

**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) to AR-3 (Agricultural-Residential Three Acre) pursuant to an application for rezoning of property owned by Milton O. S. Garland, Sr. submitted on March 2, 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 Beall & Company on March 2, 2015 requesting rezoning a ±12.41 acre tract of land located on the east side of McNutt Creek Road in the 240th G.M.D., Oconee County, Georgia, (TP# B-1-85), 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) to AR-3 (Agricultural-Residential Three Acre) 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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.

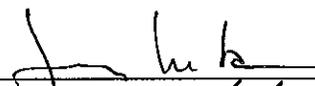
Said Zoning Petition was submitted to the Oconee County Planning Commission and a Public Hearing was duly held by same on April 20, 2015, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on May 5, 2015.

ADOPTED AND APPROVED, this 5th day of May, 2015.

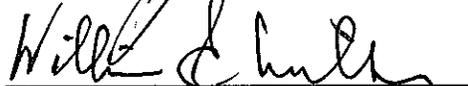
OCONEE COUNTY BOARD OF COMMISSIONERS

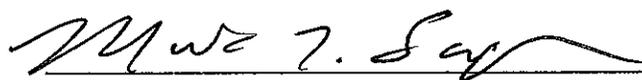
BY:


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

EXHIBIT "A" TO ZONING AMENDMENT #6669

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CONDITIONS

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

1. The subject property shall be subdivided in accordance with the procedures for minor subdivision plat approval, as outlined in the Oconee County Unified Development Code.
2. The subject property shall only be subdivided into 3 tracts, as illustrated on the rezone concept plan.

NARRATIVE

Milton O. S. Garland Subdivision
A Single Family Residential Subdivision
McNutt Creek Road
Oconee County Georgia
Rezone Request from A-1 & FP to AR-3 & FP
Tax Parcels #B01 085
12.41 Acres

Narrative

Milton O. S. Garland Subdivision is a proposed 3-lot residential subdivision on 12.41 acres to be developed by Milton Garland, an experienced builder and developer in Oconee County. Beall & Company has been engaged by Mr. Garland to act as agent in the preparation of the necessary rezone documentation associated with this rezone request.

The property is to be developed as a 3-lot residential subdivision. The minimum lot size proposed will be 3 acres. The minimum home size will be 2000 square feet. All home construction will be "stick-built" on site. All lots will be fee simple ownership.

The Site

The site is predominantly mixed hardwoods with pines located in the northwest corner of the site along a portion of McNutt Creek Road. The site fronts on McNutt Creek Road for approximately 481 linear feet. The land slopes gently from north to south toward the creek. Because McNutt Creek forms a portion of the southern boundary of the site, the lower elevations of the site lie in portions of the 100 year flood-plain of McNutt Creek.

An existing metal storage building and small shed occupy a portion of the site toward its east side. The owner would like to maintain these structures at their present location on what will be the Lot #3 (largest of the proposed lots (6.215 acres). The larger metal building to the north is used by the owner for general storage purposed. The smaller shed building is used to store and protect his tractor and garden equipment.

A small portion of the site behind these buildings has been cleared for a vegetable garden and orchard (in progress)

The Development

Lot #1 is to front on and have driveway access directly on McNutt Creek Road. Lots #2 and #3 are to front on a shared unpaved private access drive (which may be paved by the owner at some point in the future)

Residential Buildings

Any residential building exteriors will be brick, stucco, stone, *hardy-board* and combinations of those materials. The homes styles will be traditional (see representative architecture photographs).

Water Supply

Individual wells will be installed for each lot.

Sewage Disposal

Conventional septic tanks and drain-fields are planned for the development. A soil survey map will be prepared by an approved soil scientist to insure that each home will be constructed in an area with appropriate soils per county and state regulations. Lots will be reconfigured as necessary based on soil suitability for drain-field installation. The soil survey map will be submitted to the Oconee County Health Department prior to issuance of any residential building permits.

Surface Water Drainage

Existing sheet flow, driveway swales, culvert pipes and natural drainage corridors will be employed to collect and divert storm-water to the 100 year flood-plain of McNutt Creek

Access

A total of two driveways will provide access to McNutt Creek Road

Traffic

Based on an average of 10 trips per household the 3 new lots will generate approximately 30 average daily trips (ADT) and approximately 3 peak hour trips.

Schools

Impact to schools will be neutral by generating increased positive tax base to offset the cost of educating the low number of school age children generated by the 3 lot subdivision. There will be favorable initial and ongoing ripple economic impact on the county as a result of this development.

Schedule

The petitioners plan to complete the zoning efforts on the subject property by early May 2015. An administrative subdivision plat will be submitted to the Oconee Planning Department by July 2015.

