

**APPROVAL OF A SPECIAL EXCEPTION VARIANCE
FROM THE UNIFIED DEVELOPMENT CODE OF OCONEE COUNTY, GEORGIA**

TITLE

A Resolution granting approval of a Special Exception Variance based upon the allowances under the Unified Development Code of Oconee County, Georgia, pursuant to Article 13, Section 1303, to grant approval of a Special Exception Variance pursuant to an application requesting approval of a Special Exception Variance on property owned by 316 Holding Group submitted on July 24, 2016.

ENACTMENT CLAUSE

Pursuant to the authority conferred by the Constitution and Laws of the State of Georgia and after consideration of an application requesting Special Exception Variance approval submitted by Williams & Associates on July 24, 2016 regarding a ±4.541 acre tract of land located on the southeast of corner of GA 316 & the Oconee Connector in the 1331st G.M.D., Oconee County, Georgia, (C-01-045E), the Board of Commissioners of Oconee County does hereby grant the following:

SECTION 1. A Resolution granting Special Exception 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 206.04.d.4.e, to allow buildings to exceed the maximum 35 foot height for B-1 or B-2 zoned property in the Mars Hill Overlay District.

Said Special Exception 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 Special Exception 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 October 3, 2017.

ADOPTED AND APPROVED, this 3rd day of October, 2017.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY: _____

John Daniell
John Daniell, Chairman

Mark Thomas
Mark Thomas, Member

Chuck Horton
Chuck Horton, Member

W. E. "Bubber" Wilkes
W. E. "Bubber" Wilkes, Member

Mark Saxon
Mark Saxon, Member

ATTEST:

Kathy Hayes
Kathy Hayes
Clerk, Board of Commissioners

EXHIBIT "A" TO SPECIAL EXCEPTION VARIANCE #7240

Page 1 of 3
CONDITIONS

This Special Exception Variance shall be subject to the following conditions which shall be fulfilled by the developer at his/her expense:

1. The maximum overall building height shall not exceed 55 feet as measured from the adjoining ground level to the highest point of any part of the building.

LEGAL DESCRIPTION

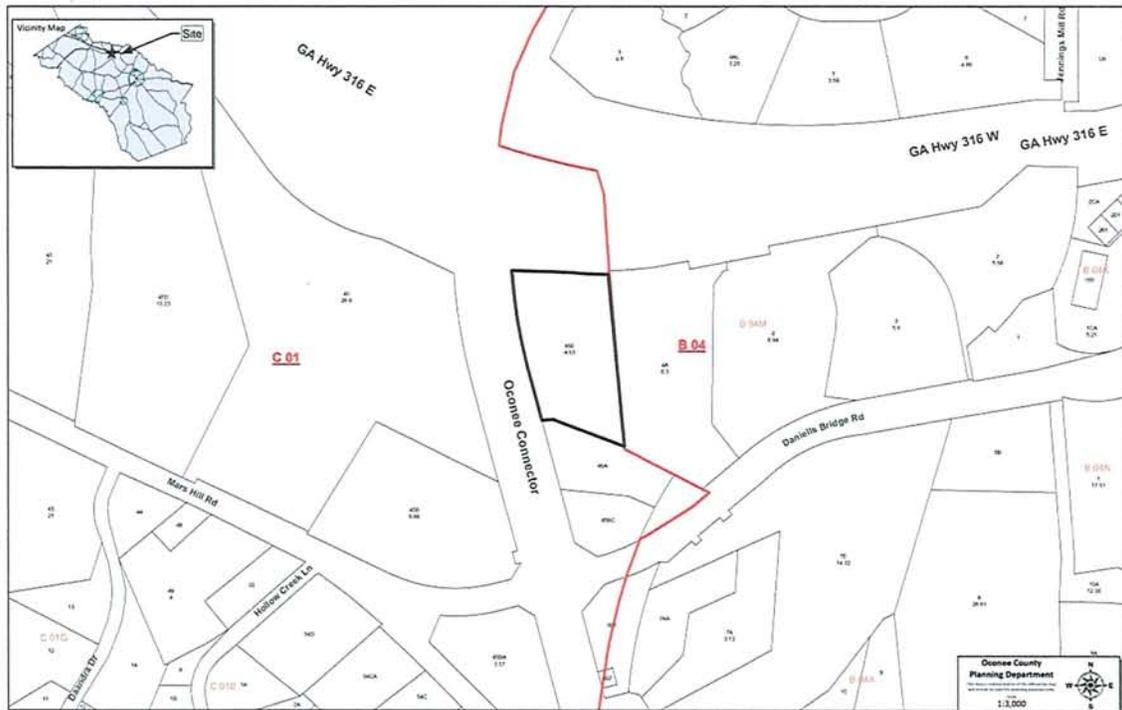
LEGAL DESCRIPTION

By _____

All that tract, or parcel of land, lying and being in G.M.D. 1331, Oconee County, Georgia, containing 4.541 acres of land, and being more particularly described as:

Beginning at the intersection of the easterly margin of right-of-way of the Oconee Connector with the southerly margin of right-of-way of Highway 316, being the TRUE POINT OF BEGINNING; thence along the right-of-way of Highway 316 North 88 degrees 13 minutes 03 seconds East, 219.55 feet to a point; thence 141.41 feet along an arc of a curve to the left, said curve having a radius of 1245.92 feet, a chord bearing of South 87 degrees 19 minutes 59 seconds East, and a chord distance of 141.33 feet to an iron pin; thence leaving said right-of-way South 04 degrees 45 minutes 31 seconds East, 647.64 feet to an iron pin; thence North 69 degrees 12 minutes 18 seconds West, 279.67 feet to a point; thence South 84 degrees 45 minutes 31 seconds West, 40.42 feet to a point on the easterly margin of right-of-way of The Oconee Connector; thence along said right-of-way North 14 degrees 58 minutes 44 seconds West, 173.16 feet to a point; thence 389.02 feet along an arc of a curve to the right, said curve having a radius of 1801.01 feet, a chord bearing of North 10 degrees 04 minutes 15 seconds West, and a chord distance of 388.26 feet to the TRUE POINT OF BEGINNING.

TAX MAP



Variance

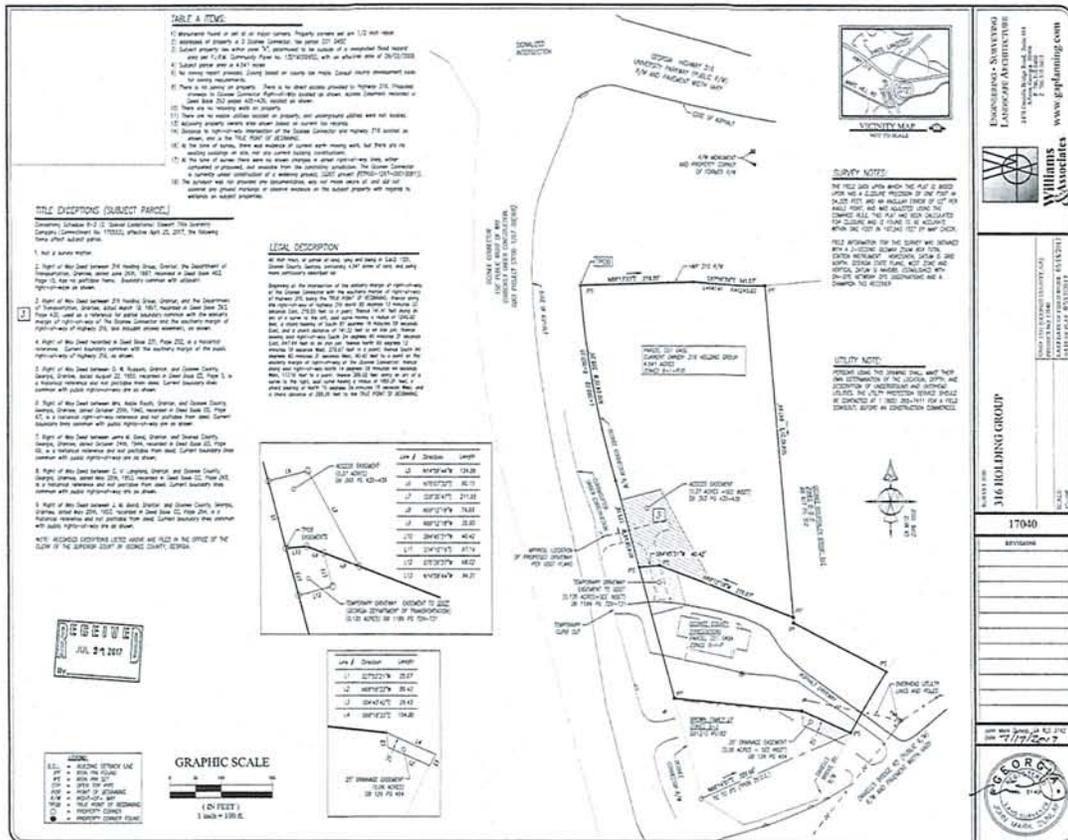
A Special Exception Variance is requested from UDC Sec. 206.04.d.4.e allowing buildings to exceed the maximum 35' height for B-1 or B-2 zoned property in the Mars Hill Overlay District. The allowance is for the building height to be a maximum of 55'.

Sec. 1303.03. Standards for special exception variance approval.

