

**APPROVAL OF A SPECIAL EXCEPTION VARIANCE
FROM THE UNIFIED DEVELOPMENT CODE OF OCONEE COUNTY, GEORGIA**

TITLE

A Resolution granting approval of a Special Exception Variance based upon the allowances under the Unified Development Code of Oconee County, Georgia, pursuant to Article 13, Section 1303, to grant approval of a Special Exception Variance pursuant to an application requesting approval of a Special Exception Variance on property owned by Ross Developments, Inc. submitted October 21, 2019.

ENACTMENT CLAUSE

Pursuant to the authority conferred by the Constitution and Laws of the State of Georgia and after consideration of an application requesting Special Exception Variance approval submitted by Beall & Company, LLC on October 21, 2019, regarding a ±61.792-acre tract of land located north of Paul Broun Parkway, east of Oconee Connector, and west of Dowdy Road in the 1331st G.M.D., Oconee County, Georgia, (tax parcel no. C-02-012 and C-02-012B), the Board of Commissioners of Oconee County does hereby grant the following:

SECTION 1. A Resolution granting Special Exception Variance approval for the property described above and also described in the attached Exhibit "A" is hereby granted to allow buildings to exceed the 40 foot maximum building height in the OIP zoning district.

Said Special Exception Variance is subject to the following conditions: as set forth in "Exhibit A" attached hereto.

SECTION 2. Severability. It is intended that the provisions of this Ordinance be severable and should any portion be held invalid, such invalidity shall not affect any other portion of the Ordinance.

SECTION 3. Effective Date. This Resolution shall take effect this date.

Said Special Exception Variance application was submitted to the Oconee County Board of Commissioners and a Public Hearing was duly held by the same at its regular meeting on February 4, 2020.

ADOPTED AND APPROVED, this 4th day of February, 2020.



OCONEE COUNTY BOARD OF COMMISSIONERS

BY:

John Daniell
John Daniell, Chairman

Mark Thomas
Mark Thomas, Member

Chuck Horton
Chuck Horton, Member

William E. Wilkes
William E. Wilkes, Member

Mark Saxon
Mark Saxon, Member

ATTEST)

Kathy Hayes
Kathy Hayes
Clerk, Board of Commissioners

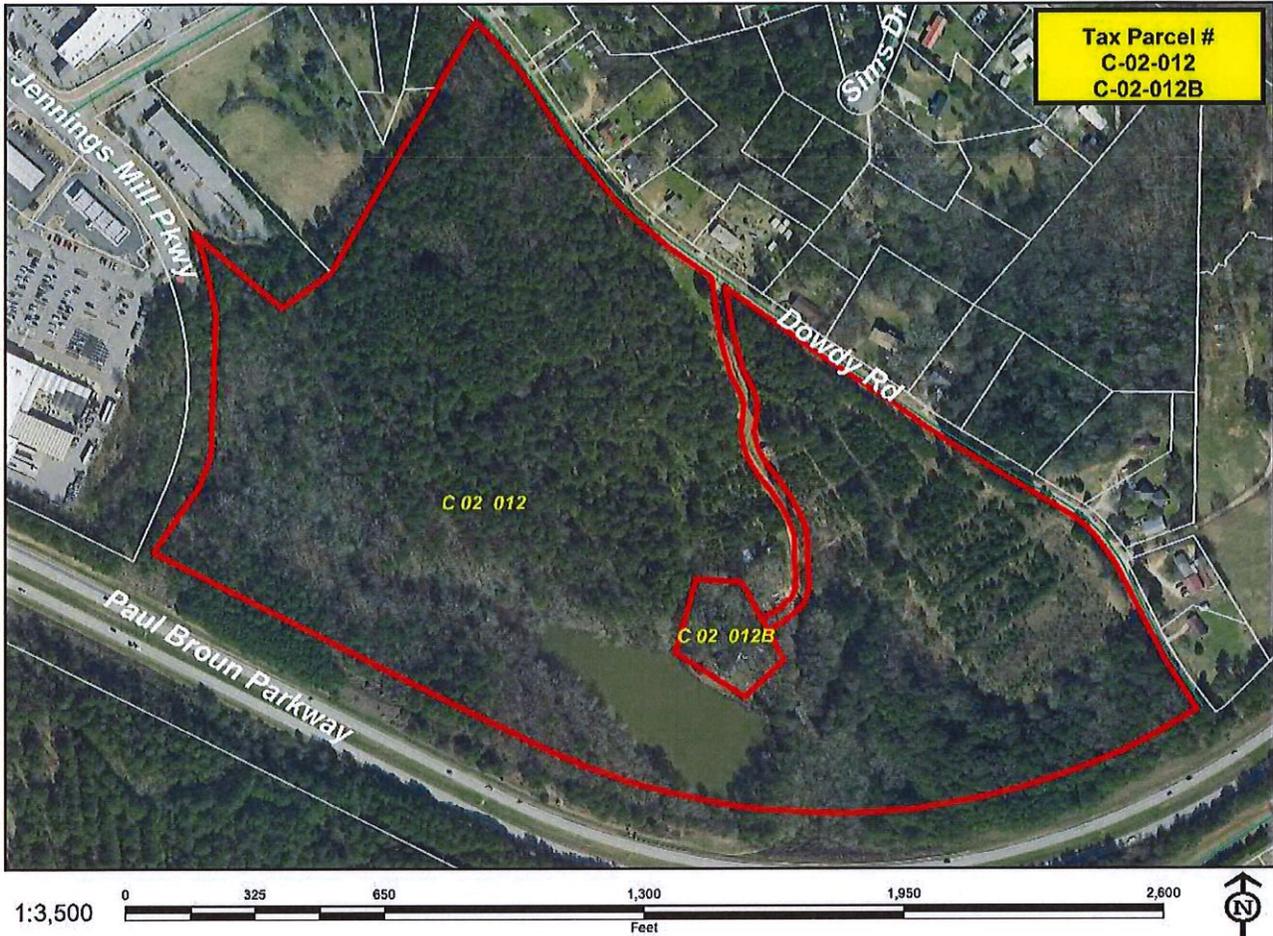
EXHIBIT "A" TO SPECIAL EXCEPTION VARIANCE NO. P19-0066

Page 1 of 5

CONDITIONS

1. This variance shall apply only to buildings 200, 300, 400, 500, and 600 as shown on the associated concept plan and said buildings shall not exceed 55 feet in height.

TAX MAP



LEGAL DESCRIPTION

All that parcel of land lying and being in the County of Oconee, State of Georgia, GMD 1331, and described as 61.729 acres on a Survey For ROSS DEVELOPMENT, dated June 1, 2004, prepared by BREWER & DUDLEY, LLC, (JOHN F. BREWER Land Surveyor) more particularly described as follows:

POINT OF BEGINNING is an iron pin denoting a property corner located on the northeastern right-of-way line of the OCONEE CONNECTOR (formerly known as the JENNINGS MILL PARKWAY), running:

Thence S47°38'38"E, a distance of 35.78' to an iron pin denoting the property corner;

Thence S42°47'38"E, a distance of 330.00' to an iron pin denoting the property corner;

Thence N31°17'29"E, a distance of 179.13' to an iron pin denoting the property corner;

Thence N31°17'29"E, a distance of 721.59' to an iron pin denoting the property corner and right-of-way edge of DOWDY ROAD;

Thence S39°34'57"E, a distance of 60.45' to a point on the right-of-way of DOWDY ROAD;

Thence S36°14'16"E, a distance of 114.72' to a point on the right-of-way of DOWDY ROAD;

Thence S33°58'38"E, a distance of 196.54' to a point on the right-of-way of DOWDY ROAD;

Thence S36°33'45"E, a distance of 144.62' to a point on the right-of-way of DOWDY ROAD;

Thence S44°34'47"E, a distance of 145.67' to a point on the right-of-way of DOWDY ROAD;

Thence S51°04'41"E, a distance of 113.36' to a point on the right-of-way of DOWDY ROAD;

Thence S48°59'44"E, a distance of 124.57' to a point on the right-of-way of DOWDY ROAD;

Thence S55°47'00"E, a distance of 271.70' to a point on the right-of-way of DOWDY ROAD;

Thence S54°12'28"E, a distance of 251.38' to a point on the right-of-way of DOWDY ROAD;

Thence S55°33'28"E, a distance of 161.63' to a point on the right-of-way of DOWDY ROAD;

Thence S56°38'09"E, a distance of 105.40' to a point on the right-of-way of DOWDY ROAD;

Thence S58°24'04"E, a distance of 107.96' to a point on the right-of-way of DOWDY ROAD;

Thence S59°51'42"E, a distance of 103.64' to a point on the right-of-way of DOWDY ROAD;

Thence S53°39'04"E, a distance of 102.87' to a point on the right-of-way of DOWDY ROAD;

Thence S41°32'25"E, a distance of 66.40' to a point on the right-of-way of DOWDY ROAD;

Thence S32°59'52"E, a distance of 39.32' to a point on the right-of-way of DOWDY ROAD;

Thence S26°11'43"E, a distance of 63.56' to a point on the right-of-way of DOWDY ROAD;

Thence S24°21'54"E, a distance of 69.90' to a point on the right-of-way of DOWDY ROAD;

Thence S25°18'01"E, a distance of 60.49' to a point on the right-of-way of DOWDY ROAD;

Thence S27°12'33"E, a distance of 83.00' to a point on the right-of-way of DOWDY ROAD;

Thence S30°31'49"E, a distance of 48.84' to a point on the right-of-way of DOWDY ROAD;

Thence S34°37'49"E, a distance of 48.03' to a point on the right-of-way of DOWDY ROAD;

Thence S35°57'32"E, a distance of 84.83' to a point on the right-of-way of DOWDY ROAD;

Thence S88°24'05"W, a chord distance of 1709.10', arc distance of 1784.59', with a radius of 1759.86' to a concrete right-of-way monument denoting the boundary at the PAUL BROUN PARKWAY right-of-way line;

Thence N62°32'33"W, a distance of 996.84' to an iron pin at a property corner;

Thence N24°46'37"E, a distance of 220.50', to a point at a property corner on the edge of the right-of-way of the Jennings Mill Parkway (now known as the OCONEE CONNECTOR);

Thence N00°36'48"W, a chord distance of 660.32', arc distance of 682.44', with a radius of 770.01' to an iron pin denoting the property corner at the **POINT OF BEGINNING** at the right-of-way edge of Jennings Mill Parkway (now known as the OCONEE CONNECTOR).

NARRATIVE

Beall & Company, LLC
10/21/2019 (rcv.11/25/19)

Project #19-016
Special Exception Variance Petition

Special Exception Variance Petition

CELEBRATION VILLAGE

AGE-IN-PLACE RETIREMENT COMMUNITY

Athens-Oconee Campus

61.792 Acres on the Oconee Connector, Dowdy Road & the Paul Broun Parkway

Tax Parcel #C02 012 & #C02 012B

Oconee County Georgia

October 21, 2019

(Beall & Company, LLC has been engaged by the property owner (ROSS DEVELOPMENTS, INC.) and the developers (ASC ACQUISITIONS, LLC) to act as agent in the preparation of the necessary documentation associated with the subject Special Exception Variance petition.)

Variance Narrative

A Special Exception Variance is requested from UDC Sec. 412.2 allowing select buildings to exceed the maximum 40' height in the OIP zoning district. The allowance would be for building height to be elevated up to a maximum of 55' as noted below which will allow greater floor to floor separation and maintain a pitched roof.

Building #100: CELEBRATION Social Clubhouse; proposed ridge height 40' (1 story)
Building #200: CONCIERGE Living; proposed ridge height 48'-6 1/2" ridge height (3 story)
Building #300: Assisted-Living & Memory Care; proposed ridge height 50'-3 3/8" ridge height (3-story)
Building #400: CONCIERGE Living; proposed ridge height 48'-6 1/2" ridge height (3 story)
Building #500: Independent Living; proposed ridge height 55'-0" ridge height (4 story)
Building #600: Independent Living; proposed ridge height 55'-0" ridge height (4-story)

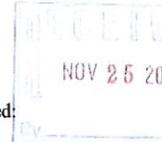
(Note: all proposed ridge heights are measured from the proposed finished grades of the site. The requested variance will apply to buildings #200 thru #600.)

This variance request is submitted along with a companion rezone request to modify the zoning on the subject 61.792 acres from AG to OIP in order to allow the development of a master planned age-in-place assisted-living retirement community.