Maintenance of Common Areas

Covenants will be utilized to define maintain, control, and insure common areas including but not limited to the private access drive and/or community facilities to be located within the project. Provisions for architectural control will also be specified in these covenants. A draft copy of these covenants will be submitted prior to platting

Buffers

Conservation corridor buffers and state waters buffers will be observed.

Amenity Area

No communal amenity area is proposed.

Garbage Collection

Garbage collection will be handled by private contract service. Roll carts will be utilized.

Public & Semi-public Areas

Drainage, access, and utility easements will be provided.

Outdoor Lighting

Any and all exterior lighting will be oriented inward, down, and away from adjoining residences and properties.

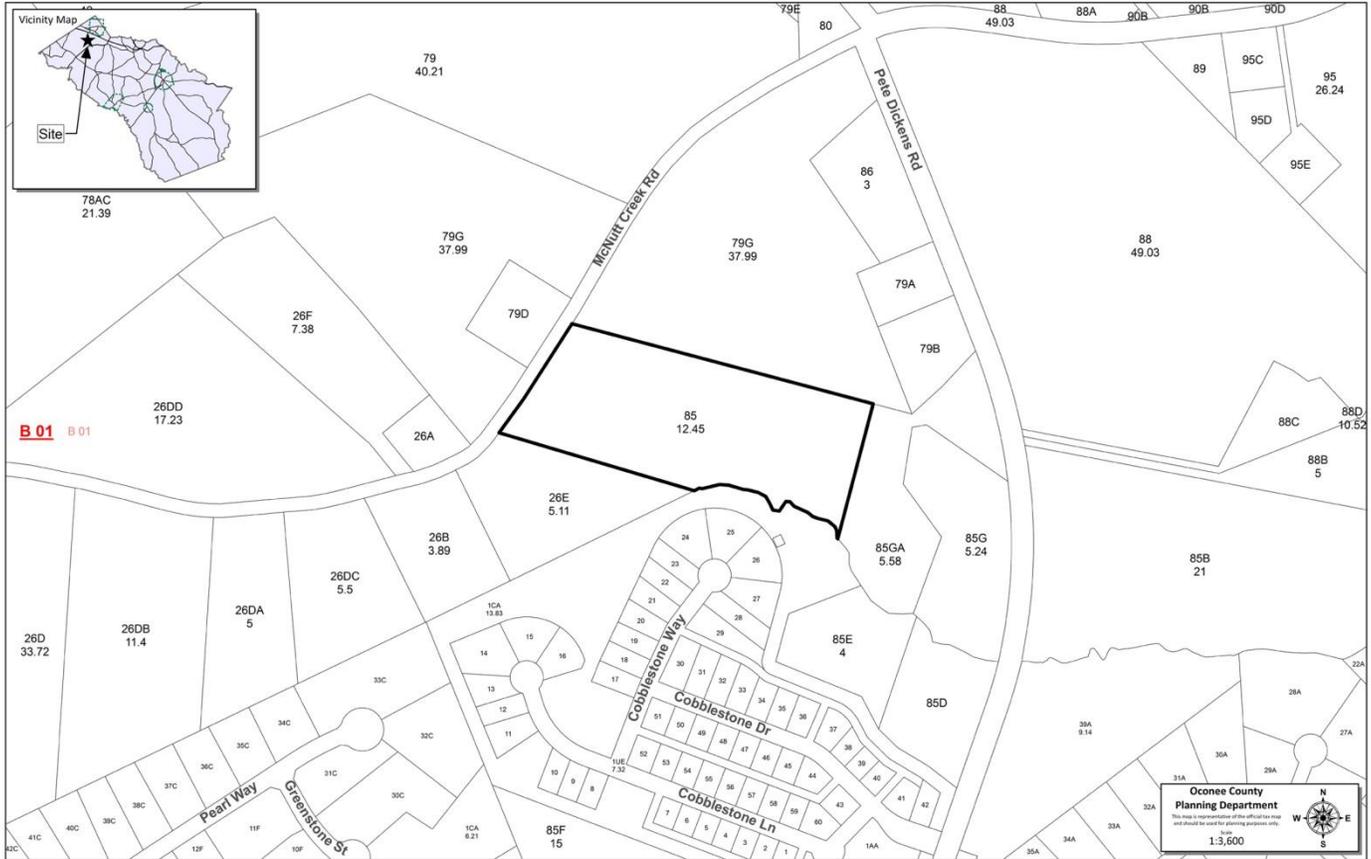
Development Valuation

Three new single-family detached homes are proposed for the spacious lots planned. The average new home & lot sales price is expected to be approximately \$350,000.00. Total completed project value is expected to reach \$1,050,000.00.

