

ARTICLE VII

GENERAL PROVISIONS

SECTION 7.1 ACCESSORY USES OR STRUCTURES. Accessory uses or structures shall be permitted only in rear yards except as otherwise provided in this Ordinance.

In a residential district, accessory structures customarily located within front or side yards including driveways, sidewalks, flagpoles, basketball goals and decorative landscaping including but not limited to stepping stones, fountains, bird baths, bird houses, light posts and bridges shall be permitted in front, side or rear yards.

Columbarium which are an accessory structure to a house of worship may be permitted in front, side or rear yards.

No accessory structure except mailboxes, driveways, light post, and decorative landscaping shall be permitted within public right-of-way.

Roofed Accessory Structures: The construction of any roofed accessory structure larger than twenty (20) square feet requires the issuance of a building permit by the City. All permit applications shall indicate the proposed use of the structure and shall include a drawing that shows the exact location on the property with distance(s) from the adjacent property line(s).

1). All such accessory structures shall meet the following requirements:

- a) Located no closer than five-feet (5') from any property line(s);
- b) Located within the rear yard;
- c) No higher than two (2) stories;
- d) No more than two (2) roofed accessory structures may be constructed on any one (1) lot;
- e) The combined sum of roofed accessory structures shall not exceed seven-hundred-fifty (750) square feet;
- f) The façade shall be constructed of the following exterior-grade materials: wood; vinyl; brick; stone; stucco, and/or hardiplank siding;
- g) Roofing materials shall be limited to asphalt shingles or manufactured pre-painted metal roof sheeting; and
- h) Paints, stains, etc. applied on the exterior of the structure shall match the primary structure on the lot.

2). Roofed accessory structures located on property in excess of one (1) acre will not be restricted to size as long as the building meets building codes and other requirements of this ordinance.

~~Portable Accessory Structures: Portable accessory structures shall be defined as any structure or building designed to be moveable from one location to another and which are not designed to be permanently attached or anchored to the ground, except consumer fireworks retail sales stands licensed in accordance with O.C.G.A. Title 25, which are exempt under this Article.~~

Portable Accessory Structure ("PAS"): Defined as any box-like storage container transported by truck or trailer to the desired location for drop-off with a storage capacity of more than 216

cubic feet that would normally be stored at an offsite location. Although these containers are often generically referred to by the trademarked brand name “PODS,” this ordinance shall be applicable to any brand of portable outdoor storage container meeting the specifications of this paragraph.

This definition shall not include: a) consumer fireworks retail sales stands licensed in accordance with O.C.G.A. Title 25; b) a contractor office trailer which is used in association with a Land Disturbance Permit/Site Development Permit approved by the Director of Planning and Development; c) semi-trailers or cargo trailers containing two or more tandem axles at the rear and which attaches to the tractor with a fifth wheel hitch; or d) roll-off open top dumpsters used for the collection and transport of solid waste, which are exempt under this Article.

Portable accessory structures must meet the following requirements:

The use of portable accessory structures in any residential zoning district (RM, RG-75, PRC, R-TH, RS-150, RS-180, and R-HOP Districts) must comply with the following requirements:

- 1). Shall be used as temporary storage structures as a convenient means of temporarily storing belongings relating to a move-in/move-out, or following damage by a fire or natural disaster or when the dwelling is undergoing renovation, repair or reconstruction.
- 2). Shall not be used for permanent storage.
- 3). No PAS can be used to store commercial goods (i.e. used for retail sales), goods for property other than that of the residential property where the PAS is located.
- 4). The PAS cannot be used for the storage or repair of motorized vehicles of any type.
- 5). Solid waste, recyclable materials, business inventory, refuse, and/or construction demolition debris cannot be stored in, against, on or under any PAS.
- 6). Containment and/or storage of any combustible, flammable, or other hazardous materials within a PAS is strictly prohibited.
- 7). The PAS must be placed flush on the ground as designed and not raised for underneath storage; cannot be stacked vertically or placed upon any structure.
- 8). The PAS cannot exceed 16 feet in length, 8 feet in width, or 8 feet in height.
- 9). The PAS cannot be used for vegetative, human, and/or animal shelter or habitation.
- 10). No temporary or permanent electrical wiring shall be installed in or attached to a PAS.
- 11). When not attended, the PAS must be locked or secured to prevent unauthorized access or access by children.
- 12). During remodeling, renovation or other construction, the PAS may be used to store on-site tools, equipment and materials to be used, provided an active building permit has been issued for the property. The PAS must be removed upon completion or cessation of construction, or by the permit expiration, whichever is earliest.
- 13). The number of PAS's allowed on any developed lot or contiguous lots under the same ownership:
 - a). One (1) PAS may be used for the first 2,000 sq. ft. of conditioned floor area of the principal dwelling. Two (2) PAS's may be used for dwellings with 2,001 sq. ft. to 5,000 sq. ft. of conditioned floor area. Three (3) PAS's may be used for dwellings that exceed 5,000 sq. ft. of conditioned floor area.

