

ACTION DENYING REZONE REQUEST

APPLICATION SUBMITTED BY: 1699 Land Company, LLC

APPLICATION SUBMISSION DATE: January 19, 2018

RE: Request for rezoning of a ± 105.23-acre tract of land located on south side of Rocky Branch Road in the 1331st G.M.D., Oconee County, Georgia, (tax parcel numbers (TAX PARCEL numbers B-03-025 & B-03-025A) from A-1 (Agricultural) to R-1 (Single-Family Residential).

After consideration and a motion and second, the Oconee County Board of Commissioners does hereby deny the above-referenced request for rezoning.

This 3rd day of July, 2018.

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





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

REZONE CASE #: 7428

DATE: May 1, 2018

STAFF REPORT BY: Gabriel Quintas, Planner

APPLICANT NAME: 1699 Land Company, LLC

PROPERTY OWNER: Weaver Dove Land Group, LLLP

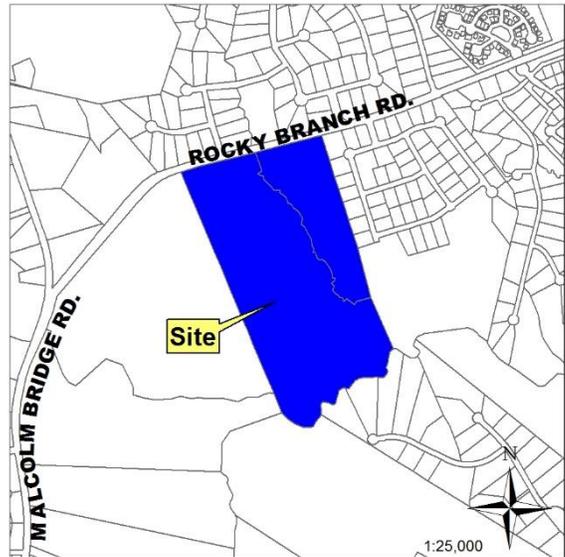
LOCATION: South side of Rocky Branch Road

PARCEL SIZE: ± 105.23 Acres

EXISTING ZONING: A-1 (Agricultural District)

EXISTING LAND USE: Woodland, undeveloped

ACTION REQUESTED: Rezone A-1 (Agricultural District) to R-1 (Single Family Residential District)



REQUEST SUMMARY: The applicant is petitioning for a rezone of the subject property to allow the development of a 77-lot single-family residential subdivision.

STAFF RECOMMENDATION: Staff recommends denial of this rezone request.

DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: May 21, 2018

BOARD OF COMMISSIONERS: June 05, 2018

- ATTACHMENTS:**
- Application
 - Zoning Impact Analysis
 - Narrative
 - Site Review
 - Representative Photos
 - Aerial Photo
 - Tax Map
 - Plat of Survey
 - Concept Plan

BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The subject site comprises two separate tracts (tax parcels B 03 025 – 81.64 acres & B 03 025A – 23.38 acres) created by an administrative subdivision of the parent tract in 2002.
- The subject property has been zoned A-1 (Agricultural) since the original adoption of the zoning map in 1968.

SITE VISIT DESCRIPTION

- The subject site contains several trails and is densely wooded. A hunting shed and the remains of a trailer are present on the site.
- Barber Creek runs along the rear property line of the subject property.
- An additional stream bisects the site (and forms the property line between B 03 025 & B 03 025A) before merging with Barber Creek.

SURROUNDING LAND USE AND ZONING

	EXISTING LAND USES	EXISTING ZONING
NORTH	Single-family residential subdivision (Old Waverly)	AR-1 (Agricultural Residential One Acre District)
SOUTH	Single-family residential subdivision (Vintage Farms – 20 vacant lots) and pastureland	AR-1 (Agricultural Residential One Acre District) w/ FP (Flood Prone Overlay District) & A-1 (Agricultural District)
EAST	Vacant, final-platted single-family residential subdivision (Autumn Glen – 54 vacant lots)	R-1 (Single-Family Residential District)
WEST	Large, undeveloped tract & large single-family residential tract containing pasture	A-1 (Agricultural District)

PROPOSED PROJECT DESCRIPTION

A single-family residential subdivision with interior public streets, sidewalks, street lights, on-site stormwater management facilities, and an amenity area is proposed.

- 77 single-family residential lots
 - Range of dwelling sizes: minimum 2,200 sf for one-storey and minimum 2,400 sf for two-storey
 - Range of dwelling prices: \$400,000 – \$600,000
 - Dwelling exteriors: traditional architectural style with brick, stone, shake, and cement-board siding
 - Lot size: 30,000 sf minimum with an average lot size of 40,526 sf
- A homeowner’s association is proposed for the control and maintenance of all common areas.
- Total estimated completed project value: \$34,650,000
- Construction is proposed to commence immediately following project approval.
- Total build-out of the project is proposed to take place between the summer of 2018 and the end of 2020.

TRAFFIC PROJECTIONS

- 770 ADT; 62 A.M. and 77 P.M. peak hour trips (Source: ITE Trip Generation Manual, 9th Edition)

PUBLIC FACILITIES

Water:

- The Oconee County Water Resources Department has indicated that sufficient water capacity exists to serve the proposed development.
- Connection to the 8-inch water main located within the right-of-way of Rocky Branch Road is proposed.
- Estimated water demand for full build-out: 20,020 GPD
 - Estimated water maximum day demand: 21.04 GPM
 - Estimated water peak hour demand: 63.13 GPM

Sewer:

- Conventional septic tanks and drain fields are proposed for all lots.

Roads:

- Interior public streets with curb and gutter are proposed throughout the development.
- One entrance along Rocky Branch Road is proposed for access to the development.
- A deceleration lane and an acceleration taper are proposed to facilitate access to the development.

ENVIRONMENTAL

- Approximately 17.67 acres of the subject property lie within the 100-Year Flood Plain.
- Approximately 22.60 acres are Jurisdictional Wetlands.
- Concrete curb and gutter, pipe, and grassed and/or natural waterways will be employed to collect and divert stormwater to a proposed stormwater management facility.

COMMENTS FROM OTHER DEPARTMENTS & AGENCIES

PUBLIC WORKS

- Provide street names, pavement widths, and right-of-way widths. Include cul-de-sac dimensions. These items can be addressed upon submittal of the Preliminary Plat.
- Prior to submittal of the Preliminary Plat, verify if a center left-turn lane is required on Rocky Branch Road. This needs to be done in accordance with Oconee County standards.
- Clarify how the CBU (mail kiosk) will be accessed. Public Works prefers that it be accessed from the proposed recreation area parking lot and not the proposed public street.
- Provide a one-foot no-access easement along any lot (including the amenity area) that has frontage along Rocky Branch Road.
- Regarding the drainage easement near lot 57 and a proposed detention area, verify whether or not this easement will be ditched. If ditched, Public Works suggests that the easement be routed in a fashion so as to remove the 90-degree turn.
- Please address the non-compliant [UDC Section 1008.04 (f) (2)] street that extends from lot 64 to 74 exceeding 1000 feet in length without a proposed turn around.

