

**APPROVAL OF A HARDSHIP VARIANCE
FROM THE UNIFIED DEVELOPMENT CODE OF OCONEE COUNTY, GEORGIA**

TITLE

A Resolution granting approval of a Hardship Variance based upon the allowances under the Unified Development Code of Oconee County, Georgia, pursuant to Article 13, Section 1304, to grant approval of a Hardship Variance pursuant to an application requesting approval of a Hardship Variance on property owned by Power Family Partnership, LLLP submitted on April 20, 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 Hardship Variance approval submitted by Carter Engineering Consultants, Inc. on April 20, 2015 regarding property owned by Power Family Partnership, LLLP on 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 grant the following:

SECTION 1. A Resolution granting Hardship 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 312.a, to allow an automotive repair operation adjacent to a residential zoning district.

Said Hardship 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 Hardship 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 June 2, 2015.

APPROVED, this 2nd day of June, 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 T. Saxon
Mark Saxon, Member

ATTEST:

Jane Greathouse
Jane Greathouse
Clerk, Board of Commissioners

NARRATIVE

The Site:

The subject site is located in Mars Hill Business Park and consists of Lot 9, Lot 10, and Lot 11. Mars Hill Business Park was rezoned in January of 2001 to B2 and OBP. Lot 9, Lot 10, and Lot 11 are all zoned B2 and the total acreage is 3.174. The northerly adjacent land is GA Highway 316, the easterly adjacent land is a residential area and zoned R1, the westerly adjacent land is zoned A1, and the remaining southerly adjacent land are existing lots in the business park zoned B2 and OBP.

The Following Waiver Is Requested:

A waiver from UDC Section 312.a which states that an automotive repair or maintenance uses shall not be established on a lot that is either adjacent to, or directly across the street from, any residential zoning district. The proposed truck repair shop is approximately 600 linear feet from the existing residential area as well as being separated by an existing planted buffer. The granted variance would have no negative impacts on the existing residential area nor Oconee County as a whole.

TAX MAP



EXHIBIT "A" TO HARDHIP VARIANCE #6683

LEGAL DESCRIPTION

ALL those tracts or parcels of land, together with all improvements thereon, situate, lying and being in the 240th, G.M.D., Oconee County, Georgia being known and designated as Lots 9, 10, and 11 of Mars Hill Business Park as shown on a survey entitled "Boundary Survey for Power Family Partnership, LLLP," dated 4-3-15 by Carter Engineering Consultants, Inc., and being more particularly described as follows:

Starting at the Northernmost property corner of Commerce Drive, proceed thence S 60°15'01" W along an arc having a chord measurement of 62.49 feet a distance of 65.73 feet to a point; thence S 14°44'41" E along an arc having a chord measurement of 82.77 feet a distance of 91.34 feet to a point; run thence N 88°23'28" W a distance of 371.77 feet to a point; thence N 18°42'23" E a distance of 80.76 feet to a point; thence N 10°37'51" E a distance of 17.29 feet to a point; continue thence N 19°59'23" E a distance of 34.38 feet to a point; proceed N 26°54'55" E a distance of 23.02 feet to a point; thence N 32°29'03" E a distance of 19.89 feet to a point; thence N 13°15'51" E a distance of 44.94 feet to a point; thence N 15°47'58" E a distance of 9.61 feet to a point; thence N 31°21'29" E a distance of 4.76 feet to a point; thence N 31°21'29" E a distance of 12.51 feet to a point; thence N 00°24'58" W a distance of 35.91 feet to a point; thence S 74°03'10" E a distance of 14.44 feet to a point; thence N 77°18'20" E a distance of 154.61 feet to a point; thence S 87°47'07" E a distance of 161.61 feet to a point; thence S 87°45'41" E a distance of 251.09 feet to a point; thence S 21°13'20" E a distance of 24.17 feet to a point; thence S 22°55'05" W a distance of 71.33 feet to a point; thence S 57°33'03" W a distance of 222.79 feet to a point; thence N 60°27'47" W along an arc having a chord measurement of 56.16 feet a distance of 58.44 feet to the POINT OF BEGINNING.

PLAT



