

**CANDLER COUNTY  
TINY HOUSE ORDINANCE  
ARTICLE ONE  
GENERAL**

**1.1 Title.** This Ordinance shall be known as and may be cited as the “Tiny House Ordinance”

**1.2 Authority and Jurisdiction. Whereas,** consistent with Georgia Law, the Candler County Board of Commissioners has the authority to establish by ordinance or resolution such local rules and regulations, not in conflict with existing State or Federal Law, relating to the health, safety, and welfare of the public.

**1.3 Purpose.** The public health, safety, economy, good order, appearance, convenience, morals and general welfare require the harmonious, orderly and progressive development of land within Candler County, Georgia. In furtherance of the general intent of this Ordinance, the regulation of land development is authorized for the following purposes amongst others:

- (a) To encourage economically sound and stable land development;
- (b) To prevent the overcrowding of land and promote desirable living conditions;
- (c) To assure the timely provision of required streets, utilities and other facilities and services to land development;
- (d) To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in land developments; and
- (e) To assure, in general, the wise and timely development of new areas, in harmony with the comprehensive plan of Candler County.

**Now therefore be it resolved** that the following rules and regulations are hereby adopted. These regulations shall apply to all unincorporated land located within the boundaries of Candler County, Georgia.

## **ARTICLE TWO GENERAL PROVISIONS**

### **2.1** Definitions.

- 2.1.1** Prefabricated home. A general term used to describe any home constructed in a factor setting including manufactured homes, modular homes, and industrialized homes.
- 2.1.2** Site-Built Residential Dwelling (Stick-Built). Residential buildings or structures that are built on the construction site and not designed or intended to be moved or relocated. Site-Built dwellings shall meet the following codes: International Residential Code (IRC), with Georgia Amendments; International Plumbing Codes (IPC), with Georgia Amendments; International Energy Efficiency Code (IECC) with Georgia Amendments; and the National Electrical Code (NEC)
- 2.1.3** Tiny House: A dwelling that is 400 square feet or less in floor area, excluding lofts, as defined in the 2018 International Residential Code, ancillary dwellings, and manufactured/mobile homes. Tiny houses shall include tiny houses built on trailers or permanent chassis or are otherwise mobile
- 2.1.4** Zoning Administrator. One or more persons, officers or officials or his authorized representative, whom the County Manager has appointed to administer and enforce individually or collectively, the building code, subdivision, or zoning ordinances.

## **ARTICLE THREE APPLICABILITY**

- 3.1** This ordinance shall apply to any tiny houses installed, constructed, or modified after the effective date of this Ordinance.
- 3.2** All tiny houses shall be designed, erected, and installed by following applicable locate, State, and Federal Codes, regulations, and standards.
- 3.3** No tiny house may be erected, constructed or installed without a conditional use permit or permitted use permit.
- 3.4** A Tiny House may be used as a principal dwelling with a Conditional Use Permit in the AG3 zoning district, or as an accessory dwelling unit with a Conditional Use Permit and shall meet all development standards within that zoning district.

**3.5** To obtain approval for the construction or installation of a tiny house, the applicant shall provide the following information to the Zoning Administrator:

- (a) one copy of typical specifications for proposed structures, including a description of design characteristics and material.
- (b) Certification that tiny house meets all applicable codes for the site-building residential or manufactured home.
- (c) If the applicant is not the site owner, written notarized authorization from the site owner for the application.
- (d) An analysis showing the potential visual and aesthetic impacts on adjacent properties.
- (e) Additional information showing the potential visual and aesthetic impacts on adjacent properties.
- (f) Additional information required by the Zoning-Administrator for a determination that all applicable zoning regulations are met.

#### **ARTICLE FOUR STANDARDS FOR TINY HOUSES**

**4.1** A site-built and prefabricated tiny house must meet the design standards for single-family residential except for the minimum dimensional requirements or required garage if having no more than one (1) dedicated sleeping area. A manufactured tiny house shall meet HUD and other industry requirements.

