

**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 John A. Long submitted on November 27, 2017.

**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 John A. Long on November 27, 2017 regarding a ±3.6 acre tract of land located on the west side of Julian Drive in the 240<sup>th</sup> G.M.D., Oconee County, Georgia, TAX PARCEL NUMBER B-02B-012A, 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 345.02 (a), to allow an accessory structure exceeding 1,000 square feet in a residential zoning 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 February 6, 2018.

ADOPTED AND APPROVED, this 6<sup>th</sup> day of February, 2018.

**OCONEE COUNTY BOARD OF COMMISSIONERS**

BY: \_\_\_\_\_

John Daniell, Chairman

Mark Thomas, Member

Chuck Horton, Member

W. E. "Bubber" Wilkes, Member

Mark Saxon, Member

ATTEST:

Kathy Hayes  
Kathy Hayes  
Clerk, Board of Commissioners



**CONDITIONS**

1. The gross floor area of the subject accessory structure shall not exceed 1,280 square feet.
2. The owner of the subject property shall obtain a building permit for the subject accessory structure within thirty days of the present special exception variance approval.

**NARRATIVE**

To: Oconee county GA

To whom it may concern John A. Long is requesting a special exception variance 345.02 (a) to allow residential structure exceeding 1000 sq. ft. The barn dimension are 40 X 30 exceeding by 200 sq. ft. The barn will serve the purpose of storage and hobby purpose. The barn complies with all R-1 specs with the exception of 345.02 (a). Set backs are within spec. As well as placement. The barns is well kept and has matching roof to residential home on property.

Sincerely,

John A. Long



12/6/2017

**LEGAL DESCRIPTION**

**All that tract or parcel of land, together with all improvements, situate, lying or being in the 240th District, G.M., Oconee County, Georgia, designated as Lot 12, Block A of Deerbrook Subdivision, as shown by plat and survey entitled "Survey for Deerbrook Subdivision Lots 12, 13 and 32, Block A", prepared by Ben McLeroy & Associates, Inc., Engineers and Surveyors, dated January 21, 1981 and recorded in Plat Book 7, Page 212, Oconee County, Georgia Records; which plat and the recording thereof are hereby incorporated herein by reference for a more detailed description of the property.**

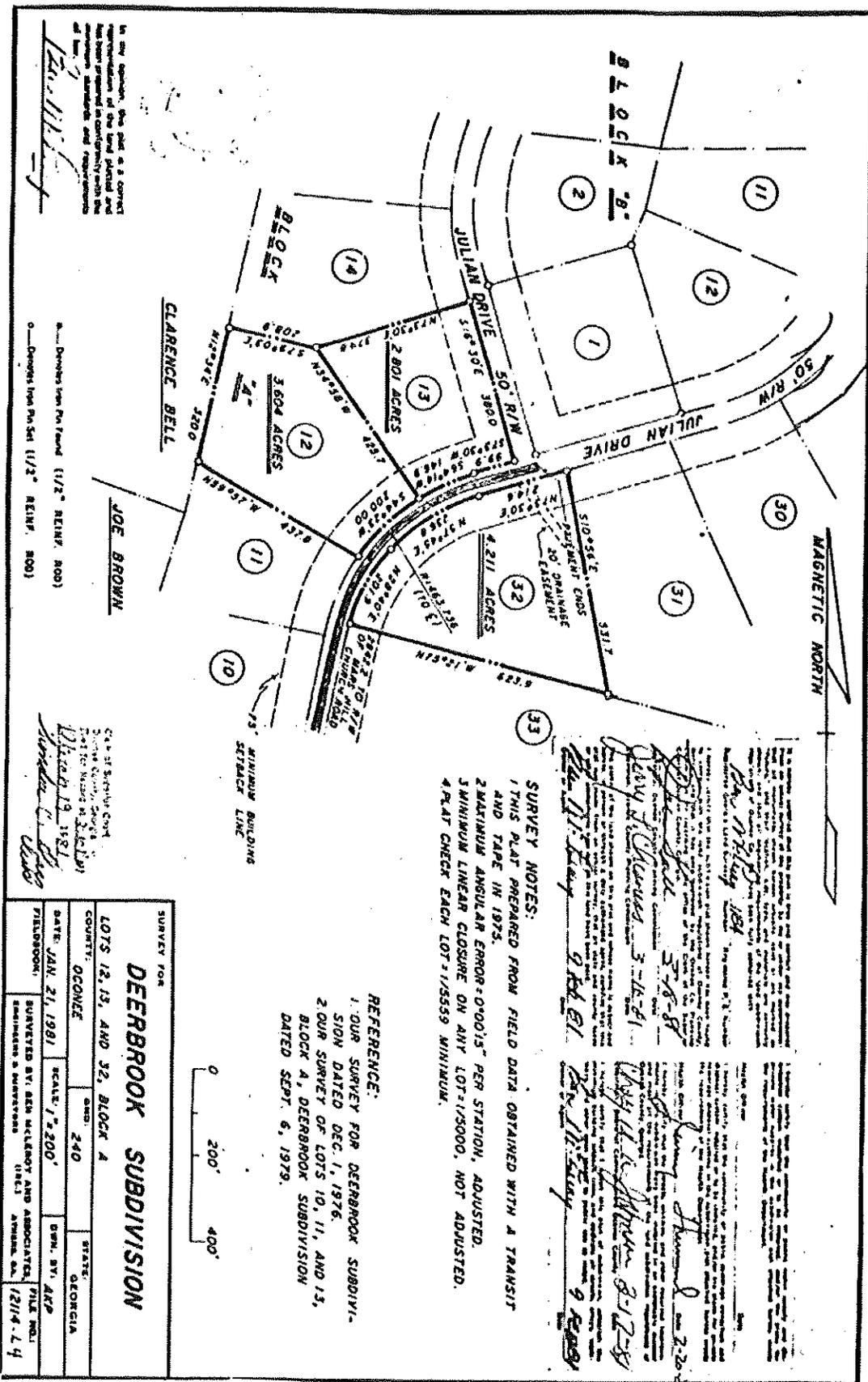
**This conveyance is subject to all covenants, easements, and restrictions of record.**

