

**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 AR-1 (Agricultural-Residential One Acre) & A-1 (Agricultural) to AR-1 (Agricultural-Residential One Acre) pursuant to an application for rezoning of property owned by Mrs. E. H. Downs Et Al submitted on November 4, 2013.

**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 November 4, 2013 requesting rezoning of a ±52.81 acre tract of land located on the west side of Daniells Bridge Road in the 221<sup>st</sup> G.M.D., Oconee County, Georgia, (TP# B-4-49, 49C & 49F), 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 AR-1 (Agricultural-Residential One Acre) & A-1 (Agricultural) to AR-1 (Agricultural-Residential One 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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 on same on December 16, 2013, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on January 7, 2014.

ADOPTED AND APPROVED, this 7<sup>th</sup> day of January, 2014.

**OCONEE COUNTY BOARD OF COMMISSIONERS**

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

*Jim Luke*  
Jim Luke, Member

*John Daniel*  
John Daniel, Member

Margaret S. Hale, Member

*Mark Saxon*  
Mark Saxon, Member

ATTEST:

*Jane Greathouse*  
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. The development shall be connected to the Oconee County water system at the developer's expense in a manner approved by Oconee County Public Works and Utility Departments.
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.
3. The development shall not contain more than 11 single-family residential lots.
4. Minimum dwelling sizes shall be 2,500 Sf. Every home shall be constructed with basement or crawl space foundations.
5. Based upon the provisions allowed under Section 1014.02(2) of the Oconee County Unified Development Code, the requirement to construct sidewalks along streets in the development are hereby waived by the Oconee County Board of Commissioners.
6. Developer shall dedicate twenty feet (20') from the subject property to right-of-way along Daniells Bridge Road, on lots 1A and 1B as illustrated on the rezone concept plan.

## NARRATIVE

### Downs Creek Farm

A Single Family Residential Subdivision  
Daniells Bridge Road  
Oconee County Georgia

Rezone Request from A-1 & AR-1 to AR-1 & FP  
Tax Parcels #B-04-049; #B-04-049C; #B-04-049F  
52.81 Total Acreage

#### Narrative

**Down Creek Farm** is a proposed residential subdivision on 52.81 acres to be developed by Rodney Jones, an experienced builder and developer in Oconee County. *Beall & Company* has been engaged by Mr. Jones to act as agent in the preparation of the necessary rezone documentation associated with this rezone request.

The project is to be exclusively developed as an upscale single-family residential subdivision of approximately 11 lots. The developer plans to offer a range of lot sizes with the minimum of 2 acres up to 8+ acres. The average lot size indicated on the rezone concept plan submitted is 4.51 acres. The development will feature a mixture of quality housing from around \$500,000 up, with a minimum of 2500 square feet. All home construction will be "stick-built" on site. All lots will be fee simple ownership.

#### The Site

The subject 52.81 acres is made up of three tax parcels owned by Larry T. McCall, Charm Downs McCall, and the Estate of Mrs. E.H. Downs.

The site is predominantly wooded with grassed areas immediately surrounding the existing dwellings and out-buildings on the property. An existing pond near the front of the property will be preserved and upgraded to provide storm-water management on the Daniells Bridge Road side of the property. An existing private access drive runs along a ridge near the middle of the tract and provides access to off-site dwellings constructed near Barber Creek.

The land slopes gently toward a creek that follows the southwestern boundary of the property and borders Meadow Springs MPD subdivision. It is anticipated that another storm-water management facility will be necessary in this vicinity to accommodate increases in run-off from this portion of the property.

The proposed entrance road is to be located just a few hundred feet from the entrance of Lake Wellbrook subdivision. Large developed AR-1 lots border the northwest boundary of the site; a large undeveloped R-1 tract borders the southeast boundary of the site.

#### The Development

Private asphalt paved / curb & gutter streets are to be installed in 60' private access & utility easements in accordance with Oconee County development regulations. All utilities are to be located underground.

