

**AMENDMENT
TO THE UNIFIED DEVELOPMENT CODE OF OCONEE COUNTY, GEORGIA
AND THE ZONING MAPS OF OCONEE COUNTY, GEORGIA**

TITLE

An Ordinance amending the Unified Development Code of Oconee County, Georgia, and the Zoning Maps of Oconee County, Georgia, pursuant to Article 12, Division I et seq., to rezone from zoning classification OIP (Office Institutional Professional District) to R-1 (Single Family Residential District) pursuant to an application for rezoning of property owned by Terreck Holdings, LLC submitted on May 17, 2019.

ENACTMENT CLAUSE

Pursuant to the authority conferred by the Constitution and Laws of the State of Georgia and after consideration of an application for zoning change submitted by ERT, Inc. on May 17, 2019, requesting rezoning of a ±1.52 acre tract of land located along Talus Street in the 240th G.M.D., Oconee County, Georgia, (tax parcel no. B-01L-001B), the Board of Commissioners of Oconee County does hereby ordain and enact to law the following:

SECTION 1. An Ordinance known as the “Unified Development Code of Oconee County, Georgia” as enacted and amended by the Board of Commissioners of Oconee County and the Zoning Maps described therein are hereby amended as follows:

The zoning classification for the property described on the attached “Exhibit A” is hereby changed from OIP (Office Institutional Professional District) to R-1 (Single Family Residential District) for the purpose as set forth in “Exhibit A” attached hereto.

Said rezone is subject to the following conditions: as set forth in “Exhibit A” attached hereto.

SECTION 2. Severability. It is intended that the provisions of this Ordinance be severable and should any portion be held invalid, such invalidity shall not affect any other portion of the Ordinance.

SECTION 3. Repeal of Conflicting Resolutions or Ordinances. All Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4. Effective Date. This Ordinance shall take effect this date.

Said Zoning Petition was submitted to the Oconee County Planning Commission and a Public Hearing was duly held by the same on July 15, 2019, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on August 6, 2019.

ADOPTED AND APPROVED, this 6th day of August, 2019.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY: _____

John Daniell
John Daniell, Chairman

Mark Thomas
Mark Thomas, Member

Chuck Horton
Chuck Horton, Member

William E. Wilkes
William E. Wilkes, Member

Mark Saxon
Mark Saxon, Member

ATTEST:

Kathy Hayes
Kathy Hayes
Clerk, Board of Commissioners



CONDITIONS

1. A 25-foot incompatible use buffer in compliance with UDC Article 8 shall be maintained along the southern property line adjacent to the OIP-zoned property as required by UDC Sec. 808.02.b.

TAX MAP

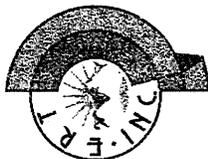


LEGAL DESCRIPTION

1040 TALUS STREET LEGAL DESCRIPTION

Commencing at the Point of Beginning; thence South 87°01'40" East, a distance of 277.88 feet; thence North 39°24'00" East, a distance of 166.26 feet; thence North 36°29'00" West, a distance of 120.90 feet; thence North 82°46'38" East, a distance of 301.59 feet; thence South 02°08'44" West, a distance of 140.64 feet (which is a curve, concave, having a radius of 432.00 feet); thence South 11°30'50" West, a distance of 33.49' to the Point of Beginning. Containing 1.52 Acres, more or less.

CONCEPT PLAN



ENVIRONMENTAL CONSULTING
ENGINEERING
LAND PLANNING/DESIGN
IMPACT MONITORING
WETLAND DELIMITATION

P.O. BOX 100
BOGART, GA 30622
770.851.8224 OFFICE
678.227.4545 CELL

1040 TALUS STREET
BOGART, GA 30622
OCONEE COUNTY
1.52 ACRES

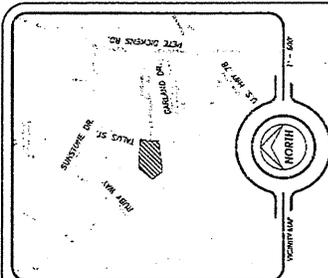
REVISIONS	DATE
REVISED PER COMMENTS	11/07/19



