

## SECTION 10

### SIGN REQUIREMENTS

**10-1 Signs Shall Meet Requirements of this Section.** All signs within the City of Hahira shall be erected, constructed, or maintained in accordance with the provisions of this Section 10 and applicable sections of the Southern Standard Building Code for the City of Hahira, and only those signs that are permitted by these ordinances shall be erected in the City of Hahira.

**10-2 No Signs Shall Hamper Traffic Safety.** No sign shall be erected or continued that:

- a. Obstructs the sight distance along a public right-of-way.
- b. Would tend by its location, color, or nature, to be confused with or obstruct the view of traffic signs or signals, or to be confused with a flashing light of an emergency vehicle.
- c. Would by its nature or moving parts tend to confuse traffic or create any potential hazard to traffic.
- d. Uses of admonitions such as "stop", "go", "slow", "danger", etc. which might be confused with traffic directional signals.

**10-3 Locations Prohibited.** No sign shall be attached to or painted on any telephone pole, light pole, telegraph pole, or any tree, rock, or other natural object. Except in the C-B-D districts, no signs other than those signs erected by public governmental agencies or signs required by law, shall be placed so as to overhang any portion of public rights-of-way or other public properties.

**10-4 Illumination Not to be a Nuisance.** Illumination devices such as, but not limited to, flood or spot lights shall be so posted and so shielded as to prevent the rays or illumination therefrom being cast into neighboring dwellings and approaching vehicles.

**10-5 Signs Not Requiring a Permit.**

- a. Signs to regulate traffic.
- b. Signs required to be posted by law.
- c. Warning signs and no trespassing signs.
- d. Signs established by governmental agencies.
- e. Signs indicating bus stops, taxi stands, and similar transportation facilities.
- f. Signs not exceeding ten (10) square feet in area advertising specific property for sale, lease, rent, or development, or private property.
- g. Temporary real estate signs less than ten (10) square feet in area advertising specific property for sale, lease, rent or development, on private property.

- h. Any sign not exceeding ten (10) square feet in area other than Advertising Separate Use Signs or signs requiring electrical wiring.
- i. Temporary signs on private land involved in campaigns of religious, charitable, civic, fraternal, political, and similar organizations.

**10-6 Maximum Area of Signs.** No sign shall be larger in area than four hundred (400) square feet.

**10-7 Issuance of Permits, Administration and Filing Procedure.**

- 10-7.1 **Issuance of Permit:** No sign, except those listed in Section 10-5 shall be erected, hung, or placed or structurally altered without a permit from the Zoning Administrator. The Zoning Administrator shall only issue a permit for the erection or construction of a sign which meets the requirements of this zoning ordinance and applicable sections of the Southern Standard Building Code for the City of Hahira.
- 10-7.2 **Filing Procedure:** Application for permits to erect, hang, or place a sign shall be submitted on forms obtainable from the Zoning Administrator. Each application shall be accompanied by plans showing the area of the sign, size and character and the method of illumination, if any, the exact location proposed for such sign and in the case of a projecting sign, the proposed method of fastening said sign to the building structure, the vertical distance between such sign and the finished grade, the horizontal distance between such sign and the street right-of-way line. In addition, the application must be accompanied by a permit fee, the cost of which shall be established by the City Council.
- 10-7.3 **Additional Information:** Each application shall, upon the request of the Zoning Administrator, submit any additional information deemed necessary by said Administrator.
- 10-7.4 **Temporary Signs:** If a temporary sign which requires a permit is not intended to be left in place for a period to exceed three (3) months, the owner may deposit a sum of \$10.00 with the Zoning Administrator in lieu of the usual permit fee. If the sign is removed by the owner before the first day of the fourth month, the deposit shall be refunded in full; if not, the deposit shall be forfeited and the Zoning Administrator shall remove said sign.
- 10-7.4 **Signs Adjacent to the Primary Systems of Highways within the City of Hahira:** The erection, construction or maintenance of advertising separate use signs in areas adjacent to and visible from the main traveled way of the Primary Highway Systems shall be limited to C-B-D, M-1 and M-2 zoning districts. No sign permit shall be issued by the Zoning Administrator for sites adjacent to and visible from the Primary Highways unless a valid permit has been obtained from the Georgia Department of Transportation.

## SECTION 11

### ADMINISTRATION, ENFORCEMENT, AND PENALTIES

11-1 Zoning Administrator. An administrative official designated as the Zoning Administrator by the City Council, Mableton, Georgia, shall administer and enforce the provisions of this ordinance.