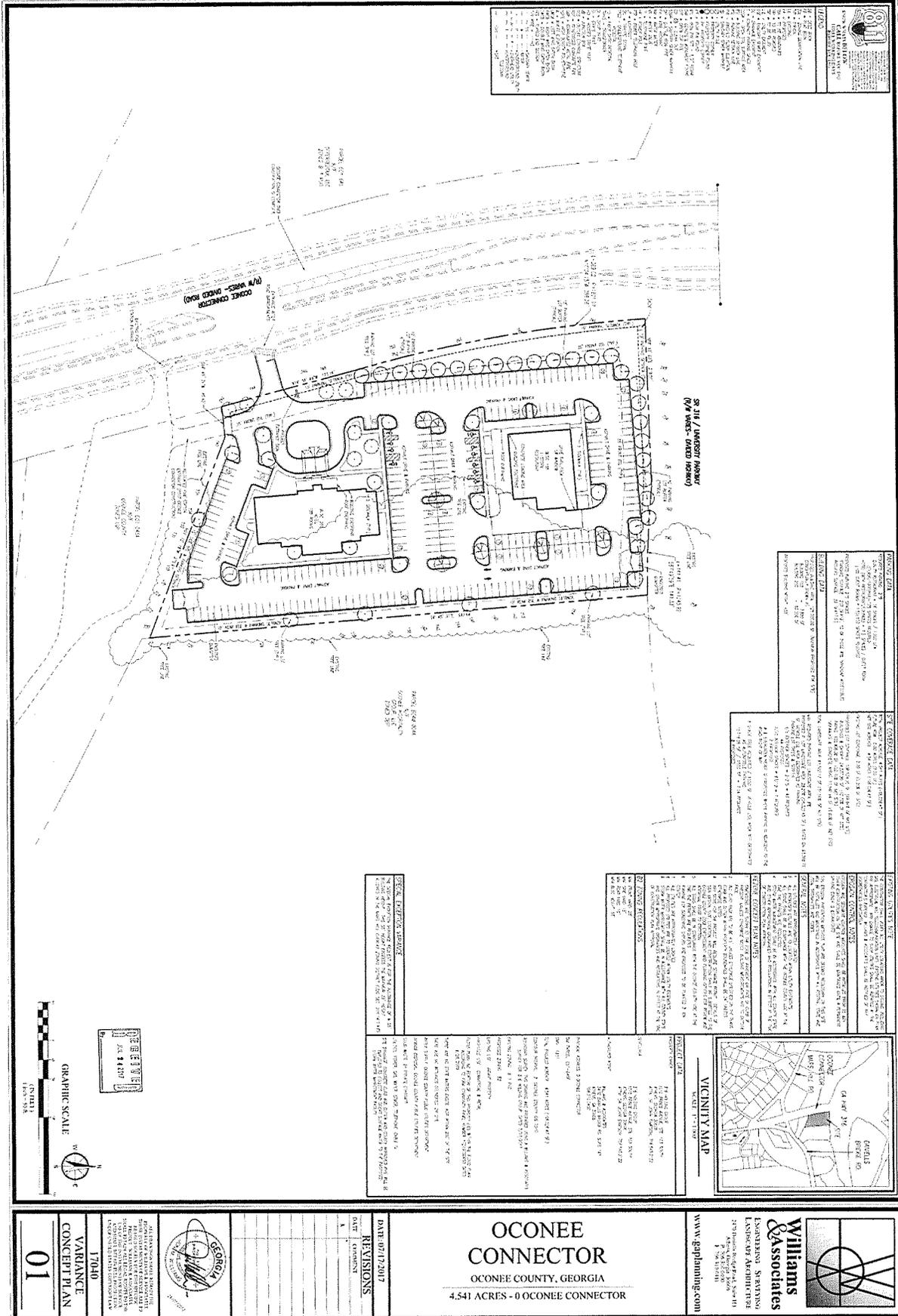
A special exception variance may be granted upon a finding that the relief, if granted:

- a. Would not cause substantial detriment to the public good: The allowance of the increase in building height will not cause a substantial detriment to the public good because there is no advantage to the public for the height to remain at 35'. The health, safety and welfare of the public will not be undermined by the height of the structures onsite. All aspects of local, state and federal codes will be met to accommodate the 55' height.
b. Would not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity: The allowance of the increase in building height will not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity. The property is located at a major intersection of the county where commercial development is trending. Currently, there are adjacent properties with buildings that exceed 35' in height.
c. Would not diminish and impair property values within the surrounding neighborhood: This request is not a deviation from the development patterns that exist in the surrounding area and therefore would not diminish nor impair surrounding property values. Proposed building heights are to be similar to those that exist in the vicinity.
d. Would not impair the purpose and intent of this Development Code. The purpose and intent of the Mars Hill Overlay District appears to have been written in such a way as to protect the expanse of residential development along the corridor. It does not appear that the code anticipated a development of this type a major commercial node such as SR 316 and The Oconee Connector. The UDC allows B-1 & B-2 zoning classifications to permit a 55' building height. It makes sense in light of the surroundings and adjacent property that the 55' height be allowed.

PLAT

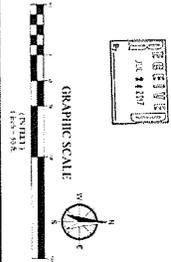


DEVELOPMENT PLAN



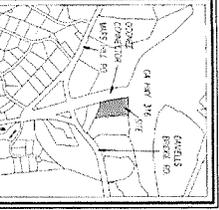
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<p>REVISIONS</p> <p>DATE: 07/12/2017</p> <p>BY: [Signature]</p> <p>NO. 1</p>

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Williams & Associates
 ENGINEERING SURVEYING
 LANDSCAPE ARCHITECTURE
 1000 W. BROAD ST., SUITE 110
 ATLANTA, GA 30308
 404.525.1100
 www.williamsandassociates.com



**Planning Department
Oconee County, Georgia
STAFF REPORT**

VARIANCE CASE #: 7240

DATE: September 15, 2017

STAFF REPORT BY: Mackenzie Battista, Planner & Gabriel Quintas, Planner

APPLICANT NAME: Williams & Associates

PROPERTY OWNER: 316 Holding Group

LOCATION: Southeast corner of GA 316 & Oconee Connector

PARCEL SIZE: ±4.541 Acres

EXISTING ZONING: B-1 PUD (General Business, Planned Unit Development) & Mars Hill Overlay District

EXISTING LAND USE: Undeveloped

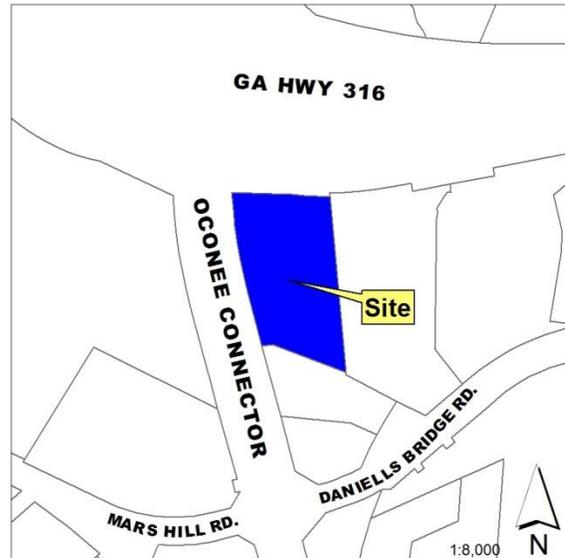
TYPE OF VARIANCE REQUESTED: Special Exception

REQUEST SUMMARY: The property owner is requesting approval of a special exception variance to allow buildings within the proposed development to exceed the maximum 35 foot height allowed for structures located within the Mars Hill Overlay District.

DATE OF SCHEDULED HEARING

BOARD OF COMMISSIONERS: October 3, 2017

- ATTACHMENTS:**
- Application
 - Variance Narrative
 - Aerial
 - Tax Map
 - Concept Plan



NOTE: This request was submitted in conjunction with Rezone request #7239.

BACKGROUND INFORMATION & FINDINGS OF FACT**PROJECT DESCRIPTION**

- Please refer to the background information and project descriptions included in the staff report for rezone request # 7239.

VARIANCE DESCRIPTION

- The owner is requesting approval of a special exception variance to provide relief from the Unified Development Code Section Section 206.04 (d) (4) (e) Building Height:
Maximum overall building height shall be 35 feet as measured from the adjoining ground level to the highest point of any part of the building.
- The developer proposes to increase the maximum building height within the proposed development to 55 feet.

COMMENTS FROM OTHER DEPARTMENTS & AGENCIES

- No comments

STAFF ANALYSIS

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE "STANDARDS FOR SPECIAL EXCEPTION VARIANCE APPROVAL" AS SET FORTH IN SECTION 1303.03 OF THE OCONEE COUNTY UNIFIED DEVELOPMENT CODE.

