

EXHIBIT "A" TO SPECIAL EXCEPTION VARIANCE #6871

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CONDITIONS

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

1. Trees shall be planted on 25' centers on both sides and length of driveway that accesses Jimmy Daniel Road.

NARRATIVE

Variance

A Special Exception Variance is requested from UDC Sec. 806 allowing a reduction in the 50 foot required buffer between land uses, from 50' to 0', along the proposed private access drive to Jimmy Daniel Road. The reduction is to allow for the site not to be required to provide a buffer adjacent to the west along the A-1 adjoining property line as well as the property line adjacent to the parent parcel. The current owner of the parent parcel is selling a portion of their property to provide access to the proposed development.

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 reduction in the buffer will not cause a substantial detriment to the public good because there is no advantage to the public if the buffer exists or not.

- 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 reduction in the buffer will not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity because the property is to be used for an access drive only.

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

The allowance of the reduction in the buffer will not diminish nor impair property values within the surrounding neighborhood because the variance is not to relieve the buffer against the proposed development, but only the access drive.

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

The reduction of the buffer to the west would not impair the purpose and intent of the development code. The reduction of the buffer makes sense in light of the surroundings of the adjacent property. If the proposed development was the first at this major commercial intersection and block of land, then the buffer requirement would be necessary and appropriate. Seeing however, that there are neighboring commercial developments on two sides of the adjacent property that are not providing the same

required buffer, clearly shows that the allowance of the reduction in the buffer does not impair the purpose and intent of the Unified Development Code. The reduction of the buffer to the east makes sense in light of the fact that relief in the buffer requirement is requested adjacent to the parent parcel. The current owner is selling a portion of their property to provide access to the proposed development. The allowance of the reduction in the buffer does not impair the purpose and intent of the Unified Development Code.

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LEGAL DESCRIPTION

All that tract, or parcel of land, lying and being in Oconee County, Georgia, G.M.D. 1331, containing 29.817 acres, more or less, and being more particularly described as:

Beginning at the centerline intersection of Jimmy Daniel Road and Virgil Langford Road; thence North 33 degrees 49 minutes 08 seconds East, 239.59 feet to a point on the centerline of Virgil Langford Road, thence leaving said centerline North 46 degrees 50 minutes 14 seconds West, 40.04 feet to a point along the proposed westerly margin of right-of-way of Virgil Langford Road, being the TRUE POINT OF BEGINNING; thence leaving said right-of- North 46 degrees 50 minutes 14 seconds West, 121.81 feet to an iron pin, thence North 46 degrees 50 minutes 14 seconds West, 46.47 feet to a point; thence North 46 degrees 50 minutes 14 seconds West, 103.36 feet to an iron pin; thence North 46 degrees 50 minutes 14 seconds West, 405.75 feet to a point; thence South 39 degrees 39 minutes 51 seconds West, 237.75 feet to a point on the westerly margin of right-of-way of Jimmy Daniel Road; thence along said right-of-way North 38 degrees 06 minutes 06 seconds West, 76.74 feet to an open top pipe; thence leaving said right-of-way North 39 degrees 39 minutes 51 seconds East, 226.07 feet to a point; thence North 39 degrees 39 minutes 51 seconds East, 405.40 feet to an iron pin; thence North 38 degrees 44 minutes 34 seconds East, 304.88 feet to an iron pin; thence North 38 degrees 44 minutes 54 seconds East, 363.45 feet to an axle; thence North 39 degrees 10 minutes 39 seconds East, 129.64 feet to a right-of-way monument on the southerly margin of right-of-way of Highway 316; thence along said right-of-way 557.77 feet along an arc of a curve to the right, said curve having a radius of 4242.13 a chord bearing of South 60 degrees 30 minutes 36 seconds East and a chord distance of 557.36 feet to a point; thence South 51 degrees 21 minutes 41 seconds East, 475.40 feet to a point on the westerly margin of the mitered right-of-way of Virgil Langford Road; thence along said right-of-way South 08 degrees 53 minutes 29 seconds East, 222.60 feet to a point; thence 248.22 feet along an arc of a curve to the right, said curve having a radius of 8571.92 a chord bearing of South 58 degrees 07 minutes 12 seconds West and a chord distance of 248.21 feet to a point; thence 150.77 feet along an arc of a curve to the right, said curve having a radius of 5381.58 a chord bearing of South 59 degrees 55 minutes 48 seconds West and a chord distance of 150.76 feet to a point; thence 425.31 feet along an arc of a curve to the right, said curve having a radius of 32757.01 a chord bearing of South 60 degrees 23 minutes 33 seconds West and a chord distance of 425.31 feet to a point; thence South 61 degrees 07 minutes 25 seconds West, 75.00 feet to a point; thence South 61 degrees 05 minutes 07 seconds West, 185.73 feet to a point; thence 42.46 feet along an arc of a curve to the left, said curve having a radius of 622.92 a chord bearing of South 61 degrees 51 minutes 01 seconds West and a chord distance of 42.45 feet to a point; thence 156.60 feet along an arc of a curve to the left, said curve having a radius of 622.92 a chord bearing of South 52 degrees 41 minutes 44 seconds West and a chord distance of 156.19 feet to the TRUE POINT OF BEGINNING.

PLAT

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TAX MAP



