
Sec. 134-197. R-20 single-family residential district.

The regulations for the R-20 single-family residential district (20,000-square-foot lot size) are as follows:

- (1) *Purpose and intent.* The R-20 district is established to provide locations for single-family residential uses or residentially compatible institutional and recreational uses which are within or on the edge of properties delineated for any residential category as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. When residentially compatible institutional and recreational uses are developed within the R-20 district, they should be designed and built to ensure intensity and density compatibility with adjacent single-family detached dwellings and otherwise to implement the stated purpose and intent of this chapter.
- (2) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
 - a. *Community fair* means a festival or fair such as the North Georgia State Fair conducted wholly within public areas owned by a local government, provided that any activity is conducted at least 200 feet from any property line. Any event shall not exceed 21 days.
 - b. *Customary home occupations* means those occupations which are customarily performed in a small area of a residence due to the low intensity nature of such uses, subject to the following requirements:
 1. There shall be no exterior evidence of the home occupation, including but not limited to any type of identifying signs.
 2. No article, product or service used or sold in connection with such activity shall be other than those normally found on the premises.
 3. No mechanical equipment shall be used for such occupation except such equipment as is customary for purely household and hobby purposes.
 4. Such use shall be conducted entirely within the dwelling unit, and only persons living in the dwelling unit shall be employed in such occupation.
 5. No more than 25 percent of the dwelling unit may be used for the operation.
 6. No materials, equipment or business vehicles may be stored or parked on the premises, except that one business vehicle, used exclusively by the resident may be parked in a carport, garage, or rear or side yard. The off-site employees of the resident shall not congregate on the premises for any purpose concerning the business of the home occupation.
 7. There shall be no deliveries of supplies for use in the home occupation or pickups of the items produced by the occupant by commercial carriers.
 8. No clients or customers are allowed on the premises, except for individual instruction, such as tutoring, musical lessons and the like, for the purpose of supplementing an income.
 - c. *Group home* means a dwelling shared by four or fewer persons, excluding resident staff, who live together as a single housekeeping unit and in a long term, family-like environment in which staff persons provide care, education and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential under the direction and guidance of a designated managing caregiver, who must be a resident of the group home. The term "group home" shall not include a halfway house, a treatment center for alcoholism or drug abuse, a work release facility for convicts or ex-

convicts, a home for the detention and/or rehabilitation of juveniles adjudged delinquent or unruly and placed in the custody of the State, or other housing facilities serving as an alternative to incarceration. The term "group home" shall also not allow the use of a dwelling as an apartment or duplex. A group home shall not allow use of the dwelling as a home for individuals on parole, probation, or convicted and released from incarceration, for any crimes including child molestation, aggravated child molestation, or child sexual abuse, as defined in O.C.G.A. § 16-6-4 or individuals required to register as sex offenders pursuant to O.C.G.A. § 42-1-12. A group home may include a home for the handicapped. As used in this subsection, the term "handicapped" shall mean:

1. Having a physical or mental impairment that substantially limits one or more of such person's major life activities so that such person is incapable of living independently;
2. Having a record of having such an impairment; or
3. Being regarded as having such an impairment.

However, the term "handicapped" shall not include current illegal use of or addiction to a controlled substance, nor shall it include any person whose residency in the home would constitute a direct threat to the health and safety of other individuals.

- d. *Livestock, nondomestic and wild animals, and poultry* means animals, nondomestic and wild animals, and species of the avian family which are or may be raised for the purpose of providing food or transportation, or being resold or bred, excluding only dogs, cats, rabbits, fish, pet mice, hamsters, gerbils, parrots and parakeets.
 1. Such animals shall only be permitted on a lot containing not less than two acres.
 2. All buildings used for animals shall be set back not less than 100 feet from any property line.
 3. All animals shall be maintained at least ten feet from any residential property line.
 4. Except in the RR district, there shall be not less than 5,000 square feet of fenced lot area not covered by the principal structure for each animal, unless the property is a bona fide farm.
 5. In the case of nondomestic or wild animals, all state and federal requirements must be met and a special land use permit is required.
- (3) *Permitted uses.* Anything not permitted or allowed by special exception is prohibited. Permitted uses are as follows:

Clubs or lodges (noncommercial).

Community fairs.

Cottage food operators as regulated by the Georgia Department of Agriculture in accordance with its Rules, Chapter 40-7-19, as may be amended from time to time subject to the following requirements:

1. There shall be no signage or other exterior evidence of the cottage food operator.
2. Deliveries of specialty ingredients such as herbs and spices, etc., limited to those made by the United States Postal Service or other carrier (FedEx, United Parcel Service, etc.) that routinely delivers mail/internet order products to residents.
3. No cottage food products prepared by the cottage food operator may be picked up by a commercial carrier.

