

**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 Barbara Gasaway submitted May 24, 2019.

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 JDG Investments, LLC on May 24, 2019, regarding a ±28.34-acre tract of land located along U.S. Highway 78 in the 224th G.M.D., Oconee County, Georgia, (portion of tax parcel no. A-02-017 and portion of tax parcel no. A-02-017A), 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 to waive the requirement for incompatible land use buffers on B-1 and B-2-zoned property adjacent to AG-zoned property as shown on the attached concept plan and as conditioned below.

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 the same 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, Chairman

Mark Thomas, Member

Chuck Horton, Member

William E. Wilkes, Member

Mark Saxon, Member

ATTEST:

Kathy Hayes
Clerk, Board of Commissioners



EXHIBIT "A" TO SPECIAL EXCEPTION VARIANCE #7811

Page 1 of 4

CONDITIONS

1. A 15-foot incompatible use buffer in compliance with UDC Sec. 806 shall be maintained along the proposed southern property line between AG-zoned property and proposed B-2-zoned property. A 15-foot incompatible use buffer in compliance with UDC Sec. 806 shall be maintained along the northern property line between AG-zoned property and proposed B-1-zoned property.

TAX MAP



LEGAL DESCRIPTION

All the tracts or parcels of land containing 28.34 acres, more or less, lying and being on the northwesterly side of U.S Highway 78 and Georgia 10, in the 224th GMD, Oconee County, Georgia, being more particularly described as follows:

Beginning at the centerline intersection of US Hwy. 78 and GA Hwy. 53 (Hog Mtn. Rd.), thence South 44 degrees 05 minutes 12 seconds West for a distance of 1719.51 feet to an iron pin located on the northwestern right-of-way line of US Hwy. 78, thence South 29 degrees 27 minutes 57 seconds West for a distance of 35.99 feet long a curve with a radius of 3949.72 feet and chord distance 35.99 feet to an iron pin located on the northwestern right-of-way line of US Hwy. 78 which is the Point of Beginning;

Thence South 28 degrees 54 minutes 20 seconds West 41.27 feet long a curve with a radius of 3949.72 feet and chord distance 41.27 feet to a point on the northwestern right-of-way line of US Hwy. 78,

Thence South 28 degrees 36 minutes 07 seconds West 536.05 feet to concrete monument on the northwestern right-of-way line of US Hwy. 78,

Thence South 30 degrees 05 minutes 05 seconds West 288.96 feet long a curve with a radius of 5599.58 feet and chord distance 288.93 feet to an iron pin on the northwestern right-of-way line of US Hwy. 78,

Thence South 32 degrees 04 minutes 32 seconds West 50.11 feet long a curve with a radius of 5599.58 feet and chord distance 50.11 feet to a point on the northwestern right-of-way line of US Hwy. 78,

Thence South 32 degrees 04 minutes 32 seconds West 50.11 feet long a curve with a radius of 5599.58 feet and chord distance 50.11 feet to an iron pin on the northwestern right-of-way line of US Hwy. 78,

Thence South 35 degrees 38 minutes 01 seconds West 595.22 feet long a curve with a radius of 5599.58 feet and chord distance 594.94 feet to a concrete monument on the northwestern right-of-way line of US Hwy. 78,

Thence South 38 degrees 40 minutes 35 seconds West 86.16 feet to a point on the northwestern right-of-way line of US Hwy. 78,

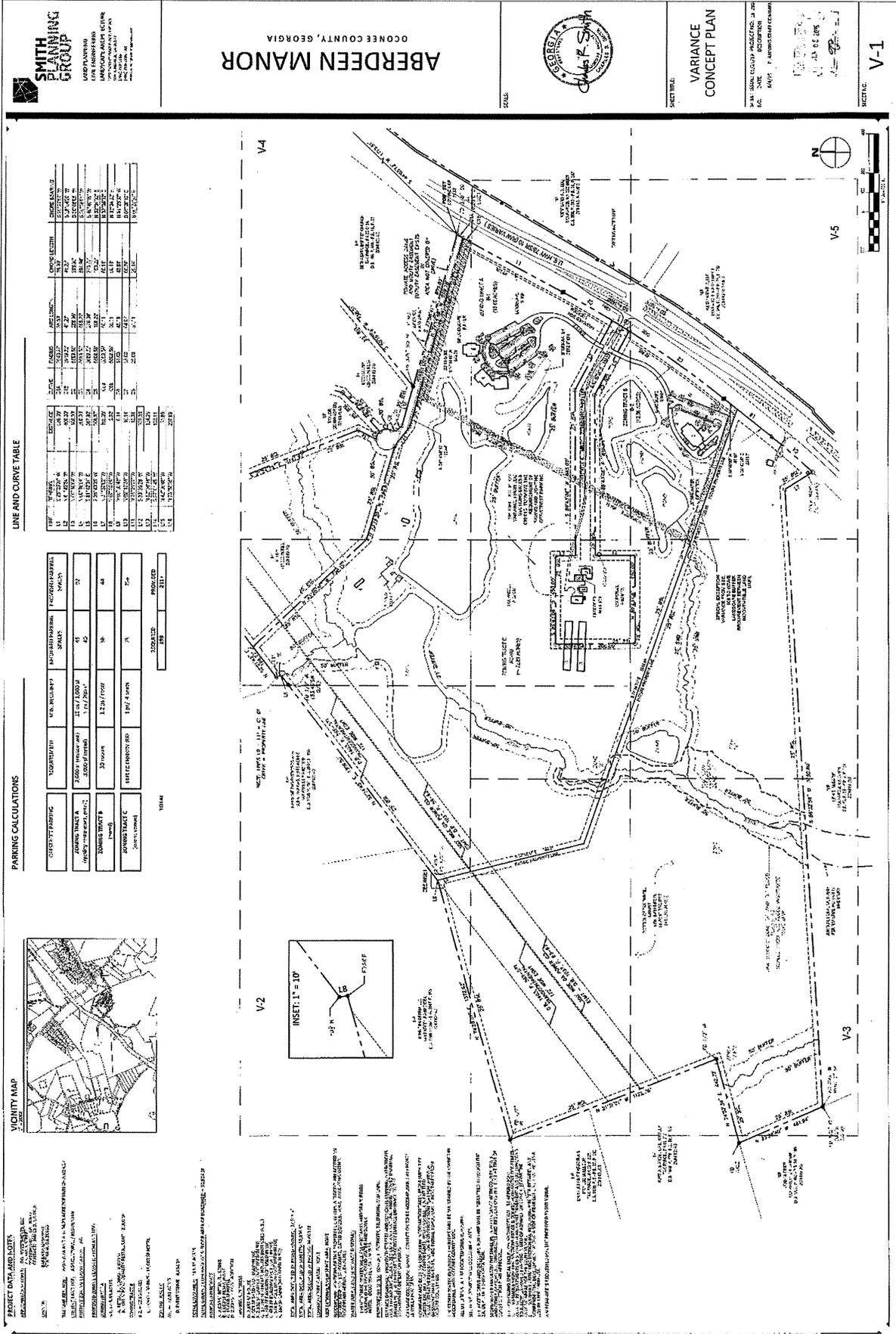
Thence North 70 degrees 36 minutes 11 seconds West 729.95 feet to a point,

