

**ZONING ORDINANCE
AMENDMENT:
AMD-2008-002**

Ordinance Number: AMD-2008-002

A RESOLUTION/ORDINANCE TO AMEND ARTICLE V, SECTION 500, SECTION 501, SECTION 501A, SECTION 502, SECTION 502A, AND SECTION 512.2 OF THE CITY OF SUWANEZ ZONING ORDINANCE AMENDING THE SINGLE FAMILY AND DUPLEX RESIDENTIAL DISTRICTS TO REQUIRE A SPECIAL USE PERMIT FOR LARGE DEVELOPMENT/PROJECTS THAT EXCEED CERTAIN THRESHOLDS; AND OTHER PURPOSES

WHEREAS, the Mayor and Council of the City of Suwanee have adopted and enacted the 1998 Zoning Ordinance of the City of Suwanee, Georgia in order to promote the health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of the City of Suwanee; and

WHEREAS, the City of Suwanee Zoning Ordinance provides rules, regulations, requirements and standards for various land uses within the City of Suwanee; and

WHEREAS, the City of Suwanee received input during the update of the Comprehensive Plan that the character is established residential areas should be preserved; and

WHEREAS, the City of Suwanee seeks to preserve the residential character of single family residential areas and protect these areas from potential adverse impacts including but not limited to noise, sound, odor, removal of natural vegetation, lights and traffic, associated with large development/projects; and

WHEREAS, the Mayor and Council of the City of Suwanee find that the City of Suwanee Zoning Ordinance serves to promote the health, safety, morals, convenience, order, prosperity or the general welfare of the present and future inhabitants of the City of Suwanee; lessen congestion in the streets; secure safety from fire, panic and other danger; provide adequate light and air; prevent the overcrowding of land, avoid both undue concentration of population and urban sprawl; facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; protect property against blight and depreciation; encourage the most appropriate use of land, buildings and other structures throughout the City; secure economy in government expenditures; and other purposes; and

WHEREAS, the Mayor and Council find that certain amendments to the Residential Single-Family Districts, Single-Family Residential District, Residential Multi-Family Duplex District, and the Infill Residential District directly affect and benefit the public health, safety, welfare and property values.

WHEREAS, the Mayor and Council find that the attached amendment accomplishes said goals; and

WHEREAS, notice of said amendment has been duly advertised as required by local rules and State laws in the City's legal organ; and

WHEREAS, a duly advertised public hearing was held on _____, 20__ by the Suwanee City Council; and

NOW THEREFORE, be it ordained and resolved and it is hereby resolved by the Mayor and Council of the City of Suwanee this the ___ day of _____, 20__, that the City of Suwanee Zoning Ordinance, specifically Article V, Section 500, Section 501, Section 501A, Section 502, Section 502A, Section 512.2. Definitions, Section 512, and Article XXI Amendments presented on the following Attachment "A", which is adopted and herein incorporated by reference is hereby approved, except that any project, which has applied for or obtained a building permit, development permit, or rezoning for the stated purpose of constructing a large development/project within a residential single-family district, prior to February 29, 2008 shall be considered a legal non-conforming use and is specifically exempted from the said requirements.

SUWANEE CITY COUNCIL, A
GEORGIA MUNICIPAL
CORPORATION

By:

Dave Williams, Mayor

By:

Jimmy Burnette, Mayor Pro Tem

ATTESTED TO BY:

Elvira Rogers, City Clerk

By:

Jace Brooks, Councilmember

APPROVED AS TO FORM BY:

By:

Dan Foster, Councilmember

Gregory D. Jay, City Attorney
Chandler & Britt, LLC

By:

Kevin McOmber, Councilmember

By:

Jeanne Rispin, Councilmember

Exhibit "A"

Additions = Bold

Delections = strikethrough

ARTICLE V
ZONING DISTRICT DEVELOPMENT AND USE REGULATIONS

SECTION 500. R-140 Residential Single-Family District.

