

ZONING ORDINANCE

SEMINOLE COUNTY, GEORGIA

THIS ORDINANCE shall be known as the “Zoning Ordinance of Seminole County, Georgia”, for the purpose of setting forth standards and permissible uses **designed to secure safety, to promote health, aesthetics, and general welfare;** to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population, to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements by dividing Seminole County into districts of such size and shape as may be best suited to carry out the purposes of the legislative act and of this Ordinance.

ARTICLE I INTRODUCTION

Section 1.01. AUTHORITY FOR ENACTMENT. The Board of Seminole County Commissioners enacts this Ordinance under the exercise of powers conferred upon it by the Georgia State Constitution, Article IX, Section II, Paragraph IV, Planning and Zoning.

Section 1.02. JURISDICTION. This Ordinance shall only apply to the unincorporated areas of Seminole County.

Section 1.03. APPLICATION OF ORDINANCE. The requirements of this Ordinance are declared to be minimum requirements and shall not be deemed to interfere with, abrogate, annul, or otherwise affect in any manner any easements, covenants or other agreements between parties. However, whenever the provisions of this Ordinance impose greater restrictions upon the use of land, or buildings than the provisions of other ordinances, rules, regulations, permits, or any easement, covenants or other agreements between parties, the provisions of this Ordinance shall govern.

ARTICLE II DEFINITIONS

Section 2.01. For the purposes of these Regulations, certain words and tenses used herein shall be interpreted or defined as follows:

Words used in the present tense include the future tense.

The singular number includes the plural and the plural, the singular.

The word “person” includes a corporation, partnership, or association as well as an individual.

The term “shall” is always mandatory and not merely directory.

Terms not herein defined shall have the meanings customarily assigned to them.

The term “governing body” shall mean the Board of Commissioners of Seminole County, Georgia.

Section 2.02. DEFINITIONS.

ACCESSORY BUILDING: A detached, subordinate structure, the use of which is clearly incidental to, customarily associated with and related to the principal structure or use of land, and which is located on the same lot as the principal structure or use. Accessory buildings shall include storage buildings, tool houses, party houses, bath houses (used in conjunction with swimming pools) and similar uses.

ACCESSORY USE: The use customarily incidental and accessory to the principal use of a building located upon the same building site as the principal use.

ADULT ENTERTAINMENT BUSINESSES: Any business such as motion pictures, theaters, mini-motion theaters, erotic dancing, escort services, book stores, etc. characterized by an emphasis on sexual activities.

AGRICULTURE: Agriculture shall be considered to mean the raising of soil crops and/or livestock in a customary manner on tracts of land six (6) acres or more in size and shall include all associated activities. Retail selling of products raised on the premises shall be considered a permissible activity provided that space necessary for the parking of customer’s vehicles shall be provided off the public right-of-way.

AIRFIELD: Any area of land or water utilized for the landing or taking off of aircraft.

ALLEY: Any dedicated public way providing a secondary means of ingress to or egress from land or structure thereon.

ALTERATION: Any change, addition or modification in construction or type of occupancy; any change in the structural members of the building, such as walls, partitions, columns, beams, girders, or any change which may be referred to herein as “altered” or “reconstructed.”

AMBULATORY: In respect to a person, the ability to move from place to place by walking, either unaided or aided by prosthesis, brace, cane, crutches or hand rails, or by propelling a wheelchair; and can perceive an emergency condition, whether caused by fire or otherwise and escape without human assistance, using the normal means of egress.

APARTMENT: A room or suite of rooms used as dwelling for one family which does its cooking therein.

APARTMENT HOUSES: A residential structure containing three (3) or more apartment units.

AQUACULTURE: A controlled discharge of pollutants to enhance growth of harvestable freshwater, estuarine, or marine life plants or animal species.

AUTOMOBILE WRECKING YARD, AUTOMOBILE USED PARTS OR AUTO GRAVEYARD: Means anywhere three or more vehicles not in running condition, or the parts thereof, are stored in the open or any building or structure used principally for wrecking or storage of automobiles not in running condition for automobile parts.

BASEMENT: A portion of a building partly below grade and having less than five (5) feet above the finished grade level of the building.

BED AND BREAKFAST: Overnight accommodations and a morning meal dwelling unit provided to transients for compensation. **Comment:** Bed and breakfasts (B&B) accommodations differ from rooming and boarding houses in that they are truly transient accommodations, with guests rarely staying more than a few days. In addition, the owner almost always lives in the facility. The impact of a B&B should not be much greater than that of a private home with frequent houseguests, with the exception of parking demand.

BLOCK: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad right-of-way, shorelines of waterways, drainage ways, or boundary lines of municipalities or counties.

BOARDING HOUSE: A residence or part thereof where meals or lodging and meals are provided for compensation to three or more persons by prearrangement for definite periods. A boarding house is to be distinguished from a hotel, motel or a nursing home.

BUFFER: That portion of a given lot, not covered by buildings, pavement, parking, access and service areas, established as landscaped open space for the purposes of screening and separating properties with incompatible land uses, the width of which is measured from the common property line and extends the developed portion of the common property line. A buffer consists of trees, shrubs, and other natural vegetation undisturbed by grading or site development and replanted where sparsely vegetated or where disturbed for approved access and utility crossings.

BUILDABLE AREA: The buildable area of a lot is the space remaining after the minimum open space requirements of these regulations have been completed with.

BUILDING: Any structure having a roof, supported by columns or by walls and intended for shelter, housing or enclosure of any person, animal or goods. Where roofed structures are separated from each other by party walls having no opening passage, each portion so separated shall be considered a separate building.

BUILDING INSPECTOR: The Building Inspector of the governing body, or his representative.

BUILDING LINE: A line established, in general, parallel to the front right-of-way line, between which line and the front right-of-way line no part of a building shall project, except as otherwise provided by these regulations. Minimum building lines are set by this ordinance.

BUILDING HEIGHT: The vertical distance of a building measured from the average elevation of the finished grade to the highest point on the roof surface.

BUILDING, PRINCIPAL: A building in which is conducted the principal use of the lot on which it is located.

CARETAKER OR EMPLOYEE RESIDENCE: An accessory residence located inside or in addition to the principal structure or use of a parcel of land. Said residence must be occupied by a bona fide caretaker or the owner himself as necessary to the property's orderly operation or safety.

CLERK: The clerk of the governing body.

CLINIC: A professional office where the services of more than one practitioner can be obtained and where patients are studied or treated on an out-patient basis and where no overnight accommodations are provided.

CLUB: An organization of persons for special purposes or for the promulgation of sports, arts, science, literature, politics or the like, but not for profit.

CURB CUT: An existing curb and gutter for the construction of a driveway to provide for ingress/egress between property and an abutting public street.

COMPREHENSIVE PLAN: The adopted County plan intended to guide the growth and development of the community.

CONCENTRATED FEED LOT: A relative small, confined land area for fattening cattle or holding temporarily for shipment.

CONDITIONAL USE: A use which within certain districts specified by this Ordinance is not permitted as a matter of right but may be permitted within these districts by the County

Commission after the Planning Commission has (1) reviewed the proposed site plans for the use, its arrangement and design, its relationship to neighboring property and other conditions peculiar to the particular proposal which would determine its desirability or undesirability; (2) has found the proposal not to be contrary to the intent of this Ordinance. All conditional use applications will follow the same public notice, public hearing and review process as any application for rezoning. Additionally, any application for conditional use of a particular parcel or property which is denied by the County Commission may not again be considered until the expiration of at least twelve (12) months.

CONVALESCENT HOME: A convalescent home is a home for the care of children or the aged or infirm, or a place of rest for those suffering bodily disorders, wherein two or more persons are cared for. Said home shall conform and qualify for license under state laws.

DAY CARE FACILITY: A day care facility is an individual or jointly owned facility designated to offer care and/or training to children unrelated to the owner or director for any part of a day on a regular basis. Such facility may or may not be operated for profit. Day care is not a baby-sitting service to be used for the convenience of the parents at irregular intervals (Drop-ins).

- A. A Group Center (day nursery, day care center); is defined as a facility for six (6) or more children, regardless of age, whose primary purpose is the care of the child for part of a day, while his parent or parents are absent from home.
- B. A Nursery School; is defined as a school for two, three, and four year old children which operates for periods not to exceed four (4) hours a day and whose primary purpose is education and guidance for healthy emotional and social development of children.
- C. Kindergarten; is defined as a school for four or five year old children which operates for periods not to exceed four (4) hours a day and whose primary purpose is education and guidance for healthy emotional and social development.
- D. Family Day Care; is defined as a service in a private home, offering care in a family setting to a maximum of five (5) children, including the foster family's own children during part of the day while the natural parents are absent from their home.
- E. Adult Day Care; is defined as personal care and supervision in a protective setting for adults outside their own home for less than twenty-four (24) hours per day. The program may include the provisions of daily medical supervision, nursing and other health care support, psycho-social assistance, or appropriate socialization stimuli or a combination of these. Adult day care is available for those persons who do not require twenty-four (24) hour per day institutional care, but who, because of physical and/or mental disability, are not capable of full time independent living.

DENSITY: The number of dwelling units developed on an acre of land. As used in this ordinance, all densities are stated in dwelling units per gross acre.

DISTRICT: A portion of the jurisdiction of the governing body within which, on a uniform basis, certain uses of land and buildings are permitted and within which certain yards, open spaces, lot areas and other requirements are established.

DRIVE-IN ESTABLISHMENT: A business establishment, other than a drive-in restaurant, so developed that its retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle, and may include drive-in banks, drive-in cleaners, and drive-in laundries.

DRIVE-IN RESTAURANT: A restaurant or other establishment serving food and/or drink so developed that its retail or services character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle.

DWELLING, SINGLE FAMILY: A building used or designed for use as a residence for a single family.

DWELLING, TWO FAMILY (DUPLEX): A duplex is a building either designed, constructed, altered or used for two adjoining dwelling units that are connected by a common wall and/or if two story by a common floor.

DWELLING, MULTIPLE: A building or portion thereof used or designed as a residence for three or more families living and cooking independent of each other in said building. This definition includes three family houses, four-family houses and apartment houses, but does not include hotels, motels, trailer camps or mobile home parks.

ERECTED: Includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage, and the like, shall be considered a part of the erection.

ESSENTIAL SERVICES: The erection, construction, alteration, or maintenance by public utilities, governmental departments or commissions, of underground, surface, or overhead; gas, communication, electrical, steam, fuel or water transmission or distribution systems, sewers, pipes, conduits, cable, fire alarm and police call boxes, traffic signals, hydrant and similar accessories in connection therewith, but not including buildings which are necessary for the furnishing of adequate service by such utilities or governmental departments for the general public health, safety, convenience or welfare.

FAMILY: One or more persons occupying a housing unit and using common kitchen facilities and entrances, as distinguished from a group occupying a boarding house, or personal care home.

FAST FOOD RESTAURANT: A fast food restaurant is defined to be a restaurant that has all of the following characteristics.

- A. Its principal business is the sale of food items and beverages of the kind which can readily be taken out of the restaurant for consumption off the premises.
- B. Utensils, if used at all, are made of plastic or other disposable materials. Food is packaged in paper or Styrofoam or other disposable containers.
- C. Service is not customarily provided to customers at their tables by employees of the restaurant.

FARM: A platted or unplatted parcel of one hundred (100) acres or more in an area which is used for growing crops, raising livestock or other agricultural purposes.

FARM, MINI: The use of parcels of land between six (6) and twenty (20) acres in size for agriculture related activities within agricultural zoning districts.

FARM STAND: A booth or stall located on a farm from which produce and farm products are sold to the general public.

FILLING: Shall mean the depositing or dumping of any matter on or into the ground, except deposits resulting from common household gardening and general farm care.

FLEA MARKET: An outdoor and/or indoor facility established for the purpose of selling at retail such new or used items as household goods, tools, crafts or any other combination of new or used goods. These markets, sales and displays are those that occur continuously or frequently, and specifically more than two times per year, normally at a fixed location where a proprietor, partnership, or corporation leases to vendors a booth, commercial staff or designated area from which the vendor markets his/her goods.

FLOOD PLAIN: A nearly level alluvial plane that borders a stream and is subject to flooding unless protected artificially.

FORESTRY: Establishments engaged in the operation of timber tracts, tree farms or the gathering of forest products.

FOSTER CHILD: A child unrelated to a family by blood or adoption with whom he or she lives for the purposes of care and education.

GARAGE, PRIVATE: An accessory building designed or used for the storage of motor driven vehicles owned and used by the occupants of the building to which it is an accessory.

GARAGE, PUBLIC: Any premises used for the storage or care of motor vehicles or place where any such vehicles are equipped for operation, repaired or kept for pay, hire or sale.

GARDEN, PRIVATE: A non-commercial private garden in which is an accessory use to the primary use of the zoning district. The primary use must be present at the same location as the garden in any zoning district with the exception of agricultural zoning districts.

GROUP HOME: A group home is a residential use (home) of a property for the care of individuals in the home environment which have mental and/or developmental disabilities or individuals who will benefit socially from living in a group environment. All group homes must be licensed by the appropriate state agency.

GUEST HOME: A building or portion thereof used or designed for uses as a residence, specifically as an accessory use to the principal dwelling.

HALF-WAY HOUSE: A group home facility which is licensed or supervised by any federal, state or county, to be used for health/welfare rehabilitation or similar purposes.

HOME OCCUPATION: Any use conducted entirely within the dwelling and carried on by the inhabitants thereof, which use is incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. Provided further, that no article or service is sold or offered for sale on the premises, except such as is produced by such occupation; that such occupation shall not require internal or external alterations or construction, open storage or signs not customary in residential areas. One (1) non-illuminated name plate, which is not more than two (2) square feet in area, may be attached to the building which shall contain only the name and occupation of the resident of the premises. Clinics, hospitals, child care centers, and day nurseries, among others, shall not be deemed to be home occupations.

HOSPITAL: An institution providing health services, primarily for in-patients and medical or surgical care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, out-patient departments, training facilities, central service facilities and staff offices.

HYDROPONICS: The cultivation of plants in water containing dissolved in organic nutrients, rather than in soil.

INDUSTRIALIZED BUILDING: A structure or component which is wholly or in substantial part made, fabricated, formed or assembled in or at manufacturing facilities and delivered to a building site for fabrication and installation in such assemblies that all parts or processes cannot be inspected except by disassembly by the building official but in lieu of such inspection bears an insignia, label, or decal issued by the Georgia Department of Community Affairs to certify the unit as to construction and safety standards.

JUNK: Any motor vehicle, machine, appliance, scrap material or other items that are in a condition which prevents its use for the purpose for which it was originally manufactured.

JUNK YARD: Includes automobile wrecking yards and includes any area of more than two hundred (200) square feet for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles, or other vehicles or machinery or parts thereof, but does not include vehicles or

machinery or parts thereof, nor does it include uses established entirely within enclosed buildings.

KENNEL: Any lot or premises on which three (3) or more dogs, four (4) months or older, are kept either permanently or temporarily for commercial or breeding purposes.

LABORATORY: A place devoted to experimental study, such as testing and analyzing. Manufacturing of product or products is not permitted within this definition.

LANDSCAPE STRIP: That portion of a given lot, not covered by buildings, pavement, parking, access and service areas, established as landscaped open space, the width of which is measured from the common property line and extending the developed portion of the property line. A landscape strip, as distinguished from a buffer, may be disturbed by grading or site development but shall be maintained as landscaped open space. A landscape strip may consist of grass lawns, decorative planting, berms, walls, fences or other approved features designed and arranged to produce an aesthetically pleasing effect within the development.

LOADING SPACE: An off-street space on the same parcel of property with the building or group of buildings, for temporary parking of a commercial vehicle while loading and unloading merchandise or materials.