DATE
05/16/19

REZONE
CONCEPT
PLAN

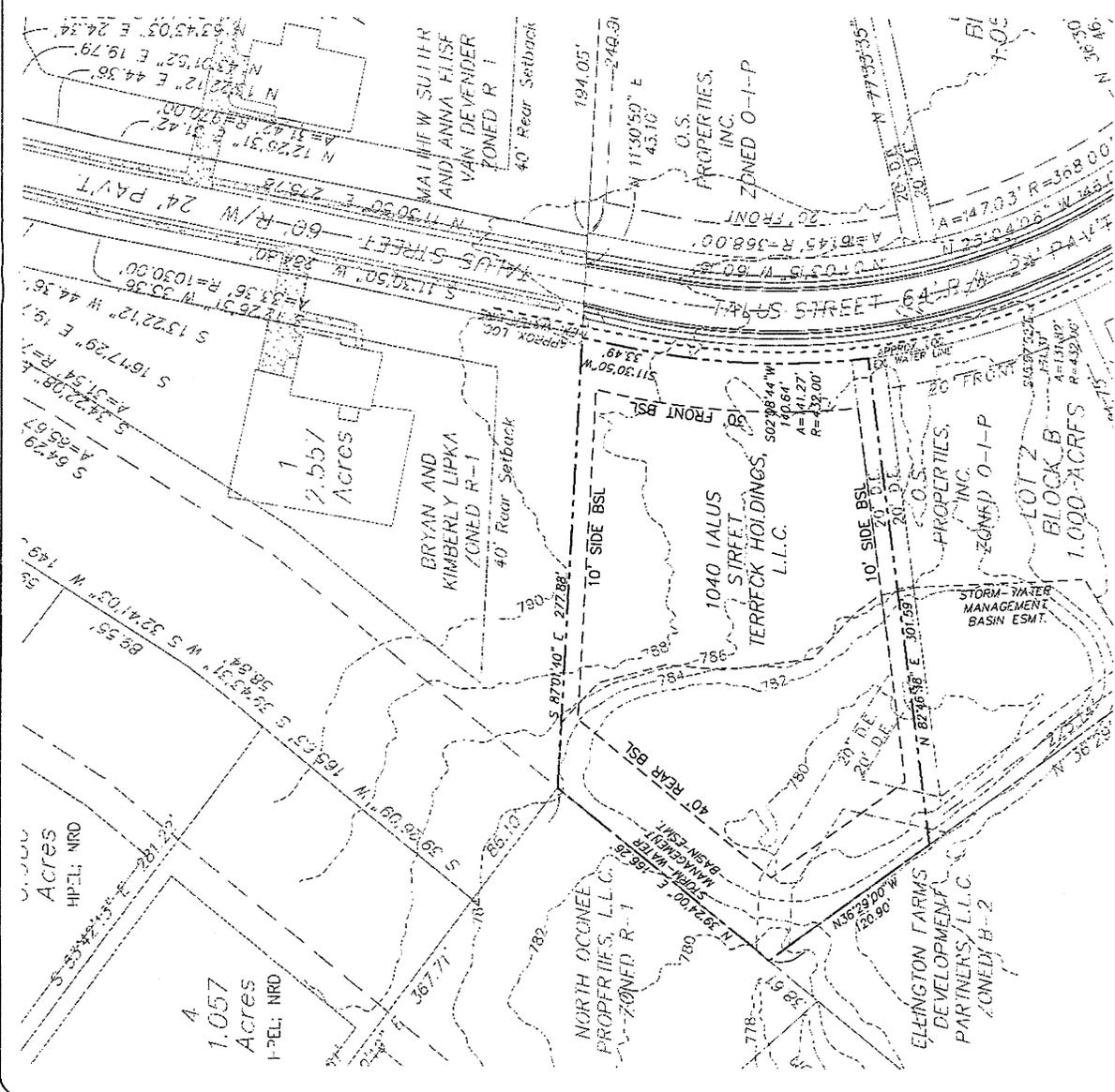
SHEET
1 OF 1



1. ALL EXISTING UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.
2. THE PROPOSED LOT LINES AND SETBACKS ARE SHOWN AS DASHED LINES.
3. THE PROPOSED LOT LINES AND SETBACKS ARE SHOWN AS DASHED LINES.
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20. THE PROPOSED LOT LINES AND SETBACKS ARE SHOWN AS DASHED LINES.

PROPERTY: 1040 TALUS STREET, BOGART, GA 30622
OWNER: TERRICK HOLDINGS, L.L.C.
PROPOSED: 1.52 ACRES, ZONED O-I-P
DATE: 05/16/19
SCALE: 1" = 30'

DATE JUN 12 2019
SCALE: 1" = 30'



NARRATIVE

PROPOSED USE

This property is proposed to be utilized as a Residential Lot with an on-site septic system. The existing use is a Commercial Lot with zoning for O-I-P that is required to be connected to the Oconee County Sewer System. A portion of this property features an easement for the storm water detention facility for the commercial development known as Dickens Corner. The balance of this property is old pasture land and fronts on Talus Street. To the West of this property are existing residences on lots along Ruby Way in the Belfair Subdivision which are zoned R-1. To the North is an existing residence on a lot in the Belfair Subdivision which is zoned R-1 and fronts on Talus Street. To the East across Talus Street are vacant tracts zoned O-I-P. To the South is a vacant tract zoned O-I-P.

Proposed in this project is one single-family residence of a minimum 2,200 s.f. that will closely match the character of the homes already constructed on the adjacent R-1 parcels. The residence will feature the associated driveway, landscaping and septic system common to most single-family residences in this area.

The totality of this request is a down-zoning from O-I-P to residential, which will reduce the burden on the county's sewer system infrastructure. It will also reduce potential traffic that would be created by an office use, if it were to be constructed under the current zoning.

TRAFFIC IMPACTS

Projected traffic impacts will be reduced due to the nature of a single-family residence being a less intensive use than that of a professional office. The ADT for a single family residence is calculated at 9.57/1,000 s.f. as compared to a small, professional office which is 11.01/1,000 s.f.

SCHOOL SYSTEM IMPACTS

Projected impacts to the school system are greater with a residence that with the existing office use, as the average American Family has 1.9 children as of 2017. The homeowners will pay property taxes which will benefit the county, offsetting use of county services.

PUBLIC WATER AND SEWER

Public water supplies this project. There is an existing 8" line along Talus Street on the frontage of the property.

As currently zoned, the property is required to connect to the Oconee County Sewer System. The rezoning of this property would benefit the already strained Oconee County Sewer System since the residential use would be able to utilize an On-Site Septic System for wastewater disposal.

The water main has been tapped and the property is already stubbed for a ¾" water meter.

Other utilities for this project include cable and telephone, both of which are provided by AT&T. Walton EMC provides power to the property. No gas service is available.

STORM WATER AND DRAINAGE

Storm water will sheet flow to the existing detention pond in the northern property line, which is where the majority of the water left the site in its pre-developed condition. The increase in storm water runoff from the impervious surfaces will be handled by the detention pond. The proposed residential use of the property will lessen the burden on this detention pond by decreasing the volume of runoff from this particular lot as compared to a professional office use, which would include more impervious surfaces in the form of a larger building, parking lot and sidewalks.

BUILDINGS AND FACADE MATERIALS

The structure will be constructed utilizing a congruous pallet of materials to the surrounding residences, including high quality brick, stone accents, glass, metal and copper, or combination thereof. All roofing will match the other structures on the adjacent lots, all of which feature 30-year architectural style shingles. Please refer to the attached photos for typical representations of homes in this area. No signage will be erected on this lot.

ESTIMATED VALUE OF PROJECT AT COMPLETION

The value of this residence is estimated to be \$460,000 in 2019 dollars at the time of completion.

OWNERSHIP AND MAINTENANCE OF COMMON OPEN SPACE

The existing storm water management facility, which is located in an existing drainage easement on this lot, will be continue to be owned and maintained by the Condo Association originally established for this development.

ARCHITECTURAL PHOTOS

Representative photos of comparable architecture are included as part of this packet immediately following this narrative.

PLANTINGS, BUFFERS, SIDEWALKS AND CURBING

Landscaping will meet or exceed all code requirements. There is an existing planted buffer against the subject property, located on the side line of the adjacent existing residence on Talus Street, which shall remain as existing.

SCHEDULE AND PHASING

This project will be completed based on the following anticipated schedule:

1040 Talus Street : Approximately one year from rezone approval

**1040 TALUS STREET
TERRECK HOLDINGS, L.L.C.
PROJECT NARRATIVE ADDENDUM**

ESTIMATED ADT OF PROPOSED RESIDENCE IS: 20 TRIPS

PROJECTED WATER USAGE FOR THE PROPOSED RESIDENCE IS 300 GPD

THE PROPERTY CURRENTLY FRONTS ON TALUS STREET, WHICH ALREADY FEATURES CURB AND GUTTER ALONG THE ROAD FRONTAGE. IF APPROVED, THE SUBJECT PROPERTY WILL HAVE A CONCRETE SIDEWALK ALONG ITS FRONTAGE FROM ONE PROPERTY LINE TO THE OTHER. IT WILL BE TIED TO THE EXISTING SIDEWALK AT 1020 TALUS STREET.