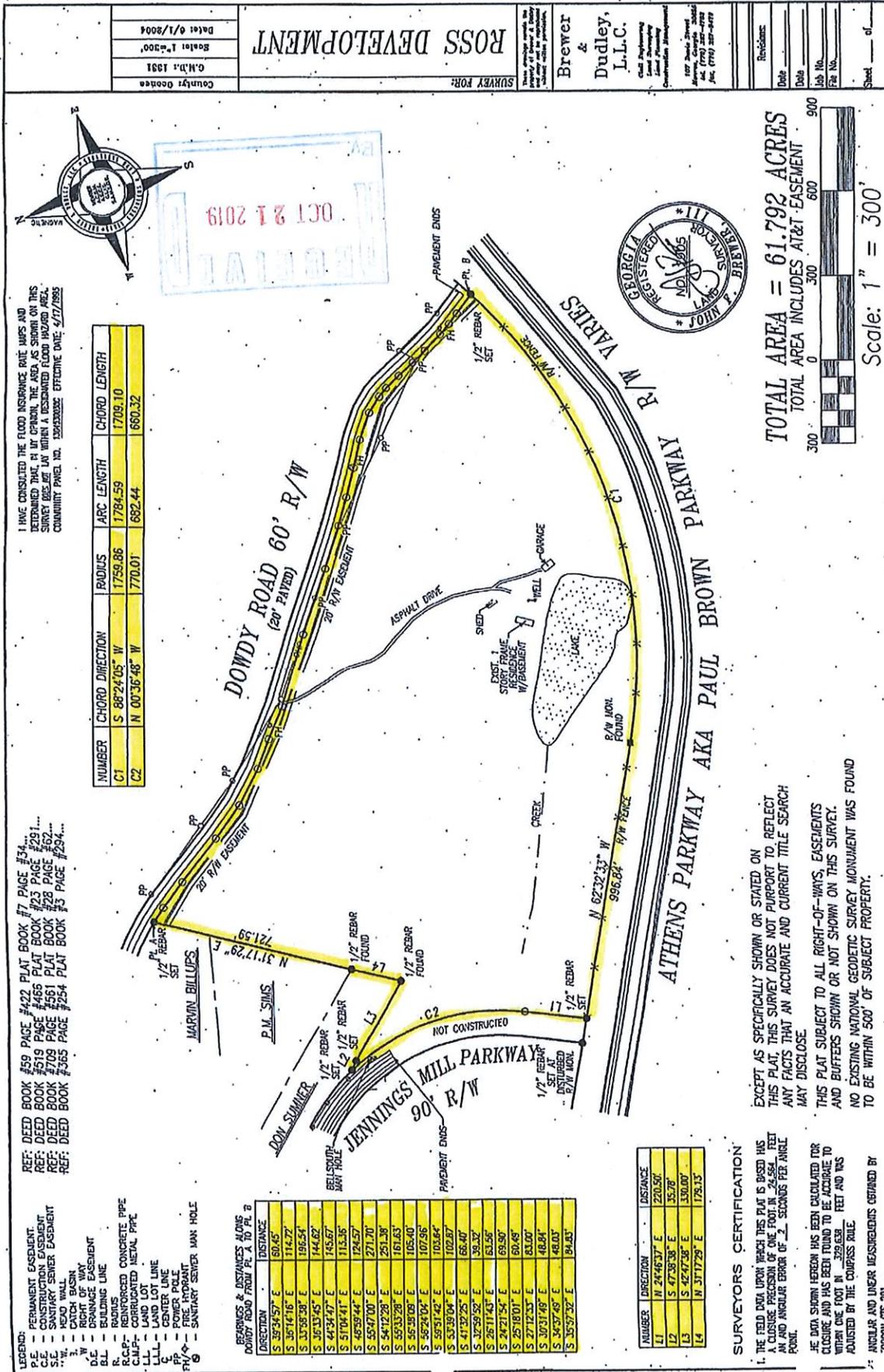
Sec. 1303.03. Standards for special exception variance approval.

A special exception variance may be granted upon a finding that the relief if granted:

- a. Would not cause substantial detriment to the public good:
The allowance of the increase in building height will not cause a substantial detriment to the public good because there is no advantage to the public for the height to remain at 40'. The health, safety and welfare of the public will not be undermined by the height of the structures on-site. All aspects of the local, state and federal codes will be met to accommodate the 55' height.
The allowance of the increase in building height will not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity. The petitioners plan on using their property to act as a buffer which will limit the visibility of the height increase of the structures from adjacent roadways and the neighboring parcels.
There is already an existing dramatic drop in elevation from the OCONEE CONNECTOR elevation to the elevation of the portion of the site where the 3-story and 4-story buildings will be located. The existing grade of the western portion of the site where these buildings are proposed will also be lowered approximately 10 to 12 vertical feet, thereby negating any visual impact of the increased building heights.
- c. Would not diminish or impair property values within the surrounding neighborhood:
The past, recent, and ongoing zoning modifications, variances, expansion and improvements to the properties and local thoroughfares and collector roads in the vicinity have helped stimulate and facilitate commercial development in the area. The subject tax parcels are literally surrounded by those properties and thoroughfares, and is located directly across the street from those commercial developments.
- d. Would not impair the purpose and intent of the Unified Development Code:
The allowance of the increase in building height does not impair the purpose and intent of the Unified Development Code. As a point of fact, in this instance granting of the variance request actually furthers the intent and purpose of the Unified Development Code and the comprehensive plan in the vicinity of the subject property.



PLAT



I HAVE CONSULTED THE FLOOD INSURANCE RATE MAPS AND DETERMINED THAT, IN MY OPINION, THE AREA AS SHOWN ON THIS SURVEY MEETS THE REQUIREMENTS OF A DESIGNATED FLOOD HAZARD AREA. COMMUNITY PANEL NO. 1208280000E EFFECTIVE DATE: 4/17/1999

NUMBER	CHORD DIRECTION	RADIUS	ARC LENGTH	CHORD LENGTH
C1	S 88°24'05" W	1759.86	1784.59	1709.10
C2	N 00°36'48" W	770.01	682.44	680.32

REF: DEED BOOK #59 PAGE #422 PLAT BOOK #7 PAGE #34...
 REF: DEED BOOK #519 PAGE #466 PLAT BOOK #23 PAGE #291...
 REF: DEED BOOK #709 PAGE #561 PLAT BOOK #28 PAGE #62...
 REF: DEED BOOK #565 PAGE #254 PLAT BOOK #3 PAGE #234...

LEGEND:
 P.E. PERMANENT EASEMENT
 C.E. CONSTRUCTION EASEMENT
 S.E. SEWER EASEMENT
 W. WOOD WALL
 C. CATCH BASIN
 W. RIGHT OF WAY
 D.E. DRAINAGE EASEMENT
 B.L. BUILDING LINE
 R.C.P. REINFORCED CONCRETE PIPE
 C.M.P. CORRUGATED METAL PIPE
 L.L. LAND LOT
 L.L.L. LAND LOT LINE
 C. CENTER LINE
 F. FIRE HYDRANT
 S.W. SANITARY SEWER MAN HOLE

BEARINGS & DISTANCES ALONG DOWDY ROAD FROM PLAT A TO PL. B

DIRECTION	DISTANCE
S 35°34'57" E	50.65
S 30°14'16" E	114.72
S 33°35'38" E	196.54
S 35°33'45" E	144.62
S 44°34'47" E	143.67
S 51°04'41" E	113.36
S 46°59'44" E	124.57
S 45°47'00" E	271.70
S 54°12'28" E	251.39
S 55°13'28" E	161.63
S 65°49'09" E	105.40
S 58°24'02" E	107.66
S 59°31'42" E	103.64
S 53°39'04" E	102.87
S 41°32'25" E	66.40
S 37°59'52" E	39.32
S 26°11'43" E	63.56
S 24°21'54" E	69.50
S 25°18'01" E	60.48
S 27°12'33" E	63.00
S 30°31'49" E	48.84
S 34°57'49" E	48.03
S 35°37'32" E	94.83

SURVEYORS CERTIFICATION

NUMBER	DIRECTION	DISTANCE
L1	N 24°45'37" E	220.50'
L2	S 47°38'38" E	35.70'
L3	S 42°47'38" E	330.00'
L4	N 31°17'29" E	175.13'

EXCEPT AS SPECIFICALLY SHOWN OR STATED ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

THIS PLAT SUBJECT TO ALL RIGHT-OF-WAYS, EASEMENTS AND BUFFERS SHOWN OR NOT SHOWN ON THIS SURVEY. NO EXISTING NATIONAL GEODETIC SURVEY MONUMENT WAS FOUND TO BE WITHIN 500' OF SUBJECT PROPERTY.

THE DATA SHOWN HEREON HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 329,638 FEET AND WAS ADJUSTED BY THE COMPASS RULE.

ANGULAR AND LINEAR MEASUREMENTS OBTAINED BY "PCORN" GIS 2011

ROSS DEVELOPMENT

SURVEY FOR: Brewer & Dudley, I.L.C.

107 South Street
 Raleigh, NC 27601
 Tel: (919) 286-2828
 Fax: (919) 286-8879

Revisions:
 Date: _____
 Job No. _____
 Plot No. _____
 Sheet _____ of _____

TOTAL AREA = 61.792 ACRES
 TOTAL AREA INCLUDES AT&T EASEMENT

Scale: 1" = 300'



CONCEPT PLAN



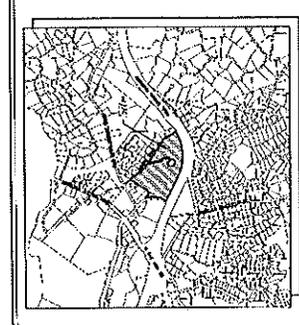
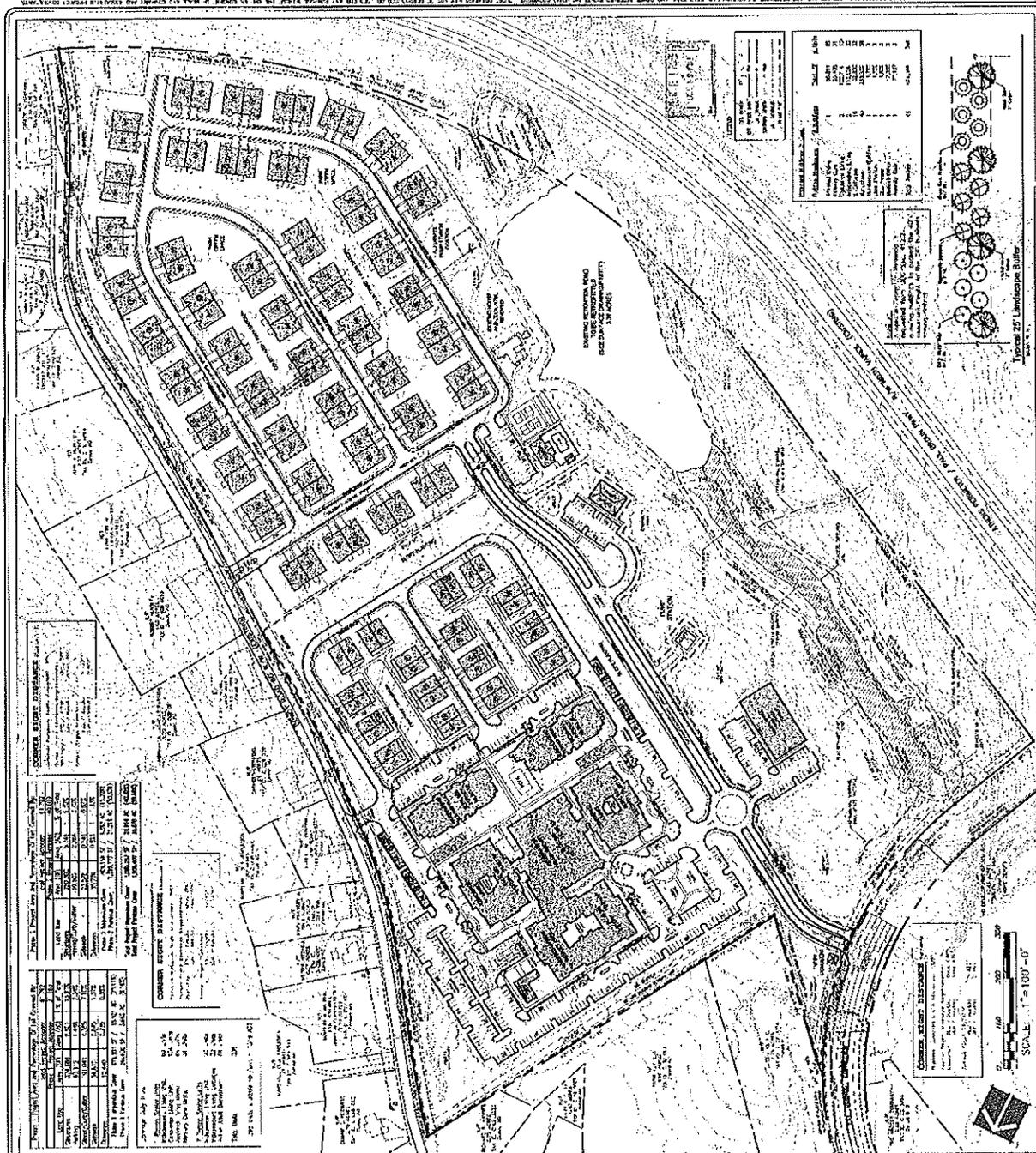
BEALL & COMPANY
A DIVISION OF MCGRAW-HILL
CONSTRUCTION SERVICES
1230 N. 17TH AVENUE
DENVER, CO 80202
TEL: 303.733.1000
WWW.BEALLANDCOMPANY.COM

CELEBRATION VILLAGE
MASTER PLANNED ASSHED LIVING COMMUNITY
1230 N. 17TH AVENUE & 1232 DOWNDR ROAD
DENVER, CO 80202



CITY OF DENVER
24 WEST CORNER
1700 BROADWAY
DENVER, CO 80202

VARIANCE
CONCEPT PLAN
DATE: 12-7-2017
SCALE: 1/8" = 1'-0"



Project Data:

Owner: Celebration Village LLC, 1230 N. 17th Ave, Suite 100, Denver, CO 80202

Developer: Beall & Company, 1230 N. 17th Ave, Suite 100, Denver, CO 80202

Site Address: 1230 N. 17th Ave, Suite 100, Denver, CO 80202

Site Area: 10,000 Sq. Yds.