LODGING HOUSE: A lodging house or rooming house is a building other than a hotel where lodging is provided for five (5) or more persons for compensation pursuant to previous arrangement.

LOT: A parcel of land occupied or intended to be occupied by a principal building or use and any accessory building and uses customarily incident to it, and including open spaces not less in extent than those required in connection therewith by these Regulations.

LOT AREA: The size of a lot measured within the lot lines as expressed in terms of acres or square feet.

LOT, CORNER: A lot abutting on two streets at their intersection.

LOT COVERAGE: The part or percent of the lot occupied by buildings or structures, including accessory buildings or structures.

LOT DEPTH: The mean distance between the front and rear lot lines.

LOT, DOUBLE FRONTAGE: An interior lot having frontages on two (2) or more parallel streets as distinguished from a corner lot. In the case of a row of double frontage lots, one street will be designated as the front street on the plat and the request for a building permit will indicate which street is the designated front street.

LOT FRONTAGE: That portion of a lot extending along a street right-of-way line.

LOT, INTERIOR: A lot other than a corner lot.

LOT LINES: The property lines bounding the lot.

- A. Front Lot Line: On a lot abutting upon a public street, the front lot line shall mean the line separating such lot from such street right-of-way.
- B. Rear Lot Line: Ordinarily, that lot line which is opposite and most distant from the front lot line of the lot. In the case of an irregular shaped lot, the County Planner shall designate the rear lot line.
- C. Side Lot Line: Any lot line that is not a front or rear lot line.

LOT OF RECORD: A parcel of land, the dimensions of which are shown on a map or plat on file with the Clerk of Superior Court of Seminole County, Georgia and which actually exists as shown, or any part of such parcel held in a recorded ownership separate from the ownership of the remainder thereof.

LOT, THROUGH: A lot other than a corner lot, having frontage on more than one street.

LOT WIDTH: The distance between the side lot lines, measured along the Front Building line and parallel to the street right-of-way.

MANUFACTURED HOME: A factory built structure that is manufactured or constructed under the authority of 42 United States Code Section 5401 and is to be used as a place for human habitation, but which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving it to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. A mobile home is not a manufactured home, except as hereafter provided. (Manufactured homes must bear an insignia issued by the U.S. Department of Housing and Urban Development (H.U.D.)).

MANUFACTURED HOME PARK: A licensed business operation which leases spaces for permanent or for temporary occupancy for periods exceeding thirty (30) days for mobile homes and, under some conditions, travel trailers.

MANUFACTURED HOME STAND: The site designed for the placement of a manufactured home and its cabana, accessory structures, utility connections and off-street parking facilities.

MOBILE HOME: A manufactured home built before June 15, 1976. They do not meet current building codes.

MODULAR HOMES (Also see Industrialized Building): Factory built housing certified as meeting local or state building codes as applicable to modular housing. Once certified by the State, modular homes shall be subject to the same standards as site built homes.

MOTOR VEHICLE REPAIR: General repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service such as body, frame or fender straightening and repair; overall painting; but not including undercoating of automobiles unless conducted in a completely enclosed spray booth.

MOTOR VEHICLE WASH ESTABLISHMENT: A building, or portion thereof, the primary purpose of which is that of washing motor vehicles.

NON-CONFORMING USE: Any building or land use which lawfully exists at the time of adoption of this ordinance and which does not now conform with the use regulations of the district in which it is located.

NURSERY (Tree and Shrub): An area or establishment devoted to the raising and care of trees, shrubs, or similar plant materials.

OFF-STREET PARKING LOT: A facility providing vehicular parking spaces, along with adequate drives and aisles for maneuvering, so as to provide access for entrance and exits for the parking of more than two (2) automobiles.

OPEN AIR BUSINESS USES: Open air business use shall include the following:

- A. Retail sale of trees, shrubbery, plants, flowers, seeds, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment and other home garden supplies and equipment.
- B. Retail sale of fruits and vegetables
- C. Tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving range, children's amusement park or similar recreation uses.
- D. Bicycle, trailer, motor vehicles, mobile homes, boats or home equipment sales, services or rental services.
- E. Outdoor display and sale of prefabricated storage buildings, garages, swimming pools and similar use.

OPEN SPACE, LANDSCAPED: That portion or portions of a given lot, not covered by buildings, pavement, parking access and service areas, set aside and maintained as a buffer, landscape strip or other approved open area.

PARKING SPACE: An area of not less than nine (9) feet wide and twenty (20) feet long, for each automobile or motor vehicle, such space being exclusive of necessary drives, aisles, entrances or exits and being fully accessible for the storage or parking of permitted vehicles.

PERSONAL CARE HOME: A dwelling in which aged or infirm persons are boarded and receive personal care on a 24 hour basis. All such homes shall be licensed by the appropriate state agency.

PLANNED UNIT DEVELOPMENT: A planned unit development is a single parcel of land within which a number of buildings (uses) are located or intended to be located in accordance with an overall plan of design and not in relation to a prearranged pattern of land subdivision. Examples of a planned unit development (P.U.D.) include a complex of apartment buildings, offices and a shopping center with a number of stores.

PRIME FARM LAND: Land in Seminole County which is best suited for producing food, feed, forage, fiber, and oil seed crops and also available for these uses. It has the soil quality, growing season, and moisture supply needed to produce sustained good yield of crops economically if treated and managed, including water management, according to modern farming methods.

PRODUCE STAND/CURB MARKET: A permanent or semi-permanent building stand not exceeding two hundred (200) square feet of floor area intended to provide a place to sell at retail only perishable farm and garden vegetables and orchard or grove fruits, but not including buildings or structures erected by a bona fide farmer for the sale of seasonal produce grown on their land in an Agricultural Zoning District.

RECREATION FACILITY, COMMERCIAL: A recreation facility operated as a business and open to the public for a fee.

REFERENCE LEVEL: The reference level for any building is seven (7) inches above the existing curb, or in the absence of an existing curb, above the crown of the adjacent public road.

RUBBISH: The miscellaneous waste material resulting from housekeeping, mercantile enterprises, trades, manufacturing offices and construction enterprises, including other waste material such as slag, stone, broken concrete, fly ash, tin cans, glass, scrap metal, rubber, paper, rags, chemicals, or and similar or related combinations thereof.

RURAL BUSINESS: A rural business shall be a small office or small scale retail sales or service type business which shall be secondary or incidental to the primary use of property for agricultural or residential purposes. Such business shall be primarily directed toward providing local or neighborhood services to rural-residential areas. Rural businesses shall be similar to home occupations, except that the activity can occur in an accessory structure detached from the principal residence.

SCREENING: Also referred to in the text as “protective screening” is a visual and acoustical barrier which, through the use of buffers, natural topography, landscaping, fences, walls, berms or approved combination thereof, is of such nature and density that provides year-round maximum capacity from the ground to a height of at least six (6) feet that screens structures and activities on the lot from view from the normal level of a first story window on an abutting lot.

SERVICE STATION: A building or structure designed or used for the retail sale or supply of fuels, lubricants, air, water and other operating commodities for motor vehicles, aircraft or

boats, and including the customary space and facilities for the installation of such commodities on or in vehicles, and including space for facilities for the temporary storage of vehicles, minor repair or servicing.

SHOPPING CENTER: A sign which directs attention to a business, profession, product, service, activity or entertainment conducted, sold or offered on the premises at which the sign is located.

SIGN, FREE STANDING: A sign which is supported by one or more columns, uprights or braces in or upon the ground, or by another structure, the sole purpose of which is to support the sign. A free standing sign is not attached to a building.

SIGN, GENERAL ADVERTISING: A sign which directs attention to a business, profession, idea, product, service, activity, or entertainment not conducted, sold or offered on the premises upon which the sign is located. It may either be free-standing or be attached to the building. A general advertising sign is commonly known as a “billboard”.

SIGN, WALL: A sign which is attached to the wall of any building. A wall sign shall project not more than twelve (12) inches from the building.

SIGN, AREA: The smallest square, rectangle, triangle, circle or combination thereof that encompasses the entire area devoted to advertising, information or identification. The term “sign area” includes trim, but excludes structural supports. In the case of a sign with two sides for display, one side only shall be counted in determining sign area.

SINGLE PARCEL OWNERSHIP: Possession of a parcel of property wherein the owner does not own adjoining property.

SOIL REMOVAL: Shall mean the removal of any kind of soil or earth matter which includes topsoil, sand, gravel, clay or similar materials or any combination thereof, except common household gardening and general farm care.

STABLE, COMMERCIAL: Any place established for gain or profit at which more than four adult horses are kept for the purpose of training, boarding, riding, sale or breeding or where instruction pertaining to the same is given for a fee.

STORY: That portion of a building, other than the cellar or mezzanine, included between the surface of any floor and the floor next above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it. For the purpose of these regulations, a basement or cellar shall be counted as a story if over fifty (50) percent of its height is above the level from which the height of the building is measured, or if it is used for business purposes, or if it is used for dwelling purposes by other than a janitor or domestic servant employed in the same building including the family of the same.

A. **GROUND STORY:** The lowest story of a building, the floor of which is not more than twelve (12) inches below the elevation of the reference level.

- B. **HALF-STORY:** The part of a building between a pitched roof and the uppermost full story, said part having a finished floor area which does not exceed one-half (1/2) of the floor area of said story.
- C. **MEZZANINE:** Shall be deemed a full story when it covers more than fifty (50) percent of the story underneath said mezzanine, or, if the vertical distance from the floor next below it to the floor above it is twenty-four (24) feet or more.

STREET: A thoroughfare which affords traffic circulation and principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare except an alley. A **PUBLIC STREET** is a street accepted by dedication or otherwise by the governing body. A **PRIVATE STREET** is a street not so accepted.

STRUCTURE: Anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on or in the ground. Among other things, structures include buildings, manufactured homes, signs, swimming pools and fallout shelters but does not include walls or fences.

STRUCTURAL ALTERATION: Any change in the supporting members of a building or structure, such as bearing walls or partitions, columns, beams or girders or any change in the width or number of exits, or any structural change in the roof.

SUBDIVISION: Any division of a tract or parcel of land into two (2) or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development, and includes re-subdivision and, where appropriate to the context, relates to the process of subdividing or to the land or area subdivided; however, the following are not included in this definition:

- A. The combination or re-combination of portions of previously platted lots where the total number of lots is not increased and the resultant lots comply with the standards of these regulations and all other ordinances and resolutions of the County, provided however, that no changes in roads or drainage are proposed or necessary.
- B. Subdivision into parcels which have 25 acres or more, provided that the “cut off” tract or the resultant tract with which it is combined will then front on a public road a minimum distance of 150 feet.

SUBDIVISION REGULATIONS: Regulations as adopted by the governing body governing the subdivision of land.

TRAVEL TRAILER: A motorized camper, converted bus, tent-trailer or other similar vehicular or portable structure used or designed for temporary portable housing or occupancy while on vacation, recreation or other trips which provide sleeping accommodations.

TRAVEL TRAILER PARK: Trailer park where the principal use is for overnight tourists, or for vacationers whose stay will not exceed forty-five (45) days.

TRUCK TERMINAL: A building and premises catering primarily to trucks which may include warehousing facilities and may include the functions and services of a mechanical garage, but shall not include the storage of trucks or other vehicles for the purpose of using parts for sale or repair.

UNDUE HARDSHIP: A condition which shall be considered to exist only when one (1) or more of the following apply to a particular piece of property, and such condition has not been created by action of the property owner.

- (a) The owner cannot comply with the provisions of this resolution without violation of some other resolution or sections of this resolution.
- (b) The provisions of this resolution create for the property owner a peculiar condition not common to other nearby property owners.
- (c) A conforming use or requirement is incongruous with the remainder of the area in which the property is located.
- (d) The topography of the land or shape of a particular lot precludes a conforming use.

VARIANCE: A deviation from the strict application of this Ordinance, which may be permitted after review by the Planning Commission and approval by the Seminole County Board of Commissioners. Such deviation will not be contrary to the public interest, and where owing to conditions unique to the individual property on which the variance is sought and not as a result of any action on the part of the property owner, a literal enforcement of this Ordinance would result in unnecessary and undue hardship, provided, however, that no variance will be granted which shall authorize a land use not otherwise permitted in a particular district. (See ARTICLE IV, Section 4-21 for the criteria to be utilized in the review of variance requests).

WATER STATION: A facility for supplying water storage tanks of dependent trailers with potable water.

YARD: A space on the same lot with a principal building, open, unoccupied and unobstructed by buildings or structures from ground to sky, except where encroachments and accessory buildings are expressly permitted. The yard adjacent to the public street or road shall be considered the front yard.

**ARTICLE III
ESTABLISHMENT OF ZONING DISTRICTS**

Section 3.01. DISTRICTS. The unincorporated portions of Seminole County are hereby divided into nine (9) classes of districts known as follows:

- AG** Agricultural-limited Residential District
- R-1** Single Family Residential District
- R-2** One, Two and Multiple Family Residential District
- R-PUD** Residential Planned Unit Development District
- C-1** Neighborhood Business District
- C-2** General Commercial District
- C-PUD** Commercial Planned Unit Development District
- I** Industrial District
- FH** Flood Hazard District

Section 3.02. LIMITED USE (L.U.) PROVISION. The Seminole County Board of Commission established the “Limited Use” Provision for the purpose of allowing an applicant to request that a certain area be designated as a limited use. In some areas of the County, a particular land use activity out of a general zoning classification may have less community impact than some of the possibilities of uses in that specific classification. For this reason, an applicant may request in his rezoning petition to limit the use of a proposed property to a specified use only (i.e., C-1 L.U.). To wit: Neighborhood Business District limited to a “Beauty Shop”. The limited use must be among the uses permitted in the zone classification for which the limited use is taken.

Section 3.03. DISTRICT BOUNDARIES. The boundaries of the above districts are shown on a set of maps designated ‘OFFICIAL ZONING MAPS, SEMINOLE COUNTY, GEORGIA.’ The Seminole County Tax Parcel Maps are the base maps for the County’s zoning districts and all of these tax parcel maps are hereby designated AG, Agricultural Zoning unless otherwise designated on said map.

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the Zoning Maps, the following rules shall apply:

- A. Where zoning district boundaries are indicated as approximately following the center lines of roads or highways or railroad right-of-way lines extended, such

center lines or railroad right-of-way lines or such lines extended, shall be construed to be such boundaries.

- B. Where district boundaries are indicated as approximately following the county line, or the corporate limits line of any incorporated place or the militia district line of any militia district, or the land lot line of any land lot; such county line, corporate limits line, militia district line or land lot shall be construed to be such boundaries.
- C. Where district boundaries are indicated as approximately parallel to the center lines of streets or highways, such district boundaries unless otherwise specifically indicated, shall be construed as being parallel thereto and at a distance of 200 feet from the right-of-way line of such streets and highways, each above district boundary being shown at scale on the official Zoning Map or Seminole County, Georgia.
- D. Where district boundaries are indicated as approximately following the center line of stream beds or river beds, such center lines or such lines extended shall be construed to be such boundaries.

Section 3.04. DISTRICT BOUNDARY LINES DIVIDING A LOT OF SINGLE OWNERSHIP. Where a district boundary line, as appearing on the Zoning Map, divides a lot in single ownership at the time of the enactment of these regulations, the requirements for the district in which the greater portion of the lot lines shall be extended to the balance of the lot provided that such extension will not include any part of such lot more than 35 feet beyond the district boundary line and provided further that this provision shall not apply to a through lot. In the case of a through lot, the restriction of the district applying to the adjoining lots which front on the same street as the proposed use of the lot shall apply. A through lot being a lot that runs from street to street.

