

**ARTICLE IX
OTHER REQUIREMENTS BY DISTRICT**

Section 90. Minimum Lot Area and Lot Width, and Maximum Lot Coverage.

90.1. Single and Two-Family Residential Dwelling Units. Within use districts permitting single and two-family residential dwelling units, the following minimum lot areas, minimum lot widths and maximum lot coverage shall apply.

Art. IX-Rev. 4.2.02 Sec.90.1-Rev.8.20.02 Sec.90.1-Rev. 1.20.04

Maximum Coverage (Percent)	Minimum Lot Area	Minimum Lot Width Measured At (Sq. Feet)	Lot Building Line
R-1 – Residential			
Single-Family			
with septic tank and well	65,340	150’	25%
with septic tank	32,670	100’	25%
with public sewer			
curb & gutter	15,000	90’	25%
open ditch	25,000	200’	25%
R-AG – Residential-Agricultural			
open ditch	5 Acres	300’	25%
	5 Acres	300’	25%

R-2 - Residential

Single-Family (Detached)			
with septic tank and well	65,340	150'	25%
with septic tank	32,670	100'	25%
with public sewer	12,000 ¹	80'	25%
Single-Family Townhouses	2,000 ²	20'	40%
Two-Family (Duplex)			
with septic tank and well	65,340	150'	25%
with septic tank	32,670	100'	25%
with public sewer	10,000 ³	85'	25%

R-2A – Residential

Single-Family (Detached)			
with septic tank and well	65,340	150'	25%
with septic tank	32,670	100'	25%
with public sewer	12,000 ⁴	80'	25%

¹ Lots abutting properties developed with single family dwellings may have larger minimum size requirements. See Section 90.1.1.

² The developer of townhouses in an R-2 and R-2A zone is required to set aside an additional 2,000 square feet of common open space for each dwelling unit. This area cannot be used for any other purpose except as open space.

³ Lots abutting properties developed with single family dwellings may have larger minimum size requirements. See Section 90.1.1.

⁴ Lots abutting properties developed with single family dwellings may have larger minimum size requirements. See Section 90.1.1.

		Minimum	
Maximum	Minimum	Lot Width	Lot
Coverage	Lot Area	Measured At	
(Percent)	(Sq. Feet)	Building Line	

R-3 -Residential

Single-Family (Detached)			
with septic tank and well	65,340	150'	35%
with septic tank	32,670	90'	35%
with public sewer	9,000 ⁵	70'	35%
Single-Family Townhouses	2,000 ⁶	20'	40%

Two-Family (Duplex)

with septic tank and well	65,340	150'	35%
with septic tank	32,670	100'	35%
with public sewer	8,000 ⁷	75'	35%

R-MH – Residential Manufactured Home

Individual Manufactured Homes

with septic tank and well	65,340	150'	35%
with septic tank	32,670	85'	35%
with public sewer	9,000	70'	35%

These figures for minimum lot area and minimum lot width do not apply to lots of record.

90.1.1. Single-family and two-family developments abutting platted residentially zones (R-1, R-2 and R-3) lots shall meet the following requirements in addition to the requirements in Section 90.1: Sec.90.1.1-Rev.8.20.02

- (1) The required minimum size of the proposed lots shall be established by determining the average size of the smallest two-thirds (2/3) of the existing lots abutting the new development. The proposed lots shall be 85% of the average size but not more than two times the minimum lot size required in Section 90.1 for the zoning classification in which the development is located.
- (2) If the required minimum lot size determined in 90.1.1 (1) is within ten percent (10%) of the minimum lot size requirements mandated in Section 90.1 these regulations shall not apply.

90.1.2. The regulations in Section 90.1.1 above shall not apply to existing or proposed multi-family dwellings or to existing or proposed developments in the R-MH district. Sec.90.1.2-Rev.8.20.02

⁵Lots abutting properties developed with single family dwellings may have larger minimum size requirements. See Section 90.1.1.

⁶The developer of townhouses in an R-2 and R-2A zone is required to set aside an additional 2,000 square feet of common open space for each dwelling unit. This area cannot be used for any other purpose except as open space.

⁷Lots abutting residential properties may have larger minimum size requirements. See Section 90.1.1.