Site Description: A new 10-story office building with 100,000 sq. ft. of office space, including a ground floor retail space and a parking garage. The site is located in the downtown core of Denver, Colorado.

Site History: The site was previously occupied by a 5-story office building which was demolished in 2015. The site is currently vacant.

Site Zoning: The site is zoned for Office Use (O-1).

Site Access: The site is accessed from the north by 17th Avenue and from the east by Downing Street.

Site Utilities: The site is served by Denver Water, Denver Gas, and Denver Sewer.

Site Surroundings: The site is surrounded by other office buildings and parking lots. The site is located in the downtown core of Denver, Colorado.

Notes:

1. All dimensions are shown in feet and inches.
2. All dimensions are shown in feet and inches.
3. All dimensions are shown in feet and inches.
4. All dimensions are shown in feet and inches.
5. All dimensions are shown in feet and inches.
6. All dimensions are shown in feet and inches.
7. All dimensions are shown in feet and inches.
8. All dimensions are shown in feet and inches.
9. All dimensions are shown in feet and inches.
10. All dimensions are shown in feet and inches.



**Planning Department
Oconee County, Georgia
STAFF REPORT**

VARIANCE CASE #: P19-0066

DATE: January 16, 2020

STAFF REPORT BY: Grace B. Tuschak, Senior Planner

APPLICANT NAME: Beall & Company, LLC

PROPERTY OWNER: Ross Developments, Inc.

LOCATION: North of Paul Broun Parkway, east of Oconee Connector, and west of Dowdy Road

PARCEL SIZE: ±61.792 acres

EXISTING ZONING: AG (Agricultural)

EXISTING LAND USE: Single-family residential

TYPE OF VARIANCE REQUESTED: Special Exception

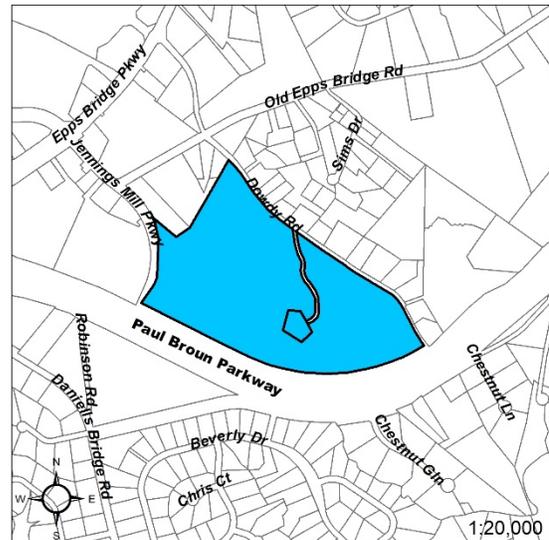
REQUEST SUMMARY: The applicant is requesting a variance from the 40-foot maximum building height in the OIP zoning district. This variance request is associated with the Celebration Village continuing care retirement community (see companion rezone no. P19-0065).

DATE OF SCHEDULED HEARINGS

BOARD OF COMMISSIONERS: February 4, 2020

ATTACHMENTS:

- Application
- Narrative
- Plat
- Aerial Imagery
- Zoning Map
- Representative Photos
- Future Development Map
- Concept Plan



BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The property has been zoned AG (Agricultural) since the original adoption of the zoning map in 1969
- A single family residence was constructed on the property in 1965
- The property was used for a wholesale commercial nursery until 2014
- Rezone no. P19-0065, submitted concurrently with the present variance application, requests a zoning change from AG to OIP (Office Institutional Professional) in order to allow for the development of Celebration Village continuing care retirement community

VARIANCE DESCRIPTION

- The applicant is requesting relief from UDC Sec. 412.04, Maximum Building and Structure Heights, and UDC Table 4.1, Dimensional Requirements by Zoning District, which limits maximum building height to 40 feet in the OIP zoning district
- Five buildings are proposed to be constructed to a maximum of 55 feet in height, as shown on the attached concept plan:
 - Building 200: Concierge Living
 - Building 300: Assisted-Living and Memory Care
 - Building 400: Concierge Living
 - Building 500: Independent Living
 - Building 600: Independent Living

PUBLIC FACILITIES

- County services have been addressed in the companion rezone and should not be significantly affected by the present request

ENVIRONMENTAL

- No 100-year flood plains exist on the property
- State waters, jurisdictional wetlands, and a conservation corridor are known to exist on the subject property; no development is proposed within these areas and the present request should not affect these existing environmentally sensitive areas

COMMENTS FROM OTHER DEPARTMENTS

FIRE DEPARTMENT

- Fire Chief and Fire Marshal have no objections to exceed 40' maximum height

STAFF ANALYSIS

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE “STANDARDS FOR SPECIAL EXCEPTION VARIANCE APPROVAL” AS SET FORTH IN SECTION 1303.03 OF THE OCONEE COUNTY UNIFIED DEVELOPMENT CODE.

Special exception variances may be granted upon findings that if granted, the relief will not cause an occurrence of any of the following:

a. Cause a substantial detriment to the public good:

No significant negative impact to the tax base or to nearby public infrastructure, schools, or environmentally

sensitive areas should result from approval of the present request. Staff holds that approval of the present request should not cause any substantial detriment to the public good.

b. Be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity:

The surrounding area is primarily commercial and low-density residential. A 25-foot landscape buffer along the northern property line adjacent to Ben Dowdy subdivision is required by UDC Sec. 806 and is shown on the associated concept plan. All site lighting would be required to be “full cut off” and to be directed away from residential areas under UDC Sec. 607.05 and Sec. 306.04. Staff holds that the proposed increase in building heights should not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity.

c. Diminish and impair property values within the surrounding neighborhood:

Staff holds that it is unlikely that an increase in proposed building heights from 40 feet to 55 feet would significantly impair property values in the surrounding area.

d. Impair the purpose and intent of this Development Code:

The intent of UDC Section 412.04 is to promote development at an appropriate scale for each zoning district and to ensure adequate fire protection provisions including sprinklers and access for firefighting equipment. The Fire Department has indicated that it has no objection to the proposed building heights and further review for adequate fire protection will be required at the time of site development plans review and building permit review. Staff holds that the present request should not impair the purpose and intent of the UDC.

STAFF SUMMARY & CONDITIONAL RECOMMENDATIONS

Based upon the standards and limitations for special exception variance approval, this request **meets all necessary conditions to grant a special exception variance** and staff recommends the special exception variance be approved subject to the following conditions **to be fulfilled at the expense of the owner/developer:**

1. This variance shall apply only to buildings 200, 300, 400, 500, and 600 as shown on the associated concept plan and said buildings shall not exceed 55 feet in height.



OCONEE COUNTY PROPERTY OWNER AUTHORIZATION
FOR
APPLICATIONS

I swear that I am the owner of the property located at (Address or Physical Description):

1220 & 1222 Dowdy Road and extending to Paul Broun Parkway

61.792 acres fronting on Dowdy Road, Oconee Connector, & Paul Broun Parkway

Tax Parcel

C02 012 & C02 012B

which is the subject matter of the attached application, as shown in the records of Oconee County, Georgia.

I authorize the person identified below to act as applicant or agent in the pursuit of the requested action or consideration of this property.

Name of Applicant or Agent: Beall & Company, LLC (Kenneth A. Beall, member)

Address (No. P.O. Boxes): 3651 Mars Hill Road, Suite 1400

City, State, & Zip Code: Watkinsville GA 30677

Telephone Number: 706.543.0907

SIGNATURE OF OWNER:

With Ross, Pres.

Signature

Title

NAME OF OWNER (PLEASE PRINT): ROSS DEVELOPMENTS, INC.

(IDENTIFY OFFICER POSITION OR MEMBER TITLE, IF APPLICABLE): NA 1501 Dials Mill Road, Statham GA 30666

DATE: September 24, 2019

NOTARIZATION:

SWORN TO AND SUBSCRIBED BEFORE ME THIS 24 DAY OF Sept., 20 19

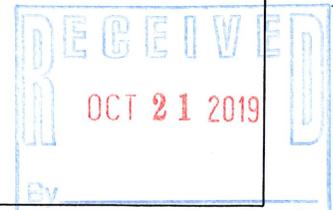
NOTARY SIGNATURE: Stephanie M. Wells

DATE: 9-24-19

SEAL:



Stephanie M Wells
NOTARY PUBLIC
Madison County, Georgia
My Commission Expires
October 30, 2022



LEGAL DESCRIPTION

Tax Parcel #C02 012 61.792 Acres

All that parcel of land lying and being in the County of Oconee, State of Georgia, GMD 1331, and described as 61.729 acres on a Survey For ROSS DEVELOPMENT, dated June 1, 2004, prepared by BREWER & DUDLEY, LLC, (JOHN F. BREWER Land Surveyor) more particularly described as follows:

POINT OF BEGINNING is an iron pin denoting a property corner located on the northeastern right-of-way line of the OCONEE CONNECTOR (formerly known as the JENNINGS MILL PARKWAY), running:

Thence S47°38'38"E, a distance of 35.78' to an iron pin denoting the property corner;

Thence S42°47'38"E, a distance of 330.00' to an iron pin denoting the property corner;

Thence N31°17'29"E, a distance of 179.13' to an iron pin denoting the property corner;

Thence N31°17'29"E, a distance of 721.59' to an iron pin denoting the property corner and right-of-way edge of DOWDY ROAD;

Thence S39°34'57"E, a distance of 60.45' to a point on the right-of-way of DOWDY ROAD;

Thence S36°14'16"E, a distance of 114.72' to a point on the right-of-way of DOWDY ROAD;

Thence S33°58'38"E, a distance of 196.54' to a point on the right-of-way of DOWDY ROAD;

Thence S36°33'45"E, a distance of 144.62' to a point on the right-of-way of DOWDY ROAD;

Thence S44°34'47"E, a distance of 145.67' to a point on the right-of-way of DOWDY ROAD;

Thence S51°04'41"E, a distance of 113.36' to a point on the right-of-way of DOWDY ROAD;

Thence S48°59'44"E, a distance of 124.57' to a point on the right-of-way of DOWDY ROAD;

Thence S55°47'00"E, a distance of 271.70' to a point on the right-of-way of DOWDY ROAD;

Thence S54°12'28"E, a distance of 251.38' to a point on the right-of-way of DOWDY ROAD;

Thence S55°33'28"E, a distance of 161.63' to a point on the right-of-way of DOWDY ROAD;

Thence S56°38'09"E, a distance of 105.40' to a point on the right-of-way of DOWDY ROAD;

Thence S58°24'04"E, a distance of 107.96' to a point on the right-of-way of DOWDY ROAD;

Thence S59°51'42"E, a distance of 103.64' to a point on the right-of-way of DOWDY ROAD;



Thence S53°39'04"E, a distance of 102.87' to a point on the right-of-way of DOWDY ROAD;

Thence S41°32'25"E, a distance of 66.40' to a point on the right-of-way of DOWDY ROAD;

Thence S32°59'52"E, a distance of 39.32' to a point on the right-of-way of DOWDY ROAD;

Thence S26°11'43"E, a distance of 63.56' to a point on the right-of-way of DOWDY ROAD;

Thence S24°21'54"E, a distance of 69.90' to a point on the right-of-way of DOWDY ROAD;

Thence S25°18'01"E, a distance of 60.49' to a point on the right-of-way of DOWDY ROAD;

Thence S27°12'33"E, a distance of 83.00' to a point on the right-of-way of DOWDY ROAD;

Thence S30°31'49"E, a distance of 48.84' to a point on the right-of-way of DOWDY ROAD;

Thence S34°37'49"E, a distance of 48.03' to a point on the right-of-way of DOWDY ROAD;

Thence S35°57'32"E, a distance of 84.83' to a point on the right-of-way of DOWDY ROAD;

Thence S88°24'05"W, a chord distance of 1709.10', arc distance of 1784.59', with a radius of 1759.86' to a concrete right-of-way monument denoting the boundary at the PAUL BROUN PARKWAY right-of-way line;

Thence N62°32'33"W, a distance of 996.84' to an iron pin at a property corner;

Thence N24°46'37"E, a distance of 220.50', to a point at a property corner on the edge of the right-of-way of the Jennings Mill Parkway (now known as the OCONEE CONNECTOR);

Thence N00°36'48"W, a chord distance of 660.32', arc distance of 682.44', with a radius of 770.01' to an iron pin denoting the property corner at the **POINT OF BEGINNING** at the right-of-way edge of Jennings Mill Parkway (now known as the OCONEE CONNECTOR).

END OF DESCRIPTION.



Special Exception Variance Petition

CELEBRATION VILLAGE

AGE-IN-PLACE RETIREMENT COMMUNITY

Athens-Oconee Campus

61.792 Acres on the Oconee Connector, Dowdy Road & the Paul Broun Parkway

Tax Parcel #C02 012 & #C02 012B

Oconee County Georgia

October 21, 2019

(Beall & Company, LLC has been engaged by the property owner (ROSS DEVELOPMENTS, INC.) and the developers (ASC ACQUISITIONS, LLC) to act as agent in the preparation of the necessary documentation associated with the subject Special Exception Variance petition.)

Variance Narrative

A Special Exception Variance is requested from UDC Sec. 412.2 allowing select buildings to exceed the maximum 40' height in the OIP zoning district. The allowance would be for building height to be elevated up to a maximum of 55' as noted below which will allow greater floor to floor separation and maintain a pitched roof.