**ARTICLE IV
GENERAL PROVISIONS**

Except as hereinafter specifically provided, the following regulations shall apply:

Section 4.01. CONFLICTING REGULATIONS. Whenever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions or limitations that are imposed or required by the provisions of any other law or Ordinance, the provisions of this Ordinance shall govern.

Section 4.02. SCOPE. No building or structure, or part thereof, shall hereinafter be erected, constructed, reconstructed, or altered and maintained, and no new use or change shall be made or maintained of any building, structure or land, or part thereof, except in conformity with the provisions of this Ordinance (farm accessory buildings excluded).

Section 4.03. ONLY ONE PRINCIPAL DWELLING PER LOT. Except as herein provided, there shall be no more than one principal dwelling per lot or parcel other than within a PUD Development. However, in AG Zones within the unincorporated area of Seminole County, there shall be permitted, as many as four (4) residential uses (farm related dwellings) on any parcel of land under single ownership where the following conditions can be met:

- A. The purpose for this special use is to support established farming operations located on the property being requested.
- B. Each such non-principal residential use shall occupy a land area not less than 40,000 square feet in size.
- C. Each such land area shall be so defined by permanent physical markers as to be given a numerical address and location designation.
- D. Each such land area shall receive approval from the Seminole County Health Authorities as to its suitability as a site for an effective sanitary sewage disposal system designed to accommodate wastes generated by the user of that land site.
- E. An acceptable domestic water supply shall be available to each satellite user of this special provision and such water supply shall meet local public requirements as administered by the Seminole County Health Authorities.
- F. Each such use shall be accessible either by private drive or public roadway to the public thoroughfare system.
- G. Individual power supply sources shall be provided to each user under this special provision and each utility installation shall meet such standards as have been adopted by local authorities.

- H. Facilities established under this special provision for residential use shall meet the requirements of local construction and use codes established by the Seminole County Commission.
- I. Permits for construction will not be issued prior to the approval of each of the aforementioned condition by the Zoning Administrator. In addition, any change in use or occupancy must be approved by the Zoning Administrator.

Section 4.04. SUBSTANDARD LOTS. Any residentially zoned lot which was of record at the time of the adoption of this Ordinance that does not meet the requirements of this Ordinance for yards or other area or open space, may be utilized for single residence purposes, provided the area from such yard or court in width, depth, or open space is not less than seventy-five (75%) percent of that required by the terms of this Ordinance. However, all substandard lots must have health department approval for placement of well and septic tanks. The purpose is to permit utilization of recorded lots which lack adequate width or depth as long as reasonable living standards can be provided.

Section 4.05. FRONTAGE. Every principal building shall have required frontage upon a public street, except that in the case of the planned unit developments, variations may be allowed by the Planning Commission with due regard for the overall health, welfare, safety and convenience of the people.

Section 4.06. DWELLINGS OTHER THAN MAIN STRUCTURE. No residential structure shall be erected or placed upon the rear or side of a lot or upon a lot with another dwelling.

Section 4.07. SITE DISTANCE AT INTERSECTIONS. In all Districts, no fence, wall, hedge or shrub planting which obstructs the site lines at elevations between two (2) and twelve (12) feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street lines, or in the case of a rounded property corner, from the intersection of the street property lines extended. No trees shall be permitted to remain within such distances of such intersections unless the foliage line is maintained to comply with the above site lines.

Section 4.08. REDUCTION OF LOT AREA PROHIBITED. No lot shall be reduced in size so that yard, lot width, lot area or other requirements of this Ordinance are not maintained.

Section 4.09. ACCESSORY BUILDINGS. Accessory buildings, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:

- A. Where the accessory building is structurally attached to a main building, it shall be subject to and must conform to all regulations of this Ordinance applicable to principal buildings.

- B. Accessory buildings, except garages, shall be erected in any required yard except a front yard, providing further that in no instance shall such a building be nearer than five (5) feet to any adjoining side lot line or rear lot line.
- C. An accessory building shall not exceed one (1) story or fourteen (14) feet in height, and in no instance shall the accessory building exceed the ground floor area of the principal building.
- D. No detached accessory building shall be located closer than fifteen (15) feet to any principal building.
- E. In the case of double frontage lots, accessory buildings shall observe front yard requirements on both street frontages wherever there are any principal buildings fronting on said streets In the same block or adjacent blocks.
- F. When an accessory building is to be located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, said building shall not project beyond the front yard line required on the lot in rear of such corner lot.
- G. Garages, in any residence zone, no garage shall be erected closer to the side lot line than the permitted distance for the dwelling, unless the garage shall be completely to the rear of the dwelling in which event, the garage may be erected five (5) feet from the side and rear lot line.
- H. Carport, in any residential zone, no carport shall be erected, constructed or altered closer to the side lot line than the permitted distance for the dwelling, nor beyond the front line of the house to which it is attached.

Section 4.10. PROHIBITED USES IN ALL RESIDENTIAL DISTRICTS.

- A. It shall be prohibited use in all residentially zoned districts and residential lots to park or store in the open, wrecked or junked vehicles, power driven construction equipment, used lumber, metal or rubbish, or any other miscellaneous scrap or salvageable material in quantity.
- B. Tractor-trailer combinations, tractors or trailers shall not be placed or stored in residentially zoned districts.
- C. Kennels.
- D. Wrecked or junked vehicles “in open” buildings.

Section 4.11. PROTECTIVE SCREENING. In order to provide adequate protective screening for residential areas adjacent to or near non-residential areas, the following regulation shall apply.

Adjacent Residential Property. Where a Manufacturing or Commercial District abuts directly upon a residentially zoned district, a landscaped greenbelt, not less than twenty (20) feet wide, shall be provided and maintained along its entire length by the users of these properties. These Districts shall be screened from such contiguous residentially zoned district. Such greenbelt shall be planted with deciduous trees, evergreens, flowering trees and/or ornamental trees set not closer than six (6) feet to the fence or wall.

The remainder of the landscaped area which is not planted with the aforementioned stock, shall be in well-kept lawn. All landscaping shall be maintained in a healthy growing condition.

All planting plans shall be first submitted to the Planning Commission for approval as to suitability of planting materials and arrangement thereof in accordance with the provisions of this Ordinance.

If, in the opinion of the Planning Commission, the greenbelt would serve no good purpose, the Commission may waive such requirements.

Section 4.12. ANIMALS IN RESIDENTIAL DISTRICTS. It is the intent of this section to permit certain uses in residential zoning districts (R-1 and R-2) which involves the keeping of limited numbers of domestic animals or pets where it is recognized that such areas are changing from agricultural to suburban residential in character. This section is further intended to minimize problems which may arise from such animal uses and to provide suitable standards for protection of health, safety, welfare and preservation of residential districts from indiscriminate raising of animals.

A. Uses Permitted:

1. Livestock: Horses, cows, ponies, donkeys, and other domestic livestock may be kept, raised or bred for home use and enjoyment; provided that only one such animal shall be permitted for each two (2) acres of land area, and shall be adequately contained by fence within that property. The keeping of any swine is specifically prohibited.
2. Domestic Pets: Cats, dogs, rabbits, or other generally recognized domestic pets may be kept or bred by persons residing on the property for their use and enjoyment.
3. Fowl: Ducks, quail, chickens, turkeys, pigeons, pheasants, etc., may be raised for home use provided such fowl are adequately contained (pen) within that property.

4. These permitted use provisions for animals in residential districts are meant to apply only outside of the residence on an individual lot and are not intended to restrict the type or number of animals within a residence.
5. All animals will be maintained at least 25' feet from any property line.

B. Uses Prohibited:

1. The keeping, breeding, or training of any animals or fowl for monetary gain or profit shall be deemed a commercial business and is expressly prohibited in all residential districts (R-1 and R-2).

Section 4.13. RECREATIONAL VEHICLES. Recreational vehicles shall not be utilized as a permanent dwelling in any zoning district. (Occupancy exceeding 30 days shall be considered permanent).

Section 4.14. MOBILE HOMES. Mobile homes which do not bear a HUD insignia are prohibited. (Not applicable to existing mobile homes in County).

Section 4.15. (MOBILE, HOME ACCESSORY BUILDING). Mobile Homes are prohibited to be used as an Accessory Building.

Section 4.16. MOBILE HOME SAFETY TIE DOWN (Mobile, Assessory Building). All mobile homes within Seminole County will be installed with adequate safety tie-downs. Mobile Home (storage) mobile homes shall not be stored on a lot or parcel more than thirty (30) days.

Section 4.17. MOBILE HOME STORAGE. Mobile Homes shall not be stored on a lot or parcel more than thirty (30) days.

Section 4.18. SKIRTING. All mobile homes must be properly skirted. (See Section 8.05).

Section 4.19. CONDITIONAL USES. (Public Hearing Required). Before a building permit or certificate of occupancy shall be issued for a conditional use, application shall be made to the Planning Commission which, after careful review of any applicable sections of this Ordinance, may recommend to the County Commission the issuance of such permit or approval, if in the judgment of the Planning Commission it will not be detrimental to the health, safety, and general welfare of Seminole County.

An application to establish a conditional use shall be approved following a review by the Planning Commission and a determination by the Seminole County Board of Commissioners that:

- A. The proposed use will not be contrary to the purpose of this Ordinance.

- B. The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood nor affect adversely the health and safety of residents and workers.
- C. The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, vehicular movement, noise or fumes generation, or type of physical activity.
- D. The proposed use will not be affected adversely by the existing uses; and the proposed use will be placed on a lot of sufficient size to satisfy the space requirements of said use.
- E. The parking and all development standards set forth for each particular use for which a permit may be granted have been met.
- F. Provided, that the County Commission may impose or require such additional restrictions and standards as may be necessary to protect the health and safety of workers and residents in the community, and to protect the value and use of property in the general neighborhood; and provided that wherever the County Commission shall find, in the case of any permit granted, pursuant to the provision of these regulations that any term, conditions or restrictions upon which such permit was granted are not being complied with, said commission shall rescind and revoke such permit after giving due notice to all parties concerned and granting full opportunity for a public hearing.

Section 4.20. TELECOMMUNICATION ANTENNAS AND TOWERS.

The purpose of this section is to establish standards and regulations for the siting of antennas and towers.

- A. All siting of antennas and towers will be required to submit site plans to the County for approval.
- B. Each applicant for an antenna and/or tower shall provide an inventory of its existing owner that are either within the County or within one-quarter mile of the border thereof, including specific information about the location, height, and design of each tower.
- C. The following shall govern the location of all towers and the installation of all antennas. If, in the opinion of the Board of Commissioners, these requirements would serve no good purpose, the Board of Commissioners may waive such requirements.

- (1) Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness.
 - (2) At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and built environment.
 - (3) If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
 - (4) Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the governing authority may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.
- D. Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such antenna or tower shall remove same within ninety (90) days of receipt of notice from the governing authority notifying the owner of such abandonment. If such antenna or tower is not removed within said ninety (90) days, the governing authority may, in the manner provided in Sections 41-2-8 through 41-2-17 of the Official Code of Georgia, remove such antenna or tower at the owner's expense. If there are two (2) or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

Section 4.21. APPEALS AND VARIANCES.

- A. The Seminole County Board of Commissioners shall hear and decide appeals where there is alleged error in any order, requirements, decision, or determination made by the Zoning Administrator in enforcement of this Ordinance.
- B. The Board of Commissioners may authorize in specific cases such hardship variances from the terms of this Ordinance as will not in its opinion, 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 unnecessary hardship, so that the spirit of the Ordinance will be observed, public safety and welfare secured. Such variance may be granted in such individual case of unnecessary hardship upon a finding by the Board that:
 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography, and;

2. the application of the Ordinance to this particular piece of property would create an unnecessary hardship, and;
3. such conditions are peculiar to the particular piece of property involved, and;
4. relief if granted, would not cause substantial detriment to the public interest or impair the purposes and intent of this Ordinance, provided, however, that no variance may be granted for a use of land or building which use is prohibited by this Ordinance. The County will control the actual use of properties through zoning and conditional uses and not through a grant of variance.

C. Variances will first be reviewed by the Seminole County Planning Commission and recommendation made to the County Commission. (Public Hearing required).

Section 4.22. HARDSHIP MANUFACTURED HOMES/TRAVEL TRAILERS:

The Planning Commission may recommend to the Board of Commissioners, approval of a variance for the use of one (1) hardship manufactured home or travel trailer. The application for such a variance shall be for the use of one (1) manufactured home or travel trailer. The placement of one (1) hardship manufactured home or travel trailer on an occupied residential lot may be allowed if it is established that a genuine hardship exists only by reason of medical disability or age and the following variance criteria are met:

- A. The subject occupant of the manufactured home or travel trailer is a relative by blood or marriage of the owner of the property, and;
- B. Documentation of medical disability or age infirmity is required to be certified by a medical doctor's statement. This certification will be valid for a one(1) year period. If an extension is needed after one year, a new application for a hardship variance shall be submitted, and;
- C. Said manufactured home or travel trailer shall be removed from the premises within sixty (60) days when the specified disability ceases to exist, and;
- D. Under no circumstance shall the manufactured home or travel trailer be rented or otherwise occupied by anyone other than the approved applicant, nor shall it be used for storage, or other similar uses, and;
- E. The Seminole County Health Department approves the temporary placement of a second dwelling on the proposed property, and;
- F. The Planning Commission Board of Commissioners may impose reasonable requirements which would effect the interests of the public health, safety and general welfare.

SECTION 4.23. RURAL BUSINESS USES PERMITTED, PROHIBITED AND DEVELOPMENT STANDARDS.

A Rural Business shall be secondary or incidental to the primary use of property for agricultural or residential purposes. Such business shall be primarily directed toward providing local or neighborhood services to rural-residential areas. Rural business are intended to be of smaller size, intensity and scale commercial uses that would be more commonly found in commercial zoning districts. Rural businesses shall be similar to home occupations except that the activity can occur in an accessory structure detached from the principal residence. In addition, an application for rural business must have established residency and be living in residence upon the subject property prior to any application being filed for consideration by the Planning Commission.

Permitted Uses:

1. Offices.
2. Beauty and barber shops.
3. Retail sales or services of a specialty nature; antique shops, specialty foods, custom furniture, upholstery shops, tailoring, taxidermist, custom made sporting goods, meat cutting as a retail service to the public provided, however, that no slaughtering or wholesale meat cutting or processing is permitted.
4. Small repair shops for appliances, machinery, farm equipment or automobiles with the following limitations:
 - a. Repair shops shall not create noise, noxious odors, bothersome illumination or any hazard which would adversely affect the health, safety or welfare of the adjoining property owners or the neighborhood in general.
 - b. Outdoor storage of inoperable machinery, equipment or vehicles shall be prohibited.
 - c. No more than two vehicles shall actually be serviced, actively worked on or repaired at any one time.
 - d. All spare parts (new or used) shall be stored within a structure and the storage space shall be included in the total space allocated for the rural business.
5. Small businesses similar to the above, as approved by the Planning Commission.

Prohibited Uses

1. Retail sales of gasoline, service stations, mechanical, or do it yourself care washes.
2. Truck terminals, heavy equipment rental.
3. Industrial or manufacturing uses which require specialized equipment not ordinarily associated with agricultural and residential uses, i.e. forges, large milling machines, poultry or meat processing or packing equipment (except as provided for above).
4. Drive-in theaters, restaurants, entertainment facilities, skating rinks or any use which as a result of its normal operation would generate large amounts of vehicular traffic.
5. Any use which is clearly out of scale or character with an agricultural and residential area.