REPRESENTATIVE PHOTOGRAPHS





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

REZONE CASE #: 7814

DATE: July 3, 2019

STAFF REPORT BY: Grace B. Tuschak, Planner

APPLICANT NAME: ERT, INC.

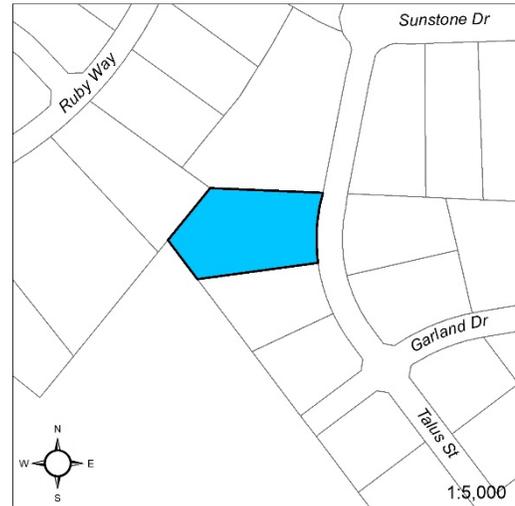
PROPERTY OWNER: Terreck Holdings, LLC

LOCATION: 1040 Talus Street

PARCEL SIZE: ± 1.52 acres

EXISTING ZONING: OIP (Office Institutional Professional)

EXISTING LAND USE: Vacant



FUTURE DEVELOPMENT MAP CHARACTER AREA DESIGNATION: Community Village

ACTION REQUESTED: Rezone from OIP (Office Institutional Professional) to R-1 (Single Family Residential)

REQUEST SUMMARY: The property owner is petitioning to rezone the subject property to R-1 to allow for the construction of a single family residence

STAFF RECOMMENDATION: Staff recommends conditional approval of the present request

DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: July 15, 2019

BOARD OF COMMISSIONERS: August 6, 2019

ATTACHMENTS:

- Application
- Narrative
- Zoning Impact Analysis
- Aerial Imagery
- Zoning Map
- Future Development Map
- Plat of Survey
- Concept Plan

BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The subject property was part of rezone 2581, approved on 06/04/2002 to allow for the development of Dickens Corner, a commercial 7-lot subdivision intended for professional office use

SURROUNDING LAND USE AND ZONING

	EXISTING LAND USES	EXISTING ZONING
NORTH	Single Family Residential (Belfair Subdivision)	R-1 (Single Family Residential)
SOUTH	Vacant	OIP (Office Institutional Professional)
EAST	Vacant	OIP (Office Institutional Professional)
WEST	Single Family Residential (Belfair Subdivision) Vacant	R-1 (Single Family Residential) B-2 (Highway Business)

PROJECT OVERVIEW

- The applicant is proposing to rezone the subject property from OIP to R-1 in order to allow for construction of a single family residence.
- The residence is proposed to be a minimum of 2,200 square feet and match the character of existing homes on adjacent R-1 lots in the Belfair subdivision.
- Construction of the residence is estimated to be completed roughly one year from zoning approval.
- Stormwater is proposed to be sheet flow to an existing detention pond located on the property. The detention pond is maintained by the Dickens Corner property owners association and the Belfair Homeowners Association.
- The total value of the project at completion is estimated to be \$460,000.

PROPOSED TRAFFIC PROJECTIONS

- Traffic generated by the proposed single family residence is proposed to be 20 ADT.
- Traffic impacts are projected to be less than if the property were developed under its current commercial zoning.

PUBLIC FACILITIES

Water:

- County officials have indicated via a water and sewer capacity letter dated 05/29/2019 that potable water is available at this location
- An existing water main runs along Talus street and has already been tapped for connection to the subject property
- Water use is projected to be less than if the property were developed under its current commercial zoning.

Sewer:

- County officials have indicated via a water and sewer capacity letter dated 05/29/2019 that residential sewer treatment capacity is not available this location
- The applicant proposes to utilize an on-site septic system for wastewater disposal

Roads:

- The proposed residence would be accessed via a driveway along Talus Street.

ENVIRONMENTAL

- No state waters or jurisdictional wetlands are located on the site.
- No 100-year flood plains are located on the site.

COMMENTS FROM OTHER DEPARTMENTS & AGENCIES

OCONEE COUNTY PUBLIC WORKS DEPARTMENT

- No comments

OCONEE COUNTY FIRE DEPARTMENT

- No comments

OCONEE COUNTY WATER RESOURCES DEPARTMENT

- No comments

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?**
Adjacent parcels are zoned R-1 and OIP, and are either vacant or in use for single-family residential purposes. Staff holds that an additional residential lot is compatible with the existing uses and zoning of nearby properties.
- B. To what extent are property values diminished by the particular zoning restrictions of the current zoning category?**
Staff holds that the current zoning category is unlikely to diminish the subject property’s value.
- 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:**
- i. Population density and effect on community facilities such as streets, schools, water, and sewer?**
The construction of one single family residence is anticipated to have a slight impact on local schools and population densities. No increase in County sewer services is currently requested, and increases in County water service should be less than if the property were developed under its current commercial zoning.
 - ii. Environmental impact?**
Staff does not anticipate any significant adverse environmental impacts as a result of the construction of a single family residence on the property.
 - iii. Effect on adjoining property values?**
The current modification request should not have any significant 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?**
The property has remained vacant since it was rezoned to OIP; staff holds that there is no benefit to the public in maintaining the current zoning.
- 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 lot and all adjacent OIP-zoned parcels have remained vacant since they were rezoned in 2002, while adjacent residential properties in the Belfair subdivision have been developed since they were rezoned to R-1 (also in 2002).
- F. Is the proposed use consistent with the stated purpose of the zoning district that is being requested?**
The purpose of R-1 is to protect and promote a suitable environment for family life, 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 comprehensive development plans for the county. Staff holds that the proposed single family residence is consistent with this stated purpose.

G. How does this request conform with or diverge from established land use patterns?

The current request conforms to established single family residential land use patterns in the adjacent Belfair subdivision and nearby subdivisions along US Hwy 78 such as Power Ridge subdivision and Keeneland subdivision.

