1 freestanding sign. Said sign shall have no more than 40 square feet of sign face divided between not more than 2 sign faces containing copy.
- B. The maximum height of any freestanding sign above the average grade elevation of the nearest public way or within a 20 - foot radius of the sign shall not exceed the following:
 - (1) Eight feet where the sign face does not exceed 40 square feet;
 - (2) Ten feet where the sign face does not exceed 60 square feet; or
 - (3) Twelve feet where the sign face exceeds 60 square feet.
 - C. The bottom edge of the sign shall not exceed 4 feet in height from the lowest grade elevation at the base of the sign.
 - D. The maximum width of any freestanding sign shall not exceed the following:
 - (1) Fifteen feet where the sign face does not exceed 40 square feet;
 - (2) Twenty feet where the sign face does not exceed 60 square feet; or
 - (3) Twenty-five feet where the sign face exceeds 60 square feet.
 - E. The maximum depth of any freestanding sign shall not exceed 25 percent of the width.
 - F. The area of a sign structure for any freestanding sign is limited to the same number of square feet as the sign face that it supports.
 - G. Subject to greater setback requirements in this Ordinance on certain streets all freestanding signs fronting on a street right-of-way shall be required to be set back at least 20 feet from the edge of the adjacent street right-of-way. However, if conditions exist so as to make this impractical, this setback may be reduced by the Administrator or his designee provided such reduction does not create a hazard to motorists or pedestrians and that no portion of the sign is located in the right-of-way.
 - H. Freestanding signs shall be separated by a distance of not less than 200

foot intervals along each Street frontage of the premises. In the event that a Street frontage of less than 200 feet exists for any premises, only 1 sign shall be permitted along that frontage, notwithstanding that a greater number of signs may appear to be permitted by this section.

- I. In lieu of a freestanding sign, an owner may use signs on entrance structures such as fences or walls. The number of signs faces is limited to 2 per entrance, on either side of the entrance and is confined to the entrance area. The distance between sign faces shall not exceed 100 feet. Such signs are subject to the size limitations of this section.
- J. Signs may be permitted in access easements, subject to the approval of the Administrator or his designee, if the applicant can demonstrate that the access easement provides a necessary means of vehicular access to the property for which the sign is proposed. In the event where a property is served by more than one necessary access easement the sign shall be located within the easement that serves the street with the highest number of average daily vehicle traffic (ADT) as determined by the Administrator or his designee.

XV. Facade Signs

- A. The total area of facade signs shall not occupy more than 10 percent of the area of the facade upon which they are placed with the maximum size of any one sign limited to 40 square feet.
- B. No more than 2 signs may be placed on any one facade of any one building except that shopping centers shall be permitted 2 signs per tenant space per tenant facade provided only one such tenant sign per tenant facade is visible from any street right-of-way. Such tenant signs shall only be permitted in lieu of building signs.
- C. Facade signs must be contained within any single wall panel, window, door or other architectural component upon which they are placed.
- D. Tenant facade signs must be located on the facade of the tenant space being identified.

XVI. Directional Signs

Such signs may be located at entrances and exits to designate traffic movements and identify access to onsite land uses and/or activities. Such sign shall meet the design requirements of uniform traffic engineer standards and shall be located on private property, unless installed by an authorized governmental body.

1. Such sign shall not to exceed four (4) square feet in area nor extend more than five (5) feet in height above the established ground level and shall be permitted at each vehicular entrance or exit designating the directional traffic flow in to and from property used for commercial or industrial purposes. Sign area of such sign may be increased by one (1) square foot for each fifty (50) feet of lot frontage above one hundred (100) feet up to a maximum sign area of twelve (12) square feet. A directional sign shall not be included in the aggregate sign space allowed for such property.

XVII. Incidental Signs

A permit shall be required for incidental use signs that exceed three (3) square feet in area. Incidental signs not exceeding an aggregate sign area of eight (8) square feet shall be permitted for each commercial or industrial use on a property within the B, I, W-I, I-P, H-M and L-I zoning districts. Provided, however, that for uses in the B, W-I, I and **L-I** zoning districts, for each two (2) linear feet of building frontage greater than thirty (30) feet along one (1) street, one (1) additional square foot of incidental signs shall be allowed along such Street frontage up to a maximum aggregate incidental sign area of twenty (20) square feet. Incidental signs shall not be considered in the aggregate sign space for the property.

XVIII. Trees

In addition to the provisions of this ordinance or the state regulations pertaining to removal or trimming of trees, the Town of Thunderbolt's Tree Ordinance

shall be taken into consideration when authorizing or denying a permit for a sign.

XIX. Maintenance

All signs must be maintained in a state of good repair. When the Administrator or other authorized official believes that a sign is dangerous or has otherwise become a public nuisance they shall contact the owner of the sign in writing and request the problem be repaired or corrected. If the owner has not appealed the official's determination to the governing body or corrected the problem(s) within ten (10) business days of the date of the written notice, the town shall arrange for removal of any such sign and bill the owner for all costs of such removal.

XX. Future Developments.

Where the owner or developer of a commercial, residential, or other development seeks permission to post signs on such development as part of the general plan approval process, such signs shall be approved by the Administrator, or any other person or body the Town Administrator shall designate, as part of the normal process for approving design and building plans for new developments.

XXI. Standards

- A. Wind Pressure. Signs and their supporting structures shall be capable of withstanding horizontal loads as required by the Town of Thunderbolt Building Code. The exposed area of a sign shall, by definition, include the total area of all parts of the sign, including the structural framing. In assuming or determining the pressure on any sign, the wind shall be assumed to be blowing from the direction which will produce the maximum stress.
- B. Setback and Clearance. Adequate setback and clearance shall be provided in order that trucks and other large vehicles may park or move close to the curb. No portion of any sign shall be less than ten(10) feet above the finished grade of the sidewalk or any pedestrian way, or less than fifteen(15) feet above an area used for vehicular access to ingress,

egress, park or circulate in any area where vehicular traffic is legally permitted.

