

Subject Matter: Amendment to Zoning Ordinance

Date of Legal Advertisement in the Times-Herald:

June 26, 2011

Date First Reading: June 13, 2011

Date of Public Hearing before Town

Council: July 11, 2011

Date of Adoption and Second Reading at a

Public Hearing: July 11, 2011

**TOWN OF SHARPSBURG
COUNTY OF COWETA
STATE OF GEORGIA**

ORDINANCE NUMBER 11-05

TOWN OF SHARPSBURG, GEORGIA

PREAMBLE & FINDINGS

WHEREAS, the Town of Sharpsburg has adopted a comprehensive zoning ordinance codified at Chapter 9 of the Town of Sharpsburg Code of Ordinance; and

WHEREAS, the Town Council has determined that to serve the needs of the community certain amendments are needed in the Town's Code of Ordinances; and

WHEREAS, these amendments to the zoning ordinance regulating Precious Metal Dealers and Body Piercing Establishments are necessary to further the general health and welfare of the community; and

WHEREFORE, THE TOWN OF SHARPSBURG HEREBY ADOPTS, ORDAINS AND ENACTS THE FORGOING AMENDMENT TO THE ZONING ORDINANCE AS FOLLOWS:

ARTICLE I

The Town of Sharpsburg's Zoning Ordinance, as codified at Chapter 9 Article III of the Town's Code of Ordinances is hereby amended by deleting the stricken language (~~stricken language~~) and adding the double underlined (double underlined) language as follows:

5.2 Permitted Uses.

No principal building, structure or land use shall be permitted except in the zoning districts indicated and for the purposes permitted in Table 5.2. Each use is mutually exclusive and does not include other uses listed in the table. A principal use denoted by the letter "S" is permitted only if a special use permit is granted by the Town Council. For legal uses not included in this list, an application can be made to the Mayor and Council to determine its permitted districts based upon similar existing uses. The Town reserves the right to regulate any new business which it is permitted to regulate. There may be only one permitted use per lot except in TC, TNC, THC, TND and LI districts.

Note: If a use is not specifically listed in Table 5.2 it is a prohibited use.

Table 5.2 Permitted Uses

PERMITTED USES	R1	R1A	R2	TND	TMF	TC	TNC	THC	LI
ACCESSORY USES	X	X	X	X	X	X			X
ADULT ENTERTAINMENT									X
ADVERTISING DISPLAY, SALES AND MANUFACTURING							X	X	X
AGRICULTURE EQUIPMENT SALES, SUPPLY, STORAGE								X	X
PERMITTED USES	R1	R1A	R2	TND	TMF	TC	TNC	THC	LI
AMBULANCE SERVICES								X	X
ANIMAL CARE FACILITY SHALL BE LOCATED AT LEAST 100' FROM ANY PROPERTY ZONED FOR RESIDENTIAL USE								X	X
ANTIQUA SHOP						X	X	X	
APPAREL AND ACCESSORY STORE				X		X	X	X	
APPLIANCE SALES				X		X	X	X	
ART GALLERY/PHOTOGRAPHY				X		X	X	X	
ATHLETIC/HEALTH CLUB & FACILITIES				X		X	X	X	
ASSEMBLY HALL, CIVIC CENTER				X		X	X		
<u>AUCTION HOUSE</u>						<u>S</u>	<u>S</u>	<u>S</u>	
AUTOMOBILE AND TRUCK SALES, SERVICE AND REPAIR								X	X
AUTOMOBILE, TRUCK REPAIR AND BODY SHOP								X	X
BAIT SHOP				X				X	X
BAKERY/PASTRY SHOP				X		X	X	X	X

