

AN ORDINANCE OF MONROE COUNTY, GEORGIA, PROVIDING THAT THE UNIFIED DEVELOPMENT ORDINANCE OF MONROE COUNTY, GEORGIA, BE AMENDED AT THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF MONROE COUNTY, HELD ON _____.

WHEREAS, Monroe County, Georgia, has experienced considerable growth and development, and the Board of Commissioners adopted a Unified Development Ordinance to regulate such growth and development in accordance with the police power and the best interests of the citizens, and to preserve the public health, safety and welfare; and

WHEREAS, the Board of Commissioners wishes to amend that Unified Development Ordinance to better regulate said growth while recognizing and balancing the rights of property owners within the County; and

NOW THEREFORE BE IT ORDAINED, AND IT HEREBY IS ORDAINED, by virtue of the authority vested in the Board of Commissioners of Monroe County, Georgia, that the Unified Development Ordinance of Monroe County shall be amended as follows:

SECTION ONE

The Unified Development Ordinance of Monroe County is hereby amended as follows:

(a) By replacing subsection 9.02.01 F. in its entirety to read as follows:

Section 9.02.01. Variances

- F. When an application for a variance is received, the Board of Commissioners will set a time and place for a public hearing on the variance. Notice of the hearing must be published in a newspaper of general circulation in Monroe County at least 15 but no more than 45 days before the hearing. Such notice will state the application number, owner's name, property location, its area, time, place and subject of the hearing. At least 15 but no more than 45 days prior to the hearing, the same information shall be posted on a sign placed conspicuously upon the subject property. At least 15 but no more than 45 days before the public hearing, notice of the time, place, and subject of the hearing will be sent to the property owner and appellant or petitioner in writing by U. S. mail to her/his last known address. Copies of all such letters will be maintained in the applicant's file for permanent record.

(b) By replacing Section 10.02.04 F. in its entirety to read as follows:

Section 10.02.04. Special use permits

- F. The Board of Commissioners shall hold a duly-noticed public hearing pursuant to the procedures for special uses. Notice of the public hearing shall be provided to the owner of the property that is the subject of the application by mail at least 15 but no more than 45 days prior to the public hearing, and the sign and published

notice shall be posted at least 15 but no more than 45 days prior to the public hearing. After conducting such hearing, the Board of Commissioners may grant, deny, or grant with special conditions the special use permit request. The decision of the Board of Commissioners on the application for special use may be appealed to the Monroe County Superior Court by pleadings filed in the court within 30 days of the date of the decision of the Board of Commissioners. Such appeal will be a record review, and the record shall be certified by the zoning administrator and transmitted to the superior court within 30 days of the service of the appeal pleadings on the County.

SECTION TWO

A. Severability Clause. It is the express intention of the Board of Commissioners that each independent provision of this Ordinance should be adopted, and the Board of Commissioners would have adopted each such independent provision even if the others had not been adopted. Therefore, in the event that a court of competent jurisdiction finds any provision of the ordinance to be unlawful, invalid or unenforceable, it is the intent of the Board of Commissioners that the offending provision be severed, and all lawful provisions remain in force.

B. General Repealer. Any ordinance not expressly addressed by this ordinance that is inconsistent with the provisions of this Ordinance is expressly repealed.

C. Effective date. The public welfare demanding, this ordinance shall be effective immediately after its adoption.

SO ADOPTED this _____ day of _____, 2026.

MONROE COUNTY, GEORGIA

BY: _____
Alan Gibbs, Commission Chairman

Attest: _____
Janet Abbott, County Clerk

(SEAL)