- Building #100: CELEBRATION Social Clubhouse; proposed ridge height 40' (1 story)
- Building #200: CONCIERGE Living; proposed ridge height 48'-6 1/2" ridge height (3 story)
- Building #300: Assisted-Living & Memory Care; proposed ridge height 50'-3 3/8" ridge height (3-story)
- Building #400: CONCIERGE Living; proposed ridge height 48'-6 1/2" ridge height (3 story)
- Building #500: Independent Living: proposed ridge height 55"-0" ridge height (4 story)
- Building #600: Independent Living: proposed ridge height 55"-0" ridge height (4-story)

(Note: all proposed ridge heights are measured from the proposed finished grades of the site. The requested variance will apply to buildings #200 thru #600.)

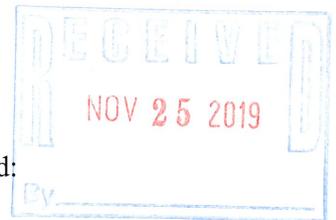
This variance request is submitted along with a companion rezone request to modify the zoning on the subject 61.792 acres from AG to OIP in order to allow the development of a master planned age-in-place assisted-living retirement community.

* * *

Sec. 1303.03. Standards for special exception variance approval.

A special exception variance may be granted upon a finding that the relief if granted:

- a. Would not cause substantial detriment to the public good:
The allowance of the increase in building height will not cause a substantial detriment to the public good because there is no advantage to the public for the height to remain at 40'. The health, safety and welfare of the public will not be undermined by the height of the structures on-site. All aspects of the local, state and federal codes will be met to accommodate the 55' height.
- b. Would not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity:

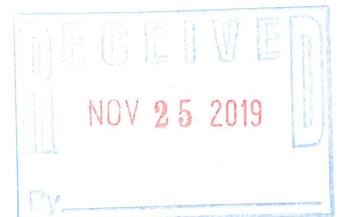


The allowance of the increase in building height will not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity. The petitioners plan on using their property to act as a buffer which will limit the visibility of the height increase of the structures from adjacent roadways and the neighboring parcels.

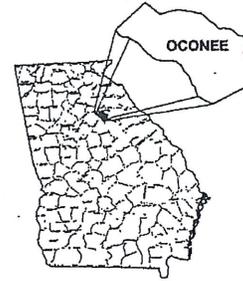
There is already an existing dramatic drop in elevation from the OCONEE CONNECTOR elevation to the elevation of the portion of the site where the 3-story and 4-story buildings will be located. The existing grade of the western portion of the site where these buildings are proposed will also be lowered approximately 10 to 12 vertical feet, thereby negating any visual impact of the increased building heights.

- c. Would not diminish or impair property values within the surrounding neighborhood:
The past, recent, and ongoing zoning modifications, variances, expansion and improvements to the properties and local thoroughfares and collector roads in the vicinity have helped stimulate and facilitate commercial development in the area. The subject tax parcels are literally surrounded by those properties and thoroughfares, and is located directly across the street from those commercial developments.
- d. Would not impair the purpose and intent of the Unified Development Code:
The allowance of the increase in building height does not impair the purpose and intent of the Unified Development Code. As a point of fact, in this instance granting of the variance request actually furthers the intent and purpose of the Unified Development Code and the comprehensive plan in the vicinity of the subject property.

* * * * *



OCONEE COUNTY
BOARD OF COMMISSIONERS



CHAIRMAN - Wendell T. Dawson
Post 1 - Albert Hale
Post 2 - Donald H. Norris
Post 3 - Jay Campbell
Post 4 - William E. Wilkes

Administrative Assistant - Peter Mallory
County Clerk - Gina M. Lindsey

August 24, 1995

TELECOPIER # 769-0705

Ross Development Inc. d/b/a Evergreen Nursery
c/o Fortson, Bentley & Griffin, PA
440 College Avenue, North
Athens, Georgia 30613

Re: Utilities on new Robinson Road

Gentlemen:

Attached is a copy of a letter from the Board of Commissioners of Oconee County to Home Depot USA, Inc. As we have discussed with you, your company owns a portion of the right-of-way of 1) the proposed new Robinson Road upon which Home Depot will be located and 2) the extension of same which the County intends to extend to the Paul Broun Parkway. In return for the conveyance of such right-of-way, you have asked the County for certain assurances in connection with road frontage and water and sewer availability.

In consideration of your conveyance of the right-of-way, the County commits to you that it will provide you access onto Robinson Road as the same is shown on the Moreland Altobelli Associates, Inc. right-of-way map dated August 6, 1995. The County also commits that it will provide public water and sanitary sewer to the boundaries of your property, generally at the same time as provided to Home Depot as described in our letter of August 8, 1995.

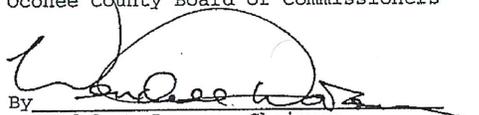
As your attorney and our county attorney have discussed, it may be necessary for you to sign a corrective right-of-way deed at such time as the actual construction plans for the southerly portion of the road are completed. It is our understanding that you are aware of this and will cooperate with us in any such correction of the right-of-way.

It is also possible that the County will need to acquire either water or sewer easements from you in order to provide such utilities.

Thank you for your help with this.

Very truly yours,

Oconee County Board of Commissioners

By 
Wendell T. Dawson, Chairman

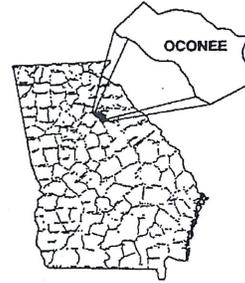
P.O. BOX 145, WATKINSVILLE, GEORGIA 30677
(706) 769-5120



**OCONEE COUNTY
BOARD OF COMMISSIONERS**

CHAIRMAN - Wendell T. Dawson
Post 1 - Albert Hale
Post 2 - Donald H. Norris
Post 3 - Jay Campbell
Post 4 - William E. Wilkes

County Administrator - Peter Mallory
County Clerk - Gina M. Lindsey



August 8, 1995

Mr. William P. Sullivan, III
Home Depot U.S.A., Inc.
2727 Paces Ferry Road
Atlanta, Georgia 30339

**RE: Assurances Regarding Development - Oconee Crossing -
Epps Bridge Road and Paul Broun Parkway
Oconee County, Georgia**

Gentlemen:

We are aware that Home Depot U.S.A., Inc. ("Home Depot") is currently under contract to acquire a certain tract or tracts of approximately twelve (12) acres located in Oconee County near the intersection of Epps Bridge Road and Paul Broun Parkway. We understand that the property to be acquired by Home Depot (the "Property") is to be configured generally as shown on Exhibit "A" to this letter and is part of a larger tract of approximately thirty (30) acres (the "Shopping Center Site") shown on Exhibit "A", which larger tract is to be jointly developed by Home Depot and other third parties (the "Developer") as a retail Shopping Center (the "Project"). We also understand that, in order to induce Home Depot to acquire the Property, Home Depot feels that it needs certain assurances from Oconee County (the "County") with regard to development of certain roads and infrastructure to support the Shopping Center Site and development of the Project thereon. To that end, and with the knowledge that Home Depot will rely on the contents of this letter in acquiring the Property and commencing construction of its improvements thereon, the County confirms the following:

1. The County has approved relocation of the rights-of-way of Old Epps Bridge Road and Robinson Road as same currently exist within the Shopping Center Site (collectively, the "Existing Right-of-Way"), in order to allow for construction of the Project and construction and opening of a new public road (the "Proposed Road") within the right-of-way area (the "New Right-of-Way") shown on Exhibit "A" as "Proposed Road". The County has taken all steps necessary to permit exchange of the Existing Right-of-Way for the New Right-of-Way and is

P.O. BOX 145, WATKINSVILLE, GEORGIA 30677
(706) 769-5120
(706) 769-0705 FAX



committed to condemnation proceedings with regard to the New Right-of-Way to the extent that the new Right-of-Way is not acquired by the County voluntary conveyances from the current owners of same. The County will move expeditiously to acquire the New Right-of-Way and will acquire same no later than October 31, 1995 so that the Proposed Road can be constructed and opened, with traffic signalization in place, no later than June 1, 1996. The County further agrees that it will convey by deed that portion of the Existing Right-of-Way located within the Property to Home Depot simultaneously with a deed from Home Depot and the Developer to the County of so much of the New Right-of-Way as is included in property acquired by such parties in connection with their acquisition of the Shopping Center Site.

2. The County has sufficient appropriated funds available for construction of the Proposed Road within the New Right-of-Way, including any compensation needed to be paid to other third parties in connection with acquisition of the New Right-of-Way.
3. While the County fully intends to proceed with development of the Proposed Road within the New Right-of-Way, if for any reason, notwithstanding the commitments of the County set out in Paragraphs 1 and 2 above, delays are encountered in connection with the acquisition of the New Right-of-Way which would result in a delay in the construction of the Proposed Road beyond June 1, 1996, the County agrees that it will allow Home Depot and the Developer, at their option, to shift the right-of-way for the Proposed Road so the same shall be located entirely with the Shopping Center Site, in which case the County will approve the relocation of the intersection and traffic signal between the Proposed Road and Epps Bridge Road so that same corresponds to the relocated location of the Proposed Road. Further, the County in such case will not oppose and will cooperate with Home Depot and the Developer in efforts to obtain any and all necessary approvals or permits required from the Georgia Department of Transportation in connection with such relocation. The County further agrees that it will, if not sooner conveyed, exchange the Existing Right-of-Way for the relocated right-of-way in such case, and that all funds otherwise available for construction of the Proposed Road will be made available for construction of same as so relocated.
4. The County commits to bring public water and sanitary sewer to the boundaries of the Shopping Center Site, generally, and the Property, specifically, in accordance with the specifications attached hereto as Exhibit "B", not later than April 1, 1996. The County hereby further confirms that

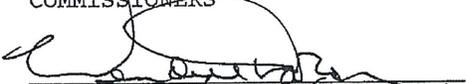


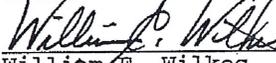
adequate funds have been appropriated and are currently available for performance of such work and that contracts for the performance of all such work either have been let or will be let no later than October 15, 1995.

5. It is contemplated that, at some point in the future, the Proposed Road may be extended beyond the currently contemplated point of terminus located near the easterly boundary of the Property, so that the Proposed Road will be extended over Paul Broun Parkway to connect the Proposed Road to Daniels Bridge Road. If and when such extension of the proposed Road is built over Paul Broun Parkway, the County agrees that, at such time, Home Depot will be allowed a median cut (and a traffic light at the point of such median cut) at a place on the Proposed Road in front of the Property at a precise location designated by Home Depot and approved by the County, such approval not to be unreasonably withheld, delayed, or conditioned.

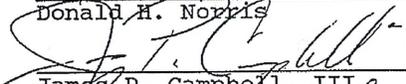
The County intends that its commitments set forth herein are unconditional and irrevocable to the maximum extent permitted by law.

