

**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 Traci L. Britt submitted on June 25, 2018.

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 Traci L. Britt on June 25, 2018 regarding a ±37.7-acre tract of land located along Hebron Church Road in the 224th G.M.D., Oconee County, Georgia, (tax parcel no. A-01F-001), the Board of Commissioners of Oconee County does hereby grant the following:

SECTION 1. A Resolution granting Special Exception Variance approval for the property described above and also described in the attached Exhibit "A" is hereby granted for the purpose of relief from Unified Development Code Section 345.02 (a) to allow an accessory structure exceeding 1,000 square feet in a residential zoning district.

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

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

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

Said Special Exception Variance application was submitted to the Oconee County Board of Commissioners and a Public Hearing was duly held by the same at its regular meeting on September 4, 2018.

ADOPTED AND APPROVED, this 4th day of September, 2018.



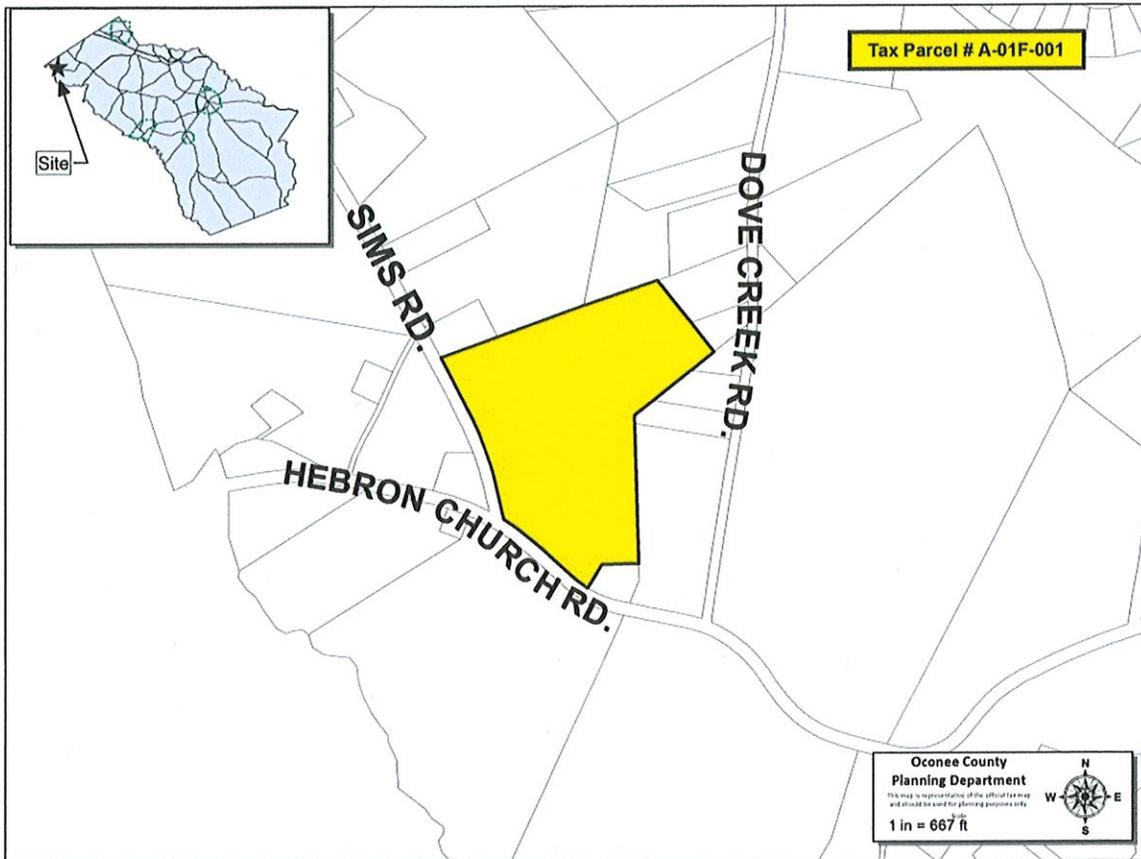
ATTEST:

Kathy Hayes
Kathy Hayes
Clerk, Board of Commissioners

OCONEE COUNTY BOARD OF COMMISSIONERS

BY: John Daniell, Chairman
Mark Thomas, Member
Chuck Horton, Member
W. E. "Bubber" Wilkes, Member
Mark Saxon, Member

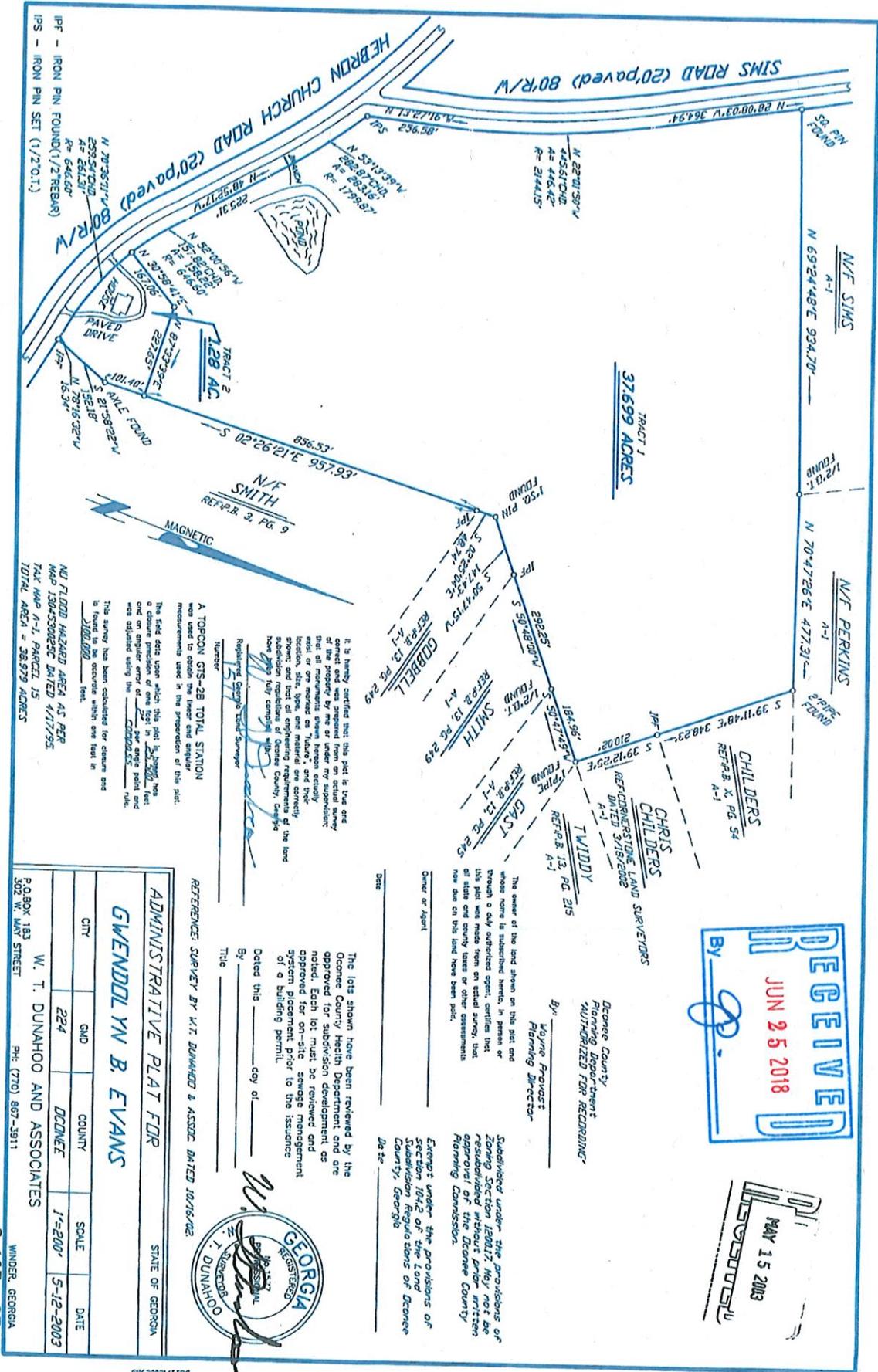
TAX MAP



LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, TOGETHER WITH ALL IMPROVEMENT THEREON, SITUATE, LYING AND BEING IN THE STATE OF GEORGIA, COUNTY OF OCONEE, LOCATED IN G.M.D. 224, BEING DESIGNATED AS TRACT #1, CONTAINING 37.699 ACRES AS SHOWN BY A SURVEY ENTITLED "ADMINISTRATIVE PLAT FOR GWENDOLYN B. EVANS; DATED MAY 12, 2003, PREPARED BY W.T. DUNAHOO AND ASSOCIATES, CERTIFIED BY W.T. DUNAHOO, GEORGIA REGISTERED LAND SURVEYOR NO. 1577, RECORDED IN PLAT BOOK 34, PAGE 250, CLERK'S OFFICE, OCONEE SUPERIOR COURT. REFERENCE TO SAID PLAT OF SURVEY AND THE RECORD THEREOF BEING HEREBY MADE FOR A MORE COMPLETE DESCRIPTION.

PLAT



IPF - IRON PIN FOUND(1/2"REBAR)
 IPS - IRON PIN SET (1/2"O.T.)

NO FLOOD HAZARD AREA AS PER
 MAP 1304530025C DATED 4/17/95
 TOTAL AREA = 38.979 ACRES

A TOPCON GTS-2B TOTAL STATION
 was used in the measurement of this plat.
 The field data upon which this plat is based has
 a closure precision of one part in 250,000 feet
 and an angular error of one second per angle point and
 one millimeter per 100 meters per linear distance.
 This survey has been calculated for closure and
 is found to be accurate within one foot in
 370,000 feet.

It is hereby certified that this plat is true and
 correct according to the measurements and
 calculations made by me or under my supervision
 and that all monuments shown herein actually
 exist or are marked as 'future' and their
 location, size, type, and material are correctly
 shown. I am a duly licensed and qualified
 subdivision regulations engineer in the State of Georgia
 and I have duly complied with the requirements of the law
