

**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 John W. English submitted on April 27, 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 the Smith Planning Group on April 27, 2015 regarding property owned by John W. English on a ±94.00 acre tract of land located on the east side of Elder Mill Road in the 223<sup>rd</sup> G.M.D., Oconee County, Georgia, (TP# C-7-28A), 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 1012.07.a, to increase the number of tracts allowed on a private access drive and to increase the maximum centerline length of a private access drive from 2,000 feet to 2,820 feet.

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 July 7, 2015.

APPROVED, this 7<sup>th</sup> day of July, 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 Greathouse*  
Jane Greathouse  
Clerk, Board of Commissioners

# EXHIBIT "A" TO HARDSHIP VARIANCE #6702

## CONDITIONS

This Hardship Variance 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 5 tracts (excluding cemetery tract), as illustrated on the variance concept plan.
3. All of the proposed tracts shall be accessed from one paved private access drive constructed in compliance with the requirements of UDC Sec. 1012.07.a(1), as illustrated on the variance concept plan.
4. Prior to the conveyance of the first lot, a driveway maintenance agreement must be provided to the Planning Department.

## NARRATIVE

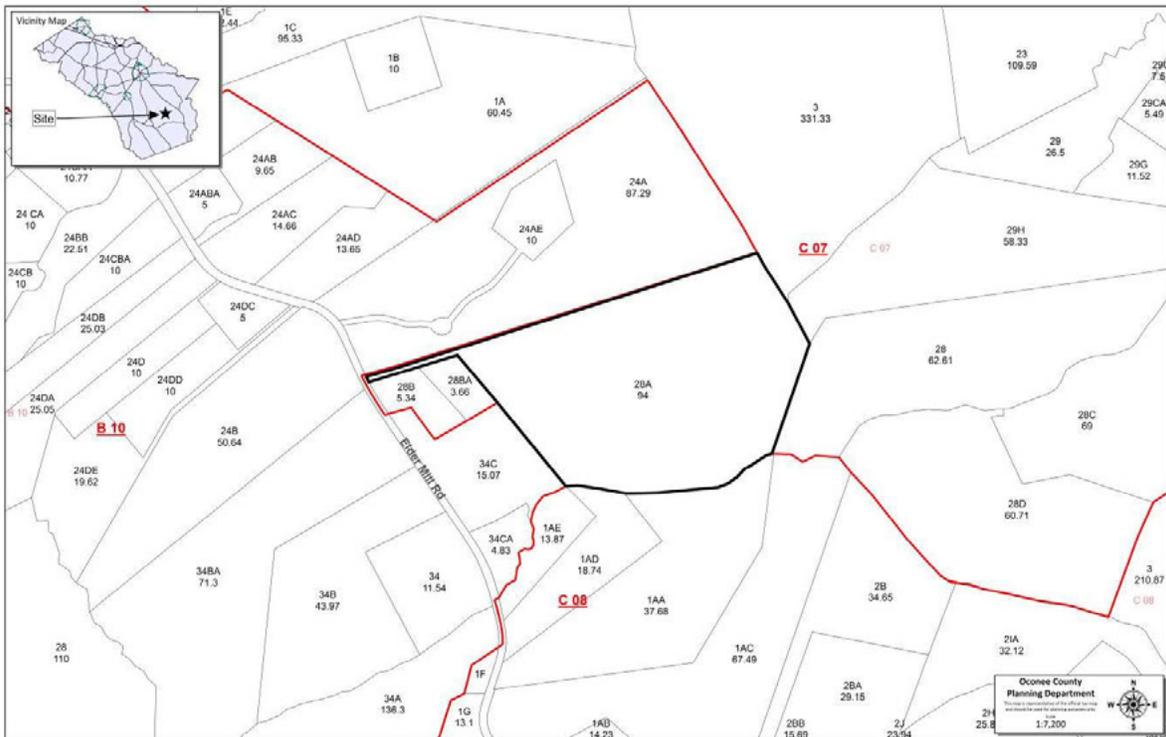
### 2421 ELDER MILL ROAD OCONEE COUNTY, GEORGIA

The owner of the subject tract of land respectfully requests that a variance from Sections 1012.07.a and 1012.07.a (3) of the Oconee County Development Code (UDC) be granted in order to allow for a maximum of five lots to be accessed from a single private drive, and that the maximum length of the proposed private drive be extended from 2000 linear feet to 2820 linear feet.