Development Standards

The following standards shall apply to all rural business unless specifically exempted by the Planning Commission. The petitioner must satisfactorily demonstrate that exemption from one of more of these standards will not result in adverse impacts on the surrounding property. The following standards cannot be exempted by the Planning Commission: 1, 2, 3, 4, and 6. A modification of development standards 3, 5, 7, and 8 shall only be permitted if: a) there are special and unusual topographic conditions unique to the property or structure, or (b) the proposed use is clearly and will remain of such a small scale that conducting or operating the business would not be obvious or noticeable from the adjoining property or by the public in general, and (c) a modification of the development standards shall be made only if the intent of the rural business section is maintained.

1. An approved rural business shall only be valid as long as the original petitioner owns and operates the business and business license is issued to the petitioner. If the business license expires, or the petitioner wishes to sell or transfer the business or license, the Planning Commission Board of Commissioners approval would be void and a new application shall be submitted to the Planning Commission Board of Commissioners for consideration.
2. The property containing the site of the rural business must also be the bona fide residence of the petitioner and principal practitioner.
3. Structure:

- a. Any detached structure (existing or proposed) housing the rural business must be located to the sides or the rear of the principal residence of the property.
 - b. The structure shall not contain any equipment which would not ordinarily be found in accessory structures in an agricultural/residential district. Such a structure shall be readily and easily usable of customary agricultural and residential uses. The architectural style shall be in keeping with the surrounding agricultural and residential development.
4. Rural business shall be located on property containing at least one(1) acre of land and the site upon which the business is actually conducted shall not exceed one-half acre of land.
 5. A rural business shall be limited to a total of 1,000 square feet of gross floor area.
 6. Only one non-illuminated sign, limited to a maximum of sixteen (16) square feet shall be permitted. This sign may have two (2) faces of sixteen (16) square feet each, back to back, on one set of supports.
 7. Off-street parking shall be provided as set out in Article XVII, Section 17.01.
 8. Only two employees, excluding immediate family members, shall be permitted.

SECTION 4.24. OUTDOOR SHOOTING RANGES. All outdoor shooting ranges must comply with the following requirements:

- shooting ranges must be a minimum of 20 acres.
- all shooting areas shall be set back a minimum distance of 100 feet from any street right-of-way.
- the firing range shall have a natural earth embankment at least ten (10) feet high placed behind all targets within the shooting area.
- the firing range shall be posted “No Trespassing-Danger-Shooting Range,” at 100-foot intervals around the perimeter.
- at least one qualified individual in the sponsoring club or organization shall be certified for shooting range supervision. Each facility shall adopt safety rules and regulations as determined by the sponsoring club or organization.
- the firing range shall be covered by a minimum of \$300,000 accident and liability insurance.
- an ancillary retail store is allowed but no selling of alcoholic beverages.
- a site plan must be submitted to the County which show the location stakes, targets, and backstops, etc.

SECTION 4.25. CONCENTRATED ANIMAL FEEDING OPERATIONS. An application for a concentrated animal feed lot operation is required to contain:

- a blueprint showing building design configuration, both exterior and interior, dimensions and construction materials;
- a survey plat prepared by a registered land surveyor of the real estate on which the proposed facility will be constructed as well as the surrounding area to show compliance with setback requirements;
- a list of names and mailing addresses of all adjoining property owners;
- a statement of manure management which shall identify all recorded manure easement agreements, if any, that have been obtained for the facility including a manure disposal plan;
- a statement of the responsible parties who will supervise the construction and initial operation of the facility; and
- a statement of a plan for runoff management or waste disposal.

Section 4.26. CONDITIONAL ZONING. The Seminole County Board of Commissioners may change, modify or otherwise restrict any rezoning proposal in the interest of public health, safety or welfare.

ARTICLE V
R-1, SINGLE FAMILY RESIDENTIAL DISTRICT

Section 5.01. STATEMENT OF PURPOSE. The Single Family Residential District is established as a district in which the principal use of land is for conventional, site built single family detached dwellings. For the single family residential district, in promoting the general purpose of this Ordinance, the specific intent of this Section is:

- A. To encourage the construction of, and the continued use of the land for conventional, site built single family dwellings.
- B. To discourage any land use development within the district which would generate traffic on minor or local streets, other than normal traffic to serve the residences on those streets.

Section 5.02. PERMITTED USES.

- A. Single family detached dwellings, **except mobile homes, manufactured homes and modular homes.**
- B. Accessory buildings or uses customarily incidental to any of the permitted uses, when located on the same lot and not involving any business, profession, trade or occupation.

Provided further, that all accessory buildings shall conform and be located as required in Section 4.09.

- C. Off-street parking and loading in accordance with the requirements of ARTICLE XVII of this Ordinance.

Section 5.03. CONDITIONAL USES PERMITTED AFTER SPECIAL REVIEW BY THE PLANNING COMMISSION AND APPROVED BY THE COUNTY COMMISSION. (See Section 4.19)

- A. Churches, provided that the proposed site for a church is not less than one (1) acre, a complete site development sketch plan is submitted with the application and provision is made for off-street parking.
- B. Public and private schools.
- C. Recreational developments including, but not limited to private or public lakes, swimming pools, golf courses or driving ranges, or other recreational developments provided that a comprehensive development plan for the area is submitted to the Planning Commission and includes the location of the site on maps of not less than 1" = 400' scale, the location and function of all buildings, and modifications of the

natural landscape, the location and surface treatment of all roadways, appropriate details of drinking water of sanitary facilities, plus a time schedule.

- D. Cemeteries, provided that a complete site development sketch plan is submitted with the application.
- E. Clubs and fraternal organizations not operating for profit provided that:
 - 1. The buildings are not placed closer than fifty (50) feet to any property lines; and,
 - 2. There is a planted buffer strip at least ten (10) feet wide along the side and rear lot lines.
- F. Public buildings, structures or other public land uses.
- G. Hospitals, clinics, sanitariums, nursing homes, rest homes, residences for aged persons, orphanages, group homes and half-way homes.
- H. Home Occupations - Home occupations as restricted and defined in Article II.
- I. Nursery schools, kindergartens or day care facilities provided that all State Licensing requirements are met.
- J. Other uses similar to the above and compatible with the local neighborhood and environment as interpreted by the Planning Commission and approved by the County Commission.
- K. All radio, cellular phone, or similar transmission/receiving towers. (See Section 4.20).

Section 5.04. AREA, HEIGHT, AND SETBACK REQUIREMENTS. (In accordance with the Schedule of Regulations, Article XIX.)

ARTICLE VI
R-2, ONE, TWO AND MULTIPLE-FAMILY RESIDENTIAL DISTRICT

Section 6.01. R-2, RESIDENTIAL DISTRICT. The intent of the R-2 Residential District is to provide for medium to higher density residential development; to provide for variety in the County's housing stock, encourage neighborhood maintenance and preservation and to provide suitable areas for new multi-family development.

Section 6.02. PERMITTED USES.

- A. Any use permitted in the R-1 residential districts.
- B. Manufactured homes. (see Section 8.09).
- C. Modular homes.

Section 6.03. CONDITIONAL USES.

- A. Churches, provided that the proposed site for a church is not less than one (1) acre, a complete site development sketch plan is submitted with the application and provision is made for off-street parking.
- B. Public and private schools.
- C. Recreational developments including, but not limited to private or public lakes, swimming pools, golf courses or driving ranges, or other recreational developments provided that a comprehensive development plan for the area is submitted to the Planning Commission and includes the location of the site of maps not less than 1" = 400' scale, the location and function of all buildings, and modifications of the natural landscape, the location and surface treatment of all roadways, appropriate details of drinking water of sanitary facilities, plus a time schedule.
- D. Cemeteries, provided that a complete site development sketch is submitted with the application.
- E. Clubs and fraternal organizations not operating for profit provided that:
 - 1. The buildings are not placed closer than fifty (50) feet to any property lines; and
 - 2. There is a planted buffer strip at least ten (10) feet wide a long the side and rear lot lines.
- F. Group Homes.

- G. Public buildings, structure or other public land uses.
- H. Hospitals, clinics, sanitariums, nursing homes, rest homes, residences for aged persons, orphanages, group homes, and half-way-homes.
- I. Home Occupations - Home occupations as restricted and defined in Article II.
- J. Nursery schools, kindergartens or day care facilities provided that all State licensing requirements are met.
- K. Mortuaries.
- L. Professional offices.
- M. Boarding homes.
- N. Art, music, photographic and dance studio.
- O. Duplexes.
- P. Multiple family dwellings*.
- Q. Townhouses (See Article II).
- R. Radio, cellular phone or similar transmission/receiving towers.
- S. Mobile Home/Travel Trailer Park (see article VIII)
- T. Other uses similar to the above and compatible with the local neighborhood and environment as interpreted by the Planning Commission and approved by the County Commission.

Section 6.04. AREA, HEIGHT AND SETBACK REQUIREMENTS. (In accordance with the Schedule of Regulations, Article XIX).

*For development of multiple family areas of only one structure on any given site. The R-PUD development standards, Article VII, will govern multiple dwellings of more than one building on a given site.

ARTICLE VII
R-PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT

Section 7.01. RESIDENTIAL PLANNED UNIT DEVELOPMENTS. The objective of the Planned Unit Development is to encourage ingenuity, imagination, and flexibility of design efforts on the part of builders, architects, site planners, and developers to produce land developments which are in keeping with density and open space objectives of the Zoning Resolution, while departing from the strict application of use, setback, height, and minimum lot size requirements of the Zoning Ordinance. The intent of this section is to permit such flexibility and provide performance criteria for planned developments which:

- A. Permits a creative approach to the Residential Development.
- B. Provides for an efficient use of land potentially resulting in more economical networks of streets and utilities thereby lowering housing and other land development costs.
- C. Enhances the appearance of neighborhoods through the preservation of natural features, the provision of recreation areas and open space.
- D. Provides an environment of stable character compatible with surrounding residential areas and other areas of Seminole County.

Section 7.02. PERMITTED USES. In all R-PUD developments, no building or land, except as otherwise provided in this Ordinance, shall be erected or used except for one or more of the following specified uses:

- A. One, two, and multi-family dwelling units, including townhouse dwellings.
- B. Mobile home parks/Travel Trailer Park (see Article VIII and IX)
- C. Recreational facilities.
- D. Churches, community clubs.
- E. Schools.
- F. Other governmental functions.

Section 7.03. DESIGN STANDARDS AND PERFORMANCE CRITERIA.

- A. Location. The Planned Unit Development shall have access to streets outside the development that can adequately serve the traffic needs of the development. The Planned Unit Development shall also be adequately served by water and sewerage systems.

- B. Minimum size. The minimum size of a Planned Unit Development shall be three (3) acres.
- C. Density. For the purpose of this Ordinance, overall residential density for a Planned Unit Development shall not exceed: One Family Dwelling Unit: One unit per 7,000 square feet of land. Multi-Family Unit: one unit per 3,630 square feet of land.

Section 7.04. OPEN SPACE REQUIREMENT FOR RESIDENTIAL PLANNED UNIT DEVELOPMENTS.

- A. As a prerequisite for approval of a R-PUD, Residential Planned Unit Development, a minimum of twenty (20) percent excluding rights-of-way, easements or paved areas of the gross residential acres, plus one (1) acre for each one hundred (100) residential units shall be allocated to local open space for the use of the residents of the Planned Unit Development. Each two (2) square feet of existing and/or natural water surface, periodically flooded (based upon the 100-year flood contour elevation), or inundated land may be credited as one square foot of land area for required open area. Land below the 100-year flood elevation can only be substituted for one-half (1/2) of the required open space or common areas.
- B. Common open space must be used for amenity or recreation purposes and must be suitably improved for its intended use. Common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures, and improvements which are permitted in the common open space must be appropriate to the uses which are authorized for the common open space and must conserve and enhance the amenities of the common open space having regard to its topography and unimproved condition. Open space shall not be interpreted to include rights-of-ways, easements, paved areas, pending area of service areas.
- C. The development schedule must coordinate the improvement of the common open space, the construction of the buildings, structures and improvements in the common open space, and the construction of residential dwellings in the Planning Unit Development.
- D. The common open space shall be situated such that is will best serve the residents and be totally integrated within the various land uses of the Planned Unit Development.

Section 7.05. ACCESS.

- A. Private Vehicular access drives not maintained by the County throughout the Planned Unit Development site shall be paved to a minimum width of twenty (20) feet.

Section 7.06. HEIGHT

- A. The maximum building height in all Residential-PUD's shall be thirty five (35) feet.

Section 7.07. MINIMUM DISTANCE BETWEEN BUILDINGS.

- A. The minimum distance between the buildings in any category of a PUD district shall be twenty (20) feet.
- B. Multi-family and townhouse structure shall be separated from one another by the following minimum distance:
 - 1. Front to front arrangement 40 feet
 - 2. Front to rear arrangement 50 feet
 - 3. Rear to rear arrangement 30 feet
 - 4. Side to side arrangement 20 feet
 - 5. All other combinations 20 feet

Section 7.08. OFF-STREET PARKING AND LOADING.

- A. Shall meet all off-street parking and loading requirements of the Zoning Ordinance.

Section 7.09. PEDESTRIAN CIRCULATION.

- A. The pedestrian circulation system and its related walk-ways shall be separated as completely as possible from the street or vehicular circulation system. All walks shall be of permanent nature and material and shall be of sufficient width to carry two (2) people walking abreast.

Section 7.10. PERIMETER CONTROL.

- A. The minimum setback from the exterior boundaries of the Planning Unit Development site shall be twenty five (25) feet or an appropriate setback to be compatible with the adjacent properties and buffered as needed and related to adjacent land development.
- B. Buildings in excess of 35' in height shall be located within the Planned Unit Development in such a way as not to invade the privacy of the occupants of buildings of lesser height both on and off site.

- C. Privacy walls and screening shall be provided where deemed necessary by the Planning Commission for any type of Planned Unit Development.

Section 7.11. OWNERSHIP. There shall be unified control of the entire site. Prior to final approval of the development plan, evidence of unified control of the entire site must be submitted to the Planning Commission. In addition, an agreement by all owners of the Planned Unit Development which includes their commitment to:

- A. Proceed with the proposed development in accordance with the Planned Unit Development plans as submitted, and such conditions and safeguards as may be set by the County Commission granting the rezoning, and
- B. Provide agreements, and deed restrictions, acceptable to the County, for completion of such development according to plans approved at the time of rezoning and for the maintenance of such areas, functions, and facilities as are not to be provided, operated or maintained by the County, pursuant to written agreement; and,
- C. To notify and bind their successors in title to any commitments made in their petitions of PUD approval.
- D. All plans approved shall be reviewed as a form of commitment to execute and development precisely as and only as submitted to and ultimately accepted and approved by the County Commission. No variations, changes, departures or exceptions to the approved plan shall be permitted except through the formal zoning amendment process.
- E. After PUD Zoning has been given formal approval, no use shall be made of a PUD site except that which has been approved as a result of the application or the continuation of uses that existed at the time of application.

Section 7.12. PHASING OF CONSTRUCTION. The phasing of residential construction in any one residential density district shall not exceed the overall density requirement of the Planning Unit Development as a whole.

Section 7.13. PROCEDURES FOR PUD REZONING.

A petition for rezoning land to a Planned Unit Development, either Residential or Commercial PUD District shall be submitted to the Zoning Administrator the same as any rezoning request.