OCONEE COUNTY SCHOOLS - BOARD OF EDUCATION

- “We have found this will have an impact on the attendance zone for Rocky Branch Elementary School, Malcom Bridge Middle School, and North Oconee High School using the data provided by Oconee County Planning Department. There are currently 961 active lots within this attendance zone that have yet to be built upon. With the addition of Hudson’s Mill there is potential for 1,038 permits equating to a possible 519 additional students. Rocky Branch Elementary is 306 under capacity. North Oconee High School is 101 under capacity. Malcom Bridge Middle School is currently over capacity by 80 students.”

STAFF ANALYSIS

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE “STANDARDS FOR REZONING CONSIDERATION” AS SET FORTH IN SECTION 1207.01 OF THE *OCONEE COUNTY UNIFIED DEVELOPMENT CODE*.

- A. How does the current request compare to the existing uses and zoning of nearby properties?** The existing uses and zoning surrounding the subject area are primarily residential. However, approximately two-thirds of the Vintage Farms subdivision zoned AR-1 to the south of the property remains vacant, and the Autumn Glen subdivision zoned R-1 to the east of the subject property is entirely vacant. The Old Waverly subdivision zoned AR-1 lies directly across Rocky Branch Road. Pastureland, wooded tracts, and large residential tracts zoned A-1 border the subject property to the west and south. The general area contains higher-density residential uses towards Mars Hill Road within the Rowan Oak master-planned

development and the Sterling Mills retirement community, while lower-density residential uses become more common west of the subject property. Staff believes that the requested zoning district would be compatible with the existing residential zoning of the surrounding area. However, a lower-density residential use than what is currently proposed would be more appropriate for the subject property for reasons discussed throughout the present report.

- B. To what extent are property values diminished by the particular zoning restrictions of the current zoning category?** The present zoning category (A-1) limits the property owner's ability to subdivide the subject tracts. Given compliance with all other provisions of the Unified Development Code (e.g. minimum lot width, depth, access, road frontage, etc.), tax parcel B 03 025 could be administratively subdivided into a maximum of five minimum five-acre tracts, and tax parcel B 03 025A could be administratively subdivided into a maximum of four minimum five-acre tracts. Accordingly, the proposed single-family residential development would not be allowed under the current A-1 zoning of the subject tracts.
- C. To what extent does the destruction of the property values of the individual property owner promote the health, safety, or general welfare of the public with consideration to:**

- 1. Population density and effect on community facilities such as streets, schools, water and sewer?** Existing county water capacity and emergency services (i.e. fire, police) should be adequate for the proposed development. However, staff does have concerns about the increased traffic volume that can be expected of the proposed development. The most recent counts (December 2017) provided by the Public Works Department show that traffic on Rocky Branch Road currently amounts to approximately 2,726 average daily trips. At full build-out of the subdivision, the developer estimates that the traffic volume on Rocky Branch Road would increase by an additional 770 average daily trips bringing the total estimated traffic counts to roughly 3,500 ADT. Furthermore, the Oconee County Schools Board of Education has indicated that there are currently 961 active lots that have yet to be built upon within the school attendance zone of which the subject property is part. Accordingly, staff is concerned that the introduction of an additional seventy-seven single-family lots could further compound an unfavorable situation in which temporary modular units are currently being used to accommodate students for schools that are over capacity.
- 2. Environmental impact?** Approximately 17.67 acres, amounting to roughly 17 % of the subject property, lie within the 100-year flood plain. Additionally, approximately 22.60 acres, covering roughly 21 % of the property, are considered jurisdictional wetlands. The centerline of Barber Creek delineates the rear property line of the subject property, and an additional stream bisects the site before merging with Barber Creek; both are identified conservation corridors on the 2030 Future Development Map. As required in UDC Section 908.02, the developer will be required to maintain (and depict on preliminary and final plats) a 50-foot wide undisturbed buffer as measured outwardly and horizontally from the uppermost part of the stream bank and maintain a minimum 10-foot setback for all impervious surfaces, septic tanks, and drain fields. An additional naturally-vegetated wetland buffer that extends at least 25 feet from the wetland area is required by UDC Section 926.01 (f); these buffers are not depicted on the attached concept plan. Moreover, it should be noted that the submitted concept plan depicts a number of proposed lots lying within the required conservation corridor buffer, wetland buffer, flood plain areas, and jurisdictional wetland areas; should the present request be approved, these lots must be closely reviewed to ensure that any development on said lots is in conformity with the UDC and specifically Article 9 (Environmental Protection). Additionally, in accordance with UDC Section 920 (d), prior to issuance of any local building permit the developer will be required to obtain a determination from the US Army Corps of Engineers on the extent of the wetland area and whether a Section 404 (Clean Water Act) permit or letter of permission is required for the development. Furthermore, the present stretch of Barber Creek is currently listed as an "impaired waters" on the Clean Water Act Section 303 (d) List of Waters compiled by the Georgia Environmental Protection Department due to level of fecal coliform present in the waters. Consequently, staff has concerns regarding the significant number of septic tanks and drain fields that are proposed in close proximity to Barber Creek and waters discharging into the same and the potential for further impairment of these waters. Based on the foregoing, it is reasonable to believe that a development of the proposed density could be detrimental to the environmentally sensitive areas on site.

