

Clay County Board of Health
 Rules and Regulations
 Lot Sizing

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1. Authority.

The legal authority for this rule is Official Code of Georgia Annotated Section 31-3-4(a)(4) and 31-3-5.(b)(2).

2. Purpose.

To provide for the orderly and safe development of property utilizing on-site sewage management systems, the following criteria adopted by the Clay County Board of Health. Larger lot sizes may be required to meet the requirements of the Georgia Manual for On-Site Sewage Management Systems depending on the proposed development of the property. The Clay County Planning and Zoning may require larger minimum lot sizes, in which case the larger lot sizes will take precedence.

3. Single Family Dwellings.

Lot sizing requirements are as follows for single family dwellings included but not limited to: manufactured or mobile homes, stick built homes, modular homes, etc., and individual lots in subdivisions or mobile home lots located in areas other than commercial mobile home parks. Area requirements for multiple dwellings on a single recorded lot, where not prohibited by local zoning, must be provided in multiples of the following minimum lot sizes for each dwelling to be constructed on the recorded lot.

	Type of Water Supply System	
	Non-public (Individual)	Public
Minimum Lot Size	65,340 square feet	32,670 square feet
Minimum Lot Width	150 feet	100 feet
Maximum Sewage Flow	400 gallons/day/acre	800 gallons/day/acre

- A. The above minimum lot size is for the typical size home (3 or 4 Bedroom, 2,000 sq. ft.) with basic appurtenances such as: driveway, minimum number of trees, and water supply line. If larger homes, swimming pools, tennis courts or outbuildings, etc. are proposed to be constructed or if trees would interfere with installation of an on-site sewage management system, the Board of Health will require larger lots to assure useable soil area.
- B. The Board of Health may also require larger lot sizes when physical factors indicate the need to do so. These factors include, but are not limited to, the availability of

sufficient unobstructed land areas for an approved on-site sewage management system and approved replacement system, slope greater than 5%, percolation rates higher than 45 minutes per inch, need for subsurface drainage or adverse topographic features.

- C. Lots shall be a minimum width of one hundred feet (100') within the area where an approved on-site sewage management system and replacement system are to be located, if the lot is served by a public water supply system. If the lot does not have access to public water, this distance must increase to one hundred fifty feet (150').
- D. The following land areas are not considered when calculating lot size: right of ways of roads, easements (such as power line or pipe lines) that exclude installation of an on-site sewage management system, soil conditions that exclude the installation of an on-site sewage management system, bodies of water, land within 50 feet of a lake, river, stream, wetland or other bodies of water and similar limiting factors.
- E. There must be an unobstructed area on each lot for installation of an approved on-site sewage management system and an area equal in size for an approved replacement system; this will include sufficient area for necessary site modifications for installation of both the initial system and a replacement system. All pertinent County Zoning setbacks and other space requirements must be met.

4. Multi-family Dwellings.

All provisions of single-family lot sizes apply to multi-family dwellings. The minimum lot size requirements must apply to each individual unit. Example – A duplex with non-public water supply will require two (2) acres minimum that meet suitability requirements as outlined in the Georgia Manual for On-Site Sewage Management Systems.

5. Commercial Lots.

Commercial Lots must have a minimum size of one and a half (1.5) acres. Commercial lots that are served by individual, non-public water supplies are limited to a maximum sewage flow of 400 gallons per acre per day (400 gallons/acre/day). Commercial lots served by public water supplies are limited to a maximum sewage flow of 800 gallons per acre per day (800 gallons/acre/day).

6. Groundwater Recharge Areas.

The lot sizes outlined in this rule are established with due consideration to the Rules of the Department of Natural Resources, Environmental Protection Division, Chapter 391-3-16-.02 which requires increased lot sizes in areas of groundwater pollution susceptibility. There is no requirement to increase these lot sizes to meet this rule.

7. Lots of Record.

Platted lots of record prior to the adoption of this rule, which do not meet these minimum requirements, will be allowed to maintain the structure extant on the lot at the time of adoption. If the structure is removed, a comparable structure will be allowed to replace it. The new structure must not increase the footprint, square footage, number of bedrooms or sewage flow. Subdivision lots that have received prior approval under previous standards will continue to be regulated under those standards.