

**AMENDMENT
TO THE UNIFIED DEVELOPMENT CODE OF OCONEE COUNTY, GEORGIA
AND THE ZONING MAPS OF OCONEE COUNTY, GEORGIA**

TITLE

An Ordinance amending the Unified Development Code of Oconee County, Georgia, and the Zoning Maps of Oconee County, Georgia, pursuant to Article 12, Division I et seq., to rezone from zoning classifications A-1 (Agricultural) & S-P (Scenic Preservation Overlay District) to A-1 (Agricultural) pursuant to an application for rezoning of property owned by James A. Flanagan submitted on August 31, 2015.

ENACTMENT CLAUSE

Pursuant to the authority conferred by the Constitution and Laws of the State of Georgia and after consideration of an application for zoning change submitted by James A. Flanagan on August 31, 2015 requesting rezoning a ±23.05 acre tract of land located on the east side of Elder Mill Road in the 225th G.M.D., Oconee County, Georgia, (TP# C-6-9C), the Board of Commissioners of Oconee County does hereby ordain and enact to law the following:

SECTION 1. An Ordinance known as the "Unified Development Code of Oconee County, Georgia" as enacted and amended by the Board of Commissioners of Oconee County and the Zoning Maps described therein are hereby amended as follows:

The zoning classification for the property described on the attached "Exhibit A" is hereby changed from A-1 (Agricultural) & S-P (Scenic Preservation Overlay District) to A-1 (Agricultural) & S-P (Scenic Preservation Overlay District) with modifications for the purpose of as set forth in "Exhibit A" attached hereto.

Said rezone 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.

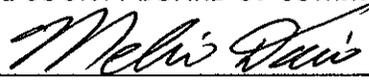
SECTION 3. Repeal of Conflicting Resolutions or Ordinances. All Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.

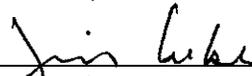
SECTION 4. Effective Date. This Ordinance shall take effect this date.

Said Zoning Petition was submitted to the Oconee County Planning Commission and a Public Hearing was duly held by same on October 19, 2015, and a Public Hearing was duly held by the Oconee County Board of Commissioners at its regular meeting on December 1, 2015 whereby said Zoning Petition was referred back to the Oconee County Planning Commission for reconsideration, said Zoning Petition was resubmitted to the Oconee County Planning Commission and a Public Hearing was duly held by same on January 19, 2016, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on February 2, 2016.

ADOPTED AND APPROVED, this 2nd day of February, 2016.

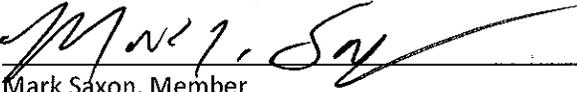
OCONEE COUNTY BOARD OF COMMISSIONERS

BY: 
G. Melvin Davis, Chairman

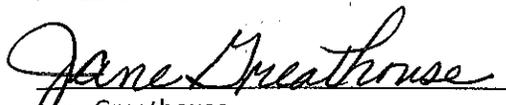

Jim Luke, Member


John Daniell, Member


W. E. "Bubber" Wilkes, Member


Mark Saxon, Member

ATTEST:


Jane Greathouse
Clerk, Board of Commissioners

REZONING APPROVAL BOUNDARY DESCRIPTION

The Board of Commissioners hereby grants approval of this rezoning amendment to modify the boundary of the Scenic Preservation Overlay District on the subject property, as illustrated on the attached "Approved Rezoning Plan", more specifically described as follows:

Beginning at the point of intersection with the boundary of the adjacent property, TP# C-6-9D, and the linear distance setback of 200 feet, measured from the bank of Rose Creek, thence northeasterly following along the 200 foot setback from the bank of Rose Creek to the point of intersection with the linear distance setback of 150 feet, measured from the bank of Rose Creek, thence following southeasterly along the 150 foot setback from the bank of Rose Creek to the point of intersection with the boundary of the Scenic Preservation Overlay District.

The portion of the subject property with the current zoning classifications of A-1 (Agricultural) and S-P (Scenic Preservation Overlay District), located on the south and west side of the boundary described above, shall now only contain the zoning classification A-1 (Agricultural).

The portion of the subject property with the current zoning classifications of A-1 (Agricultural) and S-P (Scenic Preservation Overlay District), located on the north and east side of the boundary described above, shall remain zoned A-1 (Agricultural) and S-P (Scenic Preservation Overlay District).