90.2. Multi-Family Residential Dwelling Units.

90.2.1. Within use districts permitting multi-family dwellings, the basic minimum lot area shall be 9,000 square feet in an R-3, Multi-Family Residential District,

and 10,000 square feet in commercial districts, or shall be greater based on the following minimum lot area and maximum lot coverage requirements, except as otherwise herein:

Maximum Height of Building Coverage (No. of Floors) (Percent)	Minimum Number of Units	Total Lot Area Per Unit			Lot & C-3
		R-3, OC & C-1	C-2		
One & Two	3	3,000	2,500	40%	
Three	6	2,500	2,000	40%	
Four	16	2,100	1,750	30%	
Five	20	1,500	1,250	30%**	
Six To Eight	24	1,250	1,000	25%**	
Nine or More	32	1,000	750	25%**	

90.2.2. Within use districts permitting multi-family residential dwelling units, the minimum lot width measured at the building line shall be 85 feet.

90.2.3. All multi-family dwelling units shall be connected to a public sewer. No septic tanks, or other methods of disposing of waste, will be permitted in any multi-family dwelling.

90.3. Commercial, Industrial and Other Uses. Within the C-1, Highway Commercial and M-1, Wholesale and Light Industrial Districts, the minimum lot area for each permitted use shall be 10,000 square feet. Except for the OC, Office Commercial District, all other commercial, industrial and other uses have no minimum requirements for lot area. The maximum lot coverage for a commercial use in the OC, Office Commercial District shall be 70%. All other commercial uses have no minimum requirements for lot area in the OC, Office Commercial District.

Section 91. Minimum Setbacks. *(Rev. 07.06.10)*

Within the zoning districts herein defined, the following minimum setback requirements shall apply:

Zoning Districts	Front Yard		Rear Yard	Interior Lot	Side Yard Corner Lot	
	Arterial/Collector Streets	Minor Streets			Arterial/Collector Streets	Minor Streets
R-1 Residential	40'	30'	35'	10'	40'	30'
R-AG Residential-Agriculture	50'	50'	b	c	50'	50'
R-2 & R-2A Residential	40'	25'	25'	8'	40'	25'
R-3 Residential						
One and Two Family	40'	25'	25'	8'	40'	25'
Multi-Family	40'	25'	25'	a	40'	25'
C-1 Highway Commercial						
Multi-Family	40'	25'	25'	a	40'	25'
Commercial	40'	25'	b	c	40'	25'
C-2 General Commercial						
Multi-Family	35'	25'	25'	a	35'	25'
Commercial	40'	25'	b	c	35'	25'
C-3 (CBD) Central Business						
Multi-Family	10'	10'	b	c	10'	10'
Commercial	None	None	b	c	None	None
CPD Convention Plaza	40'	25'	b	c	50'	50'
OC Office Commercial						
Multi-Family	40'	25'	25'	a	40'	25'
Commercial	40'	25'	20'	8'	40'	25'
M-1 Wholesale & Light Industrial						
Industrial	50'	50'	b	c	50'	50'
M-2 Industrial	50'	50'	b	c	50'	50'
R-MH Residential						
Single Family	40'	25'	25'	8'	40'	25'
Individual						
Manufactured Homes	40'	25'	25'	8'	40'	25'
Manufactured Home Parks	(SEE SECTION 100)					

- a - Eight feet (8') plus two feet (2') additional for each story (floor) above two stories, but not exceeding twenty feet (20'); and when dwelling unit faces side yard, the dwelling unit shall not be less than twenty feet (20') from the side lot line.
- b - None, except when abutting residential district and then not less than twenty-five feet (25').
- c - None, except when abutting residential district and then no less than twenty-five feet (25').

Section 92. Private Development Maintenance

Sec.92 – Rev.7.20.04

92.1. Purpose. The purpose of this section is to promote the health, safety, morals and general welfare of the inhabitants of Perry, Georgia, by regulating the occupancy and maintenance of manufactured home parks, travel trailer parks, apartments, Planned Unit Developments (PUD) and all other developments with privately maintained infrastructure.

92.2. Definitions. When used in this section, the following words and phrases shall have the meaning given. The words not defined below shall have the meaning given in Section 31.

