

## ARTICLE 2 INTERPRETATIONS, TERMS, AND DEFINITIONS

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### SECTION 2.1 INTERPRETIVE AUTHORITY

The interpretation of any terms, words, phrases, definitions, tables, figures, graphics or illustrations; or any other information contained in the Hancock County Zoning Ordinance; shall be made by the **Planning and Zoning Administrator**, unless such authority is specifically granted to another officer, board, or commission as provided in this Code. Interpretations of this Code may be appealed subject to the provisions of Section \_\_\_\_ (Appeals.)

### SECTION 2.2 INTERPRETIVE PARAMETERS

For purposes of this Code, the following parameters shall apply to the use of specific terms, words, or phrases unless otherwise specifically noted within another Section or Article:

1. Words used in the present tense include the future tense; words used in the singular tense include the plural tense; and, words used in the plural tense include the singular.
2. Words suggesting masculine gender shall also include feminine gender and vice versa.
3. The word "person" includes an individual, firm, partnership, corporation, association, estate, trust, joint venture, board, agency, or any other interstate body, or legal public or private entity.
4. The terms "shall" and "must" are always mandatory and not discretionary, while the terms "should" and "may" are permissive.
5. The term "such as" shall not be inferred to be exclusive, and is intended to mean "including but not limited to."

Additional interpretive parameters related to specific terms, words, or phrases, may also be listed in other Articles of this Code in regard to concepts that may be more specific to a particular topic.

### SECTION 2.3 GENERAL TERMS AND DEFINITIONS

#### *Section 2.3.1 Applicability of General Terms and Definitions.*

Where a term is defined in this Article, its meaning and shall be construed as having application throughout this Code, unless the context clearly indicates otherwise.

Where a term is defined in any other Article of this Code, such term or list of terms shall be viewed as an extension of the list of general terms defined within Section 2.3.2 (List of General Terms and Definitions.) It is the general intent that a term defined in any other Article apply specifically to the Article within which it is listed and defined; however, such intent shall not prevent the **Planning and Zoning Administrator** from applying it outside of the strict context of the Article within which it is listed and defined unless such application creates a conflict with other terms defined by this Code, or confusion in the administration of the provisions of this Code. Articles of this Code within which lists of terms and definitions are included are identified in Table \_\_\_\_\_. The descriptions provided within Table \_\_\_\_\_ do not infer any limitation on the application of any of the terms and definitions of this Code.

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### Section 2.3.2 List of General Terms and Definitions.

#### A

**Abandon:** To stop the use of property or the occupancy of a building for twelve (12) months or more.

**Abandonment:** A condition where the use of property has stopped or the building has been vacant for twelve (12) months or more.

**Adult business:** means any “adult bookstore,” “adult movie house,” “explicit media outlet,” or any place utilized for commercial purposes for the depiction, performance, display, transaction, or similar action of materials or activities involving “sexual conduct” or “sexually explicit nudity,” all such terms defined in O.C.G.A. 36-60-3 and as reiterated below. Nothing in this definition shall be inferred to condone any commercialized “sexual conduct” or “sexually explicit nudity” that is violation of any other local, state, or federal, law, ordinance, or statute.

- (1) **Adult bookstore:** Any commercial establishment in which is offered for sale any book or publication, film, or other medium which depicts sexually explicit nudity or sexual conduct.
- (2) **Adult movie house:** Any movie theater which on a regular, continuing basis shows films rates “X” by the Motion Picture Coding Association of America or any movie theater which presents for public viewing on a regular, continuing basis so-called “adult films” depicting sexual conduct.
- (3) **Explicit media outlet:** Any commercial establishment which has an inventory of goods that is composed of 15 percent or more of books, pamphlets, magazines, or other printed publications, films, or other median which depict sexually explicit nudity or sexual conduct, or that devotes 15 percent or more of its floor area to such inventory of goods.
- (4) **Sexual conduct:** Acts of masturbation, homosexuality, sodomy, sexual intercourse, or physical contact with a person’s clothed or unclothed genitals, pubic area, buttocks, or, if such a person is female, breast which, to the average person, applying contemporary community standards, taken as a whole, lacks serious literary, artistic, political, or scientific value and predominantly appeals to the prurient interest, that is, a shameful or morbid interest in nudity or sex.
- (5) **Sexually explicit nudity:** A state of undress so as to expose the human male or female genitals or pubic area with less than a full opaque covering or the depiction of covered or uncovered male genitals in a discernibly turgid state which, to the average person, applying contemporary community standards, taken as a whole, lacks serious literary, artistic, political, or scientific value and predominantly appeals to the prurient interest, that is, a shameful or morbid interest in nudity or sex.

**Agriculture:** means the raising of soil crops, livestock, fish, and fowl in a customary manner on tracts of land at least two (2) acres in size, including all associated activities. Retail selling of products raised on the premises is permitted provided that space necessary for the parking of customer's vehicles is provided off of the public right-of-way.

**Agricultural processing:** Activities distinguished from the raising, cultivating, harvesting of food and fiber products (i.e., agriculture) because they go beyond the basic production cycle and involve significant manufacturing or processing operations so that the naturally grown or raised product is changed for consumer use, or where some physical, chemical, or similar change of an agricultural product occurs. Such activities include but are not limited to: cotton ginning, grist mills, milling of flour, feed, or grain, packaging of fresh or dried foods and fibers for wholesale or retail sale, slaughterhouses, refineries, canneries, and milk processing plants. Agricultural processing is considered a industrial use.

**Airport:** means an area of land or water including any related buildings and structures used for the purpose of serving landing and departing aircraft, including airplanes, helicopters, sailplanes, etc.

**Alley:** A minor, permanent service-way which is used for secondary vehicular access to the back or the side of properties which otherwise have primary vehicular access to a public street.

**Alternative tower structure:** shall mean man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures.

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*Annexation:* The process in which a parcel of land is transferred from the jurisdiction of unincorporated Hancock County to the jurisdiction of the City of Sparta.

*Antenna:* an arrangement or array of wires, dishes, or metal rods, used in transmitting or receiving electromagnetic waves.

*Antique shop:* A retail establishment primarily engaged in the offering of products with value derived because of their age or historic significance, including but not limited to works of art, pieces of furniture, decorative objects, clocks, lamps, clothing, rugs, toys, and the like. Unless specifically provided otherwise in this ordinance, antique shops operating within buildings are enclosed retail trade establishments, and those operating in the open air are open-air businesses.

*Apartment building:* See “dwelling, multifamily.”

*Applicant:* Property owner or their authorized representative who has petitioned the County for approval of an application under the terms of this Code.

