

**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 R-2 (Two-Family Residential) & AR-1 (Agricultural-Residential One Acre) to A-1 (Agricultural) pursuant to an application for rezoning of property owned by Leyman H. Hamlett Et Al submitted on December 2, 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 December 2, 2013 requesting rezoning of a ±15.97 acre tract of land located on the east side of Malcom Bridge Road in the 239<sup>th</sup> G.M.D., Oconee County, Georgia, (TP# B-3-36), 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 R-2 (Two-Family Residential) & AR-1 (Agricultural-Residential One Acre) to A-1 (Agricultural) 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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 January 21, 2014, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on February 18, 2014.

ADOPTED AND APPROVED, this 18<sup>th</sup> day of February, 2014.

**OCONEE COUNTY BOARD OF COMMISSIONERS**

BY: Melvin Davis  
Melvin Davis, Chairman

Jim Luke  
Jim Luke, Member

John Daniell  
John Daniell, Member

Margaret S. Hale  
Margaret S. Hale, Member

Mark Saxon  
Mark Saxon, Member

ATTEST:  
Jane I. Greathouse  
Jane I. 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 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

**Rezone Request from R-2 & AR-1 to A-1**  
Tax Parcel #B 03 036  
1470 Bridge Road - 15.97 Acres  
Oconee County Georgia  
Leyman H. Hamlett – Judith Ann Hamlett – Donna L. Hamlett

### Narrative

On March 18, 1971 Mr. Leyman H. Hamlett purchased 16.969 acres on the eastern side of Eastville-Bogart Road (now known as Malcom Bridge Road). Shortly thereafter he constructed a brick ranch style home where he and his family have lived for the past 42 years. The property has been subdivided on one occasion through an *administrative subdivision process* to allow an adjoining property owner to purchase 1.001 acres to square-up their lot in *Timarron Subdivision*. No additional lots were created in the *administrative subdivision process*. The acreage remaining in the parent parcel after the sale of the 1.001 acres is 15.968 acres.

Mr. Hamlett and his family are not developers, nor do they plan to become developers. However, they would like to be allowed to subdivide their property into three 5-acre minimum sized tracts and sell two of the three to generate income. For them to be able to achieve that objective without constructing streets and infrastructure they must downzone their property from R-2 to a classification that will allow them to create the subdivision administratively.

*Beall & Company* has been engaged by Mr. Hamlett and his family members to act as their agent in the preparation of the necessary rezone documentation associated with this rezone request.

*Beall & Company* has prepared a rezone concept plan to accompany the rezoning package that illustrates the three tracts proposed. Tract 1 on the north end of the parent parcel will be 5.80± acres and will surround the Hamlett's existing driveway, home, pool, storage buildings, and related items; Tract 2 in the middle of the parent parcel will be 5.08± acres with an existing barn and shed; Tract 3 on the south end of the parent parcel will be 5.09± acres surrounding a driveway and 1988 double wide mobile home, carport, and outbuildings

### The Site

The site is predominantly grassed pasture areas surrounding the existing dwellings and outbuildings on the property. The land slopes gently toward a farm pond located near the front of Tract 2.

### The Development

No development is proposed by the owners. No infrastructure is proposed by the owners. The proposed tracts will be created through the *administrative minor subdivision process* in accordance with the requirements and procedures of the *Unified Development Code of Oconee County*.

### Buildings

No buildings are proposed by the owners. Purchasers of the tracts will be required to comply with the construction guidelines and standards set forth in the *Unified Development Code of Oconee County*.

### Water Supply

Water main-lines exist in the right-of-way of Malcom Bridge Road. Tract purchasers may purchase water taps, services, and meters from the Oconee County Utility Department if and when they choose to get a building permit for new construction.

### Sewage Disposal

Conventional septic tanks and drain-fields will be required by tract purchasers if and when they choose to apply for a building permit for new construction. A soil survey map of one acre will be required in the immediate vicinity of the proposed home sites.

### Surface Water Drainage

Natural sheet flow will be maintained

### Access

Each tract will be accessed with its own private driveway from Malcom Bridge Road

### Traffic

Based on an average of 10 trips per household the three tracts will generate approximately 30 average daily trips (ADT) and approximately 3 peak hour trips when each tract includes a dwelling.

### Schedule

The petitioners plan to complete the zoning efforts on the subject property by early February 2014. The minor subdivision plat of the tracts will be submitted by mid February 2014.

### Common Areas

There will be no common areas on the minor subdivision plat.

### Buffers

No buffers are required on the minor subdivision.

### Amenity Area

No communal amenity area is proposed.

### Garbage Collection

Garbage collection will be handled by private contract service.

### Public & Semi-public Areas

No public or semi-public areas or easements are proposed.

### Outdoor Lighting

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

### Land Valuation

The land value of the property after minor subdivision plat approval is anticipated to be approximately \$271,500.00 (subject to market fluctuations).

## LEGAL DESCRIPTION

All that tract or parcel of land lying and being in the County of Oconee, State of Georgia, GMD 239, and described as a 15.968 acre tract on a plat entitled COMPOSITE PLAT FOR L. H. HAMLETT, prepared by BEALL & COMPANY, dated November 19, 2013, more particularly described as follows:

**POINT OF BEGINNING** is at a point on the eastern right-of-way line of Eastville-Bogart Road (aka Malcom Bridge Road), located approximately 1006' north from Hodges Mill Road. Said Point of Beginning is designated as a common property corner of properties now or formerly owned by L. H. Hamlett and properties now or formerly owned by Mrs. C.M. Johnson.