XXII. Fees.

All sign applications shall be accompanied by a fee which is intended to partially recoup the Town's cost of permitting and regulating signs. Fees shall be paid as indicated on the fee chart contained in the clerk's office for various signs.

XXIII. Enforcement.

- A. The Town may issue a citation for violation of this ordinance by any sign erected, altered, converted, or used in violation of this Ordinance;
- B. Any person violating any provision of this Ordinance shall be guilty of an offense and upon conviction, shall be fined as set forth in Article XV of this Zoning Ordinance.
- C. The erection or maintenance by any person, firm, or corporation of any sign for which a permit is required by this ordinance without a valid permit or renewal thereof is declared to be a public nuisance. In addition to the remedies provided for herein above or may otherwise exist under the laws of Georgia, the Town is authorized to bring an equitable proceeding to enjoin any person, firm, or a corporation from erecting or maintaining, without a valid permit or renewal thereof, any sign for which a permit or renewal thereof is required by this Ordinance. It shall not be necessary for the town to allege and prove that there is no adequate remedy at law in order to obtain the equitable relief provided for herein.

XXIV. Severability.

If any portion of this ordinance is held to be invalid by a court, it is the intention of the governing body that the remainder of this Ordinance shall remain in full force and effect.

So ordained this the 11th day of JUNE, 2008.

Mayor

Clerk

**Definition Changes for New Sign Ordinance
in Article III of the Zoning Ordinance**

5. **Billboard.** Any sign with an advertising surface measuring eight (8) feet or more in length, width, height, diameter, or along any single dimension.

44. **Setback** The minimal horizontal distance between the front, side, and rear lot lines of a parcel as measured between the outer edge of the building's or structure's most outward structural appendage, including its eaves, from a point projected vertically down to the ground and to the front, side, or rear property lines, respectively.

45. **Sign** Any structure, part thereof, or device attached thereto or painted or represented thereon or any material or thing, illuminated or otherwise, which displays or includes any numeral, letter, word, model, banner, pennant., flag, poster, balloon, emblem, insignia, device, trademark, or other representation used as or in the nature of an announcement, advertisement, direction or designation of any person, group, organization, place, commodity, product, service, business, profession, enterprise or industry which is located upon any land or any building or upon a window. The flag, emblem, or other insignia of a nation, governmental unit, educational, charitable or religious group shall not be included within the meaning of this definition; provided however within any residential zoning district, the aggregate size of such flag, emblem or insignia shall not exceed thirty (30) square feet in area; and, no more than one such devise shall be displayed for the same entity or governmental body per street frontage.

For the purpose of the Article, sign types shall be identified as follows:

- A. **Sign, Temporary:** A display, information sign, banner, or other advertisement device with or without a structural frame, not permanently attached to a building, structure or the ground for a permanent period. The sign may include, but not be restricted to signs used for a limited period for interior displays viewed from the outside of a use, or exterior real estate or pre-development signs, accessory temporary window or display case signs, and/or decorative displays for holidays or public demonstrations.
- (1) **Sign, Development:** A temporary pre-development or construction sign denoting the architect, engineer, contractor, subcontractor, financier or sponsor of a development which may also designate the future occupant of the use.
- (2) **Sign, Real Estate:** A temporary sign announcing the sale, lease, or rental of a land use or property for the duration of the sale or rental period offered.
- (3) **Sign, Window:** A temporary interior window sign viewed from the outside of a use announcing the relocation or closing of a use, special sales, or other short term business related matters.
- B. **Sign, Directional:** A sign containing information relative to the location, distance to, entrance to, and exit from on-site structure(s) or land use activities or signs erected and maintained on public right-of-way by an authorized governmental department.

- C. **Sign, Incidental:** A small single face non illuminated professional or announcement sign not greater than one (1) square foot in size attached wholly to building, window, or door, and includes only emergency information, business hours, credit cards honored, and other accessory information. Also pump island identification sign(s), not larger than one (1) square foot in size, located on the fuel pumps identifying type of service offered, the price of fuel, operational instructions of fueling system, but not containing any advertising material of any kind other than the logo of the principal use of the service station.
- D. **Sign, Portable:** Any sign posted on a cart truck on wheels or other mobile device that is not permanently affixed, including but not limited to signs mounted or painted on vehicles not used primarily for other purposes.
- E. **Sign, Double-faced:** A sign, with two (2) sides of which are visible. A "V" sign shall be considered a double-faced sign providing the least angle of intersection does not exceed sixty (60) degrees.

Original numbers 45 (Sign, Principle Use) and 46 (Sign, Separate Use) shall be deleted from the definitions.

Sign Ordinance 2008

BE IT HEREBY ORDAINED by the Mayor and Council of the Town of Thunderbolt at a regularly scheduled meeting that Article III and Article XIII of the existing Zoning Ordinance of the Town of Thunderbolt are hereby amended as follows:

The definitions for “Billboard”, “Setback” and “Sign” are hereby deleted and the new definitions for such terms are hereby adopted as set forth in the attachment hereto.

Be it further hereby ordained that definitions for “Sign, Principal Use” and “Sign, Separate Use” are hereby deleted and the Numbers 45 and 46 in the Definition Section of Article III are hereby reserved for future use.

Be it further hereby ordained that Article XIII of the Zoning Ordinance is hereby deleted in its entirety and a new Article XIII is hereby adopted as shown on the attachment hereto.

So ordained this the _____ day of _____, 2008.

Mayor of the Town of Thunderbolt

Clerk of Council of the Town of Thunderbolt



ARTICLE XIV.

ZONING ORDINANCE

ARTICLE XIV: NONCONFORMING USES.

1. Continuance. A lawful nonconforming use existing at the effective date of this ordinance may be continued, except as hereafter provided, although such use does not conform with the provisions of this Ordinance.
2. Extension and Alteration. A nonconforming use shall not be extended or structurally altered. The extension of a lawful nonconforming use throughout all portions of a building or structure existing at the effective date of this Ordinance shall not be considered as the extension of a nonconforming use.
3. Restoration to a Safe Condition. Nothing in this Ordinance shall prevent the restoration of any building or structure to a safe or sanitary condition when required by the proper authorities.
4. Restoration After Damage. Any building or structure which has been destroyed or damaged by fire, wind or other natural cause may be rebuilt or restored to its original size provided such rebuilding or restoration is completed within 12 months from the date of the damage.
5. Abandonment. A nonconforming use, which has been discontinued for a period of one year, shall not be re-established and any future use shall be in conformity with the provisions of this Ordinance.
6. A nonconforming use may be changed to a conforming use or to another nonconforming use of a more restrictive classification, provided that where a building was originally constructed to house a nonconforming use it shall be permitted to continue in a nonconforming use status.