This Zoning District is intended primarily for Single-Family Dwellings and related uses.

A. PERMITTED USES.

Within the R-140 Zoning District, the following uses are permitted:

1. Accessory Buildings, and Uses, Customary, provided that:
 - a. The building, structure or use complies with Section 604 of this Ordinance.
 - b. A swimming pool is completely enclosed by a fence or wall at least four (4) feet in height, but not over eight (8) feet in height. The fence or wall shall be equipped with self-closing and self-latching gates. Openings in the fence or wall shall not permit the passage of a six (6") inch diameter sphere.
 - c. An accessory building, to include a guest house, a relative residence, a garage, a storage building, etc., shall not exceed 800 square feet of gross floor area.
 - d. A relative residence contained within a Single Family Dwelling shall not exceed 800 square feet of gross floor area; the real property owner must live in the Single Family Dwelling; relatives must be by blood, marriage or law; access to the relatives living area shall be required from the interior of the dwelling although secondary access to the exterior of the dwelling is permissible; and, paved off-street parking shall be provided for additional vehicles as needed.
 - e. Any accessory building exceeding two hundred (200) square feet shall have an exterior finish consistent with the primary residence.
2. Cemeteries, Existing.
3. Churches, provided:
 - a. The lot abuts upon an Arterial or Collector Street or State Highway.
 - b. The lot is at least 3 acres in size.
 - c. All buildings are located at least 50 feet from all property lines.
 - d. A buffer at least 10 feet wide is provided along the side and rear property lines, planted with evergreen trees and shrubs that grow at least 8 feet tall and provide an effective visual screen.
4. Community Clubs or Associations, Private, provided:
 - a. All buildings are located at least 100 feet from any property line.

5. Golf Courses and Country Clubs, Private, provided:
 - a. All buildings are located at least 100 feet from any property line.
6. Family Day Care.
7. Home Occupations.
8. Industrialized Homes.
9. Livestock - Cows, Goats and Horses.
The raising and keeping of cows, goats and horses, provided:
 - a. The lot is at least 4 acres in size.
 - b. All structures, pens or corrals housing the animals are located at least 50 feet from any property line.
 - c. All structures, pens or corrals housing the animals are located at least 100 feet from an adjoining property's principal dwelling.
 - d. No more than 2 horses or cows per acre shall be kept on the lot.
 - e. No more than 4 goats per acre shall be kept on the lot.
10. Neighborhood Recreation Centers, provided:
 - a. All buildings are located at least 100 feet from any property line.
11. Parks, Private, provided:
 - a. All buildings are located at least 100 feet from any property line.
12. Public Buildings or Uses.
13. Schools, Public or Private offering general education courses, excluding business or trade schools.
14. Single Family Dwellings.
15. Stables, Private, provided:
 - a. The lot is at least 4 acres in size.
 - b. All structures, pens or corrals housing the animals are located at least 50 feet from any property line.
 - c. All structures, pens or corrals housing the animals are located at least 100 feet from an adjoining property's principal dwelling.
 - d. No more than two horses or cows per acre shall be kept on the lot.
 - e. No more than four goats per acre shall be kept on the lot.
16. Swimming and Tennis Clubs, Private, provided:
 - a. All buildings shall be located at least 100 feet away from any property line.