 in the preparation of this plat.

Owner or Agent
 Date

The owner of the land shown on this plat, and
 whose name is subscribed herein, in person or
 through a duly authorized agent, certifies that
 this plat was made from an actual survey, that
 of state and county laws or other assessments
 now due on this land have been paid.

Decree County
 Planning Department
 AUTHORIZED FOR RECORDING
 By: Wayne Frowest
 Planning Director

The lots shown here have been reviewed by the
 Decree County Health Department and are
 approved for subdivision in development as
 noted. Each lot must be reviewed and
 approved for on-site sewage management
 system placement prior to the issuance
 of a building permit.
 Dated this _____ day of _____
 By: _____
 Title _____

Subdivided under the provisions of
 Zoning Section 120612. They are not to
 be resubdivided without prior written
 approval of the Decree County
 Planning Commission.
 Except under the provisions of
 Section 1642 of the Land
 Subdivision Regulations of Decree
 County, Georgia
 Date: _____



REFERENCE: SURVEY BY W.T. DUNAHOO & ASSOC DATED 10/16/02

ADMINISTRATIVE PLAT FOR
GWENDOLYN B. EVANS

STATE OF GEORGIA

CITY	RND	COUNTY	SCALE	DATE
	224	DEKALB	1"=200'	5-12-2003

W. T. DUNAHOO AND ASSOCIATES
 P.O. BOX 183
 302 W. MAIN STREET
 WINDER, GEORGIA
 PH: (770) 867-3911



CONCEPT PLAN

Google Maps 2370 Hebron Church Rd



Imagery ©2018 Google, Map

□ - Proposed BARN SITE 60x60



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

VARIANCE CASE #: 7515

DATE: August 26, 2018

STAFF REPORT BY: Gabriel Quintas, Assistant Director

APPLICANT NAME: Traci L. Britt

PROPERTY OWNER: Traci L. Britt

LOCATION: 2370 Hebron Church Road, between Dove Creek Road and Sims Road

PARCEL SIZE: ± 37.70 Acres

EXISTING ZONING: AR-2 (Agricultural Residential Two-Acre District)

