

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 Kellar, Faye C., submitted on July 24th, 2015.

ENACTMENT CLAUSE

Pursuant to the authority conferred by the Constitution and Laws of the State of Georgia and after consideration of an application requesting Special Exception Variance approval submitted by Williams & Associates, Land Planners P.C. on July 24, 2015 regarding a ±1.00 acre tract of land located on the west side of Mars Hill Road in the 221st G.M.D., Oconee County, Georgia, (P/O TP# B-5-8), the Board of Commissioners of Oconee County does hereby grant the following:

SECTION 1. A Resolution granting Special Exception Variance approval for the property described above and also described in the attached Exhibit "A" is hereby granted for the purpose of relief from Unified Development Code Section 607.03, to reduce the minimum width required for a two-way driveway.

Said Special Exception Variance is subject to the following conditions: as set forth in "Exhibit A" attached hereto.

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

SECTION 3. Effective Date. This Resolution shall take effect this date.

Said Special Exception Variance application was submitted to the Oconee County Board of Commissioners and a Public Hearing was duly held by same at its regular meeting on June 7, 2016.

APPROVED, this 7th day of June, 2016.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY: G. Melvin Davis
G. Melvin Davis, Chairman

Jim Luke
Jim Luke, Member

Vacant, Post 2
William "Bubber" Wilkes
W. E. "Bubber" Wilkes, Member

Member Absent (family emergency)
Mark Saxon, Member

ATTEST:

Jane Greathouse
Jane Greathouse
Clerk, Board of Commissioners

EXHIBIT "A" TO SPECIAL EXCEPTION VARIANCE #6752

Page 1 of 5 CONDITIONS

1. This Special Exception variance shall only apply to the conversion of the existing dwelling for office use only, as described in Rezone #6750.

NARRATIVE

Kellar Property
An Office Development
1991 Mars Hill Road, Watkinsville, Georgia
Special Exception Variance #1
1.00 Acres – A Portion of Tax Parcel # B05-008
Rezone Submittal – July 27, 2015
Revised – August 18, 2015

Narrative

Kellar Property is a proposed development to be located on 1.00 acres and developed by Mr. Jeff Kellar. Faye C. Kellar is the current property owner. Mr. Jeff Kellar will act as the primary contact person for the owner. Williams & Associates has been engaged by the developer to act as agent in the preparation of the necessary variance documentation associated with this request.

The Site

The subject parcel fronts on Mars Hill Road for approximately 164 LF. The site is primarily open lawn. There is an existing onsite structure currently being used as residential rental property. The topography drops gently from the west to the east to an existing roadside swale. Existing zoning and land uses surrounding the site are as follows: to the north and west – the remainder of the parent parcel zoned AR-1; to the east – Mars Hill Road; to the south – AR-1 zoned single family residence & the remainder of the parent parcel zoned AR-1. The Future Development Map 2030 identifies the site with a Future Character Area designation of Suburban Living.

The Development

The project is to be developed as an office for Mr. Jeff Kellar's business. Mr. Kellar is the son of Ms. Faye Kellar and he currently offers services as a Certified Public Accountant. The project will be constructed with additional parking to meet county requirements, asphalt drive for vehicle circulation and landscaping which includes buffers and shade trees. A special exception variance request has been submitted which will allow the site to maintain its historic character by not requiring the existing driveway to be widened. The existing driveway does not meet the requirement that two-way driveways be constructed to a 20' minimum width. The remainder of the parcel will be divided into two tracts.

Buildings

The existing 864 sf. residence will remain to serve the proposed project, but will be renovated for the office use. A future phase will include the closing in of the existing 336 sf. car port for additional office and storage space. See attached representative architecture for existing structure.

Water Supply

The existing private well currently serving the residence will remain and serve the project.

Sewage Disposal

The existing conventional septic tank and drain-field currently serving the residence will remain and serve the project.

Surface Water Drainage

Surface water drainage is proposed to remain as sheet flow.

Access

Access will be via a single existing driveway from Mars Hill Road.