- b). In no event shall there be more than three (3) PAS's placed on any developed lot or contiguous lots under the same ownership.
- c). The above restrictions notwithstanding, when the principal structure on the property has been made uninhabitable as a result of a declared natural disaster, or a fire or other damaging event beyond the control of the owner, the Director of Planning and Development may authorize the use of more than one (1) PAS for on-site storage, provided the authorization for such use is dependent upon issuance of a building permit for the reconstruction/repair of the principal structure.
- 14). When possible, shall be placed on the driveway or other hard-surfaced area and located at least five (5) feet from the side property line and ten (10) feet from any public or private street.
- 15). May not be placed in the street or block any sidewalk or placed where it can obstruct or diminish a motor operator's view of other vehicles, bicycle or pedestrian ways, or placed in a manner that obstructs any fire hydrant.
- 16). The PAS cannot block or obstruct any required exits, parking spaces, and/or any driveways for access to multi-family dwelling units.
- 17). The PAS shall not be permitted within a required landscape area; buffer area; areas that are considered environmentally sensitive; within any drainage easements; or on top of a septic tank or septic system drain field.
- 18). The placement of a PAS on any lot shall not cause vehicles to be illegally parked (i.e. parked in the yard or on the street/right-of-way where the posted speed limit is above 25 MPH).
- 19). PAS's must be kept in good condition, free from weathering, discoloration, graffiti, rust, peeling/flaking paint, tearing or other holes or breaks, and other visible forms of deterioration or blight at all times. The area around the PAS shall be kept free of debris and litter and shall be in strict compliance with the weed and refuse provisions of the City's property maintenance code.
- 20). The Mayor and Council shall set fees for the Portable Accessory Structure Permit.
- 21). Duration/Length of time allowed:
 - a). Where a PAS is used for the storage of items for moving:
 - 1). First 30-day period in any 12-month period. No permit required.
 - 2). Second 30-day period in any 12-month period. Permit required.
 - 3). PAS must be removed on or before the 60th day from initial drop.
 - b). Where a PAS is used during renovation, remodel or repair of the dwelling with an approved building permit being issued:
 - 1). First 90-day period in any 12-month period. Permit required.
 - 2). 30-day renewal period in any 12-month period. Permit required.
 - 3). PAS must be removed on or before the 120th day from initial drop, or upon issuance of Certificate of Occupancy, whichever occurs first.
 - 4). Permit fee shall be waived/refunded upon providing proof of a filed insurance claim for the repair of damages caused by fire, water, lightning, fallen tree, or other unforeseen acts.
 - c). Where a PAS is used due to a declared natural disaster with an approved building permit being issued:
 - 1). First 180-day period in any 12-month period. Permit required; however permit fee is waived.
 - 2). 90-day renewal period in any 12-month period. Permit required; however, permit fee is waived.

- 3). PAS must be removed on or before the 270th day from initial drop or upon issuance of Certificate of Occupancy, whichever occurs first.
- 4). The Director of Planning and Development shall have the authority to grant a onetime extension up to an additional 90-days.
- 5). In no event shall a PAS be allowed to remain on any property for a period exceeding one (1) year.