*Assisted living care:* means the specialized care and services provided by an assisted living community which includes the provision of personal services, the administration of medications by a certified medication aide and the provision of assisted self-preservation, as defined in Georgia Rule 111-8-63.

*Assisted living community:* a personal care home with a minimum of 25 beds that is licensed as an assisted living community, as defined in O.C.G.A. § 31-7-12.2, as amended. An assisted living community is authorized to provide assisted living care to adults who require varying degrees of assistance with the activities of daily living but who do not require continuous medical or nursing care.

*Awning:* A roof-like cover that projects from the wall of a building for the purpose of shielding a doorway, walkway, or window from the elements. Awnings are often made of fabric or flexible plastic supported by a rigid frame, and may be retracted into the face of the building.

### **B**

*Barn:* A building or structure accessory to agriculture or single-family residential use which is used for the storage of grain, hay, and other farm products, or the sheltering of livestock, or the storage of farm equipment produced, housed, or used on the premises.

*Batching plant:* A plant for the manufacture or mixing of asphalt, concrete, cement, or concrete or cement products, including any apparatus incidental to such manufacturing and mixing.

*Bed and breakfast inn (B&B):* Business establishment that operates within a single-family detached dwelling by an owner-occupant, offering temporary lodging and one or more meals to the traveling public. Employment may not exceed two full time employees in addition to the owner. Breakfast is the only meal served to paying guests and is included in the room charge.

*Biomedical waste facility:* means any land or structure used for the final disposal, treatment, incineration, or storage of biomedical wastes as defined in O.C.G.A. § 12-8-22, as amended, whether or not they are mixed with or include other wastes allowed under Subtitle D of the Resource Conservation and Recovery Act of 1976, as amended.

*Block:* A piece or parcel of land entirely surrounded by public streets.

*Board of Zoning Appeals:* The body of members appointed by the Board of Commissioners of Hancock County charged with the duties and responsibilities pursuant to this Ordinance.

*Boarding house:* A residential use other than a hotel or motel in which lodging and meals are provided by a resident family or manager to non-household members in exchange for monetary compensation or other consideration.

*Borrow site:* A site used for the extraction of earthen materials such as sand, gravel, rock, dirt, etc., where the material is removed from the site.

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*Brewery:* An industrial use that brews ales, beers, and/or similar beverages on site.

*Buffer:* A strip of land located between a side or rear property line and a building, structure, or use, intended to separate and obstruct the view of the site on which the buffer is located from an abutting property. A buffer is intended to provide screening, as defined and as may be required by this Code.

*Buffer – natural undisturbed:* A buffer containing a natural area consisting of trees and/or other vegetation, undisturbed except for approved access and utility crossings replanted vegetation where sparsely vegetated.

*Buffer – planted:* A buffer consisting of newly planted trees and shrubs native to the region.

*Buffer – structural:* A visual screen created through construction of a solid wooden fence, decorative masonry wall, or combination of earthen berm and fence or wall.

*Build-to line:* Line establishing the maximum allowable distance between the nearest portion of any building excluding steps, gutters, and similar fixtures, and the property line when measured perpendicular thereto.

*Building:* Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

*Building - accessory:* Building subordinate to the principal building and used for purposes incidental to the principal building on the same lot. An accessory building may be detached or attached to the principal structure.

*Building – alteration:* Any change in the supporting members of a building (such as bearing walls, beams, columns, and girders) except such change as may be required for its safety; and addition to a building; any change in use resulting from moving a building from one location to another.

*Building – footprint:* Horizontal area measured within the exterior walls of the ground floor (i.e., footprint) of all principal buildings and accessory buildings.

*Building – height:* Vertical distance from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the mean height level between the eaves and ridge for gable, hip, and gambrel roofs, and to the deck line for mansard roofs.

*Building-Integrated Solar Energy System:* A type of building-mounted system that is an integral part of a building rather than a separate device, replacing a typical component of a building. Examples include, but are not limited to, solar energy systems that are contained within roofing materials, windows, skylights and awnings.

*Building-Mounted Solar Energy System:* A solar energy system in which solar panels are mounted on top of a roof or on the side of a building. (See Figures 2.4 A1 and A2). Building-mounted systems may be flush-mounted or non-flush-mounted.

*Building – principal:* Building in which the principal use of the lot is conducted.

*Building – retail:* Commercial establishment which generally sells commodities or services in varying quantities to ultimately the consumer and aforementioned commodities or services are primarily for the use of the purchaser.

*Building sales establishment:* A lot on which the principal use is the sale of manufactured homes and modular buildings. This use is an open-air business.

*Business or Commerce:* The purchase, sale or other transaction involving the handling or disposition of any article, service, substance or commodity for livelihood or profit; or the management of office building, offices, recreational or amusement enterprises; or the maintenance and use of offices, structures and premises by professions and- trade rendering services.

*Business – wholesale:* means a commercial establishment that generally sells commodities or service in large quantities or by piece to retailers, contractors, other wholesale businesses, or manufacturing establishments. These commodities or services are mainly for resale, for use in the fabrication of a product, or for use by a retail service.

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### C

**Camp or campground:** Any place established or maintained for two or more individual spaces or sites for temporary living quarters in cabins, structures, or tents for recreation or vacation purposes for a fee.

**Canopy:** A permanent structure, not enclosed and not retractable, attached or unattached to a building, for the purpose of providing shelter to patrons or automobiles, of as a decorative feature on a building wall.

**Caretaker's residence:** A dwelling unit within a principal building that is accessory to a use, and located on the same lot there with, which is used for occupancy as a dwelling by a security agent or caretaker.

**Cemetery:** Land and/or structure in Hancock County dedicated to and used for the interment of human or pet remains. It may include a burial park for earth interments, mausoleum for vault or crypt interments, a columbarium for storing urns containing human remains, or a combination of one or more.

**Change of use:** means the discontinuance of an established land use and substitution of a use of a different kind, class, or nature in compliance with these regulations. Change of use does not include a change of tenants or proprietors, unless accompanied by a change in the type of use.

**Church:** See "Place of worship."

**Clinic:** means a nonresidential establishment where patients are examined, diagnosed, and/or treated on an outpatient basis by licensed physicians, psychologists, psychiatrists, dentists, or chiropractors. No overnight accommodations.

**Club or lodge, nonprofit:** A building or premises, used for the assembly of members of associations or organizations of an educational, fraternal, or social character, not operated or maintained for profit. Representative organizations include Elks, Veterans of Foreign Wars, and Lions. The term shall not include casinos, nightclubs, bottle clubs, or other establishments operated or maintained for profit.

**Club, hunting:** Areas reserved or set aside for public or private hunting of wildlife, including accessory structures in support of such activities, and which may require the payment of a fee for hunting or where such privileges are derived from membership.