**Prior Deed Reference: Deed Book 1134, Page 54, and Deed Book 1140, Page 419, said records.**

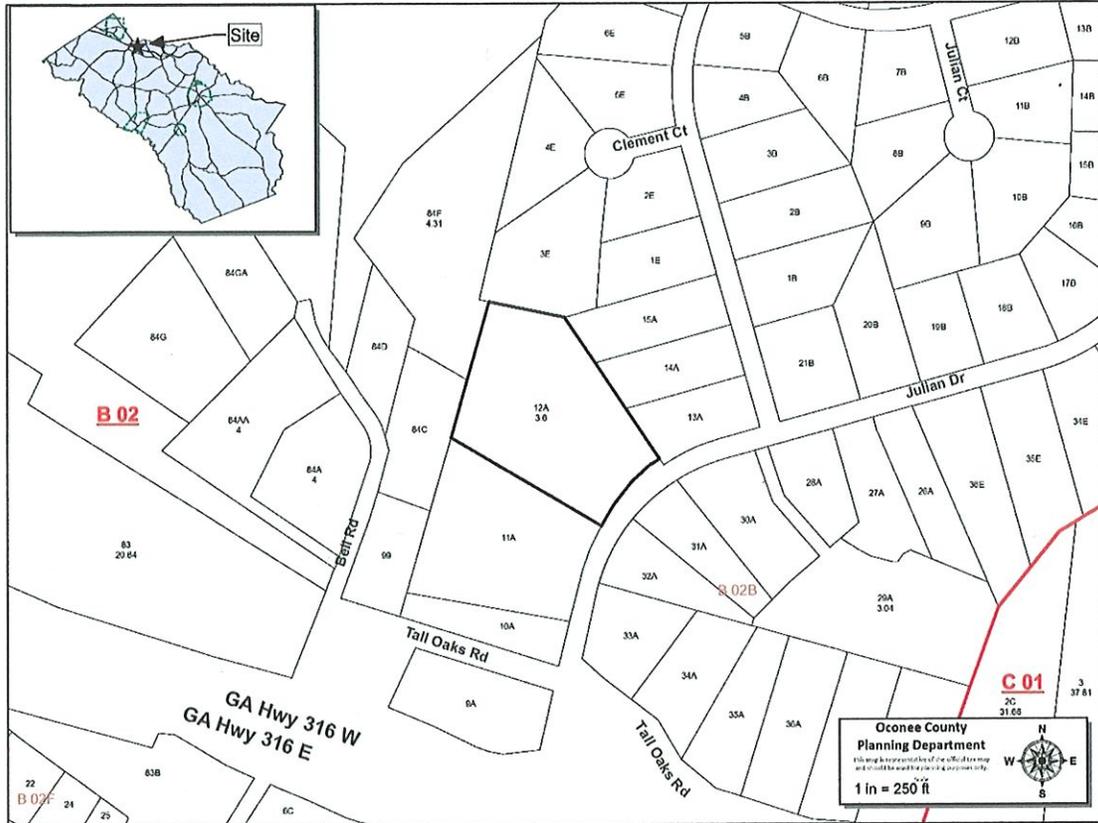
**Tax Map / Parcel I.D. No. B02B-12A**

**Known as 1321 Julian Drive, Watkinsville, Georgia 30677 according to the present system of numbering houses in Oconee County, Georgia.**