11-2 Building Permit Required. A building permit, or a sign permit in the case of a sign, issued by the Zoning Administrator is required in advance of the initiation of construction, erection, moving, demolition, or alteration of any building or structure or sign. No building or sign permit shall be issued except in conformity with the provisions of this ordinance; however, a building permit issued before the adoption of this ordinance shall remain valid with the same qualifications as issued under this ordinance.

11-3 Application for Building Permit. All applications for building permits, except single family residential and duplexes shall be accompanied by two (2) site plans drawn to scale showing the actual dimensions of the lot to be built upon, the size and location of the lot, the number of dwelling units the building is designed to accommodate (if applicable), the setback lines of the building on the "permit lot", the various easements on the lot and such other site planning information (i.e., parking spaces, loading space requirements and ingress/egress information) as may be essential for determining whether the provisions of this ordinance are being observed. The above referenced information is required on the site plan before the site plan is considered by the Zoning Administrator and any permits are approved.

Single family residential and duplex site plans need not be drawn to scale, but must be accurate as to dimensions of lot and proposed building.

Any application for a building permit which proposes to develop properties which have been duly identified as having a flood hazard potential must provide adequate technical information based on the flood hazard management requirements of the City of Mableton (please see Ordinance # \_\_\_\_\_, as amended, for technical standards and requirements).

The applicant for a building permit shall submit a certificate with his application which certifies that the lot which he proposes to develop is a lot of record. When the lot in question does not meet the lot width and lot area requirements of this ordinance, then the applicant shall certify that such lot was a lot of record prior to the adoption of this ordinance or is a lot which has been created through governmental taking of property.

Any building permit shall become void if the work involved has not begun within six (6) months after the date of issuance of the permit or if the work or development authorized by such permit is suspended or abandoned for a period of six (6) months after the work of development is commenced; provided that extensions of time and periods not exceeding six (6) months each may be allowed in writing by the Zoning Administrator. Any unapproved deviation from the site plan shall cause the Zoning Administrator to not issue a certificate of occupancy.

**11-4 Sign Permits.** The Zoning Administrator shall receive applications for the construction of signs, as required by this ordinance. Such applications shall follow the same forms as required for building permits, and shall contain information required by this ordinance in Section 10. The Zoning Administrator shall process such sign applications and shall issue sign permits for proposed signs which comply with the requirements of this ordinance. The Hahira Zoning Administrator shall not issue a local sign permit for any signage subject to the review and approval of the Georgia Department of Transportation without documentary evidence of approval from the Georgia Department of Transportation.

**11-5 Reason for Denial of Permit.** When a permit is denied, the Zoning Administrator shall provide in writing, upon request of the applicant for a permit, his reasons for denying the permit within five (5) days after said request.

**11-6 Cancellation of Permits.** A demolition, building, or sign permit shall be cancelled by the Zoning Administrator when the method of demolition, construction, or use violates any provision contained in this ordinance, or any state or local ordinance or resolution. Upon such cancellation, any further work upon the demolition, construction, alteration, or repair on said building or structure or land, shall be deemed a violation. Each and every day such unlawful demolition, construction, alteration, or repair on said building or structure, or further use of said building or structure or land continues shall be deemed a separate offense.

**11-7 Permits and Licenses Void When Issued in Conflict.** Any permit or license issued in conflict with the provisions of this ordinance shall be null and void.

**11-8 Certificate of Occupancy.** Certificate of occupancy shall be issued by the Zoning Administrator in accordance with the following provisions:

**11-8.1 Certificate of Occupancy Required:** A certificate of occupancy issued by the Zoning Administrator is required in advance of occupancy or use of:

- a. A building hereafter erected.
- b. A building hereafter altered so as to affect height, the side, front, or rear yard.
- c. Any building or premises where a change in the type of use will occur.

**11-8.2 Issuance of Certificate of Occupancy:** The Zoning Administrator shall sign and issue a certificate of occupancy if the proposed use of land or building is found to conform to the applicable provisions of this ordinance, and if the building, as finally constructed, substantially complies with the sketch or plan submitted and approved for the building permit. One (1) copy of all certificates of occupancy issued which contain a statement of the intended use of the applicable property or other pertinent information, signed by the owner or his agent and shall be kept on file in the office of the Zoning Administrator.