**Club, private:** Buildings and facilities owned or operated by a corporation, association, person, or persons, and used for assembly of members for a social, educational, or recreational purpose, to which membership is required and where use of premises is restricted to members and their guests. The definition "private club" shall also include a "bona fide private club" as that term is defined in O.C.G.A. 3-7-1.

**Cluster development:** means a residential subdivision within which individual lot sizes have been reduced to permit the creation of common open space maintained by a homeowner's association for the residents of the subdivision.

**Co-generation facility:** An installation that harnesses energy that normally would be wasted to generate electricity, usually through the burning of waste, and which may use, distribute through connection, or sell the energy converted from such process.

**Condition of approval:** A requirement adopted by the Board of Commissioners at the time of approval of a change in land use district or approval of a conditional use or variance; placing greater or additional requirements or restrictions on the property than provided in this Ordinance in order to reduce an adverse impact of the request and to further protect the public health, safety, or general welfare.

**Community recreation:** A private recreational facility for use solely by the residents and guests of a particular residential development, including indoor facilities such as community meeting rooms and outdoor facilities such as swimming pools, tennis courts, and playgrounds. These facilities are usually proposed, planned, and provided in association with a development and are located within the boundaries of such development.

**Community shopping center:** means a shopping facility comprised of primarily retail enterprises usually housing a major chain department or variety store, or a supermarket as the principal tenant or anchor. Such a facility is intended to serve a population

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area of 5,000 or more. The minimum gross floor area for this type of center shall be 50,001, and the maximum gross floor area shall be 349,999.

Community water system: means a privately owned water system that complies with the minimum standards set by the Environmental Protection of the Georgia Department of Natural Resources.

Comprehensive plan: means the "Hancock County Comprehensive Plan," as amended.

Conditional use: Zoning ordinance provision that impose conditions, restrictions, or limitations on a permitted use that are in addition to the restrictions applicable to all land in the zoning district. The conditions, restrictions, or limitations are set forth in the text of the Land Development Code.

Condominium: means a form of individual ownership of a unit combined with joint ownership of common areas of the building and grounds in a development as provided in the Georgia Condominium Act.

Conservation area: Any land set aside for conservation of the land in its natural state.

Conservation easement: A legally enforceable agreement between a property owner and the holder of the easement, in a form acceptable to the County Attorney and recorded in the office of the Clerk of Superior Court of Hancock County. A conservation easement restricts the existing and future use of the defined tract or lot to conservation use, agriculture, passive recreation, or other use approved by the Hancock County Board of Commissioners and prohibits further subdivision or development. Such agreement also provides for the maintenance of open spaces and any improvements on the tract or lot. Such agreement cannot be altered except with the express written permission of the easement holder and any other co-signers. A conservation easement may also establish other provisions and contain standards that safeguard the tract or lot's special resources from negative changes.

Conservation subdivision: A subdivision where open space is the central organizing element of the subdivision design and that identifies and permanently protects all primary and all or some of the secondary conservation areas within the boundaries of the subdivision.

Construction, actual: means the commencement and continuous, uninterrupted construction for the purpose of permanent placement and fastening of materials to the land or structure for which a permit required pursuant to this chapter has been issued for the same purposes. Construction includes filling, grading, the installation of drainage facilities, and the substantial demolition, clearing, excavation, or removal of an existing structure preparatory to new construction, provided that work shall be reasonably continuous until completion of the approved construction.

Construction field office: means a building or structure temporarily located on a site under development and/or construction which houses offices of the construction contractor and/or affiliated sub-contractors.

Continuing care retirement community: An institutional residential living facility providing multiple, comprehensive services to older adults. Such facility normally contains a combination of independent living units, assisted living, and skilled nursing care units.

Convenience store: means a retail store entirely in one story of a building that is designed and stocked to sell primarily food, beverages, sundries, and other grocery items to customers who purchase goods to satisfy special immediate needs (often characterized by impulse buying), as opposed to a "supermarket," which provides a wider range of goods which are intended to satisfy the full daily grocery needs of its customers. A convenience store is designed to attract and depends upon a large volume of stop and go traffic.

Conventional construction: means a dwelling unit constructed on the building site from basic materials delivered to the site, and which is constructed in accordance with the Standard Building Code or the Southern Building Code (SBCCI), and meeting the following development standards:

- (1) The home has a minimum width in excess of 16 feet.

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- (2) The pitch of the dwelling unit's roof has a minimum vertical rise of four feet for each 12 feet of horizontal run.
- (3) Structure is placed upon and permanent masonry foundation, unbroken except for foundation vents and a foundation entry door.
- (4) A unit of construction constructed outside the boundaries of Hancock County may not be brought into Hancock County and used as a dwelling if such home was constructed more than five years from the date the application is requested.

**Cottage food sales:** As allowed under Georgia Regulations Chapter 40-7-19, a licensed cottage food operator produces non-potentially hazardous foods in a home kitchen to sell to the end users. Cottage food operators can sell these products within the State of Georgia directly to the consumer at non-profit events and for-profit events (such as farmers markets), and through internet sales. Cottage food products include but are not limited to, loaf breads, cakes, jams, dried fruits and cereals.

**Cottage industry:** A use or activity which is accessory to a single-family residence or a commercial establishment that produces one or more goods on the premises through handmade workmanship craft for retail sale. Such goods-producing activities include but are not limited to candle-making, glass blowing, pottery making, weaving, woodworking and the production by hand and small tools of furniture, sculpting, and other similar or associated activities.

**Crisis center:** A facility or portion thereof and premises that are used for the purposes of emergency shelter, crisis intervention, including counseling, referral, hotline response, and similar human social service functions. Said facility may include meal preparation, distribution, or service for residents of the center as well as nonresidents, merchandise distribution, or shelter, including boarding, lodging, or residential care. This term includes domestic violence and centers and homeless shelters.

**Cul-de-sac:** A street having one end open to traffic and being permanently terminated by a vehicular turnaround of circular design.

### **D**

**Day care facility, group:** Any place operated by a person, agency, corporation, or institution, and licensed or registered by the state of Georgia as a day care center, group day care home, or childcare learning center wherein the operator and employees thereof receive compensation for one (1) of the following activities, such activities not being conducted concurrently at the facility: A) Care, supervision, training, and oversight is provided on less than a 24 hour basis for individuals who are elderly, physically ill or infirm, physically handicapped, mentally handicapped, or have other developmental disabilities; or, B) Care, supervision, and protection of seven (7) or more children who are under 18 years of age is provided for less than 24 hours per day.