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 subject property is designated a character area of Community Village on the 2040 Character Areas Map. The 2018 Comprehensive Plan described this character as intended for “mixed use developments that integrate and link together a compatible assortment of higher-intensity commercial... residential, and recreational uses through a comprehensive circulatory system.” Smaller lot residential subdivisions are listed in the Comprehensive Plan as a compatible secondary land use and staff holds that this request conforms to the Future Land Use Map and the goals and objectives of the Comprehensive Plan.

I. What is the availability of adequate sites for the proposed use in districts that permit such use?

Few vacant sites currently exist in nearby single family residential subdivisions along US Hwy 78.

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.)?

Staff believes the site to be suitable for the proposed use relative to the requirements set forth in the Unified Development Code.

STAFF RECOMMENDATION & CONDITIONAL REQUIREMENTS

Staff recommends conditional approval of this rezoning request, subject to the following conditions to be fulfilled by Owner at its expense:

1. A 25-foot incompatible use buffer in compliance with UDC Article 8 shall be maintained along the southern property line adjacent to the OIP-zoned property as required by UDC Sec. 808.02.b.



OCONEE COUNTY ZONING CHANGE APPLICATION

Requested Action:

Rezoning from: O-I-P to R-1

Change in Conditions of Approval for Case # : _____

Special Use Approval for: _____ in the _____ Zoning District

Applicant

Name: ERT, INC. c/o DAVID ELDER

Address: 123 BEAR CREEK LN.
(No P.O. Boxes)

BOGART, GA 30622

Telephone: 678.227.4545

Property Owner

Name: TERRECK HOLDINGS, LLC

Address: 480 E. BROAD STREET
(No P.O. Boxes)

STE. 116

ATHENS, GA 30601

Telephone: 706.540.1625

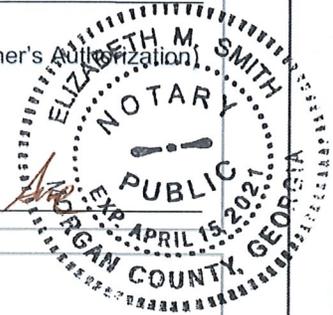
Applicant is (check one): the Property Owner Not the Property Owner (attach Property Owner's Authorization)

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

Signature: [Signature]

Date: 05/17/19

Notarized: [Signature]



Property

Location: 1040 TALUS STREET
WATKINSVILLE, GA 30677
(Physical Description)

Tax Parcel Number: B01L 001B

Size (Acres): 1.52 Current Zoning: O-I-P

Future Development Map—Character Area Designation: _____

Use

Current Use: ZONED O-I-P/
VACANT LAND

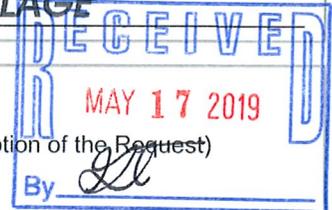
Proposed Use: SINGLE FAMILY RESIDENCE

COMMUNITY VILLAGE

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: _____

APPLICATION NUMBER 7814
 Action Planning Commission Date: _____
 Approval With Conditions Denial
 Board of Commissioners Date: _____
 Approved With Conditions Denied



1040 Talus Street
Tax Parcel # B 01L 001B
Rezone from O-I-P to R-1 Residential

Existing Zoning O-I-P
Proposed Zoning R-1

Located at: 1040 Talus St.
Bogart, Georgia 30622
A 1.52 Acre Parcel
May 16, 2019

PROPOSED USE

This property is proposed to be utilized as a Residential Lot with an on-site septic system. The existing use is a Commercial Lot with zoning for O-I-P that is required to be connected to the Oconee County Sewer System. A portion of this property features an easement for the storm water detention facility for the commercial development known as Dickens Corner. The balance of this property is old pasture land and fronts on Talus Street. To the West of this property are existing residences on lots along Ruby Way in the Belfair Subdivision which are zoned R-1. To the North is an existing residence on a lot in the Belfair Subdivision which is zoned R-1 and fronts on Talus Street. To the East across Talus Street are vacant tracts zoned O-I-P. To the South is a vacant tract zoned O-I-P.

Proposed in this project is one single-family residence of a minimum 2,200 s.f. that will closely match the character of the homes already constructed on the adjacent R-1 parcels. The residence will feature the associated driveway, landscaping and septic system common to most single-family residences in this area.

The totality of this request is a down-zoning from O-I-P to residential, which will reduce the burden on the county's sewer system infrastructure. It will also reduce potential traffic that would be created by an office use, if it were to be constructed under the current zoning.

TRAFFIC IMPACTS

Projected traffic impacts will be reduced due to the nature of a single-family residence being a less intensive use than that of a professional office. The ADT for a single family residence is calculated at 9.57/1,000 s.f. as compared to a small, professional office which is 11.01/1,000 s.f.





SCHOOL SYSTEM IMPACTS

Projected impacts to the school system are greater with a residence than with the existing office use, as the average American Family has 1.9 children as of 2017. The homeowners will pay property taxes which will benefit the county, offsetting use of county services.

PUBLIC WATER AND SEWER

Public water supplies this project. There is an existing 8" line along Talus Street on the frontage of the property.

As currently zoned, the property is required to connect to the Oconee County Sewer System. The rezoning of this property would benefit the already strained Oconee County Sewer System since the residential use would be able to utilize an On-Site Septic System for wastewater disposal.

The water main has been tapped and the property is already stubbed for a ¾" water meter.

Other utilities for this project include cable and telephone, both of which are provided by AT&T. Walton EMC provides power to the property. No gas service is available.

STORM WATER AND DRAINAGE

Storm water will sheet flow to the existing detention pond in the northern property line, which is where the majority of the water left the site in its pre-developed condition. The increase in storm water runoff from the impervious surfaces will be handled by the detention pond. The proposed residential use of the property will lessen the burden on this detention pond by decreasing the volume of runoff from this particular lot as compared to a professional office use, which would include more impervious surfaces in the form of a larger building, parking lot and sidewalks.

BUILDINGS AND FACADE MATERIALS

The structure will be constructed utilizing a congruous pallet of materials to the surrounding residences, including high quality brick, stone accents, glass, metal and copper, or combination thereof. All roofing will match the other structures on the adjacent lots, all of which feature 30-year architectural style shingles. Please refer to the attached photos for typical representations of homes in this area. No signage will be erected on this lot.