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4. There shall be no employees parking on the site unless approved by the board of commissioners in accordance with section 134-36 of the Cobb County Code.

Customary home occupations.

Designated recycling collection locations.

Executive golf courses (see section 134-270).

Fruit trees, nuts and vegetables.

Golf courses, 18-hole regulation, public and private (see section 134-270).

Golf courses, par 3 (see section 134-270).

Group homes.

In-home day care.

Livestock, nondomestic and wild animals, and poultry, on two or more acres.

Nonprofit (seasonal use) fishing lakes.

Parking for vehicles.

Personal vehicle and equipment sales.

Residential, agricultural, farm and wood products and livestock and poultry sales.

Riding stables.

Single-family dwelling units (detached).

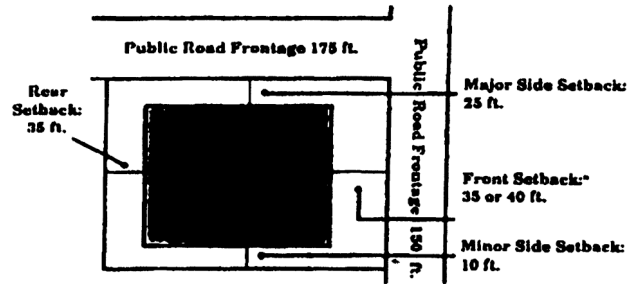
Temporary uses.

- (4) *Lot size and setback requirements.* Various flexible design options may apply when used with the open space community (OSC) overlay district, section 134-198.1. Otherwise, lot size and setback requirements are as follows:
 - a. Minimum lot size: 20,000 square feet. The board of zoning appeals shall not be authorized to recommend a variance for more than 25 percent of the minimum lot size.
 - b. Minimum lot width at front setback line: 75 feet; cul-de-sac, 50 feet.
 - c. Minimum public road frontage: 75 feet; cul-de-sac, 50 feet.
 - d. Minimum building setbacks: As shown and applied in the following diagram:

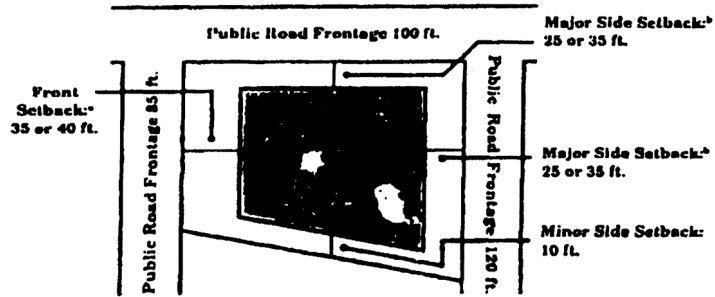
MINIMUM BUILDING SETBACK REQUIREMENTS FOR R-20 DISTRICT

Note: All setbacks shall be measured from future right-of-way.

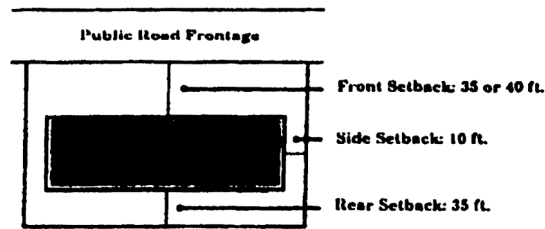
R-20



Example for Property with two (2) Public Road Frontages



Example for Property with three (3) Public Road Frontages



Example for Property with one (1) Public Road Frontage

Minimum Building Setback Requirements for R-20 District

Notes:

- ^a Property with shorter amount of road frontage will be the front setback for determining other setbacks (major side, side, rear).
- ^b If structure fronts a major side setback, major side setback shall be 35 feet.