3. **Effect on adjoining property values?** It is not anticipated that approval of the present request will have any negative effect on adjoining property values.
- D. What is the relative gain to the public in maintaining the current zoning category, as compared to the hardship imposed upon the current property owner?** Should the present request be denied, the hardship imposed upon the current property owner would be the inability to develop the site as a single-family residential major subdivision. The property as currently zoned, though, maintains a lower density along Rocky Branch Road, which lessens the need for road maintenance, school system expansions, law enforcement and fire suppression activities, emergency services, and other County services. In addition to the additional burden that would be placed on public facilities, staff believes that the proposed development raises concerns discussed throughout the present report that, all together, significantly outweigh the hardship faced by the subject property owner. Accordingly, the public interest would be better served were the present request denied.
- E. What is the length of time that the property has been vacant as currently zoned, considered in the context of land development in the area of the vicinity of the property?** The subject tracts have been zoned A-1 since the original adoption of the zoning map in 1968, and the property has historically been used as a hunting ground. Since the mid-1990s, development east of the site along Rocky Branch Road has primarily consisted of single-family subdivisions with one-acre or smaller lots; higher-density residential uses have also been introduced to the area in the form town houses in the Rowan Oak master-planned development and condominium homes in the Sterling Mills retirement community. However, as noted throughout the present report, several properties in the general vicinity zoned for the requested use have remained vacant or undeveloped for a significant length of time.
- F. Is the proposed use consistent with the stated purpose of the zoning district that is being requested?** According to UDC Section 205.07, the Single Family Residential District (R-1) is intended “primarily for one-family residences and related uses at low suburban residential densities on land which is served by public water and/or sewer systems. The development of lots in this District is also permitted with septic tanks provided that the placement of each such septic tank shall be approved by the Oconee County Health Department.” Staff believes that the proposed development is consistent with the stated purpose of the zoning district being requested.
- G. How does this request conform with or diverge from established land use patterns?** Since the mid-1990s, the general area east of the subject property has experienced a gradual transition from an agricultural, rural character to a suburban, higher-density residential character. Notwithstanding, low-density residential and agricultural land uses and zoning remain predominant in the area west of the subject property. Staff believes that a lower-density residential development with fewer lots and larger lot sizes than what is proposed would be a more appropriate transition between the higher and lower density land uses located along Rocky Branch Road and the surrounding area.
- H. How does this request conform with or diverge from the Future Land Use Map or the goals and objectives of the Comprehensive Plan?** The 2030 Future Development Map designates the subject property a character area of Suburban Living. While the Community Agenda of the 2030 Comprehensive Plan specifically cites “single-family residential subdivisions” as a primary land use in this character area, “the reuse, redevelopment or refurbishments of areas where activity and attractiveness have declined” is encouraged for residential developments. The development strategies further stress the protection of “existing neighborhoods from negative impacts” when considering new development requests. Surrounding the subject property are a number of residential subdivisions that have yet to be fully developed. Most notably, the Autumn Glen subdivision, zoned R-1 (1997) for 87 single-family residential lots (more than half of which have been final platted since 2014) remains entirely vacant. Furthermore, approximately 100 acres located along Malcom Bridge Road roughly half of a mile from the subject site are currently zoned R-1 (2007) for a 93-lot residential subdivision that has not been developed. Moreover, immediately adjacent south of the subject site, the Vintage Farms subdivision zoned AR-1 (2006) for a 29-lot residential subdivision (final platted since 2006) remains roughly two-thirds vacant. The introduction of yet another tract of land zoned R-1 in the present area could prolong the vacancy of areas already zoned for such use. Accordingly, the proposed development would not conform to the development strategies of the Suburban Living character area because of the potential detriment posed to the vacant sites and the communities surrounding such sites. Consequently, staff believes that the proposed development is not in conformity with the goals set forth for single-family residential developments in the Suburban Living character area.

- I. What is the availability of adequate sites for the proposed use in districts that permit such use?** There are numerous sites zoned R-1 in the general vicinity and throughout the County that would permit development of a single-family residential subdivision. Within a one-mile radius of the subject property, there exists the potential for an additional 211 single-family residences on lots zoned R-1 and AR-1 that have yet to be developed.
- J. Is the site suitable for the proposed use relative to the requirements set forth in the Unified Development Code (off-street parking, setbacks, buffer zones, open space, etc.)?** There are a number of lots depicted on the attached concept plan lying within primary conservation areas that may have to be eliminated or reconfigured to provide for the minimum buildable area required by UDC Table 4.1. Additionally, the Oconee County Health Department has indicated that larger lot sizes will likely be required to meet the minimum area of usable soils required by the same Department for lots with private septic tanks and drain fields. In view of the foregoing, staff believes that the subject site is not suitable for a development of the proposed density.

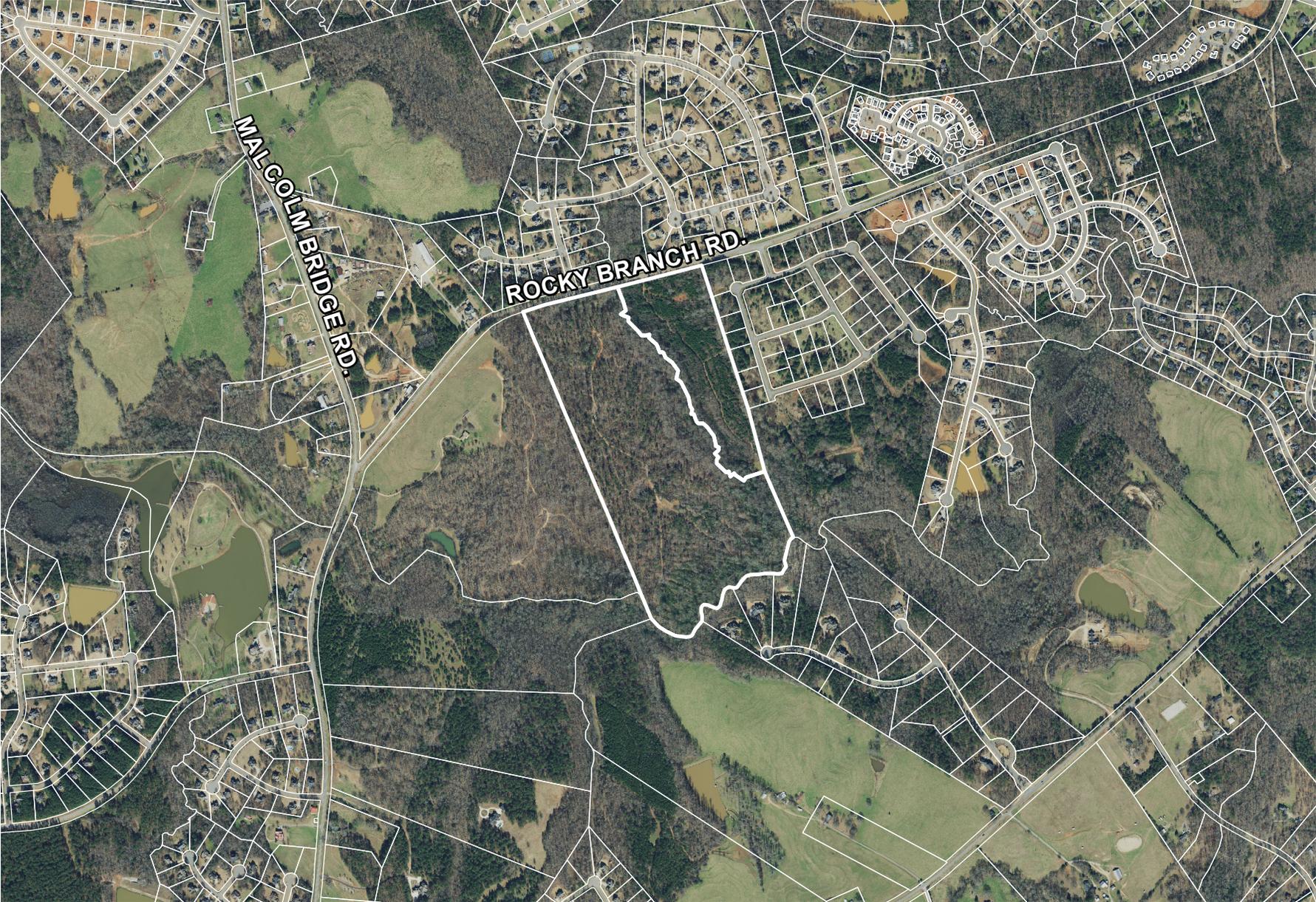
STAFF RECOMMENDATION & CONDITIONAL REQUIREMENTS

Staff recommends denial of this rezone request. However, should the present request be approved, staff recommends the following conditions to be fulfilled by the developer at his expense:

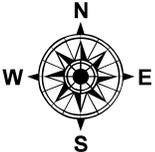
1. The development shall be connected to the Oconee County water system at the developer's expense in a manner approved by the Oconee County Water Resources Department and the Oconee County Public Works Department.
2. Development structure exteriors shall consist of a combination of cement-board siding and/or brick consistent with architectural representations submitted 02/23/2018. Final design shall be subject to review and approval of the Planning Director.
3. All houses constructed within the development shall be built using a crawl space or basement foundation.
4. The developer shall record a one-foot no-access easement along any lot lines fronting on Rocky Branch Road.
5. The minimum lot size for any lot within the development shall be one acre.
6. The developer shall either preserve a 15-foot natural buffer or install a landscaped buffer along the Rocky Branch right-of-way. The buffer may be designed to accommodate drainage and entrance signs and must be supplemented with evergreen plant material to ensure an opaque visual screen during all seasons of the year.
7. The minimum dwelling size shall be 2,400 square feet.
8. The development shall not contain more than 77 single-family lots.
9. The developer shall provide an amenity area consisting of the following: a junior Olympic-sized swimming pool having an area no less than 3,000 square feet; a minimum one-acre active play area meeting the definition of "active play area" in UDC Table 3.1; and a minimum 2,600 square-foot clubhouse. No certificates of occupancy shall be issued for any residential dwellings until structures required for the amenity are completed. Final design of the amenity area shall be subject to review and approval of the Planning Director.
10. Storm water detention areas shall be incorporated into common areas and shall in no case lie within individual lots intended for residential use.
11. The zoning for the 100-year flood plain areas of the subject property shall be overlain with the Flood Prone Overlay District. Additionally, no lots intended for residential use (including the amenity lot) may contain any portion of the 100-year flood plain area.

12. The developer shall install pedestrian trails throughout the common areas proposed for the development. Final design of said trails shall be subject to review and approval of the Planning Director.
13. Contrary to what may be indicated on the attached concept plan, no parcel shall be created that is not in conformity with the Unified Development Code.
14. The developer shall construct improvements at the project entrance including a deceleration lane with acceleration taper along Rocky Branch Road as depicted on the concept plan, in accordance with the Unified Development Code, and as required by the Public Works Department.

Weaver Dove Land Group, LLLP



Feet
1:15000





OCONEE COUNTY ZONING CHANGE APPLICATION

Requested Action:

- Rezoning from: A-1 Agr to R-1 Change in Conditions of Approval for Case #: _____
- Special Use Approval for: _____ in the _____ Zoning District

Applicant

Name: 1699 Land Company LLC
 Address: 1424 North Brown Road
(No P.O. Boxes)
Suite 100
Lawrenceville Ga. 30043
 Telephone: 404 456 3649

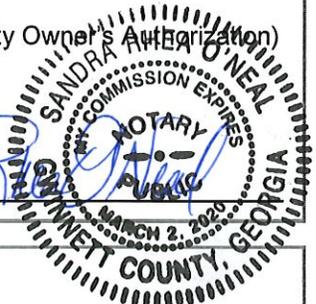
Property Owner

Name: Weaver Dove Land Group LLLP
 Address: 700 Mitchell Bridge Road
(No P.O. Boxes)
#208
Athens Ga. 30606
 Telephone: 706-340-6003

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] Date: 3/1/18 Notarized: [Signature]

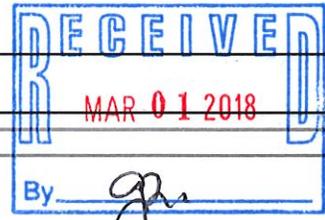


Property

Location: On the South Side of Rocky Branch Road
(Physical Description)
across the street from Waverly Way
 Tax Parcel Number: B03-025 and B03-025A
 Size (Acres): 105.02 Current Zoning: A-1 Agricultural
 Future Development Map—Character Area Designation: Suburban Living

Use

Current Use: Vacant Land
 Proposed Use: Single Family Residential Neighborhood



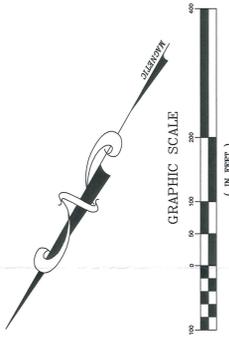
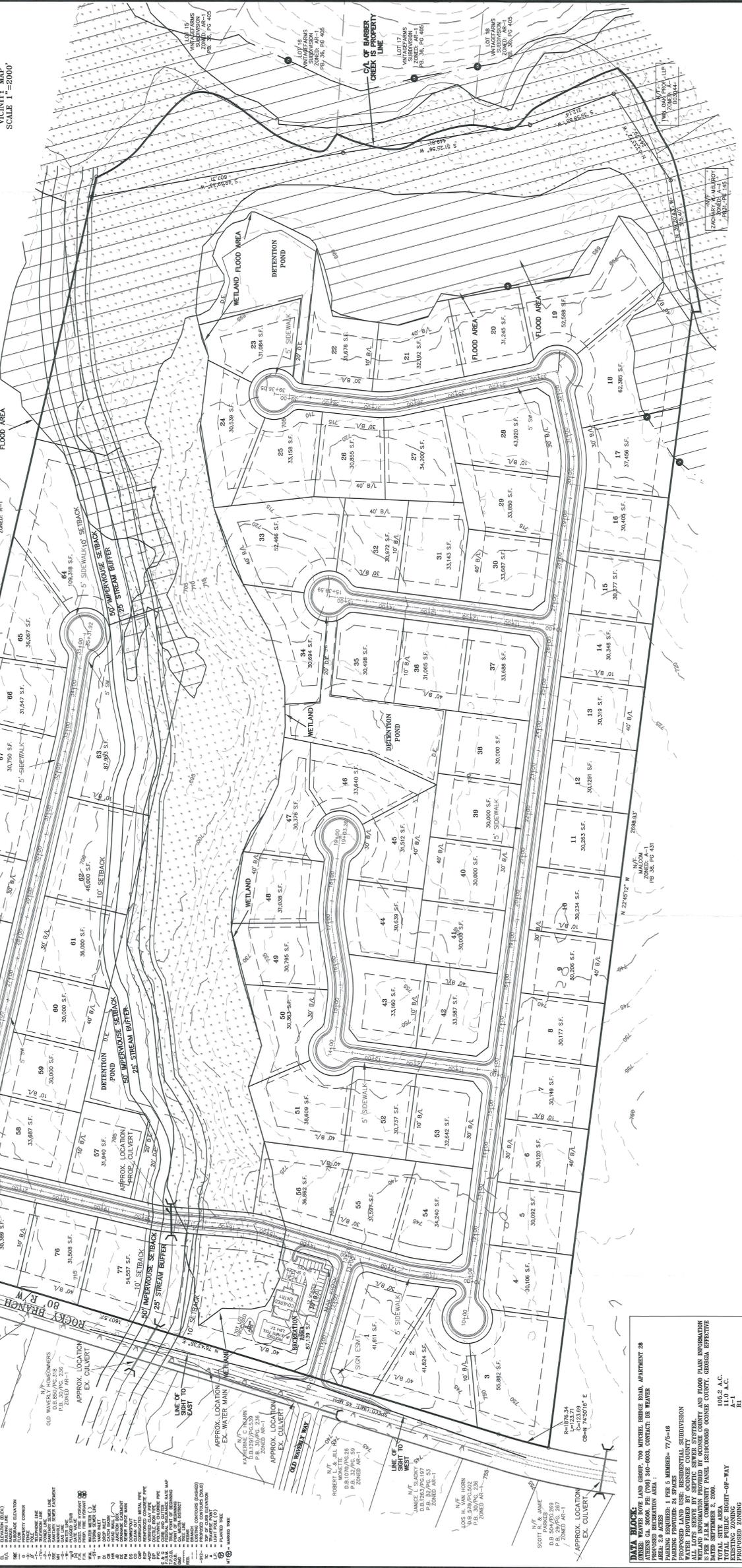
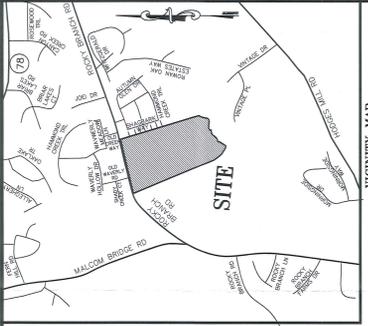
Attachments (check all that apply)

