

# City of Patterson

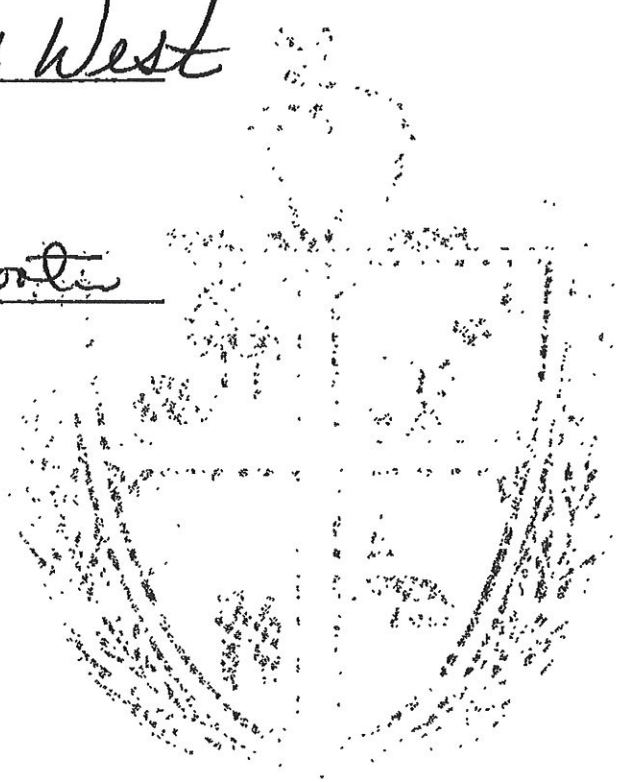
Mayor, Johnny Wooten  
5535 Gardner Street • Post Office Box 434  
Patterson, Georgia 31557  
Telephone: (912) 647-5776  
Fax: (912) 647-2462

THE CITY OF PATTERSON APPROVED THE PROPOSED ORDINANCE FOR MANUFACTURED DWELLING IN PIERCE COUNTY. AT A MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF PATTERSON, HELD ON THE 7th DAY OF AUGUST, 1997.

Phyllis West  
CITY CLERK

APPROVED:

Johnny Wooten  
MAYOR



City of Blackshear ~ City of Patterson ~ Pierce County

# JOINT PLANNING COMMISSION

114 Strickland Avenue, Courthouse Annex ~ Blackshear, Georgia 31516 ~ Telephone 449-2037

### AMENDMENT APPLICATION FOR TEXT CHANGE

Person/Agency Requesting Change County Commission

Date Requested July 28, 1997 Received By Planning Commission.

Article-Section-Subsection Statement Requiring Change:

Amendments for uniform treatment of residential dwellings  
for Pierce County Ordinance for Manufactured  
Homes.

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\_\_\_\_\_  
\_\_\_\_\_  
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Proposed Change (Fully state the proposed changes to the text or requirements): See attached

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

To be presented to the Pierce County Planning on September 22, 1997

Presented to Pierce County Commission \_\_\_\_\_

Presented to City of Blackshear \_\_\_\_\_

Presented to City of Patterson ✓ Aug. '97

Approved/Disapproved Date: 9-30-97

Sign By: Phyllis West

Public Hearing held on 9-22-97. No public comments

Planning Commission recommend passage by Government Entity. 4-0 Vote.

Each government body asked to approve or disapproved, signed and returned to Planning Commission Office as soon as possible.

Proposed Ordinance for Manufactured Dwelling in Pierce County

**Section A - Intent**

It is the intent of this ordinance to provide for uniform treatment of all housing designed Manufactured Homes and Industrialized Buildings and dwellings which have been constructed under these and other lawful regulations on adjacent lots in the same district, zoning classification or general area.

Manufactured homes which do not conform to the standards established in the definition of Dwelling, Single-Family and Mobile Homes will be permitted in the Agriculture Districts and Manufactured Home Community Districts, provided that each home complies with the district standards in which it is located and also as a Special Exception in all zoning districts as provided within the current zoning ordinance.