Subject to approval by the Board of Zoning Appeals, a nonconforming use shall be changed to another nonconforming use only under the following specific conditions:

- (a) A change within a building shall be permitted only when the building in which the change is proposed is one, which was designed and has been used as a commercial building.
- (b) A change within a residential district shall only be permitted to change to a use permitted within a B (Business) district.



ARTICLE XV.

ZONING ORDINANCE

ARTICLE XV: ADMINISTRATION.

The Mayor and Alderman shall administer and enforce this ordinance through the office of the zoning administrator. His duties shall include receiving applications, inspection of the premises, and issuing building permits for uses and structures that meet the requirements of this ordinance.

It shall be unlawful for any person to commence excavation for, or construction of any building or structure, or moving of any existing building or structure, clear cutting or any tree removal, without first obtaining appropriate permit from the Office of the Zoning Administrator. No permit shall be issued for the construction or alteration of any building or structure until proper approval has been granted and fees have been submitted in accordance with the provisions of this ordinance.

A. Permits Required for Construction. The following is a list of permits needed for construction of a building or structure or the movement of a building or structure that may be needed for any type of land development in the Town of Thunderbolt, Georgia.

1. Building Permit. A building permit is required in advance of the initiation of construction, erection, moving or alteration of any building or structure. All applications for building permits shall be accompanied by a plat or plan in duplicate, drawn to scale, show the actual dimensions of the lot to be built upon, to identify trees on property, the size of the building to be erected, the location of the building on the lot, the number of dwelling units the design is to accommodate, and such other information as may be essential for determining whether the provisions of this ordinance are being observed. A record of such application and plats or plans shall be kept in the office of the Zoning Administrator. A building permit is also required for swimming pools, fences, and lawn irrigation systems.

2. Relocation Permit. A Relocation permit is required any time a manufactured home, mobile home, trailer, out building, house or structure is moved from any

location to any lot or parcel within the town limits of Thunderbolt. Electrical, mechanical and plumbing permits are included within this permit. Buildings used for the purpose of storage only with no need for electricity or plumbing are exempt from this requirement.

3. Sign Permit. Prior to the erection of a sign for either on premises or off premises advertising, the Zoning Administrator must first issue a permit in accordance with the sign regulations set forth in the Town of Thunderbolt Sign Ordinance. Permits are required for both temporary signs as well as permanent signs.
4. Demolition Permit. Prior to destruction of a building, structure, or sign, a demolition permit is needed. Such permit may be attained from the Town office of the Zoning-Administrator.
5. Electrical Permit. An Electrical Permit is needed before installing any electrical wiring or fixtures. This permit is not needed if a relocation permit or building permit has already been issued on the structure.
6. Plumbing Permit. A Plumbing Permit is needed whenever a plumber installs a new plumbing system in an existing structure. This permit is not needed if a relocation permit or building permit has already been issued on the structure.
7. Mechanical Permit. A Mechanical Permit is needed before a licensed installer may install any mechanical device such as a heating and/or cooling system for air or water. This permit is not needed if a relocation permit or building permit has already been issued on the structure.
8. Land Disturbing Activity Permit. A land disturbing activity permit is needed before any excavation or tree removal is conducted on the construction site. All trees over 16 inches in diameter at breast height shall be shown when applying for any land disturbing permit. This permit is needed to meet the requirements of soil

erosion and sedimentation control.

B. Permits or Actions Required by This Ordinance. The following are permits that may be required depending on the construction and particular land use district for which it will take place.

1. Conditional Use Permits. There are specific land uses permitted in certain zoning districts only after a review by the Planning and Zoning Commission, and approval by the Board of Zoning Appeals, that the use is appropriate based on certain criteria.
2. Site Plan Approval. All land development activities other than residential one and two family structures, regardless of the zoning district, must present a site plan of such development to the Zoning Administrator for review prior to the issuance of any land development permits. All trees over 16 inches in diameter at breast height shall be shown when applying for any land disturbing permit. The site plan must also be reviewed by the Planning and Zoning Commission and forwarded to the Board of Zoning Appeals for approval once all comments are addressed.
3. Zoning Variance. Where strict enforcement of this ordinance may present an unnecessary hardship upon a lot or parcel of land, the owner may apply for a zoning variance. Such action requires a review by the Planning and Zoning Commission and a scheduled public hearing by the Board of Zoning Appeals and approval by the Board of Zoning Appeals at such hearing. Hardship as used herein shall have the same meaning as contemplated by Article XVI paragraph 6 (c) (1,2, and 3) of this ordinance.
4. Amendment to the Zoning Map. An amendment to the zoning map is considered to be an amendment to the zoning ordinance. Such action requires a public hearing by the planning and zoning commission and approval by the Mayor and Council at a scheduled meeting.

5. Amendment to the Text of This Ordinance. An amendment to the text of the zoning ordinance follows the same process as an amendment to the zoning map. However, a text amendment requires different materials to be included with the application.

6. Permits Required in Conjunction with Permits in this Ordinance. The following are permits required by other government entities that may be applicable to a development project in Thunderbolt.
 - (A) Land Disturbing Activity Permit. Under the Georgia Soil Erosion and Sedimentation Act (O.C.G.A. 12-7-7), any disturbance of land of over one and one tenth (1.1) of an acre requires a land-disturbing permit from the Thunderbolt Zoning Administrator and appropriate permitting agency.

 - (B) Construction in Wetlands. In conjunction with Georgia DNR, the United States Army Corps of Engineers maintains the authority to delineate the location of wetlands and is responsible for permitting any land disturbing activity in them under Section 404 of the Federal Clean Water Act.