- (1) *Common Area* – Any area or space designed for joint use of tenants occupying the private development.
- (2) *Density* – The number of dwellings per gross acre.
- (3) *Driveway* – A private way used by vehicles and pedestrians on a private development or for common access to a group of lots or common facilities.
- (4) *Governing Authority* – means the Mayor and Council of the City of Perry, Georgia.
- (5) *Management* – The person who owns or has charge, care or control of the private development.
- (6) *Occupied Area* – That area of an individual lot which has been covered by a dwelling and its accessory structures.
- (7) *Private Development* – Any development in which the infrastructure (water and sewer mains, streets, driveways, etc.) is not owned by the City of Perry. Private development shall include but is not limited to apartment complexes, manufactured home parks, private retirement communities, and condominiums.
- (8) *Service Building* – A structure housing sanitary, operational, office, recreational, maintenance and other facilities built to conform to required standards.
- (9) *Sewer Connection* – Pipes, fittings and appurtenances from the drain outlet of the structure to the inlet of the corresponding sewer riser pipe of the sewer system serving the private development.
- (10) *Travel Trailer Park* – An area where one or more travel trailers can be parked, designed or intended to be used as temporary living quarters for one or more families and intended primarily for automobile transients, whether or not a charge is made for such accommodation.
- (11) *Water Connection* - Pipes, fittings and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the structure.

92.3 Permits Required.

It shall be unlawful for any person to construct, alter or extend any private development within the limits of Perry, Georgia unless the zoning enforcement officer issues a valid permit. Construction must begin within 180 days after issuance of the permit.

92.4 Applications.

All applications for permits for private developments shall be submitted to the zoning enforcement officer of Perry, Georgia, after submission and approval of the final site plan.

92.4.1. Site Plan. A private development site plan layout shall be drawn at a scale no smaller than 100 feet to one inch and shall show the following information:

- (1) Five black or blue line prints of the final site plan shall be submitted and shall contain the following information:
 - (a) Name and address of applicant.
 - (b) Name and address of the owner of the land.
 - (c) Location (vicinity map) and legal description of the private development.
 - (d) North arrow.
 - (e) The area and dimensions of the tract of land.
 - (f) The number, location and size of all lots.
 - (g) The location, width and area of roadways, parkways, streets, driveways and walks.
 - (h) The location of service buildings and any other proposed structures.
 - (i) Location and design of parking spaces.
 - (j) Gross density.
- (2) Approval of the final site plan shall be noted on all five prints and attested to by the signature of the Community Development Director. Three prints shall be returned to the applicant, and two prints retained in the files of the zoning enforcement officer.

Before acting on the site plan layout, the community development department may request a report from any person or agency directly concerned with the proposed development, such as the district highway engineer, superintendent of schools, and public utilities. Such reports shall certify compliance with or note

deviations from the requirements of this chapter, and include comments on other factors which bear upon the public interest. The responsibility of securing said reports is that of the community development staff.

Any time after approval of the final site plan by the community development department, application may be made for a permit for the construction of the private development. Five complete sets of construction plans shall be submitted to the community development department containing the following:

- (1) The approved final site plan.
- (2) Location of water and sewer lines and user pipes and manholes.
- (3) Plans and specifications of the water supply, sewer lines, storm drainage system, refuse and sewerage disposal facilities.
- (4) Plans and specifications of all buildings to be constructed, altered or extended within the private development.
- (5) The location and details of lighting and electrical systems.

Upon review of the application the community development department shall issue a permit when a review of the application and inspection of the site demonstrates that the proposed or existing private development meets the requirements of this chapter.

92.5 Revocation of Permits.

Any permit for a private development may be revoked when it is found to be in violation of this chapter.

- (1) Should the zoning enforcement officer find that conditions exist which are in violation of any provision of this section, he shall give notice to the permittee or owner that unless such conditions or practices are corrected within 30 days, the permit will be revoked.
- (2) If at the end of 30 days, a further inspection reveals that the conditions or practices have not been corrected, the zoning enforcement officer shall then revoke the permit and give notice of such suspension in writing to the permittee or owner. Upon notice of revocation, the permittee or owner shall cease operation and/or construction of the private development.