- Property Owner's Authorization (if applicable)
- Application Fee
- Warranty Deed
- Typed Legal Description
- Plat of Survey
- Disclosures (Interest & Campaign Contributions)
- Zoning Impact Analysis
- Narrative (Detailed Description of the Request)
- Concept Plan
- Attachments to the Concept Plan:
 - Water and/or Sewer Capacity Letter from OCUD
 - Representative Architecture/Photographs
- Proof all property taxes paid in full
- Other Attachments: _____

For Oconee County Staff Use Only

Application
 Date Received: _____ Date Accepted: _____
 DRI Transmitted to RDC Date: _____ N/A
 Date Submitted: _____ Findings Complete
 Posted: _____ Ad: _____ Ad: _____
 Application Withdrawn Date: _____

Action
 APPLICATION NUMBER
 Planning Commission Date: _____
 Approval With Conditions Denial
 Board of Commissioners Date: _____
 Approved With Conditions Denied



A PORTION OF THIS PROPERTY LIES WITHIN A DESIGNATED FLOOD PRONE AREA AS PER F.E.R.M. COMMUNITY PANEL 1221000600 OCONEE COUNTY, GEORGIA EFFECTIVE DATED SEPTEMBER 2, 2006.

Land Use	Quantity	Unit	Trip Generation*			P.M. Peak Hours			
			ADT	Enter	Exit	Enter	Exit	Total	
Single Family Residential	77	Lot	770	23	46	62	54	31	77
Total			770	23	46	62	54	31	77

*Trip Generation per National Association of City Transportation Officials

SURVEY NOTES:
 1. ALL STREAM AND CONSERVATION CORRIDOR BUFFERS WILL BE MEASURED FROM THE UPPER BANKS OF THE STREAM.
 2. STORMWATER MANAGEMENT SHALL BE IN ACCORDANCE WITH COUNTY, STATE, AND OTHER APPROPRIATE ORDINANCES AND REGULATIONS IN EFFECT AT TIME OF CONSTRUCTION PLAN APPROVAL.

NOTE:
 1. ALL STREAM AND CONSERVATION CORRIDOR BUFFERS WILL BE MEASURED FROM THE UPPER BANKS OF THE STREAM.
 2. STORMWATER MANAGEMENT SHALL BE IN ACCORDANCE WITH COUNTY, STATE, AND OTHER APPROPRIATE ORDINANCES AND REGULATIONS IN EFFECT AT TIME OF CONSTRUCTION PLAN APPROVAL.

OWNER:
 LOTS 25-30, 31-36, 37-42, 43-48, 49-54, 55-60, 61-66, 67-72, 73-78, 79-84, 85-90, 91-96, 97-102, 103-108, 109-114, 115-120, 121-126, 127-132, 133-138, 139-144, 145-150, 151-156, 157-162, 163-168, 169-174, 175-180, 181-186, 187-192, 193-198, 199-204, 205-210, 211-216, 217-222, 223-228, 229-234, 235-240, 241-246, 247-252, 253-258, 259-264, 265-270, 271-276, 277-282, 283-288, 289-294, 295-300, 301-306, 307-312, 313-318, 319-324, 325-330, 331-336, 337-342, 343-348, 349-354, 355-360, 361-366, 367-372, 373-378, 379-384, 385-390, 391-396, 397-402, 403-408, 409-414, 415-420, 421-426, 427-432, 433-438, 439-444, 445-450, 451-456, 457-462, 463-468, 469-474, 475-480, 481-486, 487-492, 493-498, 499-504, 505-510, 511-516, 517-522, 523-528, 529-534, 535-540, 541-546, 547-552, 553-558, 559-564, 565-570, 571-576, 577-582, 583-588, 589-594, 595-600, 601-606, 607-612, 613-618, 619-624, 625-630, 631-636, 637-642, 643-648, 649-654, 655-660, 661-666, 667-672, 673-678, 679-684, 685-690, 691-696, 697-702, 703-708, 709-714, 715-720, 721-726, 727-732, 733-738, 739-744, 745-750, 751-756, 757-762, 763-768, 769-774, 775-780, 781-786, 787-792, 793-798, 799-804, 805-810, 811-816, 817-822, 823-828, 829-834, 835-840, 841-846, 847-852, 853-858, 859-864, 865-870, 871-876, 877-882, 883-888, 889-894, 895-900, 901-906, 907-912, 913-918, 919-924, 925-930, 931-936, 937-942, 943-948, 949-954, 955-960, 961-966, 967-972, 973-978, 979-984, 985-990, 991-996, 997-1002, 1003-1008, 1009-1014, 1015-1020, 1021-1026, 1027-1032, 1033-1038, 1039-1044, 1045-1050, 1051-1056, 1057-1062, 1063-1068, 1069-1074, 1075-1080, 1081-1086, 1087-1092, 1093-1098, 1099-1104, 1105-1110, 1111-1116, 1117-1122, 1123-1128, 1129-1134, 1135-1140, 1141-1146, 1147-1152, 1153-1158, 1159-1164, 1165-1170, 1171-1176, 1177-1182, 1183-1188, 1189-1194, 1195-1200, 1201-1206, 1207-1212, 1213-1218, 1219-1224, 1225-1230, 1231-1236, 1237-1242, 1243-1248, 1249-1254, 1255-1260, 1261-1266, 1267-1272, 1273-1278, 1279-1284, 1285-1290, 1291-1296, 1297-1302, 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TRACT DESCRIPTION