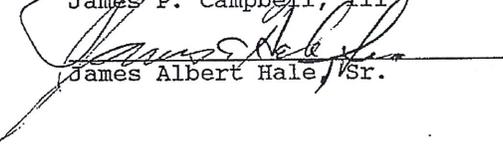
OCONEE COUNTY BOARD OF
COMMISSIONERS


Wendell T. Dawson, Chairman


William E. Wilkes


Donald H. Norris


James P. Campbell, III

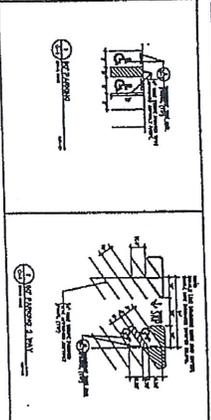
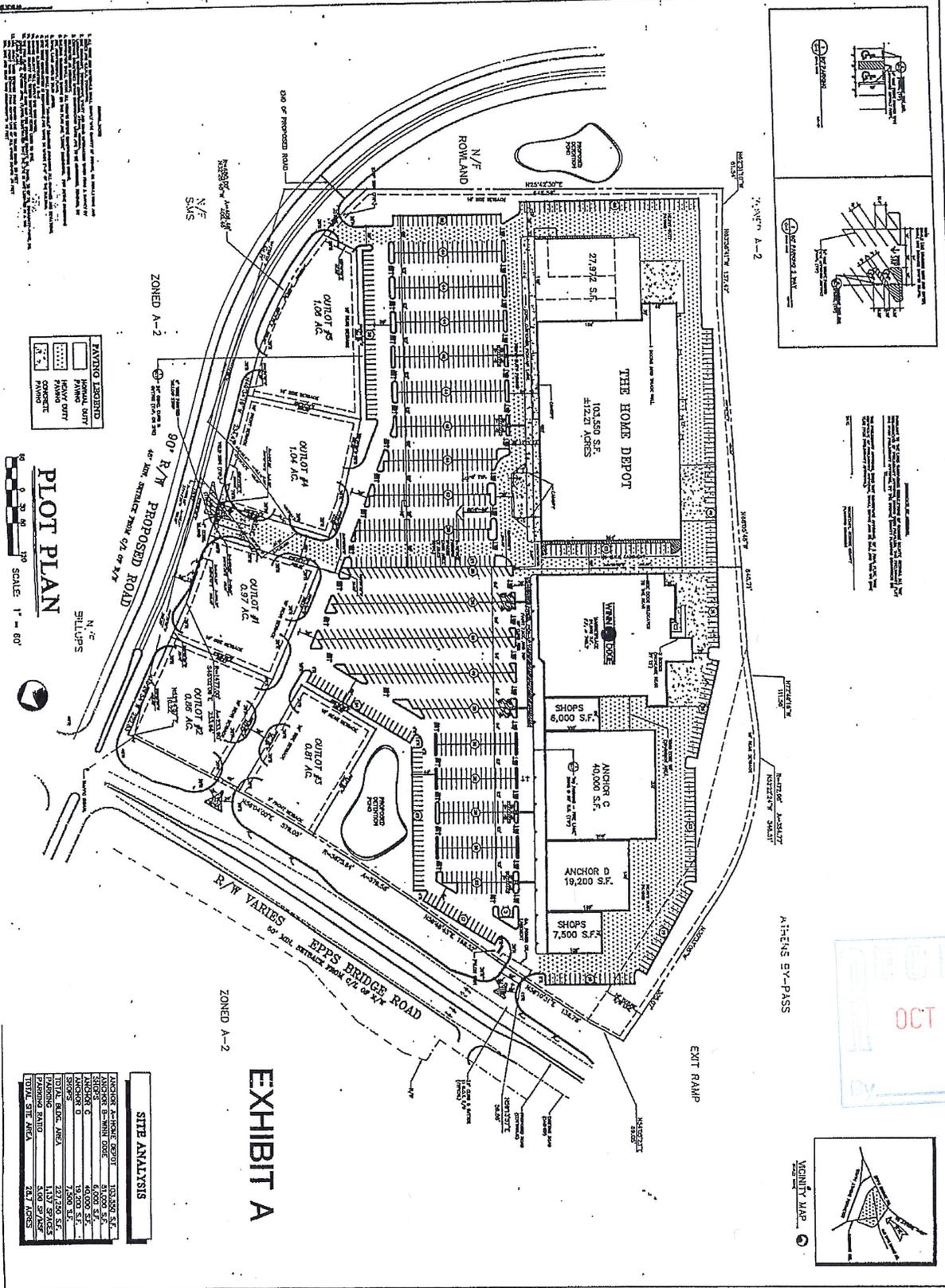

James Albert Hale, Sr.

ATTEST:


County Clerk

(SEAL)





NOTES:
 1. THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.
 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
 3. THE DESIGNER ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED.
 4. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN OF THE PROJECT.

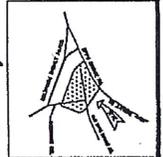
NOTES:
 1. THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.
 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
 3. THE DESIGNER ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED.
 4. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN OF THE PROJECT.

LANDING LEGEND

[Symbol]	HARDWARE UNIT
[Symbol]	PAVING
[Symbol]	CONCRETE
[Symbol]	ASPHALT

PLOT PLAN
 SCALE: 1" = 60'
 N - SHILLOPS

RECEIVED
 OCT 21 2019



SITE ANALYSIS

ANCHOR A - HOME DEPOT	104,550 S.F.
ANCHOR B - HOME DEPOT	27,972 S.F.
ANCHOR C	40,000 S.F.
ANCHOR D	19,200 S.F.
SHOPS	8,000 S.F.
TOTAL BLDG. AREA	227,722 S.F.
PARKING RATIO	1.17 SPACES
TOTAL SITE AREA	201 ACRES

C.1 DATE: 1-24-18 SHEET NO: 93-11-1	PLOT PLAN	UNIVERSITY COMMONS 1000 UNIVERSITY COMMONS ATLANTA, GEORGIA 30308 FOR: BKJ INVESTMENTS 1000 UNIVERSITY COMMONS ATLANTA, GEORGIA 30308	ROBERTSON LOIA ROOF ARCHITECTS ENGINEERS 5760 Peachtree-Dunwoody Road Suite 118 Atlanta, Georgia 30342 Phone (404) 257-8700 Fax (404) 881-1732
--	------------------	--	---

88519
8466

0000466

Oconee County, Georgia
FILED IN OFFICE
00 NOV 22 AM 8:51
REC. BOOK 519 PAGE 466
DATE 11-22-00
SARAPA C. BLAKE, CLERK

FILED IN OFFICE
COURT OF SUPERIOR COURT
CONY, GEORGIA

00 NOV 22 AM 8:51

REC. BOOK 519 PAGE 466

DATE 11-22-00
SARAPA C. BLAKE, CLERK

(Space Above This Line for Recording Date)

After recording return to:
M. BARTON RICE, JR.,
Attorney at Law
P. O. Box 526
Athens, GA 30603
00-10-21

WARRANTY DEED

STATE OF GEORGIA
ATHENS-CLARKE COUNTY

This Indenture made this 14th day of November, in the year Two Thousand, between William Crane Rosa and Debra M. Ross of the County of Oconee, State of GA, as party or parties of the first part, hereinafter called Grantor and Ross Developments, Inc. of the County of Oconee, State of GA, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of ONE AND 00/100'S (\$1.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land situate, lying and being in the 1331st District, G.M., Oconee County, Georgia, and being more particularly shown and described according to a plat of survey entitled "SURVEY FOR WILLIAM C. & DEBRA M. ROSS", prepared by Ray N. Woods, R.L.S., dated May 10, 1991, recorded in Plat Book 23, page 291, Oconee County, Georgia, public records, which said plat of survey and the record thereof are hereby incorporated into this description and made a part hereof by reference thereto.

Also included herewith as an appurtenance to the above described property, is a non-exclusive perpetual easement for ingress and egress measuring 30 feet in width extending northerly from the northeasterly side of the above described property to Dowdy Road, as shown on the above referenced plat of survey.

This Deed is given subject to all easements and restrictions of record, if any.
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:
Witness
Notary Public
NOTARY PUBLIC
FRANKLIN COUNTY GA
EXP. AUG. 5, 2004

William Crane Rosa (Seal)
Debra M. Ross (Seal)
(Seal)
(Seal)

RECEIVED
OCT 21 2019
By

5/9/2018

00360
0263

000263

GEORGIA,)
;)
OCONEE COUNTY.)

OCONEE COUNTY, GEORGIA
SANDRA C. GLASS
Clerk, Superior Court
FILED FOR RECORD _____ 10:11:20 AM (13)
IN BOOK # _____ PAGE # _____
CLERK'S OFFICE

Return to: Daniel C. Haygood, P.O. Box 8104, Albany, GA 31703

RIGHT-OF-WAY DEED

This Indenture, made and entered into this 14th day of December, 1995, between Ross Development, Inc., a Georgia Corporation, herein Grantor, and Oconee County, Georgia, a political subdivision of the State of Georgia, herein Grantee,

WITNESSETH,

That for and in consideration of the benefits flowing to the Grantor, the sum of One Dollar (\$1.00) in hand paid and other good and valuable consideration, Grantor does grant and convey unto Grantee, its successors and assigns, the following property:

All that tract or parcel of land situate, lying and being in the 1331st District, G.M., Oconee County, Georgia, and being known and designated as a part of Robinson Road containing 0.078 acres, designated as Parcel 5 and being shaded in yellow on plat entitled "Department of Transportation Right-of-Way Map, Oconee County Robinson Road Right-of-Way Acquisition Plan", Sheet No. 3, a reduced copy of which is attached hereto as Exhibit A and incorporated herein by reference showing a 90 foot right-of-way;

Together with a temporary easement for the construction of embankments, cuts and slopes over the area shaded green on the above described plat and on the revision to same bearing the same title and being sheet 3B with a revision date of December 13, 1995, a reduced copy of which is attached as Exhibit B and incorporated herein by reference, which shall terminate upon the completion of the construction of the project;

The road designated as "Robinson Road" on such plat has been renamed "Jennings Mill Parkway" by action of the Grantee;

This Deed is cumulative of the prior Right of Way Deed between the parties and not in replacement thereof;

To Have And To Hold the bargained premises unto Grantee, its successor and assigns, forever in fee simple.

Grantor will forever warrant and defend the title to the bargained premises unto the Grantee, its successors and assigns, against the claims of all persons whomsoever.

In Witness Whereof, Grantor has set its hand, affixed its seal and delivered these presents, the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
[Signature]
Notary Public,



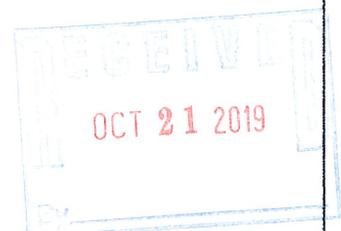
Ross Development, Inc.

By: *[Signature]*
President



(Corporate Seal)

*CAWPWINDOCCLHINTSQCONEE#0011.WPD

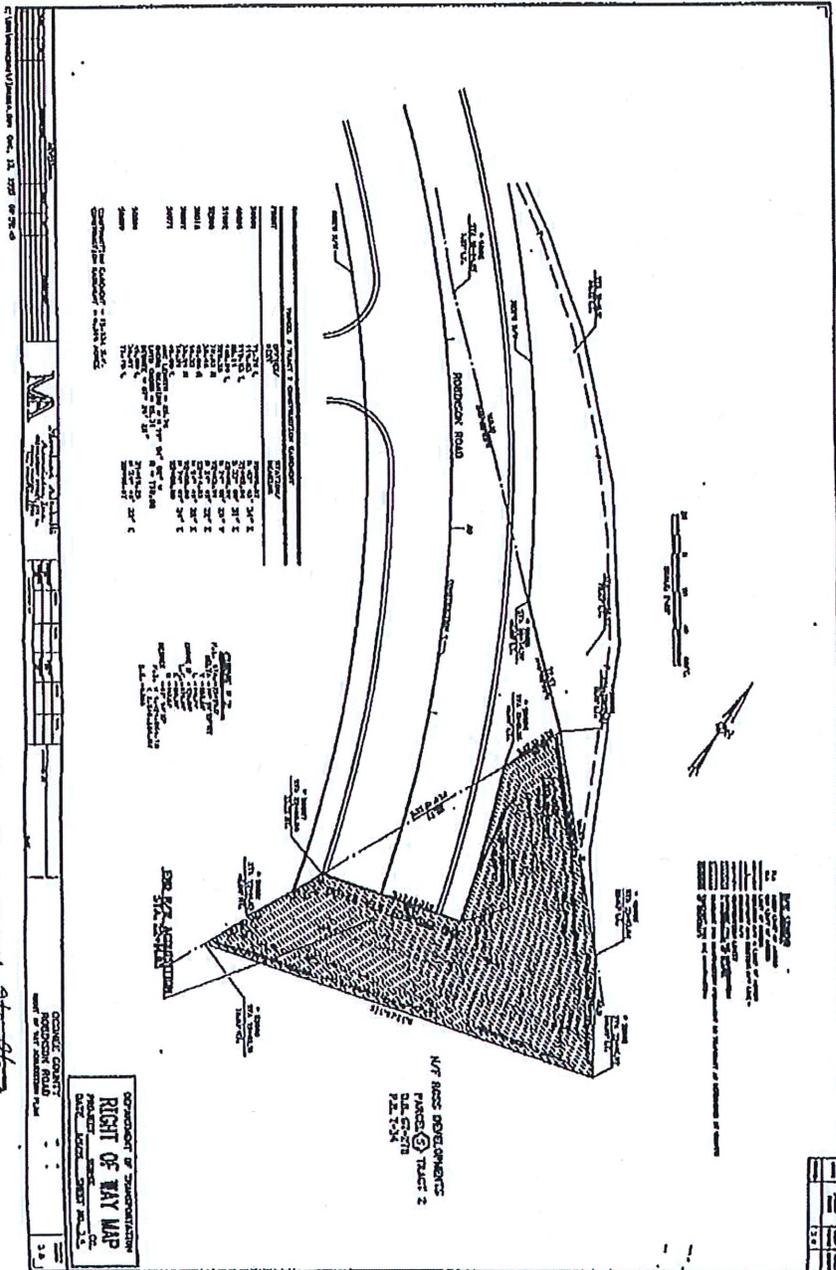


5/6/2016

GSCCCA.org - Image Index

00360
0264

000264



Friction road 26-46
14:45
38-46
C.G.

RECEIVED
OCT 21 2019
BY

5/9/2018

00348
0581

GSCCCA.org - Image Index

00001

OCONEE COUNTY, GEORGIA
 SANDRA G. GLASS
 Clerk, Superior Court
 FILED FOR RECORD 7:30 (AM) (PM)
8-28 19 95 AND RECORDED
 IN BOOK # _____ PAGE # _____
 ON _____, 19 _____
 CLERK S.C.

GEORGIA.)
OCONEE COUNTY.)

Return to: David C. Hyatt, PO Box 2103, Athens, GA 30603

RIGHT-OF-WAY DEED

This Indenture, made and entered into this 21st day of August, 1995, between Ross Development, Inc., d/b/a Evergreen Nursery, herein Grantor, and Oconee County, Georgia, a political subdivision of the State of Georgia, herein Grantee,

WITNESSETH,

That for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other good and valuable consideration, Grantor does grant and convey unto Grantee, its successors and assigns, the following property:

All that tract or parcel of land situate, lying and being in the 1331st District, G.M., Oconee County, Georgia, and being shown as "Proposed Road 90' R/W" on plat entitled "Survey for Home Depot U.S.A., Inc.", dated August 14, 1995, by Landmark Engineering Corporation, J. R. Holland, Registered Surveyor, a copy of which is attached hereto and incorporated herein by reference, and lying within the boundaries of Tax Map Parcel C-2-12, Oconee County Tax Records; said right-of-way lying adjacent to and parallel with the southwesterly and westerly boundary line of Tracts D & B, as shown on such plat;

To Have And To Hold the bargained premises unto Grantee, its successor and assigns, forever in fee simple.