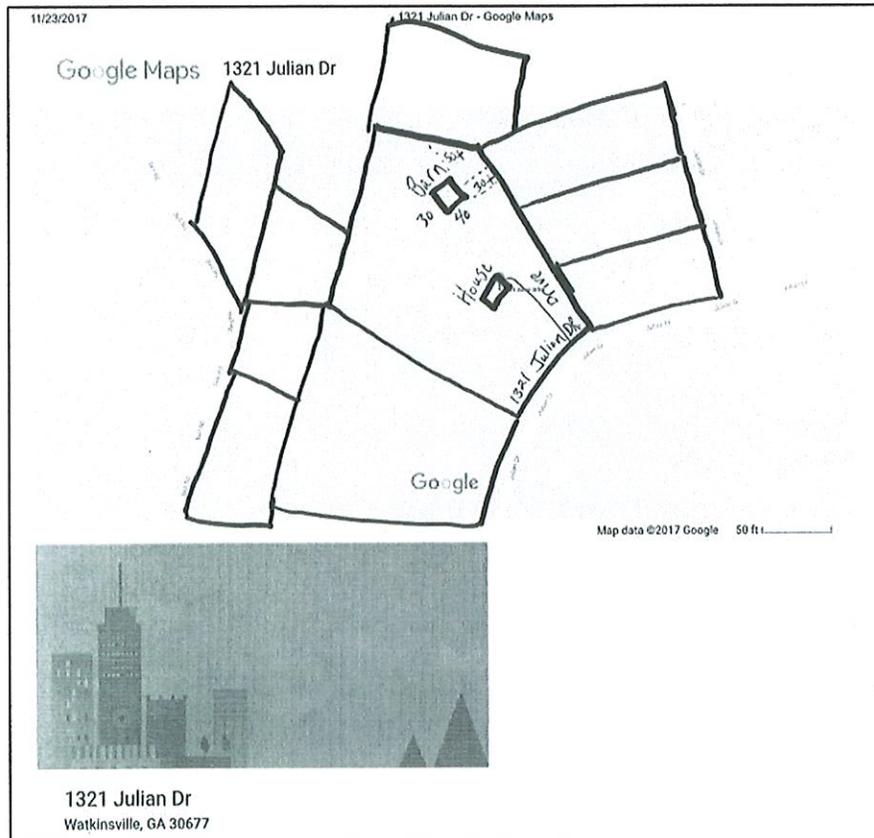
PLAT



TAX MAP



DEVELOPMENT PLAN





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

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**VARIANCE CASE #:** 7353

**DATE:** January 22, 2018

**STAFF REPORT BY:** Gabriel Quintas, Planner

**APPLICANT NAME:** John A. Long

**PROPERTY OWNER:** John A. Long

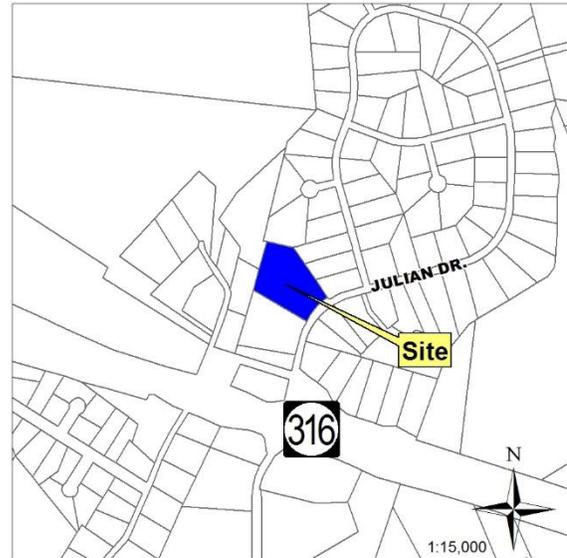
**LOCATION:** 1321 Julian Drive, north of GA State Route 316

**PARCEL SIZE:** ± 3.6 Acres

**EXISTING ZONING:** R-1 (Single Family Residential)

**EXISTING LAND USE:** Residential

**TYPE OF VARIANCE REQUESTED:** Special Exception



**REQUEST SUMMARY:** The property owner is requesting approval of a special exception variance to allow an accessory structure exceeding 1,000 square feet in a residential zoning district. The structure is already built, and the present request effectively serves to bring said structure into compliance with UDC Section 342.02 (a).

**DATE OF SCHEDULED HEARING**

**BOARD OF COMMISSIONERS:** February 6, 2018

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

## **BACKGROUND INFORMATION & FINDINGS OF FACT**

### **HISTORY**

- The subject property was rezoned to R-1 by the BOC in 1970 to allow the development of a single-family subdivision.
- The subject lot within Deerbrook Subdivision was final platted in 1981 (PB 7, PG 212).

### **SITE VISIT DESCRIPTION**

- The subject site is wooded towards the rear and contains a 1,965 sq. ft. single-family residence built in 1983.
- An approximately 1,200 sq. ft. barn is located towards the rear of the residence. Staff notes that a building permit was not obtained for the barn.

### **VARIANCE REQUEST DESCRIPTION**

- The owner is requesting approval of a special exception variance for relief from Section 345.02 (a) of the Unified Development Code, which limits the gross floor area of accessory buildings in a residential zoning district to a maximum of 1,000 square feet:
  - Section 345.02—Size limitations.
    - a. *Any accessory building to a residence in a residential zoning district that exceeds 1,000 square feet of gross floor area must have Special Exception Variance approval by the Board of Commissioners as to the location, architectural design, and size prior to commencing construction.*
- The accessory structure is already built; the owner wishes to bring the structure into compliance by obtaining a special exception variance to allow the additional square footage over 1,000.

### **ENVIRONMENTAL**

- No 100-Year Flood Plain or Jurisdictional Wetland areas are located on the site.
- 

## **COMMENTS FROM OTHER DEPARTMENTS & AGENCIES**

### **CODE ENFORCEMENT**

- Upon inspection of the subject property on 10/31/17, code enforcement determined that the subject accessory structure is in a state of noncompliance with the UDC and the County Code of Ordinances for failing to obtain a building permit prior to commencement of construction of said structure and for exceeding the 1,000 sq. ft. gross floor area limitation for accessory structures within a residential district without prior approval of a special exception variance from the Board of Commissioners.
- 

## **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:**

- a. **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 structure is located on a sufficiently large lot to accommodate the roughly 200 square foot exceedance above the area limitation imposed by UDC Section 345.02 (a).

- b. **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.
- c. **Diminish and impair property values within the surrounding neighborhood:** Approval of the present request should not diminish or impair property values within the surrounding neighborhood. The subject accessory structure is currently in compliance with setback requirements and height requirements of the UDC, and thus should not pose any detriment to the surrounding residences.
- d. **Impair the purpose and intent of this Development Code:** The intent of UDC Section 345.02 (a) is to limit the size of accessory structures in residential districts and to require review by the Board for any such structure that exceeds this area limitation prior to commencement of construction to ensure the adequacy of the location, size, and design. The requested variance is not in conformity with this intent because the structure is already built. Accordingly, staff holds that the present request does not meet the necessary conditions to grant a special exception variance because the present standard of consideration for approval is not satisfied.