Thence North 28 degrees 36 minutes 07 seconds East 604.14 feet to a point,

Thence North 28 degrees 36 minutes 07 seconds East 966.56 feet to a point,

Thence South 74 degrees 14 minutes 48 seconds East 843.34 feet to an iron pin which is the Point of Beginning.

CONCEPT PLAN



SMITH PLANNING GROUP
 LAND PLANNING
 LANDSCAPE ARCHITECTURE
 1000 W. BIRCHWOOD DRIVE, SUITE 100
 FARMINGDALE, GA 30204
 PHONE: 770.427.1100
 FAX: 770.427.1101
 WWW.SMITHPLANNINGGROUP.COM

ABBERDEEN MANOR
 OCONEE COUNTY, GEORGIA



VARIANCE
 CONCEPT PLAN

SHEET TITLE
 DATE: 12/15/11
 DRAWN BY: J. SMITH
 CHECKED BY: J. SMITH
 SCALE: AS SHOWN

SHEET NO. V-1

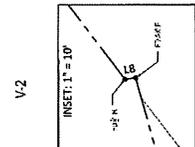
LINE AND CURVE TABLE

LINE NO.	START STATION	END STATION	LENGTH	CHORD BEARING	CHORD DISTANCE	CHORD AREA
1	0+00	0+25	25.00	S 89° 58' 00" W	24.98	124.90
2	0+25	0+50	25.00	S 89° 58' 00" W	24.98	124.90
3	0+50	0+75	25.00	S 89° 58' 00" W	24.98	124.90
4	0+75	1+00	25.00	S 89° 58' 00" W	24.98	124.90
5	1+00	1+25	25.00	S 89° 58' 00" W	24.98	124.90
6	1+25	1+50	25.00	S 89° 58' 00" W	24.98	124.90
7	1+50	1+75	25.00	S 89° 58' 00" W	24.98	124.90
8	1+75	2+00	25.00	S 89° 58' 00" W	24.98	124.90
9	2+00	2+25	25.00	S 89° 58' 00" W	24.98	124.90
10	2+25	2+50	25.00	S 89° 58' 00" W	24.98	124.90
11	2+50	2+75	25.00	S 89° 58' 00" W	24.98	124.90
12	2+75	3+00	25.00	S 89° 58' 00" W	24.98	124.90
13	3+00	3+25	25.00	S 89° 58' 00" W	24.98	124.90
14	3+25	3+50	25.00	S 89° 58' 00" W	24.98	124.90
15	3+50	3+75	25.00	S 89° 58' 00" W	24.98	124.90
16	3+75	4+00	25.00	S 89° 58' 00" W	24.98	124.90
17	4+00	4+25	25.00	S 89° 58' 00" W	24.98	124.90
18	4+25	4+50	25.00	S 89° 58' 00" W	24.98	124.90
19	4+50	4+75	25.00	S 89° 58' 00" W	24.98	124.90
20	4+75	5+00	25.00	S 89° 58' 00" W	24.98	124.90
21	5+00	5+25	25.00	S 89° 58' 00" W	24.98	124.90
22	5+25	5+50	25.00	S 89° 58' 00" W	24.98	124.90
23	5+50	5+75	25.00	S 89° 58' 00" W	24.98	124.90
24	5+75	6+00	25.00	S 89° 58' 00" W	24.98	124.90
25	6+00	6+25	25.00	S 89° 58' 00" W	24.98	124.90
26	6+25	6+50	25.00	S 89° 58' 00" W	24.98	124.90
27	6+50	6+75	25.00	S 89° 58' 00" W	24.98	124.90
28	6+75	7+00	25.00	S 89° 58' 00" W	24.98	124.90
29	7+00	7+25	25.00	S 89° 58' 00" W	24.98	124.90
30	7+25	7+50	25.00	S 89° 58' 00" W	24.98	124.90
31	7+50	7+75	25.00	S 89° 58' 00" W	24.98	124.90
32	7+75	8+00	25.00	S 89° 58' 00" W	24.98	124.90
33	8+00	8+25	25.00	S 89° 58' 00" W	24.98	124.90
34	8+25	8+50	25.00	S 89° 58' 00" W	24.98	124.90
35	8+50	8+75	25.00	S 89° 58' 00" W	24.98	124.90
36	8+75	9+00	25.00	S 89° 58' 00" W	24.98	124.90
37	9+00	9+25	25.00	S 89° 58' 00" W	24.98	124.90
38	9+25	9+50	25.00	S 89° 58' 00" W	24.98	124.90
39	9+50	9+75	25.00	S 89° 58' 00" W	24.98	124.90
40	9+75	10+00	25.00	S 89° 58' 00" W	24.98	124.90
41	10+00	10+25	25.00	S 89° 58' 00" W	24.98	124.90
42	10+25	10+50	25.00	S 89° 58' 00" W	24.98	124.90
43	10+50	10+75	25.00	S 89° 58' 00" W	24.98	124.90
44	10+75	11+00	25.00	S 89° 58' 00" W	24.98	124.90
45	11+00	11+25	25.00	S 89° 58' 00" W	24.98	124.90
46	11+25	11+50	25.00	S 89° 58' 00" W	24.98	124.90
47	11+50	11+75	25.00	S 89° 58' 00" W	24.98	124.90
48	11+75	12+00	25.00	S 89° 58' 00" W	24.98	124.90
49	12+00	12+25	25.00	S 89° 58' 00" W	24.98	124.90
50	12+25	12+50	25.00	S 89° 58' 00" W	24.98	124.90
51	12+50	12+75	25.00	S 89° 58' 00" W	24.98	124.90
52	12+75	13+00	25.00	S 89° 58' 00" W	24.98	124.90
53	13+00	13+25	25.00	S 89° 58' 00" W	24.98	124.90
54	13+25	13+50	25.00	S 89° 58' 00" W	24.98	124.90
55	13+50	13+75	25.00	S 89° 58' 00" W	24.98	124.90
56	13+75	14+00	25.00	S 89° 58' 00" W	24.98	124.90
57	14+00	14+25	25.00	S 89° 58' 00" W	24.98	124.90
58	14+25	14+50	25.00	S 89° 58' 00" W	24.98	124.90
59	14+50	14+75	25.00	S 89° 58' 00" W	24.98	124.90
60	14+75	15+00	25.00	S 89° 58' 00" W	24.98	124.90
61	15+00	15+25	25.00	S 89° 58' 00" W	24.98	124.90
62	15+25	15+50	25.00	S 89° 58' 00" W	24.98	124.90
63	15+50	15+75	25.00	S 89° 58' 00" W	24.98	124.90
64	15+75	16+00	25.00	S 89° 58' 00" W	24.98	124.90