ESTIMATED VALUE OF PROJECT AT COMPLETION

The value of this residence is estimated to be \$460,000 in 2019 dollars at the time of completion.

OWNERSHIP AND MAINTENANCE OF COMMON OPEN SPACE

The existing storm water management facility, which is located in an existing drainage easement on this lot, will be continue to be owned and maintained by the Condo Association originally established for this development.

ARCHITECTURAL PHOTOS

Representative photos of comparable architecture are included as part of this packet immediately following this narrative.

PLANTINGS, BUFFERS, SIDEWALKS AND CURBING

Landscaping will meet or exceed all code requirements. There is an existing planted buffer against the subject property, located on the side line of the adjacent existing residence on Talus Street, which shall remain as existing.

SCHEDULE AND PHASING

This project will be completed based on the following anticipated schedule:

1040 Talus Street : Approximately one year from rezone approval.



**1040 TALUS STREET
TERRECK HOLDINGS, L.L.C.
PROJECT NARRATIVE ADDENDUM**

ESTIMATED ADT OF PROPOSED RESIDENCE IS: 20 TRIPS

PROJECTED WATER USAGE FOR THE PROPOSED RESIDENCE IS 300 GPD

THE PROPERTY CURRENTLY FRONTS ON TALUS STREET, WHICH ALREADY FEATURES CURB AND GUTTER ALONG THE ROAD FRONTAGE. IF APPROVED, THE SUBJECT PROPERTY WILL HAVE A CONCRETE SIDEWALK ALONG ITS FRONTAGE FROM ONE PROPERTY LINE TO THE OTHER. IT WILL BE TIED TO THE EXISTING SIDEWALK AT 1020 TALUS STREET.

ZONING IMPACT ANALYSIS
STANDARDS FOR REZONE CONSIDERATION
1040 TALUS STREET

A. How does the current request compare to the existing uses and zoning of nearby properties?

The proposed change in zoning from O-I-P to R-1 would be congruous with the majority of the surrounding properties. The property is located at the edge of the Belfair subdivision and abutted by other properties zoning R-1 and R-3. It is abutted by one lot that is zoned O-I-P. There is another O-I-P lot across the street.

B. To what extent are property values diminished by the particular zoning restrictions of the current zoning category?

The existing property zoning classification of O-I-P does not diminish the value of the property, but the real estate market has proved that there is little to no interest in a property of that zoning classification in that area. Conversely, residentially zoned properties are in demand in this area.

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?

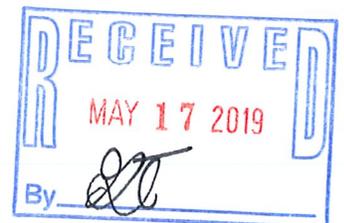
The proposed residential use creates minimum impact to arterial streets, water and other public facilities. The residence could impact the school system with the probability of children living in the home at some point. Since the residence could utilize an on-site septic system, it would reduce the burden on County sewer services that the current zoning would require use of.

2. Environmental impact?

This project will have minimal negative impacts to the surrounding environment. There is a minimal amount of grading that will have to be performed. There are no areas of wetlands or State Waters on site. Storm water facilities have been engineered to manage storm water runoff from this project as an office. The residence will feature less impervious surface than an office would.

3. Effect on adjoining property values?

The proposed rezone will not negatively impact the adjoining property values, but serve to enhance them. Adjacent properties with similar uses and zoning currently exist. This project fits with the character of the surrounding lots, the majority of which are residential.



- 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?**

The current zoning of this property allows for Office space. The potential for office space at this location provides positive gain to the public in terms of tax base increase and possible employment. It would be a hardship to the individual property owner to not be able to utilize this property and continue to pay property taxes years into the future with no purchaser. Currently the property is stagnant, rezoning to residential is the best probability for sale of the lot.

- 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 in the vicinity of the property?**

The property has been sitting in its current condition since 2005. There are several other lots with similar zoning and only a handful have had any construction. This lot is unique in the scope of the commercial subdivision as it is closer to the residential subdivision than the other O-I-P lots. It is farther from U.S. 78 than those other O-I-P lots, making it less desirable as a commercial property.

- F. Is the proposed use consistent with the stated purpose of the zoning district that is being requested?**

The proposed use is consistent with the stated purpose of the zoning district requested.

- G. How does this request conform with or diverge from established land use patterns?**

The proposed rezoning conforms to established land use patterns as this property is directly adjoined by occupied R-1 Lots. Additionally, in this area you find many other neighborhoods and homes.

- 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 proposed rezoning conforms to the Future Land Use Map projection of Community Village. The very definition of Village is as follows: A group of houses and associated buildings, larger than a hamlet and smaller than a town, situated in a rural area.

- I. What is the availability of adequate sites for the proposed use in districts that permit such use?**

There are many residential lots in the area with homes already constructed on them. There are far fewer available residential lots on which to construct a new home and these lots are in high demand.

- 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.)?**

The proposed R-1 zoning will require larger building setbacks than under current O-I-P zoning. Compliance with the UDC is relatively simple for a Residential Lot.