Special exception variances may be granted upon findings that if granted, the relief will not cause occurrences of any of the following:

- Cause a substantial detriment to the public good:** The approval of the present request should not cause any substantial detriment to the public good. The immediate area surrounding the subject property currently contains buildings within the Mars Hill Overlay which exceed the maximum building height of 35 feet. The Spring Hill Suites Hotel located directly east of the subject property received a special use approval in 2007 (No. 5357) which allowed an increased maximum building height of 65 feet, and a similar approval (No. 5352) was granted to Daniel's Bridge Partners, LLC, to allow an increased maximum building height of 85 feet for a parcel just outside the Mars Hill Overlay district in the same vicinity. The approval of the present variance would therefore be consistent with the existing conditions in the area.
- Be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity:** The approval of the present request should not be injurious to the use and enjoyment of the environment or of other property in the vicinity. The property is not immediately adjacent to any residential uses, and building heights exceeding 35 feet are already present within the Mars Hill Overlay District in the immediate vicinity of the subject parcel. The allowance of an additional 20 feet to the maximum building height is consistent with the existing character of the surrounding area and the intent behind the Regional Center character area in which the subject property lies. Additionally, the proposed development would have to comply with the Mars Hill Overlay District development standards set forth in Section 206.04 (d) which would help ensure consistency in architectural style with the properties in the immediate vicinity.
- Diminish and impair property values within the surrounding neighborhood:** The requested increase in the maximum building height should not diminish or impair property values within the surrounding neighborhood. The request is consistent with the existing development patterns in the vicinity, and buildings with heights similar to that requested in the present variance application are present in the immediate vicinity of the subject property.

- d. Impair the purpose and intent of this Development Code:** The primary intent of the Mars Hill District Overlay according to Section 206.04 (a) of the UDC “is to minimize the potentially negative land use impacts on properties adjacent to and near the Oconee Connector” and “protect the stability, value, and livability of residential neighborhoods within the overlay district” due to the widening of the same road. The requested variance is in conformity with the intent of the overlay because an increase in the maximum building height does not pose a negative impact on any of the surrounding properties. The subject property is not adjacent to any residential uses, and the immediate vicinity contains mixed office, institutional, and commercial uses with buildings within the Overlay that currently exceed the maximum building height of 35 feet. Furthermore, the subject property is located within a developing commercial node at the intersection of the Oconee Connector and GA Highway 316 where building heights of 55 feet can be reasonably expected. Therefore, approval of the present variance request should not impair the purpose and intent of the Unified Development Code.

STAFF SUMMARY & CONDITIONAL RECOMMENDATIONS

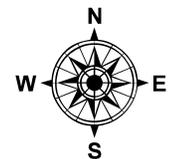
Based upon the standards for granting a special exception variance, **this request to increase the maximum building height complies with the necessary conditions to grant a special exception variance.** If granted, staff recommends the following condition:

1. The maximum overall building height shall not exceed 55 feet as measured from the adjoining ground level to the highest point of any part of the building.

2016 Aerial Photograph



Feet
1:5000





OCONEE COUNTY APPEAL APPLICATION

Type of Appeal Submitted:

- Hardship Variance
 Appeal of Administrative Decision
 Flood Damage Prevention Variance
 Special Exception for: Maximum building height



Applicant

Name: Williams & Associates, Land Planners PC
 Address: 2470 Daniells Bridge Road
(No P.O. Boxes)
Suite 161
Athens, GA 30606
 Telephone: (706) 310-0400

Property Owner

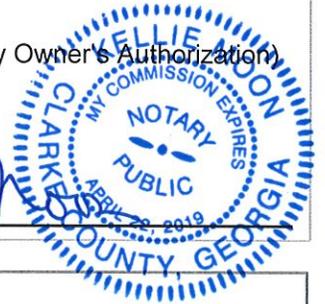
Name: 316 Holding Group By _____
 Address: 1010 Prince Avenue, Ste. 103 South
(No P.O. Boxes)
Athens, GA 30606
 Telephone: (706) 540-2122 - Dr. John Simpson

Applicant is (check one): the Property Owner Not the Property Owner (attach Property Owner's Authorization)

Applicant's Certification: I hereby certify that the information contained in and attached to this application is true and correct.

Signature: [Signature] - Williams + Assoc. Date: 07/24/17

Notarized: [Signature]



Property

Location: Southeast corner of GA 316 & the Oconee
(Physical Description)
Connector
 Tax Parcel Number: C01-045E
 Size (Acres): 4.541 Current Zoning: B-1 PUD
 Future Development Map-Character Area Designation: Regional Center

Use

Current Use: Undeveloped Property
 Proposed Use: Commercial & Retail, Plan illustrates a hotel and quality restaurant, see narrative for use exclusions

Attachments (check all that apply)

- Property Owner's Authorization (if applicable)
- Application Fee
- Warranty Deed(s), Legal Description, & Plat of Survey
- Disclosures (Interests and Campaign Contributions)
- Maps or Drawings Illustrating Variance Request
- Narrative Statement Explaining Variance Request
- Concept Plan

Appeal or Variance Requested

Provide the code section and briefly explain the requested variance

Sec. 206.04.d.4.e - Maximum overall building height.
A special exception variance is requested to allow
buildings to exceed the maximum 35' height for B-1 or B-2
zoned property in the Mars Hill Overlay District.

For Oconee County Staff Use Only

Application
 Date Received: _____ Date Accepted: _____
 DRI Transmitted to RDC Date: _____ N/A
 Review Submitted: _____ Location Map: _____
 Posted: _____ Ad: _____ Ad: _____
 Application Withdrawn Date: _____

Action
APPLICATION NUMBER
Administrative Appeal: Date: _____
 Approved With Conditions Denied N/A
Board of Commissioners Date: _____
 Approved With Conditions Denied N/A

811
 KNOW WHAT'S BELOW
 CALL BEFORE YOU DIG
 THREE WORKING DAYS
 BEFORE YOU DIG

LEGEND

DB = DEED BOOK
 PB = PLAT BOOK
 ZDL = ZONING DEMARCATION LINE
 TYP = TYPICAL
 EX = EXISTING
 PR = PROPOSED
 TBA = TO BE ABANDONED
 TRB = TO BE REMOVED
 TBF = TO BE FILLED
 U.E. = UTILITY EASEMENT
 S.E. = SANITARY SEWER EASEMENT
 D.E. = DRAINAGE EASEMENT
 C = COMPACT PARKING SPACE
 OSSA = OPEN SOIL SURFACE AREA
 BSL = BUILDING SETBACK LINE
 PSL = PARKING SETBACK LINE
 FFE = FINISHED FLOOR ELEVATION
 SSM = SANITARY SEWER MANHOLE
 U.P. = UTILITY POLE
 PC = PROPERTY CORNER
 P.C.F. = PROPERTY CORNER FOUND
 P.C. = P.C. PROPERTY CORNER
 I.P.F. = IRON PIN FOUND
 P.S. = IRON PIN SET - 1/2" REBAR
 C.M.F. = CONCRETE MONUMENT FOUND
 O.P. = OPEN TOP PIPE
 C.O. = CLEAN OUT
 S.S.M. = SANITARY SEWER MANHOLE
 D.I.P. = DUCTILE IRON PIPE
 F.H. = FIRE HYDRANT
 W.M. = WATER METER
 W.V. = WATER VALVE
 T.P. = TELEPHONE POLE
 P.P. = POWER TELEPHONE POLE
 P.T.P. = POWER TELEPHONE POLE
 L.P. = LIGHTPOST
 S.I.C. = TRAFFIC SIGNAL
 T.P.E.D. = UNDERGROUND TELEPHONE
 P.E.S.T.A. = PRESTRESS
 F.O. = FIBER OPTIC PEDESTAL
 T.R.A.N.S. = TRANSFORMER
 D.I. = DROP INLET
 G.I. = GRATE INLET
 H.G.I. = HOODED GRATE INLET
 J.B. = JUNCTION BOX
 O.C.S. = OUTLET CONTROL STRUCTURE
 R.C.P. = REINFORCED CONCRETE PIPE
 C.M.P. = CORRUGATED METAL PIPE
 H.D.P.E. = HIGH DENSITY POLYETHYLENE
 I.E. = INVERT ELEVATION
 L.W.C.B. = LEFT WING CATCH BASIN
 R.W.C.B. = RIGHT WING CATCH BASIN
 D.W.C.B. = DOUBLE WING CATCH BASIN
 F.E.S. = FLARED END SECTION
 G.U.P. WIRE =
 --- S.S. --- = SANITARY SEWER
 --- W --- = WATER
 --- P --- = UNDERGROUND UTILITY
 --- O.P. --- = OVERHEAD UTILITY
 --- T --- = UNDERGROUND
 --- T.C.M. --- = TELECOMM.
 --- GAS --- = GAS

PARKING DATA

REQUIRED PARKING: 275
 QUALITY RESTAURANT = 16 SPACES / 1,000 GFA
 ((1800/1000)*16)=29 SPACES REQUIRED
 HOTEL (WITH RESTAURANT/LOUNGE) = 1.5 SPACES / GUEST ROOM
 (100 GUEST ROOMS * 1.5)=150 SPACES REQUIRED

PROPOSED PARKING: 275 SPACES
 STANDARD SURFACE: 237 (9'X19', 10 OF THOSE ARE HANDICAP ACCESSIBLE)
 REDUCED SURFACE: 38 (9'X17.5')

BUILDING DATA

PROPOSED BUILDING AREA: 125,000.00 SF. (MAXIMUM PROPOSED FOR SITE)
 CONCEPTUALLY SHOWN AS:
 BUILDING 100 = 7,800 SF.
 BUILDING 200 = 55,000 SF.
 PROPOSED BUILDING HEIGHT: <55'