65	16+00	16+25	25.00	S 89° 58' 00" W	24.98	124.90
66	16+25	16+50	25.00	S 89° 58' 00" W	24.98	124.90
67	16+50	16+75	25.00	S 89° 58' 00" W	24.98	124.90
68	16+75	17+00	25.00	S 89° 58' 00" W	24.98	124.90
69	17+00	17+25	25.00	S 89° 58' 00" W	24.98	124.90
70	17+25	17+50	25.00	S 89° 58' 00" W	24.98	124.90
71	17+50	17+75	25.00	S 89° 58' 00" W	24.98	124.90
72	17+75	18+00	25.00	S 89° 58' 00" W	24.98	124.90
73	18+00	18+25	25.00	S 89° 58' 00" W	24.98	124.90
74	18+25	18+50	25.00	S 89° 58' 00" W	24.98	124.90
75	18+50	18+75	25.00	S 89° 58' 00" W	24.98	124.90
76	18+75	19+00	25.00	S 89° 58' 00" W	24.98	124.90
77	19+00	19+25	25.00	S 89° 58' 00" W	24.98	124.90
78	19+25	19+50	25.00	S 89° 58' 00" W	24.98	124.90
79	19+50	19+75	25.00	S 89° 58' 00" W	24.98	124.90
80	19+75	20+00	25.00	S 89° 58' 00" W	24.98	124.90
81	20+00	20+25	25.00	S 89° 58' 00" W	24.98	124.90
82	20+25	20+50	25.00	S 89° 58' 00" W	24.98	124.90
83	20+50	20+75	25.00	S 89° 58' 00" W	24.98	124.90
84	20+75	21+00	25.00	S 89° 58' 00" W	24.98	124.90
85	21+00	21+25	25.00	S 89° 58' 00" W	24.98	124.90
86	21+25	21+50	25.00	S 89° 58' 00" W	24.98	124.90
87	21+50	21+75	25.00	S 89° 58' 00" W	24.98	124.90
88	21+75	22+00	25.00	S 89° 58' 00" W	24.98	124.90
89	22+00	22+25	25.00	S 89° 58' 00" W	24.98	124.90
90	22+25	22+50	25.00	S 89° 58' 00" W	24.98	124.90
91	22+50	22+75	25.00	S 89° 58' 00" W	24.98	124.90
92	22+75	23+00	25.00	S 89° 58' 00" W	24.98	124.90
93	23+00	23+25	25.00	S 89° 58' 00" W	24.98	124.90
94	23+25	23+50	25.00	S 89° 58' 00" W	24.98	124.90
95	23+50	23+75	25.00	S 89° 58' 00" W	24.98	124.90
96	23+75	24+00	25.00	S 89° 58' 00" W	24.98	124.90
97	24+00	24+25	25.00	S 89° 58' 00" W	24.98	124.90
98	24+25	24+50	25.00	S 89° 58' 00" W	24.98	124.90
99	24+50	24+75	25.00	S 89° 58' 00" W	24.98	124.90
100	24+75	25+00	25.00	S 89° 58' 00" W	24.98	124.90

PARKING CALCULATIONS

TYPE OF PARKING	NUMBER OF SPACES	PERCENT OF TOTAL	TOTAL SPACES
STREET SIDE PARKING	10	10%	10
ADJACENT PARKING	40	40%	40
ADJACENT TRACT A	40	40%	40
ADJACENT TRACT B	40	40%	40
ADJACENT TRACT C	40	40%	40
TOTAL	130	100%	130

VICINITY MAP



PROJECT DATA AND NOTES:
 1. THIS PLAN IS A CONCEPT PLAN AND IS NOT TO BE USED FOR CONSTRUCTION.
 2. THE DESIGNER HAS CONDUCTED VISUAL ANALYSIS AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS VISUALLY COMPATIBLE WITH THE SURROUNDING AREA.
 3. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT AND THE STATE DEPARTMENT OF TRANSPORTATION.
 4. THE DESIGNER HAS CONDUCTED VISUAL ANALYSIS AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS VISUALLY COMPATIBLE WITH THE SURROUNDING AREA.
 5. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT AND THE STATE DEPARTMENT OF TRANSPORTATION.
 6. THE DESIGNER HAS CONDUCTED VISUAL ANALYSIS AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS VISUALLY COMPATIBLE WITH THE SURROUNDING AREA.
 7. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT AND THE STATE DEPARTMENT OF TRANSPORTATION.
 8. THE DESIGNER HAS CONDUCTED VISUAL ANALYSIS AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS VISUALLY COMPATIBLE WITH THE SURROUNDING AREA.
 9. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT AND THE STATE DEPARTMENT OF TRANSPORTATION.
 10. THE DESIGNER HAS CONDUCTED VISUAL ANALYSIS AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS VISUALLY COMPATIBLE WITH THE SURROUNDING AREA.
 11. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT AND THE STATE DEPARTMENT OF TRANSPORTATION.
 12. THE DESIGNER HAS CONDUCTED VISUAL ANALYSIS AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS VISUALLY COMPATIBLE WITH THE SURROUNDING AREA.
 13. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT AND THE STATE DEPARTMENT OF TRANSPORTATION.
 14. THE DESIGNER HAS CONDUCTED VISUAL ANALYSIS AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS VISUALLY COMPATIBLE WITH THE SURROUNDING AREA.
 15. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT AND THE STATE DEPARTMENT OF TRANSPORTATION.