B. PERMITTED SPECIAL USES.

Within the R-140 Zoning District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Planning Commission and after a public hearing:

1. Barber Shop in a Single Family Dwelling as a Home Occupation.
2. Beauty Parlor in a Single Family Dwelling as a Home Occupation.
3. **Large Development/Project.** **Projects that are Permitted Uses within this district, but exceed the thresholds below are subject to special use permit review:**
 - a. **Building(s) that have a gross cumulative building size exceeding 20,000 square of enclosed heated or unheated floor area; and/or**
 - b. **Any project with a cumulative land disturbance exceeding 5 acres; and/or**
 - c. **Any development that creates a residential subdivision exceeding 7 lots.**
4. Day Care Center, provided:
 - a. The lot abuts upon a Major or Collector Street or a State Highway.
 - b. A circular drive for off-street loading and unloading of children is provided.
 - c. If a Special Use Permit is approved, comply with all State Day Care requirements and Health regulations.
6. Farming and Horticulture, General.
7. Group Day Care, provided no more than 12 individuals are kept.
8. Kindergartens and Playschools, provided:
 - a. The lot abuts upon a Major or Collector Street or a State Highway.
 - b. At least 35 square feet of indoor play area for each child at maximum enrollment is provided.
 - c. At least 100 square feet of outdoor play area for each child at maximum enrollment is provided.
 - d. The outdoor play area is enclosed by a fence at least 4 feet in height but not over 8 feet in height.
 - e. A circular drive for off-street loading.
 - f. If a Special Use Permit is approved, comply with all State Day Care requirements and Health regulations.
9. Livestock - Cows, Goats and Horses.
The raising and keeping of cows, goats and horses, provided:
 - a. The lot is at least 2 acres in size.
 - b. All structures, pens or corrals housing the animals are located at least 50 feet from any property line.
 - c. All structures, pens or corrals housing the animals are located at least 100 feet from an adjoining property's principal dwelling.
 - d. A fenced buffer at least 10 feet wide is provided along all property lines, except abutting a public street. The fence shall not exceed 8 feet in height.
 - e. No more than 2 horses or cows per acre shall be kept on the lot.
 - f. No more than 4 goats per acre shall be kept on the lot.
10. Public Utility Facilities.
If essential to service this Zoning District, power substations and gas regulator stations are permitted, provided:

- a. All structures, except for driveways, are placed 50 feet from any property line.
- b. All structures, except for driveways, are enclosed by a wall or woven wire fence at least but not greater than 8 feet in height.
- c. A 10-foot buffer is provided along the side and rear property lines, planted with evergreen trees and shrubs that grow at least 8 feet in height and provide an effective visual screen.
- d. The lot is suitably landscaped.
- e. No vehicles or equipment are stored on the premises.

C. DISTRICT DEVELOPMENT REGULATIONS.

1. Minimum Lot Size.
 - a. 30,000 square feet.
 - b. Not less than 50% of the required lot size shall be above the Base Flood elevation.
2. Minimum Lot Width.
 - a. 140 feet, except abutting a cul-de-sac or half cul-de-sac.
 - b. 100 feet abutting cul-de-sacs or half cul-de-sacs.
3. Minimum Road Frontage.
 - a. 40 feet.
4. Minimum Yard Abutting a Public Street.
 - a. 50 feet.
5. Minimum Side Yard.
 - a. 10 feet.
6. Minimum Rear Yard.
 - a. 40 feet.
7. Maximum Height.
 - a. 35 feet.
8. Street Rights-of-Way.
 - a. 50 feet if in the interior of a Subdivision.
 - b. Other streets - as determined by the Thoroughfare Plan.
9. Minimum Floor Area.
 - a. 1,250 square feet.

SECTION 501. R-100 Residential Single Family District.

This Zoning District is intended primarily for Single-Family dwellings and related uses.

A. PERMITTED USES.

Within the R-100 District, the following uses are permitted:

1. Accessory Buildings, Structures and Uses, Customary, provided that:
 - a. The building, structure or use complies with Section 604 of this Ordinance.
 - b. A swimming pool is completely enclosed by a fence or wall at least four (4) feet in height, but not over eight (8) feet in height. The fence or wall shall be equipped with self-closing and self-latching gates. Openings in the fence or wall shall not permit the passage of a six (6") inch diameter sphere.
 - c. An accessory building, to include a guest house, a relative residence, a garage, a storage building, etc., shall not exceed 800 square feet of gross floor area.
 - d. A relative residence contained within a Single Family Dwelling shall not exceed 800 square feet of gross floor area; the real property owner must live in the Single Family Dwelling; relatives must be by blood, marriage or law; access to the relatives living area shall be required from the interior of the dwelling although secondary access to the exterior of the dwelling is permissible; and, paved off-street parking shall be provided for additional vehicles as needed.
 - e. Any accessory building exceeding two hundred (200) square feet shall have an exterior finish consistent with the primary residence.
2. Cemeteries, Existing.
3. Churches, provided:
 - a. The lot abuts upon an Arterial or Collector Street or State Highway.
 - b. The lot is at least 3 acres in size.
 - c. All buildings are located at least 50 feet from all property lines.
 - d. A buffer at least 10 feet wide is provided along the side and rear property lines, planted with evergreen trees and shrubs that grow at least 8 feet tall and provide an effective visual screen.
4. Community Clubs or Associations, Private, provided:
 - a. All buildings are located at least 100 feet from any property line.
5. Golf Courses and Country Clubs, Private, provided:
 - a. All buildings are located at least 100 feet from any property line.
6. Family Day Care.
7. Home Occupations.
8. Industrialized Homes.
9. Neighborhood Recreation Centers, provided:
 - a. All buildings are located at least 100 feet from any property line.
10. Parks, Private, provided:
 - a. All buildings are located at least 100 feet from any property line.
11. Public Buildings or Uses.

12. Schools, Public or Private offering general education courses, excluding business or trade schools.
13. Single Family Dwellings.
14. Swimming and Tennis Clubs, Private, provided:
 - a. All buildings shall be located at least 100 feet away from any property line.

B. PERMITTED SPECIAL USES.

Within the R-100 Zoning District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Planning Commission and after a public hearing:

1. Barber Shop in a Single Family Dwelling as a Home Occupation.
2. Beauty Parlor in a Single Family Dwelling as a Home Occupation.
3. Day Care Center, provided:
 - a. The lot abuts upon a Major or Collector Street or a State Highway.
 - b. A circular drive for off-street loading and unloading.
 - c. If a Special Use Permit is approved, comply with all State Day Care requirements and Health regulations.
4. Farming and Horticulture, General.
5. Group Day Care, provided no more than 12 individuals are kept.
6. Kindergartens and Playschools, provided:
 - a. The lot abuts upon a Major or Collector Street or a State Highway.
 - b. At least 35 square feet of indoor play area for each child at maximum enrollment is provided.
 - c. At least 100 square feet of outdoor play area for each child at maximum enrollment is provided.
 - d. The outdoor play area is enclosed by a fence at least 4 feet in height but not over 8 feet in height.
 - d. A circular drive for off-street loading.
 - e. If a Special Use Permit is approved, comply with all State Day Care requirements and Health regulations.
7. Livestock - Cows, Goats and Horses.
The raising and keeping of cows, goats and horses, provided:
 - a. The lot is at least 2 acres in size.
 - b. All structures, pens or corrals housing the animals are located at least 50 feet from any property line.
 - c. All structures, pens or corrals housing the animals are located at least 100 feet from an adjoining property's principal dwelling.
 - d. A fenced buffer at least 10 feet wide is provided along all property lines, except abutting a public street. The fence shall not exceed 8 feet in height.
 - e. No more than 2 horses or cows per acre shall be kept on the lot.