- A. A written statement to accompany the rezoning petition must contain the following information:

1. An explanation of the character of the Planned Unit Development and the manner in which it has been planned to take advantage of the Planned Unit Regulations.
 2. A statement of present ownership of all of the land included within the development.
 3. A general indication of the expected schedule of development.
 4. An official legal description of the total area within the Planned Unit Development.
- B. Preliminary Development Plan: An applicant shall submit a Preliminary Development Plan along with the written statement at the time of submission of the rezoning request. The Preliminary Development Plans must include all of the following information:
1. A Preliminary Site Plan at an appropriate scale depicting all existing masses of trees and other natural features including the topography of the land. A preliminary solution of all storm drainage needs shall be included.
 2. The preliminary location and grouping of all uses and the amount of area for each plus preliminary utility service plans.
 3. The tentative location of each residential density district, the number of residential units proposed for each density district, their general location, proposed lot designs, and district lines. Tentative floor plans and exterior elevations, which need not be the result of final architectural decisions but which shall adequately describe the development.
 4. A preliminary vehicular and pedestrian circulation system including driveways, walkways, loading areas, parking areas including the number of parking spaces, and streets to be dedicated.
 5. A system of open space and recreational uses in residential projects with estimates of acreage to be dedicated for public use and that to be retained in common ownership.
 6. A draft of the Declaration by which the use, maintenance, and continued protection of the Planned Development and any of its common open space areas shall be submitted.
 7. A development schedule indicating (1) the approximate date when construction of the project can be expected to begin, (2) the states in which the project will be built and the approximate date when construction of each stage can be expected to begin, (3) the anticipated rate of development, (4) the

approximate dates when the states in the development will be completed, and (5) the area and location of common open space that will be provided at each stage.

- C. The Planning Commission shall, after review by the appropriate County Departments, hold a Public Hearing, review the Preliminary Development Plan and forward their recommendation to the County Commission for final approval of the Preliminary Development Plan. The Planning Commission's recommendations shall be based on the following:
1. The proposed Planned Unit Development does not affect adversely the orderly development of Seminole County as embodied in the Zoning Resolution and in any comprehensive plan or portion thereof adopted by the Board of Commissioners.
 2. The proposed Planned Unit Development will not affect adversely the health, safety and welfare of residents or workers in the area and will not be detrimental to the natural environment or to the use or development of adjacent properties or the general neighborhood.
 3. The proposed Planned Unit Development will accomplish the objectives and will meet the standards and performance criteria as outlined in this Ordinance.
- D. Final Development Plan: Following the approval of the Preliminary Development Plan by the Commission, the applicant shall within 6 months submit to the Planning Commission a **final development plan containing in final form the information required in the preliminary plan**. Upon receipt of a request by the applicant, the County Commission may extend for six (6) months the period for filing the final development plan.

Upon receipt of the final development plan, the Planning Commission shall after review, by the appropriate County Departments, review the final development plan to see that it is in compliance with the preliminary development plan and forward their recommendation to the County Commission for final approval. The Planning Commission may recommend changes in the final development plan which comply with the following criteria:

1. The revised plan contains the same or a fewer number of dwelling units or other structures and/or floor area, or
2. The open space is in the same general location and in the same general amount, or a greater amount, or
3. The buildings have the same or less number of stories and/or floor area, or
4. The roads and drives follow approximately the same course.

- E. Final Approval: The PUD zoning shall not be effective until the final development plan has been reviewed by the Planning Commission and given formal approval by the County Commission. No building permit shall be issued until the approval process is complete and all necessary plans, drawings, specifications and other required data have been submitted and approved. No construction may commence until the entire approval process is completed and appropriate permits issued.

**ARTICLE VIII
MANUFACTURED HOME PARKS REGULATIONS**

Section 8.01. MANUFACTURED HOME PARKS: GENERAL REQUIREMENTS: All manufactured home parks located within Seminole County shall meet the following general requirements:

A. Establishment of Manufactured Home Parks.

1. A person, firm, or cooperation desiring to develop a manufactured home park within Seminole County, shall provide appropriate copies of a sketch plan of a proposed layout which shall conform to the minimum requirements stated herein and shall file said copies of said sketch plan with the Planning Commission for review.
2. No private construction or public improvements shall commence on any land to be used as a manufactured home park prior to the approval and certification of the required development plans.

B. Expansion of Manufactured Home Parks.

A person, firm, or corporation desiring to expand a manufactured home park to include more manufactured homes or manufactured home sites, shall submit plans and specifications for such improvements to the Planning Commission for review prior to initiating construction and improvements.

C. Design.

The design of a manufactured home park shall conform to the following design requirements:

a. Setback

The manufactured home park shall be so designed that manufactured homes (and travel trailers) and their accessory structures shall be a minimum distance of fifteen (15) feet from adjoining property lines, twenty (20) feet from internal park streets, and at least thirty (30) feet from any publicly dedicated street. Manufactured home stands shall be designed so as to provide a distance of at least thirty (30) feet between manufactured homes.

b. Access.

The manufactured home shall have an entrance drive from a public street. Each manufactured home site and its parking area shall have direct access to the internal street system, with no direct access to public streets. The width

and design of the entrance drive and access drives shall be adequate to accommodate fire protection vehicles and equipment.

c. Streets.

Streets within a manufactured home park shall be privately owned, privately constructed, and privately maintained. Such private streets shall be well drained and paved to County specifications, with a minimum surface of ten (10) feet for one-way streets and twenty (20) feet for two-way streets.

d. Parking.

Each manufactured home stand shall be provided with a minimum of two off-street parking spaces. One additional parking space must be provided for every five dwelling units to accommodate guests. Parking on interior streets within a park is hereby prohibited. The required front yard may be used for the minimum parking, however, required side and rear yards may not be utilized for the minimum parking.

e. Minimum Area of Tract.

A manufactured home park shall have a minimum size of twenty-five (25) acres.

f. Minimum Number of Spaces.

A manufactured home park shall have a minimum of ten (10) spaces prepared with all utilities in place prior to its approval for occupancy.

g. Density.

A maximum of four (4) manufactured home stands per acre or eight (8) travel trailer stands per acre is allowed.

h. Length of Residential Occupancy.

No space within a manufactured home park shall be rented for residential use of a manufactured home except for periods of thirty (30) days or longer.

i. Manufactured Home Inspection.

It shall be the initial responsibility of each manufactured home or trailer park operator to notify the County Code Enforcement Officer to inspect manufactured homes being placed within the confines of any park under this jurisdiction, control or supervision, for compliance with the provisions of this Ordinance, prior to the placement of any such manufactured home on its stand

and within such park and to the connection of utility services to and occupancy of the manufactured home.

j. Issuance of Permit.

At least once each year the County Code Enforcement Officer, at his/her convenience, shall inspect each manufactured home park and the manufactured home units within said parks to determine that same are in full compliance with the codes of Seminole County. He/she shall issue a permit for each manufactured home unit, which in the course of each such inspection, he finds to be in full compliance with the requirements of this Ordinance, and such permit shall be valid for a period of one year from the date of its issue.

Section 8.02. MANUFACTURED HOME PARKS: IMPROVEMENTS:
Manufactured home parks constructed or reconstructed within Seminole County shall be provided with the following minimum improvements:

a. Sewage.

The manufactured home park shall be provided with an approved sewerage collection system.

b. Water.

A potable water supply shall be provided by the park operator.

c. Easement.

Publicly dedicated easements or proper size for their respective intended purposes shall be provided within the park if individual manufactured home stands and accessory park uses are to be serviced by a public utility system.

d. Utility Placement.

All water, sewer, or gas lines shall be buried a minimum of eighteen (18) inches below the finished ground surface of the park and shall be provided with adequate valve systems to follow the cutoff of utility service to a manufactured home stand at the manufactured home stand and at the entrance of the utility service from the stand to the trunk line of the utility system. Electrical service lines shall be placed underground.

e. Lighting.

All recreation areas, (required for developments of 25 units or more) park entrances, park streets, and pedestrian easements shall be illuminated to provide at least three tenths (0.3) foot candles of lighting.

f. Garbage and Refuse.

Garbage and refuse service areas (fenced and paved) shall be reserved within the park and shall conform with all applicable County ordinances.

g. Walks.

(1) General Requirements: All manufactured home developments shall be provided with safe and convenient, pedestrian accesses of adequate width for their intended use and same shall be durable and convenient to maintain.

(2) Common Walk System: A common walk system (paved) shall be provided and maintain between locations where pedestrian traffic is concentrated. Such common walks shall have a minimum width of three and one-half feet.

(3) Individual Walks: All manufactured home stands (paved) shall be connected to common walks, or to streets, or to driveways or to parking spaces. Such individual walks shall have a minimum width of two feet.

h. Manufactured Home Stands.

Each manufactured home stand shall be required to be provided with the following minimum accommodations:

(1) Interior Street Access: Each stand shall be provided with access frontage of at least twenty (20) feet.

(2) Electric Power Supply: Each stand shall be provided with a properly grounded, water-proofed electrical receptacle. A properly sized over-current device shall be installed as a part of each power outlet. Said fixtures shall meet the standards established by applicable County codes.

(3) Stand Identification: A property and street number designation or other appropriate numbering device properly identifying each manufactured home stand shall be placed at the interior side lot line at a point ten (10) to fifteen (15) feet from the interior road system of the park. Such device shall be clearly visible from the street and shall be embossed with reflectorized glaze for the numbers. Such numbers shall be a minimum of six (6) inches in height.

i. Recreation, manufactured home parks of twenty units or more must reserve an appropriate area for park recreation use.

Section 8.03. MANUFACTURED HOME PARKS: ACCESSORY USES PERMITTED: The following establishments, of a commercial nature, may be permitted as customary accessory uses in a manufactured home park, provided such uses do not occupy more than ten (10%) percent of the area of the park, are located a minimum distance of one hundred (100) feet from any adjoining property line or street or highway right-of-way, and are primarily intended for the convenience of and service to the occupants of the park:

- a. Coin-operated laundry.
- b. Coin-operated vending machines of types allowed under applicable Codes of Seminole County.
- c. One or more signs identifying the name of the park and the service provided therein; signs regulating traffic or provided for the convenience and welfare of park residents.

Section 8.04. AREA, HEIGHT, PLACEMENT AND DEVELOPMENT REQUIREMENTS. (In Accordance with Schedule or Regulations. Article XIX).

Section 8.05. OTHER REQUIREMENTS.

1. Additions. Any additions to a manufactured home or accessory buildings constructed on a lot shall comply with the requirements of the Building, Electrical, Plumbing and Gas Codes (if applicable).
2. Before a certificate of occupancy is issued, the required permits and inspections must be obtained from the County Code Enforcement Office.
3. Foundations. All main buildings shall be placed on a properly engineered foundation which meets the manufactured home's installation requirements and applicable state and local requirements.
4. Siding material. All manufactured homes (except in manufactured home parks) shall have exterior siding materials consisting of either wood, masonry, concrete, stucco, hard board siding, or metal lap. The exterior siding material shall extend to ground level, except that when a solid concrete or masonry perimeter foundation is used, the siding material need not extend below the top of the foundation.

**ARTICLE IX
TRAVEL TRAILER AND/OR CAMPER PARKS REGULATIONS**

Regulations in this section are established for trailer parks where the principal use is for overnight tourists, or for vacationers whose stay will not exceed two (2) weeks.

Section 9.01. AREA REQUIREMENTS, MINIMUM

1. The park shall be on a lot of not less than five (5) acres, with a width at the building line of not less than three hundred (300) feet.
2. The density of trailer spaces shall not exceed nine (9) per acre without approved community water system.

Section 9.02. YARD REQUIREMENTS

1. Trailers shall be separated from each other by not less than fifteen (15) feet.
2. No trailer shall be located closer to any exterior property line than the corresponding yard requirement in the district in which it is located.

Section 9.03. MINIMUM REQUIREMENTS

1. Each trailer space within a park shall be provided with an all-weather surface of sufficient area to provide parking for both trailer and towing vehicles. All other exposed ground surfaces shall be covered or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating dust.
2. Water supply connections shall be made to a public water system wherever possible and feasible, as determined by the Seminole County Health Department. Where a public system is not available, a private system approved by the Seminole County Health Department may be used.
 - (a) The water supply shall be capable of supplying fifty (50) gallons per space per day for all spaces lacking individual water connections, and one hundred (100) gallons per day for all spaces provided with individual water connections.
 - (b) Each travel trailer park shall be provided with at least one (1) water supply station per one hundred (100) trailer sites, or fraction thereof. Such water supply outlet shall consist of at least a hydrant, and the necessary appurtenances, and shall be protected against back flow and back siphonage.
3. Connection shall be made to a public sewerage system whenever possible and feasible, as determined by the Seminole County Health Department. Where a public system is not available, a private system approved by the Seminole County Health

Department and where applicable, the Georgia Water Quality Control Board may be used. No septic tanks are permitted.

- (a) Each travel trailer parking area shall be provided with a sanitary station in the ratio of one (1) hundred (100) trailer spaces or fraction thereof, and shall be separated from any trailer space by a distance of at least fifty (50) feet.
 - (b) A sanitary station shall consist of at least a trapped four-inch sewer riser pipe connected to the park's sewerage system, surrounded at the inlet end by a concrete apron sloped to the drain, and provided with a suitable hinged cover, and a water outlet, with the necessary appurtenances to permit periodic wash down of the immediate area.
 - (c) No waste water or other liquid effluent shall be discharged or allowed to accumulate on the ground surface.
4. Grounded and weatherproof electrical outlets supplying at least one hundred ten (110) volts, shall be provided at each trailer space. All electrical work shall comply with the regulations of the National Electrical Code.
5. At least one (1) health department - approved container for solid waste shall be provided for each trailer space to be rented.
6. Where dependent trailers are to be located, central toilet facilities shall be provided. Central toilets shall be plainly marked, separated by sex, lighted at night, and located within two hundred (200) feet of the trailer spaces served. For each ten (10) spaces or every fraction thereof, not less than one (1) commode, one (1) lavatory, and one (1) tub or shower head shall be provided for each sex. In addition, for each twenty (20) trailer spaces or fraction thereof, at least one (1) urinal shall be provided in each central toilet designated for men.
7. All-weather drives at least twenty (20) feet wide shall be provided to each trailer space within the park.
8. A buffer strip adjacent to each exterior property line that is not also a street right-of-way line, and not be included within any individual trailer lot, shall be densely planted and maintained.

Section 9.04. GENERAL REQUIREMENTS

1. Grounds, buildings, and structures shall be maintained free of insects and rodents. Extermination methods and other measures to control insects and rodents shall conform with the requirements of the Seminole County Health Department.
2. The park area shall be so maintained as to prevent the growth of ragweed, poison ivy, and other noxious plants considered to be detrimental to health.

3. No open fire shall be permitted, except in facilities designed for such purposes. No open fire shall be left unattended. No fuel shall be used, nor material burned, which causes dense smoke or odors.
4. The person to whom approval is given to operate a travel trailer park shall at all times operate the park in compliance with this resolution, and shall provide adequate supervision to maintain the park area, its facilities and equipment in good repair and in a clean and sanitary condition.
5. Every operator of a travel trailer park shall maintain a register as required by Georgia State Law.
6. Every park operator shall notify the local health authority immediately of any suspected communicable or contagious disease within the park area. In the case of disease diagnosed by a physician as quarantinable, the departure of the trailer or its occupants or the removal of any articles which have been exposed to infection is prohibited.

ARTICLE X
AG, AGRICULTURE DISTRICT

Section 10.01. AG-AGRICULTURE DISTRICT. The Agricultural District is established as a district in which the principal use of land is for farming, dairying, forestry operations and other agricultural related activities. For the Agricultural District in promoting the general purpose of these regulations, the specific intent of this Article is:

- A. To protect land, especially prime farm land, needed and used for agricultural pursuits from encroachment by untimely and unplanned residential, commercial, or industrial development and;
- B. To allow the continuation of existing agricultural pursuits in areas where, in accordance with the recommendations of the Land Use Plan, future residential, commercial or industrial development is anticipated but where the present application of zoning controls for future, more intensive land uses would be unreasonable and premature.
- C. Subdivision proposals (5 or more lots) planned for residential uses within the County's agricultural zoning districts must be rezoned to the appropriate residential zoning classification prior to development.