TAX MAP



LEGAL DESCRIPTION OF SUBJECT PROPERTY

All that tract or parcel of land lying and being in the county of Oconee, State of Georgia, GMD 225, and described on a plat titled "Flanagan: Composite Plat", more specifically described as follows:

COMMENCING at the point of intersection with the center line of Elder Mill Bridge on Elder Mill Road with the center channel of Rose Creek,

Thence southerly along Elder Mil Road a distance of 420.50' to an iron pin, said pin also being the POINT OF BEGINNING,

Thence N 64°35'00" E, a distance of 42.30' to an iron pin,

Thence N 84°31'00" E, a distance of 318.90' to an iron pin,

Thence N 16°31'00" E, a distance of 252.10' to the center channel of Rose Creek,

Thence southeasterly along the center channel of Rose Creek a traverse distance of 1,675.94' to the point of intersection with the center channel of Rose Creek and the center channel of an unnamed branch of Rose Creek,

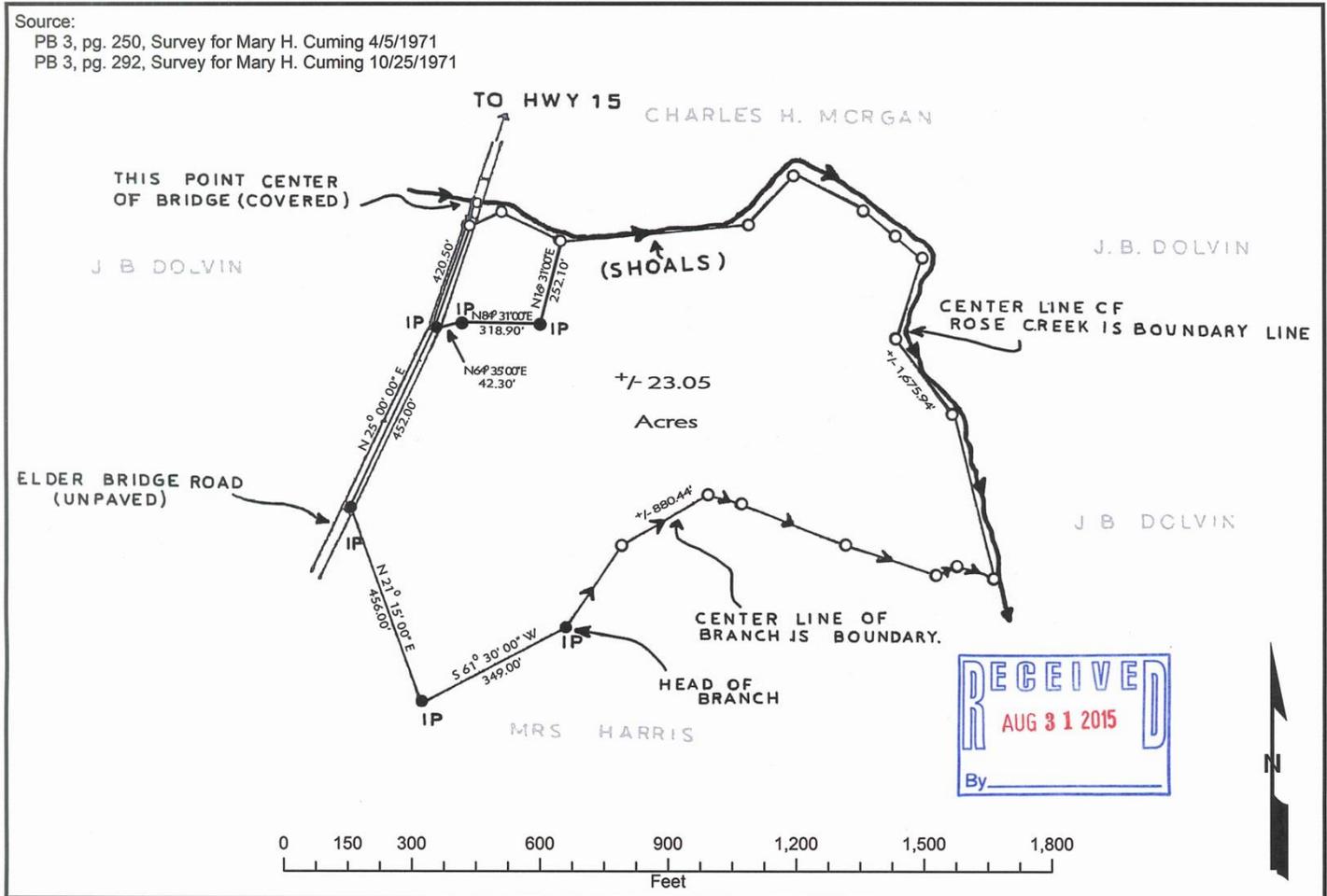
Thence westerly along the center channel of the unnamed branch of Rose Creek a traverse distance of 880.44' to an iron pin located at the head of the branch

Thence S 61°30'00" W, a distance of 349.00' to an iron pin,

Thence N 21°15'00" E, a distance of 456.00' to an iron pin located in the center of Elder Mill Road,

Thence N 25°00'00" E, a distance of 452.00' to an iron pin, said pin also being the POINT OF BEGINNING of the subject property. Said tract contains approximately 23.05 acres.