TRACT DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN GMD 1331 DISTRICT, OCONEE COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT A POINT LOCATED ON THE SOUTHERLY RIGHT-OF-WAY LINE OF ROCKY BRANCH ROAD (HAVING A 80 FOOT WIDE RIGHT-OF-WAY), SAID POINT IS THE TRUE POINT OF BEGINNING; THENCE FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED RUNNING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A CURVE TO THE RIGHT HAVING A RADIUS OF 1876.34 FEET SUBTENDE BY A CHORD BEARING OF NORTH 74 DEGREES 50 MINUTES 16 SECONDS EAST A CHORD DISTANCE OF 123.69 FEET ALONG SAID ARC AN ARC DISTANCE OF 123.71 FEET TO A POINT: THENCE NORTH 76 DEGREES 43 MINUTES 35 SECONDS EAST A DISTANCE OF 1607.57 FEET TO A POINT: THENCE DEPARTING SAID RIGHT-OF-WAY LINE SOUTH 16 DEGREES 54 MINUTES 07 SECONDS EAST A DISTANCE OF 2567.51 FEET TO POINT; THENCE TO A POINT LOCATED ON SAID PROPERTY LINE APPROXIMATELY 50 FEET FROM CENTER LINE OF BARBERS CREEK; THENCE RUNNING ALONG A TRAVERSE LINE FOLLOWING FIVE COURSES:

1. SOUTH 49 DEGREES 59 MINUTES 33 SECONDS WEST A DISTANCE OF 607.31 FEET APPROXIMATELY 40 FEET FROM CENTER LINE OF BARBERS CREEK
2. SOUTH 51 DEGREES 25 MINUTES 56 SECONDS WEST A DISTANCE OF 449.81 FEET APPROXIMATELY 20 FEET FROM CENTER LINE OF BARBERS CREEK
3. SOUTH 39 DEGREES 38 MINUTES 58 SECONDS WEST A DISTANCE OF 212.14 FEET APPROXIMATELY 20 FEET FROM CENTER LINE OF BARBERS CREEK
4. NORTH 63 DEGREES 33 MINUTES 22 SECONDS WEST A DISTANCE OF 244.79 FEET APPROXIMATELY 20 FEET FROM CENTER LINE OF BARBERS CREEK
5. NORTH 39 DEGREES 20 MINUTES 43 SECONDS WEST A DISTANCE OF 315.40 FEET APPROXIMATELY 20 FEET FROM CENTER LINE OF BARBERS CREEK

TO A POINT LOCATED ON PROPERTY LINE APPROXIMATELY 17 FEET FROM CENTER LINE OF BARBERS CREEK (THE TOTAL DISTANCE RUNNING ALONG CENTER LINE OF THE BARBERS CREEK APPROXIMATELY 4710 FEET, (THE CENTERLINE OF BARBER'S CREEK IS THE TRUE PROPERTY LINE) TO A POINT: THENCE NORTH 22 DEGREES 45 MINUTES 12 SECONDS WEST A DISTANCE OF 2698.93 FEET TO TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 105.2 ACRES.



Exhibit "A" to Rezone # Narrative

Hudson's Mill

A Residential Neighborhood located on the south side of Rocky Branch Road directly across the street from Waverly Way. The entrance will align with Waverly Way which is on the north side of Rocky Branch Road.

105.02 Acres

Tax Parcel Numbers: #B03-025 and B03-025A

Narrative

Hudson's Mill is a proposed residential neighborhood that will be located on 105.02 acres and developed by S R Companies LLC. ACR Engineering Inc. has been engaged to act as the agent in the preparation of the proposed site plan. We are requesting a rezoning from A-1 to R-1.

The project is to be exclusively developed as an upscale single family residential subdivision of approximately 77 lots. The project will feature homes with a minimum of 2200 square feet for single story and 2400 square feet for two story homes ranging in price from \$400,000. to \$600,000. All lots will be fee simple ownership.

The proposed single-family residential development will be designed in accordance with the R-1 zoning and development regulations of Oconee County. The rezoning concept plan that accompanies this narrative illustrates a maximum of 77 lots ranging in size from .69 acres to 3.42 acres.

The Site

The subject 105.02 acre tract fronts on the southern side of Rocky Branch Road. The tract is wooded and is predominantly pines and hardwoods. There is a creek that runs from a culvert under Rocky Branch Road and continues to the south end of the property. A conservation corridor will be shown on the plans along the creek and will be preserved per the Oconee County planning regulations. Approximately 17.58 acres is flood plain along

the rear of the property and will be left in a natural state. The future development map dated 2030 identifies the site with a future character area designation of Suburban Living. The adjacent properties on the South, East and North sides of this tract are zoned R1. The tract to the West is zoned A-1

Amenity Area

An amenity area will be built and will include a clubhouse and pool. The clubhouse will contain a meeting room and bathrooms. There will be an arbor seating area between the clubhouse and the pool. The square footage for the clubhouse heated and unheated area will be 925 square feet, the breezeway and the pergola area will be 537 square feet. The size of the pool will be determined by how much area we can allocate to it once an LDP plan for the amenity area is designed. The mail kiosk will be built into an open air corner of the clubhouse.

The Development

The project will be constructed with public curb and gutter streets, 60' right of way width and 4' sidewalks throughout. Handicap ramps will be installed by the developer at all crosswalk locations throughout the development. All utilities will be underground.



Exhibit "A" to Rezone # Narrative

Traffic

Projected traffic is based on the trip generation rate published by the Institute of Transportation Engineers, Trip Generation, 9th edition. A deceleration lane will be required

Land Use	Quantity	Unit	Trip Generation*						
			ADT	A.M. Peak Hours			P.M. Peak Hours		
			2-way	Enter	Exit	Total	Enter	Exit	Total
Single Family Residential	77	Lot	770	23	46	62	54	31	77
Total	77		770	23	46	62	54	31	77

*Trip Generation per National Association of City Transportation Officials

Schools

Impact to schools will be positive by generating an increased positive net tax base due to the upscale price range and proposed homes. There will be favorable initial and ongoing ripple economic impacts on the county as a result of this development.

Schedule

The petitioners plan on completing the zoning efforts on the subject property in the summer of 2018. The preliminary plat and site development plans for the improvements will be submitted in the summer of 2018. Construction of the project infrastructure will commence immediately upon approval of the plans. The total build out of the project will be completed between the summer of 2018 and the end of 2020.

Maintenance of Common Areas

A homeowners association will be created to provide for the mandatory fees associated with the control and continued maintenance of all common areas and the Clubhouse area.

Entrance

The entrance will contain a rock and masonry entrance sign wall, wood fencing, extensive landscape and landscape lighting.

Landscaping and Buffers

A 25' stream buffer, a 50' impervious setback and an additional 10' setback is required from the top edge of all stream banks.

Utilities

No major utility relocations are required for this project. There will be underground water lines, power lines, gas lines, cable TV and telephone lines provided by the developer and or the individual utility service provider.