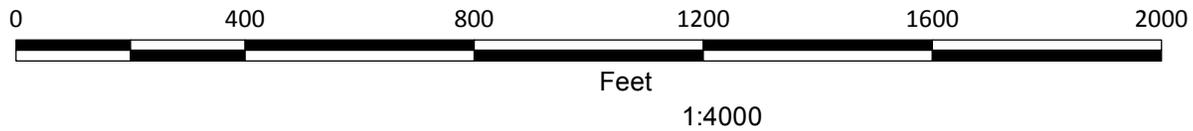
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### **STAFF SUMMARY & CONDITIONAL RECOMMENDATIONS**

Based upon the standards for granting a special exception variance, this request **does not** meet the necessary conditions to grant a special exception variance. If granted, staff recommends that approval **be subject to the following conditions to be fulfilled by the owner/developer at his expense:**

1. The subject structure shall not be expanded from the current footprint of said structure.

# John Long Variance





# OCONEE COUNTY APPEAL APPLICATION

Type of Appeal Submitted:

- Hardship Variance
- Appeal of Administrative Decision
- Flood Damage Prevention Variance
- Special Exception for: Residential accessory structure exc. 1,000 sq. ft.

### Applicant

Name: John A. Long  
 Address: 1321 Julian Dr.  
(No P.O. Boxes)  
Watkinsville GA 30677  
 Telephone: (404) 680-8589

### Property Owner

Name: John A. Long  
 Address: 1321 Julian Dr.  
(No P.O. Boxes)  
Watkinsville GA 30677  
 Telephone: (404) 680-8589

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

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

Signature: [Signature] Date: 12/6 Notarized: [Signature]



### Property

Location: 1321 Julian Dr.  
Watkinsville GA 30677  
 Tax Parcel Number: B 02B 012A  
 Size (Acres): 3.66 Current Zoning: R1  
 Future Development Map—Character Area Designation: \_\_\_\_\_

### Use

Current Use: Home/Residential  
 Proposed Use: Barn, Storage  
Regional Center

### Attachments (check all that apply)

- Property Owner's Authorization (if applicable)
- Application Fee
- Warranty Deed(s), Legal Description, & Plat of Survey
- Disclosures
- 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

345.02 A - allow Residential  
Structure Exceeding 1,000 sq. ft.  
**RECEIVED**  
**DEC 06 2017**  
 By: [Signature]

For Oconee County Staff Use Only

**Application**  
 Date Received: 11/21/17 Date Accepted: 12/06/17  
 DRI Transmitted to RDC  Date: \_\_\_\_\_  N/A  
 Review Submitted: \_\_\_\_\_ Location Map: \_\_\_\_\_  
 Posted: \_\_\_\_\_ Ad: \_\_\_\_\_ Ad: \_\_\_\_\_  
 Application Withdrawn  Date: \_\_\_\_\_

APPLICATION NUMBER

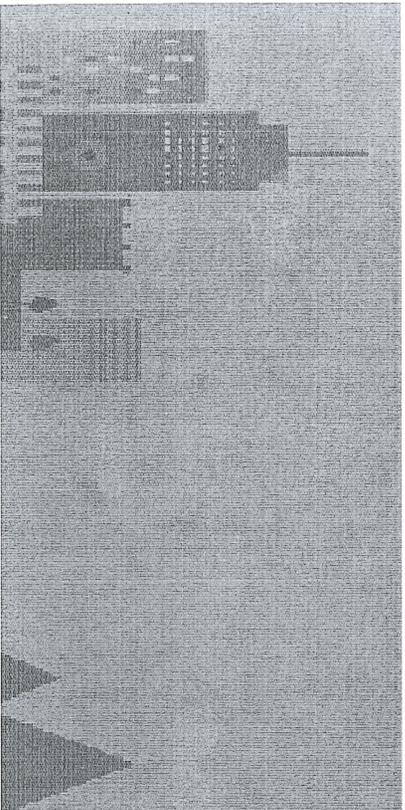
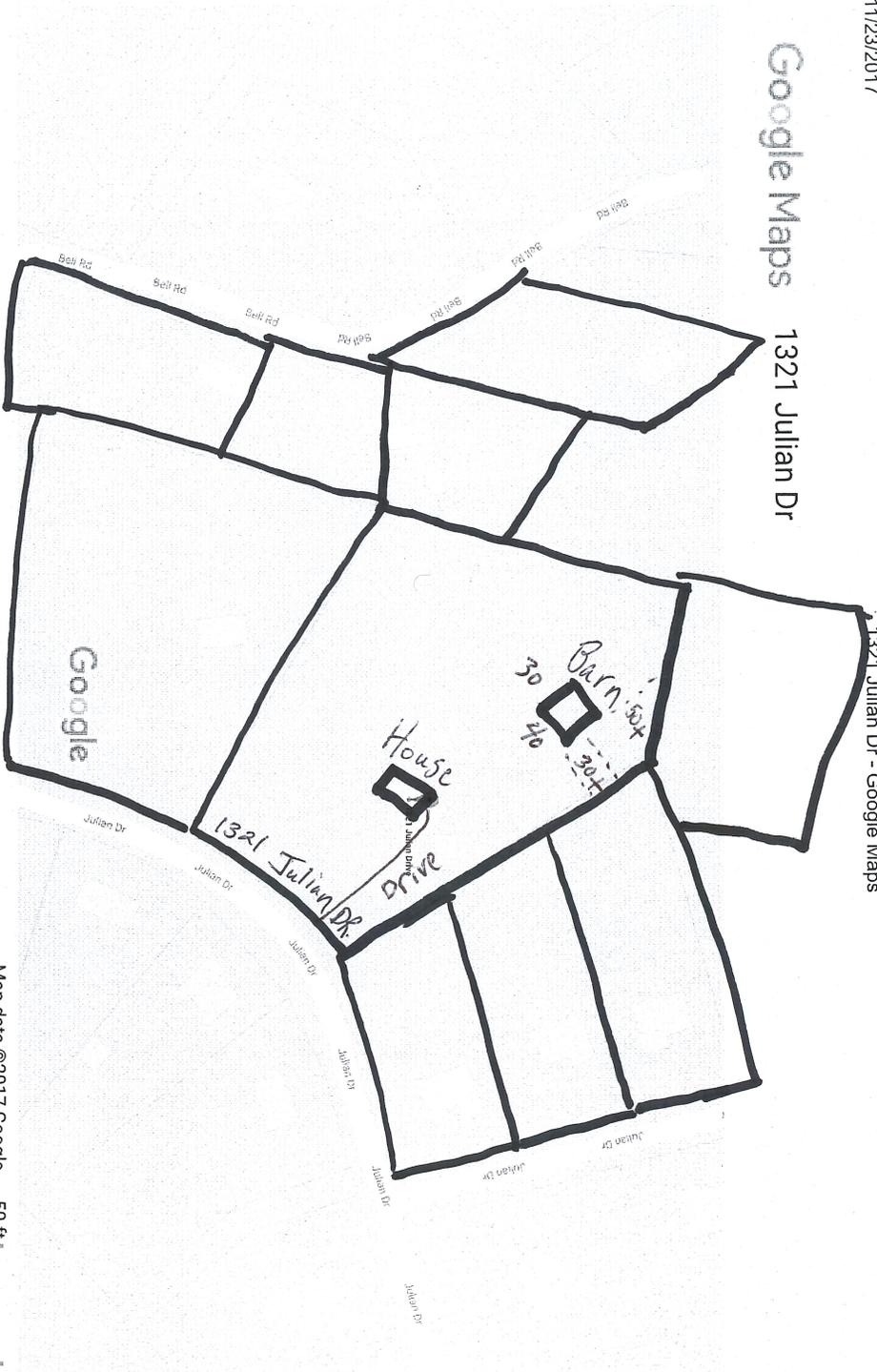
7353