- f. No more than 4 goats per acre shall be kept on the lot.
- 8. Public Utility Facilities.
If essential to service this Zoning District, power substations and gas regulator stations are permitted, provided:
 - a. All structures, except for driveways, are placed 50 feet from any property line.
 - b. All structures, except for driveways, are enclosed by a wall or woven wire fence at least but not greater than 8 feet in height.
 - c. A 10-foot buffer is provided along the side and rear property lines, planted with evergreen trees and shrubs that grow at least 8 feet in height and provide an effective visual screen.
 - d. The lot is suitably landscaped.
 - e. No vehicles or equipment are stored on the premises.
- 9. Bed and Breakfast Inns.
- 10. Large Development/Project. **Projects that are Permitted Uses within this district, but exceed the thresholds below are subject to special use permit review:**
 - a. **Building(s) that have a gross cumulative building size exceeding 20,000 square of enclosed heated or unheated floor area; and/or**
 - b. **Any project with a cumulative land disturbance exceeding 5 acres; and/or**
 - c. **Any development that creates a residential subdivision exceeding 7 lots.**

C. DISTRICT DEVELOPMENT REGULATIONS.

- 1. Minimum Lot Size.
 - a. 22,000 square feet for a septic tank lot.
 - b. 18,500 square feet for a sewered lot.
 - c. At least 50% of the required lot area shall be above the Base Flood elevation.
- 2. Minimum Lot Width.
 - a. 100 feet, except abutting a cul-de-sac or half cul-de-sac.
 - b. 85 feet abutting cul-de-sacs or half cul-de-sacs.
- 3. Minimum Road Frontage.
 - a. 40 feet.
- 4. Minimum Yard Abutting a Public Street.
 - a. 50 feet except abutting upon a subdivision street.
 - b. 35 feet where abutting upon a subdivision street.
- 5. Minimum Side Yard.
 - a. 10 feet.
- 6. Minimum Rear Yard.

- a. 40 feet.
- 7. Maximum Height.
 - a. 35 feet.
- 8. Street Rights-of-Way.
 - a. 50 feet if in the interior of a Subdivision.
 - b. Other streets - as determined by the Thoroughfare Plan.
- 9. Minimum Floor Area.
 - a. 1400 square feet.
- 10. No Mass Grading will be allowed. Grading shall be limited to street right-of-way, utility crossings, easements and detention facilities.

SECTION 501A. R-85 Residential Single Family District.

A. REPEALER.

The 1987 Zoning Ordinance of the City of Suwanee, Georgia, as amended, is hereby amended by striking in its entirety under Article V, Zoning District Development and Use Regulations, "Section 501A R-85 Residential Single Family District" as approved on July 17, 1990, subject to the conditions set further in Section 2.

B. SAVINGS CLAUSE.

This amendment shall not affect or apply to any R-85 Residential Single Family District existing on the effective date nor prohibit the continuance of the use of any land, building or structure for the purpose for which such land, building or structure is used at the time such amendment takes effect, but the alteration of, or addition to, any existing building or structure which expands upon such zoning is prohibited. If a nonconforming use has been discontinued or if upon such property no development permit, building permit, or certificate of occupancy has been issued on or before July 20, 1994, then such zoning classification shall revert to its pre-existing R-85 zoning classification.

C. **Existing R-85 Residential Single District property shall be subject to Large Development/Project requirements for a Special Use Permit as follows:**

Large Development/Project. Projects that are Permitted Uses within this district, but exceed the thresholds below are subject to special use permit review:

- a. **Building(s) that have a gross cumulative building size exceeding 20,000 square of enclosed heated or unheated floor area; and/or**
- b. **Any project with a cumulative land disturbance exceeding 5 acres; and/or**
- c. **Any development that creates a residential subdivision exceeding 7 lots.**

SECTION 502. RMD Residential Multi-Family Duplex District.

This Zoning District is intended primarily for duplexes and related uses, provided only one duplex is constructed on each lot of record.