NARRATIVE

SPECIAL EXCEPTION VARIANCES

As mentioned above, special exception variances have been submitted to waive particular requirements of the UDC that are counter to the intent and purpose of Code. The Special Exception Variances include:

1. Special Exception Variance from Sec. 806 to waive the landscape buffer requirement between incompatible land uses. This is necessary to prevent obstruction of views of the property from Hwy. 78, and from the proposed commercial uses. It's also necessary due to the presence of environmental areas and existing ponds.
2. Special Exception Variance from UDC Sections 607.05 & 609.01c to waive the requirement of paving and lighting off-street parking. This is requested for the event venue only due to the occasional use of the parking area.



**Planning and Code Enforcement Department
Oconee County, Georgia
STAFF REPORT**

VARIANCE CASE #: 7811

DATE: July 19, 2019

STAFF REPORT BY: Grace B. Tuschak, Planner

APPLICANT NAME: JDG Investments, LLC

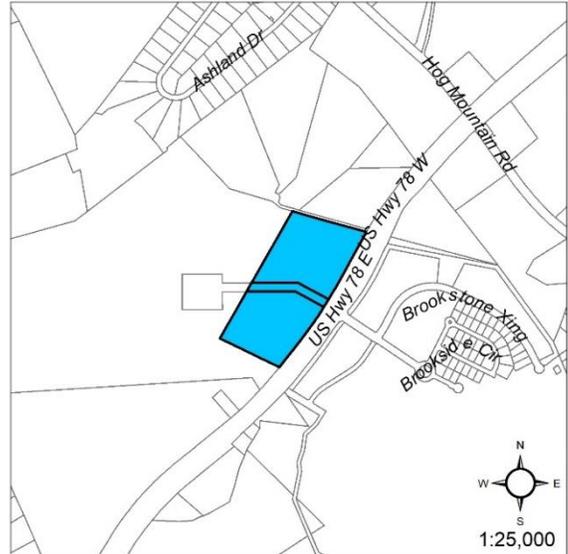
PROPERTY OWNER: Barbara Gasaway

LOCATION: 4800 Monroe Highway

PARCEL SIZE: ± 28.34 acres

EXISTING ZONING: AG (Agricultural)

EXISTING LAND USE: Vacant/undeveloped



TYPE OF VARIANCE REQUESTED: Special Exception

REQUEST SUMMARY: The applicant is requesting to waive the requirement for incompatible use buffers between AG and B-1/B-2 zoning districts.

DATE OF SCHEDULED HEARINGS

BOARD OF COMMISSIONERS: August 6, 2019

ATTACHMENTS: Application
Narrative
Aerial Imagery
Zoning Map
Future Development Map
Plat
Concept Plan

BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- Both subject parcels have been zoned agricultural since the original adoption of the zoning map in 1968.
- The property has been used historically for agricultural activities including a fish camp located on the site for many years.
- Rezone no. 7735 and special use no. 7791 have been requested concurrently in order to allow for the development of an event venue, boutique hotel, specialty retail and a restaurant on the property.

VARIANCE DESCRIPTION

- Companion rezone no. 7735 requests that 28.34 acres of the 180-acre property be rezoned from AG to B-1 and B-2. Should the rezone be approved, a 50-foot incompatible use buffer would be required along the new zoning line (between the hotel/retail/restaurant use and the proposed event venue) and along a proposed property line to the south adjacent to AG zoning.
- The applicant is requesting to waive the requirement for an incompatible use buffer along the proposed zoning line and along the proposed southern property line as shown on the concept plan.
- The applicant is not requesting to waive the 50-foot incompatible use buffer required along the northern property line adjacent to residential use.

ENVIRONMENTAL

- Several ponds and streams containing state protected waters exist on the property and will be subject to restrictions of UDC Sec. 904.
- A conservation corridor exists along the majority of the streams on site; these areas will be subject to buffering requirements of UDC Sec. 905.
- No 100-Year Flood Plain is located on the site.
- No Jurisdictional Wetlands are known to exist on the site.

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 an occurrence of any of the following:

a. Cause a substantial detriment to the public good:

No significant negative impacts to the tax base or to nearby public infrastructure, schools, or environmentally sensitive areas should result from the approval of the present request. Staff holds that approval of the present request should not cause a substantial detriment to the public good.

b. Be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity:

The 50-foot incompatible use buffer is requested to be waived between the front portion of the parcel (proposed B-1 and B-2) and the rear portion (proposed event venue). The proposed commercial development and proposed event venue are intended to be complementary uses and the applicant desires to maintain the view and access between the two portions of the property. Staff does not object to waiving the incompatible use buffer between these two areas that form part of the same project.

The buffer along the southern property line is adjacent to an 87.2-acre undeveloped tract zoned AG, the future use of which is undetermined. This adjacent property is designated a character area of suburban neighborhood on the future development map, indicating that the 2040 Comprehensive Plan supports future residential uses for the property. Given these factors, waiving the requirement for an incompatible use buffer along this property line could be injurious to the future use and enjoyment of the adjacent property. However, staff holds that approval of the present request as conditioned below should not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity.

c. Diminish and impair property values within the surrounding neighborhood:

Approval of the present request would maintain a view of the grounds and proposed event venue from US Hwy 78 and allow for aesthetic continuity and access throughout the proposed development. It is reasonable to believe that this should not diminish or impair property values within the surrounding neighborhood.

d. Impair the purpose and intent of this Development Code:

The intent of UDC Section 806 is to protect lower intensity land uses from potential negative impacts of adjacent incompatible land uses by providing visual screening and mitigation of excessive noise and/or light. Staff holds that no such screening is necessary between the proposed event venue and the proposed boutique hotel, retail, and restaurant because they are part of the same development and are intended to be complementary uses. Furthermore, the rear AG-zoned portion of the property is proposed for commercial use as an event venue and would no longer necessitate protection from the commercial use proposed for the front portion of the property. The adjacent AG-zoned parcel to the south will continue to require protection from higher intensity land uses and therefore the required incompatible use buffer along the proposed southern property line should not be waived. Staff holds that approval of the present request as conditioned below should not impair the purpose and intent of this Development Code.