### Action

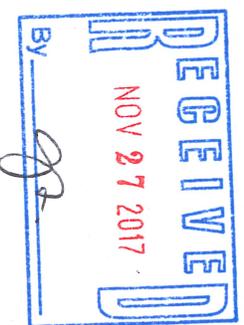
- Administrative Appeal: Date: \_\_\_\_\_
- Approved  With Conditions  Denied  N/A
  - Board of Commissioners Date: 02/06/2018
  - Approved  With Conditions  Denied  N/A

Google Maps 1321 Julian Dr

1321 Julian Dr - Google Maps



1321 Julian Dr  
Watkinsville, GA 30677



To: Oconee county GA

To whom it may concern John A. Long is requesting a special exception variance 345.02 (a) to allow residential structure exceeding 1000 sq. ft. The barn dimension are 40 X 30 exceeding by 200 sq. ft. The barn will serve the purpose of storage and hobby purpose. The barn complies with all R-1 specs with the exception of 345.02 (a). Set backs are within spec. As well as placement. The barns is well kept and has matching roof to residential home on property.

Sincerely,

John A. Long

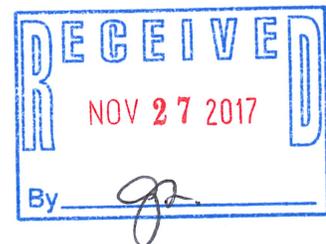
*John A. Long*  
12/6/2017



John Long  
1321 Julian Dr.  
Watkinsville Ga 30677

In February 2016 I started construction of 40 X 30 barn by myself. No malicious or deceptive intent was intended. Materials acquired to construct the barn dictated the size in which I built the barn. Old telephone poles and repurposed trusses that spanned 40 ft. In length. Variance I am requesting for is 345.02 the barn is 200 sq. Feet over 1000 sq. Ft. allowed. All other features of barn comply with zoning.

