708.06 RA-6, Single Family Residential - Attached

A. *Purpose and Intent.*
The RA-6 district is intended to provide suitable areas for single family attached housing at medium densities. These districts may also serve as transitional zones between light commercial/office uses and districts reserved for lower density single family uses.

B. *Permitted Uses.*
1. Duplexes.
2. Fee simple townhouses, provided:
   a) For all developments containing eight (8) units or more, a mandatory homeowners association shall be created that will be responsible for the upkeep and maintenance of all front yards and common areas including all fencing, landscaping, amenities and buffers, and shall include architectural control oversights for the development.
   b) "Four-sided architecture" is required, such that architectural features and materials shall be used in a consistent manner on all sides of the residential units. Materials to be used on exterior facades of all buildings shall include brick, stone, stucco (not EFS type) or fiber-cement siding, or combinations of those materials. No vinyl, aluminum or metallic siding may be used.
   c) The townhouses shall be "for sale" only, and no more than five percent (5%) of all the homes within the residential development shall be allowed to be renter occupied at any time.
   d) The development shall be constructed and governed in conformity with the requirements of the Georgia Condominium Act (O.C.G.A. §44-3-70, et seq.). A Declaration of Condominium shall be submitted and recorded in compliance of this act.
   e) All townhouses shall have two-car garages, and the parking pads/driveways in front of the garage shall be a minimum of 20 feet in length in order to accommodate two additional cars. The garages shall be used for the parking and storage of vehicles and may not be enclosed to provide for additional residential space. A recital of this requirement shall be contained within the Covenants to ensure enforcement.
   f) A guest parking area shall be required at a ratio of 0.2 spaces per dwelling unit.
   g) The development shall comply with all recommendations from the City of Marietta Public Works Department with respect to hydrology, stormwater management, down stream considerations and any donation and/or conveyance of right-of-way that is deemed necessary.
   h) A 150 foot acceleration lane and a 150 foot deceleration lane with appropriate tapers shall be constructed if required by the Public Works Department.
   i) A recreation area shall be provided at a ratio of 1 acre per 50 units (or a proportional percentage thereof) with a minimum of 10,000 square feet provided. Such area shall be developed with at least one passive recreational feature, such as a walking trail, pavilion, gazebo or picnic area, and at least one active recreational feature, such as a swimming pool, playground or tennis courts. Active recreational areas must be outside of any floodplain area and located in such a manner that at least 75% of the townhouses are within 300 feet, as measured from the building footprints. Any recreation area, whether passive or active, must be located in an area with a slope of less than 15%, however, all recreation areas must meet ADA requirements for accessibility. Active recreational areas must be improved through the use of terracing or other techniques to provide a usable area, such that at least 25% of the entire recreational area shall have a slope of no greater than 3%.
3. Accessory uses and structures incidental to any legal permitted use.

C. *Temporary/Conditional Uses Allowed by the Director.*
1. Limited Home Occupations (see standards set forth in Section 712.04).
2. Garage Sales, provided:
   a) Limited to 3 consecutive days and one event every 3 months.
   b) No consignment goods may be offered for sale.
   c) Sales are conducted between the hours of 8:00 a.m. and 7:00 p.m.
   d) One sign per property frontage is allowed, maximum 6 square feet in size.
3. Single family detached residential units in accordance with the bulk and area regulations specified in Section 708.04 (H).
4. Mobile Retail Food Establishment shall be allowed on property zoned RA-6 according to the restrictions listed below:
   a) Written permission of the property owner is obtained.
   b) Such use does not last longer than one day and no more than 3 days annually.
   c) These uses are not located within any public right-of-way or City owned property, unless otherwise authorized by the City.
   d) Adequate paved parking, ingress and egress are provided on site.
   e) A temporary use permit is applied for and approved by the Director of the Department of Development Services.
   f) The Board of Zoning Appeals shall not issue and are not granted the authority to issue variances to any of the regulations relating to Mobile Retail Establishments; all such variance requests must be submitted to City Council. Variances for mobile food establishments shall be considered according to the criteria defined under §712.01 (E).[1]