Section 10.02. PERMITTED USES.

- A. Accessory residential uses including, but not limited to, a private garage, detached home workshop, swimming pool, greenhouse, all of which shall be incidental to the use of the property as a residence.
- B. Accessory farm uses including the sale of products grown on the premises, and the keeping of livestock or poultry.
- C. Agricultural, dairying, forestry or horticulture uses.
- D. Rural businesses (as defined in Article II).
- E. Open Air Business (as defined in Article II).
- F. Commercial fishing ponds.
- G. Farm Stands (provided adequate parking is available).
- H. Residences:
 - 1. Single-family;
 - 2. Manufactured and modular homes;

Section 10.03. CONDITIONAL USES.

- A. Airfields.
- B. Customary home occupations (as defined in restricted in Article II).
- C. Chicken houses (commercial)*
- D. Concentrated Animal Feed Lots
- E. Fraternal organizations or private clubs.
- F. Nursery school or kindergarten, day care center.
- G. Recreational and/or cultural uses of a commercial nature.
- H. Residences:
 - 1. Two-family-Concentrated Feed Lots
 - 2. Group homes
 - 3. Half-way homes
 - 4. Hunting lodges and cabins
- I. Churches, provided that the proposed site for a church is not less than one (1) acre and required off-street parking is provided.
- J. Public, parochial and private elementary, intermediate, and/or high schools.
- K. Publicly owned and operated buildings, libraries, parks and recreational facilities.
- L. Public and private hospitals provided that the hospital is adjacent to a major thoroughfare.
- M. Kennels (noise buffers or barriers may be required to protect adjacent residential properties).
- N. All radio, cellular phone, or similar transmission/receiving towers.
- O. Outdoor shooting ranges (see Section 4.24)

Section 10.04. AREA, HEIGHT AND SETBACK REQUIREMENTS. (In accordance with the Schedule or Regulations, Article XIX).

***Development Standards for
Commercial Chicken Houses**

Location:

All chicken house facilities must be located at least 1250 feet of any residential dwelling, excluding any dwelling belonging to the owner of the poultry operation; commercial or industrial use; 100 feet from a public road or adjoining property line.

Minimum Size:

The parcel upon which a poultry facility is to be placed must be at least five (5) acres in size.

ARTICLE XI
C-1, NEIGHBORHOOD BUSINESS DISTRICT

Section 11.01. STATEMENT OF PURPOSE. The Neighborhood Business District established in this Article is intended to permit retail business and service uses which are needed to serve the nearby residential areas. In order to promote such business development so far as is possible and appropriate in each area, uses are prohibited which would create hazards, offensive and loud noises, vibration, smoke, glare, heavy truck traffic, or late hours of operation. The intent of this district is also to encourage the concentration of local business areas in locations which propose the mutual advantages of both the consumers and merchants, and thereby promote the best use of land at certain strategic locations.

Section 11.02. PERMITTED USES.

- A. Barber shops/beauty shops.
- B. Custom dressmaking and tailoring.
- C. Eating or drinking places in which there is no dancing, floor show, or other live entertainment.
- D. Laundry or dry cleaning and laundry operated by customers, such as laundrette, laundromat and the like.
- E. Offices, either business, professional or governmental.
- F. Repairs, electrical or other household appliances, locks, radios, television and the like.
- G. Retail businesses selling convenience goods and serving the adjacent residential neighborhoods such as apparel, drug and food.

Section 11.03. CONDITIONAL USES.

- A. Other uses similar to the above, subject to the following restrictions:
 - 1. All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises where produced.
 - 2. All business, servicing or processing, except for off-street parking or loading, shall be conducted within completely enclosed buildings.
- B. Churches, synagogue and temples. (see Section 5.03 A)

- C. Hospitals, animal hospitals or sanitarium for care of contagious, mental, drug, or liquor addiction cases.
- D. Public buildings.
- E. Schools, nursery school, kindergarten, day care center.
- F. All radio, cellular phone or similar transmission/receiving towers and radio studio.
- G. Travel Trailer Parks (See Article IX).

Section 11.04. PROTECTIVE SCREENING. Protective screening for C-1 Districts adjacent to or near residential districts shall be in compliance with the regulations set forth in Section 4.11 of the Ordinance.

Section 11.05. SIGNS. (See Article XVIII).

Section 11.06. OFF-STREET PARKING. (See Article XVII).

Section 11.07. AREA, HEIGHT AND SETBACK REQUIREMENTS. (In accordance with the attached Schedule of Regulations, Article XIX).

ARTICLE XII
C-2, GENERAL COMMERCIAL DISTRICT

Section 12.01. STATEMENT OF PURPOSE. The purpose of the General Commercial District is to provide for and encourage area for development which will include a wide variety of sales and services that will both accommodate the needs of the County. Adequate off-street parking, adequate building set backs and reduction of traffic hazards are prime county objectives for development in these business districts.

Section 12.02. PERMITTED USES.

- A. All permitted uses in the C-1 District.
- B. Any retail or service establishment.
- C. Bottling and canning plants.
- D. Wholesale stores, storage buildings, warehouses, mini-warehouses, distributing plants, freezers and lockers.
- E. Commercial greenhouses and nurseries.
- F. Small fabrication and manufacturing shops, when employing not more than twenty-five (25) employees in the office and manufacturing operations, such as small tool and die shops, dental, surgical, and optical goods manufacturing.
- G. Travel Trailer Parks (See Article IX).

Section 12.03. CONDITIONAL USES.

- A. Churches, provided that the proposed site for a church is not less than one (1) acre, a complete site development sketch is submitted with the application and provision is made for off-street parking.
- B. Public and private schools.
- C. Recreational developments including, but not limited to private or public lakes, swimming pools, golf courses or driving ranges, or other recreational developments provided that a comprehensive development plan for the area is submitted to the Planning Commission and includes the location of the site of maps of not less than 1" = 400' scale, the location and function of all buildings, and modifications of the natural landscape, the location and surface treatment of all roadways, appropriate details of drinking water of sanitary facilities, plus a time schedule.
- D. Cemeteries, provided that a complete site development sketch is submitted with the application.

- E. Night clubs and lounges as well as clubs and fraternal organizations not operating for profit provided that:
 - 1. The buildings are not placed closer than fifty (50) feet to any property lines; and
 - 2. There is a planted buffer strip at least ten (10) feet wide along the side and rear lot lines.
- F. Public buildings, structures or land uses.
- G. Hospitals, clinics, sanitariums, nursing homes, rest homes, residences for aged persons and orphanages, group homes and half-way homes.
- H. Nursery schools, kindergartens or day care facilities provided that all State licensing requirements are met.
- I. Boarding homes.
- J. All radio, cellular phone, or similar transmission/receiving towers and radio studio.
- K. Travel trailer parks. (See Article IX)
- L. Adult Businesses.*

Section 12.04. SIGNS. (See Article XVIII)

Section 12.05. OFF-STREET PARKING. (See Article XVII)

Section 12.06. AREA, HEIGHT AND SETBACK REQUIREMENTS. (See Article XIX).

*All adult entertainment establishments shall comply with applicable County Codes pursuant to these businesses.

ARTICLE XIII
C-PUD COMMERCIAL PLANNED UNIT DEVELOPMENT REGULATIONS

Section 13.01. COMMERCIAL PLANNED UNIT DEVELOPMENTS. It is the intent of this section to provide areas of sufficient size and allowing reasonable flexibility in design and orientation for the establishment of a group of structures which include two or more retail sales, services and office enterprise on a single parcel of land.

The minimum size of Commercial Planned Unit Development shall be three (3) acres.

Within the Commercial Planned Unit Development, the following regulations shall apply:

Section 13.02. USES PERMITTED.

- A. Any use permitted in C-1, and C-2 zoning districts.
- B. Recreation facilities.
- C. Churches, community clubs.
- D. Schools.
- E. Governmental functions.

Section 13.03. PROCEDURE FOR PROJECT APPROVAL. In connection with all of the above uses, the following requirements shall be complied with before any building permit is issued. The developer shall furnish the Zoning Administrator with appropriate copies of the Letter of Intent and the Development Plans for any use permitted in the Commercial Planned Unit Development, drawn to scale, showing the general location of all buildings, roads, parking area, open areas, sidewalks and street lighting. Typical elevations of all four sides of the proposed buildings, proposed number of units by type and floor space shall be submitted (e.g., furniture sales, 800 square feet).

Section 13.04. PROCEDURE FOR PRELIMINARY AND FINAL APPROVAL. (Shall be in compliance with Article VII, Section 7.13).

**ARTICLE XIV
I, INDUSTRIAL**

Section 14.01. STATEMENT OF PURPOSE. The intent of the industrial district is to provide areas for wholesaling, warehousing, storage, manufacturing, processing, repair services, and sale lots in addition to other retail and service establishments; to expand or extend existing districts only where there is adequate and direct access to major transportation facilities and where there is minimum conflict with residential districts.

Section 14.02. PERMITTED USES.

- A. Any use permitted in the commercial zone districts.
- B. Manufacturing.
- C. Warehousing, wholesaling, shipping and receiving.
- D. Agriculture.

Section 14.03. CONDITIONAL USES.

- A. Petroleum bulk plant.
- B. Junkyards, automobile salvage yards or scrap metal processors. (Site plan with appropriate screening and fencing are required).
- C. Asphalt plants.
- D. Cement, line gypsum, or plaster of paris manufacturing.
- E. Fat rendering and fertilizer manufacturing.
- F. Paper and pulp manufacturing.
- G. Corrosive acid or alkali manufacturing.
- H. Public buildings and utilities.
- I. Cemeteries (Site plan required).
- J. Chemical plants.
- K. Churches (see Section 5.03 A).
- L. Adult Businesses.

M. Uses similar to the above.

Section 14.04. PROTECTIVE SCREENING. (See Section 4.11)

Section 14.05. OFF-STREET PARKING. (See Article XVII).

Section 14.06. AREA, HEIGHT AND SETBACK REQUIREMENTS. (In accordance with the attached Schedule of Regulations, Article XIX).

**ARTICLE XV
FH, FLOOD HAZARD DISTRICT**

Section 15.01. STATEMENT OF PURPOSE. To restrict or prohibit uses which may be dangerous to health, safety or property in times of flood, or which may cause increased flood heights or velocities; to require that uses vulnerable to floods, including public facilities which serve such uses, be provided with physical flood protection features at the time of initial construction; to protect individuals from buying lands which are unsuited for intended purposes because of flood hazards; and other public requirements to protect against floods.

Section 15.02. DISTRICT BOUNDARIES. For the purpose of these regulations, the Flood Insurance Study for Seminole County, as prepared by the U.S. Department of Housing and Urban Development, Federal Insurance Administration is hereby made a part of these regulations. The Housing and Urban Development report shall be kept permanently in the office of the Zoning Administrator, where said reports shall be accessible to the general public. The boundaries of the Flood Hazard District shall be synonymous with the limits of the flood region as determined in the above said study (100 year flood plain).

Section 15.03. PERMITTED USES.

- A. Single family residences.
- B. Agriculture, poultry and livestock raising and riding stables.
- C. Non-commercial recreational facilities involving only light structures primarily for purposes of shelter and equipment storage such as, fishing lakes, golf courses, tennis courts, archery clubs, swimming pools.
- D. Park and outdoor recreational facilities.

Section 15.04. REQUIRED PLANS. No permit shall be issued for the construction of any building or structure within the Flood Hazard District until the plans for such construction or use have been submitted to the Planning Commission and approval is given in writing for such construction or use. In its review of plans submitted, the Planning Commission shall be guided by the following standards, keeping in mind that the purpose of this district is to prevent encroachment into the floodway which will unduly increase flood heights and endanger life and property.

- A. Any structure or the filling of land permitted shall be of a type not appreciably damaged by flood waters.
- B. Any permitted structures or the filling of land shall be designed, constructed and placed on the lot so as to offer the minimum obstruction to and effect upon the flow of water.

- C. Any structure, equipment or material permitted shall be firmly anchored to prevent it from floating away and thus damaging other structures and threatening to obstruct bridge openings and other restricted sections of the stream.
- D. Where in the opinion of the Planning Commission, topographic data, engineering and other studies are needed to determine the effects of flooding on a proposed structure or fill and/or the effect of the structure or fill on the flow of water, the Planning Commission may require the applicant to submit such data or other studies prepared by competent engineers and other technical people.
- E. The granting of approval of any structure or uses shall not constitute a representation, guarantee or warranty of any kind or nature by Seminole County or by any officer or employee thereof, of the practicality or safety of any structure or use proposed and shall create no liability upon of cause action against such public body, officer or employee for any damage that may result pursuant thereto.

Section 15.05. WARNING OF DISCLAIMER OF LIABILITY. The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood height may be increased by man-made or natural causes, such as bridge openings restricted by debris. These regulations do not imply that areas outside the Flood District boundaries or land uses permitted within such district will be free from flooding or flood damages. These regulations shall not create liability on the part of the government or any officer or employee thereof for any flood damage that results from reliance on these regulations or any administrative decision lawfully made thereunder.

Section 15.06. AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS. (In accordance with the attached Schedule of Regulations, Article XIX).

**ARTICLE XVI
NON-CONFORMING BUILDINGS AND USES**

Any lawful use of the land or buildings existing at the date of passage of this Ordinance and located in a district in which it would not be permitted as a new use under the regulations of this Ordinance, is hereby declared to be a “non-conforming use” and not in violation of this Ordinance at the date of adoption of this Ordinance; provided, however, that a non-conforming use shall be subject to, and the owner shall comply with, the following regulations:

Section 16.01. NON-CONFORMING RESIDENCES. A residence which is determined to be non-conforming within the zoning district in which the residence is located may be continued and is exempted for the provisions of these sections. However, a pre 1976 Mobile Home which replaced most comply with current codes.

Section 16.02. NON-CONFORMING USE OF LAND, CONTINUATION OF USE. A non-conforming use of land, which exists when this Ordinance becomes effective, may be continued provided that:

- A. No such non-conforming use of land shall in any way be expanded or extended.
- B. If such non-conforming use of land or any portion thereof is discontinued or changed, any future use of such land shall be in conformity with the provisions of this Ordinance.

Section 16.03. RESTORATIONS. A building which houses a non-conforming use which has been destroyed or damaged by fire, explosion, Act of God, may be restored to the same non-conforming use as existed before such damage.

Section 16.04. DISCONTINUANCE OR ABANDONMENT. Any non-conforming use of land or building (except residential dwellings) which has become vacant or remains unoccupied owing to abandonment or discontinuance for a period of twelve (12) months shall thereafter conform to the provisions of this Ordinance.

Section 16.05. CHANGE OF TENANCY OR OWNERSHIP. There may be a change in tenancy, ownership, or management of an existing non-conforming use.

ARTICLE XVII
OFF-STREET PARKING AND LOADING REQUIREMENTS

Section 17.01. SCOPE OF PROVISIONS. Except as provided in this Section, no application for a building permit shall be approved unless there is included with the plan for such building, improvements, or use, a plot showing the required space reserved for off-street parking and service purposes. Occupancy shall not be allowed unless the required off-street parking and service facilities have been provided in accordance with those shown on the approved plan.

Section 17.02. PARKING SPACES MAY NOT BE REDUCED. Off-street parking spaces shall not be reduced below the minimum required number for the use or facility to which they are assigned.

Section 17.03. DRAINAGE, CONSTRUCTION AND MAINTENANCE. All off-street parking, loading, and service areas shall be constructed of concrete or asphalt. All such areas shall be at all times maintained at the expense of the owners thereof, in a clean, orderly, and dust-free condition.