Buildings

The building exteriors will be predominantly brick, rock, shake and all siding and trim materials will be a hardi board package. (See representative architectural photographs). All buildings will incorporate features of exceptional architectural design. The average unit size will be 2300 square feet or greater.

Water supply

An 8" water main currently exists in the right of way on Rocky Branch Road.

Probable Water Demand:

*assume water use of 100 gal. /person/day

*assume 2.6 persons/unit

*assume 77 units

Proposed Water Demand

$(100 \text{ gpd} * 2.6 * 77) = 20,020. \text{ gpd}$

Peak Water Demand

$20,020. \text{ gpd} / 16 \text{ Hr/Day} = 1262.62 \text{ gph} = 21.04 \text{ gpm}$

Exhibit "A" to Rezone

Narrative

21.04 gpm * 3(peaking factor) = 63.13 gpm peak

Sewage Disposal

Conventional septic tanks and drain fields are planned for the development. Lots will be reconfigured as necessary based on soil suitability for drain field installation. A soil survey map will be submitted to the Oconee County Health Department coinciding with the submittal of the preliminary plat to the Oconee County Planning Department,

Surface Water Drainage

Concrete curb & gutter, county approved pipe, grassed and natural waterways will be employed to collect and divert storm water to a proposed storm water management facility. Post development run off will be maintained at predevelopment rates for 2, 5, 10, 25 and 50 year events. The proposed storm water 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. Storm water management will be in compliance with the Oconee County UDC.

Garbage Collection

Garbage collection will be handled by private contract service. Roll carts will be utilized through the development.

Sidewalks

Concrete sidewalks will be constructed throughout the project. Sidewalks will be installed following home construction and the completion of all underground utilities.

Public and Semi Private Areas

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

Outdoor Lighting

Ornamental or box type 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 Oconee County Planning Department illustrating lighting templates and proposed fixtures. This plan will be reviewed during the site development plans approval stage of the project. A street light tax district is proposed for this development.

Development Valuation

77 single family homes

Average price = \$450,000

Total completed project Value \$34,650,000.



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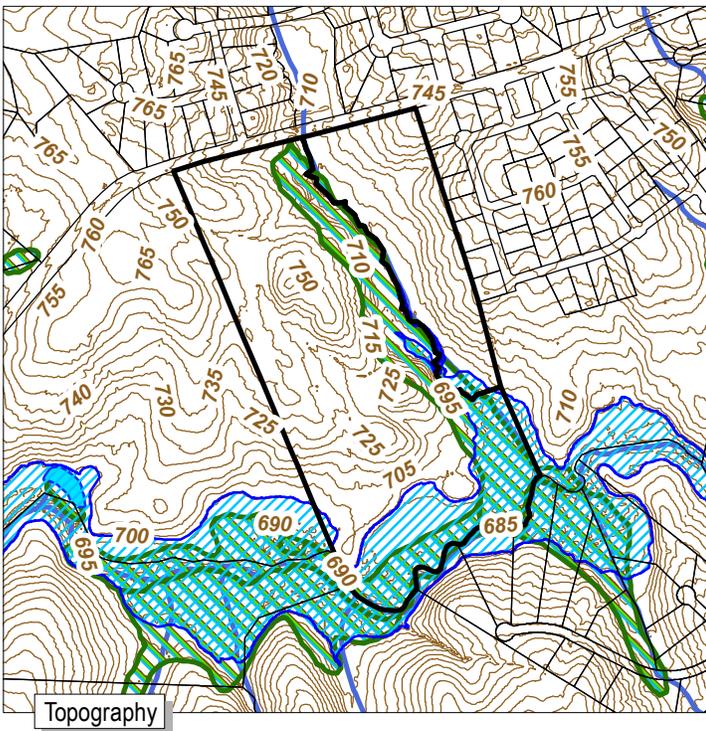
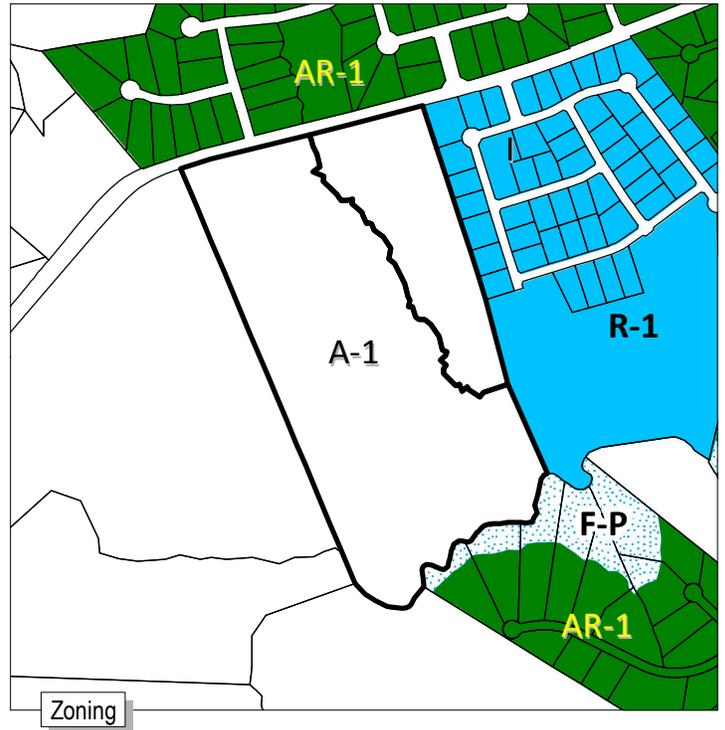
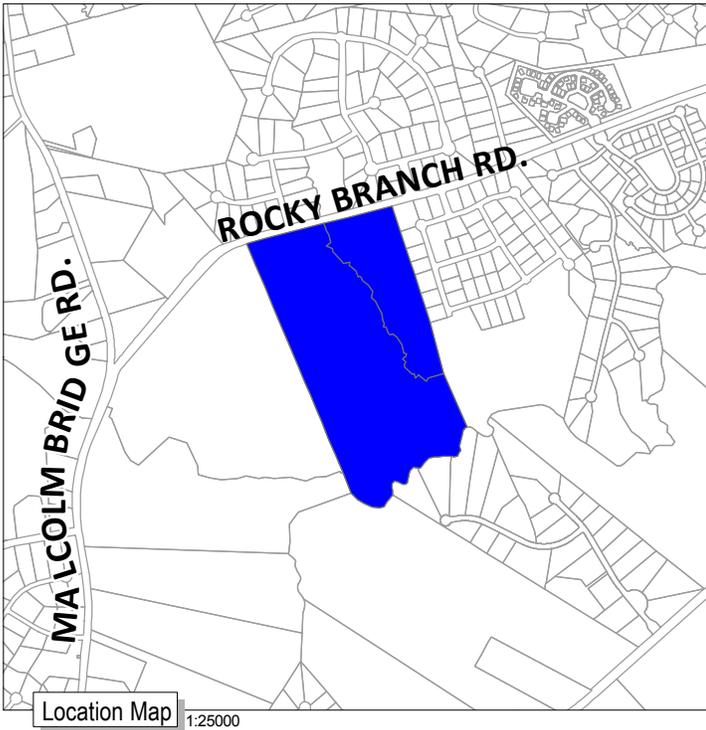