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TAX MAP



LEGAL DESCRIPTION

McNutt Creek Road
12.41 Acres
Parcel #B01 085

All that tract or parcel of land lying and being in the county of Oconee, State of Georgia, GMD 240, and described as a 12.41 acre parcel on a survey entitled ADMINISTRATIVE RECOMBINATION PLAT FOR MILTON O. S. GARLAND, SR, prepared by WOODS AND CHASTAIN SURVEYORS, INC., dated 11/09/2005, more particularly described as follows:

POINT OF COMMENCEMENT is an iron pin located on the western right-of-way line of McNutt Creek Road located S 67°56'20" W, and a distance 48.98' from a centerline point in the middle of McNutt Creek Road: said centerline point being also located S 67°56'20" W, a distance of 49.93' from an iron pin representing the **POINT OF BEGINNING** at the property corner located on the western right-of-way line of McNutt Creek Road;

Thence N 36°07'34" E, a distance of 134.40' to a point on the right-of-way of McNutt Creek Road;

Thence N 33°14'37" W, an arc of distance of 346.66', chord length 346.51', and a radius of 3445.40' to a point at the property corner;

Thence S 75°20'19" E, a distance of 14.73' to an iron pin;

Thence S 75°20'19" E, a distance of 809.69' to a point on the property line;

Thence S 75°20'19" E, a distance of 303.03' to an iron pin at the property corner;

Thence S 14°39'41" W, a distance of 452.73' to an iron pin; Said point is located on the stream bank, 50' from the centerline of McNutt Creek;

Thence S 14°39'41" W, a distance of 50' to a traverse point at the center of McNutt Creek;

Thence N 02°12'22" W, a distance of 26.69' to a traverse point;

Thence N 25°10'33" W, a distance of 16.59' to a traverse point;

Thence N 50°27'29" W, a distance of 32.25' to a traverse point;

Thence N 76°54'55" W, a distance of 36.55' to a traverse point;

Thence N 70°16'16" W, a distance of 21.41' to a traverse point;

Thence N 48°21'09" W, a distance of 21.72' to a traverse point;

Thence N 65°56'12" W, a distance of 54.80' to a traverse point;

Thence N 43°03'45" W, a distance of 22.23' to a traverse point;

Thence N 85°16'18" W, a distance of 15.01' to a traverse point;

Thence S 34°37'35" W, a distance of 41.75' to a traverse point;

Thence N 82°04'24" W, a distance of 23.61' to a traverse point;

Thence N 25°12'40" W, a distance of 29.60' to a traverse point;

Thence N 30°02'51" W, a distance of 25.70' to a traverse point;

Thence N 62°08'24" W, a distance of 1.94' to a traverse point;

Thence N 62°08'24" W, a distance of 29.35' to a traverse point;

Thence N 75°31'53" W, a distance of 40.17' to a traverse point;

Thence N 86°46'37" W, a distance of 14.59' to a traverse point;

Thence N 73°17'31" W, a distance of 54.93' to a traverse point;

Thence N 86°19'56" W, a distance of 32.54' to a traverse point;

Thence S 76°28'59" W, a distance of 64.31' to a traverse point;

Thence N 82°27'22" W, a distance of 12.07' to a traverse point;

Thence S 63°52'57" W, a distance of 19.79' to a traverse point;

Thence N 75°11'18" W, a distance of 66.24' to an iron pin on the property line;

Thence N 73°44'42" W, a distance of 672.33' to an iron pin at a property corner;

Thence S 67°56'20" W, a distance of 7.79' to an iron pin at the **POINT OF BEGINNING**;

END OF DESCRIPTION.