**Day care facility, home:** Any private residence which is a business registered by the State of Georgia as a family day care home, and is operated by any person residing therein with or without compensation, providing for the care, supervision, and protection of six (6) or fewer children who are under 18 years of age. For the purpose of computing the number of children within the child day-care facility, all children who are related by blood, marriage, adoption or guardianship to the person or persons operating the facility shall be included.

**Developable land area:** means that portion of a lot which does not consist of surface waters, wetlands as delineated on the National Wetland Inventory maps for McDuffie County (prepared by the U.S. Fish and Wildlife Service), slopes in excess of 25 percent, areas reserved for storm-water retention or detention, special flood hazard areas (as delineated by the Federal Emergency Management Agency), or other areas dedicated for public improvements, and/or common use (Also see definition for "net density").

**Development, planned:** means for the purpose of signage, a planned development is a development of a single parcel of property to contain a number of businesses, such as an office park, strip shopping center, industrial park, and the like. Each such business, industry, office, etc. shall occupy its own designated space wholly independent and separate from any other adjoining business, industry, office, etc.

**Discontinuance:** A lapse in the activity or operation of a nonconforming use for a period of six (6) months but less than twelve (12) months. Discontinuance for twelve (12) months or more shall be considered "abandonment."

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Distribution center: A use where goods are received and/or stored for delivery to the ultimate customer at remote locations.

Division (of land): means 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, or building development, involving a new street or a physical change in existing streets. This is term commonly interchanged with the term "subdivision."

Duplex: See "dwelling, two-family."

Dwelling – principal: Building designed or used as the primary residence on a lot.

Dwelling – accessory (attached): A secondary dwelling unit which is added to an existing single-family dwelling or in the case of a loft apartment, added to the upper floor of a commercial building, for use as a complete, independent living facility with provisions within the accessory dwelling unit for cooking, sanitation, sleeping, and food consumption.

Dwelling – accessory (detached): A secondary dwelling unit which is added to the property as a new freestanding accessory building. The dwelling unit is an independent living facility with provisions for cooking, sanitation, sleeping, and food consumption.

Dwelling – loft: A dwelling unit located in an upper story space of an existing non-residential building or a new mixed-use building.

Dwelling, multifamily: A building designed for, or occupied exclusively by, three (3) or more families living independently.

Dwelling - single-family (attached) (also "townhouse"): One (1) of a group of three (3) or more single family, attached dwelling units under fee simple ownership. Attached single-family dwellings that are not under fee-simple ownership are considered row houses (multi-family dwellings).

Dwelling, single-family (detached): A permanently sited building occupied or designed to be occupied exclusively by one family, not including dwellings defined herein as mobile homes or single-family attached dwellings.

Dwelling, two-family (also "duplex"): A building designed or arranged to be occupied by two (2) families living independently of each other. The building contains two (2) dwelling units either on one (1) lot, or, each dwelling is located on its own lot in fee-simple title and the two (2) dwelling units are attached along a common property line.

Dwelling unit: means a dwelling or portion thereof providing complete living facilities for one family.

### E

Easement: A grant, by the property owner of a portion of land, for use by the public, a utility, a corporation, or person for specified purposes. No structure of any kind is permitted upon easements except that which is allowed or required in conjunction with the designated use. An easement acts as a reciprocal agreement between the subdivision property owners. Each property owner is responsible for maintaining such easement on the property. Drainage and utility easements are intended to be reciprocal easements among the subdivision property owners and not a dedication to the County.

Employee: means any person who works in a business establishment, including the business proprietor, owner, or partner, whether paid or unpaid, full-time or part-time.

Equestrian facilities: means facilities dedicated to the commercial use of horses including: horse ranches, boarding stables, riding schools and academies, horse exhibitions, and saddle horse rentals; and, which may include any combination of structures such as barns, stables, corrals, and padlocks accessory and incidental to such uses whether or not such structures are also associated with other agricultural uses on the property.

Escort bureau/introduction services: means any business, agency or persons who, for a fee, commission, hire, reward or profit, furnished or offer to furnish names of persons, or who introduce, furnish or arrange for persons who may accompany other persons to or about social affairs, entertainments or places of amusement, or who may consort with others about any place of public resort or within any private quarters.

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Extraction: Removal or recovery by any means whatsoever of sand, gravel, soil, rock, minerals, mineral substances or organic substances other than vegetation, from water or land on or beneath the surface thereof, exposed or submerged. This term includes gravel pits, mines, quarries, and similar operations, but not "borrow site" as defined herein.

### F

FAA: shall mean the Federal Aviation Administration.

Fairgrounds: An area of land including, but not limited to: agricultural-related office buildings, animal shows and judging, carnivals, circuses, community meeting or recreational buildings and uses, concerts, food booths and stands, games, rides, rodeos, sales and auctions.

Family: An individual, or two (2) or more persons related by blood, marriage, adoption or guardianship, or a group of not more than three (3) unrelated persons, occupying a dwelling unit and living as a single household, as distinguished from persons occupying a boarding house.

Farm: means any plot or tract of land devoted to uses in agriculture, forestry, horticulture, or the raising of livestock, poultry, or small animals as a source of income.

Farming – commercial: Any primary use of a tract or parcel of land for the purpose of raising for sale any type of agriculture products, nursery stock, including, but not limited to, soil crops, fish, fowl, silviculture, or livestock.

FCC: shall mean the Federal Communications Commission.

Fee Simple: Property owner unconditionally owns a specified piece of land

Fence: An enclosure or barrier, composed of wood, masonry, stone, wire, iron, or other approved materials or combination of materials used as a boundary, means of protection, privacy screening, or confinement, including brick or concrete walls but not including hedges, shrubs, trees, or other natural growth.

Flag lot: means an interior lot located to the rear of another lot, but with a narrow portion or extension of the lot extending and providing access to a public right-of-way.

Flea market: The use of land, structures or buildings for the sale of produce or goods, usually second-hand or cut-rate. A flea market is considered an open air business.

Floor area – gross: Total horizontal area in square feet of all floors of building as measured to the outside surfaces of exterior walls and including halls, stairways, attached garages, porches, balconies, and basements.

Floor area – net: Area included in surrounding walls of a building, exclusive of vents, shafts, halls, attics, and basements.

Flood: means a general or temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Floodplain or floodprone area: means any land area susceptible to being inundated by water from any source (see definition of "flood").

Floodproofing: means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, or their contents.

Frontage: means the distance along which the front boundary line of a lot coincides with a public street right-of-way.

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Future land use map: means the future land use map for the unincorporated areas of McDuffie County as contained in the comprehensive plan. Also referred to as the land use map.

### G

GDOT: Georgia Department of Transportation

Governing body: shall mean in all instances the Hancock County Board of Commissioners.

Ground-Mounted Solar Collection System: Solar energy system that is directly installed in the ground and is not attached or affixed to an existing structure. This can include pole-mounted systems that allow for the tracking of the sun.