Section 1012.07.a of the UDC limits the total number of residential lots accessed from a private drive to three. While it is possible to administratively subdivide the subject parcel into five parcels without a variance, access to the lots would result in driveways along Elder Bridge Road in close proximity to one another due to limited frontage of the tract (105 ft.). Granting of the variance would create a single access point along Elder Mill Road which would enhance aesthetics, promote safety, and would not be detrimental to the public good.

Section 1012.07.a (3) of the UDC limits the length of the private drive to a maximum of 2000 linear feet. The proposed private drive, as currently planned, has a total length of 2820 linear feet. The increased length of the drive is necessary due to the physical shape and topography of the property.

## TAX MAP



LEGAL DESCRIPTION

Property of John W. English  
2421 Elder Mill Road  
Oconee County, Georgia

All that tract or parcel of land containing 94 acres, more or less, lying in the 223rd G.M. District, Oconee County, Georgia, and located on the eastern side of Elder Mill Road, being more particularly described as follows:

Beginning at an iron pin located along the eastern right-of-way of Elder Mill Road, 2.75 miles southeast of the intersection of Ga. Highway 15 and Elder Mill Road, which is the Point of Beginning, running thence

North 72 degrees 00 minutes 00 seconds East 3,500 feet to a point along the centerline of Rose Creek,

Thence South 33 degrees 00 minutes 00 seconds East 904 feet along the centerline of Rose Creek to a point,

Thence leaving the centerline of Rose Creek and going South 17 degrees 00 minutes 00 seconds West 977.00 feet to a point located along the centerline of Little Rose Creek,

Thence along the centerline of Little Rose Creek as follows:  
South 80 degrees 00 minutes 00 seconds West 172.00 feet to a point,  
South 27 degrees 00 minutes 00 seconds West 264.00 feet to a point,  
South 50 degrees 00 minutes 00 seconds West 66.00 feet to a point,  
South 87 degrees 00 minutes 00 seconds West 825.00 feet to a point,  
North 82 degrees 30 minutes 00 seconds West 462.00 feet to a point,  
South 87 degrees 35 minutes 00 seconds West 329.30 feet to a point,

Leaving the centerline of the creek, running thence

North 39 degrees 03 minutes 30 seconds West 271.64 feet to a point,

Thence North 36 degrees 55 minutes 45 seconds West 170.07 feet to a point,

Thence North 54 degrees 45 minutes 45 seconds West 94.30 feet to a point,

Thence North 36 degrees 34 minutes 00 seconds West approx. 272.61 feet to a point,

