

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 Stonebridge Partners, LLC submitted on March 22, 2017.

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 Williams & Associates, Land Planners PC on March 22, 2017 regarding a ±39.556 acre tract of land located on the west side of Stonebridge Parkway at the intersection of Latham Drive in the 221st G.M.D., Oconee County, Georgia, (TP# B-06-025), 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 for the purpose of relief from Unified Development Code Section 1003.09a(3), to eliminate the requirement allowing vehicular access only to a street within the development for the 7 lots along Stonebridge Parkway.

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 same at its regular meeting on June 6, 2017.

ADOPTED AND APPROVED, this 6th day of June, 2017.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY: [Signatures of John Daniell, Mark Thomas, Chuck Horton, W. E. "Bubber" Wilkes, and Mark Saxon]

ATTEST: [Signature of Kathy Hayes] Kathy Hayes Clerk, Board of Commissioners

**CONDITIONS**

This Variance Request shall be subject to the following conditions which shall be fulfilled by the developer at his/her expense:

1. Only lots 27-32 as identified on the Variance Concept Plan shall have access to Stonebridge Parkway.

**NARRATIVE****Variance**

A Special Exception Variance is requested from the public street frontage requirement, specifically UDC Sec. 1003.09.a(3) allowing lots that front on Stonebridge Parkway to have access directly onto Stonebridge Parkway. UDC Sec. 1003.09.a(3) states that "all lots within a major subdivision shall only have vehicular access to a street within the development, or from a private access drive located within the development as provided in Sec. 1012.07 of this development code. In no case, shall lots within a major subdivision have vehicular access to an existing street located outside the development." Allowing the proposed lots that front on Stonebridge Parkway to have direct access to Stonebridge Parkway will match the existing lots that are located south and east across Stonebridge Parkway and make the two developments appear cohesive.

**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 lot access directly onto Stonebridge Parkway will not cause a substantial detriment to the public good because there is no advantage to the public if access is limited to roads within the proposed development. Access directly onto Stonebridge Parkway already exists by 14 lots within the existing Stonebridge Subdivision to the south.

- b. Would not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity:

The allowance of lot access directly onto Stonebridge Parkway will not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity because all of the adjoining residential properties along Stonebridge Parkway have access directly onto said road.

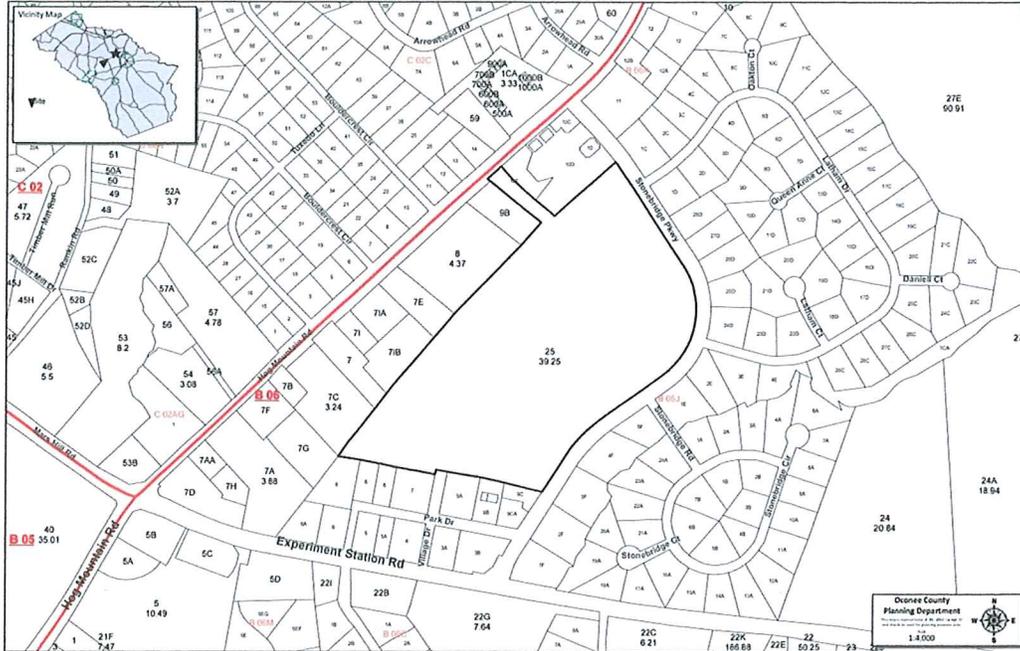
- c. Would not diminish and impair property values within the surrounding neighborhood:

The allowance of lot access directly onto Stonebridge Parkway will not diminish nor impair property values within the surrounding neighborhood because the majority of the tracts in the immediate vicinity are residentially zoned. Allowing the proposed lots that front on Stonebridge Parkway to have direct access to Stonebridge Parkway will match the existing lots that are located south and east across in the Stonebridge Subdivision and make the two developments appear cohesive.