Because there are to be only 11 lots located on the 52.81 acre tract, and because the lots will average 4.51 acres in size, the developer is requesting that the Board of Commissioners allow the project to be constructed without sidewalks in accordance with Section 1014.02.(2) of the Unified Development Code.

#### Buildings

The building exteriors will be predominately brick with stucco, stone, and *hardy-board* and other material detailing (see representative architecture photographs). Covenants will be submitted which establish a minimum home size in the subdivision of 2500 SF. All buildings will incorporate features of exceptional architectural design.

#### Water Supply

Water main-lines will be extended into the development (in accordance with current Oconee Utility Department guidelines) from existing lines located in the right-of-way of Daniells Bridge Road.

#### Probable Water Demand

\*assume water use 100 gal./person/day \*assume 2.6 persons/unit  
\*assume 11 total new units

$$PWD = (100 \text{ gpd} \times 2.6 \times 11 \text{ units}) = 2,860 \text{ gpd}$$

$$\text{Peak Water Demand} = 2,860 \text{ gpd} / 16 \text{ hr./day} = 178.75 \text{ gal./hr.} = 2.98 \text{ gal./min}$$

$$2.98 \text{ gpm} \times 3 \text{ (peaking factor)} = 8.93 \text{ gpm peak}$$

Note: Probable Water Demand and Peak Demand figures will increase during summer months with intense lawn sprinkler use if connected to the county supply line.

#### 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 to coincide with submittal of the Preliminary Plat to the Oconee County Planning Department.

#### Surface Water Drainage

Existing sheet flow, new streets with curb & gutters, and the new storm drainage system will be employed to collect and divert storm-water to detention/retention areas, infiltration, and stilling basins. Post development run-off will be maintained at predevelopment rates for 2, 5, 10, 25, and 50- year events.

#### Access

The proposed access will be at the new street to be constructed on Daniells Bridge Road

#### Traffic

Based on an average of 10 trips per household the 11 new lots will generate approximately 110 average daily trips (ADT) and approximately 11 peak hour trips.

#### Schools

Impact to schools will be positive by generating increased positive net tax base due to the upscale price range of proposed homes. 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 January 2014. The Preliminary Plat of the development will be submitted by mid January 2014, and the subdivision construction plans will be submitted by February 2014.

#### Maintenance of Common Areas

A homeowner's association created for Downs Creek Farm will be utilized to provide for mandatory fees to maintain, control, and insure common areas including but not limited to private streets, community facilities, and storm water management facilities within the project. Provisions for architectural control will also be specified in these covenants. A draft copy of these covenants will be submitted along with the Preliminary Plat.

#### Buffers

Conservation corridor buffers, state waters buffers, and 100 year flood plain buffers will be observed.

#### Amenity Area

No communal amenity area is proposed. The price range of homes in the subject development is such that amenities for individual lots will be constructed as desired by the purchasers.

#### 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 dedicated to Oconee County. Easements of other utility providers will be located within the 60' corridor provided.

#### Outdoor Lighting

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

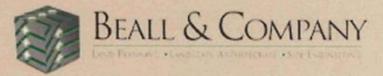
#### Development Valuation

Eleven new single-family detached homes are proposed for the spacious lots planned. The average new home & lot sales price is expected to be approximately \$750,000.00.

