

**AMENDMENT
TO THE ZONING ORDINANCE OF THE CITY OF BOGART, GEORGIA
AND THE ZONING MAPS OF THE CITY OF BOGART, GEORGIA**

TITLE

An Ordinance amending the Zoning Ordinance of the City of Bogart, Georgia, and the Zoning Maps of the City of Bogart, Georgia, pursuant to Article XIV to rezone from zoning classifications R-1 (Single-Family Residential) to IND (Industrial) pursuant to an application for rezoning of property owned by Benson's, Inc. submitted on April 23, 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 Carter Engineering Consultants, Inc. on April 23, 2014 requesting rezoning of a ±2.543 acre tract of land located east of the eastern terminus of Elder Street in the 240th G.M.D., Oconee County, Georgia, (TP# BO-3-13BA), the Mayor and Council of the City of Bogart does hereby ordain and enact to law the following:

SECTION 1. An Ordinance known as the "Zoning Ordinance of the City of Bogart, Georgia" as enacted and amended by the Mayor and Council of the City of Bogart 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-1 (Single-Family Residential) to IND (Industrial) 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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 June 16, 2014, and a Public Hearing was held by the Mayor and Council of the City of Bogart at its regular meeting on July 7, 2014.

ADOPTED AND APPROVED, this 7th day of July, 2014.

BOGART CITY COUNCIL

BY: Teresa A. Glenn
Terri Glen, Mayor

Linda C. Turman
Linda Turman, Council Member

T.L. Turman
T.L. Turman, Council Member

Michael Ward
Michael Ward, Council Member

Janet Jones
Janet Jones, Council Member

ATTEST:

Diane Diane Craft
Diane Craft
Bogart City Clerk

LEGAL DESCRIPTION

ALL that tract or parcel of land, situated, lying and being in the 240th G.M.D., Oconee County, Georgia, being known and designated as Tract 2 containing 2.543 acres, more or less, as shown on a plat entitled, "Survey for Benson's Inc.," dated January 17, 2011 by Ben McLeroy & Associates, Inc., Ben McLeroy, Registered Land Surveyor No. 1184, said plat being recorded in Plat Book 37, page 428B, in the Office of the Clerk of the Superior Court of Oconee County, Georgia, and being more particularly described as follows:

Commencing at the point of intersection at the Right-of-Way of Burson Street with a 100' Right-of-Way width; thence North 82°07'23" E, a distance of 743.07 feet to a property corner of Tract 1; thence N 82°07'07" E a distance of 680.41 feet to the POINT OF BEGINNING;