The use of portable accessory structures in any commercial zoning district (OP, CI, BN, BG, HSB, or LM Districts) must comply with the following requirements:

- 1). The business owner and/or property owner upon which the portable accessory structure(s) shall be located must acquire a Portable Accessory Structure Permit from the City of Snellville prior to locating any structure(s) on-site. Permits are valid for one calendar year and are required for each year a structure(s) shall be located on-site. The City shall reserve the right to deny issuance or renewal of permits for those businesses/property owners not in compliance with said regulations. The Mayor and Council shall set fees for the Portable Accessory Structure Permit;
- 2). Structure(s) shall be located only within the designated side or rear yard of the associated business(es). The portable accessory structure(s) shall not be located in front of the primary associated business. A site plan designating the proposed location of the structure(s) shall be submitted with the Portable Accessory Structure Permit application. Said site plan shall be approved by the Fire Marshal prior to submittal;
- 3). The structure(s) shall not be visible from the public right-of-way and/or view or shall be screened of sufficient height with materials similar to the main building façade or with landscaping to shield the structure from public view, as determined by the Zoning Enforcement Officer. Any required screening shall be installed before the portable accessory structure(s) may be located on-site. A rendering(s) of the screening materials shall be submitted with the Portable Accessory Structure Permit application;
- 4). Revised parking ratio calculations that are in compliance with the City's current ordinances must be submitted with the Portable Accessory Structure Permit application for any structure(s) to be located in a designated parking area;
- 5). Should the applicant not be the property owner upon which the structure(s) will be located, the applicant shall furnish to the City of Snellville a letter from the property owner acknowledging understanding of all regulations concerning portable accessory structures and granting permission for the location;
- 6). Structure(s) shall be constructed of rigid walls;
- 7). Structure(s) shall not exceed twenty feet in height;
- ~~8). Structure(s) shall be allowed in non-residential zoning districts only;~~
- 9). Storage of materials in these structures shall be in association with the existing business(es) only and shall be an accessory use to the primary structure. Space may not be rented/leased for the use of these structures by off-site businesses;
- 10). Shall not be occupied (other than to add or remove materials from storage) and/or be used for retail sales;
- 11). Shall be stored at a single unit story height (no stacking); and
- 12). No portable accessory structure shall be furnished electrical power, gas, exterior lighting, telephone service, or any utilities, etc.

Modular Offices/Classrooms: Modular offices/classrooms shall be defined as any structure or building designed to be moveable from one location to another and which are not designed to be permanently attached or anchored to the ground, but intended for occupancy. Temporary buildings for use in connection with a construction project or subdivision development are exempt from the following requirements. Modular offices/classrooms shall meet the following requirements:

- 1). Shall be required a Conditional Use Permit;
- 2). Shall be permitted in Residential and Civic Institutional (CI) districts only;
- 3). Shall be located only within the designated side or rear yard of the associated site. The modular office/classroom shall not be located in front of the primary associated business/use. A site plan designating the proposed location of the structure(s) shall be submitted with the Conditional Use Permit application. Said site plan shall be approved by the Fire Marshal prior to submittal;
- 4). The structure(s) shall not be visible from the public right-of-way and/or view or shall be screened of sufficient height with materials similar to the main building façade or with landscaping to shield the structure(s) from public view, as determined by the Zoning Enforcement Officer. Any required screening shall be installed before the portable accessory structure(s) may be located on-site. A rendering(s) of the proposed screening shall be submitted with the Conditional Use Permit application;
- 5). Revised parking ratio calculations that are in compliance with the City's current ordinances must be submitted with the Conditional Use Permit application for any structure to be located in a designated parking area;
- 6). Should the applicant not be the property owner upon which the structure will be located, the applicant shall furnish to the City of Snellville a letter from the property owner acknowledging understanding of all regulations concerning modular offices/classrooms and granting permission for the location;
- 7). Structure(s) shall be constructed of rigid walls;
- 8). Structure(s) shall not exceed twenty-feet (20') in height;
- 9). Space may not be rented/leased for the use of these structures by off-site businesses;
- 10). Structure(s) shall not be used for retail sales; and
- 11). Structure(s) shall be stored at a single unit story height (no stacking).