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- (5) *Landscape buffer and screening requirements.* Landscape buffer and screening requirements are not applicable in this district.
 - (6) *Floodplain and wetlands preservation requirements.* Any development must meet all state and federal requirements relating to floodplains and wetlands. The board of commissioners encourages preservation of wetland areas. Any development must also meet state and federal requirements relating to areas subject to the provisions of section 134-283, regarding mountain and river corridor protection act areas, and section 134-284, regarding metropolitan river protection act areas. No floodplains and/or wetlands may be used in calculating the overall density of the development.
 - (7) *Building and structure requirements.* Maximum building height is 35 feet.
 - (8) *Parking requirements.* See section 134-272 for paved parking specifications.
 - (9) *Lighting requirements.* Any project permitted within the R-20 district which proposes any outdoor lighting, except individual residential lots, must have a county department of transportation approved lighting plan in accordance with the minimum conditions listed in section 134-269.
 - (10) *Special exception uses.* See section 134-271 for special exception uses and requirements for all districts. Special exception uses for the R-20 district are the uses listed in section 134-271.
 - (11) *Temporary land use permits and special land use permits.* See sections 134-36 and 134-37 for additional uses and requirements for all districts. Uses requiring land use permits or special land use permits for the R-20 district are the designated uses listed in sections 134-36 and 134-37.
 - (12) *Use limitations.*
 - a. No sale of goods or products shall be permitted except if accessory to a customary home occupation, land use permit, special land use permit or special exception use.
 - b. No sexually oriented businesses are permitted.
 - c. No materials, equipment or business vehicles may be stored or parked on the premises, except that one business vehicle, used exclusively by the resident may be parked in a carport, garage or rear or side yard. The off-site employees of the resident shall not congregate on the premises for any purpose concerning the business of the home occupation.
 - d. All uses are subject to chapter 110, pertaining to subdivisions.
 - e. It is found and declared that outside storage on properties within unincorporated Cobb County is a health risk and undesirable in that it provides harborage for rodents and insects, lowers property values, and constitutes a public nuisance; therefore, no outside storage is permitted, excluding firewood and lawn furnishings, unless otherwise allowed in this article.
 - f. Maximum impervious surface shall not exceed 35 percent. Pervious pavement system and/or green roofs are considered 60 percent effective impervious and will be calculated as such when determining maximum impervious surface. In no case shall total pavement and roof areas (pervious and impervious) exceed 40 percent. An undisturbed buffer equal to the required rear yard setback for this zoning district shall be established along the perimeter boundaries during construction until certificates of occupancy for affected lots are obtained. In the event that this undisturbed perimeter buffer conflicts with any required building setbacks, the required building setbacks may be altered by the zoning division manager or his/her designee, so to accommodate the 40-foot undisturbed perimeter buffer. The following uses shall be allowed within the undisturbed perimeter buffer (after certificates of occupancy are issued): public and private utilities, detention facilities, access drives, pools, decks, gazebos and fences. These uses shall not be allowed if an undisturbed buffer is stipulated by the board of commissioners. Required buffers may be included within required setbacks; however, in such case that the required buffer is

greater than the required setback, the required buffer shall be adhered to. Additionally, necessary private utilities and access drives may be allowed through, over or across a landscaped buffer. Any such uses which are proposed through, over or across a designated undisturbed buffer must be approved pursuant to an original site plan or site plan modification as set forth under section 134-126.

(13) *Accessory buildings, structures, uses and decks.*

- a. Size and setback limitations: Any accessory building, structure, use and deck up to 144 total gross square feet must be located at least five feet off the property line and limited to 15 feet in height subject to the development conditions list below (except for 15-foot height restriction). Any accessory building, structure, use and deck over 144 total gross square feet and up to 650 total gross square feet shall be limited to the building setbacks of the lot it is located on and is subject to the development conditions below. Any accessory building, structure, use and deck over 650 total gross square feet must be at least 100 feet from any property line and is subject to the development conditions below.
- b. Accessory buildings, structures, uses and decks shall be subject to the following development conditions:
 1. Maximum height is two stories or 35 feet.
 2. Buildings or structures shall have the meaning as defined in section 134-1. Accessory structures and uses shall also include Jacuzzis, tennis courts, basketball courts, swimming pools (private), playhouses and playgrounds. When calculating square footage for ground level uses such as tennis courts, basketball courts and above ground swimming pools and the like, the footprint shall be used in calculating total gross square feet.
 3. All accessory buildings, structures, uses and decks shall be located to the rear of the principal building, except for heating and air conditioning units or garbage pads, which may be located on the side of the primary structure and located within two feet of the primary structure.
 4. The rear of the primary structure shall be where the main portion of the building ends without consideration of wings.
 5. Architectural style and design are to be approved by the division manager of zoning or his designee, and are to be complimentary to the primary structure.
 6. Such structures or buildings shall be located on the same lot as and to the rear of the primary structure to which they are accessory. Uncovered decks that are attached to the primary structure may be located to the rear or side of the principal building. Covered decks, covered patios, and covered steps shall adhere to the building setbacks of the primary structure.
 7. No accessory building, structure, use or deck shall be constructed upon a lot until construction of the principal building has commenced.
 8. On a corner lot, no accessory building, structure, use or deck shall be located closer to the side street right-of-way line than the principal building.
 9. If the garage, accessory building, structure, use or deck is attached to the primary structure by a breezeway it shall be located up to a maximum of 25 feet from the primary structure to which it is attached. The breezeway may be enclosed or open.
 10. When an accessory building is intended to be habitable it shall be attached to the principal structure by a fully enclosed heated/cooled hallway and it shall comply with the yard

requirements of the principal building to which it is accessory. The accessory building, structure or use shall be located up to a maximum of 25 feet from the primary structure to which it is attached.