**SECTION B-Definitions**

i. DWELLING UNIT; A structure or a portion of any structure designed, arranged and used for living quarters for one(1) or more persons living as a single housekeeping unit with cooking facilities, but not including units in hotels, motels, boarding houses or like uses.

ii. Dwelling, Single-Family: A structure containing not more than one Dwelling Unit designed for residential use, which

*meets or exceeds the following standards:*

1. Minimum width in excess of 16 feet.
2. Minimum square footage required by the zone in which located.
3. The roof shall have a minimum 2:12 roof pitch and shall have a surface of wood shakes, asphalt composition, wood shingles, concrete, fiberglass or metal tiles, slate, built up gravel materials, or other materials approved by the Building Official.
4. The exterior siding materials shall consist of wood, masonry, concrete, stucco, masonite, metal or vinyl lap or other materials of like appearance.
5. Be attached to a permanent foundation.
6. Be constructed according to standards established by the State Minimum Standard Code as amended from time to time or the Standard Building Code if locally adopted for site-built homes, or the National Manufactured Housing Construction and Safety Standards Act for manufactured homes, or the State of Georgia Industrialized Act for residential industrialized buildings. Each of these codes shall be applicable to the specific structure to which it applies.

II. *Manufactured Homes*: A structure defined by and constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 as amended, 42 U.S.C. 5401, et seq. The definition at the date of adoption of this part is as follows:

Manufactured Home" means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet which is built on permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes plumbing, heating, air-condition, and electrical systems contained therein; except that such term shall include a structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary and complies with the standards established under this title.

IV Mobile Home: A structure , transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the

required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein and manufactured prior to June 15, 1976.

*V: Other Manufactured Homes:* Any manufactured home not meeting the definition of Dwelling Single-Family.

*VI: Industrialized Building:* Any structure or component thereof which is wholly or insubstantial part made,

fabricated, formed, or assembled in manufacturing facilities for installation on a building site and has been manufacture manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof.

Industrialized Buildings are constructed and regulated in the "Industrialized Buildings Act" Georgia Law 1982 pp1637-1643 (official code on Georgia Annotated, Title 8, Chapter 2 Article 2, Part 1

*VII Structure:* Anything constructed or erected with a fixed location on the ground. Structures include, but not limited to the following: site built buildings, industrialized buildings, manufactured homes, mobile homes, billboard, swimming pool, advertising signs, satellite dishes, and fall-out

shelters.

**Section C - Manufactured Homes as Single-Family Dwellings**

1. Permitted Locations: Manufactured Homes qualifying as dwelling, single-family shall be allowed in all residential districts and shall be regulated uniformly with other housing constructed on site, subject to requirements and limitation set forth in this ordinance. Approval shall be in accordance with Section F.

2. Compatibility Standards for manufactured Homes meeting the Definition of dwelling, Single-Family are as follows:

a. Manufactured Homes qualifying as Dwelling Single-Family shall be compared to site built and other housing in the immediate general area within the same zoning or residential district or area. Approval shall be granted upon finding that the manufactured home is substantially similar or superior in size, siding material, roof material, foundation and general aesthetic appearance to: (i) site built or other forms of housing which may be permitted in the same general area under this ordinance or (ii) existing development or (iii) proposed development in the same zoning district or area.

2. All towing devices, wheels, axles and hitches must be removed.

3. At each exterior door there must be a landing that



is a minimum of thirty-six by forty-eight inches.

**Section D Industrialized Buildings as Single-Family**

**Dwellings**

1. Permitted Locations: Industrialized Buildings qualifying as: Dwelling Single-Family shall be allowed in all residential districts and shall be regulated uniformly with other housing constructed on site ,subject to requirements and limitations set forth in this Ordinance. Approval shall be in accordance with Section F.

**Section E Other Manufactured Homes and Mobile Homes used for Residential Purposes**

1. Permitted Locations: manufactured homes which do not meet definition of Dwelling Single-Family and Mobile Homes shall be permitted within areas designated or utilized Agricultural, Agricultural-Residential, and Manufactured Home Districts provided that each home complies with the district standards in which it located and the standards hereinafter set forth.

2. Standards for placement of Manufactured Homes not meeting the definition of Dwelling-Single Family Mobile Home are as follows:

a. A 30 foot setback is required from any other dwelling unit on site.

b. Structure must be connected to the water and sewerage system including well and septic tank if applicable approved by the County Health Department.

c. In the event minimum installation standards have not been adopted by the State of Georgia, the structure must be installed according to the manufacturer's installation instructions when available or Appendix "H" of the Georgia State Building Code.

d. The area beneath each structure must be enclosed with materials for such purposes, including but not limited to brick, concrete, rock, or other materials which have been approved by the Pierce County Code Inspector.

e. A manufactured building when used as an accessory building shall be located at the rear of the principal structure.

f. The standards set out in this Section E III, subparagraphs "a" and "e" are not applicable to and shall not be applied to manufactured, other manufactured home or mobile homes otherwise regulated hereunder when located in a manufactured rental park community or park or mobile home rental community or park.