**11-8.3 Denial of Certificate of Occupancy:** A certificate of occupancy shall not be issued unless the proposed use of a building or land conforms to the applicable provisions of this ordinance, and substantially complies with the sketches or plans submitted for obtaining the building permit.

**11-9 Penalties for Violation.** In case any building or structure is erected, constructed, reconstructed, demolished, altered, repaired, moved, converted or maintained, or land is used in violation of this ordinance, the offender shall be guilty and upon conviction in the City of Hahira's Recorders Court thereof be fined no more than three-hundred (\$300) dollars or imprisoned for not more than thirty (30) days, or both, for each offense. Each day of continued violation shall be considered a separate offense.

**11-10 Remedies.** In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, converted, or maintained, or any building, structure, or land is or is proposed to be used in violation of this ordinance, the Zoning Administrator, City Attorney, or other appropriate city authority or any adjacent or neighboring property owner or occupant who would be damaged by such violation may, in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use; or to correct or abate such violation, or to prevent the occupancy of said building, structure, or land.

**11-11 Appeals.** Appeals from the decisions of the Zoning Administrator with regard to interpretation, administration, and enforcement shall be made to the Board of Appeals in accordance with the provisions of Section 12.

## SECTION 12

### ADMINISTRATIVE APPEALS, SPECIAL EXCEPTIONS AND VARIANCES

**12-1 Administrative Appeals.** Appeals from the decisions of the Zoning Administrator with regard to interpretation, administration, and enforcement shall be made to the City of Hahira Board of Appeals. The Board of Appeals shall hear and recommend to the City Council upon appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Administrator.

**12-1.1 Who May Appeal:** Appeals to the Board of Appeals may be taken by any person aggrieved or by any officer, department, board, or bureau of the governing authority affected by any decision of the Zoning Administrator. Such appeals shall be filed no later than thirty (30) days after the date of notification of the decision appealed from by filing with the Zoning Administrator, a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board of Appeals all the papers constituting the record upon which the action appealed from was taken.

**12-1.2 Presentation of Evidence:** The appellant, and any public agency or private individual shall be entitled to present evidence on matters before the Board of Appeals.

**12-1.3 Administrative Appeal Decisions:** The Board of Appeals, in conformity with the provisions of these regulations, may recommend to City Council the reversal or affirmation, wholly or partly, or modification of the order, requirement, decision, or determination of the Zoning Administrator.

**12-2 Special Exception:** The City of Hahira Board of Appeals shall hear and recommend to the City Council upon Special Exceptions as authorized by Section 5, Schedule of Permitted Uses of this ordinance.

**12-2.1 Special Exception Review Criteria:** The application to establish such Special Exception use shall be recommended for approval on a finding by the Board of Appeals that:

- a. The proposed use will not be contrary to the purpose of this ordinance.
- b. The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood nor affect adversely the health and safety of residents and workers.
- c. The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, vehicular movement, noise or fumes generation, or type of physical activity.

- d. The proposed use will not be affected adversely by the existing uses of adjacent properties; and the proposed use will be placed on a lot of sufficient size to satisfy the space requirements of said use.
- e. The parking and all development standards set forth for each particular use for which a permit may be granted will be met.
- f. Provided that the Board of Appeals may recommend such additional restrictions and standards (i.e., increased setbacks, buffer strips, screening, etc.) as may be necessary to protect the health and safety of residents and workers in the community, and to protect the value and use of property in the general neighborhood; and provided, that wherever the Board of Appeals shall find, in the case of any permit granted pursuant to the provisions of this ordinance that any term, conditions or restrictions upon which such permit was granted are not being complied with, the City Board of Appeals may recommend such permit be rescinded and revoked after giving due notice to all parties concerned and granting full opportunity for a public hearing.
- g. Special Exceptions recommended by the Board of Appeals and approved by the City Council shall be exercised within twelve (12) months from date of approval, shall not be transferable except upon written approval of the City Council, or shall become null and void and subject to procedures for resubmission as hereinabove established.

**12-3 Request for a Variance:** The Board of Appeals may recommend to City Council upon appeal in specific cases such variance from the dimensional standards and development requirements of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of provisions of this ordinance will, in an individual case, result in unnecessary hardship, so that the spirit of this ordinance shall be observed, public safety and welfare secured, and substantial justice done. **Provided, however, that a variance shall not be granted for a use of land or building or structure that is prohibited by this ordinance in the district in question.** Existing nonconforming uses are still valid.