A. PERMITTED USES.

Within the RMD Zoning District, the following uses are permitted:

1. Accessory Buildings, Structures and Uses in accordance with the provisions set forth in Section 604 of this Ordinance.
2. Cemeteries, Existing.
3. Churches, provided:
 - a. The lot abuts upon an Arterial or Collector Street or State Highway.
 - b. The lot is at least 3 acres in size.
 - c. All buildings are located at least 50 feet from all property lines.
 - d. A buffer at least 10 feet wide is provided along the side and rear property lines, planted with evergreen trees and shrubs that grow at least 8 feet tall and provide an effective visual screen.
4. Community Clubs or Associations, Private, provided:
 - a. All buildings are located at least 100 feet from any property line.
5. Duplex Dwellings.
6. Golf Courses and Country Clubs, Private, provided:
 - a. All buildings are located at least 100 feet from any property line.
7. Home Occupations.
8. Industrialized Homes.
9. Neighborhood Recreation Centers, provided:
 - a. All buildings are located at least 100 feet from any property line.
10. Parks, Private, provided:
 - a. All buildings are located at least 100 feet from any property line.
11. Public Buildings or Uses.
12. Schools, Public or Private offering general education courses, excluding business or trade schools.
13. Single Family Dwellings.
14. Swimming and Tennis Clubs, Private, provided:
 - a. All buildings shall be located at least 100 feet away from any property line.

B. PERMITTED SPECIAL USES.

Within the RMD Zoning District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Community Development and Planning Commission and after a public hearing:

1. Barber Shop as a Home Occupation.
2. Beauty Parlor as a Home Occupation.
3. Public Utility Facilities.
If essential to service this Zoning District, power substations and gas regulator stations are permitted, provided:
 - a. All structures, except for driveways, are placed 50 feet from any property line.
 - b. All structures, except for driveways, are enclosed by a wall or woven wire fence at least but not greater than 8 feet in height.
 - c. A 10-foot buffer is provided along the side and rear property lines, planted with evergreen trees and shrubs that grow at least 8 feet in height and provide an effective visual screen.
 - d. The lot is suitably landscaped.
 - e. No vehicles or equipment are stored on the premises.
4. **Large Development/Project. Projects that are Permitted Uses within this district, but exceed the thresholds below are subject to special use permit review:**
 - a. **Building(s) that have a gross cumulative building size exceeding 20,000 square of enclosed heated or unheated floor area; and/or**
 - b. **Any project with a cumulative land disturbance exceeding 5 acres; and/or**
 - c. **Any development that creates a residential subdivision exceeding 7 lots.**

C. DISTRICT DEVELOPMENT REGULATIONS.

1. Minimum Lot Size.
 - a. Duplex Dwelling - 24,000 square feet.
 - b. Single Family Dwelling - 22,000 square feet
 - c. Not less than 50% of the required lot size shall be above the Base Flood elevation.
2. Minimum Lot Width.
 - a. 100 feet.
3. Minimum Road Frontage.
 - a. 40 feet.
4. Minimum Yard Abutting a Public Street.
 - a. 50 feet.
5. Minimum Side Yard.
 - a. 15 feet.

6. Minimum Rear Yard.
 - a. 40 feet.
7. Maximum Height.
 - a. 35 feet.
8. Street Rights-of-Way.
 - a. 50 feet if in the interior of a Subdivision.
 - b. Other streets - as determined by the Thoroughfare Plan.
9. Minimum Floor Area.
 - a. Duplex Dwelling - 800 square feet.
 - b. Single Family Dwelling - 1000 square feet.
10. Minimum Buffer Area.
 - a. 25 feet if abutting or across from an R-140 or R-100 Zoning District in accordance with standards set forth in Article XVI of this Ordinance.

SECTION 502A. R-75 Single-Family Residence District (Formerly known as TRD Transitional Residential Single Family District).

This district is intended to function as an infill residential district between established residential and non-residential areas. The R-75 (Single-Family Residence District) is intended to be utilized for infill development on sites adjacent to developed areas. The purpose of this district is to create the flexibility to develop lots with a minimum of 12,000 square feet, but limit the overall development to 2.5 units to the acre, for a maximum of 40 acres.