- C. Fees. Fees for each individual permit or zoning action are subject to change by the Town of Thunderbolt Mayor and Council. Please see schedule of fees adopted by Mayor and Council, which is available at Thunderbolt Town Hall.

- D. Application for Permits or Actions Under This Ordinance. All applications for permits or action shall be dated upon submission and require the following minimum information:
 1. Name, address and signature of applicant, (All applications shall be signed and shall state the name and address of the applicant, who must be the owner of the property or the authorized agent or attorney for the owner of

the property. If the applicant is the agent of the owner, then said agent shall file, simultaneously with said petition, a notarized letter signed by the owner, authorizing said agent to file on his behalf.)

2. Brief description of the land development activity and use of the land thereafter to take place on the subject property,
3. Address and location of the subject property for which such land development activity shall take place,
4. Name and Address of Owner of the subject property, **Note: Applicant must either have proof of ownership of the property or signed and notarized affidavit from the owner granting the applicant permission to conduct such land development activity.**
5. Current zoning and use of the property or properties,
6. Name and address of all adjacent property holders; and,
7. Name and address of participating contractors (building & construction, surveyor, architect, engineer, installer, developer, etc.)
8. The application number, date of application, and action taken on all prior applications filed for the reclassification of the whole or part of the land proposed to be reclassified.
9. If within two (2) years immediately preceding the filing of the petitioner's application for a zoning action, the applicant has made campaign contributions aggregating to more than \$250 to any member of the Mayor and Council or any member of the Town's Planning and Zoning Commission, it shall be the duty of the applicant and the attorney representing the applicant to disclose the following in the application:

(A) The name of the local government official to whom the campaign contribution or gift was made,

(B) The dollar amount of each campaign contribution made by the applicant to the local government official during the two (2) years immediately preceding the filing of the application for the map

amendment and the date of each contribution; and

(C) An enumeration and description of each gift having a value of \$250 or more made by the applicant to the local government official during the two (2) years immediately preceding the filing of the application for the zoning action.

(D) In the event that no such gift or contribution was made, the applicant shall affirmatively so state.

NO APPLICATION SHALL BE ACCEPTED WHICH FAILS TO MEET THESE REQUIREMENTS.

E. Additional Application Requirements for a Permit. All applications for uses permitted in a zoning district for conditional use must also include the following minimum information.

1. A more detailed description of the activities, number of units, and hours of operation of the proposed conditional use,
2. An approved site plan (See Item I - Conceptual Site Plan of this Article)
3. A proposed starting date of land disturbance or construction, date of completion for all improvements, and use opening or date of first occupancy; and,
4. A list of activities undertaken by the developer and subsequent occupant to mitigate all adverse impacts upon the surrounding properties before, during, and after the completion of development activities.

F. Requirements for All Site Plan Development and Approval. The site development plan shall include, but not be limited to the following.

1. The location, size, and other pertinent data of all land uses on the site including types, location and height of buildings, parking, open areas and landscaping,
2. Dimension setback lines from property lines and street right-of-way lines,
3. Adjacent thoroughfares and all curb cuts within five hundred (500) feet,

including:

- a. Proposed new cut(s) onto public rights-of-way with turning radii, and width; and
 - b. Dimensions of all rights-of-way,
4. Drainage plan to conform with Town standards,
 5. Location of all utilities,
 6. Tabulated data including at least;
 - a) Gross density of dwelling units,
 - b) Parking ratio per dwelling unit,
 - c) Percent and amount of land coverage by use; and
 - d) Percent and amount of floor area by use and by type,
 7. Topographical map showing existing and proposed contours at one foot (1') intervals and natural features; and,
 8. Type of construction material,
 9. Proposed natural or man-made buffers.
 10. Parking analysis form to be included as part of the Site Plan approval process, depicting, (a) the square footage of the overall buildings, multiple floors if any, and other fixed structures and the type of building usage, (b) comparison of the zoning code parking requirements for each building shown above and the number of parking places in the site plan, (c) include anticipated remote parking, if any and, (d) the above totals shall be then compared to the site plan which will show a total of all parking spaces available. These requirements would be for all projects excepting R-1 and R-2 dwellings.

All changes made after initial site plan review and approval, during the building permitting process and construction, shall be reviewed by the Zoning Commission prior to approval of said changes.

The Planning and Zoning Commission may require elevations or other engineering or architectural drawings covering the proposed development. The Mayor and Council will not act upon a zoning decision that requires a site plan

until the site plan has received the recommendation of the Planning and Zoning Commission.

G. Application Requirements for a Zoning Variance. Applications for a zoning variance shall be submitted to the Zoning Administrator. All applications for a zoning variance must also include the following minimum information:

1. Site plan and/or architectural rendering of the proposed development depicting the location of lot restrictions.
2. A survey of the property signed and stamped by a State of Georgia Certified Land Surveyor.

No application for a site plan with a zoning variance request, which has been previously denied, shall be accepted by the Zoning Administrator until the expiration of at least twelve (12) months immediately following the defeat by the Board of Zoning Appeals of such variance request. However, if the request is for a lesser relaxation of the standards or for a different request, then an application and revised site plan may be submitted.

H. Additional Application Requirements for a Zoning Ordinance Or Map Amendment. Applications for amendment of these regulations may be in the form of proposals to amend the text of these regulations or proposals to amend the zoning map. Applications for amendment shall be submitted to the Zoning Administrator. No application for a zoning change requesting the same zoning district classification and affecting the same parcel of property or part thereof shall be accepted by the Zoning Administrator until the expiration of at least six (6) months immediately following the defeat of the rezoning request by the Mayor and Council. However, if the request is for a different land use classification than the previous request, an application will be accepted. All applications for zoning ordinance or map amendments must also include the following minimum information:

1. Text Amendment. In the case of a text amendment, the application shall

set forth the new text to be added and the existing text to be deleted.