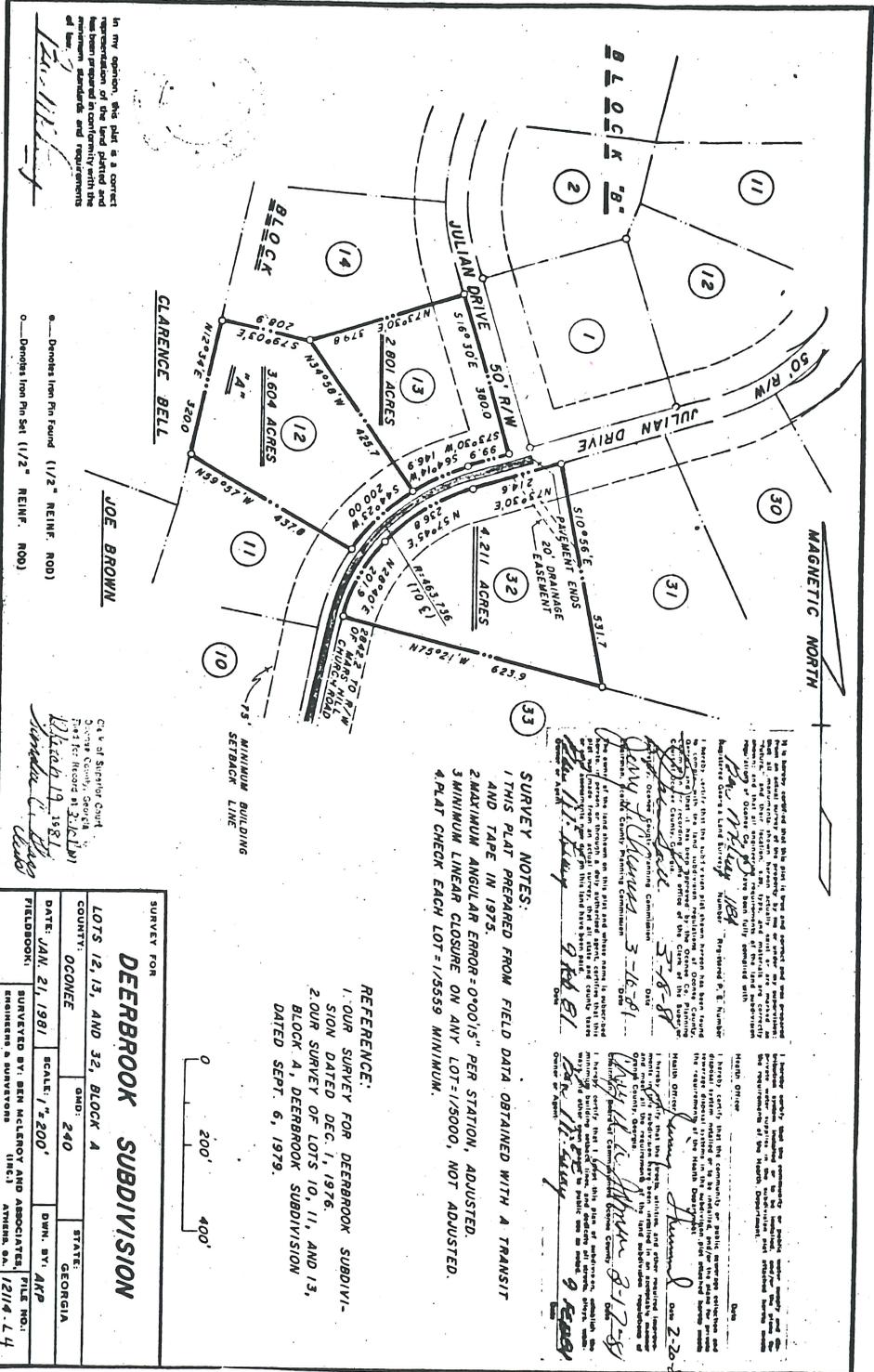
John Long



Concept Plan  
1321 Julian Drive  
Watkinsville Ga 30677

The 40x30 pole barn was constructed for storage and hobby purposes for the dwelling. The location of the barn complies with zoning, see attached maps and pictures for further detail. This barn is constructed with matching roof and well kept.





In my opinion, this plat is a correct representation of the land shown and has been prepared in conformity with the minimum standards and requirements of law.

*Paul W. Bell*

○ Denotes Iron Pin Found (1/2" REINF. ROD)  
 ○ Denotes Iron Pin Set (1/2" REINF. ROD)

City of Superior Court  
 Public Court, Georgia  
 District Court, Superior  
 Clerk of Court  
*Shirley L. Bell*  
 1981

I hereby certify that the subdivision and shown herein has been found to conform with the requirements of the laws of the State of Georgia relating to the subdivision of land and that the same are in conformity with the minimum standards and requirements of law.

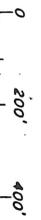
*Paul W. Bell* 184  
 Registered Professional Surveyor  
 State of Georgia  
 Commission No. 3-16-81  
 Date 9 Feb 81

I hereby certify that the community or public drainage easements and other easements shown on this plat are in conformity with the laws of the State of Georgia relating to the subdivision of land and that the same are in conformity with the minimum standards and requirements of law.

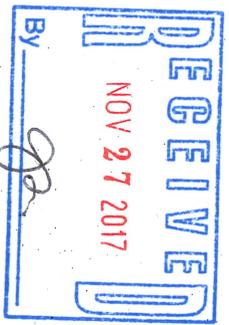
*Paul W. Bell* 184  
 Registered Professional Surveyor  
 State of Georgia  
 Commission No. 3-16-81  
 Date 9 Feb 81

- SURVEY NOTES:**
- 1 THIS PLAT PREPARED FROM FIELD DATA OBTAINED WITH A TRANSIT AND TAPE IN 1975.
  - 2 MAXIMUM ANGULAR ERROR = 0-00'15" PER STATION, ADJUSTED.
  - 3 MINIMUM LINEAR CLOSURE ON ANY LOT = 1/5000, NOT ADJUSTED.
  - 4 PLAT CHECK EACH LOT = 1/5559 MINIMUM.