BANK OR FINANCIAL INSTITUTION				X		X	X	X	
BARBER SHOP/BEAUTY SHOP				X		X	X	X	
BASEBALL BATTING CAGES								X	X
BED AND BREAKFAST	X		X	X		X	X		
BOAT STORAGE									X
BOAT SALES, SERVICE & REPAIR								X	X
<u>BODY PIERCING/TATTOO PARLOR</u>								<u>S</u>	
BOOKS, CARDS AND STATIONARY STORES				X		X	X	X	
BUILDER SUPPLIES AND STORAGE									X
BUILDING MATERIALS SALES, SUPPLIES AND STORAGE									X
CAR WASH								X	X
CARPET CLEAN. STORE								X	X
CARPET AND RUG SALES, FLOOR COVERING AND STORAGE								X	X
CEMETERY	S	S	S						
CHILDCARECENTER, GROUP				X		X	X	X	
CHILD CARE FACILITY				X		X	X	X	
CHILD CARE HOME	S	S	S	S					
CHURCHES	S		S	S	S	S	S	S	S
CIVIC CLUBS				X		X	X	X	
CLINIC, PUBLIC OR PRIVATE				X		X	X	X	
CLUB OR LODGE								S	S
COLLEGE, UNIVERSITY OR JUNIOR COLLEGE				S		S	S	S	
CONGREGATE PERSONAL CARE HOME				S	S	S	S	S	
CONTRACTOR EQUIPMENT-MATERIAL STORAGE									X

PERMITTED USES	R1	R1A	R2	TND	TMF	TC	TNC	THC	LI
CONVENIENCE STORES WITHOUT FUEL PUMP SERVICE				X		X	X	X	
CONVENIENCE STORES WITH FUEL PUMP SERVICE- PROVIDED THAT ALL PUMPS SHALL BE AT LEAST 15 FEET FROM ANY STREET RIGHT-OF-WAY				X		X	X	X	
CURIO AND SOUVENIR SHOPS				X		X	X	X	
DRUG STORES, PHARMACIES				X		X	X	X	
DWELLING, MULTI-FAMILY				X	X	X	X		
DWELLING, SINGLE-FAMILY DETACHED	X	X	X	X		X	X		
EQUIPMENT RENTAL								X	X
EQUIPMENT SUPPLIES								X	X
FARMING	X								X
FLEA MARKET									X
FLORIST SHOP				X		X	X	X	
FUNERAL HOME, MORTUARY								X	

FURNITURE AND HOME FURNISHINGS				X		X	X	X	X
GARDEN LANDSCAPING SUPPLIES				X		X	X	X	X
GOLF COURSES AND CLUB HOUSES				S				S	S
GOLF DRIVING RANGE				S				S	S
GOVERNMENT BUILDINGS				X		X	X		
GROCERY STORE				X	X	X	X	X	X
GROUP CARE PERSONAL HOME	S		S	S	S		S	S	
HARDWARE, PAINT AND WALLPAPER STORE				X		X	X	X	X
HOBBY, TOY AND GAME STORE				X		X	X	X	
HOME OCCUPATION-SUBJECT TO ARTICLE 7 REGULATIONS.	X	X	X	X	X				
HOSPITAL				X			X	X	
HOTEL/INN				X			X	X	X
JEWELRY STORE				X		X	X	X	
KENNEL								X	X
LAUNDRY, PICK UP AND DRY CLEAN SERVICES				X		X	X	X	
LAUNDRY, COIN OPERATED				X			X	X	
LIBRARY				X		X	X	X	
LIVESTOCK- RAISING/KEEPING FOR PERSONAL PLEASURE, PROVIDED THAT ALL STRUCTURES SHALL BE AT LEAST 100' FROM ANY PROPERTY LINE.	X								
MACHINE SHOP, FABRICATION, WELDING, SALES									X

PERMITTED USES	R1	R1A	R2	TND	TMF	TC	TNC	THC	LI
MANUFACTURING INVOLVING THE ASSEMBLY OF PRE-MANUFACTURED COMPONENT PARTS.									X
MINI-WAREHOUSE (SELF-STORAGE FACILITY)									X
MOTEL								X	X
MOVIE THEATRE				X		X	X	X	X
MUSEUM				X		X	X	X	
NURSERY, GREENHOUSE - PROVIDED THAT NO STRUCTURE SHALL BE LOCATED CLOSER THAN 100' TO ANY ADJOINING RESIDENTIAL PROPERTY.							X	X	X
OFFICE, BUSINESS AND PROFESSIONAL				X		X	X	X	X
OFFICE SUPPLIES				X		X	X	X	X
PARKING LOT				X		X	X	X	X
PARKS & RECREATION	X		X	X	X	X	X	X	X
PET AND DOG GROOMING SHOPS							X	X	X