92.6. Inspections.

- (1) The zoning enforcement officer is hereby authorized and directed to make such valid inspections as are necessary to determine satisfactory compliance with this chapter.
- (2) The zoning enforcement officer shall have the power to enter at reasonable times upon public property for the purpose of inspecting and investigating conditions relating to enforcement of this chapter. The zoning enforcement officer shall have the power to enter at reasonable times upon any private property that the officer has probable cause that a violation or violations of this code section has occurred. For the purposes of this code section, conditions which appear to be in violation of this code section which are in plain view may form the basis for probable cause.
- (3) The zoning enforcement officer may request inspections by and verifications of compliance from the department of public health or any of the rules and regulations of state and/or local health department. Representatives of the department of health shall have the same powers of entry and inspection as provided for zoning enforcement officer.
- (4) The health officer's representative, upon finding by inspection existing violations of requirements relating to the protection of health and/or safety of residents of the private development, shall notify the zoning enforcement officer of such violations and requirements for corrections. The zoning enforcement officer shall then proceed with enforcement under the provisions of appropriate sections of these regulations.

92.7. Existing Private Developments.

- (1) Private Development operating permitted prior to passage of this ordinance, may continue to operate under the terms of such permit or license except that such developments must comply with the standards required by the following sections: Section 92.5, Section 92.6, Section 92.8, Section 92.9, and Section 92.10.
- (2) Expansion of the capacity of an existing private development shall require full compliance with Section 92.

92.8. Appeals.

Petition. Any person affected by any notice which has been issued in connection with the enforcement of any provision of this section relating to private developments, or of any regulation adopted pursuant thereto, may request and shall be granted a hearing on the matter before the planning commission, provided that such person shall file in the office of the zoning enforcement officer a written statement of the grounds for such request. The filing of the request for a hearing shall operate as a stay of the notice and the suspension except in the case of an order issued under Section 92.9. Upon receipt of such request, the planning commission shall set a time and place for such hearing and shall give the petitioner written notice thereof.

92.8.1 Hearing. At such hearing, the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn.

92.8.2 Order of Planning Commission. After such hearing, the planning commission shall make findings as to compliance with the provisions of this section and regulations issued thereunder and shall issue an order sustaining, modifying or withdrawing the notice. Upon failure to comply with any order sustaining or modifying a notice, the certificate of occupancy affected by the order shall be revoked.

92.9. Emergencies.

Whenever the zoning enforcement officer finds that an emergency exists which requires immediate action to protect the public health including violations of any of the applicable rules and regulations of the department of public health or Georgia Department of Public Health, he may without notice or hearing issue an order reciting the existence of such an emergency and requiring that such action be taken as he may deem necessary to meet the emergency including the suspension of the permit or license. Notwithstanding any other provisions of this section, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, but upon petition to the planning commission, he shall be afforded a hearing as soon as possible.

The provisions of section 92.8 shall be applicable to such hearing and the order issued thereafter.

92.10. Nonconforming Private Developments.

- (1) For the purposes of this section, "nonconforming private development" shall be defined as a private development which was in existence prior to passage of this ordinance and which does not conform to the technical standards found in Section 92.11.
- (2) All nonconforming private developments within the City of Perry shall, within twelve (12) months from the adoption of this ordinance, conform to the technical standards, Section 92.11.
- (3) Nonconforming parks shall submit to the zoning enforcement officer of Perry, Georgia two copies of a site plan within 60 days from the adoption of the ordinance from which this section derives. The site plan shall contain that

information listed in section 92.4.1.(1). The site plan shall also contain the location of refuse facilities, street lighting facilities, and the location of required buffer areas.

92.11 Technical Standards.

New private developments shall conform with the Technical Standards in this section. Nonconforming private developments shall conform with the following Technical Standards in this section within 12 months from the adoption of the ordinance.

92.11.1. Roadways, Driveways and Off-Street Parking.

- (1) **Pavement.** Roadways within the private development shall be constructed in accordance with City of Perry standards.
- (2) **Width.** Roadway pavement shall be of adequate width to serve the traffic of the private development and in any case shall meet the following minimum requirements:
 - (a) Two Way Streets – 23 feet
 - (b) One Way Streets – 12 feet
 - (c) Cul-de-sac – 30 feet radius
- (3) **Minimum maintenance standards.** Roadways shall be maintained free of ruts, holes, and standing water.
- (4) **Inspections.** All streets and driveways within private developments shall be subject to review and inspection by the City of Perry.
- (5) **Access.** All private developments shall be provided with safe and convenient vehicular access from abutting public streets or roads or highways. Said access shall be provided by streets, driveways or other means. Alignment and gradient shall be properly adapted to topography.
- (6) **Driveways.** Paved driveways shall be provided where necessary for convenient access to the private development. The minimum width shall be ten feet.
- (7) **Off-Street Parking.** Off-street parking areas shall be provided in all private developments for the use of occupants and guests. All requirements found in Section 71 shall apply.