Traffic

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

Land Use (ITE)	Intensity	Unit	Trip Generation						
			ADT	A.M. Peak Hour			P.M. Peak Hour		
				2-Way	Enter	Exit	Total	Enter	Exit
General Office (710)	0.894	1,000 SF	36	4	1	4	14	66	79
Net New Primary Trips			36	4	1	4	14	66	79

Schools

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

Schedule

The petitioners plan to complete the zoning efforts on the subject property in October 2015. The Preliminary Site Plan and Site Development Plans for the project will be submitted for approval by the end of October 2015. Construction and renovation will commence immediately upon approval of these plans. The construction and renovation will require a minimum of 2 months to complete. It is anticipated that the total build-out of the project should be completed between December 2015 and January 2016.

Maintenance of Common Areas

There are no common areas currently proposed for this development.

NARRATIVE (cont'd)

Landscaping and Buffers

Street trees, parking lot buffers, and parking lot tree plantings will be installed in accordance with the Oconee County UDC. Buffers are shown along the adjacent property lines, as required by UDC Section 806. These buffers will be designed and a detail provided during the site development plans approval stage of the project. A special exception variance has been submitted for a reduction from 25' to 0', along the eastern and western property lines, for the required buffer between land uses (UDC 806). Any additional required buffers will be illustrated on the site development plans or as directed by Oconee County.

Utilities

No new utilities are anticipated as part of this rezone request. All new utilities, if required, are proposed to be underground. No existing utility relocations are anticipated at this time. Proposed utilities to serve the facility are power, gas, water, telephone, cable TV & internet access.

Garbage Collection

Garbage collection will be handled by private contract service.

Sidewalks

There are currently no concrete sidewalks proposed as part of this development.

Public & Semi-public Areas

Easements for power, telephone, cable TV, and gas will be dedicated as required for specific utility construction.

Outdoor Lighting

No lighting is proposed as part of the development of this project.

Development Valuation

Proposed estimated total value of the project at completion: \$150,000.00

Variance

A Special Exception Variance is requested from UDC Sec. 806 allowing a reduction in the 25 foot required buffer between land uses, from 25' to 0', along side and rear property lines as illustrated on the variance concept plan. The reduction is to allow for the site to maintain its historic character. A portion of the required buffer will be along a shared property line with the parent parcel to the west and a portion of the required buffer will be along a shared property line to the north with the son of the owner and brother of the developer. The onsite residence has been in existence since 1962.

Sec. 1303.03. Standards for special exception variance approval.

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

- a. Would not cause substantial detriment to the public good:
The allowance of the reduction in the buffer will not cause a substantial detriment to the public good because there is no advantage to the public if the buffer exists or not.
- b. Would not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity:
The allowance of the reduction in the buffer will not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity because the property has existed in its current state since 1962. The neighboring property to the north is currently being used as rental property and neighboring property to the west is a portion of the parent parcel.
- c. Would not diminish and impair property values within the surrounding neighborhood:
The allowance of the reduction in the buffer will not diminish nor impair property values within the surrounding neighborhood because the existing residence is remaining and will continue to match the aesthetics of the area.
- d. Would not impair the purpose and intent of this Development Code.
The reduction of the buffer makes sense in light of the surroundings of the adjacent property. The project includes the preservation of the existing home. The allowance of the reduction in the buffer does not impair the purpose and intent of the Unified Development Code as the code does not anticipate the proposed use. The proposed use more resembles a home business rather than an office development.

LEGAL DESCRIPTION

All that tract, or parcel of land, lying and being in Oconee County, Georgia, G.M.D. 221, containing 1.00 acres of land, more or less, and being more particularly described as follows:

Beginning at the centerline intersection of Mars Hill Road and Tarpley Lane; thence North 39 degrees 08 minutes 33 seconds West, 372.42 feet to a point on the westerly margin of right-of-way of Mars Hill Road, being the TRUE POINT OF BEGINNING; thence leaving said right-of-way South 54 degrees 07 minutes 46 seconds West, 126.43 feet to a point; thence North 30 degrees 40 minutes 09 seconds West, 49.78 feet to a point; thence South 67 degrees 52 minutes 26 seconds West, 157.65 feet to a point; thence North 25 degrees 05 minutes 03 seconds West, 134.66 feet to a point; thence North 67 degrees 59 minutes 40 seconds East, 287.27 feet to a point on the westerly margin of right-of-way of Mars Hill Road; thence South 29 degrees 01 minutes 05 seconds East 134.85 feet to a point; thence South 29 degrees 01 minutes 05 seconds East, 7.48 feet to a point; thence South 60 degrees 20 minutes 50 seconds West, 11.00 feet to a point; thence South 29 degrees 39 minutes 10 seconds East, 10.41 feet to a point to the TRUE POINT OF BEGINNING.