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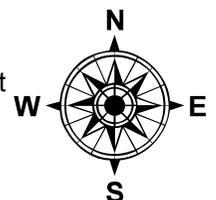


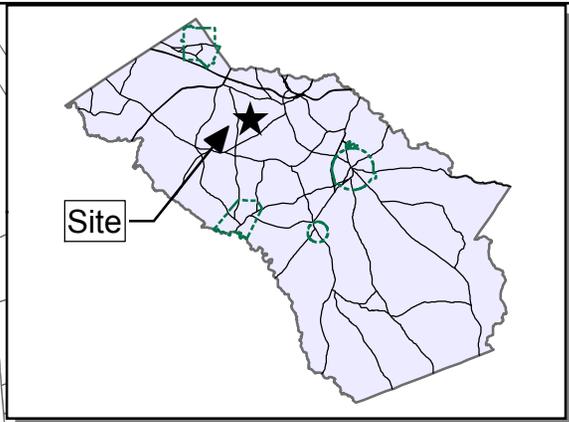
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Weaver Dove Land Group, LLLP Rezone Site Review



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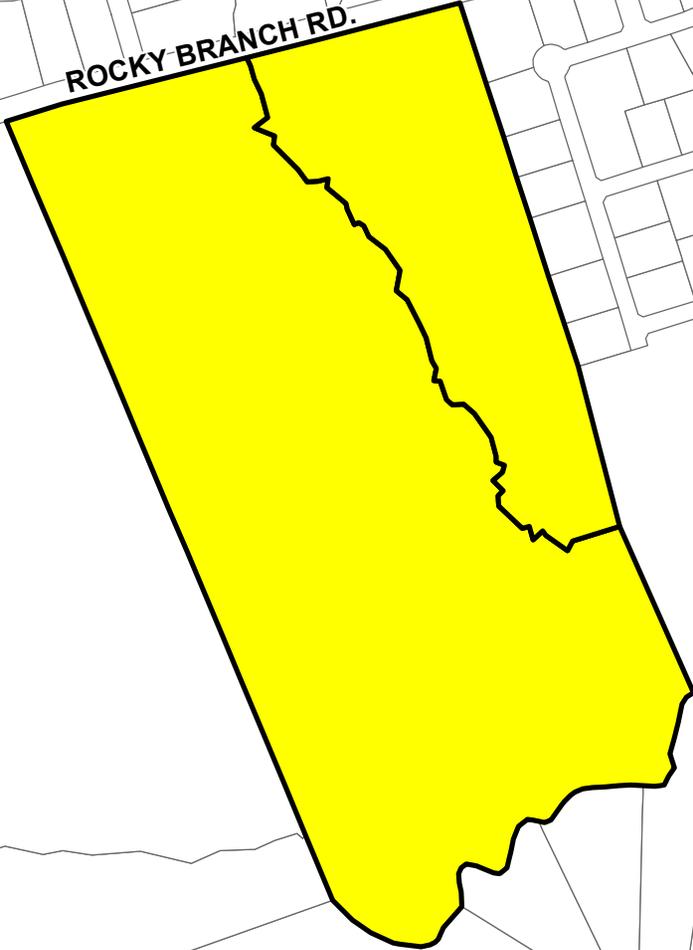




**Tax Parcel # B 03 025
& B 03 025A**

ROCKY BRANCH RD.

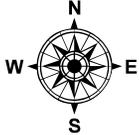
MALCOLM BRIDGE RD.



**Oconee County
Planning Department**

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

Scale
1 in = 667 ft



Zoning Impact Analysis

Standards for Rezone Consideration



Hudson's Mill – R1 Rezone

A) Consider the proposed use and existing uses and zoning of nearby property:

The proposed use and zoning is appropriate given the adjacent tracts on the North, South and East Sides are zoned R-1. The adjacent tract on the West side is zoned A-1. The proposed zoning is in accordance with the future land use map for this site which is Suburban Living.

B) Consider the extent to which property values are diminished by the particular zoning restrictions of the current zoning:

The current A-1 zoning does not diminish the property value other than that specific zoning limits it's use to that specific zoning.

C) Consider the extent to which the destruction of the property values of the individual property owner promotes the health, safety, morals or general welfare of the public with consideration to:

Population density and effect on community facilities such as streets, schools, water, and sewer:

Roads presently serving the site and general area will experience minimum impact; an 8" water main currently exists in the right-of-way on Rocky Branch Road; impact to schools will be positive by generating an increased positive net tax base due to the upscale price range of the proposed homes; there will be favorable initial and ongoing ripple economic impact

on the county as a result of this development. The homes will be on septic tank thus no additional sewer capacity will be needed.

Environmental Impact:

Potential increase in storm-water runoff will be mitigated through the use of a storm water management facility to be designed in compliance with Oconee County ordinances; water quality concerns will be mitigated through the use of filtration devices, infiltration structures and water quality monitoring; enhanced "best management practices" will be employed to address soil erosion control concerns.

Traffic Impact:

A traffic study will be submitted with the land disturbance application to determine if any traffic improvements will be needed.

Effect on adjoining property values:

There will be no negative effect on adjoining property values.

- D) Consider the relative gain to the public, as compared to the hardship imposed upon the individual property owner:

There is no gain to the public if this rezone request is denied because there is no benefit for the property to remain under its current zoning and configuration compared to the proposed zoning and configuration.

- E) Consider the length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property:

The property has always been vacant. Current trends in this area of the county have always been residential R1.

- F) Consider the consistency of the proposed use with the stated purpose of the zoning district that is being requested.

The R-1 zoning district is established to protect and promote a suitable environment for a family, to discourage any use which would generate other than residential traffic on minor streets and to protect the orderly future development of land in accordance with the comprehensive development plans for the county. The proposed use is in accordance with the R-1 zoning district classification.

- G) Consider the conformity with or divergent from any established land use patterns:

The development patterns in the area reflect the residential use and intent of the proposed development. The project's proposed lot sizes and price range also reflect the development patterns in the R1 contiguous areas.

- H) Consider the conformity with or divergent from the future development map or goals and objectives of the Oconee County Comprehensive Plan:

The zoning of this property to R-1 is consistent with the future development map and is keeping with the goals and objectives of the Oconee County Comprehensive Plan.

- I) Consider the availability of adequate sites for the proposed use in districts that permit such use:

We feel this is the best site in the area that is available given its location, the topography of the land, the creek and the existing trees on site.

- J) Consider the suitability of the site for the proposed use relative to the requirements set forth in this development code such as off street parking, setbacks, buffer zones and open space.

This site is suitable for the proposed use relative to the requirements as set forth in the Oconee County UDC. The rezone concept plan indicates all required set backs, buffers, and necessary requirements, proving that from a requirement basis the site is suitable for the request.