92.11.2. Landscaping. All private developments shall comply with the landscaping requirements in Section 71.6.

92.11.3. Outdoor Lighting. All private developments shall be furnished with lighting units so spaced and equipped with luminaries placed at such mounting heights as will sufficient levels of illumination for the safe movement of pedestrians and vehicles at night.

92.11.4. Drainage. The ground surface in all parts of every private development shall be graded and equipped to drain all surface water in a safe, efficient manner in order to eliminate water pockets, low areas or bogs.

92.11.5. Soil and Ground Cover. Exposed ground surfaces in all parts of every mobile home park shall be paved, or covered with stone screenings, or other landscaping material, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust and/or mud.

92.11.6. Water Supply System. An accessible, adequate, safe and potable supply of water shall be provided in each private development. Where a public supply of water of satisfactory quantity, quality and pressure is available, connection shall be made thereto and its supply used exclusively. When a satisfactory public water supply is not available, a private water supply system may be developed and used as approved by the Georgia Department of Public Health in accordance with rules and regulations for water supply quality control.

The water supply system of the private development shall be constructed and connected in accordance with the plumbing code of Perry, Georgia. Each dwelling or, in the case of two- and multi-family dwellings and commercial uses, each building shall be provided with a water connection. Such connection shall be in accordance with the provisions of the plumbing code of Perry, Georgia.

92.11.7. Wastewater System. An adequate and safe sewerage system shall be provided in all private developments for conveying and disposing of all sewage. Each dwelling or, in the case of two- and multi-family dwellings and commercial uses, each building shall be provided with a sewer connection. Such system and connection shall be designed, constructed and maintained in accordance with the provisions of the plumbing code of Perry, Georgia.

92.12. Variances.

Where, because of topographical or other conditions peculiar to the site, strict adherence to the provisions of this section would cause an unnecessary hardship, the planning commission may authorize a variance, if such variance can be made without destroying the intent of these regulations. In granting variances, the planning commission may impose such conditions as will, in its judgment, secure substantially the objective of the standards of requirements so varied.

Section 93. Architectural Design Standards for Non-Residential Structures.

Created Section 93 – 11.6.07

These regulations are intended to ensure the construction of new structures in commercial areas is consistent with the intent of the Comprehensive Plan.

93.1. Single Tenant Structures. All new commercial structures and all new non-residential structures in the commercial districts shall meet the following standards:

93.1.1. Outside of pedestrian retail districts, building surfaces over two stories high or fifty feet in length shall be relieved with changes of wall plane (i.e., recesses and projections) that provide strong shadow or visual interest.

93.1.2. Buildings shall utilize natural building materials, such as wood, stone, and brick on building exteriors, except that roofing materials may be man-made. Steel or other metals shall not be used on building exteriors, except as may be necessary for roofing, window trim, gutters, and downspouts. Unpainted, smooth-faced concrete block, except when textured or tinted, shall not be used on building exteriors. Synthetic stucco shall not be used on building exteriors. All sides of a building may impact on its surroundings and shall be considered for treatment with an architectural finish of primary materials (i.e., brick and stone), unless other materials demonstrating equal or greater quality are used. As a general rule, except in industrial zoning districts, front facades shall be at least 80 percent brick and stone. Side facades shall be at least fifty percent brick and stone. Rear facades do not have a minimum suggested standard for primary materials unless they are visible from a public right-of-way.

93.1.3. Material or color changes generally shall occur at a change of plane. Piecemeal embellishment and frequent changes in material shall be avoided. A horizontal accent stripe (e.g., a foot wide stripe of different color) shall be used to help reduce the monotonous color and break up the appearance of large building walls.

93.1.4. Facade colors shall be low reflectance, subtle, neutral, or earth tone colors. High intensity colors, metallic colors, black, or fluorescent colors shall not be used. Building trim and accent areas may feature brighter colors, including primary colors, provided that the width of the trim shall not exceed four (4) feet.

93.1.5 Building colors shall be carefully chosen so that each building complements that of its neighbors. Colors can be classified as the “base” color (used on the majority of the building surface), “trim” color (used on the window trim, fascia, balustrades, and posts), and “accent” color (used on signs, awnings, and doors). The base color shall consist of more subdued earth tones or brick shades. Trim colors shall have contrasting lighter or darker shade than the base color. If natural brick is used, it shall not be painted.