SITE COVERAGE DATA

TOTAL PROJECT ACREAGE: 4.541 ACRES (198,026.47 SF)
 FUTURE ROW: 0.00 ACRES (0.00 SF)
 NET SITE ACREAGE: 4.541 ACRES (198,026.47 SF)
 EXISTING LOT COVERAGE: 0.00 SF (0.00% OF SITE)

PROPOSED LOT COVERAGE: 136,524.30 SF (68.94% OF NET SITE)
 BUILDINGS & CANOPY: 24,537.00 SF (12.39% OF NET SITE)
 PAVING: 100,406.36 SF (50.70% OF NET SITE)
 SIDEWALKS & CONCRETE AREAS: 11,580.94 SF (5.85% OF NET SITE)

TOTAL LANDSCAPE AREA: 61,502.17 SF (31.06% OF NET SITE)

MIN. REQUIRED PARKING LOT LANDSCAPE AREA: 65
 AS AUTOMOBILE PARKING.
 PROPOSED P-LANDSCAPE AREA: 28,278 (26,322.45 SF), BASED ON 93,098.71
 SF VEHICLE USE AREA DESIGNATED AS PARKING
 PARKING LOT TREES & SCREEN:
 1/5 EXTERIOR SPACES = 212/5 = 43 PROPOSED
 44 PROPOSED
 1/10 INTERIOR SPACES = 63/10 = 7 REQUIRED
 7 PROPOSED
 A 3' EVERGREEN HEDGE IS PROPOSED WHERE PARKING IS ADJACENT TO THE
 ROAD RIGHT OF WAY.

1 SHADE TREE REQUIRED / 1500 SF. VEHICLE USE AREA NOT DESIGNATED
 10,716.05 SF / 1500 SF = 7.14 REQUIRED
 8 PROPOSED

EXISTING UTILITIES NOTE

THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO DIGGING, INCLUDING GAS, ELECTRICAL AND TELECOMMUNICATION LINES. EXISTING UTILITIES SHOWN ON PLAN ARE APPROXIMATE. ANY DAMAGE TO SUCH UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE. WILLIAMS & ASSOCIATES SHALL BE NOTIFIED OF ANY DISCREPANCIES IMMEDIATELY.

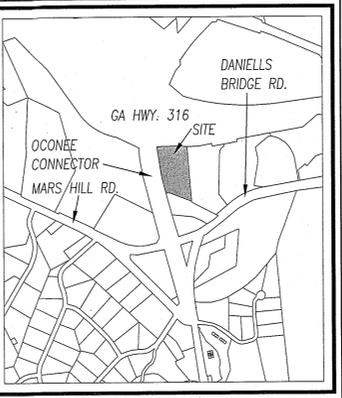
EROSION CONTROL NOTES

EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY OTHER CONSTRUCTION ON THE SITE AND SHALL BE MAINTAINED UNTIL A PERMANENT GROUND COVER IS ESTABLISHED.

SOIL EROSION PREVENTION METHODS THAT ARE DEEMED NECESSARY ON THIS SITE WILL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH ALL FEDERAL, STATE AND LOCAL ORDINANCES AND CODES.

GENERAL NOTES

1. ALL UTILITIES ARE APPROXIMATELY LOCATED.
2. ALL PROPOSED UTILITIES ARE TO BE LOCATED WITHIN UTILITY EASEMENTS.
3. ALL SIGNS SHALL BE IN COMPLIANCE WITH THE OCONEE COUNTY UDC AT THE TIME THE PERMITS ARE REQUESTED.
4. STORM WATER MANAGEMENT SHALL BE IN ACCORDANCE WITH ALL COUNTY STATE AND OTHER APPROPRIATE ORDINANCES AND REGULATIONS IN EFFECT AT THE TIME OF CONSTRUCTION PLAN APPROVAL.



VICINITY MAP
 SCALE: 1" = 1,000'

PROJECT DATA

PROPERTY OWNER: 316 HOLDING GROUP
 1010 PRANCE AVENUE, STE. 103 SOUTH
 ATHENS, GEORGIA 30606
 ATTN: DR. JOHN SIMPSON, 706.540.2122

DEVELOPER: 316 HOLDING GROUP
 1010 PRANCE AVENUE, STE. 103 SOUTH
 ATHENS, GEORGIA 30606
 ATTN: DR. JOHN SIMPSON, 706.540.2122

AUTHORIZED AGENT: WILLIAMS & ASSOCIATES
 2470 DANIELS BRIDGE RD. SUITE 161
 ATHENS, GA 30606
 706.310.0400

PHYSICAL ADDRESS: 0 OCONEE CONNECTOR

TAX PARCEL: C01-045E
 GMD: 1331

TOTAL PROJECT ACREAGE: 4.541 ACRES (198,026.47 SF.)
 CONTOUR INTERVAL: 2' OCONEE COUNTY GIS TOPO.

BOUNDARY SURVEY: THIS DRAWING WAS PREPARED USING A WILLIAMS & ASSOCIATES SURVEY FOR 316 HOLDING GROUP, DATED 7/17/2017.

EXISTING ZONING: B-1 PUD
 PROPOSED ZONING: B2
 EXISTING USE: VACANT PROPERTY
 PROPOSED USE: COMMERCIAL & RETAIL

FLOOD PLAIN: NO PORTION OF THIS PROPERTY LIES WITHIN THE FLOOD PLAIN ACCORDING TO FIRM COMMUNITY PANEL NUMBER 13219000550 DATED 9/29/2009.

THERE ARE NO STATE WATERS ONSITE, NOR WITHIN 200' OF THE SITE.
 THERE ARE NO WETLANDS DELINEATED ON SITE.

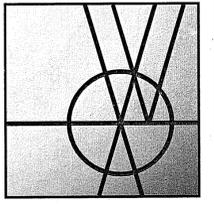
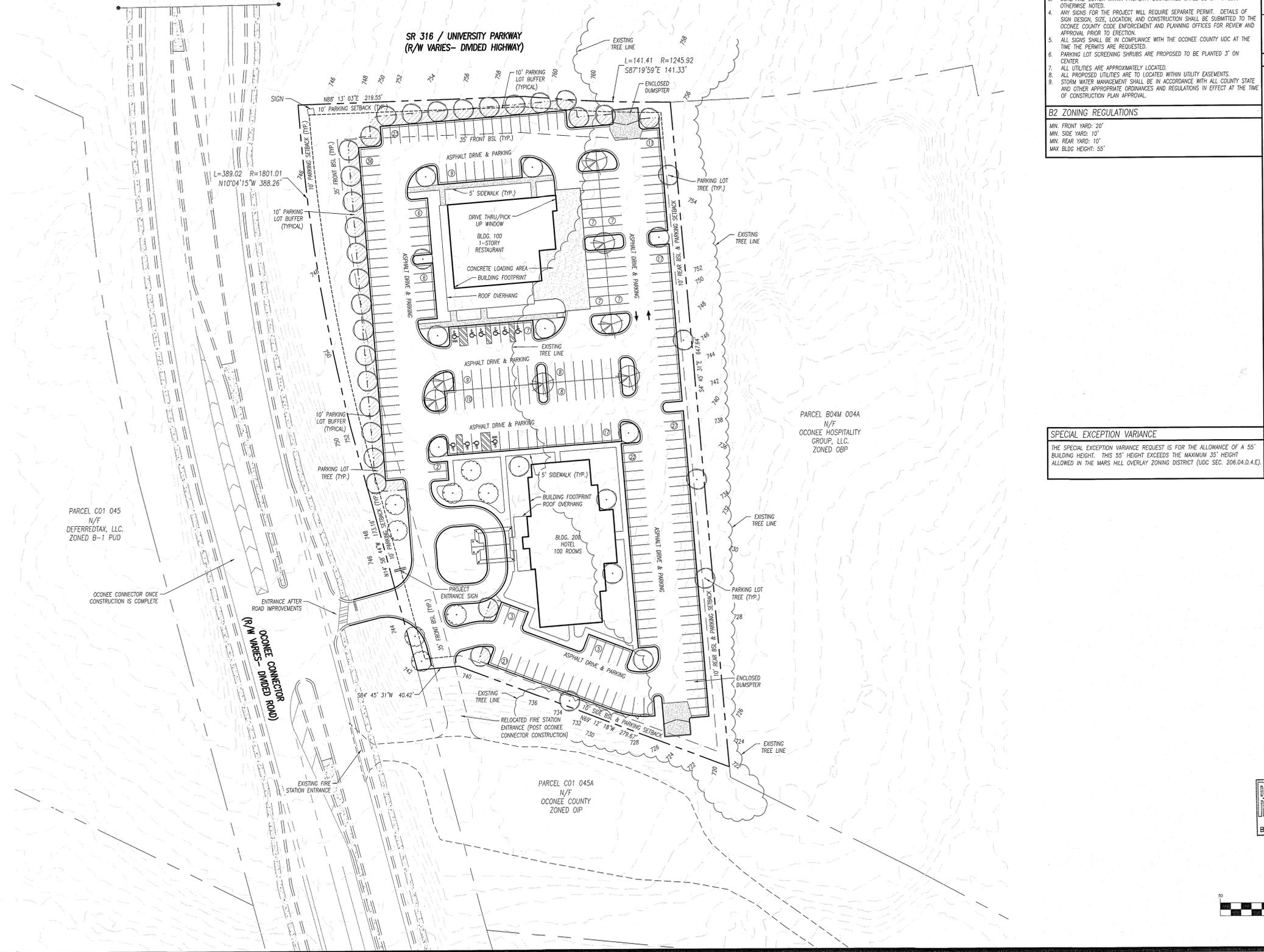
WATER SUPPLY: OCONEE COUNTY PUBLIC UTILITIES DEPARTMENT
 SEWAGE DISPOSAL: OCONEE COUNTY PUBLIC UTILITIES DEPARTMENT
 SOLID WASTE: BY PRIVATE CONTRACT

UTILITIES: POWER, GAS, WATER, SEWER, TELEPHONE, CABLE TV

SITE DRAINAGE: CONCRETE CURB AND GUTTER AND COUNTY APPROVED PIPE WILL BE EMPLOYED TO COLLECT AND DIVERT SURFACE WATER TO THE PROPOSED STORM WATER MANAGEMENT FACILITY.