2. Map Amendment. An application for a map amendment shall include the following information:
 - a. A legal description of the land by lot, block, and subdivision designations, or if none, by metes and bounds,
 - b. The property identification number from the tax records of Chatham County,
 - c. The present and proposed land uses of the property petitioned for rezoning and all adjoining properties if under the same ownership,
 - d. The names, addresses, and zip codes, at the date of filing of owners of property being rezoned and of property owners adjacent to and across any public right-of-way from the property being proposed for rezoning, including properties diagonally across an intersection,
 - e. The area of the land proposed to be reclassified stated in square feet if less than one (1) acre, and in acres if greater than one (1) acre,
 - f. All known previous applications for a map amendment affecting the same premises, and,
 - g. A scaled map or plat, which shall be attached to each of the application forms required. Said map or plat shall show the property referred to in the application and all adjoining lots or parcels of land which are also under the same ownership.

- I. Conceptual Site Plan. A Conceptual Site Plan can be submitted for preliminary review to determine if the proposed action on rezoning would be acceptable to the planning and zoning commission as well as the Mayor and Council before the expenditure of high sums of money. The Conceptual Site plan shall include, but not be limited to:

1. The location, size and other pertinent data of all land uses on the site including types, location, and height of buildings, parking, open areas and landscaping,

2. Dimension setback lines from property lines and street right-of-way lines,
3. Adjacent thoroughfares and all curb cuts within five hundred (500) feet, including:
 - a. Proposed new cut(s) onto public rights-of-way with turning radii, and width; and
 - b. Dimensions of all rights-of-way,
4. Tabulated data including at least:
 - a. Gross density of dwelling units,
 - b. Parking ratio per dwelling unit,
 - c. Percent and amount of land coverage by use;
5. Topographical map showing existing and proposed contours at one foot (1') intervals and natural features; and,
6. Architectural renderings and site elevations of the proposed structure.
7. All trees over 16 inches in diameter at breast height shall be shown when applying for any land disturbing permit.

J. Remedies. In case any building or structure is erected, constructed, reconstructed, moved, altered, repaired, converted, or maintained; or any building, structure, or land is used in violation of this ordinance, the Building Inspector or any other appropriate authority, or an adjacent or neighboring property owner who would be damaged by such violation, in addition to other remedies may institute injunction, mandamus, or any other appropriate action in proceeding to prevent such violation. Each and everyday such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use continues shall be deemed a separate offense.

K. Penalties. Any person violating any provision of this ordinance shall be guilty upon conviction and shall be punished by a fine not exceeding \$1,000.00 with costs receivable before any magistrate of Municipal Court or 30 days in jail or both, at the discretion of the court. Any person, who, having been served with an order to remove such violations, shall fail to comply with such order to remove such violations, shall

also for each day that the violation remains, be subject to a civil penalty of \$1,000.00 fine for each day of each violation.



ARTICLE XVI.

ZONING ORDINANCE

ARTICLE XVI: BOARD OF ZONING APPEALS

1. Membership, Term of Office, Compensation.

- (a) Membership and Appointment: The Board of Zoning Appeals shall consist of the Mayor and Alderman. Any member of the Board shall be disqualified to act upon any matter before the Board with respect to property in which the member has an interest.

- (b) Term of Office: The term of office for each member of the Board of Zoning Appeals shall run concurrently with the term of their elected office as mayor or alderman.

- (c) Compensation: The Board of Zoning Appeals members shall receive no compensation for their service.

2. Officers, Meetings, Quorum, Minutes; Procedures Generally. The Board of Zoning Appeals shall have a chairman, who shall be the mayor or in his absence the Mayor pro tem. The Board of Zoning Appeals shall appoint a secretary who may be an officer or employee of the Town. The Board of Zoning Appeals shall have authority to adopt rules of procedure. Meetings of the Board of Zoning Appeals shall be held at the call of the chairman and at such other times as the Board may determine. Four members of the Board shall constitute a quorum. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses by subpoena.

The Board of Zoning Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in Town Hall and shall be a public record.

The decision of the Board of Zoning Appeals shall be by motion, which motion shall contain a statement of the grounds of its decision or action. The full text of the motion shall be sent to the appellant. No appeal requesting the same relief in

regard to the same property shall be received or heard by the Board of Zoning Appeals for a period of 12 months following the date of such motion, except that this limitation shall not affect the right of the Board to grant a rehearing as provided in the rules of procedures adopted by the Board.

3. **Duties of Board of Zoning Appeals.** The Board of Zoning Appeals shall resolve disputes in interpretation of this ordinance, shall pass on requests for conditional uses, site plan approvals and variances, and shall pass on applications for special uses when such is required by this ordinance.

4. **Public Hearing**

- (a) **Notice of Hearing Shall be Given:** Before making its decision on any appeal, request for permission to establish a use, request for a variance, or on any other matter within the Board of Zoning Appeals purview, said Board shall hold public hearing thereon. At least 15 days notice of the time and place of such hearing shall be sent to the appellant or petitioner, to the Planning and Zoning Commission, to the zoning administrator, and to the owners of all properties either adjoining the property with which the hearing is concerned or situated directly across a public right-of-way from said property. Such notice shall contain the name of the appellant and petitioner, the date, time, and place fixed for the hearing, and brief statement of the error alleged by the appellant, or of the variance, use requiring special approval, or other relief requested.

- (b) **Erection of Sign.** Within three days after acceptance for filing of an appeal the applicant shall erect a sign, to be furnished by the Zoning Administrator, on the land with which the appeal is concerned. The sign shall be non-returnable, weather resistant or equal, minimum size of 30 by 40 inches, show the application number, the type of relief sought, the scheduled date, time, and place of public hearing, and the telephone number to call for further information. The applicant shall be responsible

for the sign per the most current schedule of fees. Once the petition is disposed of the applicant must remove and dispose of the sign within ten days. The Applicant shall pay for the cost of such sign and all related fees in accordance with the current fee schedule as approved by Town Council.