From said **POINT OF BEGINNING** measure at a bearing of N 09° 45' E, a distance of 20.0' to an iron pin;

Thence N 75° 22' E, a distance of 174.5' to an iron pin;

Thence N 07° 44' W, a distance of 100.0' to an iron pin;

Thence N 87° 55' W, a distance of 130.0' to an iron pin;

Thence N 09° 45' E, a distance of 1256.3' to an iron pin;

Thence S 70° 03' E, a distance of 765.4' to an iron pin;

Thence S 09° 17' W, a distance of 302.5' to an iron pin;

Thence S 66° 09' W, a distance of 314.7' to an iron pin;

Thence N 49° 28' W, a distance of 14.0' to an iron pin;

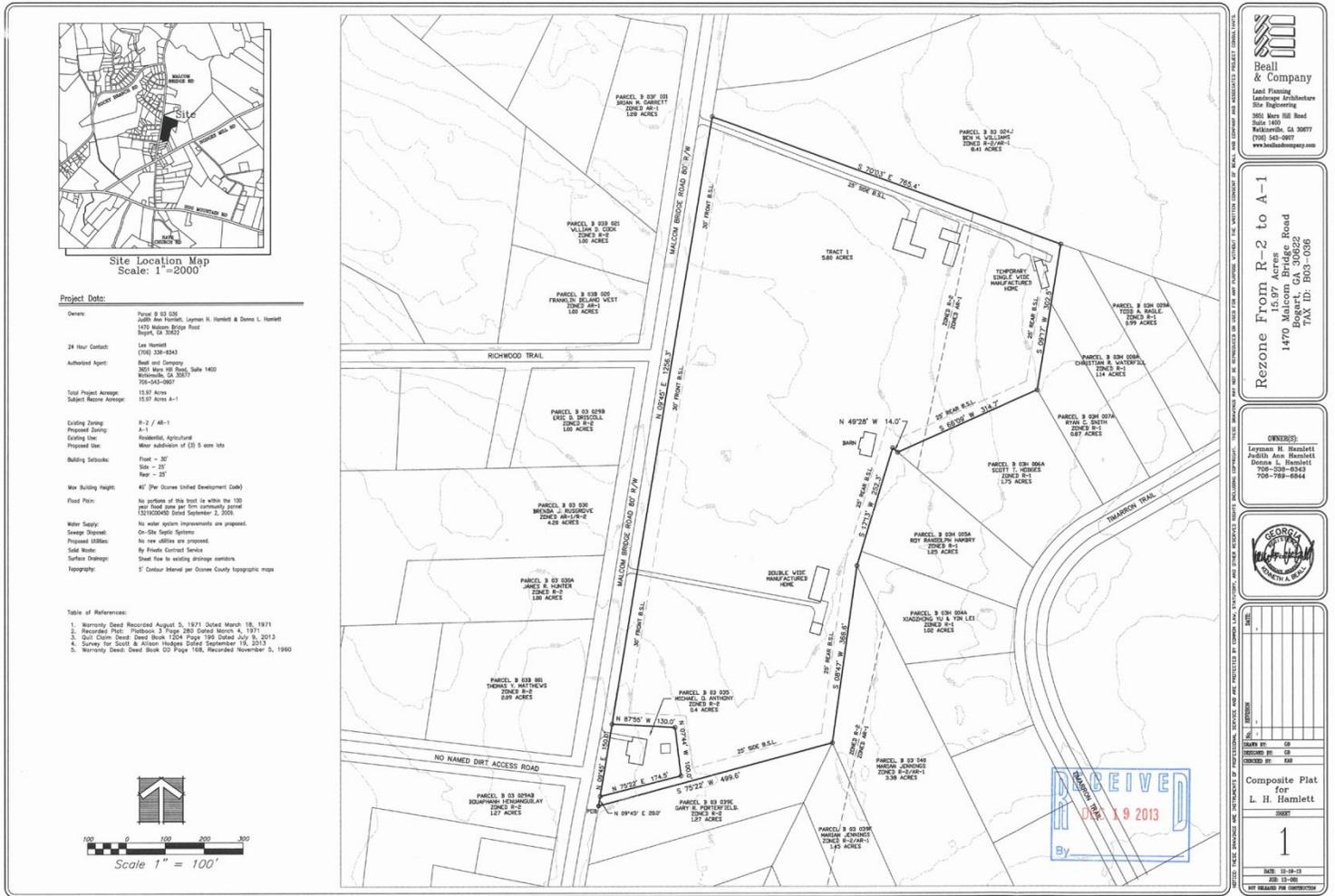
Thence S 17° 13' W, a distance of 252.3' to an iron pin;

Thence S 08° 47' W, a distance of 366.6' to an iron pin;

Thence S 75° 22' W, a distance of 499.6' to an iron pin at the **POINT OF BEGINNING**

END OF DESCRIPTION

PROPERTY SURVEY



**Beall & Company**  
Lead Planning  
Landscape Architecture  
Site Engineering  
3601 Main Hill Road  
Waynesville, GA 30087  
(706) 861-8877  
www.beallandcompany.com

**Rezoned From R-2 to A-1**  
1470 Moore Bridge Road  
Waynesville, GA 30087  
TAX ID: B03-036

**OWNER(S):**  
Leyman H. Hamlett  
Judith Ann Hamlett  
Donna L. Hamlett  
706-861-8843  
706-789-8844

**Composite Plat**  
for  
L. H. Hamlett  
Sheet  
**1**  
DATE: 12-18-13  
JOB: 13-08

TAX MAP