**12-3.1 Variance Review Criteria:** A variance may be granted by the City Council in an individual case upon finding by the Board of Appeals that the following exists:

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography; and
- b. the application of all dimensional standards and development requirements to this particular piece of property would render the particular property unusable; and,

- c. such conditions are peculiar to the particular piece of property involved, or, in the alternative, that such conditions are due to the location of existing utilities, etc.; and,
- d. relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this ordinance; **provided that no variance may be granted for a use of land, building or structure that is prohibited by this ordinance.** Applications for use variances shall not be accepted by the Zoning Administrator. Such requests shall be properly filed as requests for rezoning, the authority for such rezoning of property being solely reserved for the Hahira City Council.
- e. Provided that the Board of Appeals may recommend to the City Council such additional restrictions and standards (i.e., increased setbacks, buffer strips, screening, etc.) as may be necessary to protect the health and safety of residents and workers in the community, and to protect the value and use of property in the general neighborhood. Provided, that whenever the Board of Appeals shall find, in the case of any permit granted pursuant to the provisions of this ordinance that any of the terms, conditions or restrictions upon which such permit was granted are not being complied with, the City Council shall rescind and revoke such permit after giving due notice to all parties concerned and granting full opportunity.

**12-4 Public Hearing Required.** Before making its recommendation to the City Council on any administrative appeal, request for a Special Exception, or request for a variance, the Board of Appeals shall hold a public hearing thereon.

**12-4.1 Notice of Hearing Shall be Given:** At least fifteen (15) but not more than 45 days, notice of such required public hearing shall be published in two (2) consecutive issues of the official legal organ of the City of Hahira. In addition, notice of such public hearings shall be sent to the owners of all properties either adjoining or directly across the public right-of-way to the property affected. Said list of property owners shall be supplied by the applicant and is a required part of the application. Such required public hearing notice shall contain the name(s) of the appellant or petitioner, the date, time, and place set for the public hearing, and shall contain a brief statement of the nature of the hearing.

**12-4.2 Who May Appear:** Any party may appear at the public hearing in person or by agent or by attorney.

**12-4.3 Time limit on Board's Recommendation:** The Board of Appeals shall make a recommendation to the City Council following a public hearing within thirty (30) days.

**12-5 Forms.** Administrative appeals, requests for permission to establish a use requiring special approval, and requests for variances shall be made on forms provided therefor, and all information required on said forms shall be provided by the appellant. Forms shall be filed with the Zoning Administrator. No form shall be accepted by the Zoning Administrator unless it contains all pertinent information and shall include a fee set by the City Council payable to the city, to defray expenses.

**12-6 Board of Appeals.** A Board of Appeals may be appointed by the Mayor with a majority vote by the City Council. The Board of Appeals will consist of five (5) members. The term of appointment will be for five (5) years, except that the initial individual appointments shall be for terms of:

- One (1) appointment for one (1) year
- One (1) appointment for two (2) years
- One (1) appointment for three (3) years
- One (1) appointment for four (4) years
- One (1) appointment for five (5) years

If no Board of Appeals is appointed, the Mayor and City Council will serve as the Board of Appeals for the City of Hahira.

**12-7 Organization.** The Board of Appeals shall elect one of its members as Chairman, who shall serve for one year, or until re-elected or a successor is elected. The Board of Appeals shall elect one of its members as Secretary.

**12-8 Procedures.** The Board of Appeals shall adopt rules in accordance with the provisions of this ordinance and meetings of the Board will be called by the Chairman or by two members of the Board. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and recommendations. A copy of the minutes will be forwarded to the City Hall for filing and these minutes shall be a public record.

## SECTION 13

### ZONING DECISIONS AND ORDINANCE AMENDMENTS

**13-1 General Conditions.** This ordinance, including the zoning map or major thoroughfare plan, may be amended by the City Council on their own motion, on recommendation of the Planning Commission, or on petition by the property owner or his duly authorized agent, but no amendment shall become effective unless it shall have been proposed by or shall first have been submitted to the Planning Commission for review and recommendation. Before enacting an amendment to this ordinance, the governing authority shall give public notice and hold a public hearing thereon as set forth in this section.