D. *Special Uses Permitted by Board of Zoning Appeals.*
1. Group homes (see standards set forth in Section 712.02).

E. *Special Uses Permitted by City Council*
1. Places of assembly, private parks and playgrounds, and neighborhood recreation centers or swimming pools, provided:
   a) Lighting shall be established in such a way that no direct light shall cast over any property line nor adversely affect neighboring properties.
   b) Any building or structure established in connection with such use must be setback no less than 75 feet from any property line.
   c) All pools must adhere to the standards of the Standard Swimming Pool Code, as amended. (See standards set forth in Section 712.01).
2. Home occupations – Type B (see standards set forth in Section 712.04)[2].
3. Party Houses

F. *Accessory Structures.*
1. All such structures shall be located upon the same lot and to the side or rear of the principal use at least 10 feet from side or rear lot lines. In cases of corner lots, the accessory structure may not be closer to any right-of-way than the principal building.
2. When an accessory building is attached to the principal building in any manner, it shall be deemed part of the principal structure and subject to all bulk and area requirements of same.

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[1] *Legistar #20190284, 9/11/2019*
[2] *Legistar #20170405, 6/14/17*

3. No accessory building shall be constructed upon a lot before the principal building.
4. Accessory structures greater than 15 feet in height, but less than 35 feet in height, must be set back at least 10 feet from the side property line, and must be set back from the rear property line a distance of 30 feet, or a distance equal to the height of the structure, whichever is less.
5. The area of the accessory building's footprint may not exceed 50% that of the principal structure.
6. Swimming pools must be enclosed by a fence not less than 4 feet in height with a self-closing, self-latching gate and must comply with all applicable safety and health ordinances.
7. Heating and air conditioning units may encroach 5 feet into the required rear or side setback.

G. *Use Limitations.*

1. No outside storage is permitted with residential uses, excluding firewood and lawn furnishings.
2. All outside storage associated with non-residential uses must be stored in a side or rear yard and screened from all streets and adjacent properties by a wood fence no less than six feet in height. The Director may approve the substitution of plantings for the required fence. Unenclosed carports and front porches may not be used for storing any materials other than firewood or recyclable materials within a city approved container.
3. A satellite dish with a diameter of 24 inches and under may be attached to the side or rear of the principal structure and encroach 3 feet into the required setback. Larger satellite dishes shall be considered accessory structures (and therefore subject to the standards for same) that must be screened by fencing or vegetation in such a manner that they may not be seen from the public right-of-way. Installation of more than one satellite dish per structure requires prior approval from Planning and Zoning staff.
4. Each dwelling unit may contain a maximum of 4 domesticated animals weighing 3 lb. or more. This standard shall not apply to animals less than six months of age. No livestock are permitted.
5. Minimum parking provided shall be two spaces per dwelling unit. Such space shall be provided not more than 150 feet from the dwelling unit.

H. *Bulk and Area Regulations.*

Minimum Lot Size:	11,000 sq. ft. - duplexes 4,000 sq. ft. - fee simple townhomes
Maximum Density:	6 dwelling units per acre
Minimum Tract Size:	2 acres
Minimum Lot Width:	40 ft. - if required parking is provided within the front setback 30 ft. - if required parking is provided to the rear, side or in common areas
Maximum Building Height:	35 ft.
Minimum Floor Area/unit:	1,150 sq. ft.
Maximum Lot Coverage:	35%
Maximum Impervious Surface:	50%
Front Setback (arterial):	40 ft.
Front Setback (collector):	25 ft.
Front Setback (local):	25 ft.
Side Setback (major):	25 ft.
Side Setback (minor):	0 ft. for attached units/20 ft. spacing between buildings
Rear Setback:	30 ft.

I. *Landscape and Buffer Requirements.*

When an RA-6 district abuts an R-1, R-2, R-3, R-4, PRD-SF (at an effective density of 6 units per acre) or RA-4, a 30 foot buffer shall be established. (see standards set forth in Section 710.05).