STAFF SUMMARY & CONDITIONAL RECOMMENDATIONS

Based upon the standards and limitations for special exception variance approval, this request **does meet all necessary conditions to grant a special exception variance** and staff recommends the special exception variance be approved **subject to the following conditions to be fulfilled at the owner/developer's expense:**

1. A 50-foot incompatible use buffer in compliance with UDC Sec. 806 shall be maintained along the proposed southern property line between AG-zoned property and the proposed B-2-zoned property.

ABERDEEN MANOR
4800 MONROE HIGHWAY
VARIANCE APPLICATION

May 24, 2019

Per the Oconee County Unified Development Code, Section 806, a 50-foot wide buffer is required between any nonresidential development along a side or rear lot line that abuts a less intense land use. Aberdeen Manor has proposed zoning classifications of B-1 and B-2 that lie adjacent to properties zoned A-G, and shares a proposed zoning classification line with a proposed Special-Use Permit Application for an event venue located on the same parcel.

A Special Exception Variance is sought to waive the 50-foot landscape buffer requirement along the proposed zoning line between the proposed B-1 and B-2 zoning classifications and the Special-Use Request for the Event Venue; and to waive the buffer along the proposed property line along the southern boundary of the property. (See accompanying Variance Concept Plan.)

Standards for special exception variance approval:

A. With regards to the public good:

The granting of a waiver will have no impact on the public good.

B. With regards to the use and enjoyment of the environment or of other property in the immediate vicinity:

There will be no effect on the enjoyment of the environment or use of adjacent properties resulting from the granting of this variance. The impact to the viewshed from Hwy. 78 will be severely impacted is the buffer requirement remains.

C. With regard to the surrounding property values:

A waiver of the buffer requirement will not affect surrounding property values nor inhibit the future development potential of those parcels.

D. With regards to the intent and purpose of the Development Code:

The granting of this variance request does not impair the purpose and intent of the Unified Development Code and furthers in the intent of the Characters Areas as described in the Comprehensive Plan.



- Phase Two contains the construction of the specialty shops and restaurant. Construction of this phase will require the extension of water and sanitary sewer to the site. Phase Two is anticipated to be complete by the end of 2025.
- Phase Three contains the construction of the boutique hotel. Phase Three is anticipated to be complete by the end of 2027.

SPECIAL EXCEPTION VARIANCES

As mentioned above, special exception variances have been submitted to waive particular requirements of the UDC that are counter to the intent and purpose of Code. The Special Exception Variances include:

1. Special Exception Variance from Sec. 806 to waive the landscape buffer requirement between incompatible land uses. This is necessary to prevent obstruction of views of the property from Hwy. 78, and from the proposed commercial uses. It's also necessary due to the presence of environmental areas and existing ponds.
2. Special Exception Variance from UDC Sections 607.05 & 609.01c to waive the requirement of paving and lighting off-street parking. This is requested for the event venue only due to the occasional use of the parking area.



Tax Parcel #'s
A-02-017
A-02-017A

A 02 017

A 02 017A

US Hwy 78 E US Hwy 78 W

Westland Pkwy

Brookstone Xing

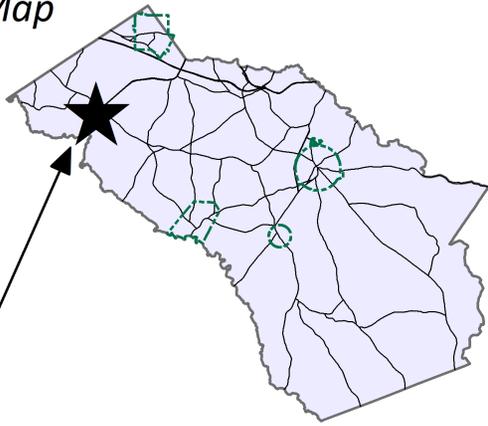
Brookside Cir

1:6,000

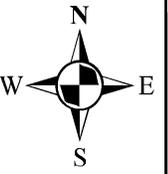


Vicinity Map

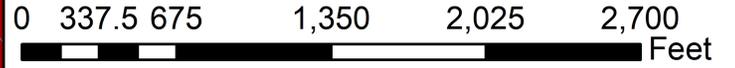
Site



**Oconee County
Planning Department**



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



Neighborhood

Civic Center

Civic Center

Rural Places

Civic Center

Suburban Neighborhood

US Hwy 78 W

Brookside Cir

Goat Farm Rd

Mountain Rd

Suburban Neighborhood

Zoning

	AG
	AR-3
	AR
	R-1
	R-2
	R-3
	M-H
	B-1
	B-2
	O-I-P
	O-B-P
	I



Oconee County Planning Department

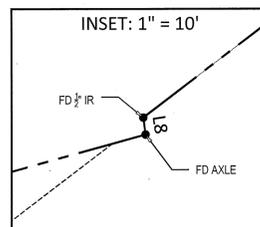
This map is representative of current county zoning as of May 2019 and should be used for planning purposes only.