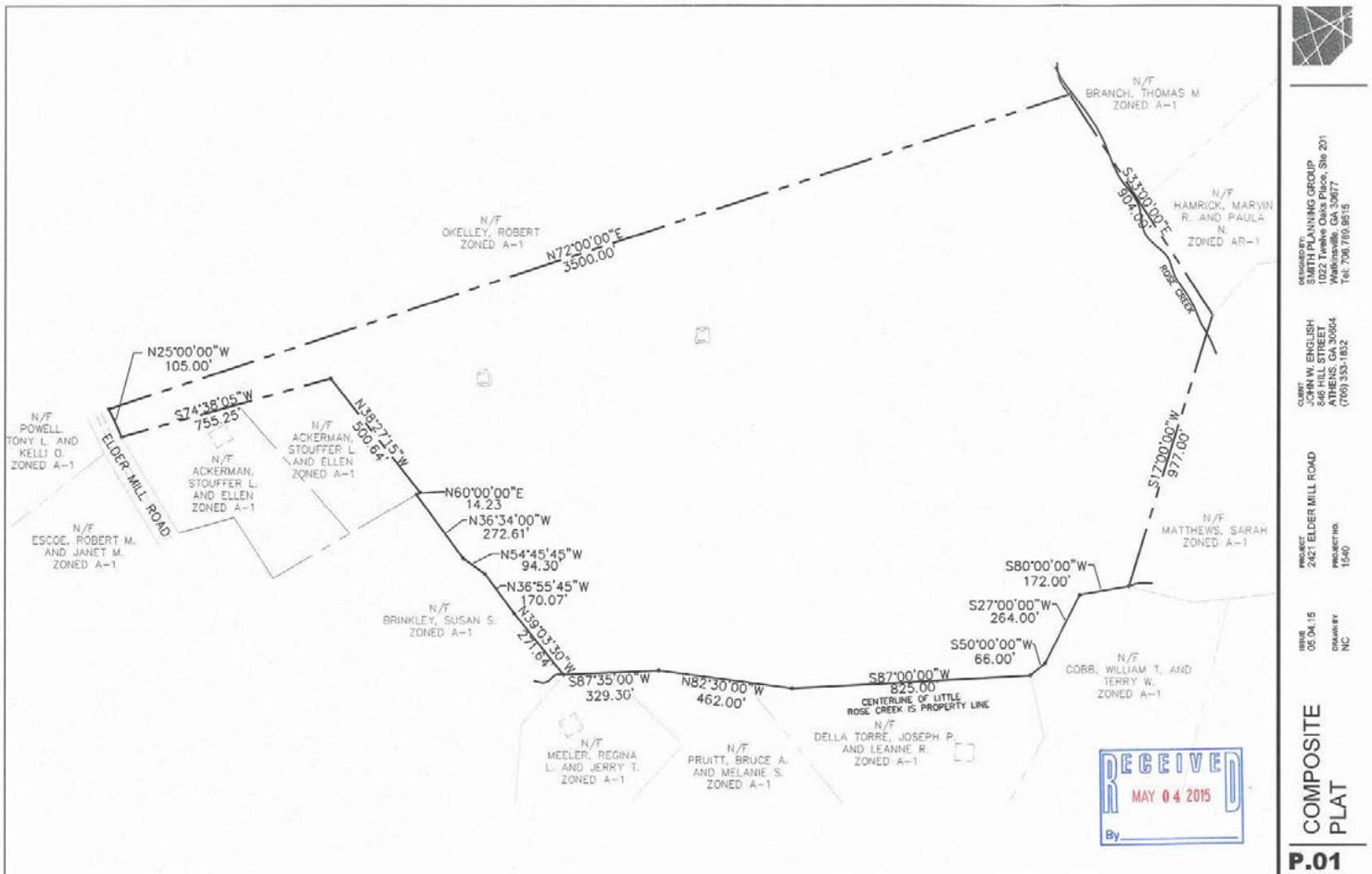
Thence North 60 degrees 00 minutes 00 seconds East approximately 14.23 feet along the southern property boundary of the tract of Stouffer L. and Ellen Ackerman,

Thence North 38 degrees 27 minutes 15 seconds West 500.64 feet to a point,

Thence South 74 degrees 38 minutes 05 seconds West 755.25 feet to a point along the eastern right-of-way of Elder Mill Road,

Thence North 25 degrees 00 minutes 00 seconds West 105.00 feet along the right-of-way Elder Mill Road to a point, which is the Point of Beginning.