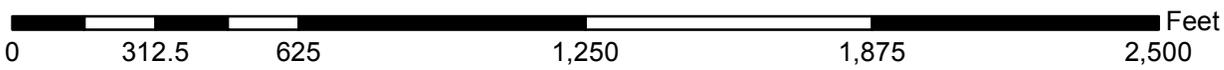
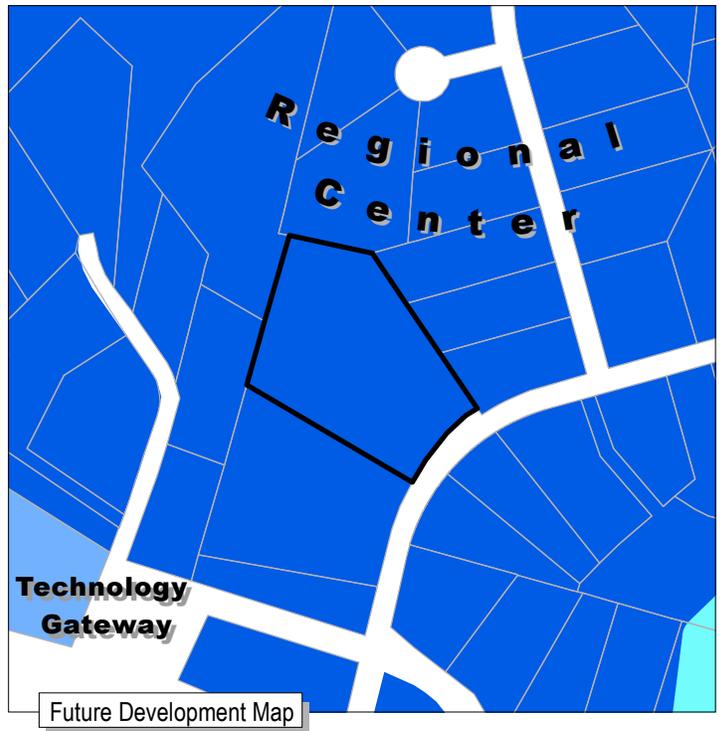
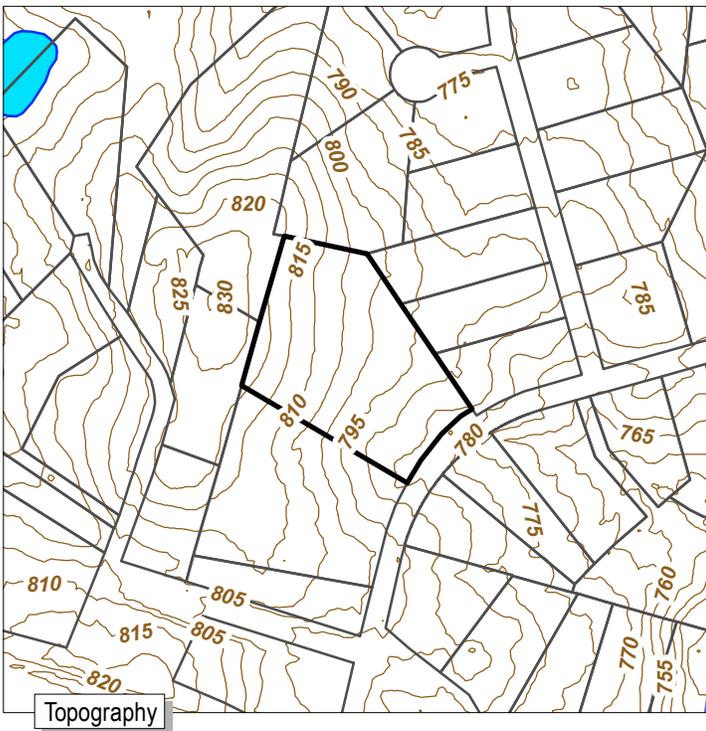
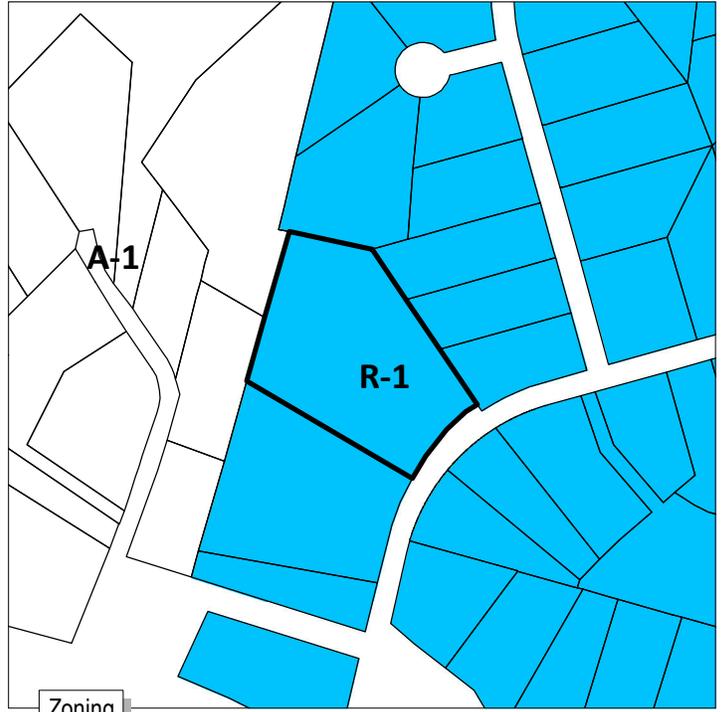
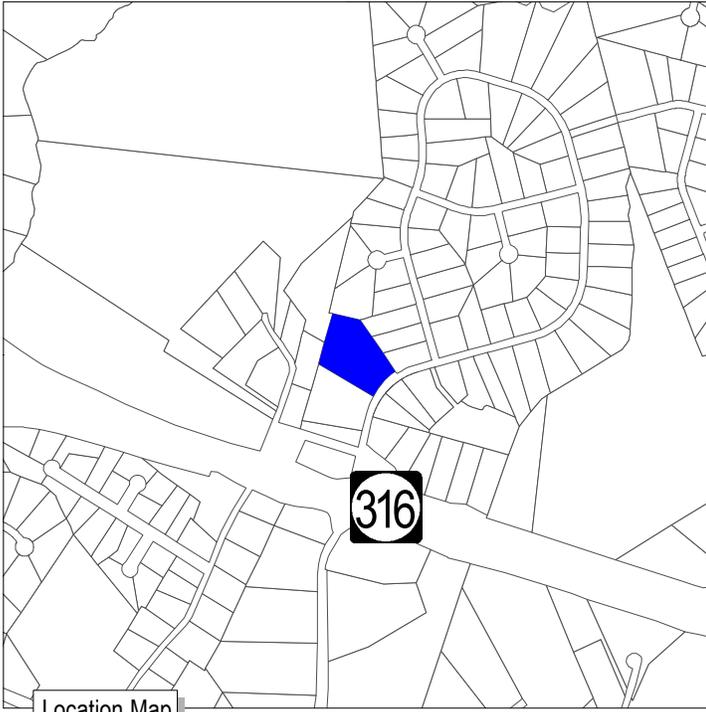
- REFERENCE:**
- 1 OUR SURVEY FOR DEERBROOK SUBDIVISION DATED DEC. 1, 1976.
  - 2 OUR SURVEY OF LOTS 10, 11, AND 13, BLOCK A, DEERBROOK SUBDIVISION DATED SEPT. 6, 1979.