SPECIAL EXCEPTION VARIANCE

THE SPECIAL EXCEPTION VARIANCE REQUEST IS FOR THE ALLOWANCE OF A 55' BUILDING HEIGHT. THIS 55' HEIGHT EXCEEDS THE MAXIMUM 35' HEIGHT ALLOWED IN THE MARS HILL OVERLAY ZONING DISTRICT (UDC SEC. 206.04.D.4.E).



Williams & Associates
 ENGINEERING SURVEYING
 LANDSCAPE ARCHITECTURE

2470 Daniels Bridge Road, Suite 161
 Athens, Georgia 30606
 P. 706.310.0400
 F. 706.310.0411

www.gaplanning.com

OCONEE CONNECTOR
 OCONEE COUNTY, GEORGIA
 4.541 ACRES - 0 OCONEE CONNECTOR

DATE: 07/17/2017

REVISIONS

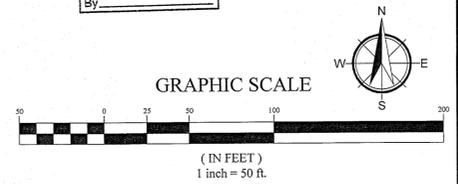
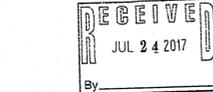
DATE	COMMENT
X	X



ALL DRAWINGS SHALL REMAIN THE PROPERTY OF WILLIAMS & ASSOCIATES. THESE INSTRUMENTS OF SERVICE ARE TO BE USED SOLELY FOR THIS SPECIFIC PROJECT. WILLIAMS & ASSOCIATES SHALL RETAIN ALL LEGAL RIGHTS TO THE USE OF THE INSTRUMENTS OF SERVICE AND SHALL RETAIN FULL PROTECTION UNDER UNITED STATES COPYRIGHT LAW.

17040
 VARIANCE
 CONCEPT PLAN

01





Oconee Connector

A Commercial & Retail Development
Southeast Corner of the intersection of GA 316 and The Oconee Connector
0 Oconee Connector, Watkinsville, Georgia

B-1 PUD to B-2 – 4.541 Acres – Tax Parcel #C01-045E

Special Exception Variance Submittal – July 24, 2017

Narrative

Oconee Connector is a proposed commercial and retail development to be located on a 4.541 acre tract at the intersection of GA 316 and The Oconee Connector. 316 Holding Group is the current property owner. Dr. John Simpson will act as the primary contact person for the owners. Williams & Associates has been designated to act as agent in the preparation of the necessary rezone documentation associated with this request.

The Site

The subject parcel of the rezone currently exists as a total of 4.541 acres. The parcel fronts on GA 316 for approximately 361 LF. and The Oconee Connector for approximately 562 LF. The parcel is partially wooded with mixture of pines and hardwoods and grassed areas interspersed. The topography drops gently from north to south, to an existing roadside swale and an existing drainage corridor. Existing zoning and land uses surrounding the parcel are as follows: to the north – GA 316; to the west – The Oconee Connector; to the south – one (1) OIP zoned tract with an existing county fire station; to the east – one (1) OBP zoned tract with existing hotel. The Future Development Map 2030 identifies the site with a Future Character Area designation of Regional Center.

The Development

The subject parcel was rezoned B-1 PUD - General Business Commercial Planned Unit Development (Rezone No. 043) by Beall, Gonnson & Company on August 4, 1992 as part of a larger development. That rezone predated the completion of GA 316 and the construction of The Oconee Connector.

As a result of The Oconee Connector construction, the subject parcel C01-045E was created by being split off and separated from the parent parcel C01-045.

The proposed project is to be developed primarily for commercial and retail uses. A quality restaurant and hotel are shown conceptually on the rezone plan for illustrative purposes only. The parcel is to be developed for sale to individual purchasers interested in locating some type of B-2 use business appropriate for this type of development and location. The lot may be split for multiple users requiring individual lots. Easements will be provided for vehicular circulation (ingress and egress), as well as for the installation of public utilities. All developments will be constructed with curb & gutter parking and sidewalks. All utilities will be underground. Extensive landscaping, including buffers and

shade trees, will be installed throughout the development. The overall project is anticipated to be constructed in multiple phases. Stormwater management facility improvements are currently proposed to be shared and located underground.

All B-2 uses as listed in the OC-UDC shall be allowed with the exceptions as listed below:

B-2 listed uses not allowed in this development:

- *Farmers Market (Wholesale)
- *Master Planned Development (MPD)
- *RV (Recreational Vehicle) Parks
- *Coin Operated Laundries and Dry Cleaners
- *Funeral Homes and Funeral Services
- *Pet Boarding Kennel
- *Bail Bonding or Bondperson Services
- *Exterminating and Pest Control Services
- *Manufactured (Mobile) Home Dealers
- *Carpet and Upholstery Cleaning Services
- *General Equipment and Tool Rental Centers
- *Packaging and Labeling Services
- *Truck Stops and Other Gasoline Stations
- *New Car Dealers
- *Recreational Vehicle Dealers
- *Boat Dealers
- *Electrical, Heating or Plumbing Supply Stores
- *Mini-Warehouses and Self-Storage Units
- *Recycling and Materials Recovery Facilities
- *Radio and Television Broadcasting Stations
- *Cable and Other Subscription Distribution
- *Electric Power Transmission Substations
- *Temporary Event: Swap Meets and Outdoor Markets
- *Printing and Related Support Activities, except Photocopying and Duplicating Services
(instant printing)
- *Handmade Soaps, Soaps, and Other Detergent Manufacturing
- *Self-storage of Recreational Vehicles, Campers and Boats
- *Community Food and Housing, and Emergency and Other Relief Services
- *Private Schools: Kindergarten, Elementary and Secondary
- *Private Schools: Junior Colleges
- *Private Schools: Colleges and Universities
- *Private Schools: Religious Exempt Nonpublic Post-Secondary Institutions
- *Accessory Uses Customary to a Dwelling
- *Newspaper, Periodical, Book, and Directory Publishers
- *Automotive Body, Paint and Interior Repair and Maintenance
- *Home and Garden Equipment Repair and Maintenance
- *Tractor and Other Farm Equipment Repairs and Maintenance
- *Pawnshop
- *Planned Unit Development (PUD)
- *Tattoo Parlors
- *Ambulance Services
- *Blood and Organ Banks
- *Janitorial Services
- *Landscaping Services
- *Auction Houses
- *Landscaping Services
- *Vocational Rehabilitation Services
- *Carpentry Shop, Woodworking
- *Home Office
- *Home Business
- *Used Car Dealers
- *Motorcycle Dealers
- *All Other Motor Vehicle Dealers
- *Freestanding Towers and Antennae
- *Natural Gas Distribution
- *Cemeteries and Mausoleums
- *Crematories

- *Truck, Utility Trailer and RV (Recreational Vehicle) Rental and Leasing
- *Office Computers, Copiers, Furniture and Other Machinery and Equipment Rental and Leasing
- *Construction, Transportation, Mining, and Forestry Machinery and Equipment Rental and Leasing
- *Other Commercial and Industrial Machinery and Equipment Rental and Leasing

Any item listed under following:

- *Arts, Entertainment, and Recreation except Artist's Studios
- *Truck Transportation
- *Transit and Ground Passenger Transportation
- *Support Activities for Transportation

Buildings

The project will have multiple buildings with various floor areas, totaling no greater than 125,000 square feet. Buildings are anticipated to be built in multiple phases. Buildings will be wood or steel construction, with exterior facades and accents including, but not limited to: architectural brick, stone, simulated or cultured stone, cast stone, cement fiber board plank siding, board and batten siding, shingle siding, exterior insulation and finish system (EIFS), stucco and cedar plank or shingle siding. The roofs are to be gabled structures or parapet surrounded flat roof systems. Roofing materials to include asphalt shingles, thermoplastic polyolefin (TPO), and/or metal. See attached representative architecture.

Water Supply

A 12" water main currently exists in the right-of-way of The Oconee Connector. Multiple services and meters will be installed off the existing main to meet the domestic water demand. Additional meters will be installed for irrigation purposes.