PLAT



DESIGNED BY:  
SMITH PLANNING GROUP  
1022 Twelve Oaks Place, Ste. 201  
Greenville, SC 29617  
Tel: 708.789.8916

CLIENT:  
JOHN W. ENGLISH  
848 ELLIS STREET  
GREENVILLE, SC 29604  
(708) 353-1832

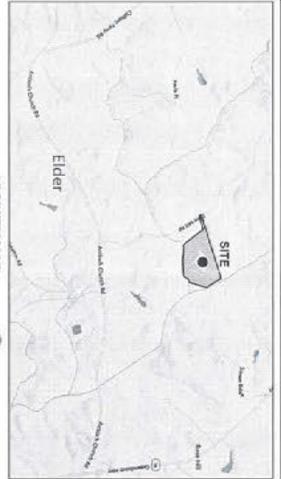
PROJECT:  
2421 ELDER MILL ROAD  
PLATTING  
1540

ISSUE:  
05.04.15  
COUNTY:  
NC

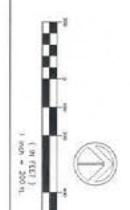
COMPOSITE  
PLAT



DEVELOPMENT PLAN



- PROJECT INFORMATION**
1. OWNER: APPLICANT  
2421 ELDER MILL ROAD  
ATLANTA, GA 30306
  2. ADDRESS: 2421 ELDER MILL ROAD  
1000 PARCELS # 01020A
  3. ZONING: EXHIBITATION A-1
  4. EXISTING USE: RESIDENTIAL, AGRICULTIVE
  5. DEVELOPMENT TYPE:  
CITY OF ATLANTA, GA, PARCELS 01020A  
1. 1000 PARCELS # 01020A  
2. 1000 PARCELS # 01020B
  6. WATER USE: V. AGRICULTURAL
  7. SEWERAGE: INDIVIDUAL SEPTIC SYSTEM
  8. FLOODPLAIN: 100 YEAR FLOODPLAIN
  9. LAKELAND DEVELOPMENT CORPORATION (LDC) OF GEORGIA, SOUTHERN RAILROAD COMPANY, AND THE STATE OF GEORGIA, BY JAMES M. PAUL, FOR NOW L. JAMES M. PAUL, TRUSTEES, TOPOGRAPHIC INFORMATION PROVIDED BY GEORGE & ASSOCIATES, INC. (G&A), 1000 W. BROAD ST., SUITE 1000, ATLANTA, GA 30334. STATE AND OTHER APPLICANT PROVISIONS AND REGULATIONS IN EFFECT AT TIME OF CONSTRUCTION.
  10. PORTION OF THIS PROJECT LIES WITHIN A COOPERATIVE ACCORDING TO 1000 PARCELS # 01020A AND 01020B.



C-0

**VARIANCE REQUEST SITE PLAN**

**OWNER:**  
JOHN W. PAUL  
2421 ELDER MILL ROAD  
ATLANTA, GA 30306

**APPLICANT:**  
JOHN W. PAUL  
2421 ELDER MILL ROAD  
ATLANTA, GA 30306

**PROJECT ADDRESS:**  
2421 ELDER MILL ROAD

**PARCEL #:**  
1000 PARCELS # 01020A

**PROJECT NO.:**  
6702

**DATE:**  
JUNE 27, 2018

**ISSUE DATE:**  
JUNE 27, 2018

**REVISIONS:**

**NO. DATE DESCRIPTION**

**SMITH PLANNING GROUP**

14817 WOODBRIDGE  
COLUMBIANA, GA 30512  
706.796.8888  
www.smithplanning.com

**2421 ELDR MILL ROAD**

OCONEE COUNTY, GA

**VARIANCE REQUEST SITE PLAN**

**OWNER:**  
JOHN W. PAUL  
2421 ELDER MILL ROAD  
ATLANTA, GA 30306

**APPLICANT:**  
JOHN W. PAUL  
2421 ELDER MILL ROAD  
ATLANTA, GA 30306

**PROJECT ADDRESS:**  
2421 ELDER MILL ROAD

**PARCEL #:**  
1000 PARCELS # 01020A

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