Section 17.04. SEPARATION FROM WALKWAYS, SIDEWALKS, AND STREETS. All off-street parking, loading and service areas shall be separated from walkways, sidewalks, and streets by curbing or other suitable protective device. Curbing and other protection devices must be set back a minimum of three feet to prevent vehicle overhang.

Section 17.05. PARKING AREA DESIGN. Parking stalls shall have a minimum width of nine (9) feet and length of eighteen (18) feet. There shall be provided adequate interior driveways to connect each parking space with a public right-of-way. Interior driveway shall be at least twenty-four (24) feet wide where used with ninety (90) degree angle parking, at least eighteen (18) feet wide where used with sixty (60) degree angle parking, at least thirteen (13) feet wide where used with forty-five (45) degree parking, and at least twelve (12) feet wide where used with parallel parking, or where there is no parking, interior driveways shall be at least ten (10) feet wide for one-way traffic movement and at least twenty (20) feet wide for two-way traffic movement.

Section 17.06. JOINT PARKING FACILITIES. Two (2) or more neighboring uses, of the same or different types may provide joint facilities provided the number of off-street parking spaces are not less than the sum of the individual requirements.

Section 17.07. PAVEMENT MARKINGS AND SIGNS. Each off-street parking space shall be clearly marked, and pavement directional arrows or signs shall be provided in each travel way wherever necessary. Markers, directional arrows and signs shall be properly maintained so as to ensure their maximum efficiency.

Section 17.08. NUMBER OF PARKING SPACES. In order to assure a proper and uniform development of public parking areas throughout the area of jurisdiction of this

Ordinance, to relieve traffic congestion on the streets, and to minimize any detrimental effects on adjacent properties, off-street parking space shall be provided and maintained as called for in the following schedule. For any use or class of use not mentioned in this schedule, the requirements shall be the same as a similar use as mentioned herein. Parking requirements for additions to existing uses shall be based only upon the new addition even if the existing use is deficient.

Section 17.09. STREET PARKING REQUIREMENTS. In all zoning districts off-street parking spaces for the storage and parking of self-propelled motor vehicles for the use of occupants, employees and patrons of the buildings hereafter erected, or enlarged after their effective date of this Ordinance shall be provided as herein prescribed.

Required parking spaces shall be maintained and shall not be encroached upon so long as said main building or structure remains, unless an equivalent number of such spaces are provided elsewhere in conformance with this Ordinance. The owner or owners of a building structure or other land use requiring off-street parking spaces must show, to the satisfaction of the Zoning Administrator, that he is the record title holder of the property devoted to said principal land use and of the property proposed for off-street parking use, or that he is the lessee of such property.

Section 17.10. LOCATION OF PARKING SPACE FOR OTHER LAND USES. The off-street parking facilities required for all other uses shall be located on the lot or within one thousand (1000) feet of the permitted use requiring such off-street parking, such distance to be measured along lines of public access to the property between the nearest point of the parking facility to the building to be served.

Section 17.11. OFF-STREET PARKING STANDARDS.

USE	NUMBER OF PARKING SPACES REQUIRED
1. Apartment and Multi-family dwelling	Two spaces for each dwelling unit plus 1 space for each 10 units for travel trailers, boats, and other vehicles.
2. Apartments for the Elderly	One (1) space for each dwelling unit.
3. Appliance Store	One (1) space for each four hundred (400) square feet of gross floor area.

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| 4. Auditorium, stadium assembly hall, gymnasium, theater, community recreation center | (a) one (1) space per three fixed seats in largest assembly or area, or (b) or one (1) space for each forty (40) square feet of floor area available for the accommodation of movable seats in the largest assembly room, or combination of fixed and movable seats; or (c) one (1) space per each one hundred fifty (150) square feet of gross floor area; whichever is greatest. |
| 5. Automobile Fueling Stations | One (1) space (in addition to service area) for each pump and grease rack and one (1) space for each two (2) employees during period of greatest employment but not less than four (4) spaces. |
| 6. Automobile Parts and Accessories | One (1) space for each four hundred (400) square feet of gross floor area. |
| 7. Automobile sales and repair, service stations and auto washeteries | Same as Use 5 above plus one (1) space for each five hundred (500) square feet of gross floor area of the shop or washeteria. |
| 8. Automobile Service and Appliance Centers | One (1) space for each four hundred (400) square feet of retail area plus two (2) spaces for each service bay. |
| 9. Bowling Alley | Four (4) spaces per alley plus requirements for any other use associated with the establishment such as a restaurant, etc. |
| 10. Club or Lodge | One (1) space for each two (2) employees plus one (1) space for each two hundred (200) square feet of gross floor area within the main assembly area plus additional spaces for other uses permitted within the premises. |
| 11. Church | One (1) space per four (4) seats in main place of assembly. |
| 12. Combined Uses | Parking spaces shall be the total of the spaces required for each separate use established by this schedule. |

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| 13. Dance School | One (1) space for each employee plus one (1) space per one hundred fifty (150) square feet of gross floor area plus safe and convenient loading and unloading of students. |
| 14. Duplex Dwelling Unit | One (1) unpaved space per each unit. Residential driveways will satisfy this need. |
| 15. Financial Institution | One (1) space for each two hundred fifty (250) square feet of gross floor area and two (2) waiting spaces for each drive-thru window. |
| 16. Funeral Home | Six (6) spaces per viewing room or one (1) space for each fifty (50) square feet of chapel used for services. |
| 17. Furniture Store | One (1) space for each four hundred (400) square feet of gross floor area. |
| 18. Golf Course | Two (2) spaces for each hole and one (1) space for each two (2) employees plus requirements for any other use associated with the golf course. |
| 19. Grocery Store (including small convenience type food store) | One (1) space for every two hundred fifty (250) square feet of gross floor area. |
| 20. High Schools, Trade Schools, Colleges and Universities | One (1) space for each teacher, employee and administrative personnel plus safe and convenient loading of students plus (5) spaces for each classroom. |
| 21. Hospital | One (1) space for each bed plus one (1) space for each employee (nurse, attendant, etc.) per shift plus one (1) space for each staff or visiting doctor. |
| 22. Hotel/Motel | One (1) space for each guest room suite, or unit plus one (1) space for each two (2) employees. |

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| 23. Indoor and outdoor recreational areas (commercial) | (a) one (1) space for each one hundred fifty (150) square feet of gross floor, building, ground area or combination devoted to such use; or (b) one (1) space per each four (4) seats or facilities available for patron use, whichever is greater. |
| 24. Industrial or manufacturing establishment or warehouse | Two (2) spaces for each three (3) employees on shift of greatest employment, plus one (1) space for each vehicle used directly in the conduct of the business. |
| 25. Kindergarten, nursery schools and day care | One (1) space for each employee plus safe and convenient loading of children. |
| 26. Nightclubs | One (1) space for each one hundred (100) square feet of gross floor area plus one (1) space for each employee. |
| 27. Nursing Home | One (1) space for each two (2) beds plus one (1) space for each employee on shift of greatest employment. |
| 28. Office, professional building or similar use | One (1) space for each three hundred fifty (350) square feet of the gross floor area or one (1) space for each two (2) employees, whichever is greater. |
| 29. Personal service establishment | One (1) space for every three hundred fifty (350) square feet of the gross floor area, or one (1) space for each two (2) employees, whichever is greater. |
| 30. Repair Shop | One (1) space for every three hundred (300) square feet of gross floor area plus one (1) space for each employee. |
| 31. Restaurant or place dispensing food, drink, or refreshments to be consumed on the premises | One (1) space for each one hundred (100) square feet of gross floor area with a minimum of ten (10) parking spaces. |

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| 32. Restaurant or place dispensing food, drink or refreshments for carry out only (and having outdoor seating area) | One (1) space for each one hundred fifty (150) square feet of gross floor area (with a minimum of ten (10) spaces for this); plus one (1) additional space for each three (3) outdoor seats provided. |
| 33. Restaurant or place dispensing food, drink or refreshments for carry out (no seating provided) | One (1) space for each one hundred fifty (150) square feet of gross floor area; with a minimum of ten (10) parking spaces. |
| 34. Restaurant or place dispensing food, drink, or refreshments to be consumed on the premises and also having a drive-thru service | One (1) space for each one hundred (100) square feet of gross floor area; with a minimum of ten (10) parking spaces and providing an adequate lane for thru traffic which will not obstruct the required parking and driveway for the restaurant. |
| 35. Schools, elementary | One (1) space for each teacher one (1) space for each two (2) employees, and administrative personnel, and one (1) for each classroom, plus safe and convenient loading and unloading of students. |
| 36. Shopping Center (if over 35,000 square feet of gross floor area) | One (1) space for every three hundred (300) square feet of gross floor area. |
| 37. Shopping Center (if 35,000 square feet or less of gross feet area) | One (1) space for every three hundred fifty (350) square feet of gross floor area. |
| 38. Swimming Pool | One (1) space for each two hundred (200) square feet of water surface area plus requirements for additional uses in association with the establishment such as a restaurant, etc. |
| 39. Trailer Park | One (1) space for each trailer stall plus one (1) space for each two (2) employees. |
| 40. Retail stores of all types not mentioned otherwise | One (1) space for every three hundred (300) square feet of gross floor area. |
| 41. Wholesale Establishment | One (1) space for each employee plus sufficient spaces to accommodate vehicles used in the conduct of the business. |

Section 17.12. OFF STREET LOADING REQUIREMENTS. On the same premises with every building, structure or part thereof, erected and occupied for manufacturing, storage, warehouse, truck freight terminal, goods display, department store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly involving the receipt or distribution of vehicles, materials, or merchandise, there shall be provided and maintained on the lot of adequate space for standing, loading and unloading services in order to avoid undue interference with public use of the streets and alleys.

Such loading and unloading space, unless otherwise adequately provided for, shall be an area ten (10) feet by fifty (50) feet, with fifteen (15) foot height clearance, and shall be provided according to the following schedule:

Gross Floor Area In Square Feet	Loading and Unloading Spaces Required in Terms of Square Feet of Usable Floor Area
0 - 10,000	None
10,001 - 100,000	One (1) space for the first 10,001 square feet plus one (1) additional space for each additional 40,000 square feet in excess of 10,001 square feet.
100,001 - 500,000	Three (3) spaces for the first 100,001 square feet plus one (1) space for each additional 100,000 square feet in excess of 500,001 square feet.

Section 17.13. MINIMUM NUMBER OF LOADING SPACES REQUIRED. Industrial, wholesale, and retail operations shall provide space as follows:

- A. Off street loading spaces shall be provided as appropriate to the functions and scope of operation of individual or groups of buildings and uses.
- B. Off street loading spaces shall be designed and constructed so that all maneuvering to park and unpark vehicles for loading and unloading can take place entirely within the property lines on the premises. Loading spaces shall be provided so as not to interfere with the free, normal movement of vehicles and pedestrians on public right-of-way.
- C. Ingress and egress to off-street loading spaces shall conform to driveway entrance regulations of Seminole County.

**ARTICLE XVIII
SIGN REGULATIONS**

Section 18.01. SIGNS SHALL MEET REQUIREMENTS OF THIS SECTION. All signs within Seminole County shall be erected, constructed, or maintained in accordance with the provision of the sections below and only those signs that are permitted by these Regulations shall be erected within the County.

Section 18.02. NO SIGNS SHALL HAMPER TRAFFIC SAFETY. No sign shall be erected or continued that:

- A. Obstructs the sight distance along a public right-of-way.
- B. Would tend by its location, color, or nature, to be confused with or obstruct the view of traffic signs or signals, or to be confused with a flashing light of an emergency vehicle.
- C. Would by its nature or moving parts tend to confuse traffic or create any potential hazard to traffic.
- D. Uses admonitions such as “stop”, “go”, “slow”, “danger” etc., which might be confused with traffic directional signals.

Section 18.03. LOCATIONS PROHIBITED. No sign shall be attached to or painted on any telephone pole, light pole, telegraph pole, or any tree, rock, or other natural object. No signs other than those signs erected by public governmental agencies or signs required by law, shall be placed so as to overhang any portion of public rights-of-way or other public properties.

Section 18.04. ILLUMINATION NOT TO BE A NUISANCE. Illumination devices such as, but not limited to, flood or spot lights shall be so placed and so shielded as to prevent the rays or illumination therefrom being cast into neighboring dwellings and/or approaching vehicles.

Section 18.05. SIGNS NOT REQUIRING A PERMIT. The following signs shall not require a permit:

- A. Signs to regulate traffic.
- B. Signs required to be posted by law.
- C. Warning signs and no trespassing signs.
- D. Signs established by Governmental agencies.
- E. Signs indicating bus stops, taxi stands, and similar transportation facilities.

- F. Signs not exceeding ten (10) square feet in area giving information concerning the location of use of accessory off street parking facilities or loading and unloading facilities.
- G. Temporary real estate signs on a residentially zoned piece of property shall be limited to a maximum of 10 square feet, and temporary real estate signs in any zones other than residential should be a maximum of 32 square feet.
- H. Any sign not exceeding ten (10) square feet in area other than Advertising, Separate Use, or signs requiring electrical wiring.
- I. Temporary signs on private land involved in campaigns of religious, charitable, civic, fraternal, political, and similar organizations.

Section 18.06. MAXIMUM AREA OF SIGNS.

- A. The maximum area of a point of business sign, an incidental use sign, or an identification sign shall be one hundred fifty (150) square feet; except in R-1, R-2, and C-1 Zones, all signs (except identification sign and signs as identified in Section 18.05) shall be no larger than ten (1) square feet in area and shall not be illuminated directly or indirectly.
- B. The maximum area of an off-site advertising sign (billboard) shall be seven hundred fifty (750) square feet, exclusive of any border or trim.
- C. The maximum area of a portable sign shall be forty (40) square feet.
- D. A temporary sign for a non-conforming business shall not exceed a maximum of 32 square feet.
- E. Construction signs and temporary subdivision signs should not exceed a maximum of 50 square feet.

Section 18.07. STANDARDS FOR OFF-SITE ADVERTISING SIGNS (BILLBOARDS).

- A. Location where allowed: Off-site advertising signs (billboards) shall be allowed only in the following zoning districts:
 - 1. C-2 (Highway Commercial)
 - 2. I (Industrial)
- B. Off-site Advertising Sign Requirements:

1. Sign Surface Area:
Maximum - 750 Square feet per face.
2. Maximum Number of signs: Two (2) signs per sign structure which may be single or double-faced, provided that each side shall have no more than 750 square feet.
3. Height: maximum --
 - a. Arterial Street Location - forty-five (45) feet.
 - b. All other locations where allowed - eighteen (18) feet.
4. Minimum clearance required under sign will be ten (10) feet.
5. Minimum Setback: 5 feet from the nearest right-of-way line; and 10 feet from the right-of-way line intersection point measured at any angle.
6. Minimum Spacing: 300 feet on the same side of the road from another off-site sign.

C. Priority of Signs:

Where the location of two or more off-site advertising signs conflicts under the requirements of this Ordinance, the sign meeting the requirements of this Ordinance, and having the earliest dated permit for its erection shall have priority over other signs in conflict herewith.

- D. Off-site advertising signs shall not be established at any location having principal frontage on any street within one hundred (100) feet of any church, school, cemetery, public park, public playground, or residential districts including, AG, R-1, R-2 and C-1 zones.
- E. No revolving or rotating beam or beacon of light that resembles or simulates any emergency light device shall be permitted as part of any sign. Illuminated signs which indicate customary public information, such as time, date, temperature or other similar information shall be permitted. Within thirty (30) days from the effective date of this Ordinance this provision must be complied with.
- F. External lighting, such as floodlights, thin line and goose neck reflectors, are permitted, provided the light source is directed on the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the thoroughfare. Within thirty (30) days from the effective date of this Ordinance, this provision must be complied with.
- G. The illumination of any sign within one hundred feet of an AG, R-1, R-2, or C-1 zone lot line shall be defused or indirect in design to prevent direct rays of light

from shining into those adjoining zones. Within thirty (30) days from the effective date of this Ordinance, this provision must be complied with.