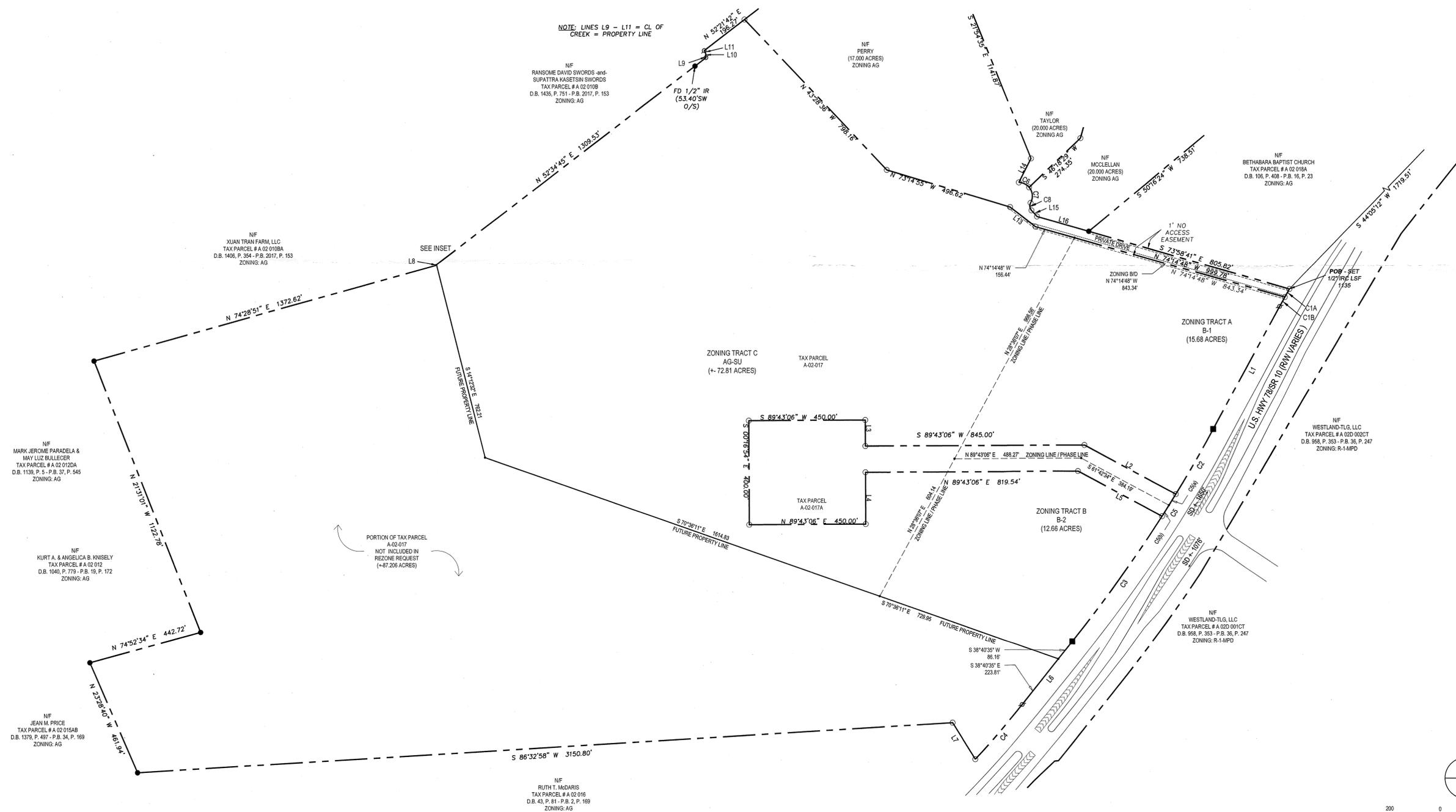
0 290 580 1,160 1,740 2,320 Feet **1:9,000**

LINE AND CURVE TABLE

LINE	BEARING	DISTANCE	CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
L1	S 28°36'07" W	536.05'	C1A	3949.72'	35.99'	35.99'	S 28°27'57" W
L2	N 61°42'34" W	400.00'	C1B	3949.72'	41.27'	41.27'	S 28°54'20" W
L3	N 00°16'54" W	100.00'	C2	5599.58'	288.96'	288.93'	S 30°05'05" W
L4	N 00°16'54" W	200.00'	C3	5599.58'	595.22'	594.94'	S 35°38'01" W
L5	S 61°42'34" E	367.92'	C4	3689.72'	276.34'	276.27'	S 40°49'19" W
L6	S 38°40'35" W	309.97'	C5	5599.58'	100.22'	100.22'	N 32°04'32" E
L7	N 31°57'02" W	165.05'	C5a	5599.58'	50.11'	50.11'	N 32°04'32" E
L8	N 07°32'59" W	2.02'	C5b	5599.58'	50.11'	50.11'	N 32°04'32" E
L9	N 05°39'43" W	6.14'	C6	53.00'	45.16'	43.81'	N 64°28'37" W
L10	N 02°13'34" W	10.14'	C7	53.00'	64.07'	60.24'	S 05°26'12" E
L11	N 25°21'27" W	12.34'	C8	25.00'	31.11'	29.14'	S 06°27'37" E
L12	S 33°39'28" W	303.36'					
L13	N 52°04'14" W	124.25'					
L14	S 27°01'45" W	103.11'					
L15	N 42°06'48" W	31.88'					
L16	N 73°58'35" W	207.99'					



NOTE: LINES L9 - L11 = CL OF CREEK = PROPERTY LINE



NF
MARK JEROME PARADELA &
MAY LUZ BULLER
TAX PARCEL # A 02 012DA
D.B. 1139, P. 5 - P.B. 37, P. 545
ZONING: AG

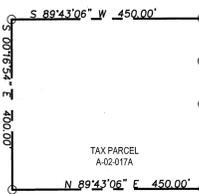
NF
KURT A. & ANGELICA B. KINSELY
TAX PARCEL # A 02 012
D.B. 1040, P. 779 - P.B. 19, P. 172
ZONING: AG

NF
JEAN M. PRICE
TAX PARCEL # A 02 015AB
D.B. 1379, P. 497 - P.B. 34, P. 169
ZONING: AG

NF
XUAN TRAN FARM, LLC
TAX PARCEL # A 02 010BA
D.B. 1406, P. 354 - P.B. 2017, P. 153
ZONING: AG

NF
RANSOME DAVID SWORDS and
SUPATTRA RASETSOM SWORDS
TAX PARCEL # A 02 010B
D.B. 1435, P. 751 - P.B. 2017, P. 153
ZONING: AG

ZONING TRACT C
AG-SU
(+72.81 ACRES)
TAX PARCEL
A-02-017



PORTION OF TAX PARCEL
A-02-017
NOT INCLUDED IN
REZONE REQUEST
(+87.206 ACRES)