11/08/2018



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MAY 17 2019
By JL

11/07/2018



11/08/2018

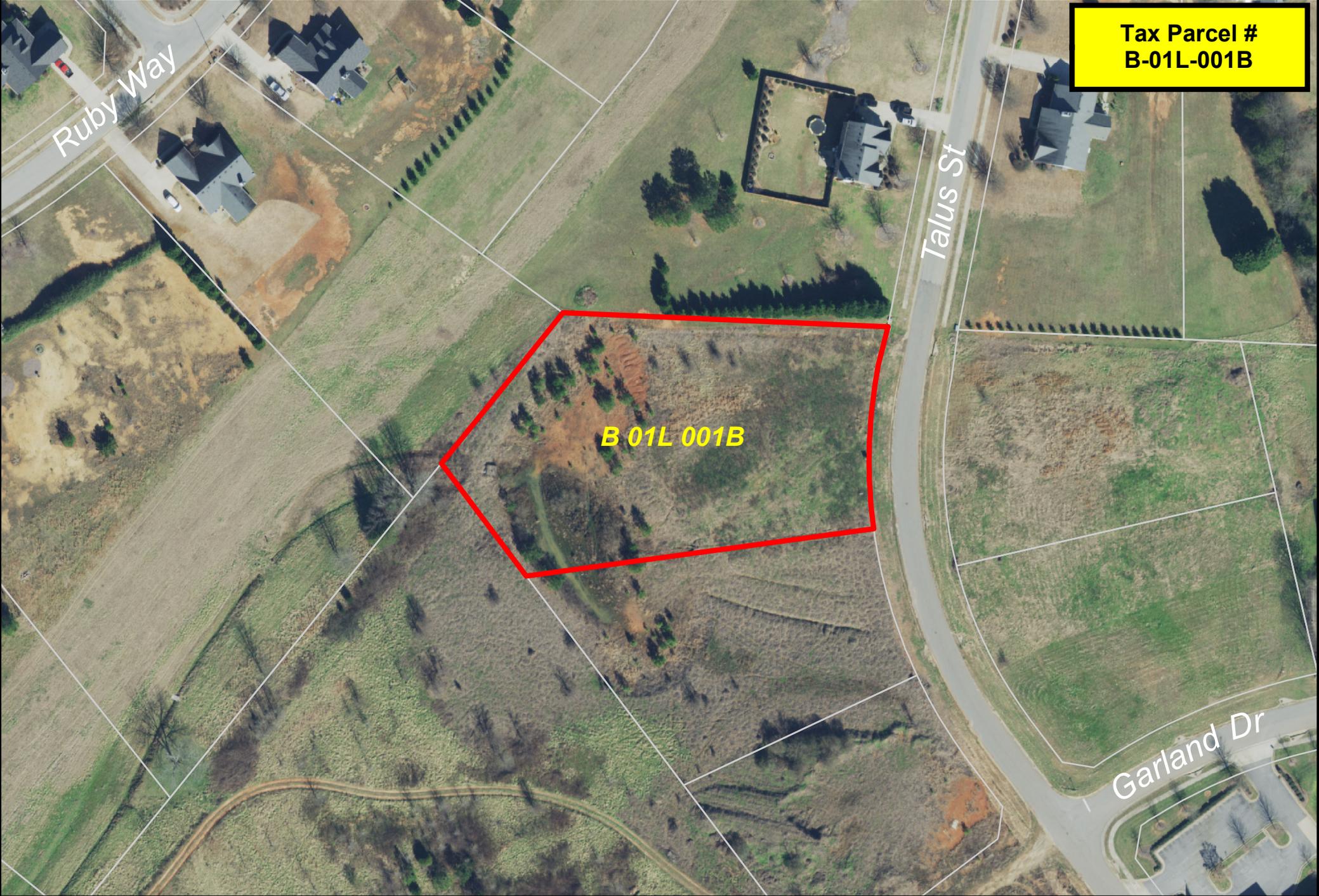


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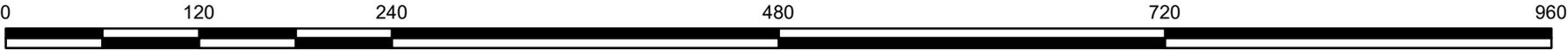
07/15/2016

Rezone #7814 - Terreck Holdings

**Tax Parcel #
B-01L-001B**



1:1,250



Feet



Zoning

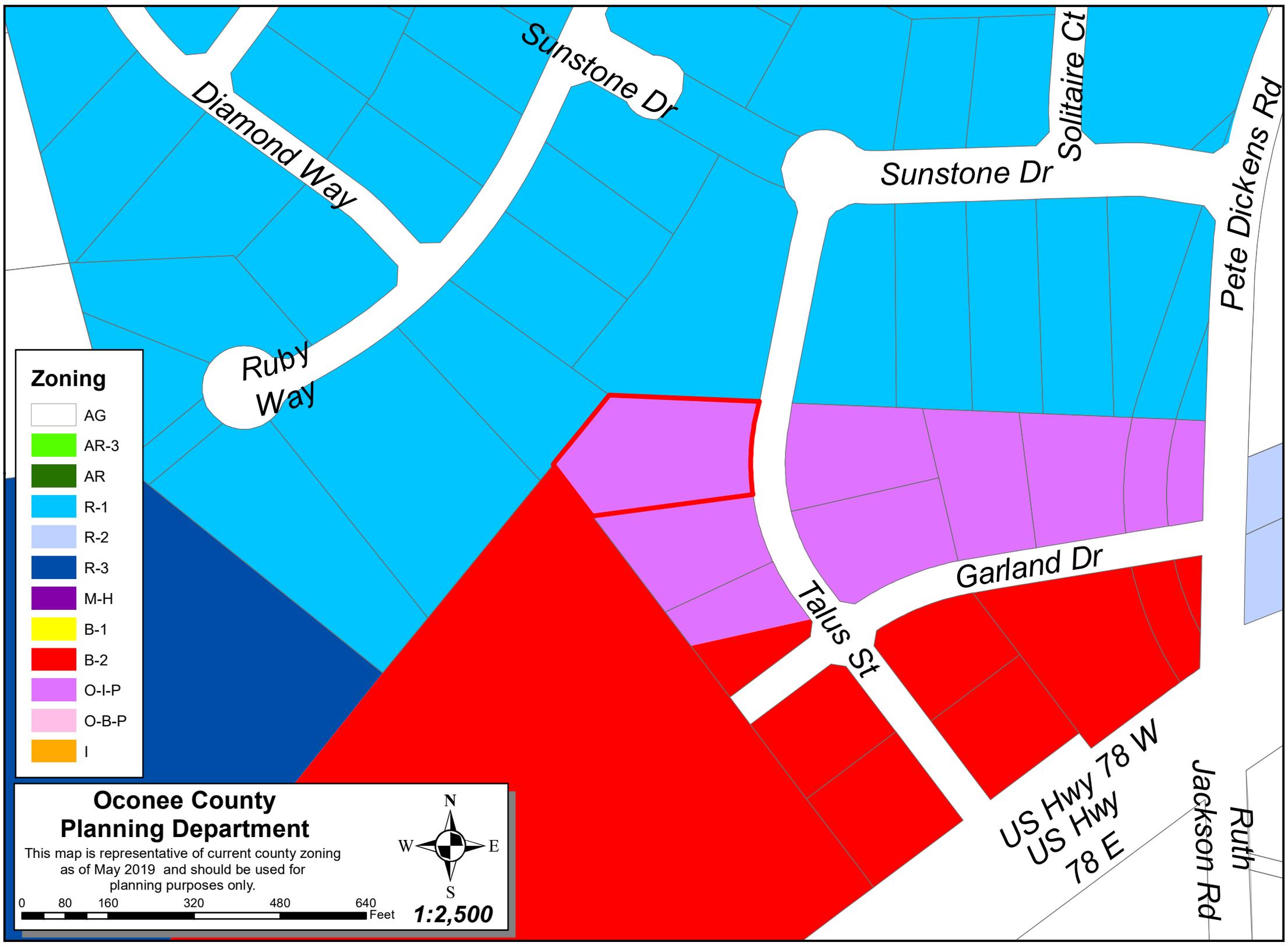
	AG
	AR-3
	AR
	R-1
	R-2
	R-3
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	B-1
	B-2
	O-I-P
	O-B-P
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**Oconee County
Planning Department**

