

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 Crystal Hills, LLLP Et Al submitted on January 5, 2015.

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 P.C. on January 5, 2015 regarding property owned by Crystal Hills, LLLP Et Al on a ±70.40 acre tract of land located on the west side of US Hwy 441 and the north side of Welbrook Road in the 221st G.M.D., Oconee County, Georgia, (TP# C-2-77 & Portion of TP# C-2-43L), 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 412.02, to increase the maximum building height from 40 feet to 55 feet.

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 May 5, 2015.

APPROVED, this 5th day of May, 2015.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY: G. Melvin Davis
G. Melvin Davis, Chairman

Jim Luke
Jim Luke, Member

John Daniell
John Daniell, Member

W. E. "Bubber" Wilkes
W. E. "Bubber" Wilkes, Member

Mark Saxon
Mark Saxon, Member

ATTEST:

Jane S. Greathouse
Jane Greathouse
Clerk, Board of Commissioners

CONDITIONS

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

1. The maximum building height of the multi-family residential building and the health services center building shall be 55 feet. The roof peak of these buildings shall not exceed an elevation of 830 feet above sea level.
2. Development structures shall meet or exceed the architectural standards as indicated on the concept plan, narrative, representative architectural sketches and other documents submitted with the zoning application and attached hereto, paying special attention to the materials and design elements shown in the representative photos.

NARRATIVE

Variance

A Special Exception Variance is requested from UDC Sec. 412.2 allowing buildings to exceed the maximum 40' height in the OIP zoning district. The allowance is for the building height to be a maximum 55' which will allow greater floor to floor separation in Building 100 & Building 300, with buildings maintaining a pitched roof.

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 onsite. All aspects of 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 structures from adjacent roadways and the neighboring parcels.

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

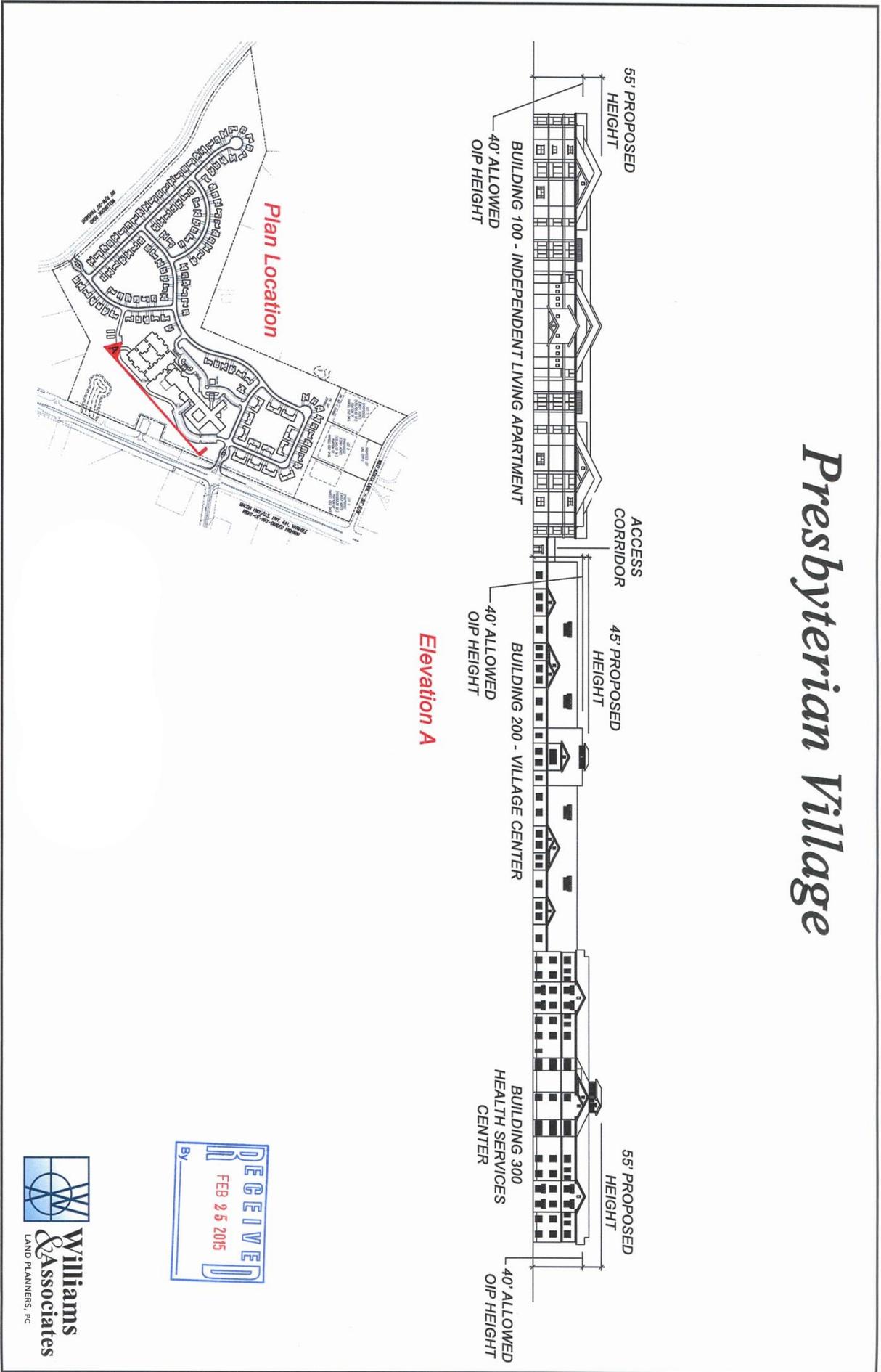
The allowance of the increase in building height will not diminish nor impair property values within the surrounding neighborhood because the buildings for which the variance is being requested have been located the furthest away from the surrounding residential neighborhood and placed adjacent to the parcels which have the potential for future development as commercial uses. Typically, adjacent uses have determined and dictated values of adjacent property to a greater degree when compared to structure height. As the zoning currently exists, a 40' building could be placed 50' off of the neighboring residential property lines. The variance concept plan illustrates a 55' building 385' off of the neighboring residential property lines.