PLAT

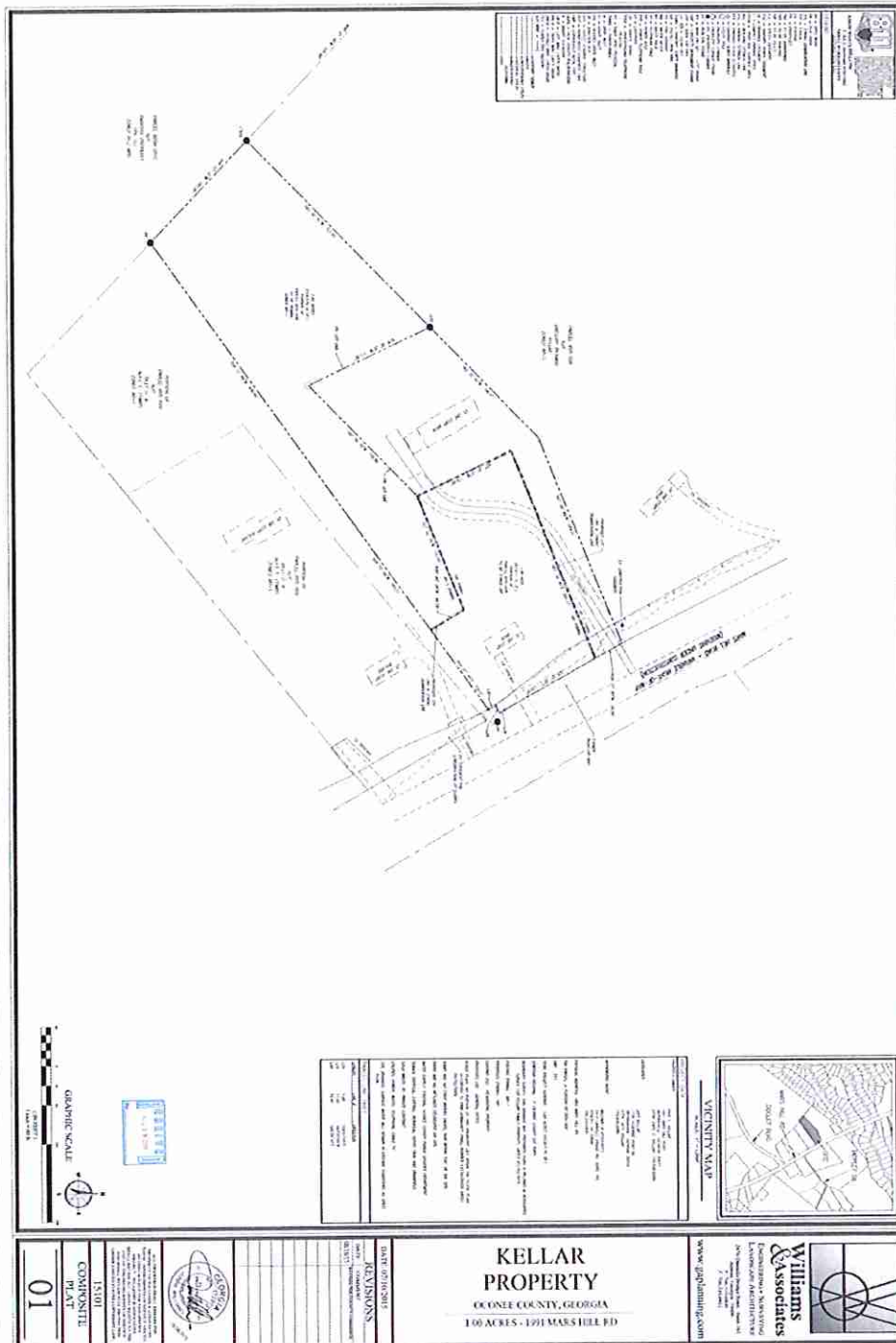
