

**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 B-2 (Highway Business) to B-2 (Highway Business) with modifications pursuant to an application for rezoning of property owned by Power Family Partnership, LLLP submitted on April 3, 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 Mike Power on April 3, 2015 requesting rezoning a ±3.174 acre tract of land located at the northern terminus of Commerce Drive and the south side of SR 316 in the 240th G.M.D., Oconee County, Georgia, (TP# B-2J-9, B-2J-10 & B-2J-11), 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 B-2 (Highway Business) to B-2 (Highway Business) 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.

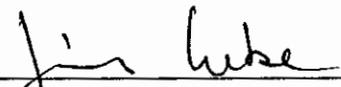
SECTION 4. Effective Date. This Ordinance shall take effect this date.

Said Zoning Petition was submitted to the Oconee County Planning Commission and Public Hearings were duly held by same on May 18, 2015, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on June 2, 2015.

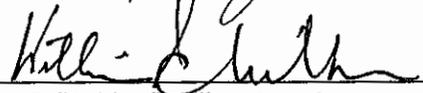
ADOPTED AND APPROVED, this 2nd day of June, 2015.

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

CONDITIONS

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

1. On all lots which are adjacent to residential zoning, no lumber yards, outdoor builder's equipment and material storage no outdoor storage of building supplies shall be permitted except during and for the construction of an on-site building.
2. Stormwater detention will be required on each developed lot at the time of development to detain storm water runoff to pre-development conditions in accordance with the Oconee County Subdivision Regulations. All stormwater detention facilities will be screened from the public rights-of-way and adjoining property by means of a combination of berms and/or evergreen plant materials (landscaping). All stormwater management facilities shall be maintained by the individual lot owners or by the property owners association.
3. Developer shall install a dedicated central left turn lane on Mars Hill Road at the Malcom Bridge Road intersection.
4. The landscape buffers along the property lines which adjoin residential lots shall be installed prior to any clearing or grading of said lots and maintained thereafter by the lot owner. Other buffers shall be installed on each individual lot at the time of building on the lot but prior to occupancy of said lot for the permitted use. Existing evergreen plant materials may be maintained and incorporated into the buffers where such plants comply fully with the buffer requirements of Zoning Section 605.
5. All driveways on Mars Hill Road shall be right-in/right-out only with the exception of the public street and one individual driveway on lot 25.
6. In addition to the restrictions of Zoning Article XIV "Signs", freestanding signs which are visible from State Route 316 shall be restricted to a maximum quantity of three. Two of these signs shall be a maximum size of 100 square feet per face (200 square feet for both faces combined), and shall not exceed 15 feet in height. The third shall be a maximum of 300 square feet per face (600 square feet for both faces combined), and a maximum height of 35 feet as provided for subdivision identification signs in the B-2 zone.

NARRATIVE

Lot 9, 10 and 11 Mars Hill Business Park

The Site

The subject site is located in the Mars Hill Business Park off of Mars Hill Road and consists of Lot 9, 10 and 11. Mars Hill Business Park was rezoned in January of 2001 to B2 & OBP. The subject lots are all zoned B2. The total size of all three parcels is 3.174 acres. The adjacent land to the north is Ga Highway 316. The adjacent land to the east is residential property zoned R1. The property to the west is zoned A1 and the remaining property to the south is zoned B2 and OBP which are existing lots in the business park. The intent of this request is to change a zoning condition placed on the property when it was originally rezoned which states "Use of the proposed B2 lots shall be limited to the permissible uses for the B2, Highway Business Districts except that the following uses are specifically excluded and shall therefore not be permitted on the subject property: Bus Terminal, Fruit and Produce stand, Mobile Homes sales, Tractor and truck repair garage, and truck terminal.

The Development

The property owner intends to build a truck repair facility on lots 9, 10 and 11 and is seeking the removal of the condition that does not allow for this type of use. In addition, the property owner is seeking two variances from Section 312 of the Unified Development Code. Variance #1 would allow for a building size of 8,800 SF. Section 312.c.2 states that the maximum building size is 8,000 SF. Variance #2 would allow the truck repair facility to be adjacent to residential property. Section 312.a currently does not allow for a truck repair facility to be adjacent to residential property.

Buildings

The property currently has no buildings. The proposal includes construction of an 8,800 SF truck repair facility which will be constructed in general conformance with the existing buildings in the business park. Photographs of similar construction are included in the Appendix.

Traffic

Traffic impact was considered at the time of the Mars Hill Business Park rezone and there is no increase as a result of this zoning change.

Schools

There is no change in impact to the county school system as a result of this change in condition

Water Supply

Water supply for this project is provided by Oconee County Public Utilities. Water demand for 200 Gallons/day on peak days.

Sewage Disposal

Sewage disposal for this project will be provided by Oconee County Public Utilities. Sewage demand will be 200 GPD.

Utilities

The proposed facility will require electricity, public water, telephone and data lines.

Stormwater Controls

The proposed facility will include a stormwater management system that meets the county requirements.

Access

The site will be accessed through the existing Commerce Drive off of Mars Hill Road

Schedule

Construction will begin as soon as all permits are obtained

Buffers

There is an existing buffer along the eastern property line where the subject property adjoins residential property. This existing buffer will be extended to a 50 foot buffer since the adjacent property is zoned R-1. A conservation corridor is required along the unnamed branch of McNutt Creek. This buffer will be 50 foot with an additional 10 foot impervious setback.

EXHIBIT "A" TO ZONING AMENDMENT #6682

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REPRESENTATIVE ARCHITECTURE



TAX MAP



