

**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 Jean-Pierre & Jane Crisan submitted on May 30, 2014.

**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 Brent Escoe on May 30, 2014 regarding property owned by Jean-Pierre & Jane Crisan on a ±10.00 acre tract of land located on the south side of Allens Way in the 239<sup>th</sup> G.M.D., Oconee County, Georgia, (Portion of TP# A-7-5F), 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.

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 8, 2014.

APPROVED, this 8<sup>th</sup> day of July, 2014.

**OCONEE COUNTY BOARD OF COMMISSIONERS**

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

Member Absent  
Jim Luke, Member

John Daniell  
John Daniell, Member

Margaret S. Hale  
Margaret S. Hale, Member

Mark T. Saxon  
Mark Saxon, Member

ATTEST:

Jane Greathouse  
Jane Greathouse  
Clerk, Board of Commissioners

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 parent tract of the subject property shall only be subdivided into 2 tracts, as illustrated on the variance concept plan.

NARRATIVE

Members of the Oconee County Board of Commissioners:

Please find attached a request for hardship variance for relief from 1012.07 to allow four tracts on a private access drive. I plan to purchase ten acres from Jean Pierre and Mattie Jane Crisan (Tax Parcel A 007 005F) contingent upon your approval. The property in question is currently inaccessible as it is bordered on all sides by other property. The only possible access, other than through this request, would be through an easement along the existing drive which would only further complicate existing residential access and encumber Mr. and Mrs. Crisan's access to their home. Furthermore, the cost of extending the drive back into the proposed ten acre lot would be prohibitive to the purchase and construction of a home, particularly so in lieu of the requirements for crossing the creek on the northwest corner of the property. The owner of the adjacent lot (Tax Parcel A 07F 011A) has agreed to provide an easement for access; however, this will exceed Oconee County's 3 tract limit (Section 1012.07 of the UDC) from a private access drive thus the need for a hardship variance.

If approved, I plan to build a single family dwelling on the tract for use as a primary residence which would bring this property in line with neighboring properties and in my opinion be the highest and best use for the land. The addition of one additional access would cause no detriment to the public good or in any way impair the purpose or intent of the UDC. Application of the current code, in this case, will only limit potential increased property tax revenue and job creation as a result of development and construction of the home that is planned for this property. I respectfully ask that you grant the variance in this case.

Thank you for your time, attention, and service.

Sincerely,



Brent Escoe

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in the county of Oconee, State of Georgia, GMD 239, and described on a plat titled "Variance Concept Plan: 2543 New High Shoals Road" prepared by Smith Planning Group, dated June 2, 2014, more specifically described as follows:

COMMENCING at an iron pin at the point of intersection with the southern right-of-way boundary of New High Shoals Road and the western right-of-way boundary of Union Church Road,

Thence westerly along the southern right-of-way boundary of New High Shoals Road a distance of 3,170' to an iron pin,

Thence S 21°40'44" E, a distance of 132.94' to an iron pin,

Thence S 14°03'44" E, a distance of 147.00' to a point,

Thence S 49°13'44" E, a distance of 213.30' to a point,

Thence S 31°42'03" E, a distance of 429.62' to an iron pin,

Thence S 25°24'20" E, a distance of 1,059.07' to a point, said point also being the POINT OF BEGINNING,

Thence S 25°24'20" E, a distance of 1,343.02' to an iron pin,

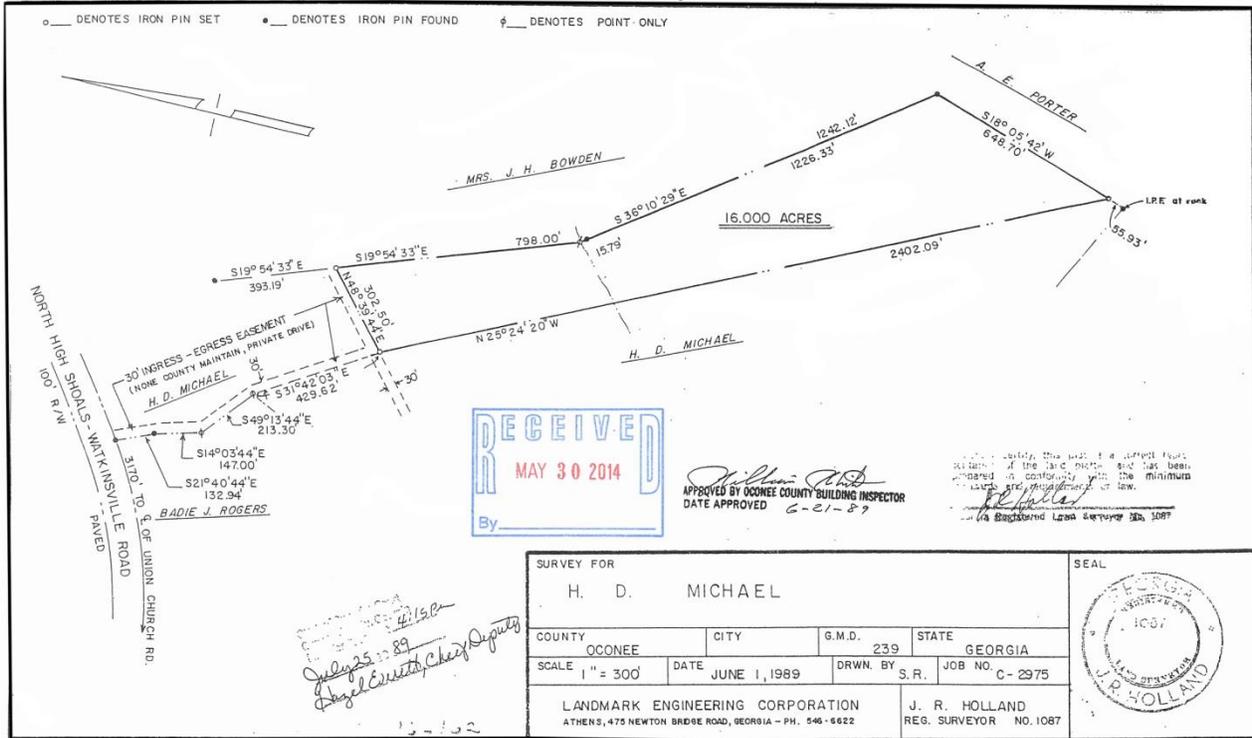
Thence N 18°05'42" E, a distance of 648.70' to an iron pin,

Thence N 36°10'29" W, a distance of 940.61' to a point,

Thence S 53°49'31" W, a distance of 276.02' to a point, said point also being the POINT OF BEGINNING of the subject property.

Said tract contains an approximate total of 10.00 acres.

PROPERTY SURVEY



TAX MAP