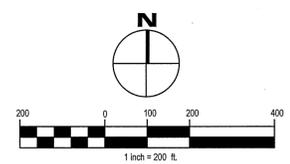
ZONING TRACT B
B-2
(12.65 ACRES)

ZONING TRACT A
B-1
(15.68 ACRES)

NF
WESTLAND-TLG, LLC
TAX PARCEL # A 02D 002CT
D.B. 958, P. 353 - P.B. 35, P. 247
ZONING: R-1-MPD

NF
WESTLAND-TLG, LLC
TAX PARCEL # A 02D 001CT
D.B. 958, P. 353 - P.B. 35, P. 247
ZONING: R-1-MPD

NF
RUTH T. McDARIS
TAX PARCEL # A 02 016
D.B. 43, P. 81 - P.B. 2, P. 169
ZONING: AG



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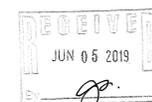
SEALS:



SHEET TITLE:

VARIANCE
CONCEPT PLAT

SHEET ISSUE: 05/24/19 PROJECT NO. 19-2804
NO. DATE DESCRIPTION
6/4/19 PLANNING STAFF COMMENTS



SHEET NO.

V-6

PROJECT DATA AND NOTES

APPLICANT/DEVELOPER: JDG INVESTMENTS, LLC
 7 S. MAIN STREET
 WATKINSVILLE, GA 30677
 CONTACT: JAMES D. GARNER

OWNER: BARBARA GASAWAY
 STATHAM, GA 30666

TAX MAP REF. NO.: A-02-017A AND A + 94.23 ACRE PORTION OF A-02-017

EXISTING LAND USE: AGRICULTURAL / RESIDENTIAL
 EXISTING ZONING CLASSIFICATION: AG

PROPOSED ZONING CLASSIFICATION AND USE:

ZONING TRACT A
 B-1, +15.68 ACRES

A. RETAIL BUILDING - 8,000 SF
 B. FULL SERVICE QUALITY RESTAURANT - 3,000 SF

ZONING TRACT B
 B-2, +12.66 ACRES

C. HOTEL - 30 RMS - 18,000 SF HOTEL

ZONING TRACT C
 AG, + 72.81 ACRES

D. EVENT VENUE - 4,652 SF

TOTAL LAND AREA: 101.15 ACRES

TOTAL GROUND COVERAGE OF & FLOOR AREA OF BUILDINGS: +56,924 SF

PROPOSED BUILDINGS

A. 8,000 SF RETAIL BUILDING
 B. 3,000 SF RESTAURANT
 C. 18,000 SF HOTEL
 D. 2,000 SF HOUSE ADDITION

EXISTING BUILDINGS

D. 2,652 SF HOUSE
 E. 903 SF SHED (NOT USED IN SU)
 F. 2,302 SF GARAGE (NOT USED IN SU)
 G. 17,780 SF CHICKEN HOUSES (NOT USED IN SU)
 H. 880 SF PAVILION (NOT USED IN SU)
 I. 653 SF BUILDING (NOT USED IN SU)
 J. 574 SF POLE BARN (NOT USED IN SU)
 K. 180 SF CABIN (NOT USED IN SU)

TOTAL AREA OCCUPIED BY PAVED PARKING: 37,511 sf

TOTAL AREA OCCUPIED BY STREETS: 57,098 SF

TOTAL AREA OCCUPIED BY PAVING: 94,609 SF

COMMON/PUBLIC AREA: NONE

RECREATIONAL/OPEN SPACE AREA: NONE

FLOODPLAIN: PORTIONS OF THIS PROPERTY LIE WITHIN A FLOODPLAIN ACCORDING TO FIRM NO. 1323C0005D, DATED 9/2/2009. TOTAL AREA LYING WITHIN FLOODPLAIN APPROX. 5.04 ACRES

WATER SUPPLY AND SEWERAGE DISPOSAL:

EVENT VENUE: WATER WELL / SEPTIC TANKS AND DRAIN FIELDS
 COMMERCIAL USES: OCUD WATER AND SEWER
 HOTEL: OCUD WATER AND SEWER

PROPOSED UTILITIES: WATER, ELECTRICITY, TELEPHONE AND CABLE.

SURFACE DRAINAGE: PROPOSED STREETS AND CONCRETE CURBING, BITUMINOUS COATED CMP AND ALUMINIZED CMP, AND NATURAL AND IMPROVED DRAINAGE SWALES WILL BE EMPLOYED TO CONVEY SURFACE DRAINAGE TO THE STORMWATER DETENTION PONDS.

GARBAGE COLLECTION: GARBAGE COLLECTION TO BE ACCOMPLISHED BY PRIVATE SERVICE PROVIDERS.

BOUNDARY AND EXISTING CONDITION INFORMATION TAKEN FROM SURVEY BY CARTER ENGINEERING CONSULTANTS, WATKINSVILLE, GA, ENTITLED "ADMINISTRATIVE RECOMBINATION AND SUBDIVISION PLAN FOR BARBARA GASAWAY" DATED 08-17-18. ADDITIONAL TOPOGRAPHIC INFO TAKEN FROM OCONEE COUNTY GIS.

THE STORM WATER RETENTION FACILITIES WILL BE MAINTAINED BY THE OWNER IN ACCORDANCE WITH OCONEE COUNTY UDC.

ALL UTILITIES SHALL BE LOCATED UNDERGROUND.

SITE DEVELOPMENT WILL OCCUR IN PHASES.

THE ACCESS DRIVE AND DECELERATION LANE WILL BE PERMITTED THROUGH THE GA. DEPT. OF TRANSPORTATION.

STORMWATER MANAGEMENT SHALL BE IN ACCORDANCE WITH COUNTY, STATE, AND OTHER APPROPRIATE ORDINANCES AND REGULATIONS IN EFFECT AT TIME OF CONSTRUCTION PLAN APPROVAL.