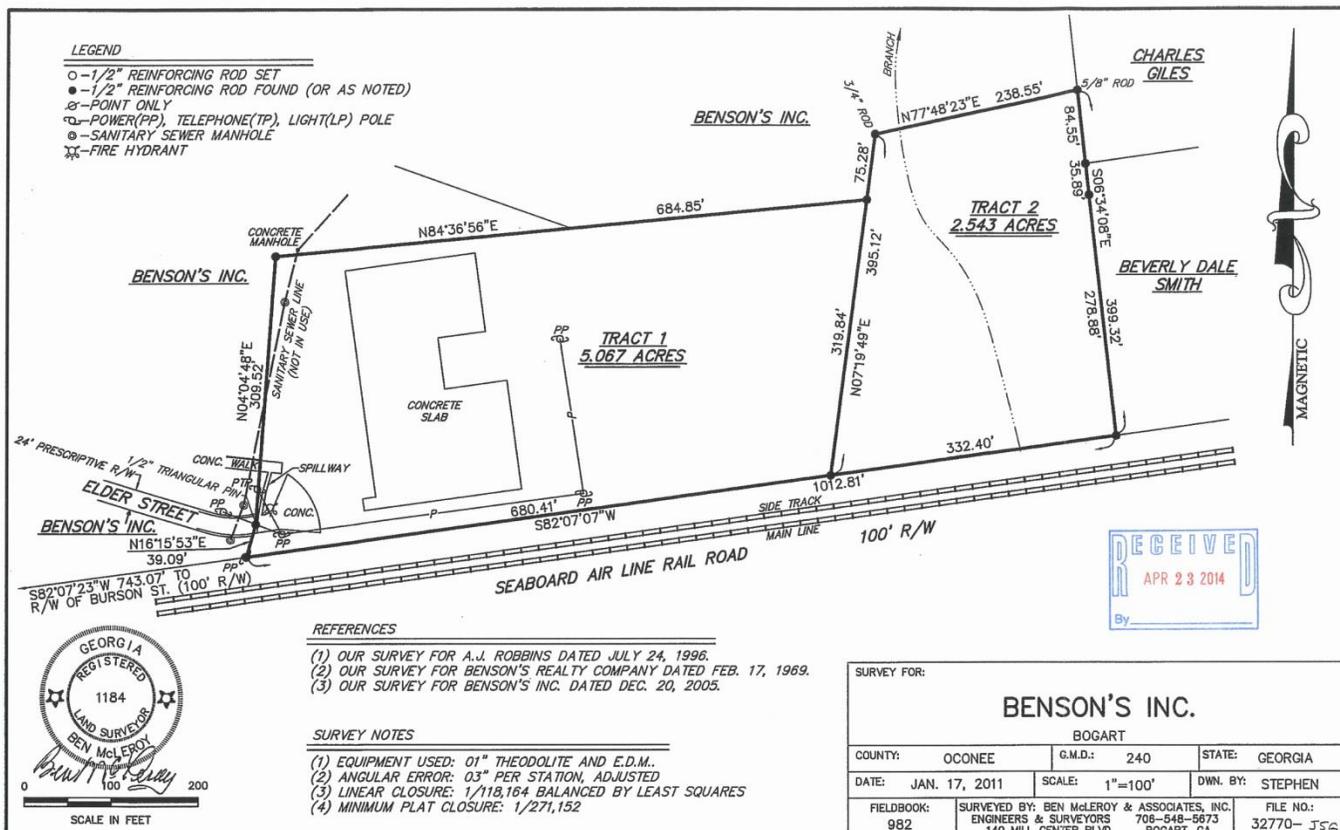
Thence N 07°19'49" E a distance of 395.12 feet to a 3/4" rod found;

Thence N 77°48'23" E a distance of 238.55 feet to a 5/8" rod found;

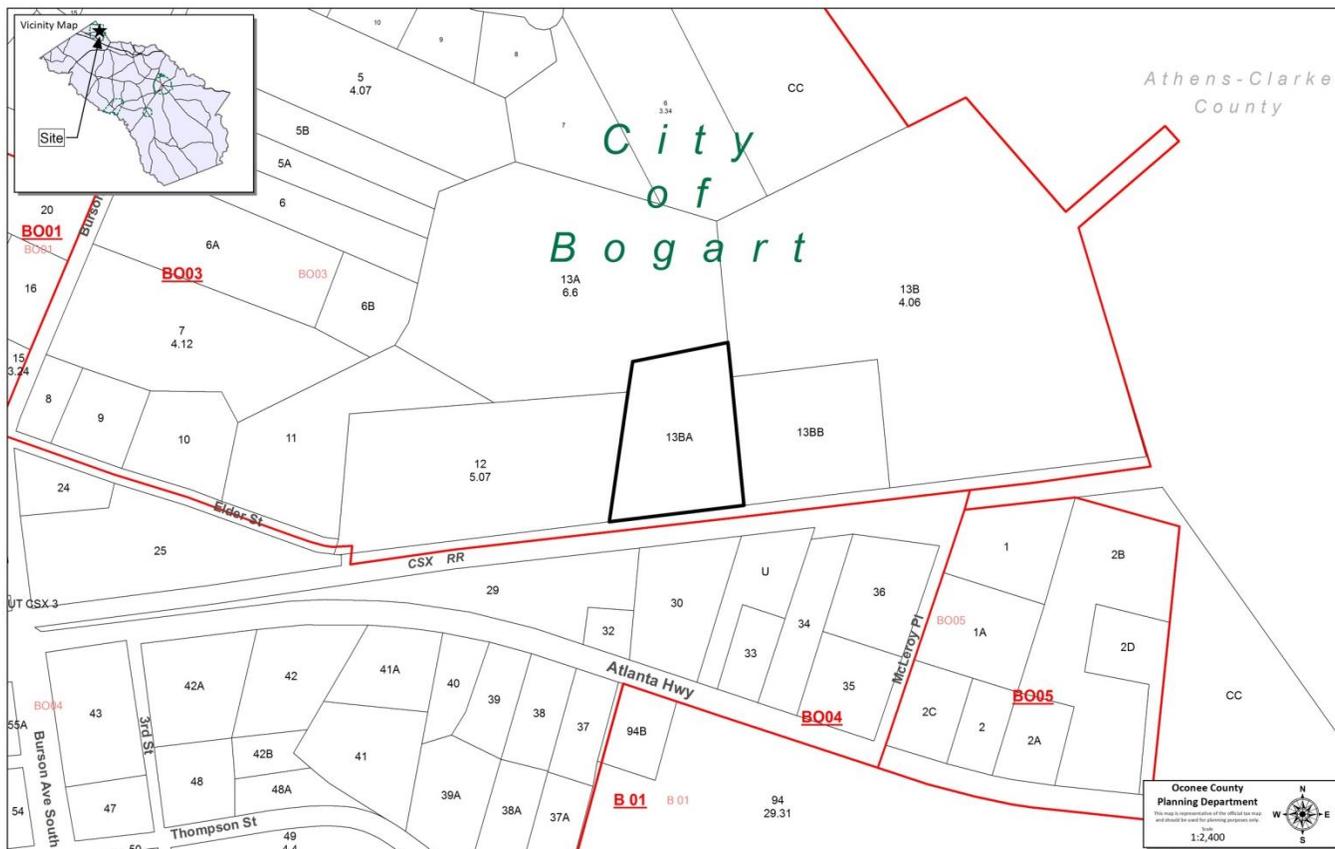
Thence S 06°34'08" E a distance of 399.32 feet to a 1/2" rod found;