- (c) Adjournment of Hearings. Hearings may be adjourned from time to time and, if the time and place of the continued hearing be publicly announced at the time of the adjournment, no further notice of such continued hearings shall be required; otherwise, notice thereof shall be given, as in the case of the original hearing.
- (d) Public Notice in Newspaper. The Board of Zoning Appeals shall give public notice of the hearing in a newspaper circulated in Thunderbolt by advertisement published for two consecutive days more than fifteen days prior to the date of the public hearing. All advertising fees are to be paid by the applicant/petitioner.
- (e) Rehearing. An application for a rehearing may be made in the same manner as provided for an original hearing.
- (f) Time Limit of Board's Decision. The Board of Zoning Appeals shall reach a decision following a public hearing within a reasonable period of time; however, said period shall not exceed 45 days.
- (g) Forms. Appeals, requests for permission to establish a use requiring special approval, requests conditional use permits, requests for approval of site plans, request for variances and requests for extension of nonconforming issues shall be made on forms provided therefore, which shall be available in the Office of the Zoning Administrator, and all information required on said forms shall be provided by the applicant/petitioner. Forms shall be filed with the Office of the Zoning

Administrator, and the applicant/petitioner shall pay a fee incidental to the application/petition. The Board of Zoning Appeals shall accept no forms unless it contains all pertinent information and is accompanied by the required fee.

- (h) Calendar of Appeals. Appeals and applications filed in proper form shall be posted conspicuously in the office of the zoning administrator during the period before such hearing date.

5. **Stay of Proceedings.** An appeal stays all legal proceedings against the applicant that have been instituted in connection with the action appealed unless the officer whose action is being appealed certifies to the Board of Zoning Appeals that, for reasons stated in the certificate, a stay would, in his opinion, cause imminent peril to life and/or property. In such cases, proceedings shall only be stayed by a restraining order, which may be granted by either the Board of Zoning Appeals or a competent court, on application.

6. **Powers.** The Board of Zoning Appeals shall have the following powers:

- (a) To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this ordinance.
- (b) To accept and decide on applications for uses on which the Board of Zoning Appeals is required to act by this ordinance.
- (c) To authorize upon appeal in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the ordinance will, in an individual case, result in practical difficulty or unnecessary hardship. Such variance may be granted in individual cases upon finding by the Board of Zoning Appeals that:

- (1) There are extraordinary and exceptional conditions pertaining to

the piece of property in question because of its size, shape, or topography, and

- (2) The application of this ordinance or resolution to a particular piece of property would create an unnecessary hardship. Economic hardship alone is not sufficient to get a variance.
- (3) Relief, if granted, would not cause substantial detriment to the public good or impair the purpose of this ordinance; provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this ordinance.
- (d) In exercising the above powers, the Board of Zoning Appeals may, in conformity with the provisions of this ordinance, reverse or affirm, wholly or partly, a decision of an administrative official or the recommendation of the Planning and Zoning Commission or may modify the order, requirements, decisions, or determinations of such administrative official, or the recommendation of the Planning and Zoning Commission, and to that end shall have all the powers of such administrative official and the Planning and Zoning Commission. In exercising the above powers, the Board of Zoning Appeals may issue or direct the issuance of a permit.

7. **Appeals from Decisions of Board of Zoning Appeals.** Any person or persons severally or jointly aggrieved by any decision of the Board of Zoning Appeals may take an appeal to the Superior Court. Said appeal to the Superior Court shall be filed within 30 days of the date of said decision of the Board of Zoning Appeals, and upon failure to file said appeal within 30 days, the said decision of the Board of Zoning Appeals shall be final. Provided, however, that on appeal, said case shall be heard by the Judge of the Superior Court without a jury, unless one of the parties files a written demand for a jury trial within 30 days from the filing of the appeal.



ARTICLE XVII.

ZONING ORDINANCE

ARTICLE XVII: PLANNING AND ZONING COMMISSION

1. **Purpose.** In order to guide and accomplish a coordinated and harmonious development of the municipality which will, in accordance with future and existing needs, best promote the public health, safety, morals, order, convenience, prosperity and the general welfare and safety as well as efficiency and economy and the process of development, the Thunderbolt Planning and Zoning Commission is hereby created and established. The Thunderbolt Planning and Zoning Commission may sometimes be referred to as the Planning Commission or the Zoning Commission, or Planning and Zoning Commission under the Thunderbolt Code of Ordinances 1985 Revision and all appendices thereto.

2. **Membership, Term of Office, Compensation.**
 - A. **Membership.** The Planning and Zoning Commission shall consist of seven members, who shall be residents of the Town, appointed by the governing body. Any member of the Commission shall be disqualified to act upon any matter before the Commission with respect to property in which the member has an interest.
 - B. **Term of Office.** The terms of the members shall be for four (4) years, except that in the appointment of the first Planning Commission appointed pursuant to this revision to the zoning ordinance, one member shall be appointed for a term of one (1) year, two members shall be appointed for a term of two (2) years, two members shall be appointed for a term of three (3) years and the remaining member shall be appointed for a term of four (4) years each. Any vacancy in membership shall be filled for the unexpired term by the governing body, which shall also have the authority to remove any member for cause, on written charges, after a public hearing.
 - C. **Compensation.** All members shall serve without compensation, but may be reimbursed for actual expenses incurred in connection with their official duties, if approved by the Mayor and Council.

3. **Officers, Meetings, Quorum, Minutes: Procedures Generally.** The members of the Planning and Zoning Commission shall appoint a Chairman from the membership. If the membership does not appoint a chairman by February 28 of each calendar year to serve for that year, the Mayor and Council shall appoint one of the members of the Planning and Zoning Commission as Chairman, who shall serve for such year or until he is re-appointed or his successor is appointed. The Planning and Zoning Commission shall appoint a secretary who may be an officer or employee of the Town. The Planning and Zoning Commission shall have authority to adopt rules of procedure.

In addition to regularly scheduled meetings on the third Wednesday of each month, meetings of the Planning and Zoning Commission shall be held at the call of the chairman and at such other times as the Commission may determine. Four members of the Commission shall constitute a quorum.

The Planning and Zoning Commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of recommendations and studies, all of which shall be immediately filed in Town Hall and shall be a public record. Meetings and hearings conducted by the Planning and Zoning Commission may be adjourned from time to time and, if the time and place of the continued hearing be publicly announced at the time of the adjournment, no further notice of such continued hearings shall be required; otherwise, notice thereof shall be given, as in the case of the original hearing.