Section 18.08. ISSUANCE OF PERMITS, ADMINISTRATION, AND FILING PROCEDURE.

- A. **Issuance of Permits:** No sign, except those listed in Section 18.05 shall be erected, hung, or placed or structurally altered without a permit from the Zoning Administrator.

- B. **Filing Procedure:** Application for permits to erect, hang, or place a sign shall be submitted on forms obtainable from the Zoning Administrator. Each application shall be accompanied by plans showing the area of the sign, size, and character and the method of illumination, if any, the exact location proposed for such sign and in the case of a projecting sign, the proposed method of fastening said sign to the building structure, the vertical distance between such sign and the finished grade, and the horizontal distance between such sign and the street right-of-way line.

- C. **Additional Information:** Each applicant shall, upon the request of the Zoning Administrator, submit any additional information deemed necessary by said Administrator.

**ARTICLE XIX
AREA, HEIGHT, AND SET-BACK REQUIREMENTS***

Section 19.01. SCHEDULE OF REGULATIONS

Zoning Districts	Minimum Lot Area Sq. Ft.*	Minimum Lot Width Ft.	Front Yard Ft.	Side Yard Ft.	Rear Yard Ft.	Maximum Height Ft.	Minimum Dwelling Size (Square Footage)
R-1	15,000	100	30	10	30	35	800
R-2 Single Family	10,000	100	30	10	30	35	800
Two Family	7,000	100	30	10	30	35	800
Multi-family	3,630	100	30	10	30	35	800
R-PUD	(A) (B)	(A) (B)				(A) (B)	800
C-1	-	100	30	-	-	-	
C-2	-	-	30	5	12	-	
C-PUD	(A) (C)	(A) (C)	(A) (C)	(A) (C)	(A) (C)	(A) (C)	
I	-	-	30	20	20	-	
AG	15,000	100	40	10	12	35	
FH	15,000	100	40	10	50	35	800

(a) (b) (c) etc., denotes references to Footnotes to Schedule of Regulations, next page.

***Minimum lot size requirements noted in this schedule** are for developments with both a public or community water supply and public sewerage system. NOTE: All residential lots not served by a public water system and public sewerage system shall be at least 150 in width at the minimum building setback line and at least 1.5 acres in size (consult Seminole County Health Department). Lots served by individual sewage disposal systems with public water supply shall be at least 100 feet In width at the minimum building setback line and at least 32,670 square feet in area.

**FOOTNOTES OF ARTICLE XIX
SCHEDULE OF REGULATIONS**

- A. **PLANNED UNIT DEVELOPMENTS.** The requirements of area, height, bulk, and placement regulations, as they are usually applicable to individual buildings in lots of record, would in certain cases of large-scale developments have results affording less protection to the public health, safety and welfare than if a measure of flexibility were permitted. The permitting of these planned unit developments can, in certain cases, increase the desirability and convenience to the residents or occupants of the planned unit development without causing adverse effects in adjoining properties.

Therefore, the Zoning Regulations, relative to area, height, bulk and placement, may be modified by the Planning Commission and County Commission in the case of a plan for a large scale development which in the judgment of the Planning Commission and County Commission, provides adequate open space and improvements for circulation, recreation, education, light, air and service needs of the tract when fully developed, provided that in no case may the density of the proposed planned unit development exceed that of the Zoning Regulation requirements, and provided further that the minimum site for residential planned unit development is three (3) acres.

- B. Refer to Section 7.01 (R-PUD).
- C. Refer to Section 13.01 (C-PUD).

**ARTICLE XX
ADMINISTRATION AND ENFORCEMENT**

Section 20.01. ENFORCEMENT. The Zoning Administrator shall administer and enforce this Ordinance, and is hereby given the authority and responsibility to enforce all provisions of this Ordinance under the direction of the Board of County Commission which includes but is not limited to the following duties:

- A. To serve as a liaison between the Seminole County Planning Commission and the Board of Commissioners keeping each body advised of pending actions pertaining to zoning.
- B. To serve as a non-voting Ex-Officio member of the Planning Commission to provide technical assistance in matters relating to zoning requests.
- C. To maintain in a timely and current manner the Official Zoning Maps reflecting thereon any and all rezoning amendments approved by the Board of Commissioners. Amendments of the Official Zoning Map will be posted by the Zoning Administrator within seven calendar days following approval of such action by the Board of Commissioners.
- D. To perform any other rezoning duties as directed by the County Commission.

Section 20.02. PERMITS. The following shall apply in the issuance of any permits.

- A. Permits Required. It shall be unlawful for any person to commence excavation for, or construction of any building structure, or moving of any existing building without first obtaining a building permit from the Zoning Administrator. No permit shall be issued for the construction, alteration or remodeling of any building or structure until an application has been submitted in accordance with the provisions of this Resolution, showing that the construction proposed is in compliance with the provisions of this Ordinance.

No plumbing, electrical, drainage or other permit shall be issued until the Zoning Administrator has determined that the plans and designated use indicate that the structure and premises, if constructed as planned and proposed, will conform to the provisions of this Ordinance.

Section 20.03. CERTIFICATES OF OCCUPANCY. It shall be unlawful to use or permit the use of land, building or structure for which a building permit is required, and to use or permit to be used, any building or structure hereafter altered, extended, erected, repaired, or moved, until the Zoning Administrator has issued a Certificate of Occupancy stating that the provisions of this Ordinance have been complied with.

- A. Certificate Validity. The Certificate of Occupancy as required for new construction of, or renovations to existing buildings and structures, in the Building Code, (if

applicable) shall also constitute Certificates of Occupancy as required by this Ordinance.

- B. Temporary Certificates. Temporary Certificates of Occupancy may be issued for a part of a building or structure prior to the occupation of the entire buildings or structure, provided that such Temporary Certificate of Occupancy shall not remain in force more than six (6) months, nor more than five (5) days after the building or structure is fully completed and ready for occupancy and, provided further, that such portions of the buildings or structure are in conformity with the provisions of this Ordinance.
- C. Records of Certificates. A record of all Certificates of Occupancy shall be kept in the office of the Zoning Administrator and copies of such certificates of Occupancy shall be furnished upon request to a person or persons having a proprietary or tenancy interest in the property involved.
- D. Certificates for Accessory Buildings to Dwellings. Accessory buildings or structures to dwellings shall not require a separate Certificate of Occupancy, but rather may be included in the Certificate of Occupancy for the principal dwelling, building or structure on the same lot when such accessory buildings or structures are completed at the same time as the principal use.
- E. Application for Certificates. Certificates of Occupancy shall be applied for coincident with the application for a zoning/building permit and shall be issued within ten (10) days after the erection of alteration of such building shall have been completed in conformity with the provisions and requirements of this Ordinance. If such Certificate is refused for cause, the applicant therefore shall be notified of such refusal and the cause thereof within ten (10) days.

Section 20.04. Electrical Power. It shall be unlawful to connect electrical power to a Building or structure for which a building permit is required, until such time as the Zoning Administrator has issued a “Certificate of Compliance” stating that the provisions of this Ordinance have been complied with.

Section 20.05. FEES. Fees for inspections and the issuance of permits or certificates or copies thereof required or issued under the provisions of this Ordinance shall be collected by the Zoning Administrator in advance of the issuance of such permits or certificates.

The amount of such fees shall be established by the County Commission, from time to time, and shall cover the cost of inspection and supervision resulting from the enforcement of this Ordinance. The fees shall be deposited with the County Clerk.

Section 20.06. AMENDMENTS. The Seminole County Commission may amend, supplement or change the regulations or the district boundaries of this Ordinance as established herein. The procedure for submitting a request for an amendment to the Zoning Ordinance or district boundaries of the official Zoning Map shall be as follows:

- A. The applicant shall complete and submit to the Zoning Administrator a rezoning application at least 20 days prior to the next scheduled Planning Commission meeting. Completed applications submitted less than twenty days will not be considered for that meeting.
- B. At the time of the application submittal, the application shall deposit the appropriate fee amount with the Zoning Administrator to cover the cost of processing the application.
- C. Within ten days of the next scheduled Planning Commission meeting, the Zoning Administrator shall compile all of the rezoning requests for the next scheduled meeting. This agenda shall be mailed to all Planning Commission members, and all other relevant personnel.

Section 20.07. ZONING POLICIES AND PROCEDURES. The following policies and procedures are herein established to provide guidelines for the following zoning activities:

- A. The adoption of a new County Zoning Ordinance.
- B. The adoption of an Amendment of the Zoning Ordinance which changes the text of the Ordinance (Text Amendment).
- C. The adoption of an Amendment to a Zoning Ordinance (Map Amendment) which rezones property from one zoning classification to another.
- D. The procedure requirements for Zoning Amendments sponsored by the Seminole County Commission.
- E. The grant of a permit relating to a special use of property.
- F. The procedure requirements for Zoning Amendments sponsored by a citizen or property owner.

Section 20.08. POLICIES AND PROCEDURES FOR COUNTY INITIATED ZONING ACTIVITIES:

- A. In the case of developing an initial zoning ordinance (map and text), or updating or amending an existing zoning plan, the Planning Commission and the County Commission will, where appropriate, utilize any new or existing land use studies, land use plans or other relevant documents as a resource for Ordinance development or Ordinance amendment. The Seminole County Commission and the Planning Commission will each hold at least one public hearing on any new zoning ordinance development or any proposed amendment to the current Zoning Ordinance.

- B. Upon the completion of a preliminary zoning document(s) by the Planning Commission and after this draft document has been presented to and reviewed by the County Commissioners, public hearings will be scheduled by both the Planning Commission and the County Commission, respectively. The official public hearing will be held by the Planning Commission, and the public notice will be given no less than 15 days nor more than 45 days prior to the official hearing date.
- C. Public hearing notices will be published within a newspaper of general circulation within Seminole County for two consecutive weeks prior to the official public hearing date. The public hearing notice will state the time, place, and purposes of the hearing.
- D. All amendments to any existing zoning plan must reviewed by both the Planning Commission and County Commission. However, when the boundary lines of an established zoning district are proposed for change (rezoning) the County Commission shall have the Planning Commission prepare an evaluation of each such proposed rezoning considering each of the following factors:

Rezoning Criteria:

- 1. Does the proposed zoning classification promote the health, safety, moral or general welfare?
 - 2. The existing uses of the subject property and adjacent and near properties.
 - 3. The current zoning of the subject property and adjacent or near properties.
 - 4. The extent to which property values are diminished by the present zoning restrictions.
 - 5. The extent to which the restrictions diminishing property values, promotes the health, safety, morals or general welfare of the public.
 - 6. The relative gain to the public, compared to the extent of hardship imposed upon the individual property owner.
 - 7. The suitability of the subject considered under the proposed zoning.
 - 8. The history of the use of the subject property considered in the context of land development in the vicinity of the property.
 - 9. Conformity with the Seminole County Comprehensive Plan.
- E. The public hearings will be convened at the advertised time and place and will be presided over by the appropriate officials.

- F. The Presider of each respective public hearing will review for those present, the following operating procedures for the public hearing.
 - 1. Each side of a zoning issue will be allowed a minimum of ten (10) minutes per side for the presentation of data, evidence, and opinions.
 - 2. In order for a person in attendance to speak, the Chair must recognize him/her. Upon rising to speak, the person recognized will first identify himself/herself. The Chair may also request that the person furnish a home or business street address, as appropriate.
 - 3. Additional persons will be recognized per the above procedure for the purpose of addressing additional elements of the proposed zoning or to make additional points with regard to elements already addressed, but not to rehash points already made.
 - 4. Appropriate notes or minutes will be recorded by the County Commission and the Planning Commission at their respective public hearings.
- G. The Planning Commission shall prepare and submit the necessary minutes, evaluations and/or recommendations to the County Commission prior to the County Commission's Public Hearing.
- H. The County Commission at its public hearing, will review the evaluation and recommendations from the Planning Commission and may choose to adopt or reject or modify the Planning Commission recommendations, or the business may be tabled for additional study to the next regular Commission meeting.

Section 20.09. PROCEDURES FOR REZONING PROPERTY REQUESTED BY CITIZEN/PROPERTY OWNER.

- A. An application for rezoning must be filed with the Zoning Administrator on a prescribed form and fees paid as set by the County Commission.
- B. The Zoning Administrator will inform the applicant of the Public Hearing dates. The Planning Commission will convene a public hearing on each proposal, the official public hearing will be held by the Planning Commission and public notice will appear no less than 15 days nor more than 45 days prior to the official public hearing.
- C. Official public notices will be published within a newspaper of general circulation within Seminole County for two consecutive weeks prior to the official public hearing date.

- D. The Public Hearing notice will name the applicant, the location of property to be affected, the present zoning class, the proposed zoning class and the date, time and place of both the Planning Commission hearing and the Public Hearing held by the County Commission.
- E. The Zoning Administrator shall have erected upon the property for which rezoning is to be considered, a sign of no less than 17" x 24" announcing the public hearings, stipulating the dates, times, and places for the two hearings, the present zoning class and the proposed zoning class. The sign shall be clearly visible from a public street. It shall be erected not less than 15 days before the public hearing date. (Planning Commission).
- F. Any application for rezoning of a particular parcel of property which is denied by the County Commission may not again be considered for rezoning until the expiration of at least **twelve (12) months** immediately following the defeat of the rezoning request.

ARTICLE XXI
INTERPRETATION, APPLICATION, VIOLATIONS, VALIDITY, CONFLICT
AND EFFECTIVE DATE

Section 21.01. INTERPRETATION, PURPOSE AND CONFLICT. In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comforts, prosperity, and general welfare.

It is not intended by this Ordinance to interfere with, or abrogate or annul any Ordinance, rules, regulations, or permits previously adopted or issued and not in conflict with any of the provisions of this Ordinance, or which shall be adopted or issued pursuant to law relating to the use of buildings or premises, and likewise not in conflict with this Ordinance; nor is it 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 or requires larger open spaces, or larger lot areas than are imposed or required by such Ordinances shall control.

Section 21.02. VIOLATIONS AND PENALTIES. Any person violating or neglecting or refusing to comply with any of the provisions of this Ordinance, shall upon conviction thereof, be deemed guilty of a misdemeanor and shall be punished by imposition of the appropriate fine or by imprisonment in the discretion of the court. Each day that a violation is permitted to exist shall constitute a separate offense.

Section 21.03. VALIDITY. This Ordinance and the various articles, sections, paragraphs and clauses thereof, are hereby declared to be severable. If any article, section, paragraph or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance shall not be affected thereby.

Section 21.04. CONFLICTING PROVISIONS REPEALED. All other Ordinances and parts of Ordinances in conflict with this Ordinance, to the extent of such conflict and not further, are hereby repealed.

Section 21. 05. EFFECTIVE DATE. The provisions of this Ordinance are hereby declared to be immediately necessary for the preservation of the public peace, health, safety, and welfare of the people of Seminole County and are hereby ordered to be given immediate effect from and after the date of its passage.

I hereby certify that the above Ordinance was passed at a special session of the Seminole County Board of Commissioners of Seminole County, Georgia held on April 13, 2001, at Commission Chambers, County Court Building, Donalsonville, Georgia.

Seminole County Board of Commissioners

By: _____
Chairman

ATTEST:

Clerk

Adopted: 4/13/2001

Effective Date: 6/1/2001