

Chapter 7 Text Amendments adopted by the BOC Dec. 15, 2005

Note: Amendment made by Commissioner Gannon to delete Infill Building Height Definition: (i) and (j): Residential Infill Overlay District Regulations and Construction Requirements for Residential Infill Development (as these are unnecessary due to the Chapter 7 amendments being adopted for ALL county residential building – not just infill).

Sec. 7.31.2. Requirements for construction on infill lots.

- (a) A permit application for a development permit on an infill lot shall include a site plan. The site plan shall include the measurements for infill building height and for the main floor front door threshold elevation for the existing residential structure and the proposed structure. The site plan shall delineate the proposed grading for the entire site, the storm water control measures proposed to protect adjacent properties, erosion control, water quality measures, and include a tree survey and a tree protection plan.
- (b) An applicant shall also indicate on the site plan the location of the following construction-related items:
 - (1) Dumpsters or other onsite disposal equipment;
 - (2) Portable toilets;
 - (3) Onsite parking for construction vehicles;
 - (4) Construction material staging and storage; and
 - (5) Borrow or stockpile areas.
- (c) Construction activity on, and deliveries to, infill lots shall be limited to:

Monday-Friday	7:00 AM to 7:00 PM.
Saturday	8:00 AM to 5:00 PM.

There shall be no construction activity or deliveries on Sundays, New Year's Day, Thanksgiving Day, Christmas Day, Memorial Day, July 4th or Labor Day unless such activity arises from an emergency which puts the site or neighboring property owners and their property at risk of harm or loss.
- (d) The owner of the real property shall be responsible for posting a sign, in a location visible from the street frontage that shows the time during which

construction and deliveries are authorized. Such sign shall be posted seven (7) days in advance of the commencement of any construction or delivery to the site.

- (e) Dumpsters or any onsite waste disposal equipment may not be located on the street. If adequate traffic controls can be implemented, the development director or designee may approve the placement of dumpsters and onsite waste disposal equipment on a street so long as the street has a paved width greater than twenty-four (24) feet.
- (f) Portable toilets shall be located off of the right-of-way and at least fifteen (15) feet from any side property line.
- (g) Wherever possible, temporary parking shall be provided onsite and not on the street.
- (h) The distance between a retaining wall and the property line shall be equal to at least half of the distance between the property line and the required setback line. Newly constructed retaining walls shall not be higher than four (4) feet; however, existing retaining walls may be repaired and replaced so long as the height or the repaired or replaced wall does not increase in height over the original height of the wall.
- (i) The proposed front door threshold elevation for infill buildings on infill lots shall not be more than three (3) feet higher than the front door threshold elevation of the residential structure that existed on the lot prior to demolition. For lots of record existing on or before the effective date of this ordinance that are equal to or less than fifty (50) feet in width and on which a drive under garage is proposed, the previous sentence of this subsection shall not apply; however, the proposed drive under garage door threshold for these lots shall not be higher than the front door threshold elevation of the residential structure that existed on the lot prior to demolition.
- (j) Driveways for front entry garages on infill lots with setbacks less than thirty (30) feet shall not be more than eighteen (18) feet wide in the right of way. All other driveways shall be a maximum of twelve (12) feet wide. Except where necessary to accommodate the requisite turn radius at the transition to the street, the distance between the property lines in the side yard and the driveway shall be equal to at least half the width of the required side yard. For lots of record existing on or before the effective date of this ordinance that are equal to or less than fifty (50) feet in width, the distance between the property lines in the side yard and the driveway shall be no less than two (2) feet.
- (k) In addition to the requirements set forth in section 14-39 of the Code of DeKalb County, the trees of six (6) inches DBH or greater located in the front yard and

the rear half of the rear yard of an infill lot shall be preserved unless it can be demonstrated to the development director or designee in the demolition site plan that no reasonable alternatives to removal exist in order to accommodate permitted accessory structures, utilities, drainage measures, water quality improvements, and driveways.

- (l) Existing drainage patterns located along property lines shall not be adversely affected by construction of an infill building or any associated site work.
- (m) The applicant for construction on an infill lot shall be responsible for ensuring that all existing sewer services and taps from the building(s) to the street shall be inspected and verified to be in proper condition prior to connection.
- (n) The owner of real property shall be responsible for ensuring that a copy of any demolition permit secured in connection with infill lot development is posted on the property, in a location visible from the street frontage, within seven (7) days of the date of issuance, and at least seven days (7) prior to the commencement of demolition.

Sec. 7-31.3. Demolition permits.

- (a) A demolition site plan shall be submitted as part of the permit application package. The demolition site plan shall depict the trees, structures and impervious surfaces to be removed; location and size of all trees greater than six (6) inches DBH; construction exits; tree save areas, best managements practices for erosion control; and elevation of the existing front door threshold.
- (b) Only dead, diseased, or hazardous trees, as determined by a certified arborist, may be removed pursuant to a demolition permit.
- (c) No demolition permit for property within any residential district shall be issued unless the applicant for a demolition permit has submitted a site plan that shows the infill building height of the proposed structure measured in the manner specified in this Code.