4. **Duties of Planning and Zoning Commission.** The role of the Planning and Zoning Commission shall include the following: holding public hearings on comprehensive plans or elements of comprehensive plans; holding public hearings on zoning map or zoning text amendments; reviewing new land subdivision plats to ensure conformance with subdivision regulations; site plan reviews; and undertake specific assignments from the Mayor and Council, or

upon their own initiative, encompassing planning and other community development issues.

5. **Public Hearing.**

A. **Notice of Hearing Shall be Given.** Before making its decision on any zoning map or zoning text amendment, or on any other matter within the Planning and Zoning Commission's purview, the Planning and Zoning Commission shall hold a public hearing. At least 15 days notice of the time and place of such hearing shall be sent to the appellant or petitioner, and to the owners of all properties either adjoining the property with which the hearing is concerned or situated directly across a public right-of-way from said property. Such notice shall contain the name of the appellant and petitioner, the date, time, and place fixed for the hearing, and brief statement of the action or relief requested.

B. **Public Notice in Newspaper.** The Planning and Zoning Commission shall give public notice of a hearing or of a called meeting in a newspaper circulated in Thunderbolt by advertisement published two consecutive days more than fifteen days prior to the date of the public hearing.

6. **Report of Public Hearing.** The Planning and Zoning Commission shall report, in writing, to the Mayor and Council the outcome of any public hearing. The report shall contain a summary of the information presented at the public hearing. The report shall be ready at least seven days prior to the hearing of the Mayor and Council on such matter.

7. **Powers.** The Planning and Zoning Commission shall have the power with regard to land planning and other community development issues to:

- A. Review and make recommendations concerning conditional use permits;
- B. Review and make recommendations on site plan approvals;
- C. Review and make recommendations on variance requests from the zoning

ordinance;

- D. Review and make recommendations on proposed zoning map amendments and/or zoning text amendments;
 - E. Review and make recommendations on proposed subdivision plats;
 - F. Review and make recommendations on other matters submitted to it by the Mayor and Council;
 - G. Review and make recommendations on other matters the Commission initiates on its own.
8. **Appeals of Decisions by Planning and Zoning Commission.** All appeals of decisions and/or recommendations by the Planning and Zoning Commission shall be taken to the Board of Zoning Appeals.

All appeals of zoning map amendments or zoning text amendments and special use permits shall be appealed to the Mayor and Aldermen of the Town of Thunderbolt.



ARTICLE XVIII.

ZONING ORDINANCE

ARTICLE XVIII: AMENDMENTS

1. **Amendments.** This chapter, including the zoning map, may be amended by the Mayor and Council on their own motion, on petition, or on recommendation of the Planning and Zoning Commission, but no amendment shall become effective unless it shall have been proposed or shall first have been submitted to the Thunderbolt Planning and Zoning Commission for review and recommendation. Before enacting an amendment to this Chapter, the Mayor and Council shall give public notice and hold a public hearing thereon as set forth in this Article.

2. **Procedure for Amendment.**

(a) **Generally.** Applications for amendment of this Ordinance may be filed with the town zoning administrator. The proposed amendments to this Ordinance may be proposals for text or map amendments. Such applications shall give the reasons for requesting change of the text and/or zoning map, which would support the purposes of the zoning program. A property owner shall not file a rezoning petition for a map or text amendment affecting the same parcel more often than twelve months from the date of denial of any rezoning request for the same property by the Mayor and Council, or within twelve months of the date of a recommendation by the Planning and Zoning Commission for denial of an application affecting the same parcel. All previous applications for a text or map amendment affecting the same premises shall be listed. The fee for filing an application for amendment and all related fees shall be subject to the current fee schedule as approved by Town Council. (Please see Zoning Administrator for current fee schedule.)

(b) **Signature of Applicant.** All applications shall be signed and shall state the name and address of the applicant, who must be the owner of the property or the authorized agent or attorney for the owner of the property. If the applicant is the agent of the owner then said agent shall file, simultaneously with said petition, a notarized letter signed by the owner, authorizing said agent to file on his behalf. No application shall be accepted which fails to meet these requirements.

- (c) Application for Text Amendment. In the case of a text amendment, the application shall set forth the new text to be added and the existing text to be deleted.
- (d) Application for Map Amendment. An application for a map amendment shall include the following information and a scaled map or plat, which shall be attached to each of the application forms required. Said map or plat shall show the property referred to in the application and all adjoining lots or parcels of land which are also under the same ownership and include:
- (1) A legal description of the land by lot, block, and subdivision designations, or if none, by metes and bounds.
 - (2) The property identification number from the tax records of Chatham County.
 - (3) The present zoning classification and the classification proposed for such land.
 - (4) The name and address of the owners of the land.
 - (5) The present and proposed land uses of the property petitioned for rezoning and all adjoining properties if under the same ownership.
 - (6) The names, address and zip codes, at the date of filing of owners of property being rezoned and of property owners within 200 feet of the property and across any public right-of-way from the property being proposed for rezoning, including properties diagonally across an intersection.

After acceptance of an application, the zoning administrator shall transmit a copy

thereof to the Planning and Zoning Commission for its review and recommendation. The Planning and Zoning Commission shall submit its findings to the Town Council within 90 days from the date the application was accepted by the Zoning Administrator; provided that such application was accepted at least 20 days prior to its next regularly scheduled meeting. If the Planning and Zoning Commission fails to submit a report within the time period set forth above, the application shall be submitted to the Town Council without any recommendation by the Planning and Zoning Commission.

At least 7 days prior to the Planning and Zoning Commission meeting on the application, applicant shall mail by certified mail, return receipt requested, notice of the date, time, place of the Planning and Zoning Commission hearing on the application to the property owners adjacent to and across any public right-of-way from the property being proposed for rezoning, including properties diagonally across an intersection. Proof of mailing, by applicant, must be provided to the Zoning Administrator.

(e) Posting of Property.