A. PERMITTED USES.

Within the R-75 Zoning District, the following uses are permitted:

1. Accessory Buildings, Structures and Uses, Customary, provided that:
 - a. The building, structure or use complies with Section 604 of this Ordinance.
 - b. A swimming pool is completely enclosed by a fence or wall at least four (4) feet in height, but not over eight (8) feet in height. The fence or wall shall be equipped with self-closing and self-latching gates. Openings in the fence or wall shall not permit the passage of a six (6") inch diameter sphere.
 - c. An accessory building shall not exceed 800 square feet of gross floor area.
 - d. A relative residence contained within a Single Family Dwelling shall not exceed 800 square feet of gross floor area; the real property owner must live in the Single Family Dwelling; relatives must be by blood, marriage or law; access to the relatives living area shall be required from the interior of the dwelling although secondary access to the exterior of the dwelling is permissible; and, paved off-street parking shall be provided for additional vehicles, as needed.

e. Any accessory building exceeding two hundred (200) square feet shall have an exterior finish consistent with the primary residence.

2. Family Day Care.

3. Home Occupations.

4. Industrialized Homes.

5. Neighborhood Recreation Facilities, provided:

a. Such facilities are located on an area reserved or dedicated for such a recorded final subdivision plat.

6. Public Buildings and Uses.

7. Single Family Dwellings.

B. PERMITTED SPECIAL USES.

Within the R-75 Zoning District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Community Development and Planning Commission and after a public hearing:

1. Barber Shop in a Single Family Dwelling as a Home Occupation.

2. Beauty Parlor in a Single Family Dwelling as a Home Occupation.

3. Group Day Care, provided no more than 12 individuals are kept.

4. **Large Development/Project.** **Projects that are Permitted Uses within this district, but exceed the thresholds below are subject to special use permit review:**

a. **Building(s) that have a gross cumulative building size exceeding 20,000 square of enclosed heated or unheated floor area; and/or**

b. **Any project with a cumulative land disturbance exceeding 5 acres; and/or**

c. **Any development that creates a residential subdivision exceeding 7 lots.**

C. DISTRICT DEVELOPMENT REGULATIONS.

1. Minimum Lot Size.

a. 12,000 square feet (sewered) lot.

b. At least 50% of the required lot size shall be above the Base Flood elevation.

2. Minimum Lot Width.

a. 70 feet.

3. Minimum Road Frontage.

a. 40 feet.

4. Minimum Yard Abutting a Public Street.
 - a. 50 feet except abutting upon a subdivision street.
 - b. 20 feet where abutting upon a subdivision street.
5. Minimum Side Yard.
 - a. 7.5 feet.
6. Minimum Rear Yard.
 - a. 40 feet.
7. Maximum Height.
 - a. 35 feet.
8. Street Rights-of-Way (except as noted below).
 - a. 50 feet if in the interior of a Subdivision.
 - b. Other streets - as determined by the Thoroughfare Plan.
9. Minimum Floor Area per Dwelling.
 - a. 1,400 square feet.
10. Maximum Density.
 - a. 2.5 units per acre.

D. DISTRICT DEVELOPMENT REQUIREMENTS.

1. Provide underground utilities.
2. Along the roadway frontages for all lots, a minimum of one canopy or over-story, minimum 3" caliper, shade tree shall be provided for every 35 feet of road. The purpose of this section is to create tree lined streets. Lot builders or developers shall make efforts to take into account the location and species of trees on adjacent lots.
3. Provide street lights as required by the City of Suwanee Development Regulations.
4. Permanent vegetation must be established prior to issuance of Certificate of Occupancy.
5. No artificial plants, trees, or vegetation shall be installed.
6. Interior streets and right-of-ways, may be reduced to a street width no less than 22-foot back-of-curb to back-of-curb with a 48-foot wide right-of-way, if approved by the City.

SECTION 512.2 Infill Residential District (IRD).