Group residence: A single household of four (4) or more unrelated persons which provides for the sheltered care of residents who may or may not be developmentally disabled. In addition to residency, one (1) or more members of the household may also be provided with some combination of food assistance, social or counseling services, transportation, or other personal care. Group residences may or may not be under the supervision of a resident manager.

### H

Habitable floor: means any floor usable for living purposes, which includes working, sleeping, eating, cooking, recreation, or a combination thereof. A floor used only for storage purposes shall not be considered a habitable floor.

Halfway House: See "Transitional Center."

Hazardous materials: means any explosive, corrosive, flammable, toxic, or carcinogenic material, chemical, or substance that poses a serious threat to human health or welfare. Such substances do not include common household products and cleansers which may, by their nature, include or constitute hazardous materials, as long as they are used exclusively for their intended purpose and are not stored in quantities that are excessive for common residential use.

Hazardous waste: means any material, chemical, or substance which, because of its quantity, concentration, or physical, chemical, or infectious characteristics may: (a) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (b) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed, or otherwise managed. This definition includes all solid wastes defined as "hazardous wastes" by the Board of Natural Resources under Chapter 391-3-11 of the "Rules of Georgia Department of Natural Resources, Environmental Protection Division (as amended).

Heavy industry: means an existing or proposed industrial use, operation, or process which creates excessive noise, odor, smoke, or dust, or that may possess other objectionable characteristics which may be detrimental to, or incompatible with, surrounding properties and neighborhoods.

Height: shall mean, when referring to a tower or other structure, the distance measured from ground level to the highest point on the tower or other structure, even if said highest point is an antenna.

Highway: A street or traffic way serving as and designated as a State or United States route.

Home occupation: Accessory use of a dwelling unit involving the manufacturing of goods or services for a charge, fee or other compensation meeting the criteria set forth in this Code.

Hotel/motel: means a building, or portion thereof, or a group of buildings, which provides sleeping accommodations in six or more separate units or rooms for transients on a daily, weekly, or similar short-term basis. Where such establishment is permitted as a primary use, all uses customarily accessory thereto for the comfort, accommodation, and entertainment of patrons, including restaurants, but not including bars, taverns, and nightclubs unless specifically permitted, shall be permitted.

### I

## Article 2, Interpretations, Terms, and Definitions Hancock County, GA, Land Development Code

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**Impervious surface:** means any area of land where the surface has been compacted to 98 percent or more, or has been covered with a layer of material (asphalt, concrete, brick, or a structure containing a solid roof, floor, pad, or foundation) that is similarly resistant to permeation by water.

**Industrialized building:** means any structure or component thereof which is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly and installation on a building site, and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof.

**Industrialized home:** see “modular or industrialized home.”

**Intra-family land transfer:** A division of land within one or more specified land use districts that creates at least one additional lot but not more than four additional lots, each of which is not less than one acre nor more than five acres in size, where each and every lot within the subdivision is conveyed to the children, spouse and children, surviving heirs, in-laws, or immediate relatives of the property owner, or some combination thereof, and where no more than one (1) lot in the subdivision is deeded to any one individual. This definition shall not include or authorize any land subdivision that involves or will involve the creation of lots for sale or otherwise involves a property transfer for money, tangible or intangible personal property, real property exchanges, or other conveyances for consideration.

### J

**Junkyard:** A place of business primarily engaged in the storage, sale, dismantling, or other processing of uses or waste materials which are not intended for reuse in their original forms. Typically uses include metal salvage yards, used tire storage yards, or retail and/or wholesale sales of used automobile parts and supplies.

### K

**Kennel:** means an establishment, other than an animal shelter, where dogs or cats or other domestic animals are maintained for boarding, holding, training, or similar purposes for a fee or compensation.

### L

**Land development:** See Article \_\_\_\_ (Subdivision and Land Development Requirements.)

**Landfill:** means an area of land on which or an excavation within which solid waste is placed for disposal and which is not a land application unit, surface impoundment, injection well, or compost pile.

**Landscaping:** The modification of the landscape for an aesthetic or functional purpose. The area within the boundaries of an individual lot that includes the preservation of existing vegetation and the continued maintenance thereof, as well as, the installation of trees, shrubs, ground covers, grass, and flowers. Landscaping areas may also include decorative rock, bark, mulch and other similar approved materials in addition to vegetation and live plant material.

**Land-disturbing activity:** Any activity which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices as described in this Ordinance.

**Light industry:** means any industrial business or operation that does not satisfy the definition of a heavy industry contained in this chapter.

**Livestock:** means all animals of the equine, bovine, or swine class, including goats, sheep, mules, horses, hogs, cattle, and other grazing animals, customarily raised or kept on farms for commercial purposes generally confined to food production or labor.

**Lot:** A parcel of land designated by number or other symbol as part of a legally approved and recorded subdivision or as described by metes and bounds and recorded in the office of the Clerk of McDuffie County Superior Court.

## Article 2, Interpretations, Terms, and Definitions Hancock County, GA, Land Development Code

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Lot, corner: A lot abutting upon two or more streets at a corner; a lot abutting upon two or more streets at their intersection or upon two parts of the same street forming an interior angle of less than 135 degrees. The point of intersection of the street lines or of the street lines as extended is the corner.

Lot, double frontage: A lot, other than a corner lot, abutting upon two or more streets. A corner lot shall be considered having double frontage if it has access on three or more sides or shows access to two streets parallel to one another.

Lot, flag: An interior lot, located behind another lot, which has a narrow strip of land not less than 20 feet in width for its entirety that runs along one side of the front lot to provide access to the public street. A panhandle or pipe stem lot is considered a flag lot.

Lot, width: The distance between the side lot lines at the setback line as measured along a straight line parallel to the front lot line or parallel to the front lot lines or parallel to the chord thereof

### **M**

Manufactured home: means a structure, transportable in one (1) or more sections, which, when each section is in the traveling mode, is eight (8) feet or more in body width or 40 feet or more in length or, when erected on site is 320 or more square feet, built on a permanent chassis and designed to be used as a single family dwelling with or without a permanent foundation. Manufactured homes are equipped with the ability to connect to the required utilities, to include plumbing, heating, air-conditioning, and electrical systems contained therein and manufactured after June 15, 1976; or a structure that otherwise comes within the definition of a "manufactured home" under the National Manufactured Housing Construction and Safety Standards Act 1974, as amended (U.S.C. 5401-5445). Manufactured homes are constructed in factories and must comply with the codes created by the Department of Housing and Urban Development.