**4.2** Dimension requirements:

- (a) A tiny house shall have a minimum lot area of 11,000 square feet.
- (b) The minimum lot width shall be 18 feet.
- (c) The minimum lot depth shall be 50 feet.
- (d) The minimum front set back shall be 20 feet.
- (e) The minimum rear setback shall be 5 feet.
- (f) The sum of the side setbacks shall be no less than 10 feet.

- (g) All tiny houses shall have front porches or stoops, sufficient to allow stretcher ingress and egress.
- (h) Each dwelling unit shall be provided with an area of private open space. The private open space shall contain a minimum of 200 feet square feet of usable space and shall be separated from the common open space with a small hedge, picket fence, or other similar visual separation.
- (i) All tiny houses shall maintain a separation of 10 feet from other structures.

4.3 A tiny house shall have the following:

- (a) Dedicated kitchen area with a sink, cooking appliance, refrigerator, and clear working space of not less than thirty (30) linear inches;
- (b) separate bathroom with a toilet, lavatory, and a shower or bathtub; and
- (c) a separate closet.

4.4 Construction plans shall meet all applicable building codes and be required to be placed on a permanent foundation and hooked up to an approved sewage disposal system, potable water service, and electrical service.

4.5 All light, ventilation, and life safety requirements shall be met.

## **ARTICLE FIVE APPEALS PROCESS**

5.1 **Authority.** The Board of Commissioners shall hear and decide upon appeals where it is alleged that there is error in any requirement, determination or decision made by the County Administrator.

5.2 **Appeal Process.** An appellant must file an appeal with the County Clerk in writing within ten (10) days of learning of a requirement, determination, or decision. The appeal shall contain a statement describing what is being appealed. The County Administrator will notify the appellant of the time, date and place of hearing.

5.3 **Presentation of Evidence.** The County Administrator and the appeal shall be entitled to present evidence on the matter before the Board of Commissioners.

- 5.4 Decision.** The Board of Commissioners shall render its decision during the meeting at which the appeal is considered; however, by majority vote, the Board may continue the meeting until a time certain within ten (10) days. Decisions of the Board of Commissioners shall be final.

## **ARTICLE SIX PENALTIES**

- 6.1 Violations of Ordinance.** A violation of this Ordinance shall be a misdemeanor offense and shall be punished by a fine not to exceed \$1,000 and/or imprisonment of not more than twelve (12) months. After any person or entity has been notified by the governing authority or its designee that such person or entity is in violation of this Ordinance, each day of continued violation shall constitute a separate offense punishable by like fine. In addition to or in lieu of the foregoing, the governing authority may, whether by legal process or otherwise, seek to enjoin, correct and/or abate any violation of this ordinance.

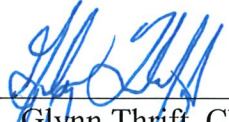
## **ARTICLE SEVEN LEGAL STATUS PROVISIONS**


- 7.1 Conflict.** In so far as the provisions of this Ordinance are inconsistent with the provisions or any other local laws, the provisions of this Ordinance shall control. Insofar as the provisions of the Ordinance are inconsistent with provisions of any State or Federal Law shall control.
- 7.2 Severability.** Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid such decisions shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared to be unconstitutional or invalid.
- 7.3 Repeal of Conflicting Ordinances.** Any and all ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.
- 7.4 Effective Date** This ordinance shall be in full force and effect upon adoption by the Candler County Board of Commissioners.

**SIGNATURE ON FOLLOWING PAGE**

Adopted, approved and enacted this \_\_\_\_ day of March, 2024, at the called Meeting of the Board of Commissioners of Candler County.

**CANDLER COUNTY BOARD OF COMMISSIONERS**

By:   
\_\_\_\_\_  
Glynn Thrift, Chairman

Attest:  Deputy Clerk  
Kellie Lank, Clerk



**SIGNATURE PAGE**

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