EXISTING LAND USE: Residential and Agricultural

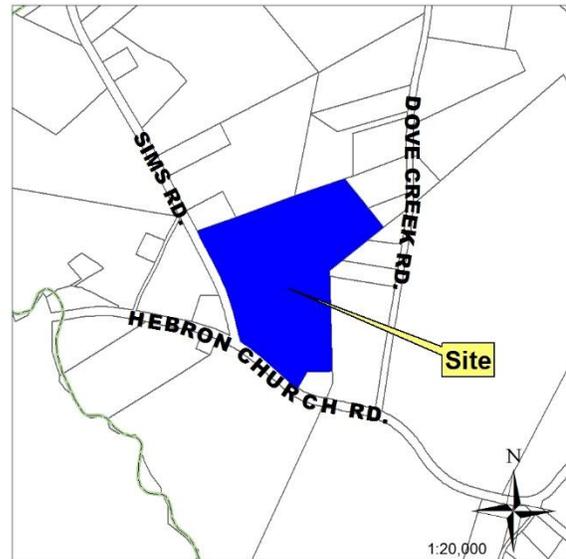
TYPE OF VARIANCE REQUESTED: Special Exception

REQUEST SUMMARY: The property owner is requesting approval of a special exception variance to allow an accessory structure exceeding 1,000 square feet in a residential zoning district.

DATE OF SCHEDULED HEARING

BOARD OF COMMISSIONERS: September 4, 2018

ATTACHMENTS: Application
Narrative
Aerial
Tax Map
Representative Architecture
Concept Plan



BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The subject property was rezoned from A-1 to AR-2 by the BOC in 2003 (rezone no. 3114) to allow the development of a single-family subdivision with a maximum of seventeen lots; a companion variance (variance no. 3115) was concurrently approved to reduce the distance between a proposed cul-de-sac street and the exterior boundary of the subdivision.
- A preliminary plat for the then-proposed “Sunrise Meadows” subdivision was approved on 09/01/2003, and subdivision construction plans for the same subdivision (later renamed Hebron Corners) were approved on 04/01/2004. However, no further action was taken to commence development of the proposed subdivision.

SITE VISIT DESCRIPTION

- The subject 37.70-acre site primarily consists of pasture historically used for hay production.
- A roughly 450 sq. ft. outbuilding and a 5,310 sq. ft. single-family residence built in 2006 are located on the property.

VARIANCE REQUEST DESCRIPTION

- The owner is requesting approval of a special exception variance for relief from Section 345.02 (a) of the Unified Development Code, which limits the gross floor area of accessory buildings in a residential zoning district to a maximum of 1,000 square feet:
 - Section 345.02—Size limitations.
 - a. *Any accessory building to a residence in a residential zoning district that exceeds 1,000 square feet of gross floor area must have Special Exception Variance approval by the Board of Commissioners as to the location, architectural design, and size prior to commencing construction.*
- The owner proposes a 3,600 square foot barn (including a total of 1,440 of open, covered space on either side of the structure) that will be used to store tractors and other equipment used to maintain the subject property.

ENVIRONMENTAL

- There are no known areas of environmental concern located 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 occurrences of any of the following:

- Cause a substantial detriment to the public good:** The approval of the present request should not cause any substantial detriment to the public good. The roughly 3,600 square foot agricultural building will cover a very small portion (about 0.22 %) of the subject lot area. Accordingly, staff believes that the subject lot is sufficiently large to accommodate the proposed structure.
- Be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity:** The approval of the present request should not be injurious to the use and enjoyment of the environment or of other property in the vicinity.
- Diminish and impair property values within the surrounding neighborhood:** The proposed structure complements the rural, agricultural character of the surrounding area. Approval of the present request should not diminish or impair property values within the surrounding neighborhood.
- Impair the purpose and intent of this Development Code:** The intent of UDC Section 345.02 (a) is to limit the size of accessory structures in residential areas with higher densities and to require review by the

Board for any such structure that exceeds this area limitation to ensure the adequacy of the location, size, and design. The subject property was never developed as a residential subdivision as was intended when the property was rezoned to the Agricultural Residential Two-Acre District; the property continues to maintain a rural residential and agricultural character. Accordingly, staff holds that the present request would not impair the purpose and intent of the Unified Development Code.