Manufactured home park: means any lot where manufactured homes are customarily parked for a longer period of time than 30 days for living or sleeping purposes, or where spaces are set aside and offered for rent for use by manufactured homes for living or sleeping purposes, including any land, building, structure, or facility used by occupants of manufactured homes on such premises. Manufactured home parks must comply with the specific requirements for such parks as delineated in article \_\_\_\_, section \_\_\_\_\_.

Marina: A facility for the mooring, berthing, storing, or securing of watercraft, and which may include boat sales, boat fuel sales, boat construction, boat repair, marine equipment sales, boat and jet ski rental, and other uses clearly incidental to watercraft activities.

Metes and bounds: surveyor's description of a parcel of real property, using measured distances, angles and directions.

Mining: All or any part of the process involved in the mining of aggregates and/or minerals by removing overburden and mining directly from the mineral deposits, open pit mining or minerals naturally exposed, mining by auger methods, dredging, and quarrying, underground mining, and surface work incidental to such activities. See also the term, "extraction."

Minor (as applied in the Land Development Code): means any person who has not attained the age of 18 years.

Mixed use building: A building designed, planned and constructed as a unit, used partially for residential use and partially for office, personal service, retail, entertainment or public uses. This term includes live-work units, which are jointly used for commercial and residential purposes but where the residential use of the space is secondary or accessory to the primary use as a place of work.

Mixed use development: See "Planned Unit Development (PUD)."

Mobile home: see "manufactured home."

Model home: means a principal residential building or dwelling unit, temporarily open to viewing by prospective homebuyers or lessees, on property containing or proposed to contain a residential development or subdivision, and which may also be used temporarily as real estate sales office for lots or dwelling units within the development or subdivision.

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Modular or Industrialized home: means a factory fabricated transportable building consisting of units designed to be incorporated at a building site on a permanent foundation resulting in a permanent structure to be used for residential purposes and which bears a seal of compliance with regulations of the Southern Building Code or the Georgia Industrialized Building Act. Such structures are generally characterized as having wood floor joists, transported to the site on a flatbed trailer, placed by crane on an unbroken perimeter foundation and perimeter footing.

Motel. See definition of "hotel."

### N

Neighborhood shopping center: means a shopping facility comprised primarily of retail and service enterprises selling or providing standard convenience goods and services. Such a facility is intended to serve immediately adjacent residential neighborhoods. The maximum gross floor area for this scale of development shall be 40,000 square feet.

Net density: means an expression of a common measure indicating the ratio of the total developable land area of a proposed development project divided by the number of buildable lots or residential dwelling units. Total developable land area is the total land area of the proposed development site, less land dedicated for public improvements, areas of common use, or areas of sensitive natural resources.

Non-conforming building: A building or structure that does not meet one or more height, setback, building coverage, or other dimensional requirements for the zoning district in which said building or structure is located (or if within an overlay zone that establishes dimensional requirements for buildings and such overlay zone provisions are controlling, does not meet one or more of such dimensional requirements for the overlay zone in which said building or structure is located); or a building or structure occupied by a use subject to the provisions of Code, and which does not meet one or more height, setback, building coverage, or other dimensional requirements of this Code for said specific use.

Non-conforming Lot: defined as a lot of record which legally existed prior to the adoption of this Land Development Code but which, due to the adoption of this Land Development Code, does not conform to the minimum access, frontage, lot size, lot width, or other lot requirements of the zoning district or overlay zone in which the lot is located as established by this Ordinance; or a lot of record lawfully established after the effective date of this Land Development Code which, due to an amendment to this Land Development Code, does not conform to the minimum access, frontage, lot size, lot width, or other lot requirements of the zoning district or overlay zone in which the lot is located.

Non-Conforming use: A use or activity that: was lawfully established prior to the adoption of this Land Development Code, but which, by reason of such adoption or amendment, is no longer a use or activity permitted by right in the zoning district in which said use or activity is located (or if within an overlay zone that establishes use restrictions and such overlay zone uses are controlling, is no longer a use or activity permitted in the overlay zone in which said use is located) as established in this Land Development Code; or a use or activity that was lawfully established prior to the amendment of this Land Development Code, but which, by reason of such amendment, is no longer a use or activity permitted by right in the zoning district in which said use or activity is located (or if within an overlay zone that establishes use restrictions and such overlay zone uses are controlling, is no longer a use or activity permitted in the overlay zone in which said use is located) as established in this Land Development Code or an amendment thereto.

Nursing home: An extended or intermediate skilled care facility licensed by the state of Georgia to provide continuous medical supervision to individuals who by reason of advanced age, chronic illness or infirmity, are unable to care for themselves. Nursing homes maintain the services and facilities for skilled nursing and rehabilitative care, which includes the availability of a physician and dentist for emergency care. Nursing home facilities do not include boarding houses and group residences.

### O

O.C.G.A.: Official Code of Georgia Annotated.

Open-air business: means any commercial establishment with the principal use of displaying products in an area exposed to open air on three (3) or more sides of the property, including but not limited to rock yards, nurseries, garden centers or supply stores, landscaping companies, lumber and building material yards, statuary and monument sales, or other similar merchandise.

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Open space: means a yard area which is not used for or occupied by a dwelling, driveway, off-street parking lot, loading space, drying yard, or refuse storage space.

Outdoor: Not located within a building as defined in this Article.

Outdoor firearm training and sports facilities: means facilities designed and specifically designated for training, shooting practice, and competition with firearms, whether open to the public, open only to private membership, open to organizational training, or any combination thereof.

Overlay zoning district: means a special zoning district that is superimposed over one or more general zoning districts to create an additional set of requirements that must be satisfied by all land development activities in order to protect certain special resources.

### P

Parking space: A space identified and set aside for the temporary parking of an automobile or other motor vehicle.

Parking lot, off-site: A parcel of land or portion thereof principally used for the parking or storage of motor vehicles whether or not a fee is paid for parking, not located on the same site as the destination of the motor vehicle operator.

Parking-Mounted Solar Collection System: A solar energy system that is installed above a paved surface vehicle parking area. Parking-mounted systems may cover any amount of parking spaces on a parcel but may not be installed in such a way that prevents the use of more than 10 percent of existing spaces. A system mounted on top of a parking garage would be considered a building-mounted system.

Passenger car: Every motor vehicle, except motor driven cycles, and low-speed vehicles, designed for carrying ten passengers or less and used for transportation of persons.

Personal Care Home: means any dwelling, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food service, and one or more personal services for two or more adults who are not related to the owner or administrator by blood or marriage, as defined in O.C.G.A. § 31-7-12, as amended. The term "personal care home" does not include the following categories: "childcare institution", "transitional housing", "rehabilitation house facility", a "rooming house" or a "boarding house."