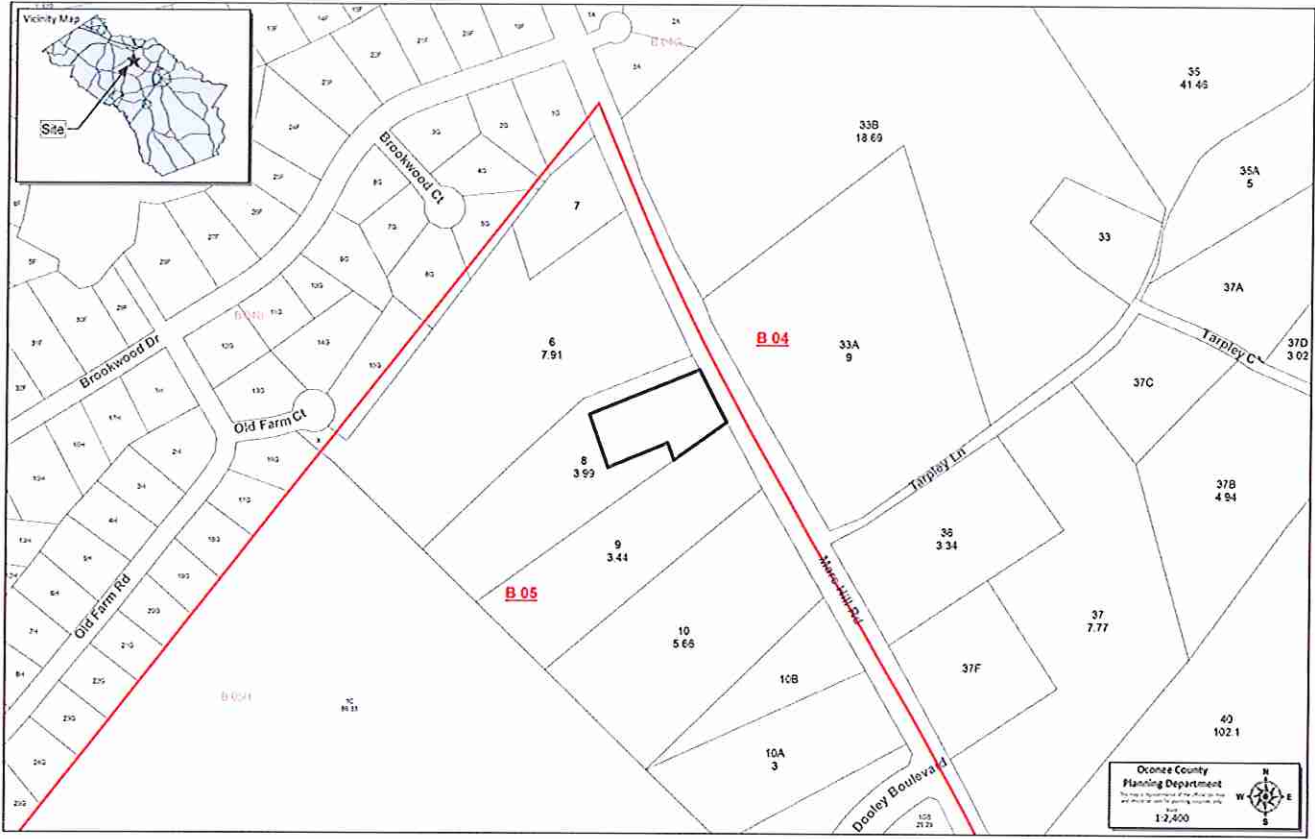