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

One could argue that the property's proximity to a major commercial node such as Hwy 441 and Hog Mountain Rd. would allow for a B-2 zoning classification permitting a 55' building height. It makes sense in light of the surroundings of the adjacent property that the 55' height be allowed. Distance, in regards to building siting, as well as additional buffering have been provided along the neighboring residential properties. The allowance of the increase in building height does not impair the purpose and intent of the Unified Development Code.

VERTICAL BUILDING ELEVATION CROSS-SECTION

Presbyterian Village



Williams & Associates
LAND PLANNERS, PC

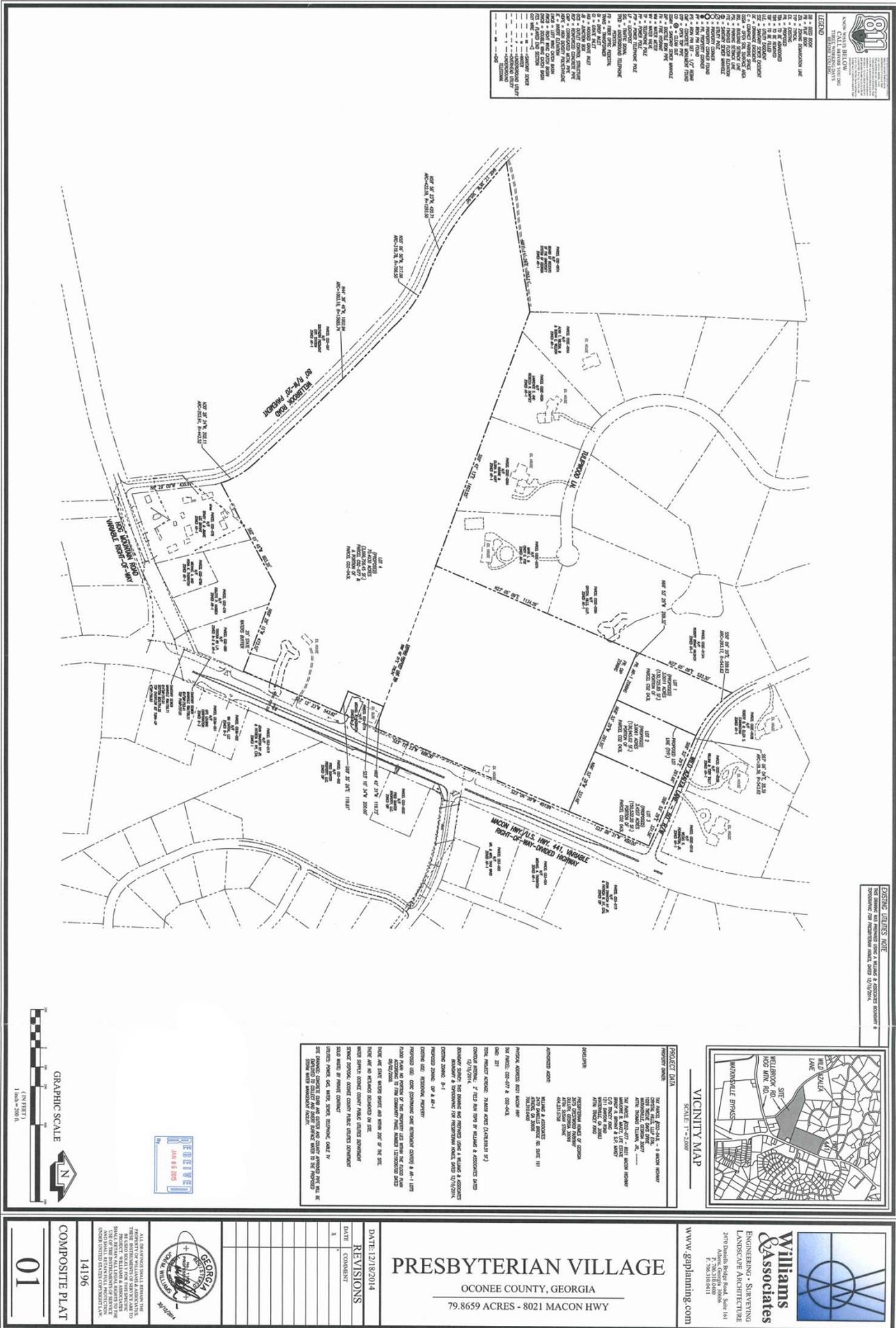


LEGAL DESCRIPTION

All that tract of land lying and being in the 221st G.M.D. of Oconee County, Georgia, containing 70.4030 acres, more or less, and being more particularly described as follows:

Beginning at the intersection of the southerly margin of the 60 foot right-of-way of Wild Azalea Lane with the westerly margin of the variable right-of-way of U.S. Highway 441, thence along the right-of-way of U.S. Highway 441 South 23 degrees 06 minutes 31 seconds West, 450.00 feet to the TRUE POINT OF BEGINNING; thence continuing along said right-of-way South 23 degrees 04 minutes 20 seconds West, 401.84 feet to a concrete monument; thence South 23 degrees 12 minutes 23 seconds West, 688.30 feet to a point; thence leaving said right-of-way North 69 degrees 42 minutes 31 seconds West, 119.73 feet to an iron pin; thence South 23 degrees 10 minutes 34 seconds West, 200.00 feet to an iron pin; thence South 69 degrees 35 minutes 26 seconds East, 119.61 feet to a point; thence along the right-of-way of U.S. Highway 441 South 23 degrees 126 minutes 23 seconds West, 543.82 feet to a point; thence leaving said right-of-way North 69 degrees 