Grantor will forever warranty and defend the title to the bargained premises unto the Grantee, its successors and assigns, against the claims of all persons whomsoever.

In Witness Whereof, Grantor has hereto set its hand; affixed its seal and caused these presents to be delivered the day and year first above written.

Signed, sealed and delivered in the presence of:

ROSS DEVELOPMENT, INC., d/b/a
Evergreen Nursery

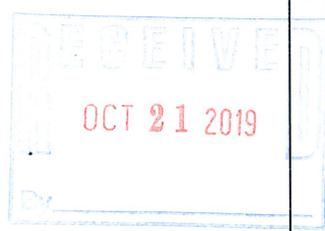
Lisa Patterson Culbertson

By: *William C. Ross, Jr.*
WILLIAM C. ROSS, President

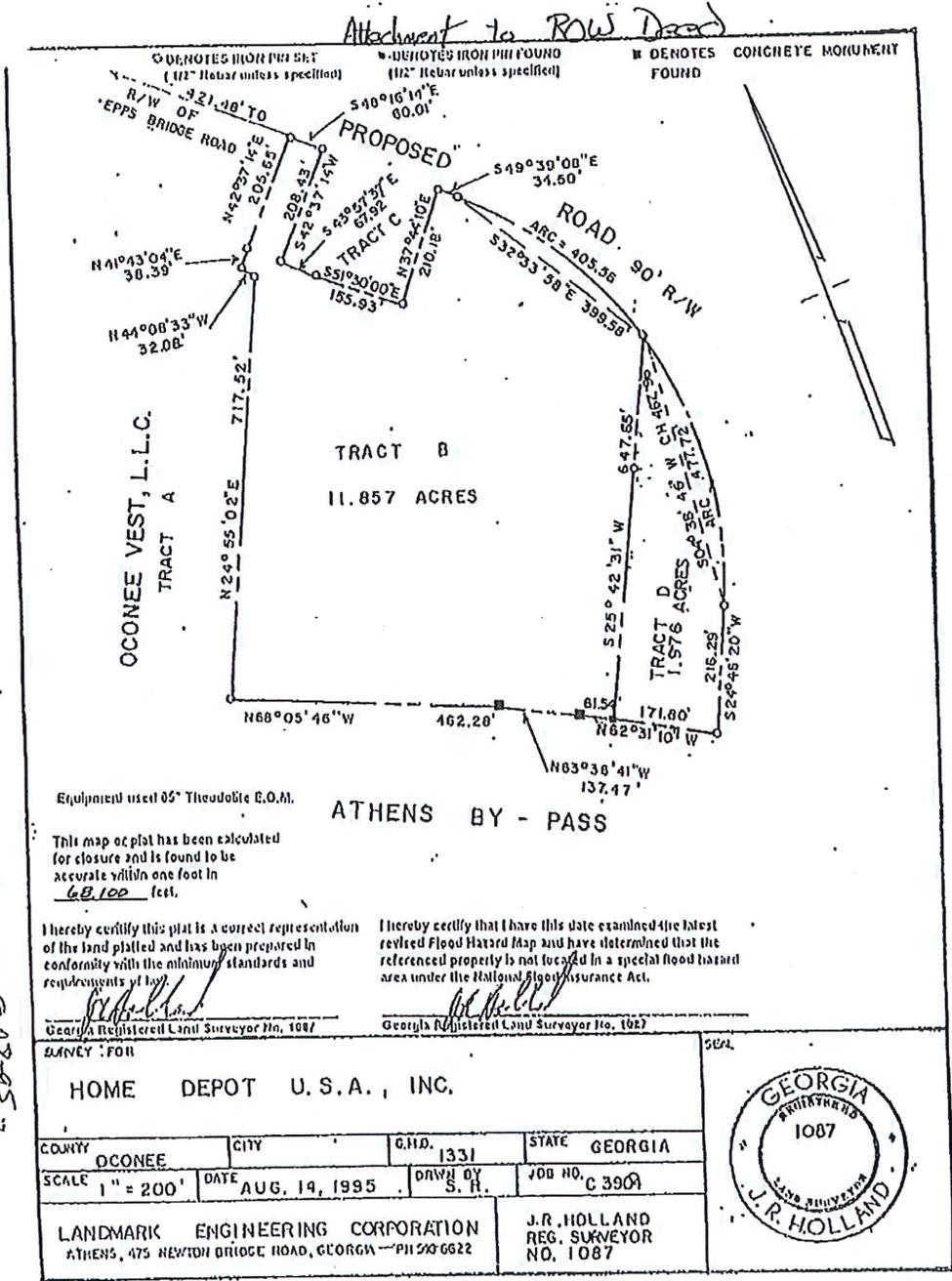
Notary Public,



Witness: *William C. Ross, Jr.*



00348
0582 00002



10/20/19
 10/21/19
 10/22/19
 10/23/19
 10/24/19
 10/25/19
 10/26/19
 10/27/19
 10/28/19
 10/29/19
 10/30/19
 10/31/19
 11/1/19
 11/2/19
 11/3/19
 11/4/19
 11/5/19
 11/6/19
 11/7/19
 11/8/19
 11/9/19
 11/10/19
 11/11/19
 11/12/19
 11/13/19
 11/14/19
 11/15/19
 11/16/19
 11/17/19
 11/18/19
 11/19/19
 11/20/19
 11/21/19
 11/22/19
 11/23/19
 11/24/19
 11/25/19
 11/26/19
 11/27/19
 11/28/19
 11/29/19
 11/30/19
 12/1/19
 12/2/19
 12/3/19
 12/4/19
 12/5/19
 12/6/19
 12/7/19
 12/8/19
 12/9/19
 12/10/19
 12/11/19
 12/12/19
 12/13/19
 12/14/19
 12/15/19
 12/16/19
 12/17/19
 12/18/19
 12/19/19
 12/20/19
 12/21/19
 12/22/19
 12/23/19
 12/24/19
 12/25/19
 12/26/19
 12/27/19
 12/28/19
 12/29/19
 12/30/19
 12/31/19

RECEIVED
 OCT 21 2019
 By



5/9/2018

00348
0583

000003

OCONEE COUNTY, GEORGIA
 SANDRA C. GLASS
 Clerk, Superior Court
 FILED FOR RECORD _____ 1995 AND RECORDED
 IN BOOK # _____ PAGE # _____
 ON _____ CLERK NO. _____

GEORGIA
CLARKE COUNTY

TRUST COMPANY BANK OF NORTHEAST GEORGIA, N.A., holder of that certain Deed to Secure Debt and Security Agreement from Ross Developments, Inc. to TRUST COMPANY BANK OF NORTHEAST GEORGIA, N.A. dated December 15, 1992, and recorded in Deed Book 210, page 164, in the Office of the Clerk of the Superior Court of Oconee County, Georgia, hereby consents to the granting of the within and foregoing Right of Way Deed and releases the property described in said Right of Way Deed from the lien and title of said Deed to Secure Debt and Security Agreement.

IN WITNESS WHEREOF, TRUST COMPANY BANK OF NORTHEAST GEORGIA, N.A. acting by and through its duly authorized and empowered officers, has caused these presents to be executed, its corporate seal to be hereunto affixed and these presents delivered this 25th day of August, 1995.

TRUST COMPANY BANK OF NORTHEAST GEORGIA, N.A.

BY: *Thomas E. Glass* *K. P. Harris*

ATTEST: *Bill Hays* *Clk.*

(CORP. SEAL)

Signed, sealed and delivered in the presence of:

Carol A. Hillman
Unofficial Witness

[Signature]

Notary Public
My Comm. Expires April 18, 1997

5-22-95
 Filed for record at 3:30 PM
 Recorded on 8-21-95
 Sandra C. Glass, Clerk

RECEIVED
 OCT 21 2019

On DEED Book 210 Page 164
On 12/17/1992

STATE OF GEORGIA, O C O N E E County.

THIS INDENTURE made and entered into this 22nd day of February in the year of our Lord One Thousand Nine Hundred and Eighty-four between WILLIAM CHALMERS ROSS

of the County of Clarke, State of Georgia, as Party of the First Part, and ROSS DEVELOPMENTS, INC.

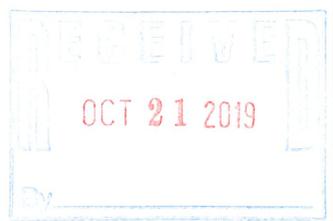
of the County of Oconee, State of Georgia, as Party of the Second Part, WITNESSETH, that the said Party of the First Part, for and in consideration of the sum of -----

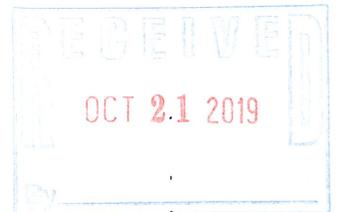
TEN DOLLARS AND OTHER VALUABLE CONSIDERATION-----Dollars in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Party of the Second Part, its heirs and assigns, the following described property, to-wit:

All that tract or parcel of land containing 96.9 acres, more or less, exclusive of the exceptions hereinafter described, situate, lying and being on the southwesterly side of Dowdy Road in the 1331st District, G.M., Oconee County, Georgia, being designated Tract 2 on a plat entitled "Survey for Charles A. Rowland, Jr." by Ben McLeroy and Associates, Surveyors, dated July 13, 1977, recorded in Plat Book 7, page 34, in the Office of the Clerk of Superior Court of Oconee County, Georgia; subject property being bounded now or formerly and generally as follows: North-easterly by centerline of said Dowdy Road; easterly by land of Shelnuttt Hayes; southerly by lands of Juno Farms, centerline of Barber Creek being the property line; southwesterly and southerly by lands of Juno Farms, centerline of branch being the property line part of the distance; and westerly by land of Regina Clonts and also land of Sims; and being the same property conveyed to William Chalmers Ross by Charles A. Rowland, Jr., by Warranty Deed dated August 4, 1977, recorded in Deed Book 27, page 509, said Clerk's Office; LESS AND EXCEPT 1.081 acres conveyed to William Crane Ross and Debra M. Ross, along with an easement of ingress and egress, described in a Warranty Deed dated June 8, 1982, recorded in Deed Book 49, page 129, said Clerk's Office; and also LESS AND EXCEPT that portion of subject property lying within the right-of-way of Dowdy Road (60-foot wide right-of-way), as widened, as conveyed by Right-of-Way Deeds to Oconee County recorded in Deed Book 46, pages 740-741, and Deed Book 47, page 220, said Clerk's Office.

This conveyance is made subject to the outstanding indebtedness described in that certain Security Deed from William Chalmers Ross to Federal Land Bank dated August 4, 1977, recorded in Deed Book 27, pages 510-512, said Clerk's Office, in the original principal amount of \$56,000.00, and as part of the consideration for this conveyance, Grantee herein hereby agrees to assume said indebtedness, pay the same as it matures, and be bound by all the terms, conditions, and provisions of said Security Deed and the Note secured thereby.

OCCONEE COUNTY, GEORGIA
REAL ESTATE TRANSFER TAX
PAID \$ 1.00
DATE February 23, 1984
Alfred Everett, Deputy CSC





TO HAVE AND TO HOLD the said described property, with all and singular the rights, members and appurtenances thereunto appertaining, to the only proper use, benefit and behoof of the said Party of the Second Part, its heirs, executors, administrators and assigns, in Fee Simple,

And the said Party of the First Part warrants and will forever defend the right and title to the above described property unto the said Party of the Second Part, its heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his hand, affixed his seal, and delivered these presents the day and year first above written,

Signed, sealed and delivered in the presence of

Victoria H. Babson
Barbara Loyd
Notary Public
Public County, State of Iowa
Notary Commission Expires January 14, 1993

William Chalmers Ross
William Chalmers Ross (SEAL)
(SEAL)

Filed for record on February 23, 1984 @ 11:15am
BARBARA LOYD, Notary Public, State of Iowa

WARRANTY DEED

FROM
WILLIAM CHALMERS ROSS
TO
ROSS DEVELOPMENTS, INC.

GENERAL, ... COUNTY
Clerk's Office, Superior Court

Filed for Record at 11:15 ... o'clock
P.M. this 23 day of February, 1984
Recorded in Deed Book 519
Page ... of ... day
of ... 19...
Date

STATE OF GEORGIA, OCONEE COUNTY.

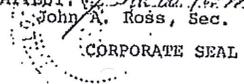
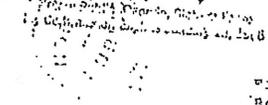
The undersigned, ROSS DEVELOPMENTS, INC., hereby accept
delivery of the foregoing deed, agree s to perform the obligations imposed upon the undersigned thereunder and
agree s to be bound by all the terms and provisions thereof.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and affixed
its seal.