**Total Completed total Project Value is expected to reach \$8,250,000.**

REPRESENTATIVE PHOTOS

Downs Creek Farm



Representative Architecture

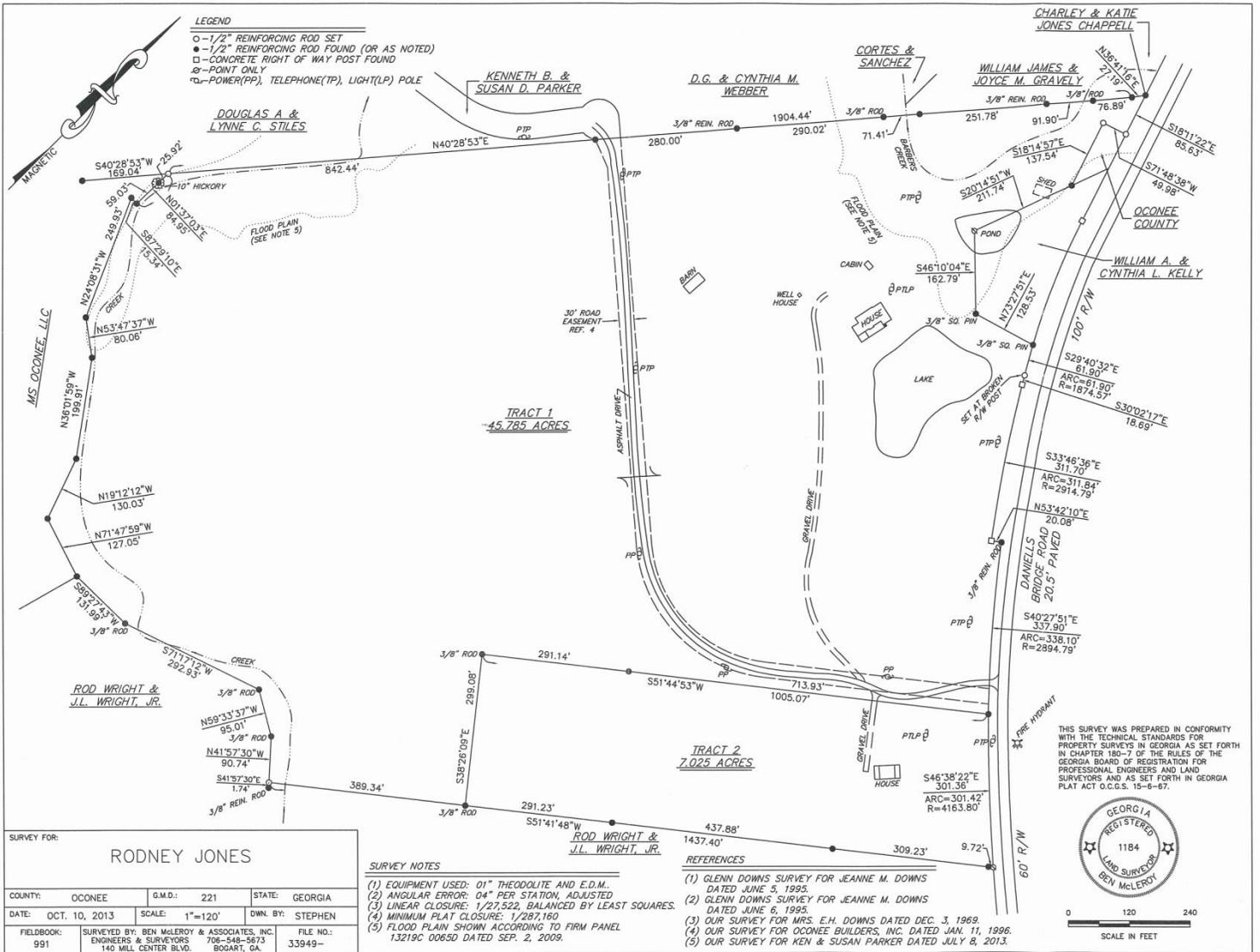
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in the County of Oconee, State of Georgia, GMD 221, and described as a 52.81 acre tract on a plat entitled SURVEY FOR RODNEY JONES, prepared by BEN McLEROY & ASSOCIATES, INC., dated October 10, 2013, more particularly described as follows:

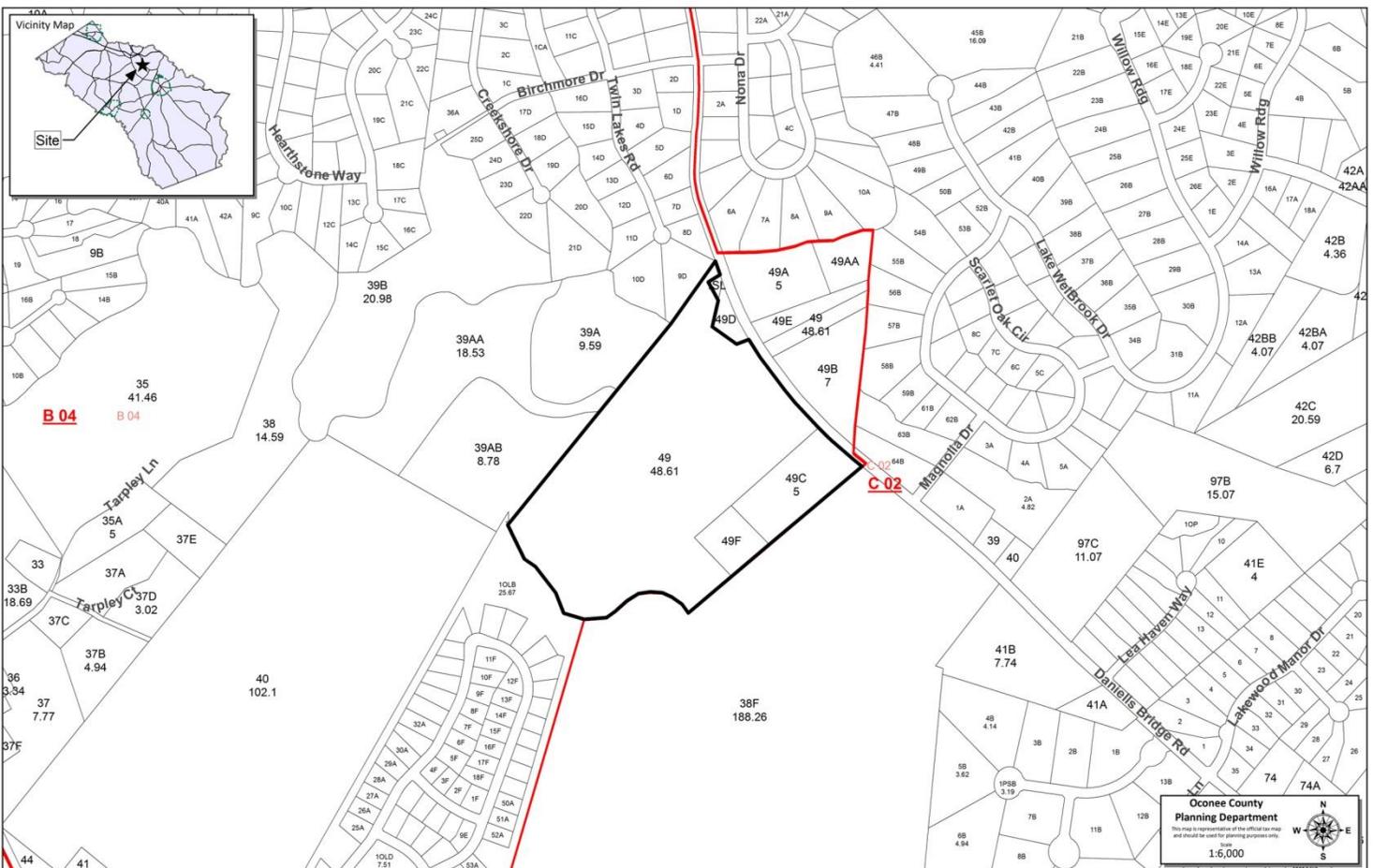
**POINT OF BEGINNING** is at a point on the southwestern right-of-way line of Daniells Bridge Road, designated as a common property corner of properties now or formerly owned by Rod Wright & J.L. Wright and properties now or formerly owned by Larry T. McCall and Charm Downs McCall. Said **POINT OF BEGINNING** is located approximately 416.91' northwest of the centerline intersection point of Daniells Bridge Road and Magnolia Drive:

- |  |   |
|--|---|
| Thence S 51° 41' 48" W, a distance of 1437.40' to an iron pin; | Thence S 71° 48' 38" W, a distance of 49.98' to an iron pin;  |
| Thence N 41° 57' 30" W, a distance of 90.74' to an iron pin;   | Thence S 18° 14' 57" E, a distance of 137.54' to an iron pin;   |
| Thence N 59° 33' 37" W, a distance of 95.01' to an iron pin;   | Thence S 20° 14' 51" W, a distance of 211.74' to an iron pin;   |
| Thence S 71° 17' 12" W, a distance of 292.93' to an iron pin;  | Thence S 46° 10' 04" E, a distance of 162.79' to an iron pin;   |
| Thence S 89° 27' 43" W, a distance of 131.99' to an iron pin;  | Thence N 73° 27' 51" E, a distance of 128.53' to an iron pin;   |
| Thence N 71° 47' 59" W, a distance of 127.05' to an iron pin;  | Thence S 29° 40' 32" E, a distance of 69.90', Arc 61.90', R=1874.57', to an iron pin;                           |
| Thence N 19° 12' 12" W, a distance of 130.03' to an iron pin;  | Thence S 30° 02' 17" E, a distance of 18.69' to a concrete right of way marker;                                 |
| Thence N 36° 01' 59" W, a distance of 199.91' to an iron pin;  | Thence S 33° 46' 36" E, a distance of 311.70', Arc 311.84', R=2914.79', to a concrete right-of-way marker post; |
| Thence N 53° 47' 37" W, a distance of 80.06' to an iron pin;   | Thence N 53° 42' 10" E, a distance of 20.08' to an iron pin;  |
| Thence N 24° 08' 31" W, a distance of 249.93' to an iron pin;  | Thence S 40° 27' 51" E, a distance of 337.90', Arc=338.10', R=2894.79' to an iron pin;                          |
| Thence S 87° 29' 10" E, a distance of 15.34' to an iron pin;   | Thence S 46° 38' 22" E, a distance of 301.36', Arc=301.42', R=4163.80' to the <b>POINT OF BEGINNING</b> .       |
| Thence N 01° 37' 03" E, a distance of 84.95' to an iron pin;   | END OF DESCRIPTION.   |
| Thence N 40° 28' 53" E, a distance of 1904.44' to an iron pin; |   |
| Thence N 36° 41' 16" E, a distance of 27.19' to an iron pin;   |   |
| Thence S 18° 11' 22" W, a distance of 85.63' to an iron pin;   |   |

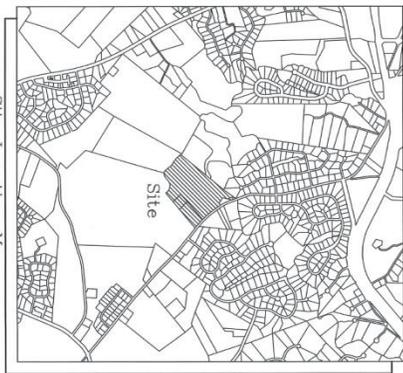
PROPERTY SURVEY



TAX MAP



DEVELOPMENT PLAN



Site Location Map  
Scale: 1"=2000'

Project Data:

Owners:

Parcel 80404  
Parcel 80405  
Parcel 80406  
Parcel 80407  
Parcel 80408  
Parcel 80409  
Parcel 80410  
Parcel 80411  
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Parcel 80496  
Parcel 80497  
Parcel 80498  
Parcel 80499  
Parcel 80500

Developer:

RNL, Inc.  
1520 Crystal Hill Drive  
Atlanta, GA 30306

24 Hour Contact:

Reynolds Jones  
(770) 207-2337  
(770) 207-2337

Authorized Agent:

Beall and Company  
1400 Westside Blvd  
Marietta, GA 30067  
770-543-0907

Total Project Acreage:

52.81 Acres  
Subject Reserve Acreage: 51.99 Acres AR-1  
Reserve Acreage: 0.82 Acres AR-1

Existing Zoning:

AR-1 and Residential  
Recreational/Agricultural  
Single Family Subdivision with 20 Acre Minimum Lot Size

Proposed Use:

11 lots  
Front - 30'  
Side - 10'  
Rear - 10'

Building Setbacks:

40' (Per Oconee Unified Development Code)  
Front of lots, back lots within the 100  
year flood zone per firm community panel  
13219C 06/20 dated September 2, 2019.  
Oconee County Utility Department  
One-Stop Septic Systems  
Power, Gas, Water, Sanitary Sewer, Internet/Telephone, Cable  
By Private Contract Service  
Storm water will be directed via catch and gutter to a storm sewer  
by means of a manhole.  
5' Contour interval from Oconee County top maps

Topography:

Conservation Center  
100 Year Flood Plain  
25 State Waters Buffer  
48.59 Acres  
300 Acres  
Road Setback Acreage  
0.14 Acres

Environmental Areas:

Conservation Center  
100 Year Flood Plain  
25 State Waters Buffer  
48.59 Acres  
300 Acres  
Road Setback Acreage  
0.14 Acres

Water Supply:

Sanitary Sewer, Internet/Telephone, Cable  
By Private Contract Service  
Storm water will be directed via catch and gutter to a storm sewer  
by means of a manhole.  
5' Contour interval from Oconee County top maps

Proposed Utilities:

Sanitary Sewer, Internet/Telephone, Cable  
By Private Contract Service  
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by means of a manhole.  
5' Contour interval from Oconee County top maps

Solid Waste:

Sanitary Sewer, Internet/Telephone, Cable  
By Private Contract Service  
Storm water will be directed via catch and gutter to a storm sewer  
by means of a manhole.  
5' Contour interval from Oconee County top maps

Surface Drainage:

Sanitary Sewer, Internet/Telephone, Cable  
By Private Contract Service  
Storm water will be directed via catch and gutter to a storm sewer  
by means of a manhole.  
5' Contour interval from Oconee County top maps

Soil:

Sanitary Sewer, Internet/Telephone, Cable  
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5' Contour interval from Oconee County top maps

Environmental Areas:

Conservation Center  
100 Year Flood Plain  
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48.59 Acres  
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Surface Drainage:

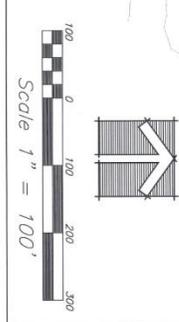
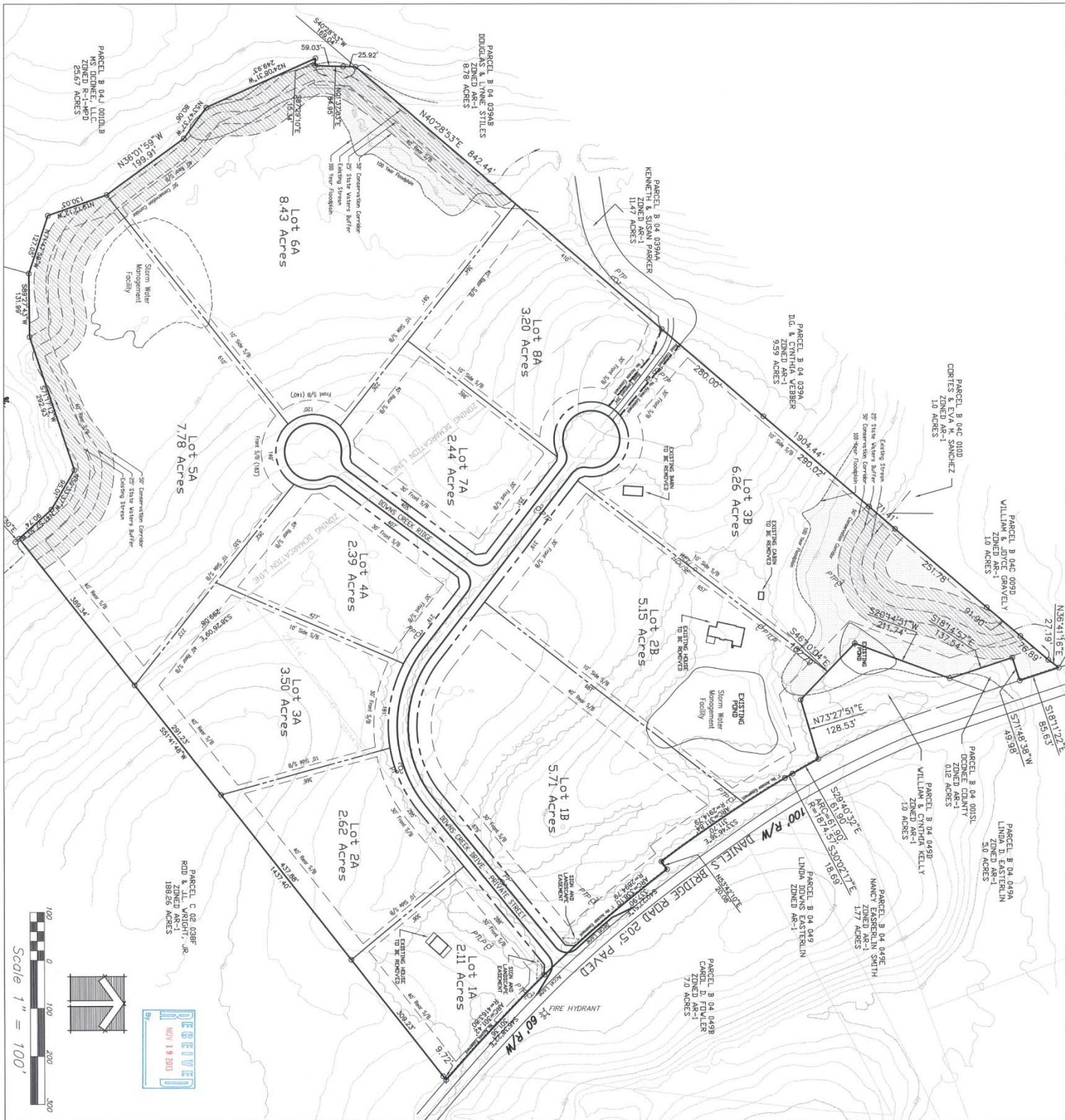
Sanitary Sewer, Internet/Telephone, Cable  
By Private Contract Service  
Storm water will be directed via catch and gutter to a storm sewer  
by means of a manhole.  
5' Contour interval from Oconee County top maps

STOPPING / CORNER SIGHT DISTANCE

Stopping Sight Distance:	Required Distance 225'
Driveway Left / North:	Over 500'
Right / South:	Over 500'
Corner Sight Distance:	Required Distance 335'
Driveway Left / North:	Over 500'
Right / South:	Over 500'

TECHNICAL DATA

Speed Limit:	45 MPH
Total Frontage Length:	1177.32'
Total Frontage Length Under This Permit:	282.43'



NOTICE: THESE DRAWINGS ARE INSTRUMENTS OF PROFESSIONAL SERVICE AND ARE PROTECTED BY COMMON LAW, STATUTORY, AND OTHER RESERVED RIGHTS INCLUDING COPYRIGHT. THESE DRAWINGS MAY NOT BE REPRODUCED OR USED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF BEALL AND COMPANY AND ASSOCIATED PROJECT CONSULTANTS.

	<p>OWNER(S): RNL, Inc. 1520 Crystal Hill Dr Atlanta, GA 30309 DEVELOPER/CONTACT: Reynolds Jones (770) 207-2337</p>	<p>Downs Creek Farm A Residential Subdivision Daniels Bridge Road Tax Parcels: B04049, B04049C, B04049F 52.81 Acres Oconee County, GA 30677</p>	<p>Beall &amp; Company Lead Planning Land Development/Infrastructure Site Engineering 3651 Moss Hill Road Suite 1400 Waldenville, GA 30677 (770) 543-0907 www.beallandcompany.com</p>
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<p>DATE: 11-12-13</p> <p>DATE: 10-30-13</p> <p>DATE: 10-30-13</p>	<p>REVISION</p> <p>1. Revisions Per Oconee Planning Dep.</p>
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