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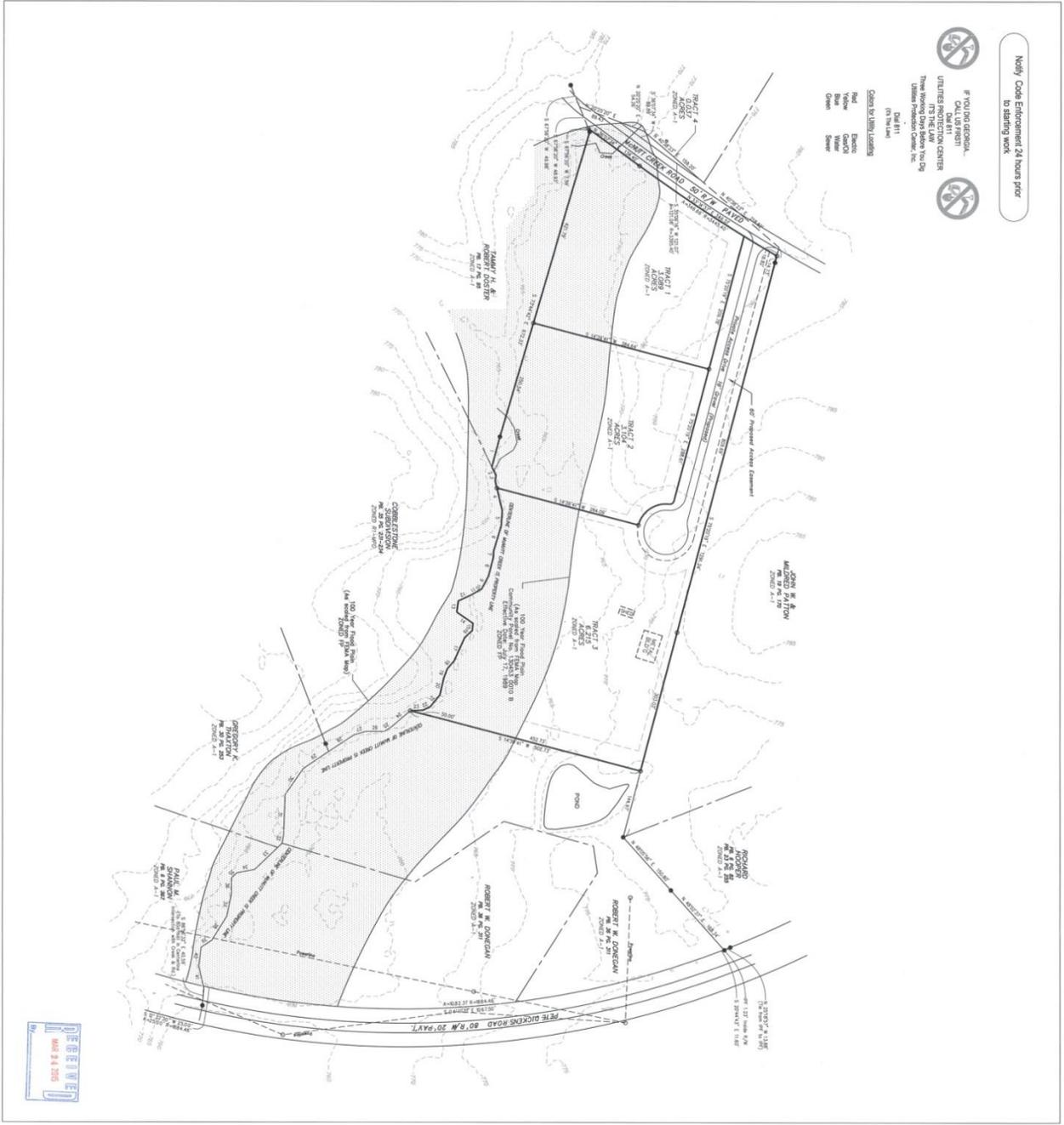
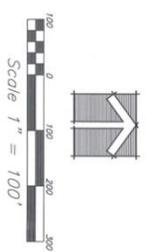
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DEVELOPMENT PLAN



Site Location Map
Scale: 1" = 1000'

Project Data:
 Owner: Milton O.S. Garland
 24 Hour Contact: Milton O.S. Garland, Suite 100
 Addressed Apts: 1040 Garland Drive, Bogart, GA 30622
 Location: 12.41 Acres
 Total Project Area: 12.41 Acres
 Sublot Name: 12.41 Acres
 Contour Interval: 5' contours from County Topographic maps
 Existing Zoning: A-1
 Existing Use: Storage Building
 Proposed Use: Multi-Residential (3) 3-4 unit lots
 Building Schedule: Front - 30'
 Side - 15'
 Rear - 40'
 Max Building Height: 40' (Per County Local Development Code)
 Flood Plain: Portion of this lot is within the 100 year flood plain. See Floodplain Map 1211000400 dated September 7, 2006.
 Water Supply: On-site Septic System
 Sewer Disposal: On-site Septic System
 Soil Tests: By Private Contract Service
 Surface Drainage: Shall flow to existing drainage swales.



Notify Code Enforcement 24 hours prior to starting work

IF YOU DO GENERAL CALLS PLEASE CALL THE CENTER
 UTILITIES: 770-796-1400
 FIRE: 770-796-1400
 POLICE: 770-796-1400
 24-HOUR
 (770) 796-1400

Color by Utility Location
 Red: Electric
 Yellow: Gas
 Blue: Water
 Green: Sewer

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No.	REVISION	DATE
1	Submitted For Review	3-2-15
2	Address Planning Dep Comments	3-24-15

DATE: 11-08-13
 TIME: 11:00 AM
 PER: BEALL AND COMPANY

BEALL & COMPANY
 Landscape Architecture
 Site Engineering
 3001 Warr Hill Road
 Marietta, GA 30067
 (770) 545-0077
 www.beallandcompany.com

OWNERS:
 Milton O.S. Garland Sr.
 1040 Garland Drive
 Bogart, GA 30622

DEVELOPER/CONTACT:
 Milton Garland
 700-348-4343

Milton O.S. Garland Subdivision
 McNatts Creek Road
 Tax ID: 801 085
 12.41 Acres
 Bogart GA 30622