PRECIOUS METAL DEALERS							S	S	
PRINT SHOP				X		X	X	X	X
RECREATIONAL FACILITIES	X		X	X	X	X	X	X	X
RECYCLING COLLECTION STATION									X
REPAIR SERVICE, GENERAL MERCHANDISE							X	X	X
RESTAURANT				X		X	X	X	X
RESTAURANT W/ DRIVE-IN AND/OR DRIVE-THROUGH FACILITIES.								X	
RETAIL STORES				X		X	X	X	X
SCHOOL – PUBLIC OR PRIVATE	S		S	S		S	S	S	
SEWERAGE TREATMENT FACILITIES-PUBLIC OR PRIVATE	S		S	S	S			S	S
SHOE REPAIR				X		X	X	X	
TAXIDERMY								X	X
TIRE SALES AND SERVICE								X	X
UTILITY FACILITIES	S	S	S	S	S		S	S	S
VETERINARY CLINIC/ANIMAL HOSPITAL/GROOMING								X	X
VIDEO SALES AND RENTAL				X		X	X	X	X
VOCATIONAL SCHOOL				S		S	S	S	X
WATER DISTRIBUTION OR TREATMENT FACILITIES	S	S	S	S	S	S	S	S	S

ARTICLE II

This Ordinance shall become immediately effective upon its second reading and adoption by the Mayor and Town Council.

ARTICLE III

The Preamble of this Ordinance shall be construed to be, and is hereby incorporated by reference as is fully set out herein.

ARTICLE IV

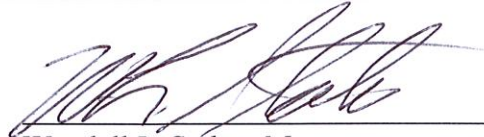
The Ordinance shall be codified within the Code of Ordinances of the Town of Sharpsburg, Georgia at Chapter 9 in a manner consistent with the laws of the State of Georgia and of the Town of Sharpsburg.

ARTICLE V

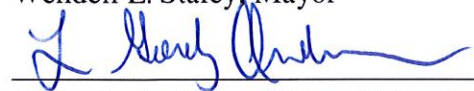
If any section, subsection, sentence, clause, phrase, or other portion of this ordinance for any reason is held invalid or unconstitutional by court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

(Signatures Appear on the Next Page)

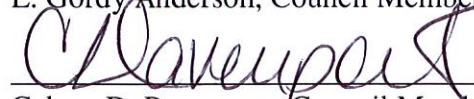
APPROVED BY THE MAYOR AND COUNCIL OF THE TOWN OF SHARPSBURG, at a regular meeting of the Mayor and Council on the 11th day of July, 2011, by the following voting for adoption:



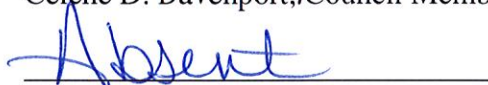
Wendell L. Staley, Mayor



L. Gordy Anderson, Council Member



Celene D. Davenport, Council Member

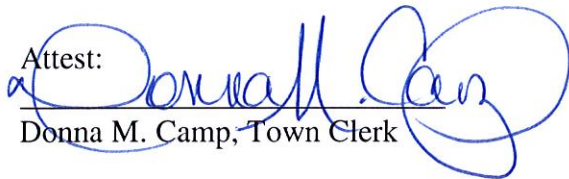


D. Keith Rhodes, Council Member



Connie F. Turner, Council Member

Attest:



Donna M. Camp, Town Clerk