#### 13-2 Application for Amendment.

- 13-2.1 **General:** Applications for amendment of this ordinance may be in the form of proposals for amendment of the text or proposals for amendment of the zoning map. Applications for amendment shall be submitted to the Zoning Administrator and shall include a fee set by the city payable to the city, to defray expenses. No application for a zoning change affecting the same parcel of property or part thereof shall be accepted by the Zoning Administrator until the expiration of at least six months immediately following the defeat of a rezoning request by the City Council.
- 13-2.2 **Signature of Applicant Required:** All applications shall be signed by the applicant, and shall state his name and address.
- 13-2.3 **Application for Text Amendment:** In the case of a text amendment, the application shall set forth the text to be added and the existing text to be deleted.
- 13-2.4 **Application for Map Amendment:** An application for a map amendment shall include the following information:
- a. The community or area in which is located the land proposed to be reclassified and the street number, if any, or if none, the location with respect to the nearby public roads in common use;
  - b. a legal survey of the land in question, and a description by metes and bounds, bearings, and distances of the land, or if the boundaries conform to the lot boundaries within a subdivision for which a plat is recorded in the land records of the County; then the lot, block, and subdivision designations with appropriate plat reference;
  - c. the present zoning classification and the classification proposed for such land and a statement as to the proposed use of the property;
  - d. the name and address of the owners of the land;

- e. the area of the land proposed to be reclassified stated in square feet if less than one (1) acre, and in acres if one (1) or more.
- f. If the applicant has made, within two (2) years immediately preceding the filing of the applicant's application for a map amendment, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to the City of Hahira, any member of the City Council of Hahira, Georgia, or a member of the City of Hahira Planning Commission, it shall be the duty of the applicant and the attorney representing the applicant to disclose the following in the application:
  - 1) the name of the local government official to whom the campaign contribution or gift was made;
  - 2) the dollar amount of each campaign contribution made by the applicant to the local government official during the two (2) years immediately preceding the filing of the application for the map amendment and the date of each such contribution; and
  - 3) an enumeration and description of each gift having a value of \$250 or more made by the applicant to the local government official during the two (2) years immediately preceding the filing of the application for the map amendment.
  - 4) In the event that no such gifts or contributions were made, the application shall affirmatively so state.
- g. The application number, date of application, and action taken on all prior applications filed for the reclassification of the whole or part of the land proposed to be reclassified.

13-2.5 **Exclusions.** The provisions of subsections 13-2.1 through 13-2.4 shall not be applicable to amendments of this ordinance, including the zoning map, initiated by the Planning Commission or the City Council.

**13-3 Referral to Planning Commission:** Within five (5) days after the routine monthly application acceptance deadline, the Zoning Administrator shall transmit two (2) copies of the rezoning application to the Planning Commission for its review and recommendation. The Planning Commission shall have thirty (30) days within which to submit its report to the City Council. If the Planning Commission fails to take action within thirty (30) days, it shall be deemed to have recommended approval of the requested amendment. The passage of a motion to table or a postponement to a specific time shall constitute a decision for the purpose of this section. Upon receipt of the Planning Commission report or upon the expiration of said 30-day period, whichever occurs first, a public hearing shall be scheduled regarding the application.

**13-4 Posting of Property:** Not less than fifteen (15) nor more than 45 days prior to the date set for the public hearing on any application for a map amendment (other than a map amendment initiated by the Planning Commission or City Council), the Zoning Administrator shall erect a sign on the land proposed to be reclassified. Such sign shall be erected by the Zoning Administrator within ten (10) feet of whatever boundary line of such land abuts the most traveled public road; and, if no public road abuts thereon, then such sign shall be erected to face in such a manner as may be most readily seen by the public. The sign shall show the application number, if any, the present zoning classification, the proposed zoning classification, and the scheduled date, time and place of public hearing. If the land sought to be reclassified lies within more than one (1) block as shown on a plat recorded in the land records of the County, then a sign shall be erected on the land in each such block. The Zoning Administrator shall verify the posting of a sign upon said property in accordance with these provisions. Any such sign shall be maintained on the property at all times by the Zoning Administrator until a decision on the application has been made by the City Council.

**13-5 Hearing Procedures:**

**13-5.1 Hearing Called:** Before taking action on a proposed amendment, the Mayor and Council shall hold a public hearing. At least fifteen (15) but not more than forty-five (45) days notice of the time, place, and purpose of said hearing shall be published in two (2) consecutive issues of the official legal organ of the City of Hahira. Such notice with respect to text or map amendments not initiated by the Planning Commission or City Council shall state the application number, and shall contain a summary of the proposed amendment, if a text amendment, and in the case of a map amendment, the legal description (as furnished in compliance with subparagraph (13-2-4.b) above) and location of the property, its area, the name of the owner or their authorized agent, and the present and proposed zoning classification for the property affected. Such notice, with respect to text or map amendments initiated by the Planning Commission or City Council, shall state the time and place of the hearing, the purpose of the hearing, and that the proposed text or map amendment is described in documents available for public inspection during business hours in the office of the Zoning Administrator.

