

RESOLUTION AND ORDINANCE OF THE BOARD OF COMMISSIONERS OF CARROLL COUNTY REGARDING AMENDMENTS TO THE CARROLL COUNTY CODE OF ORDINANCES ORDINANCE CHAPTER 86 – SUBDIVISIONS

WHEREAS, the Board of Commissioners of Carroll County, Georgia (the "Board") possesses the authority to provide for the general codification of all ordinances and resolutions of Carroll County, Georgia, having the force and effect of law; and

WHEREAS, the Board has determined a need to define, clarify, and regulate Chapter 86 – Subdivisions in the Code of Ordinances of Carroll County, Georgia, as set forth herein, and as more specifically set forth on Exhibits "A" and "B", attached hereto;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners that Chapter 86 – Subdivisions, of the Code of Ordinances be amended as follows:

1. By deleting the definition "*Subdivision exemptions*" under Article I, Section 86-5. – Definitions, and adding it as a new Section 86-6. – Subdivision Exemptions, as more specifically set forth on Exhibit "A" attached hereto.

2. By adding a new Article I, Section 86-28. – Expiration of approval, as more specifically set forth on Exhibit "B" attached hereto.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Michelle Morgan, Chairman of  
Board of Commissioners of Carroll County

Attest: \_\_\_\_\_  
\_\_\_\_\_, Clerk

Exhibit "A"

**Sec. 86-6. – Subdivision exemptions.**

For the purpose of these regulations, the following shall be considered subdivisions but exempt from all portions of these regulations, except as noted herein. All such subdivisions shall be drawn to final plat standards pursuant to [section 86-65](#) and paragraphs [86-66\(b\)\(2\)](#), (3), (5), (8) and (11), of these regulations and a subdivider shall submit three copies, and the required fee as may be established from time to time by the board of commissioners, to the engineer for review and approval, which shall proceed pursuant to subsections [86-26\(g\)](#) and (h) of these regulations, the requirements of article IV, and the requirements stated in this paragraph. The subdivider shall comply with the county erosion and sedimentation control ordinance. Should the engineer not approve any such exemption plat, he shall express in writing (on the plat) the basis for the refusal to approve. The owner of record may file with the engineer a written appeal of the decision which together with a report from engineer shall be forwarded to the director for consideration pursuant to section 86-105 of these regulations.

- (1) The combination or recombination of all or portions of lawful previously platted lots or parcels, existing prior to May 27, 1977, where the total number of lots is not increased and the resultant lots or parcels are in compliance with the county zoning resolution, as amended.
  
- (2) The division of land in into four or fewer lots, provided:
  - a. Each proposed lot fronts on an existing public street which contains or shall contain the necessary right-of-way width required by these regulations at no cost to the county as determined by the engineer.
  - b. Each proposed lot shall provide at least 300 feet of road frontage, the minimum dimension of which shall be maintained to the building line of the lot. In the absence of the minimum required frontage, the engineer may, in his discretion, consider a dedicated easement having a minimum of 30 feet as egress and ingress to any landlocked parcel provided that all other requirements of subsection (2) are satisfied.
  - c. Each proposed lot shall meet or exceed all other minimum requirements of the appropriate zoning districts.
  - d. No lot shall be more than four times as deep as it is wide at the building setback lines, unless excepted by the engineer for reasons of topography or irregularity of the entire tract.
  - e. Drive connections shall be placed to meet the visibility requirements of subsection [86-122\(m\)\(5\)](#) and section 74-36, provide the maximum sight distance, and meet the requirements set forth in subsection [86-125\(a - d\)](#).
  - f. All slope and utility easements shall be provided at no cost to the county as determined by the engineer.
  - g. Each proposed lot shall comply with the requirements of the county environmental health department.

A lot created under this section, including the original/parent lot and any new lot(s), shall not be subdivided pursuant to the provisions of this section within 24 months of any prior subdivision.

Exhibit "B"

**Sec. 86-28. – Expiration of approval.**

An applicant shall have twelve (12) months from the date of approval of a preliminary plan to obtain a land disturbance permit. Should this 12-month period elapse without the applicant having obtained the appropriate land disturbance permit, then all preliminary plan approvals will become null and void. Should this become the case, the applicant may submit a new application in conformance with the regulations and ordinances in place at that time of the new application.