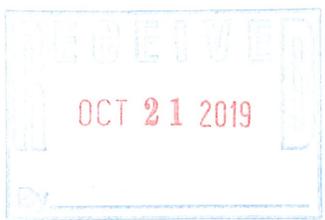
Signed, sealed and accepted in the presence of

Jean M. Dawson
Barbara Lloyd
Notary Public

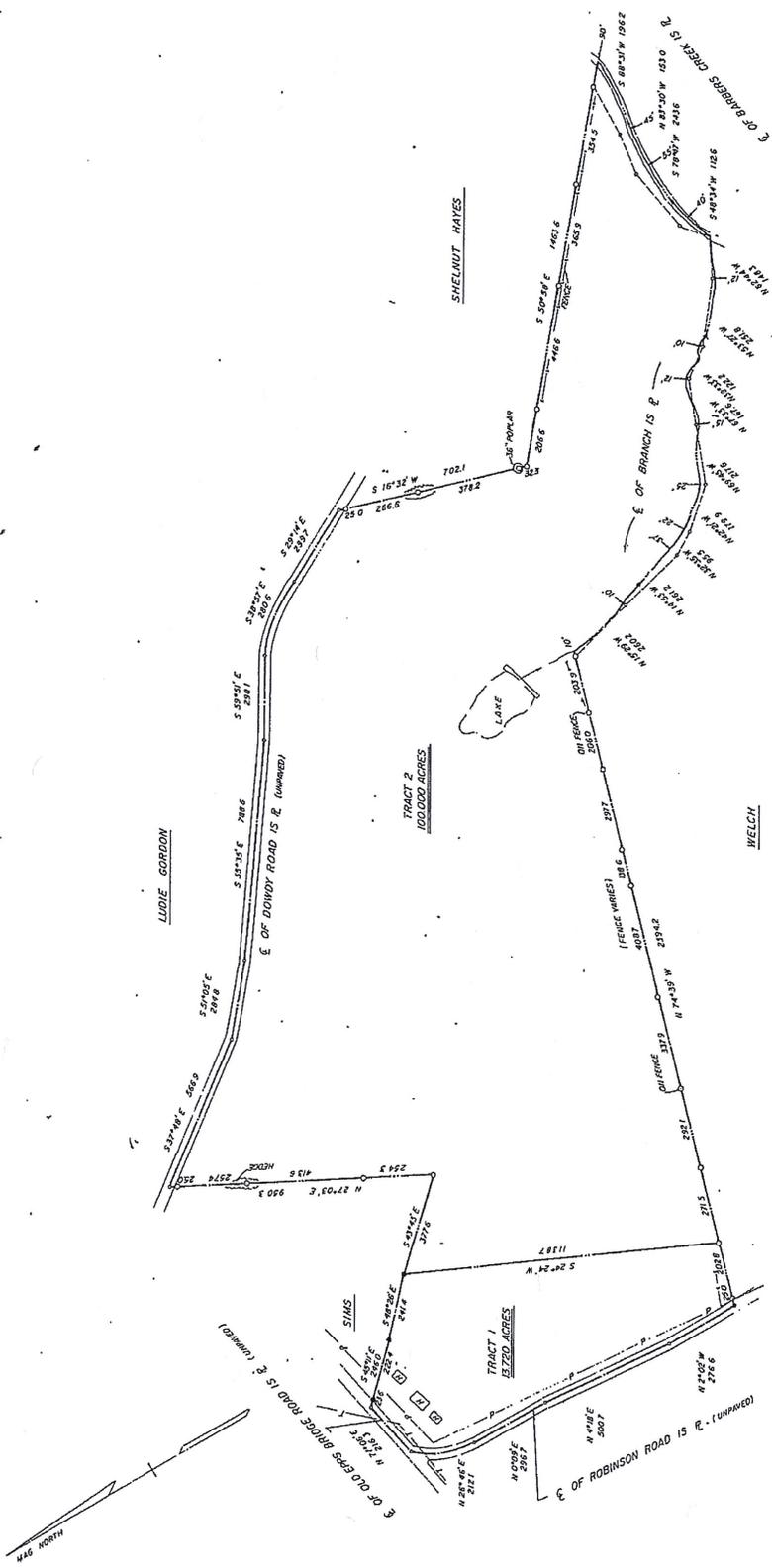
ROSS DEVELOPMENTS, INC.
BY: William C. Ross, President (Sign)
ATTEST: John A. Ross, Sec. Title (Sign)
CORPORATE SEAL



Filed for record on February 23, 1984@ 11:15am
Recorded on February 23, 1984
Sandra C. Glass, Clerk



Subd 8-11-77
 Nelson & -11-77



REDUCED SCALE: 1" = 400'

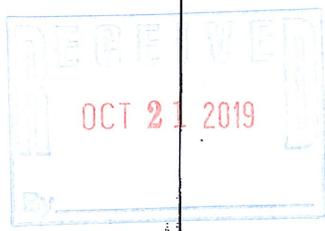
TRACT FOR		CLOSURE 1120477	
CHARLES A. ROWLAND, JR.			
OWNER	DATE	FILE NO.	RECORD
GEORGE OWENS	12/17	1120477	1120477
FILE NO.	DATE	FILE NO.	RECORD
1120477	12/17	1120477	1120477
1120477	12/17	1120477	1120477

REFERENCES
 II PLAT BY C. S. CHANDLER, SEPT 19, 1977
 FOR TOM ROBINSON

- - CORNERS FROM PIN FOUND
- - CORNERS FROM PIN SET
- - CORNERS 500 PINE SET



In any application, this plat is correct
 as shown and has been prepared in conformity with the
 laws of the State of Georgia.
 Charles A. Rowland, Jr.



LEGEND:
 P.E. - PERMANENT EASEMENT.
 C.E. - CONSTRUCTION EASEMENT
 S.E. - SANITARY SEWER EASEMENT
 W. - HEAD WALL
 3. - CATCH BASIN
 W. - RIGHT OF WAY
 D.E. - DRAINAGE EASEMENT
 B.L. - BUILDING LINE
 R.C.P. - REINFORCED CONCRETE PIPE
 C.M.P. - CORRUGATED METAL PIPE
 L.L. - LAND LOT
 C. - CENTER LINE
 P.P. - POWER POLE
 F.H. - FIRE HYDRANT
 S. - SANITARY SEWER MAN HOLE

REF: DEED BOOK #59 PAGE #422 PLAT BOOK #7 PAGE #34...
 REF: DEED BOOK #519 PAGE #466 PLAT BOOK #23 PAGE #291...
 REF: DEED BOOK #709 PAGE #561 PLAT BOOK #28 PAGE #62...
 REF: DEED BOOK #365 PAGE #254 PLAT BOOK #3 PAGE #294...

I HAVE CONSULTED THE FLOOD INSURANCE RATE MAPS AND DETERMINED THAT, IN MY OPINION, THE AREA AS SHOWN ON THIS SURVEY DOES NOT LIE WITHIN A DESIGNATED FLOOD HAZARD AREA. COMMUNITY PANEL NO. 12962002C EFFECTIVE DATE: 4/17/1995

BEARINGS & DISTANCES ALONG DOWDY ROAD FROM Pt. A TO Pt. B

DIRECTION	DISTANCE
S 39°34'57" E	60.45
S 36°14'16" E	114.72
S 33°58'38" E	196.54
S 36°33'45" E	144.62
S 44°34'42" E	145.67
S 51°04'41" E	113.58
S 48°59'44" E	124.57
S 55°47'00" E	271.70
S 54°12'28" E	251.38
S 55°33'28" E	161.63
S 56°38'09" E	105.40
S 58°24'04" E	107.96
S 59°51'42" E	103.84
S 63°39'04" E	102.87
S 41°32'25" E	68.40
S 32°59'52" E	38.32
S 26°11'43" E	63.56
S 24°21'54" E	69.90
S 25°18'01" E	60.49
S 27°12'53" E	83.00
S 30°31'49" E	48.84
S 34°37'49" E	48.03
S 35°57'32" E	84.83

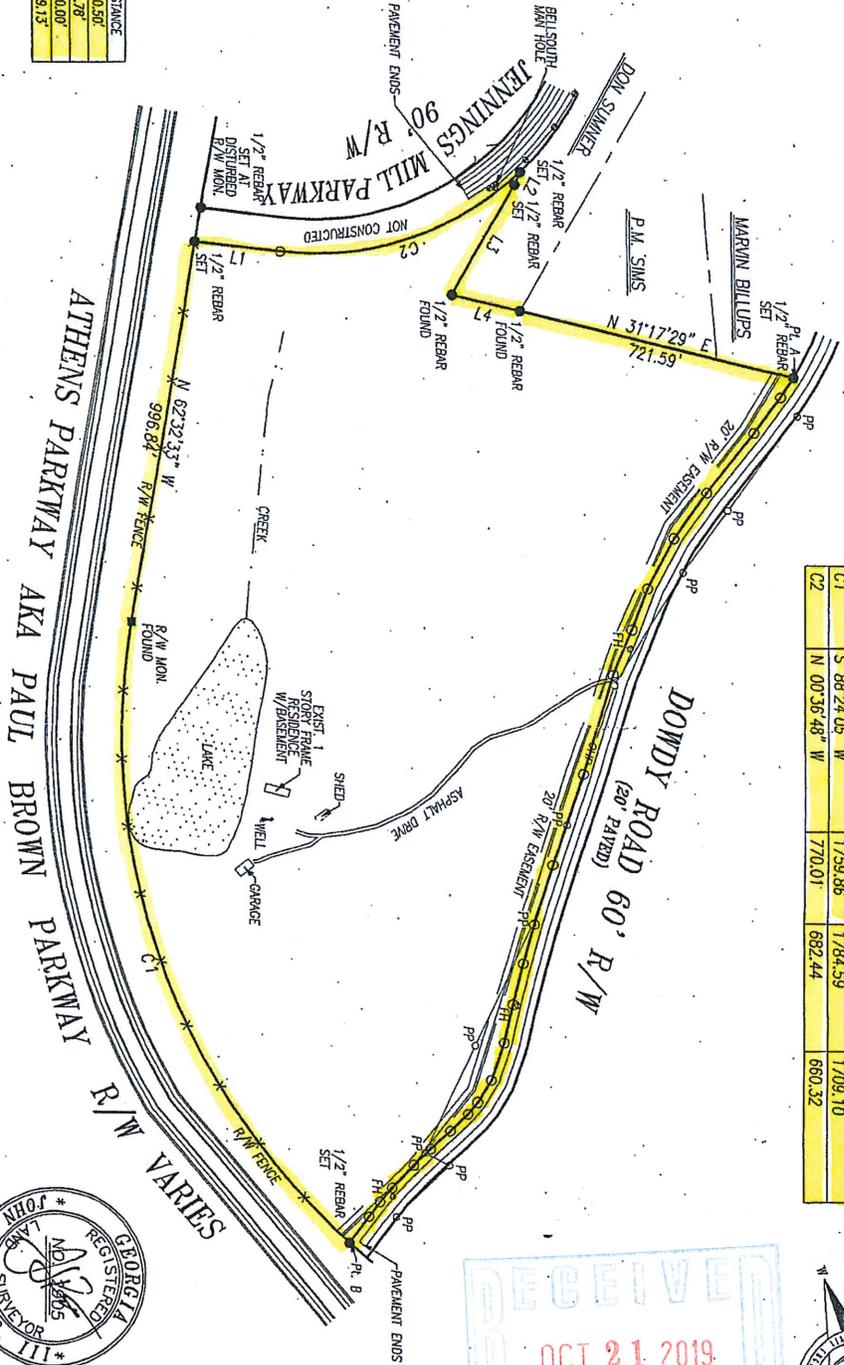
NUMBER	DIRECTION	DISTANCE
L1	N 24°46'37" E	220.50
L2	S 47°38'38" E	35.78
L3	S 42°47'38" E	330.00
L4	N 31°17'29" E	179.13

SURVEYORS CERTIFICATION

1. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSE PROXISION OF ONE FOOT IN 24,584 FEET AN ANGULAR ERROR OF 2. SECONDS PER ANGLE POINT.

THE DATA SHOWN HEREON HAS BEEN CALCULATED FOR CLOSE AND HAS BEEN FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 239,638 FEET AND WAS ADJUSTED BY THE COMPASS RULE

ANGULAR AND LINEAR MEASUREMENTS OBTAINED BY T.C.M. 05/20/11



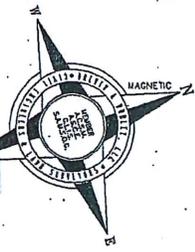
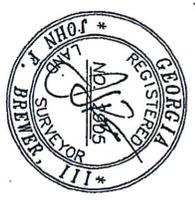
NUMBER	CHORD DIRECTION	RADIUS	ARC LENGTH	CHORD LENGTH
C1	S 88°24'05" W	1759.86	1784.59	1709.10
C2	N 00°36'48" W	770.01	692.44	650.32

EXCEPT AS SPECIFICALLY SHOWN OR STATED ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

THIS PLAT SUBJECT TO ALL RIGHT-OF-WAYS, EASEMENTS AND BUTTERS SHOWN OR NOT SHOWN ON THIS SURVEY, AND EXISTING NATIONAL GEODETIC SURVEY MONUMENT WAS FOUND TO BE WITHIN 500' OF SUBJECT PROPERTY.