**13-5.2 Notice to Interested Parties:** A notice shall be given to the applicant and the Planning Commission of the date, time and place of the public hearing. All application files shall be placed in the custody of the Zoning Administrator and be open to public inspection during regular office hours.

**13-5.3 Public Hearing Procedure:** All public hearings on zoning matters shall be placed on the City Council agenda under a section entitled "Public Hearings". After an initial presentation of a specific zoning and/or annexation/zoning request by the Planning Commission or their designated staff, citizen comments will be heard in an orderly fashion. The Mayor or Mayor Pro Tem will ask for those citizens speaking in favor of the request first, followed by those opposed to the issue. All speakers will be

asked to provide his or her name and address for the public record. Citizens are requested to keep their comments as brief as possible so that all who wish to be heard will have adequate time. When there are a large number of citizens wishing to testify at a given hearing, the presiding officer may invoke time limitations on individual speakers. In such cases, these time limits shall apply to all speakers. Citizens may address their comments to the City Council as a whole. Individual attacks or cross examination of a Council Member, city employees or other citizens will be ruled out of order. After all citizens' comments have been received, all further discussion of the specific application is reserved for the City Council. The City Council retains the privilege to ask any questions of staff or any citizen present for clarification. The City Council will then render a decision on the application. The passage of a motion to table or a postponement to a specific time shall constitute a decision for the purpose of this section.

13-5.4 **Standards for Exercise of Zoning Powers:** In order to promote the public health, safety, and general welfare of the City of Hahira against the unrestricted use of property, the following standards, and any other factors relevant to balancing the above stated public interest will be considered, when deemed appropriate, by the City Council in making any zoning decision:

- a. The existing land use pattern;
- b. the possible creation of an isolated district unrelated to adjacent and nearby districts;
- c. the existing population density pattern and the possible increase or overtaxing of the load on public facilities;
- d. whether changed or changing conditions make the passage of the proposed amendment reasonable;
- e. whether the proposed change will adversely influence existing conditions in the neighborhood or the community at large;
- f. potential impact on the environment, including but not limited to drainage, soil erosion and sedimentation, flooding, air quality, and water quality and quantity;
- g. the reasonableness of the costs required of the public in providing, improving, increasing or maintaining public utilities, schools, streets and public safety necessities when considering the proposed changes;
- h. whether the proposed change will be detrimental to the value or improvement of development of adjacent or nearby property in accordance with existing requirements;

- i. whether the proposed change is out of scale with the needs of the neighborhood or the City of Hahira;
- j. whether the proposed change will constitute a grant of special privilege to the individual owner as contrasted with the adjacent or nearby neighborhood or with the general public; and
- k. the extent to which the zoning decision is consistent with local planning efforts, if any, of the City of Hahira.

**SECTION 14**

**LEGAL STATUS PROVISIONS**

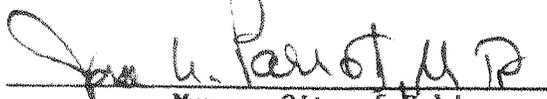
14-1 Conflict With Other Laws. All previous zoning ordinances of the City of Bahira, Georgia, are hereby repealed. All ordinances or parts of ordinances not specifically in conflict herewith are hereby continued in force and effect, but all such ordinances or parts of ordinances in conflict herewith are hereby repealed. Whenever other ordinances or parts of ordinances require greater restrictions than those required by this ordinance, such more restrictive ordinances or parts of ordinances shall govern. Whenever other ordinances or parts of ordinances require lesser restrictions, the requirements herewithin shall govern.

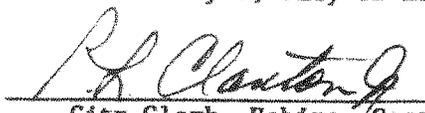
14-2 Separability. If any section, clause, portion or provision of this ordinance is found invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other portion of this ordinance.

14-3 Effective Date. This ordinance shall take effect and be enforced from and after its adoption and passage by the City Council.

July 13, 1989

\_\_\_\_\_  
Date of Adoption

  
\_\_\_\_\_  
Mayor, City of Bahira

  
\_\_\_\_\_  
City Clerk, Bahira, Georgia (SEAL)