Probable Water Demand based on the rezone concept plan

Hotel (with kitchenette): 100 rooms x 86.25 gpd/room = 8,625 GPD

Restaurant: 200 seats x 28.75 gpd/seat = 5,750 GPD

Total Capacity Required

14,375 GPD AVG. Total*

*Total capacity required is an estimate only. Actual capacity to be based on end users.

Sewage Disposal

Sewage disposal will be via Oconee County Public Utilities. A public sewer line extension will be required, extending from an existing sewer manhole positioned in an easement located on an adjacent property to the east. A sewer easement will be required from the adjacent property owners for the installation for the installation of the public sewer line. Estimated demands have been submitted to the Oconee County Public Utilities Department and a sewer availability letter accompanies this rezone request.

Probable Sewer Demand

Hotel (with kitchenette): 100 rooms x ((150 gpd/room) * 50%) = 7,500 GPD

Restaurant: 200 seats x ((50 gpd/seat) * 50%) = 5,000 GPD

Total Capacity Required

12,500 GPD AVG. Total*

*Total capacity required is an estimate only. Actual capacity to be based on end users.

Surface Water Drainage

Concrete curb & gutter, corrugated pipe, and grassed & natural waterways will be employed to collect and divert storm water to a proposed shared underground stormwater management facility. Post development run-off will be maintained at predevelopment rates for 2, 5, 10, 25, and 50 year events. The proposed stormwater management facility will be designed to achieve the required capacity and volume based on hydrological analysis to be performed and submitted with the site development plans. Stormwater management will be in compliance with the Oconee County UDC.

Access

Access will be via a single driveway from The Oconee Connector. It is anticipated that access will require improvements to The Oconee Connector and those improvements will be shown accompanying the site development plans. Cross access easements will be provided internally throughout the development for vehicular circulation.

Traffic

Projected traffic is based on the trip generation rate published by the Institute of Transportation Engineers, *Trip Generation, 9th Edition*.

Trip Generation									
Land Use (ITE Code)	Intensity	Unit	ADT	A.M. Peak Hour			P.M. Peak Hour		
			2-Way	Enter	Exit	Total	Enter	Exit	Total
High-Turnover (Sit-Down) Restaurant (932)	7.8	1,000SF GFA	992	46	38	84	46	31	77
Hotel (310)	100	Rooms	522	31	22	53	31	29	60
Net New Primary Trips			1,514	78	60	137	77	60	137

Schools

Impact to schools will be positive by generating an increased positive net tax base without generating more students. There will be favorable initial and ongoing ripple economic impact on the county because of this development.

Schedule

The petitioners plan to complete the zoning efforts on the subject property in October 2017. Marketing efforts will commence upon zoning approval. The site will be developed as demand necessitates with construction anticipated to begin within 18-24 months of zoning approval.

Maintenance of Common Areas

It is anticipated that common areas will be a part of this development. The future owner(s) of the lot(s) and building(s) will be responsible for all maintenance. If necessary, the developer will organize the use of all common areas, private access drives, and cross access easements by developing a maintenance plan in regards to the paving, landscaping, storm water management and other associated common areas prior to the subdivision of the lots or site development and provide to Oconee County prior to plan approval.

Landscaping and Buffers

Street trees, parking lot buffers, and parking lot tree plantings will be installed in accordance with the Oconee County UDC. Any additional required buffers will be illustrated on site development plans or as directed by Oconee County.

Utilities

No utility relocations are anticipated at this time, however, existing utilities located onsite that do require relocation during the project construction shall be per the direction of the utility provider. All new utilities are proposed to be underground. Proposed utilities to serve the facility are power, gas, water, sewer, telephone, cable TV & internet access.

Garbage Collection

Garbage collection will be handled by private contract service.

Sidewalks

Concrete sidewalks will be constructed to service the project and provide customer access and circulation. Sidewalks will be installed during building construction and completion of all underground utility service installation.

Public & Semi-public Areas

Access and drainage easements will be dedicated to Oconee County. Easements for water, sewer, power, gas, telephone, cable TV & internet access will be dedicated as required for specific utility construction.

Outdoor Lighting

Ornamental or box type light fixtures on metal poles will be installed to illuminate the development for safety and security. Lighting will be oriented inward and downward within the proposed development. A lighting plan will be submitted to the Oconee

Planning Department illustrating lighting templates and proposed fixtures. This plan will be reviewed during the site development plans approval stage of the project.

Development Valuation

Proposed estimated total value of the project at completion:
\$9,000,000 - \$15,000,000.00

Variance

A Special Exception Variance is requested from UDC Sec. 206.04.d.4.e allowing buildings to exceed the maximum 35' height for B-1 or B-2 zoned property in the Mars Hill Overlay District. The allowance is for the building height to be a maximum of 55'.

Sec. 1303.03. **Standards for special exception variance approval.**

A special exception variance may be granted upon a finding that the relief, if granted:

a. Would not cause substantial detriment to the public good:

The allowance of the increase in building height will not cause a substantial detriment to the public good because there is no advantage to the public for the height to remain at 35'. The health, safety and welfare of the public will not be undermined by the height of the structures onsite. All aspects of local, state and federal codes will be met to accommodate the 55' height.

b. Would not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity:

The allowance of the increase in building height will not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity. The property is located at a major intersection of the county where commercial development is trending. Currently, there are adjacent properties with buildings that exceed 35' in height.

c. Would not diminish and impair property values within the surrounding neighborhood:

This request is not a deviation from the development patterns that exist in the surrounding area and therefore would not diminish nor impair surrounding property values. Proposed building heights are to be similar to those that exist in the vicinity.

d. Would not impair the purpose and intent of this Development Code.

The purpose and intent of the Mars Hill Overlay District appears to have been written in such a way as to protect the expanse of residential development along the corridor. It does not appear that the code anticipated a development of this type a major commercial node such as SR 316 and The Oconee Connector. The UDC allows B-1 & B-2 zoning classifications to permit a 55' building height. It makes sense in light of the surroundings and adjacent property that the 55' height be allowed.

TABLE A ITEMS:

- 1) Monuments found or set at all major corners. Property corners set are 1/2 inch rebar.
- 2) Addresses of property is 0 Oconee Connector, tax parcel C01 045E
- 3) Subject property lies within zone "A", determined to be outside of a designated flood hazard area per F.I.R.M. Community Panel no. 13219C0065D, with an effective date of 09/02/2009.
- 4) Subject parcel area is 4.541 acres
- 6) No zoning report provided. Zoning based on county tax maps. Consult county development code for zoning requirements.
- 8) There is no paving on property. There is no direct access provided to Highway 316. Proposed driveway to Oconee Connector Right-of-Way located as shown. Access Easement recorded in Deed Book 393 pages 435-439, located as shown.
- 10) There are no retaining walls on property.
- 11) There are no visible utilities located on property, and underground utilities were not located.
- 13) Adjoining property owners are shown based on current tax records.
- 14) Distance to right-of-way intersection of the Oconee Connector and Highway 316 located as shown, and is the TRUE POINT OF BEGINNING.
- 16) At the time of survey, there was evidence of current earth moving work, but there are no existing buildings on site, nor any current building construction.
- 17) At the time of survey there were no known changes in street right-of-way lines, either completed or proposed, and available from the controlling jurisdiction. The Oconee Connector is currently under construction of a widening project, (GDOT project #STP00-1267-0010081).
- 18) The surveyor was not provided any documentation, was not made aware of, and did not observe any ground markings or observe evidence on the subject property with regards to wetlands on subject properties.

TITLE EXCEPTIONS (SUBJECT PARCEL)

Concerning Schedule B-2 (C. Special Exceptions) Stewart Title Guaranty Company (Commitment No. 170553), effective April 25, 2017, the following items affect subject parcel.