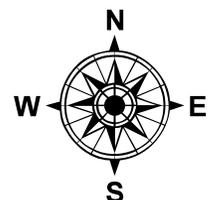
SURVEY FOR			
<b>DEERBROOK SUBDIVISION</b>			
LOTS 12, 13, AND 32, BLOCK A			
COUNTY:	OCONEE	AND:	240
STATE:	GEORGIA		
DATE:	JAN. 21, 1981	SCALE:	1" = 200'
FIELDBOOK:	SURVEYED BY BEN MCLENOY AND ASSOCIATES, INC., ALBANY, GA.		
		FILE NO.:	12114-L4

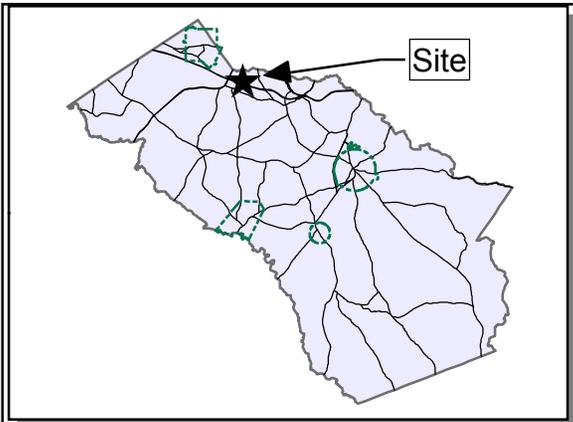


# John Long Variance Site Review

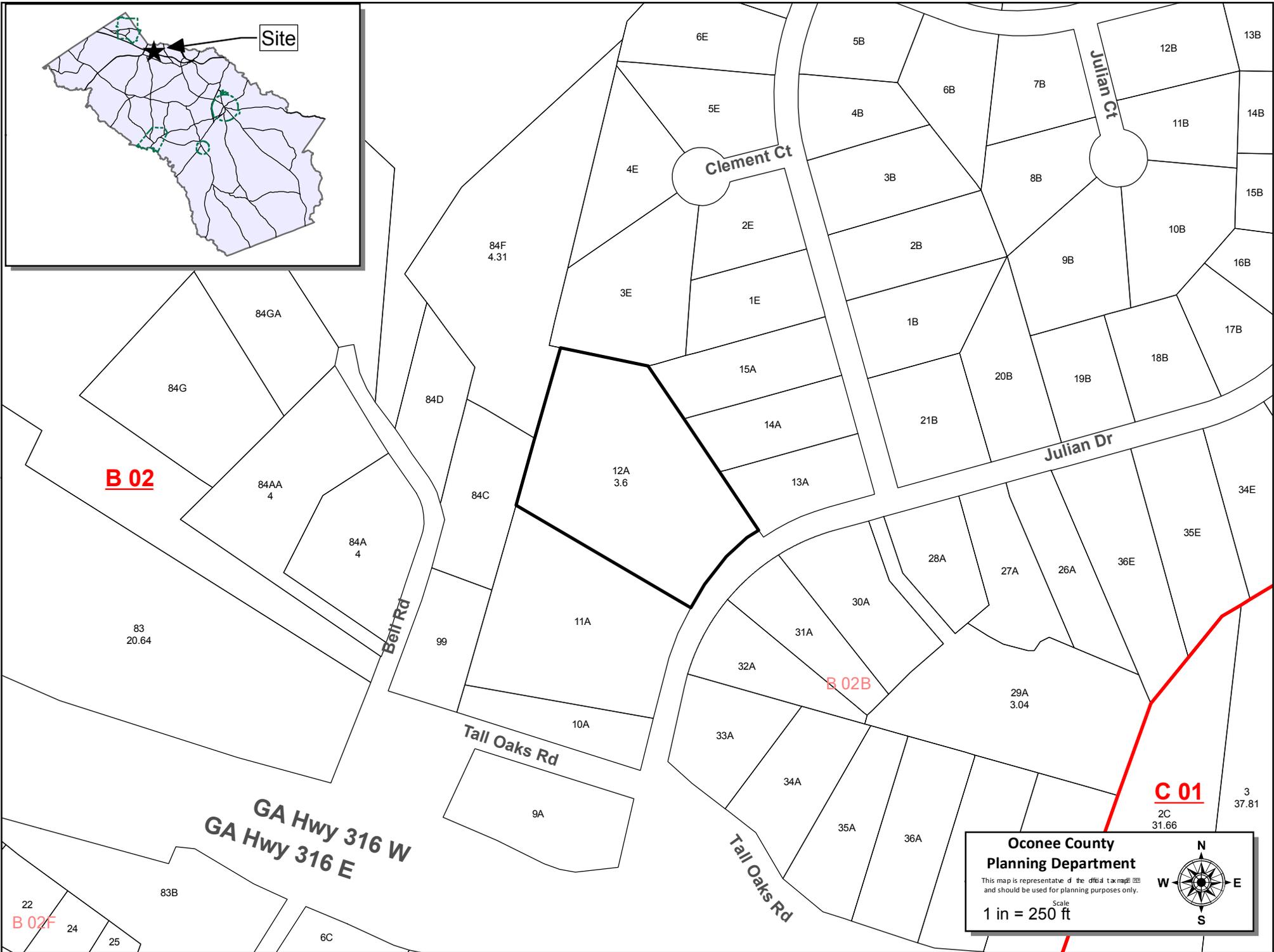


1:5000





Site



**B 02**

**B 02B**

**C 01**

GA Hwy 316 W  
GA Hwy 316 E

**Oconee County  
Planning Department**

This map is representative of the official tax map and should be used for planning purposes only.

Scale  
1 in = 250 ft

**B 02F**