93.1.6. The use of awnings on buildings is recommended so as to provide much needed protection from sun, wind, and rain, and to improve aesthetics of the building exterior.

93.1.7. Awnings are recommended to be constructed with a durable frame covered by a canvas material. Awnings that are backlit through translucent materials may be acceptable but are not particularly encouraged. Aluminum and other metal canopies are acceptable in most instances, particularly when integrated into shopping center designs. Flameproof vinyl, canvas or metal awnings and canopies may be used.

93.1.8. Solid colors are preferred over striped awnings, but striping is permitted if colors compliment the character of the structure or group of buildings.

93.1.9. Awnings are encouraged for first floor retail uses to provide architectural interest and to encourage pedestrian activity. Where awnings are used, they shall be designed to coordinate with the design of the building and any other awnings along the same block face.

93.1.10. The design of fences and walls shall be compatible with the architecture of the main building(s) and shall use similar materials. All walls or fences fifty feet in length or longer, and four feet in height or taller, shall be designed to minimize visual monotony through changes in plane, height, material or material texture or significant landscape massing. Except in M-I zoning districts, chain link fencing is prohibited. Use of special fencing design or materials shall be discussed in cases where site security is paramount. All fencing materials must be approved by the department prior to construction.

93.1.11. Rooftop mechanical and electrical equipment shall be screened from public view by building elements that are designed as an integral part of the building architecture, or by a parapet wall.

93.2. Shopping Centers including Automobile Related Establishments. All new shopping centers and automobile related establishments containing less than 50,000 square feet shall meet the standards listed in Section 93.1. In addition, the following standards shall apply:

93.2.1. Within a shopping center, a logical hierarchy of building forms shall be created. Building heights and masses shall be greatest in the focus area and inner portion of the support area (the part closest to the focus area), and shall transition to lower heights and less mass outward from the focus area to the outer edge of the support area. Building massing shall be varied to create a logical hierarchy of building forms, to break up long expanses of façade, and to create shade and shadow. Buildings at the outer edge of an activity center's support area shall be comparable in height and mass with the surrounding neighborhood beyond the support area.

93.2.2. Building location, setbacks, and orientation shall be carefully considered so as to increase pedestrian comfort.

93.2.3. As far as practicable, buildings in activity centers shall not be separated from fronting streets by large parking lots. At a minimum, placement of out-parcel buildings between a large parking lot and the street shall be used to help define the streetscape, and lessen the visual impact of the parking lot from the street.

93.2.4. Auto service facilities shall not have their service bays facing the street, and parking for all uses shall be located to the side or rear of the building rather than in the front yard. Regardless, service areas and/or service bays shall be screened or sited so they are not visible from the street.

93.2.5. Vehicles under repair shall be kept either inside a structure or in an area which is screened from views from the street.

93.2.6. Service areas shall provide adequate queuing space that does not impede vehicle circulation through the site or result in vehicles stacking into the street.

93.2.7. Perimeter and security fencing, when needed, shall be constructed of attractive materials which are compatible with the design and materials used throughout the project. Razor wire or electric fencing shall not be used, and chain link fencing is discouraged but if used shall be black, vinyl coated.

93.2.8. Separate structures (canopy, car wash, cashier's booth, etc.) on the site shall have consistent architectural detail and design elements to provide a cohesive project site. If a car wash is incorporated into the project, it shall be well integrated into the design. The car wash opening shall be sited so that it is not directly visible as the primary view from the street into the project site.

93.2.9. All areas devoted to the outside storage of vehicles, merchandise, and/or equipment not intended for display for public rent, lease, or sale, shall be screened from view from the right-of-way of the highway or public road along the entire property frontage, except in areas where access crossings have been approved. Screening may be accomplished by a natural vegetative buffer, by a building, by an earthen berm, by a 100 percent opaque, solid wooden fence or wall, or combination of these screening methods. The use of low-lying landscaping that does not screen the display areas from view from the public right-of-way shall not be deemed to comply with this policy.

93.3. The Zoning Enforcement Officer may approve the construction of a building which is in conformance with the performance criteria established in this section. The Zoning Enforcement Officer may require a hearing before the Commission at his/her discretion.

93.4 Any applicant whose permit has been denied by the Zoning Enforcement Officer may appeal the decision to the Commission.