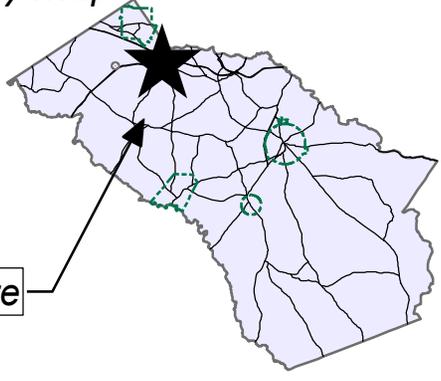
This map is representative of current county zoning as of May 2019 and should be used for planning purposes only.



0 80 160 320 480 640 Feet **1:2,500**



Vicinity Map



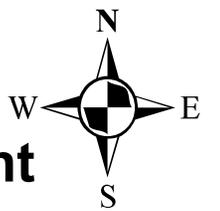
Site

Suburban Neighborhood

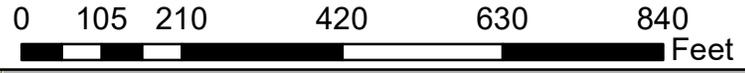
Community Village

Ruby Way

Oconee County Planning Department



This map is a representation of the future development map
and should be used for planning purposes only



Sunstone Dr

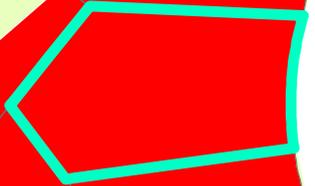
Pete Dickens Rd

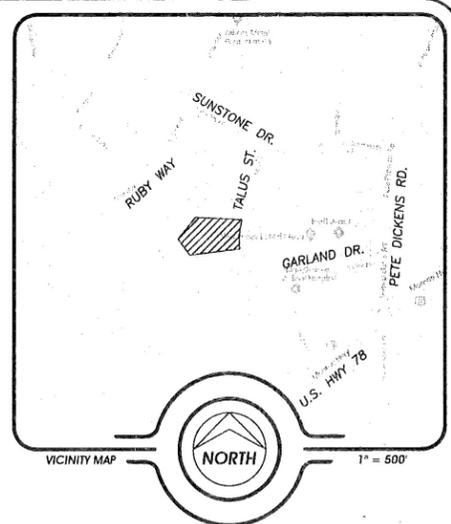
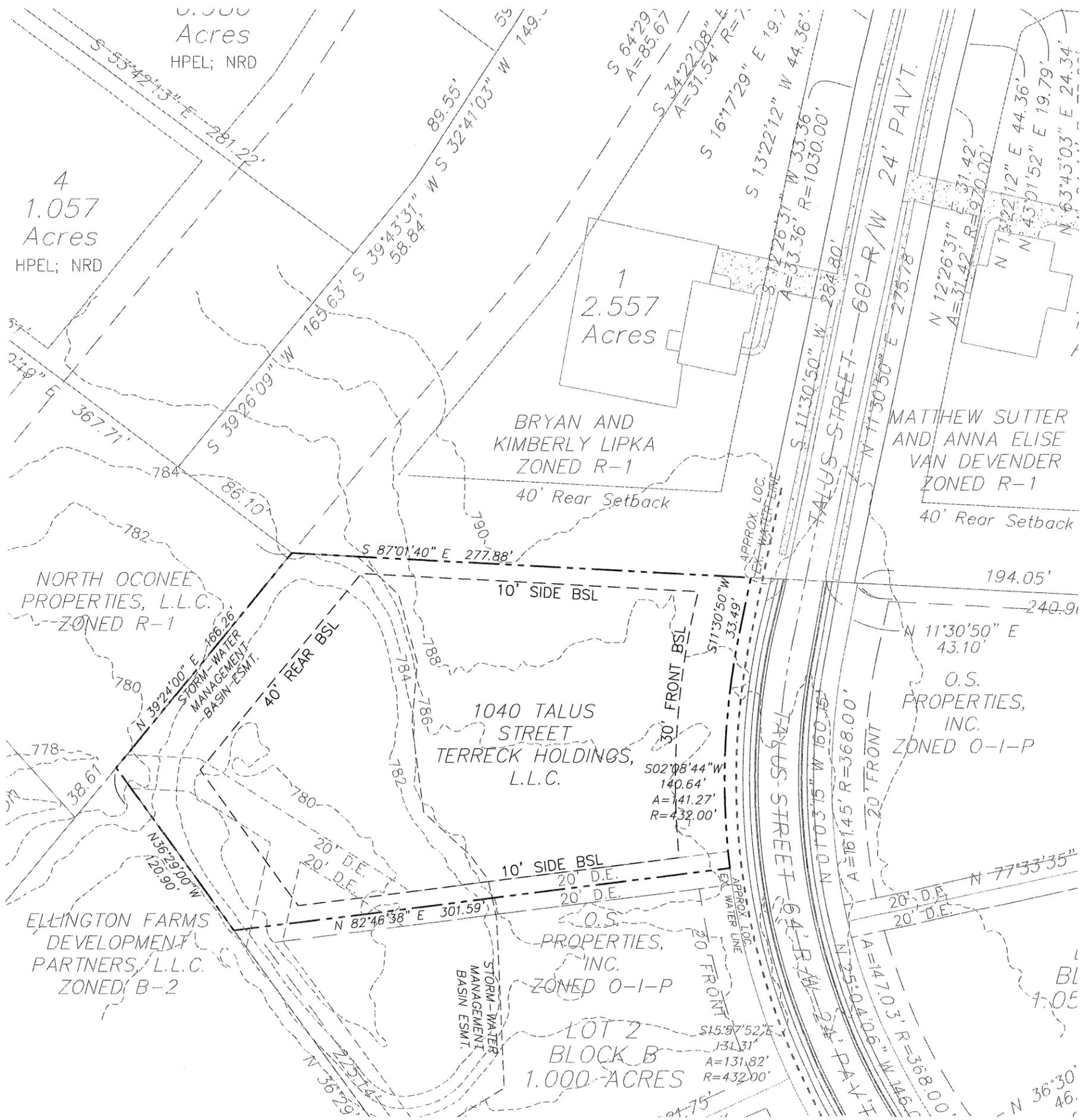
Garland Dr