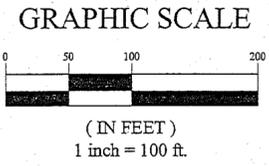
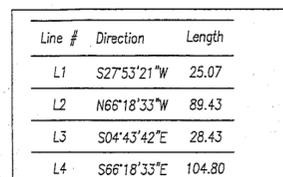
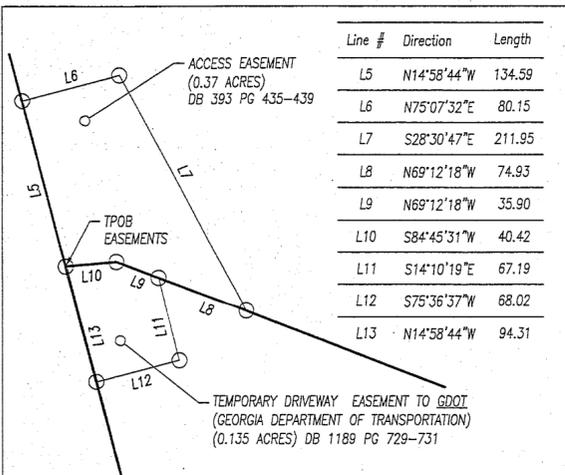
1. Not a survey matter.
2. Right of Way Deed between 316 Holding Group, Grantor, the Department of Transportation, Grantee, dated June 26th, 1997, recorded in Deed Book 403, Page 15, has no plottable items. Boundary common with adjacent right-of-ways as shown.
3. Right of Way Deed between 316 Holding Group, Grantor, and the Department of Transportation, Grantee, dated March 18, 1997, recorded in Deed Book 393, Page 435, used as a reference for parcel boundary common with the easterly margin of right-of-way of The Oconee Connector and the southerly margin of right-of-way of Highway 316, and includes access easement, as shown.
4. Right of Way Deed recorded in Deed Book 231, Page 202, is a historical reference. Current boundary common with the southerly margin of the public right-of-way of Highway 316, as shown.
5. Right of Way Deed between O. W. Russom, Grantor, and Oconee County, Georgia, Grantee, dated August 22, 1955, recorded in Deed Book EE, Page 5, is a historical reference and not plottable from deed. Current boundary lines common with public rights-of-way are as shown.
6. Right of Way Deed between Mrs. Addie Booth, Grantor, and Oconee County, Georgia, Grantee, dated October 20th, 1940, recorded in Deed Book DD, Page 67, is a historical right-of-way reference and not plottable from deed. Current boundary lines common with public rights-of-way are as shown.
7. Right of Way Deed between Jerry M. Bond, Grantor, and Oconee County, Georgia, Grantee, dated October 24th, 1944, recorded in Deed Book DD, Page 66, is a historical reference and not plottable from deed. Current boundary lines common with public rights-of-way are as shown.
8. Right of Way Deed between C. V. Langford, Grantor, and Oconee County, Georgia, Grantee, dated May 20th, 1953, recorded in Deed Book CC, Page 265, is a historical reference and not plottable from deed. Current boundary lines common with public rights-of-way are as shown.
9. Right of Way Deed between J. M. Bond, Grantor, and Oconee County, Georgia, Grantee, dated May 20th, 1953, recorded in Deed Book CC, Page 264, is a historical reference and not plottable from deed. Current boundary lines common with public rights-of-way are as shown.

NOTE: RECORDED EXCEPTIONS LISTED ABOVE ARE FILED IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF OCONEE COUNTY, GEORGIA.

LEGAL DESCRIPTION

All that tract, or parcel of land, lying and being in G.M.D. 1331, Oconee County, Georgia, containing 4.541 acres of land, and being more particularly described as:

Beginning at the intersection of the easterly margin of right-of-way of the Oconee Connector with the southerly margin of right-of-way of Highway 316, being the TRUE POINT OF BEGINNING; thence along the right-of-way of Highway 316 North 88 degrees 13 minutes 05 seconds East, 219.55 feet to a point; thence 141.41 feet along an arc of a curve to the left, said curve having a radius of 1245.92 feet, a chord bearing of South 87 degrees 19 minutes 59 seconds East, and a chord distance of 141.33 feet to an iron pin; thence leaving said right-of-way South 04 degrees 45 minutes 31 seconds East, 647.64 feet to an iron pin; thence North 69 degrees 12 minutes 18 seconds West, 279.67 feet to a point; thence South 84 degrees 45 minutes 31 seconds West, 40.42 feet to a point on the easterly margin of right-of-way of The Oconee Connector; thence along said right-of-way North 14 degrees 58 minutes 44 seconds West, 173.16 feet to a point; thence 389.02 feet along an arc of a curve to the right, said curve having a radius of 1801.01 feet, a chord bearing of North 10 degrees 04 minutes 15 seconds West, and a chord distance of 388.26 feet to the TRUE POINT OF BEGINNING.

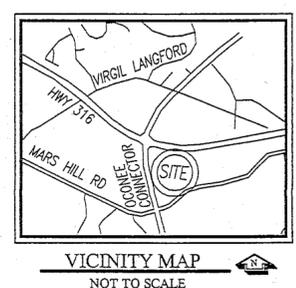
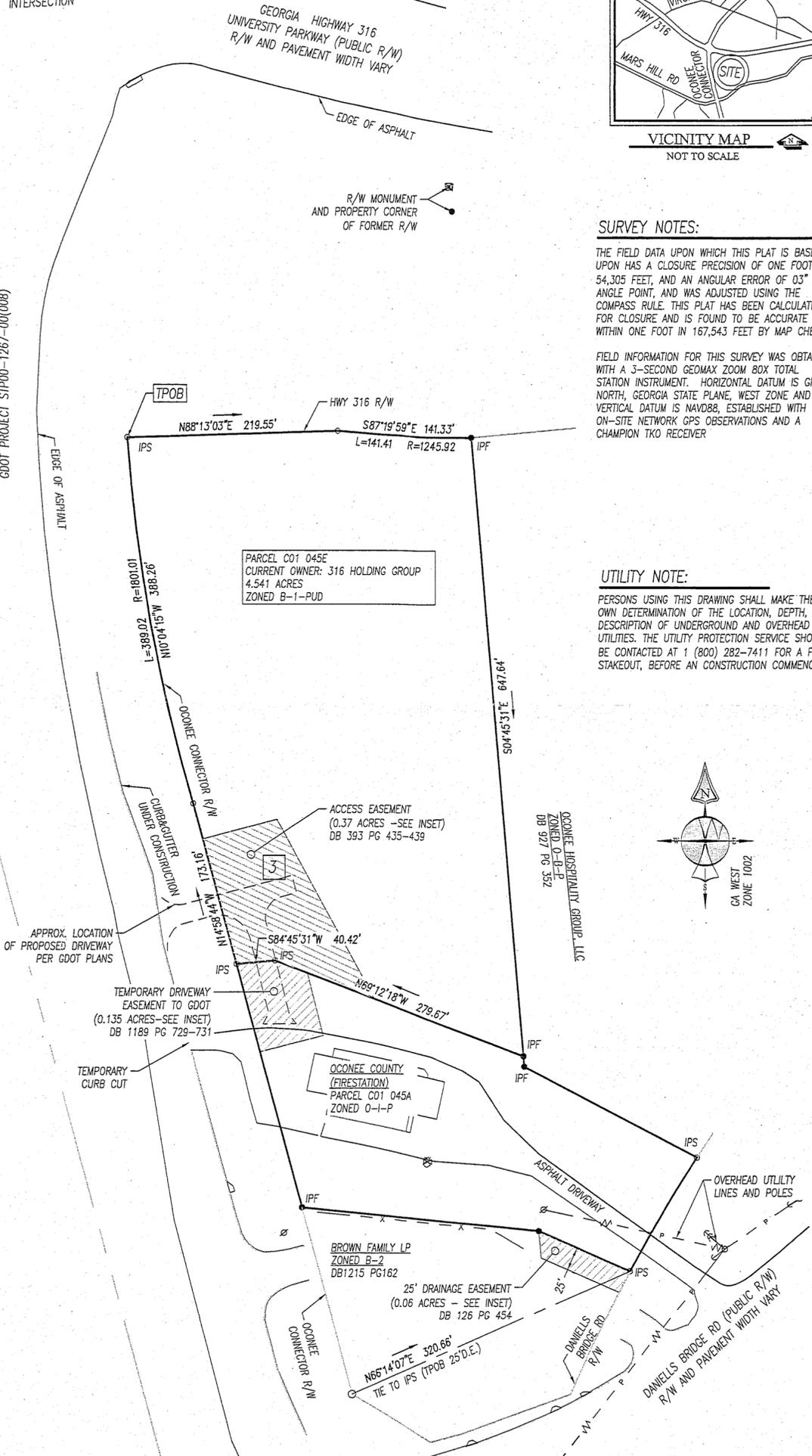


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JUL 24 2017

- LEGEND:**
- B.S.L. = BUILDING SETBACK LINE
 - IPF = IRON PIN FOUND
 - IPS = IRON PIN SET
 - OTP = OPEN TOP PIPE
 - POB = POINT OF BEGINNING
 - R/W = RIGHT-OF-WAY
 - TPOB = TRUE POINT OF BEGINNING
 - = PROPERTY CORNER
 - = PROPERTY CORNER FOUND

SIGNALIZED INTERSECTION

OCONEE CONNECTOR
150' PUBLIC RIGHT OF WAY
CURRENTLY UNDER CONSTRUCTION:
GDOT PROJECT STP00-1267-00(008)



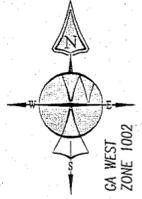
SURVEY NOTES:

THE FIELD DATA UPON WHICH THIS PLAT IS BASED UPON HAS A CLOSURE PRECISION OF ONE FOOT IN 54,305 FEET, AND AN ANGULAR ERROR OF 03" PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 167,543 FEET BY MAP CHECK.

FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A 3-SECOND GEOMAX ZOOM 80X TOTAL STATION INSTRUMENT. HORIZONTAL DATUM IS GRID NORTH, GEORGIA STATE PLANE, WEST ZONE AND VERTICAL DATUM IS NAVD88, ESTABLISHED WITH ON-SITE NETWORK GPS OBSERVATIONS AND A CHAMPION TKO RECEIVER.

UTILITY NOTE:

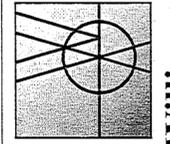
PERSONS USING THIS DRAWING SHALL MAKE THEIR OWN DETERMINATION OF THE LOCATION, DEPTH, AND DESCRIPTION OF UNDERGROUND AND OVERHEAD UTILITIES. THE UTILITY PROTECTION SERVICE SHOULD BE CONTACTED AT 1 (800) 282-7411 FOR A FIELD STAKEOUT, BEFORE AN CONSTRUCTION COMMENCES.