Place of worship: A building or structure, or group of buildings or structures, regularly utilized for assembly for the purpose of public religious worship, and including all accessory buildings and uses customarily associated with such primary purpose.

Planned unit development (PUD): means an area of land controlled by a landowner, to be developed as a single entity for a number of dwelling units, and commercial and industrial uses, if any, the plan for which does not correspond in lot size, bulk, or type of dwelling or commercial or industrial use, density lot coverage and required open space to the regulations established in any one or more districts created under this chapter.

Professional: When used in connection with "use," "office," and "occupancy," a use or occupancy by persons generally engaged in rendering personal, executive, or administrative services or activities, including but not limited to accountants, architects, engineers, land surveyors, doctors, lawyers, insurance offices, real estate offices, religious organizations, stockbrokers, and administrative agencies considered professional in character. Occupations that are considered professional in nature typically are represented by national organizations which promulgate ethical codes and standards of conduct for persons employed in that trade. These national organizations also provide a forum for exchange of ideas and may issue licenses for persons practicing the professional trade. This term does not include repairs or sales of tangible personal property stored or located on the premises or any use which would create any loud noise, noxious odors, hazardous wastes, or air emissions.

Public right-of-way: Roadway surface being used by the traveling public and/or proposed to be used by the traveling public, being paved or unpaved, being either existing or proposed alleys, roadways, stub-outs, cul-de-sacs, etc.

### Q

## Article 2, Interpretations, Terms, and Definitions Hancock County, GA, Land Development Code

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Quarry: See "Mining."

### R

Real property: all land, structures, firmly attached and integrated equipment (such as light fixtures or a well pump), anything growing on the land, and all "interests" in the property which may be the right to future ownership.

Recreational vehicle: A vehicle that is designed for human occupancy on a temporary basis, which may or may not have motive power. The term recreational vehicle is described in the following two categories:

a) Accessory recreational vehicle: refers to all non-motorized vehicles to be utilized for human occupancy on a temporary basis, which may include vacation trailers and fifth wheel trailers; also, off road vehicles like dune buggies, ATVs, and watercrafts. A camper is categorized as an accessory vehicle when standing alone.

b) Motor Home: includes those vehicles not exceeding 400 square feet or less as measured at the largest horizontal projection, may be towed with a light duty truck or self-propelled and are designed for recreational or seasonal use. When a motor home is attached to a light duty truck it is categorized as a motor home, however, once the motor home is detached from the light duty truck it is then categorized as a "camper." Motor homes are not designed for permanent human dwelling.

Recycling center: Any facility utilized for the purpose of collecting, sorting and processing materials to be recycled, including but not limited to, plastics, glass, paper and aluminum materials.

Regional shopping center: means one or more commercial structures and associated lands designed as a unit that contains at least 350,000 net square feet of floor area or will accommodate at least 30 retail and/or service establishments, one or more of which caters to a broad consumer market and serves as a market "anchor" for the other businesses in the center. Such a facility is intended to primarily serve the residents of McDuffie County and surrounding counties.

Residential child care facility: means an institution, society, agency, or facility providing full-time care for children outside of their own homes, including temporary shelters or other facilities for children and their families or portions thereof. This term shall include "child-caring institutions," as defined in the Georgia Children and Youth Act (Ga. Code 49-5-1), but shall not include foster family homes.

Restaurant – drive-in: Establishment which accommodates customers placing orders and being served food and beverages without having to depart the automobile. A drive in restaurant may also cater to customers who order and consume food within the establishment.

Restaurant – fast food: Establishment in which the principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready-to-consume state for consumption either within the restaurant building or off-premises.

Restaurant – full service: Establishment in which the principal business is the sale of food and beverages to customers in a ready-to-consume state, and in which customers are served their food/beverages by a restaurant employee at a table or counter at which the food/beverage is consumed, or customers are served their food and beverages by means of a cafeteria-type operation where food and beverages are consumed within the restaurant building. This definition includes cafeteria, coffee shops, taverns, pubs, and sidewalk cafes.

Retail use: Any business offering goods and products for sale to the public, which may include the incidental repair of such goods and products, that operates entirely within a building except for outdoor display. Specific land uses that may otherwise meet the definition of retail use but are independently listed within the tables of permitted and conditional uses provided within this Code shall not be considered as a retail use by this definition.

Right of way: a public road or public way that is accepted by the governing body.

Riverine: Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

## Article 2, Interpretations, Terms, and Definitions Hancock County, GA, Land Development Code

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### S

Salvage yard: See "Junkyard."

Screening: A method of visually shielding or obscuring one abutting or nearby building, structure, or use from another by fencing, walls, berms, densely planted vegetation, or some combination thereof, according to specifications of this Ordinance.

Setback: A line establishing the minimum allowable distance between the front wall of a building a principal building and the street right-of-way line or a side or rear building wall and a side or rear property line when measured perpendicularly thereto.

Shooting range: see "outdoor firearm training and sports facilities."

Site-built: See "Conventional construction."

Solar Energy System: A system capable of collecting and converting solar radiant energy (through direct, diffuse, and/or reflective collection) into heat, mechanical, or electrical energy and transfers the produced electricity in to a separate apparatus to store or to a point of use which include, but are not limited to water heaters, interior space heaters or coolers, or electrical energy generation. Solar energy systems primarily consist of solar collection devices and mechanical equipment related to solar energy (transformers, inverters, etc.)

Solar Energy System, Principal (PSES): A solar energy system which is the principal or primary use on a single lot or parcel which is used to collect and convert solar energy into usable electricity using on-site equipment for the primary purpose of transmitting electricity off-site to be used by an electric utility. These systems include all uses defined by the North American Industry Classification System (NAICS) under code 221114 which includes solar farms.

Solar Energy System, Accessory (ASES): A solar energy system that is an accessory use to the principal use of a property, meaning it is incidental to the principal use and is subordinate in area or purpose. Accessory systems may be roof-mounted, ground-mounted or parking-mounted.

Solid waste: means any solid refuse materials generated by residential, commercial, industrial, or institutional uses for disposal.

Solid waste facility: means any land or structure used for the long-term disposal, storage, transfer, collection, treatment, utilization, processing, incineration, or any combination thereof, of solid waste. This definition shall include inert waste landfills, private industry landfills, municipal solid waste landfills, composting facilities, medical waste or biomedical incinerators, and hazardous waste treatment, storage, or disposal facilities.

Special event facility: A facility or assembly hall available for lease by private parties for special events including but not limited to weddings, birthdays, reunions, anniversaries, and the like.

Special temporary outdoor event: means an intermittent event accessory to the normal daily activities of a business or organization, or any temporary event conducted by a civic, philanthropic, educational or religious institution. Special temporary outdoor events include a wide variety of activities such as grand opening, closeout, or seasonal sales, fund raising or membership drives, carnivals, circuses, festivals, and other similar events.