TOTAL AREA = 61.792 ACRES
 TOTAL AREA INCLUDES A1&T EASEMENT

Scale: 1" = 300'

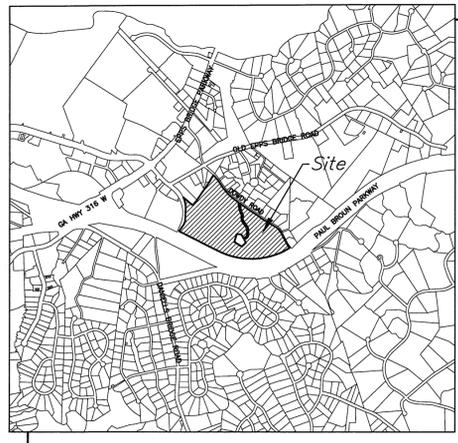


SURVEY FOR: **ROSS DEVELOPMENT**

County: Oconee
 G.M.D.: 1331
 Scale: 1"=300'
 Date: 6/1/2004

Brewer & Dudley, L.L.C.
 107 Paula Street
 Albany, Georgia 31706
 Tel: (770) 887-4828

Sheet ___ of ___



Site Location Map
Scale: 1"=2000'

Project Data:

Owner: Ross Developments, Inc.
1501 Dials Mill Road
Statham, GA 30666
678-753-1818

Developer: ASC Acquisitions, LLC.
2780 W. Village Dr.
Suite K
Suwanee, GA 30024
470-268-8267

24 Hour Contact: Armand Vari
Phone: 770-399-9930

Authorized Agent: Beall and Company, LLC.
3651 Mars Hill Road, Suite 1400
Watkinsville, GA 30677
706-543-0907

Total Project Acreage: 61.792 Acres
Tax Parcel: C02-012 & C02-012B

Location: 1220 & 1222 Dowdy Road
Contour Interval: 2 FT (Provided by Oconee County GIS Department)
Existing Zoning: AG (Agricultural)
Proposed Zoning: OIP (Office Institutional Professional)

Existing Use: Agricultural & Single Family Residence
Proposed Use: Master Planned Assisted Living Community

Building Setbacks: Front - 20' (Against R/W of Oconee Connector)
Front - 20' (Against R/W of Dowdy Rd.)
Side - 10'

Max Building Height: 55' (See Max Building Hight Note A1)
Sidewalks: Proposed Sidewalks are 5 FT Wide. (4.5 FT Plus Curb)

Flood Plain: THIS TRACT OF LAND DOES NOT LIE WITHIN THE 100 YEAR FLOOD ZONE PER FIRM COMMUNITY PANEL #13219C0065D, Dated September 2, 2009.

Environmental Areas: State waters exist within 200 FT of the site.

Water Supply: Oconee County Water Resources Department
Sewage Disposal: Oconee County Water Resources Department

Proposed Utilities: POWER, GAS, WATER, SANITARY SEWER, INTERNET/TELEPHONE, CABLE BY PRIVATE CONTRACT SERVICE

Solid Waste: Storm water will be directed via curb and gutter streets to a proposed storm drainage system and to an existing on-site retention basin facility which will be retrofitted in conformance with the GEORGIA STORMWATER MANAGEMENT MANUAL, 2016 EDITION, VOLUME 2: TECHNICAL HANDBOOK, pages 343-358, for compliance with current local, state, and federal requirements.

Surface Drainage: Wetlands & Stream determination by Site Enhancement Inc. Dated October 18, 2019

- Storm Water Management shall be in accordance with Oconee County, state and other appropriate ordinances and regulations in effect at time of construction plan approval.
- Sign locations and/or permits are not included with these documents. Applications for sign permits will be submitted separately to the Oconee Code Enforcement Department.
- Exact tree save areas are not illustrated on this rezoned concept plan. Actual tree save areas will be determined by the limits of clearing on construction plans to be reviewed by Oconee County Development Review Committee.
- See Narrative for proposed Development Schedule.

Parking Requirements:

1 Person Senior Units
Independent Living Unit: 60 Residents
Concierge Living Unit: 104 Residents
Assisted Living Units: 65 Residents
Memory Care Units: 31 Residents

2 Person Senior Units
Independent Living Unit: 40 Residents
Independent Living Cottages: 64 Residents
Active Adult Bungalows: 172 Residents

Employee/Staff members: 40 Staff

Required Parking:
1 Space per 4 Beds x 398 Beds = 96 Spaces
1 Space per 2 Employees x 40 Employees = 20 Spaces
1 Space per independent living cottage = 32 Spaces
Total Required Parking = 148 Spaces

Actual Phase 1 Parking: 401 Spaces (Including 12 HC Accessible)
Phase 2 Required Parking: 172 Spaces (2 Per Unit)
Total Required Parking: 320 Spaces

Phase 1 Project Area And Percentage Of Lot Covered By:			
Land Use	Area (SF)	Area (AC)	% of Total
Structures	374,688	8.601	13.91%
Parking	63,112	1.448	2.34%
Street/Curb/Gutter	191,041	4.385	7.10%
Sidewalk	36,810	0.845	1.37%
Driveways	10,440	0.239	0.39%
Phase 1 Impervious Cover 676,101 SF / 15.521 AC (25.11%)			
Phase 1 Pervious Cover 246,630 SF / 5.662 AC (9.16%)			

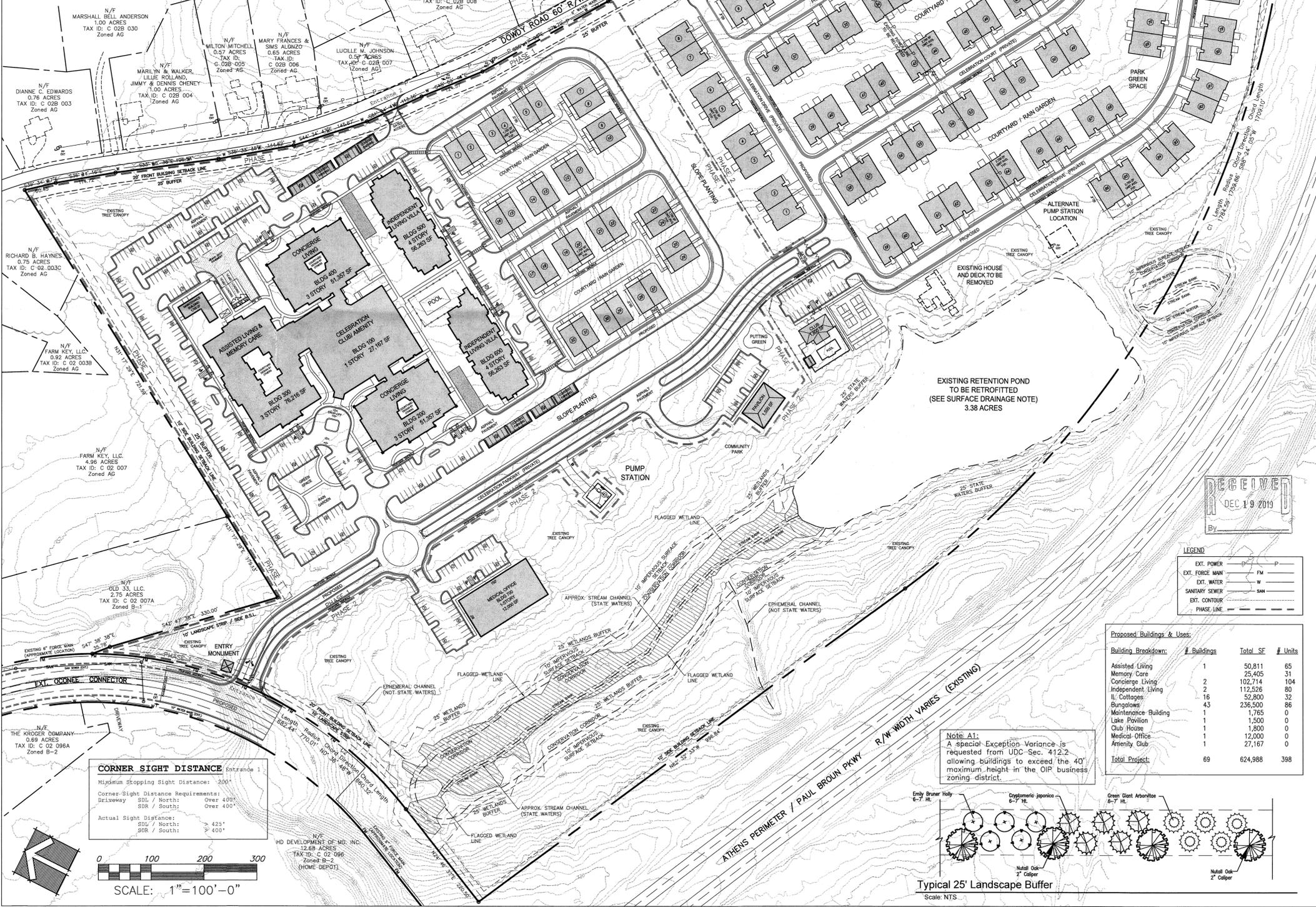
Phase 2 Project Area And Percentage Of Lot Covered By:			
Land Use	Area (SF)	Area (AC)	% of Total
Structures	250,300	5.746	9.30%
Paving/Curb/Gutter	99,502	2.284	3.70%
Sidewalk	23,578	0.541	0.87%
Driveways	35,776	0.821	1.33%
Phase 2 Impervious Cover 409,156 SF / 9.393 AC (15.20%)			
Phase 2 Pervious Cover 1,359,777 SF / 31.216 AC (50.53%)			
Total Project Impervious Cover 1,085,257 SF / 24.914 AC (40.32%)			
Total Project Pervious Cover 1,606,407 SF / 36.878 AC (59.68%)			

Average Daily Trips:

1 Person Senior Units
Independent Living Unit: 60 Units
Concierge Living Unit: 104 Units
Assisted Living Units: 65 Units
Memory Care Units: 31 Units

2 Person Senior Units
Independent Living Unit: 20 Units
Independent Living Cottages: 32 Units
Active Adult Bungalows: 86 Units

Total Units: 398
398 Units x 3.809 ADT/Unit = 1516 ADT



CORNER SIGHT DISTANCE Entrance 1
Minimum Stopping Sight Distance: 200'
Corner Sight Distance Requirements:
Driveway SDR / North: Over 300'
SDR / South: Over 300'
Actual Sight Distance:
SDR / North: > 700'
SDR / South: > 600'

CORNER SIGHT DISTANCE Entrance 2
Minimum Stopping Sight Distance: 200'
Corner Sight Distance Requirements:
Driveway SDR / North: Over 300'
SDR / South: Over 300'
Actual Sight Distance:
SDR / North: > 425'
SDR / South: > 700'

CORNER SIGHT DISTANCE Entrance 3
Minimum Stopping Sight Distance: 200'
Corner Sight Distance Requirements:
Driveway SDR / North: Over 400'
SDR / South: Over 400'
Actual Sight Distance:
SDR / North: > 425'
SDR / South: > 400'

RECEIVED
DEC 19 2019
By: _____

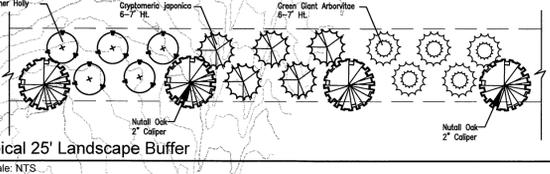
LEGEND

EXT. POWER	P
EXT. FORCE MAIN	FM
EXT. WATER	W
SANITARY SEWER	SS
EXT. CONTOUR	CONTOUR
PHASE LINE	PHASE LINE

Proposed Buildings & Uses:

Building Breakdown:	# Buildings	Total SF	# Units
Assisted Living	1	50,811	65
Memory Care	1	25,405	31
Concierge Living	2	102,714	104
Independent Living	2	112,526	80
IL Cottages	16	52,800	32
Bungalows	43	236,500	86
Maintenance Building	1	1,765	0
Lake Pavilion	1	1,500	0
Club House	1	1,800	0
Medical Office	1	12,000	0
Artenity Club	1	27,167	0
Total Project:	69	624,988	398

Note A1:
A special Exception Variance is requested from UDC-Sec. 412.2, allowing buildings to exceed the 40' maximum height in the OIP business zoning district.



BEALL & COMPANY

- LAND PLANNING
- LANDSCAPE ARCHITECTURE
- SITE ENGINEERING

3651 Mars Hill Road
Suite 1400
Watkinsville, GA 30677
(706) 543-0907
www.beallandcompany.com

CELEBRATION VILLAGE
MASTER PLANNED ASSISTED LIVING COMMUNITY
61,792 ACRES
TAX PARCEL: C02-012 & C02-012B
1220 & 1222 DOWDY ROAD
OCONEE COUNTY, GA 30606

OWNER(S)/PERMITTEE
Ross Developments, Inc.
1501 Dials Mill Road
Statham, GA 30666
678-753-1818

24 HOUR CONTACT:
Armand Vari
770-399-9930

GEORGIA REGISTERED PROFESSIONAL ENGINEER
KENNETH A. BEALL
GSWC LEVEL II CERTIFICATION #025972

REVISION	DATE	DESCRIPTION
1	11/25/19	Revisions Per Rezoning Comments
2	12/19/19	Revisions Per Planning & Public Works Comments

DRAWN BY: KGB
DESIGNED BY: KGB
CHECKED BY: KAB

VARIANCE CONCEPT PLAN

SHEET

1.0

DATE: 10-21-2019
JOB: 19-016
NOT RELEASED FOR CONSTRUCTION

NOTICE: THESE DRAWINGS ARE INSTRUMENTS OF PROFESSIONAL SERVICE AND ARE PROTECTED BY COMMON LAW, STATUTORY, AND OTHER RESERVED RIGHTS INCLUDING COPYRIGHT. THESE DRAWINGS MAY NOT BE REPRODUCED OR USED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF BEALL AND COMPANY AND ASSOCIATED PROJECT CONSULTANTS.