- d. Would not impair the purpose and intent of this Development Code.

The allowance of lot access directly onto Stonebridge Parkway makes sense in light of the existing subdivision. If Stonebridge Parkway had no existing access, such as it does, limiting access would meet the intent of the code. The allowance of lot access directly onto Stonebridge Parkway does not impair the purpose and intent of the Unified Development Code based on existing conditions.

TAX MAP

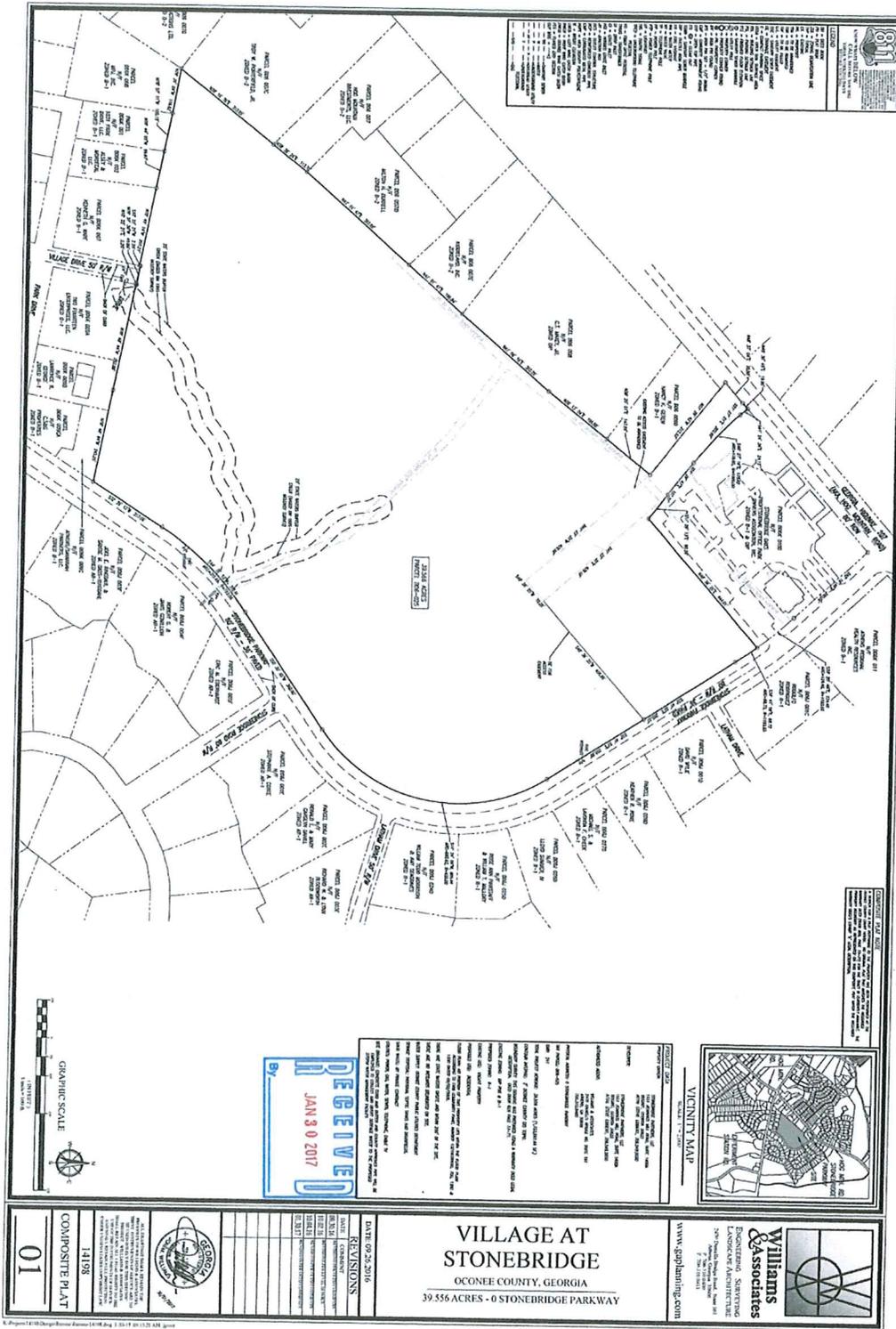


LEGAL DESCRIPTION

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Oconee County, Georgia, G.M.D. 221, containing 39.556 acres, more or less, and being more particularly described as:

To find the true point of beginning, commence at the point of intersection of the southeasterly right of way line of Georgia Highway 207 (a/k/a Hog Mountain Road) (80' r/o/w) with the westerly or southwesterly right of way line of Stonebridge Parkway (80' r/o/w), thence run along and with the southwesterly right of way line of Stonebridge Parkway the following courses and distances: south 42 degrees 19 minutes 46 seconds east 260.24 feet to a point and thence an arc to the right 124.46 feet, said arc having a radius of 1193.66 feet and being subtended by a chord distance of 124.40 feet at south 39 degrees 20 minutes 46 seconds east to an iron pin, said iron pin being the TRUE POINT OF BEGINNING of the within described lands thence continuing along and with the westerly right of way line of Stonebridge Parkway the following courses and distances: an arc to the right 68.73 feet, said arc having a radius of 1193.65 feet and being subtended by a chord distance of 68.72 feet at south 34 degrees 41 minutes 59 seconds east to an iron pin; south 32 degrees 41 minutes 53 seconds east, 285.03 feet to an iron pin; south 32 degrees 41 minutes 53 seconds east 298.60 feet to an iron pin; an arc to the right 669.62 feet, said arc having a radius of 435.00 feet and being subtended by a chord distance of 605.44 feet at south 11 degrees 24 minutes 06 seconds west to an iron pin; south 55 degrees 30 minutes 05 seconds west 368.90 feet to an iron pin; an arc to the left 315.49 feet, said arc having a radius of 792.56 feet and being subtended by a chord distance of 313.41 feet at south 44 degrees 31 minutes 53 seconds west to an iron pin; and south 32 degrees 26 minutes 13 seconds west 217.06 feet to an iron pin; thence leaving the westerly right of way line of Stonebridge Parkway and running north 78 degrees 48 minutes 44 seconds west 245.25 feet to an iron pin; thence continuing north 78 degrees 48 minutes 44 seconds west 282.88 feet to a point located on the easterly right of way line of Village Drive; thence along and with the easterly right of way line of Village Drive north 10 degrees 22 minutes 21 seconds east 2.20 feet to an iron pin; thence along the northerly terminus line of Village Drive north 79 degrees 37 minutes 39 seconds west 49.86 feet to an iron pin; thence along and with the westerly right of way line of Village Drive south 10 degrees 22 minutes 21 seconds west 2.20 feet to an iron pin; thence north 78 degrees 49 minutes 14 seconds west 207.21 feet to an iron pin; thence north 78 degrees 44 minutes 02 seconds west 99.87 feet to an iron pin; thence north 78 degrees 57 minutes 11 seconds west 100.19 feet to an iron pin; thence north 79 degrees 31 minutes 59 seconds west 119.62 feet to an iron pin; thence north 38 degrees 16 minutes 39 seconds east 313.95 feet to an iron pin; thence north 38 degrees 38 minutes 26 seconds east 113.70 feet to an iron pin; thence north 41 degrees 01 minute 47 seconds east 363.86 feet to an iron pin; thence continuing north 41 degrees 01 minute 47 seconds east 190.84 feet to an iron pin; thence north 41 degrees 06 minutes 16 seconds east 303.29 feet to an iron pin; thence north 38 degrees 13 minutes 04 seconds east 196.88 feet to an iron pin; thence north 38 degrees 20 minutes 01 second east 147.99 feet to an iron pin; thence north 51 degrees 26 minutes 43 seconds west 312.53 feet to a point located on the southeasterly right of way line of Georgia Highway 207; thence running along and with the southeasterly right of way line of Georgia Highway 207 north 48 degrees 37 minutes 04 seconds east 70.50 feet to an iron pin and north 49 degrees 30 minutes 49 seconds east 19.90 feet to an iron pin; thence leaving said right of way line and running south 41 degrees 24 minutes 34 seconds east 24.12 feet to an iron pin; thence an arc to the left 176.05 feet, said arc having a radius of 1000.00 feet and being subtended by a chord distance of 175.82 feet at south 46 degrees 27 minutes 10 seconds east to an iron pin; thence south 51 degrees 29 minutes 47 seconds east 107.70 feet to an iron pin; thence south 51 degrees 29 minutes 13 seconds east 80.34 feet to an iron pin; thence north 48 degrees 36 minutes 25 seconds east 444.01 feet to an iron pin located on the westerly right of way line of Stonebridge Parkway, said iron pin being the true point of beginning.



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DEVELOPMENT PLAN