Street: A dedicated and accepted right-of-way for vehicular traffic. Includes but is not limited to highway, thoroughfare, lane, road, boulevard, way, place, court, trail or otherwise.

Street width: shortest distance between the lines delineating the traveling surface of a street. For streets with curbs, the width is measured from the edge of pavement.

Structure: Anything built, constructed or erected, or established or composed of parts joined together in some definite manner, the use of which requires location on the ground or which is attached to something having permanent location on the ground. For purposes of this Land Development Code, parking decks, swimming pools, tennis courts, signs, dog houses, and outdoor fenced animal runs are considered structures. Tents, vehicles, trailers, and play equipment attached to the ground in some permanent or temporary way shall be considered structures. A structure may or may not be easily moved from a given location

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on the ground. Walls and fences are considered structures but are subject to setback regulations for walls and fences rather than principal or accessory building setback regulations. Driveways, parking lots, patios, and other similar surface treatments not utilizing vertical components are not considered structures.

Structure – temporary: means a structure which is permitted within a land-use district without any foundation or footing and which is removed when the designated time period, activity or use for which the temporary structure was erected has ceased.

Subdivider: Any person, individual, firm, partnership, association, corporation, estate, trust, or any other group or combination acting as a unit, dividing or proposing to divide land so as to constitute a subdivision. This definition includes any authorized agent.

Subdivision: See Article \_\_\_\_ (Subdivision and Land Development Requirements.)

Substantial improvement: means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either: (a) before the improvement or repair is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. When used in the context of the Flood Hazard Area Overlay District, substantial improvement is considered to occur when first alteration of any wall, ceiling, floor, or other structural part of the structure commences, whether or not the alteration affects the external dimensions of the structure. The term does not, however, include either: (a) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications, which are solely necessary to assure safe living conditions; or (b) any alteration of a structure listed on the National Register of Historic Places.

### T

Tenant house: means a single-family residential dwelling which is leased by a private farming entity for migrant, or other agricultural workers for the purpose of providing temporary housing where agricultural labor is in demand.

Tower: shall mean any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, and the like.

Townhouse: See “single-family (attached).”

Transmission tower: means a structure situated on a site that is intended for transmitting or receiving telecommunications signals, including, but not limited to, television, radio, and telephone signals.

Transitional Center (Halfway House): means a licensed, temporary, residential living arrangement for persons leaving an institutional setting or initially placed in lieu of more restrictive custodial confinement, wherein supervision, rehabilitation (including, but not limited to drug rehabilitation), and counseling are provided from support staff who are present whenever residents are present, in order to mainstream residents back into society, enabling them to live independently. For the purpose of this code, a transitional center may be classified as a group residence or boarding house depending on the scope of living arrangements.

Travel trailer park: means any lot on which are temporarily parked two (2) or more travel trailers for a period of less than 30 days.

### U

Unified development: A single commercial, industrial, or institutional property that is designed or intended for occupancy by two (2) or more related uses, businesses or tenants; or a residential subdivision, or multi-unit residential development.

Use – accessory: Use incidental and subordinate to the principal use.

Use – principal: Primary purpose or function that a lot serves or is proposed to serve and conducted in the principal building.

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Use – temporary: Use established for a fixed period of time with the intent to discontinue such use upon the expiration of a time period unless permission to continue is use is renewed.

### V

Variance: means a request for and/or the granting of relief from any of the dimensional requirements of the land development code. Requests for variances include, but are not limited to a request for reduced setbacks, reduced road frontage, reduced minimum lot size, reduced number of parking spaces.

Variance, administrative: request for and/or the granting of relief from any of the dimensional requirements of the land development code by the Land Development Officer. Requests for variances include, but are not limited to a request for reduced setbacks, reduced road frontage, reduced minimum lot size, reduced number of parking spaces. The Land Development Officer can only grant minor relief from the aforementioned dimensional requirements.

### Y

Yard: means a space on the same lot with a main building, such space being open, unoccupied and unobstructed by buildings or structures from ground to sky except where encroachments and accessory buildings are expressly permitted.

Yard, front: means an open, unoccupied space on the same lot with the main building, extending the full width of the lot and situated between the right-of-way line and the front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line of the building and the right-of-way line. Covered porches, whether enclosed or unenclosed, shall be considered as part of the main building and shall not project into a required front yard. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

Yard, rear: means an open space on the same lot with the main building, such space being unoccupied except possibly by an accessory building and extending the full width of the lot and situated between the rear line of the lot and the rear line of the main building projected to the side lines of the lot. On all corner lots, the rear yard shall be at the opposite end of the lot from the front yard.

Yard, side: means an open, unoccupied space on the same lot with a main building, situated between the side line of the building and the adjacent side line of the lot extending from the rear line of the front yard to the front line of the rear yard. If no front yard is required the rear boundary of the side yard shall be the rear line of the lot. On corner lots, the side yard shall be considered as parallel to the street upon which the lot has its greatest dimension.

Yard sale: means a sale, open to the public, of new, used, or previously owned personal property; including but not limited to goods, wares, merchandise and clothing, held on vacant property or on the lawn, yard, porch, patio or other out-building of a single-family dwelling or other residence. The term “yard sale” shall also include garage sale, rummage sale, tag sale, or other similar activity.

### Z

Zoning: In order to regulate the location of structures, the height and bulk of structures, the use and intensity of use of lots and structures, and to regulate open spaces and aesthetics, the City is divided into zoning districts which are individually described in this Ordinance. Those districts are set forth in Article 3 of this Ordinance from lowest to highest intensity.

Zoning decision: means the final legislative action by the board of commissioners which results in: (a) the adoption of a zoning ordinance; (b) the adoption of an amendment to a zoning ordinance which changes the text or map of the zoning ordinance; (c) the adoption of an amendment to a zoning ordinance which rezones property from one zoning classification to another; or, (d) the grant or denial of a special exception or variance.

Zoning District – Base: Zoning district that emphasizes the placement of prescribed land use to specific parcels within the city, and may include a varying degree of supplemental dimensional and design requirements applicable to individual land uses. Base zoning districts are illustrated in on the “Official Zoning Map of Hancock County, Georgia” and may alternatively be referred to throughout this chapter simply as a “base district.”

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Zoning District – Overlay: Zone which imposes a set of requirements or relaxes a set of requirements imposed by the underlying zoning district when there is a special public interest in a particular geographic area that does not coincide the underlying zone boundaries

Zoning District - Special: A zoning district which provides for a set of requirements that are unique to an individual tract of land, and replaces in full, the requirements of the base zoning district.

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