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SURVEY FOR:

316 HOLDING GROUP

GMD: 1331 (OCONEE COUNTY, GA)
PROJECT NO: 17040
LAST DATE OF FIELD WORK: 05/18/2017
DATE OF PLAT: 07/17/2017

SCALE: 1"=100'

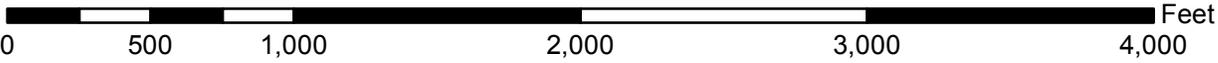
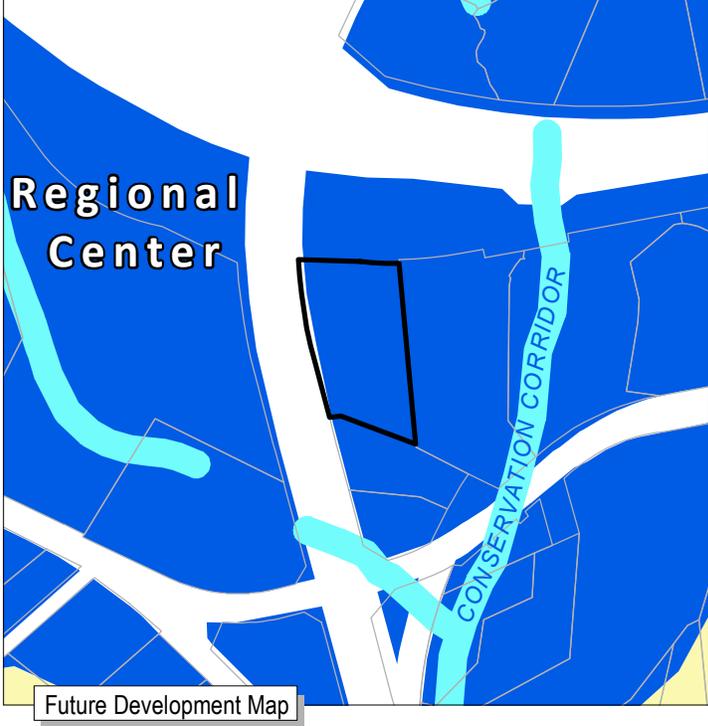
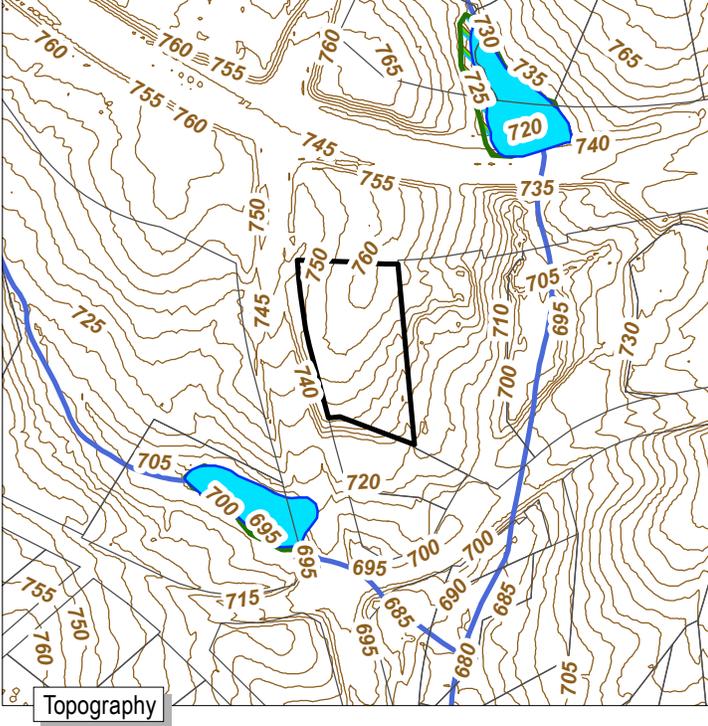
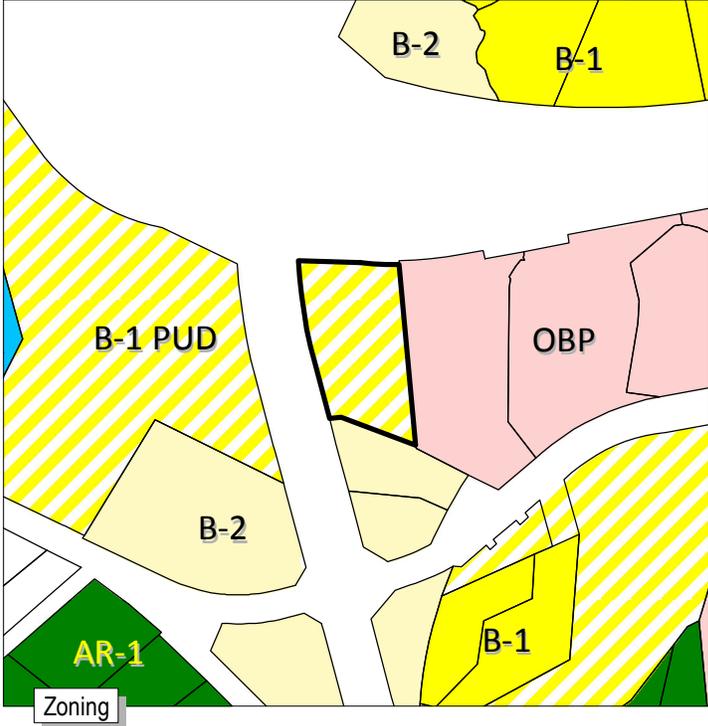
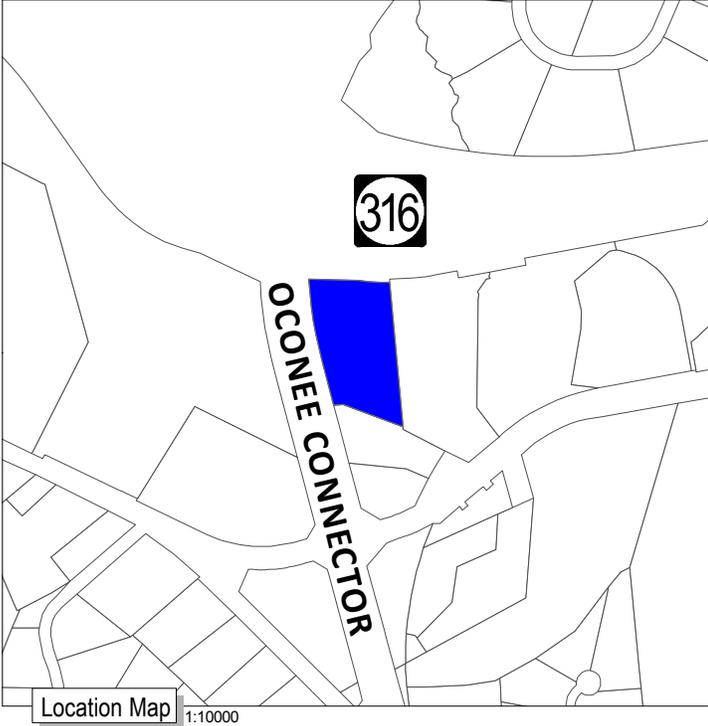
REVISIONS

NO.	DATE	DESCRIPTION

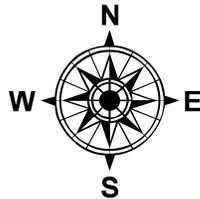
John Mark Dunlap, GA RLS 3142
Date 7/17/2017

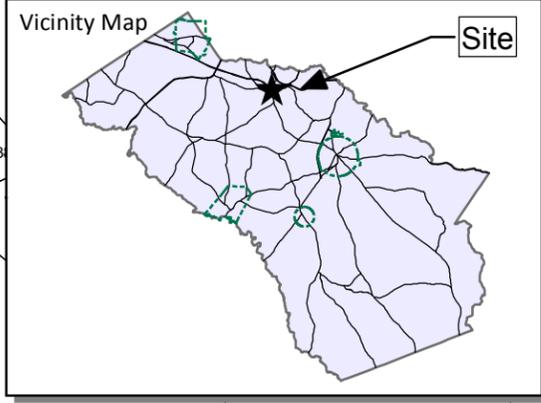


316 Holding Group Site Review



1:8000





Site

GA Hwy 316 E

GA Hwy 316 W GA Hwy 316 E

Jennings Mill Rd

Oconee Connector

Daniells Bridge Rd

Mars Hill Rd

Hollow Creek Ln

Daandra Dr

C 01

B 04

B 04M

B 04K

B 04N

B 04A

43
21

45D
13.23

45
26.6

45E
4.53

4A
6.3

4
6.94

3
5.4

2
5.56

2CA

201

261

100

1CA
5.21

1

43
21

44

48

45B
6.86

45A

45BC

8B

1
17.51

10A
12.38

13

49
4

55

54D

45BA
3.57

001

7AA

7A
3.13

7E
14.32

8
26.61

8A

11

15

14

1B

C 01B 1A

2A

54CA

54C

002

002

10

9

Oconee County Planning Department
 This map is representative of the digital tax map and should be used for planning purposes only.
 Scale: 1:3,000