28 minutes 15 seconds West, 124.41 feet to a point; thence North 69 degrees 28 minutes 15 seconds West, 249.11 feet to an axle; thence North 69 degrees 28 minutes 15 seconds West, 100.00 feet to a point; thence South 62 degrees 01 minutes 45 seconds West, 271.00 feet to a point; thence South 62 degrees 01 minutes 45 seconds West, 332.35 feet to a point on the easterly margin of the 80 foot right-of-way of Wellbrook Road; thence along said right-of-way 203.91 feet along an arc of a curve to the left, said curve having a radius of 442.52 feet, a chord bearing of North 30 degrees 28 minutes 24 seconds West, and a chord distance of 202.11 feet to a point; thence 1003.16 feet along an arc of a curve to the left, said curve having a radius of 13685.74 feet, a chord bearing of North 44 degrees 38 minutes 46 seconds West, and a chord distance of 1002.94 feet to a point; thence 319.78 feet along an arc of a curve to the left, said curve having a radius of 706.50 feet, a chord bearing of North 55 degrees 06 minutes 50 seconds West, and a chord distance of 317.06 feet to a point; thence 422.59 feet along an arc of a curve to the right, said curve having a radius of 1293.50 feet, a chord bearing of North 59 degrees 56 minutes 23 seconds West, and a chord distance of 420.71 feet to a point; thence North 49 degrees 17 minutes 38 seconds West, 305.90 feet to an iron pin; thence leaving said right-of-way North 81 degrees 11 minutes 26 seconds West, 783.11 feet to an iron pin; thence South 69 degrees 42 minutes 13 seconds East, 1403.55 feet to an iron pin; thence North 23 degrees 05 minutes 09 seconds East, 1134.29 feet to a point; thence South 66 degrees 53 minutes 29 seconds East, 269.32 feet to a point; thence South 66 degrees 53 minutes 29 seconds East, 291.95 feet to a point; thence South 66 degrees 53 minutes 29 seconds East, 337.48 feet to the TRUE POINT OF BEGINNING.