### 3. Special Exceptions:

a. Manufactured homes which do not meet the definition of Dwelling, Single-Family and Mobile Homes may be permitted as a Special Exception for residential use in all districts as provided in Section 408 of the Pierce County Development Code.

Section F Procedures for approval of Manufactured Homes  
Classified as Dwelling, Single-Family, Other manufactured  
Homes and Mobile Homes;

*Intent: It is the intent of this section to provide  
procedures for approval of permits for manufactured homes  
classified as Dwelling Single-Family, other Manufactured  
Homes and Mobile Homes.*

a. Applications for approval of placement of  
Manufactured Homes or Mobile Homes shall be made on a form  
or forms developed for that purpose and shall be submitted  
to the Pierce County Code Inspector for review and pre-  
approved in accordance with this Ordinance. No Manufactured  
Home or Mobile Homes shall be placed until approval is given  
by the Pierce County Code Inspector.

b. Such applications shall include all information  
necessary to make determinations as to conformity with the  
provisions of this ordinance as applicable to each  
structure and, as applicable, conformity with the standards  
herein  
, including photographs or renderings of the front and the  
side of the manufactured home or mobile home, exterior

finish, and other information necessary to make determinations required by this ordinance.

c. Approval or denial of the application shall be within five days of receipt of the application and all required supporting materials.

d. The Planning Commission may approve deviations from the definitional or compatibility or architectural standards set forth in Section BII, subparagraphs 3,4, or 5 on the Code Inspector findings and recommendation that the architectural style proposed for the dwelling unit will be compatible and harmonious to or superior to existing structures in the vicinity.

e. Appeals of the decisions of the Code Inspector in interpretation, conditional grants or denial of permits shall be made to the Planning Commission. The decision of the Commission shall be based on the purpose and intent of the Ordinance, provided that the spirit of the Ordinance shall be observed, public welfare and safety be secured, and substantial justice done.

f. Appellate procedure to be utilized is set out in Section G.

Section G Procedure for appeal or denial or conditional

approval of manufactured home classified as Dwelling, Single-Family, other manufactured homes and mobile homes.

a. Any person aggrieved by a decision of the building official or other officer, department, board or bureau charged with approval, conditional approval or denial of the placement of Manufactured homes classified as dwelling, Single-Family, other Manufactured Homes and Mobile Homes may appeal from such decision to the Planning Commission by filing with the chairman of said body, a petition in writing setting forth plainly, fully and distinctly where in the decision appealed from is contrary to the provisions of this ordinance or the laws of this state. Such appeal shall be filed within 30 days after the date on which the decision is rendered. The date on which the decision is rendered shall be the date on which that decision is reduced to writing as required in this ordinance.

b. An appeal stays all legal proceedings in furtherance of the action appealed from unless such stay would cause imminent peril to life and/or property. In such case, proceedings may be stayed by an order from Planning Commission or upon order from a court of appropriate jurisdiction.

c. The Planning Commission shall fix the date and time certain for the hearing of the appeal and shall give notice thereof of the appealing party and the building official or other official making the appeals' decision. Upon the hearing, any party to the appeal may appear in person or by an agent or through an attorney.

d. The Planning Commission shall decide the appeal within two working days after the date and time of the hearing. The appeal shall be sustained upon an express finding that the action of the Code Inspector or other official whose action has been appealed was based on an erroneous finding of a material fact or that he acted in an arbitrary manner. In exercising its powers, the board may reverse or affirm the decision appealed, wholly or partly, or may modify the decision or determination appealed from and to that end shall have all the powers of the official from whom the appeal was taken.

e. The Planning Commission shall consider only those matters asserted in the notice of appeal and shall consider only the record of the proceedings and matters presented to the official from which the appeal is taken.

f. Any decision from the Planning Commission may be appealed by filing an appeal with the Magistrate's Court of Pierce County within 30 days after the date of the decision on appeal has been rendered in writing. The decision made by the Planning Commission shall be placed in writing and the factual basis for the decision shall be set forth in the written decision.

Footnote:

On March 13, 1990, the Georgia Supreme Court rendered a decision in Cannon vs. Coweta County. In the decision, the court, noted "...That a per se restriction (on mobile homes) is invalid; if a particular mobile home is excluded from area other than mobile parks, it must be because it fails to satisfy standards designed to assure that the home will compare favorably with other housing that would be allowed on the site, and not merely because it is a mobile home."