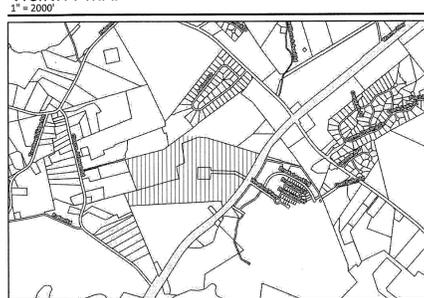
THE FOLLOWING SPECIAL EXCEPTION VARIANCES WILL BE APPLIED FOR:

1. VARIANCE FROM UDC SECTIONS 607.05 & 609.01C PERMANENT OFF-STREET PARKING REQUIREMENTS OF STRIPPER PERMANENT PAVEMENT AND LIGHTING AND TO ALLOW UN-PAVED PARKING IN LIEU OF ASPHALT OR CONCRETE FOR THE PARKING AREAS FOR THE EVENT VENUE.

2. VARIANCE FROM UDC SECTION 806 REQUIRING A BUFFER BETWEEN ANY NON-RESIDENTIAL DEVELOPMENT ALONG A SIDE OR REAR LOT LINE THAT ABUTS A LESS INTENSE LAND USE.

A SPECIAL-USE IS REQUESTED FOR THE PROPOSED EVENT VENUE.

VICINITY MAP



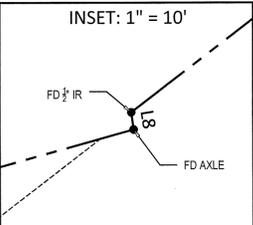
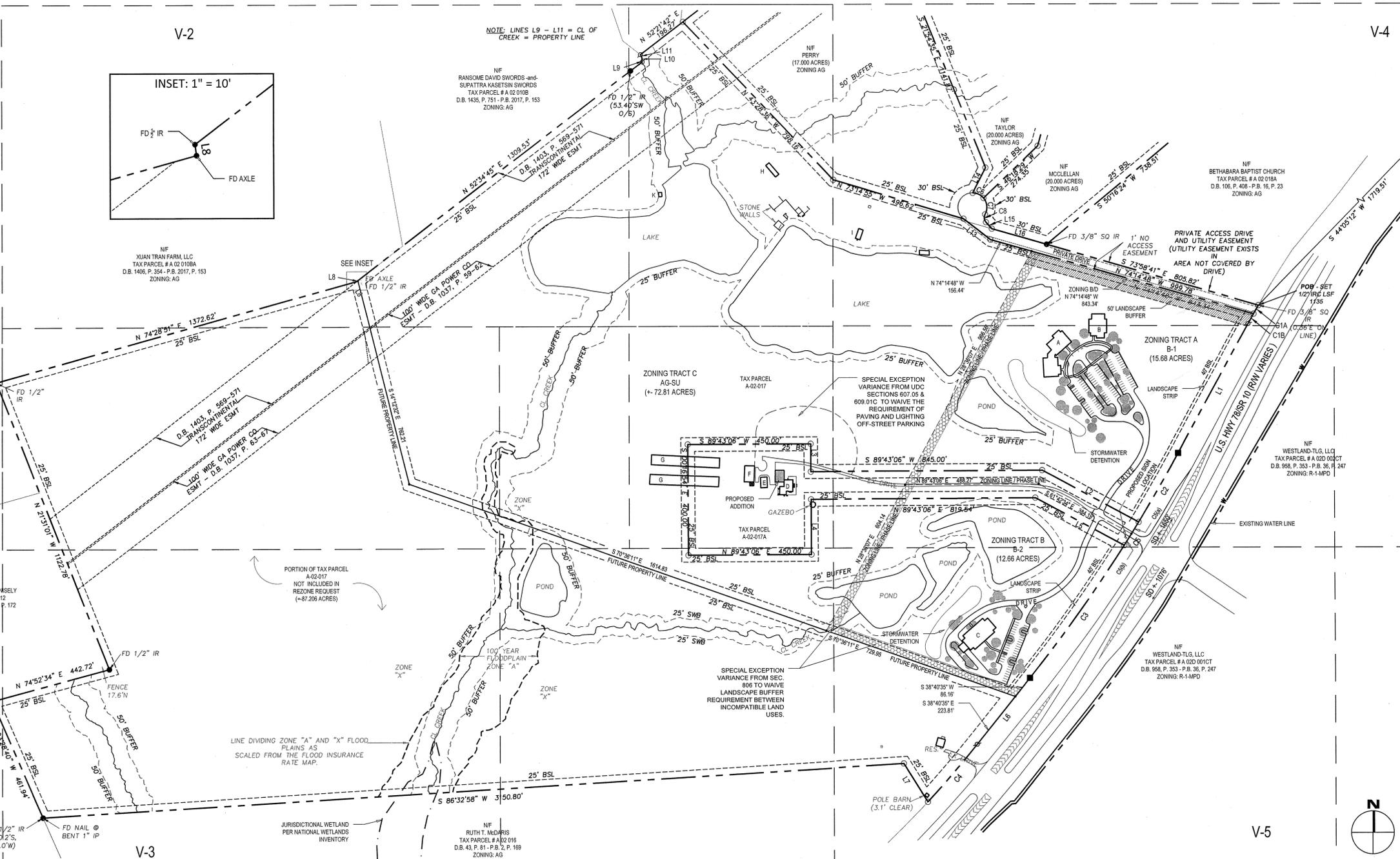
PARKING CALCULATIONS

OFFSTREET PARKING	REQUIREMENT	MIN. REQUIRED	REQUIRED PARKING SPACES	PROVIDED PARKING SPACES
ZONING TRACT A (quality restaurant, retail)	3,000 sf (restaurant) 8,000 sf (retail)	16 ps / 1,000 sf 1 ps / 200 sf	48 40	92
ZONING TRACT B (hotel)	30 rooms	1.2 ps / room	36	44
ZONING TRACT C (event venue)	seating capacity 300	1 ps / 4 seats	75	75+

TOTAL	REQUIRED	PROVIDED
	199	211+

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LAND PLANNING
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE
 1022 TWELVE OAKS PLACE, STE 201
 WATKINSVILLE, GA 30677
 (706) 769-9515
 (706) 769-9515 FAX
 www.smithplanninggroup.com

ABERDEEN MANOR
 OCONEE COUNTY, GEORGIA

SEALS:



SHEET TITLE:

VARIANCE CONCEPT PLAN

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SHEET NO.

V-1

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