STAFF SUMMARY & CONDITIONAL RECOMMENDATIONS

Based upon the standards for granting a special exception variance, this request **does** meet the necessary conditions to grant a special exception variance. If granted, staff recommends that the request be granted as submitted without conditions.



OCONEE COUNTY APPEAL APPLICATION

Type of Appeal Submitted:

- Hardship Variance
- Appeal of Administrative Decision
- Flood Damage Prevention Variance

Special Exception for: _____

Applicant

Name: TRACI L BRITT

Address: 2370 HEBRON CHURCH RD
WINDER, GA. 30680
(No P.O. Boxes)

Telephone: 770-656-9827

Property Owner

Name: TRACI L BRITT

Address: SAME
(No P.O. Boxes)

Telephone: SAME

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: Traci Britt Date: 6/25/18 Notarized: Melinda A. Patterson



Property

Location: 2370 HEBRON CHURCH RD
WINDER, GA. 30680

Tax Parcel Number: A 01 F 001

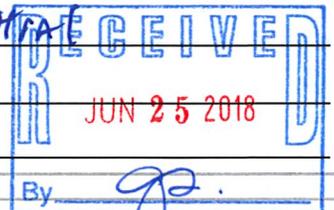
Size (Acres): 37.70 Current Zoning: AR-2

Future Development Map—Character Area Designation: Rural Places

Use

Current Use: RESIDENTIAL

Proposed Use: RESIDENTIAL



Attachments (check all that apply)

- Property Owner's Authorization (if applicable)
- Application Fee
- Warranty Deed(s), Legal Description, & Plat of Survey
- Disclosures
- Maps or Drawings Illustrating Variance Request
- Narrative Statement Explaining Variance Request
- Concept Plan

Appeal or Variance Requested

Provide the code section and briefly explain the requested variance

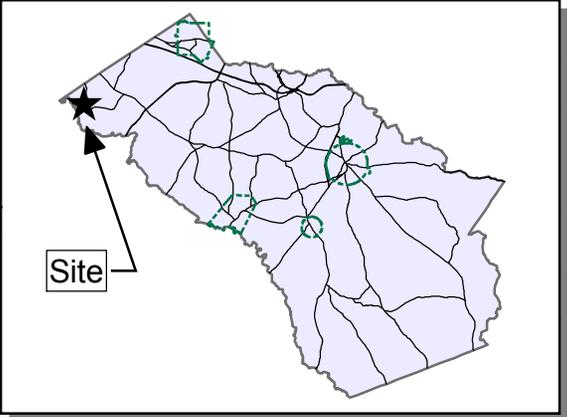
345.02
Accessory Building to a Residential
Zoning District that exceeds
1,000 sqft

For Oconee County Staff Use Only

Application Date Received: _____ Date Accepted: _____
 DRI Transmitted to RDC Date: _____ N/A
 Review Submitted: _____ Location Map: _____
 Posted: _____ Ad: _____ Ad: _____
 Application Withdrawn Date: _____

Action APPLICATION NUMBER
 Administrative Appeal: Date: _____
 Approved With Conditions Denied N/A
 Board of Commissioners Date: 09/04/18
 Approved With Conditions Denied N/A

Tax Parcel # A-01F-001

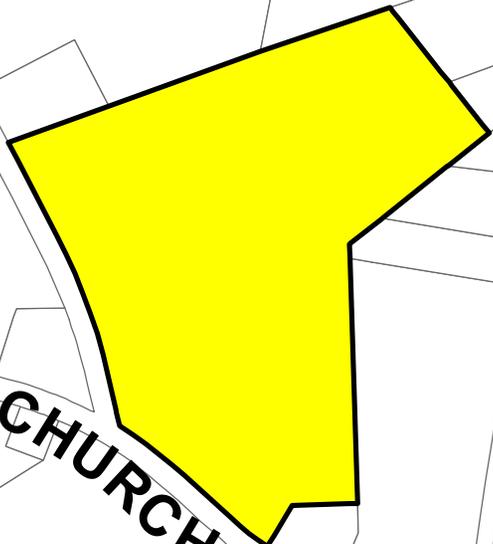


Site

SIMS RD.

