

**AN ORDINANCE TO AMEND ARTICLE II, CHAPTER 5, BUILDINGS AND
BUILDING REGULATIONS; OF THE CODE OF ORDINANCES OF THE
CITY OF NEWNAN BY ADDING A NEW SECTION 5-31 (f); AND FOR OTHER
PURPOSES**

WHEREAS, the Building Department Official had determined that an inordinate number of structures were being constructed over the side building setback lines when the required setback is five feet or less resulting in the necessity of the property owner to seek a variance for the indiscretion or resulting in the removal of the offending structure; and

WHEREAS, the Mayor and City Council adopted Ordinance Number _____ on September ____, 2017, to address the foundation survey issue; and

WHEREAS, the Building Official has determined that the ordinance needs to be amended by adding a requirement that a foundation survey may be required to be submitted to the Building Department prior to any construction on lots adjoining an alley to assist in insuring compliance with the City's setback requirements in proximity to an alley.

BE IT ORDAINED by the Mayor and Council of the City of Newnan and it is hereby ordained by authority of the same that Section 5-31 (f) of Article II, Chapter 5, Buildings and Building Regulations, is hereby deleted in its entirety and a new Section 5-31 (f) of Article II, Chapter 54, Buildings and Building Regulations be and is hereby adopted to read as follows:

SECTION I:

Sec. 5-31 (f). Foundation Survey.

Whenever it is proposed to erect or alter a permanent residential structure within the City, the building department shall require that the builder

provide the department with a survey of the full and complete foundation for that structure, when both of the following conditions are met:

1. The foundation extends to within five feet of a required setback line.
2. The required setback line is less than five feet.

The building official may also require a foundation survey in any situation where it is felt a structure has encroached into a setback area, regardless of how it is shown on a proposed site plan, commercial or residential.

The building official may also request a foundation survey when a structure is proposed to be placed on a lot that is accessed by way of an alley, regardless of setback requirements.

If a foundation survey is required for a structure, no work shall be done on that structure beyond the foundation phase of the project until such time as a foundation survey is submitted to the building department and approved.

SECTION II: All ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.

SECTION III The effective date of this ordinance shall be upon adoption.

DONE, RATIFIED AND PASSED by the Mayor and City Council of the City of Newnan, Georgia, this 7th day of MAY, 2018, in regular session assembled.

ATTEST:

Della Hill
Della Hill, City Clerk

Reviewed:

C. Bradford Sears, Jr.
C. Bradford Sears, Jr., City Attorney

Cleatus Phillips
Cleatus Phillips, City Manager

L. Keith Brady
L. Keith Brady, Mayor

Cynthia E. Jenkins
Cynthia E. Jenkins, Mayor Pro-Tem

George M. Alexander
George M. Alexander, Councilmember

Rhodes Shell
Rhodes Shell, Councilmember

Ray DuBose
Ray DuBose, Councilmember

(Vacant)
(Vacant), Councilmember

Dustin Koritko
Dustin Koritko, Councilmember