Talus St

US Hwy 78 W
US Hwy 78 E

Ruth Jackson Rd

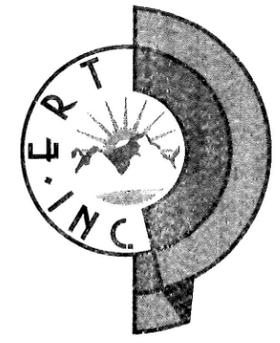
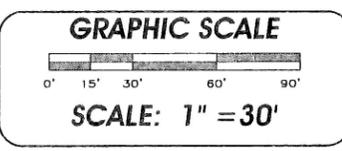




- REZONE ACTION REQUESTED
EXISTING ZONING: O-I-P
PROPOSED ZONING: R-1
- PLANS PREPARED BY:
ERT, INC.
123 BEAR CREEK LANE
BOGART, GA 30062
PROJECT CONTACT: DAVID ELDER
678.227.4545
- APPLICANT/AUTHORIZED AGENT:
ERT, INC.
123 BEAR CREEK LANE
BOGART, GA 30062
PROJECT CONTACT: DAVID ELDER
678.227.4545
- PROPERTY OWNER/DEVELOPER:
TERRECK HOLDINGS, LLC
C/O MR. JOHN S. TERRELL, III
400 E. BROAD STREET STE. 116
ATHENS, GA 30601
706.540.1625 CELL
- PROPERTY LOCATION
THE SUBJECT PROPERTY IS LOCATED AT:
1040 TALUS STREET
BOGART, GA 30622
- TAX PARCEL #:
B01L 001B
- PROPERTY ACREAGE
1.52 ACRES TOTAL
- EXISTING ZONING
O-I-P
- FUTURE LAND USE MAP CATEGORY
COMMUNITY VILLAGE
- EXISTING USE
VACANT/UNDEVELOPED LAND
- PROPOSED USE
RESIDENTIAL LOT
- UTILITIES:
WATER: OCONEE COUNTY - CONNECTION PREVIOUSLY APPROVED
SEWER: ON-SITE SEPTIC SYSTEM
GAS: N/A
CABLE: AT&T
TELEPHONE: AT&T
POWER: WALTON EMC
- GARBAGE WILL BE DISPOSED OF IN ON-SITE CAN THAT IS EMPTIED BY PRIVATE CONTRACTOR.
- TOTAL AREA COVERED BY BUILDINGS:
APPROX. 2,200 S.F. OR 0.051 AC.
- TOTAL AREA COVERED BY DRIVEWAY AND WALK:
APPROX. 450 S.F. OR 0.010 AC.
- TOTAL AREA COVERED BY DRIVEWAY AND WALK:
APPROX. 450 S.F. OR 0.010 AC.
- THERE ARE NO STREAMS OR WETLANDS LOCATED ON THE SUBJECT PROPERTY. ERT, INC. STAFF ARE CERTIFIED WETLANDS DELINEATORS, WHO CONDUCTED A SITE VISIT ON 05/09/19. THE EXISTING DETENTION POND AND OUTFLOW AREA CONTAINED VERY LITTLE SATURATED SOIL AND NO DEFINED CHANNELS WITH ANY BASE FLOW. NO AREAS OF STATE WATERS WERE OBSERVED ON SITE.
- THERE ARE NO EXISTING TREES OF SIGNIFICANCE ON SITE. NO TREE SAVE AREA IS PROPOSED. THE SITE IS CURRENTLY COVERED IN PASTURE GRASS, KUDZU AND SCRUB GROWTH (PRIMARILY WITHIN THE DETENTION POND ESMT.)

- PROJECT NARRATIVE:
- TOTAL SITE ACREAGE IS 1.52
 - THE ADJACENT LAND USES ARE: RESIDENTIAL TO THE NORTH AND EAST, VACANT LAND ZONED O-I-P IS LOCATED TO THE SOUTH, VACANT LAND ZONED B-2 TO THE WEST.
 - THE PROPERTY IS CURRENTLY ZONED O-I-P
 - THE PROPERTY IS PROPOSED TO CHANGE TO RESIDENTIAL ZONING DUE TO A LACK OF RESIDENTIAL LOTS AVAILABLE IN THE AREA.
- GENERAL NOTES:
- 2' TOPOGRAPHY TAKEN FROM GIS INFORMATION PROVIDED BY OCONEE COUNTY VIA OPUBLIC.
 - THERE ARE NO STATE WATERS OR WETLANDS ON OR WITHIN 200' OF THE BOUNDARY OF THIS PROPERTY.
 - STORM WATER MANAGEMENT SHALL BE IN ACCORDANCE WITH COUNTY, STATE AND OTHER APPROPRIATE ORDINANCES AND REGULATIONS IN EFFECT AT TIME OF CONSTRUCTION PLAN APPROVAL.
 - THE EXISTING DETENTION POND IS ALREADY SIZED FOR MORE THAN THE PROPOSED IMPERVIOUS AREA.
 - NO PORTION OF THIS PROPERTY LIES WITHIN A FLOOD ZONE PER FEMA FIRM PANEL 13219C0045D DATED SEPTEMBER 2, 2009.

RECEIVED
JUN 12 2019
By *[Signature]*



ENVIRONMENTAL CONSULTING
ENGINEERING
LAND PLANNING/DESIGN
NPDES MONITORING
WETLAND DELINEATION

P.O. BOX 100
BOGART, GA 30622
770.851.8226 OFFICE
678.227.4545 CELL

1040 TALUS STREET
BOGART, GA 30622
OCONEE COUNTY
1.52 ACRES

REVISIONS	DATE
REVISED PER OC COMMENTS	06/12/19

ANY CHANGES OR ALTERATIONS MADE TO THESE CONSTRUCTION DRAWINGS WITHOUT THE WRITTEN APPROVAL OF ADVANCED ENVIRONMENTAL RESOURCES TECHNOLOGIES, INC. VOID THE FINAL DRAWING HEREON AND ANY LIABILITY ASSOCIATED WITH THIS PROJECT. THE ORIGINAL DRAWINGS ARE KEPT ON FILE FOR VERIFICATION OF ANY CHANGES.



DATE
05/16/19

REZONE
CONCEPT
PLAN

SHEET
1 OF 1