11. All accessory buildings, structures and uses in excess of 650 gross square feet shall be required to submit for plan review through the community development department or receive approval from the director of the community development department or zoning division manager, or their designees.
 12. The primary structure in a residential district shall be the principle house on the lot.
- c. Antennas and satellite dishes shall meet the requirements set forth in section 134-274.
 - d. Incidental storage is permitted, provided that the material stored is incidental to the permitted use, as determined by the division manager of zoning or his designee, and stored completely within a portion of the enclosed principal structure permitted within the district, or within a permitted accessory structure.
 - e. Neighborhood recreation centers, amenities and swimming pools are subject to the following:
 1. Site plans must be approved by the zoning staff to ensure compliance with all applicable laws and provisions of this chapter. The facility should be designed to include a detailed landscape plan that provides adequate screening of the facility which creates a visual and sound buffer for adjacent properties. The landscape plan shall be drawn to scale and shall include plant identification by common name. The facility shall be designed to accommodate no more than those residing within two adjoining residential developments except in those cases where a variance is obtained as in other cases.
 2. Buildings and structures established in connection with such use shall be set back not less than 100 feet from any property line.
 - i. Upon written consent of all owners of property within 100 feet of the building or structure, the setback may be reduced to 50 feet from any exterior property line of the subdivision within which the use is located. Additionally, a detailed landscape plan must be submitted to and approved by the planning and zoning staff.
 - ii. The setback may be reduced to 20 feet from an interior property line of the property on which the use is located if a ten-foot landscaped buffer is provided along the property line and a six-foot solid wood or masonry fence is erected and maintained along the line so as to provide a visual and noise screen for adjacent property; provided, however, the setback after reduction shall not be less than 100 feet from an exterior property line unless also reduced in accordance with subsection (12)e.2.i of this section. Such landscaped buffer shall be shown on the landscaping plan specified in subsection (12)e.1 of this section and must be approved by the planning and zoning staff.
 - iii. When a property line is on a natural waterway, a property line setback may be waived provided a written waiver is obtained from both the community development department and the planning division and zoning division.
 3. Swimming pools must comply with all applicable ordinances and must have necessary approvals from the health department and building inspections department.
 4. Outdoor activity shall cease by 11:00 p.m.

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5. Lighting shall be established in such a way that values or quiet use and enjoyment of adjacent properties are not adversely affected, and that roadways and safe use thereof are not adversely affected. No direct light shall be cast upon adjacent properties or roadways. If lighting is to be established, the use of environmental or cutoff type fixtures only is permissible. If lighting is to be established in a recreation area adjacent to an existing or proposed county public road, a lighting plan must be submitted and approved by the county department of transportation to ensure that no light is cast upon the roadway and that no adverse impact will be created as a result of the lighting.
 6. No residence or structures shall be built upon any adjacent lot within the development within which the facility is located until construction of the recreation area has commenced to the extent that buyers of adjacent property will be aware of where the recreation area will be located.
 7. Parking requirements are as follows:
 - i. A minimum of one space per five residences.
 - ii. Parking spaces shall be paved and striped according to county standard 114, Parking Specifications, as it now exists or may hereafter be amended. No parking shall be allowed within a front yard setback.

(Ord. of 12-26-72; Res. of 8-14-73, § 8; Ord. of 11-8-77, §§ 1, 7; Ord. of 7-7-82, § 1; Ord. of 12-11-90, § 3-28-7.5; Ord. of 8-13-91; Ord. of 6-9-92; Ord. of 10-27-92; Ord. of 2-22-94; Ord. of 7-11-95; Ord. of 9-26-95; Ord. of 2-27-96; Ord. of 6-24-97 (eff. 7-1-97); Ord. of 3-9-99; Ord. of 11-23-99; Ord. of 2-8-00; Ord. of 9-12-00; Ord. of 7-10-01; Ord. of 7-27-04; Ord. of 1-25-05; Ord. of 7-26-05; Ord. of 1-24-06; Ord. of 7-25-06; Ord. of 2-27-07; Ord. of 2-26-08; Amd. of 2-23-10; Ord. of 2-28-12; Ord. of 7-24-12; Amd. of 2-26-13; Amd. of 7-22-14; Amd. of 2-24-15; Amd. of 2-28-17; Amd. of 9-8-20)