Infill Residential District shall be for infill opportunities in and around Suwanee Old Town. Such uses shall be compatible in intensity and style to the neighboring properties. The Infill Residential Zoning District may only be used within the designated Old Town Overlay District.

The following development standards apply.

A. Permitted Uses:

Within the IRD, the following uses are permitted:

1. Accessory Buildings, Structures and Uses, Customary, provided that:
 - a. Accessory buildings, structures and uses shall be permitted only within the rear yard unless specifically exempted in this Ordinance.
 - b. Accessory buildings, structures and uses shall be located on the same lot of record as the principal building, structure or use.
 - c. Accessory buildings, structures and uses shall be customarily incidental and subordinate to the principal building, structure or use.
 - d. Accessory buildings, structures and uses shall be setback at least 3 feet from any lot line, except where abutting a public street, unless specifically exempted in this Ordinance.
 - e. A swimming pool is completely enclosed by a fence or wall at least four (4) feet in height, but not over eight (8) feet in height. The fence or wall shall be equipped with self-closing and self-latching gates. Openings in the fence or wall shall not permit the passage of a six (6") inch diameter sphere.
 - f. An accessory building, to include a guest house, a relative residence, a garage, a storage building, etc., shall not exceed 800 square feet of gross floor area.
 - g. A relative residence contained within a Single Family Dwelling shall not exceed 800 square feet of gross floor area; the real property owner must live in the Single Family Dwelling; relatives must be by blood, marriage or law; access to the relatives living area shall be required from the interior of the dwelling although secondary access to the exterior of the dwelling is permissible; and, paved off-street parking shall be provided for additional vehicles as needed.
 - h. Any accessory building exceeding two hundred (200) square feet shall have an exterior finish consistent with the primary residence.
2. Community Clubs or Associations, Private, Public, or Non-Profit, provided:
 - a. Any off street parking is consistent with the provision of the Old Town Overlay District.
3. Family Day Care.
4. Home Occupations.
5. Parks, Private, provided:
 - a. All buildings are located at least 100 feet from any property line.
6. Public Buildings or Uses.
7. Schools, Public or Private offering general education courses, excluding business or trade schools.

8. Single-Family Detached Dwellings.

3. PERMITTED SPECIAL USES.

Within the Infill Residential Zoning District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Planning Commission and after a public hearing:

1. Barber Shop in a Single Family Dwelling as a Home Occupation.
2. Beauty Parlor in a Single Family Dwelling as a Home Occupation.
3. **Large Development/Project.** **Projects that are Permitted Uses within this district, but exceed the thresholds below are subject to special use permit review:**
 - a. **Building(s) that have a gross cumulative building size exceeding 20,000 square of enclosed heated or unheated floor area; and/or**
 - b. **Any project with a cumulative land disturbance exceeding 5 acres; and/or**
 - c. **Any development that creates a residential subdivision exceeding 7 lots.**

C. DISTRICT DEVELOPMENT REGULATIONS.

1. Minimum lot size.
 - a. 6,500 square feet.
2. Minimum lot width.
 - a. 45 feet with rear accessed garages.
 - b. 55 feet with front entry garages.
3. Minimum Road Frontage.
 - a. 20 feet.
4. Minimum Front Yard.
 - a. 5 feet.
5. Minimum Side Yard.
 - a. 3 feet.
6. Minimum Building Separation.
 - a. 10 feet (from buildings on adjacent lots).
7. Minimum Rear Yard.
 - a. 20 feet.
8. Maximum Height.
 - a. 40 feet

9. Garages.
 - a. All houses shall have a minimum of double car garages. Garage doors, whether attached or detached garages, shall be located behind the rear façade of the primary structure. When accessed from the front, driveways shall not exceed 10 feet in width in front of the house.

10. Street Rights-of-way.
 - a. 48 feet if in the interior of a subdivision.
 - b. Other streets – as determined by the Thoroughfare Plan.

11. Minimum Heated Floor Area.
 - a. 1,600 square feet.