(1) Erection of Signs. At least 15 days prior to the scheduled date of the public hearing before the Mayor and Council on the application for a map amendment, the applicant shall erect a sign at applicant's expense on the land proposed to be reclassified. Such sign shall be erected by the applicant within ten feet of whatever boundary line of such land abuts the most traveled public road; and, if no public road abuts thereon, then such sign shall be erected to face in such a manner as may be most readily seen by the public. The lower edge of the sign face shall be of sufficient height so as to be read from the roadway. The sign shall show the present zoning classification, the proposed zoning classification, the scheduled date, time, and place of public hearing and the telephone number to call for further information. If the land sought to be rezoned lies within more than one block, as shown on a plat recorded in the land records of the County,

additional signs shall be placed to give general area coverage. Any such sign(s) shall be maintained at all times by the applicant until a decision on the application has been made public by the governing authority. Once the application is disposed of, the applicant must remove and dispose of the sign within ten days.

(f) Hearing Procedure.

(1) Hearing Called. Before taking action on a proposed amendment, the Mayor and Council shall hold a public hearing thereon. At least 15 days notice and not more than 45 days notice of the time and place of such hearing shall be published in a newspaper of general circulation within the Town. Such notice shall state the application number and shall contain a summary of the proposed amendment, if a text amendment, and in the case of a map amendment, the location of the property, name of owner, and the proposed change or classification.

(2) Notice of Interested Parties. At least seven days prior to the date of the public hearing a notice setting forth the date, time and place for such public hearing shall be sent by the zoning administrator by regular mail to the applicant, the Planning and Zoning Commission, and all owners of property located adjacent to or across a public right-of-way from the property being proposed for rezoning. The names and addresses of owners of such properties shall be provided by the applicant as set forth herein, provided, however, where a map amendment is initiated by the Planning and Zoning Commission such names and address of owners of property located adjacent to or across a public right-of-way from property being proposed for rezoning shall be provided by the Zoning Administrator. Notwithstanding any other provision hereinabove if the Planning and Zoning Commission or the Mayor and Council themselves initiate a rezoning matter involving more than one parcel of land and all

owners of property located adjacent to or across the public right of way from the property being proposed for rezoning constitute more than 30 such owners the notice to interested parties shall be accomplished by advertisement in the appropriate newspaper for the County of Chatham that advertises legal advertisements, said advertisement to be run once a week for two weeks prior to the date of the public hearing.

(g) Procedure for Conducting a Public Hearing.

- (1) All public hearings by the Mayor and Council on zoning amendments shall be chaired by the Mayor (presiding officer).
- (2) The Mayor shall open the hearing by stating the specific zoning amendment being considered at the public hearing.
- (3) The Mayor shall determine the number of attendees who desire to testify or present evidence at the hearing.
- (4) When there are a large number of individuals wishing to testify at a hearing, the Mayor may invoke time limits on individual speakers. In such cases, these time limits shall apply to all speakers. Notwithstanding, any other provisions of this Article, the proponents and opponents to any zoning petition shall be granted a minimum of ten minutes per side for an amount in accordance with Georgia Code Annotated 36-66-5(a) as such provision is amended.
- (5) The Mayor shall recognize the individual parties wishing to testify or present evidence and allow them to present this information.
- (6) Once all parties have concluded their testimony, the Mayor shall adjourn the public hearing.

(h) Standards and Criteria for Making Zoning Amendments. However, prior to making a zoning amendment, the Mayor and Council shall evaluate the merits of a proposed zoning amendment according to the following criteria: The Planning and Zoning Commission may evaluate any proposed zoning amendments according to the following criteria and, if used, should be included in their recommendation to the Mayor and Council.

- (1) Is this request a logical extension of a zoning boundary, which would improve the pattern of uses in the general area?
- (2) Is this spot zoning and generally unrelated to either existing zoning or the pattern of development in the area?
- (3) Could traffic created by the proposed use or other use permissible under the zoning sought traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- (4) Will this request place irreversible limitations on the area as it is or on future plans for it?
- (5) Is there an eminent needs for the rezoning and is the property likely to be used for the use requested?
- (6) Will the proposed use substantially conflict with existing density patterns in the zone or neighborhood?
- (7) Would the proposed use precipitate similar requests which would generate or accelerate adverse land use changes in the zone or neighborhood?

- (8) Will the action adversely impact adjacent or nearby properties in terms of:
- (i) Environmental quality or livability, resulting from the introduction of uses or activities which would create traffic, noise, odor or visual hazards or the reduction of light and air that is incompatible with the established development pattern.
 - (ii) Property values, by rendering such properties less suitable and therefore less marketable for the type of development to which they are committed or restricted in order to promote the public welfare and protect the established development pattern.
- (9) Will the action create development opportunities of such increased intensity that storm water run-off from the site cannot be controlled within previous limits, which results in adverse impacts upon existing down stream drainage problems or potential problems?
- (10) Will the action result in public service requirements such as provision of utilities or safety services which, because of the location or scale of the development, cannot be provided on an economic basis and therefore would create an actual burden to the public?



ARTICLE XIX.

ZONING ORDINANCE

ARTICLE XIX: INTERPRETATION, PURPOSE AND CONFLICT

In interpreting and applying the provisions of this Ordinance, the provisions shall be considered as the minimum requirements for the promotion of the public safety, health, morals and general welfare. 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 property or premises or upon the height of buildings, or requires greater space than is imposed or required by other resolutions, rules or regulations, or by easements, covenants or agreements, the provisions of this Ordinance shall govern.



ARTICLE XX.

ZONING ORDINANCE

ARTICLE XX: VALIDITY

Should any article, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such action shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid, each article, clause and provision hereof being declared severable.



ARTICLE XXI.

ZONING ORDINANCE

ARTICLE XXI: CONFLICTING ORDINANCES

This is intended to be the Comprehensive Zoning Ordinance for the entire incorporated area of Thunderbolt, Georgia, and all other zoning ordinances are hereby repealed.

Adopted by the Mayor and Council, the Governing Authority of the Town of Thunderbolt, this 11th day of January, 2006.

Mayor

ATTEST: Town Clerk



APPENDIX

ZONING ORDINANCE