Said tract is a combined portion of parcels C02-043L & C02-077 and shown as Lot 4 on a Composite Plat by Williams & Associates, dated 12/18/2014.



LEGEND

1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE NOTED.

2. DIMENSIONS OF LOTS AND EASEMENTS ARE SHOWN IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE NOTED.

3. DIMENSIONS OF EASEMENTS ARE SHOWN IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE NOTED.

4. DIMENSIONS OF EASEMENTS ARE SHOWN IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE NOTED.

5. DIMENSIONS OF EASEMENTS ARE SHOWN IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE NOTED.

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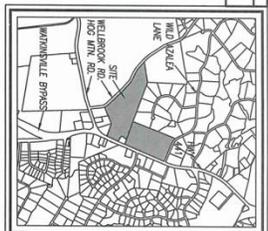
7. DIMENSIONS OF EASEMENTS ARE SHOWN IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE NOTED.

8. DIMENSIONS OF EASEMENTS ARE SHOWN IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE NOTED.

9. DIMENSIONS OF EASEMENTS ARE SHOWN IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE NOTED.

10. DIMENSIONS OF EASEMENTS ARE SHOWN IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE NOTED.

EXISTING UTILITIES NOTE
 THIS SHOWN AND PROVIDED AS A GUIDE TO EXISTING UTILITIES & NOT TO BE CONSIDERED AS A GUARANTEE OF ACCURACY. THE USER SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. SEE SHEET 01/02 FOR MORE DETAILS.



VICINITY MAP
 SCALE: 1" = 200'

PROJECT DATA

PROJECT NAME: PRESBYTERIAN VILLAGE - 8 ACRES PHASE 1

OWNER: WILLIAMS & ASSOCIATES

DESIGNER: WILLIAMS & ASSOCIATES

DATE: 11/15/2014

SCALE: 1" = 200'

PROPOSED USES:

- RESIDENTIAL SINGLE-FAMILY
- RESIDENTIAL MEDIUM-DENSITY
- RESIDENTIAL HIGH-DENSITY
- COMMERCIAL
- INDUSTRIAL
- OFFICE
- RETAIL
- RESTAURANT
- BAR
- CLUB
- THEATER
- CONCOURSE
- STADIUM
- AMPHITHEATER
- CONVENTION CENTER
- UNIVERSITY
- HOSPITAL
- LABORATORY
- RESEARCH CENTER
- LIBRARY
- MUSEUM
- ART GALLERY
- PERFORMING ARTS CENTER
- CONCOURSE
- STADIUM
- AMPHITHEATER
- CONVENTION CENTER
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REVISIONS

| DATE | REVISION |
|------------|------------------|
| 11/15/2014 | DATE: 11/15/2014 |

PRESBYTERIAN VILLAGE

OCONEE COUNTY, GEORGIA

79.8659 ACRES - 8021 MACON HWY

Williams & Associates

ENGINEERING - SURVEYING
 LANDSCAPE ARCHITECTURE

2470 South Bridge Road, Suite 101
 Albany, Georgia 31706
 T: 706.533.8811
 F: 706.533.8811

www.gapllp.com

DATE: 11/15/2014

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COMPOSITE PLAT

14196

01

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