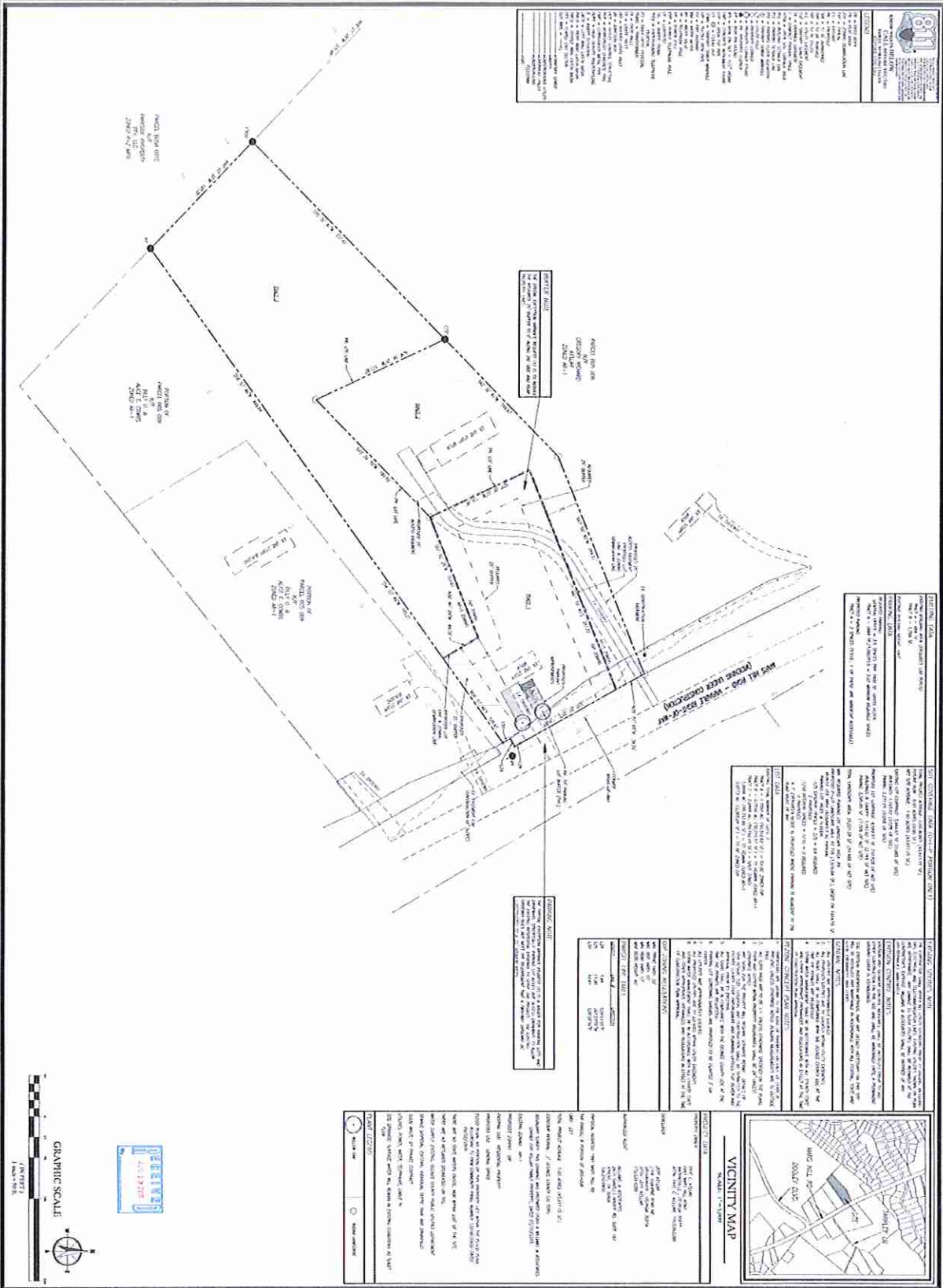
EXHIBIT "A" TO SPECIAL EXCEPTION VARIANCE #6752

Page 4 of 5

TAX MAP



DEVELOPMENT PLAN



REVISIONS

NO.	DATE	REVISION
1	07/10/2013	PRELIMINARY DESIGN
2	07/10/2013	FINAL DESIGN

KELLAR PROPERTY
 OCOOEE COUNTY, GEORGIA
 1.00 ACRES - 1591 MARS HILL RD

GRAPHIC SCALE
 1" = 20'

VICINITY MAP

01
 VARIANCE
 CONCEPT PLAN

Williams & Associates
 ENGINEERING - SURVEYING
 LANDSCAPE ARCHITECTURE
 2470 DOWNS ROAD, SUITE 101
 OCOOEE, GEORGIA 30587
 P: 770.881.1111
 WWW.GAPLANNING.COM

Project: 010 Design-Review 11/12 Account: 013 11/13 11/26/13 KVA jlp