COMPOSITE PLAT



Flanagan
 Composite Plat

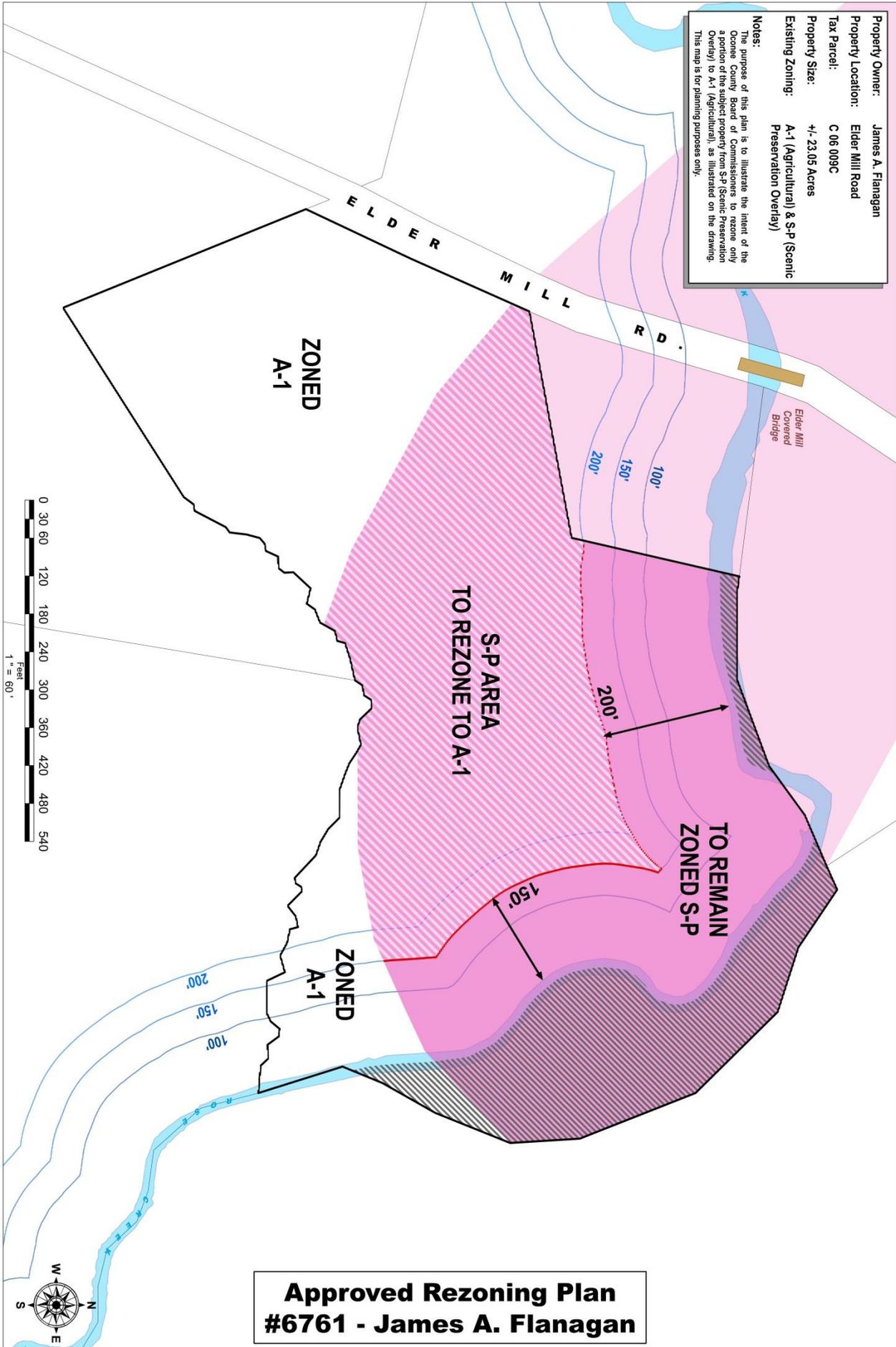
EXHIBIT "A" TO REZONE #6761

Page 3 of 3

REZONE PLAN

Property Owner: James A. Flanagan
Property Location: Elder Mill Road
Tax Parcel: C 06 009C
Property Size: +/- 23.05 Acres
Existing Zoning: A-1 (Agricultural) & S-P (Scenic Preservation Overlay)

Notes:
The purpose of this plan is to illustrate the intent of the County Planning Board of Zoning Ordinance. It is not a guarantee of any specific zoning or S-P Overlay, as illustrated on the drawing. This map is for planning purposes only.



Approved Rezoning Plan
#6761 - James A. Flanagan