Thence S 82°07'07" W a distance of 332.40 feet to the POINT OF BEGINNING.

PROPERTY SURVEY



TAX MAP



REZONE NARRATIVE

Benson's Bakery

The Site

The subject site is a 2.54 acre parcel that is part of Benson's Bakery in the City of Bogart. Benson's owns several parcels of land on the eastern part of the town at the end of Elder Street. The subject parcel was acquired in 2011 and is currently undeveloped with heavy tree coverage. The site is bound by R1 zoned property to the east, CSX Railroad to the south, and Benson's Bakery parcels to the north and west. The site is accessed through the Benson's property. The site has gentle rolling slopes to a drainage ditch that roughly runs through the middle of the property.

The Development

The site is currently undeveloped. Benson's Bakery desires to rezone the property from R1 to Industrial use and combine the tract with their other parcels. The owners will be installing a sewer pretreatment facility on the western side of the property. The facility will include approximately 0.15 acres of the 2.54 acre tract. The remainder of the property will be undisturbed. The pretreatment facility will be fully enclosed as depicted in the photograph below. The photograph is of a similar facility in the area. An access road will be installed through the Benson's property to the west and will only be utilized for maintenance of the facility.

Buildings

The property currently has no buildings. The proposal includes construction of an approximate 6,250 square foot, one-story permanent structure that will enclose the treatment facility. A metal panel façade will be placed on all sides of the building.

Traffic

There will be no increase in traffic as a result of this development.

Schools

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

Water Supply

There will be no increase in water demand for this project.

Sewage Disposal

The facility will be a pretreatment system which will biologically treat water from the Bakery prior to release into the County sewer system. Benson's Bakery currently releases sewage into the County sewer system so there will be no increase in demand as a result of this facility.

Utilities

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

Stormwater Controls

The development will comply with Bogart's stormwater management requirements outlined under Chapter 6.17 of the Bogart Zoning Ordinance.

Access

The site will be accessed through the Benson's Bakery property to the West. No other entrances are planned.

Schedule

The pretreatment facility will be installed as soon as permits are obtained.

Buffers

A small stream is located near the northern property boundary. All state water buffers will be preserved in accordance with state law and will not be disturbed in the project. All required buffers will comply with Bogart's buffer requirements outlined in Chapter 6.11 of the Bogart Zoning Ordinance. A 100-foot buffer with dense vegetation will be maintained along the eastern property line.

REPRESENTATIVE PHOTO

Representative Photograph of Proposed Benson's Bakery Pretreatment Facility