DOVE CREEK RD.

HEBRON CHURCH RD.



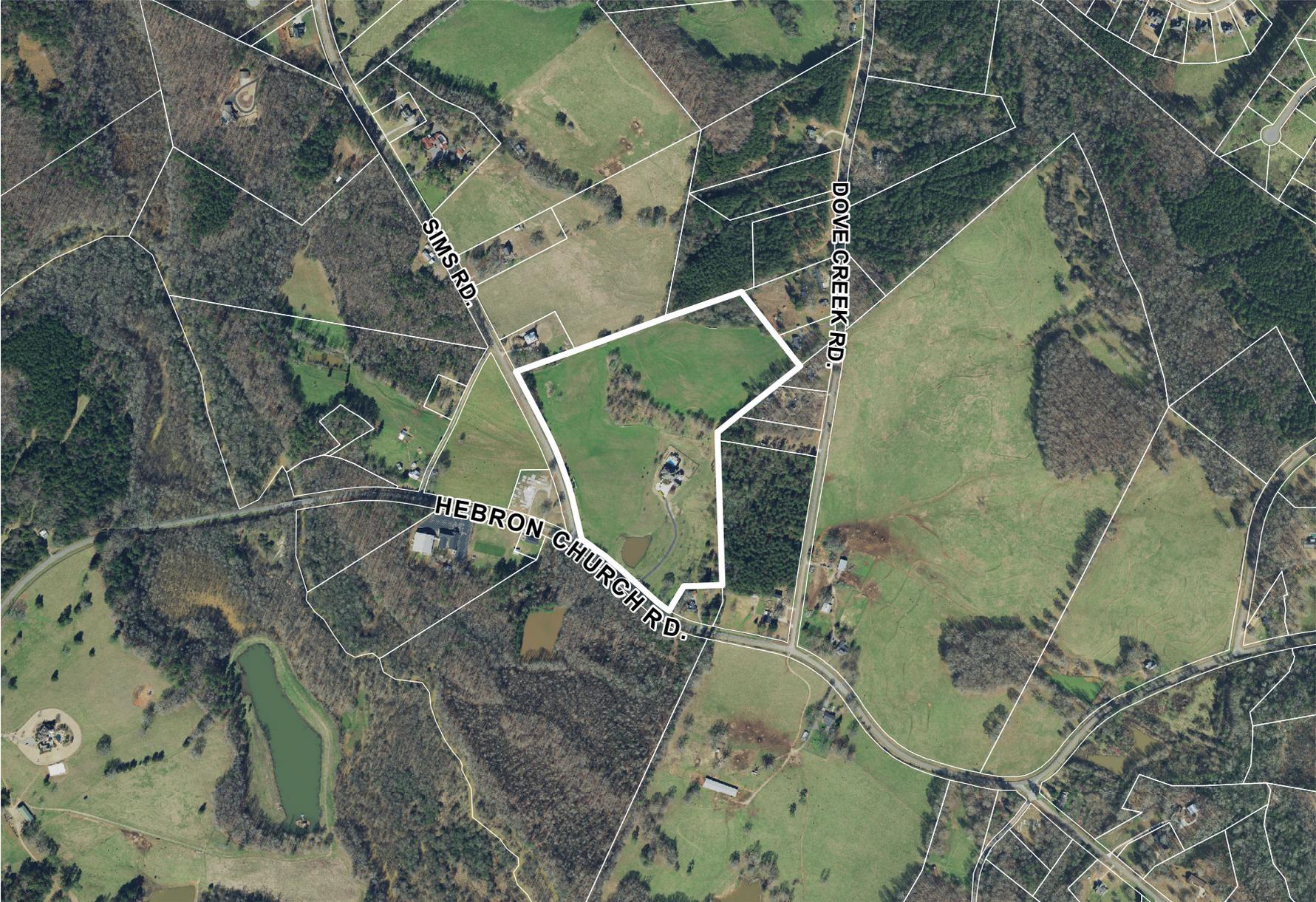
**Oconee County
Planning Department**

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

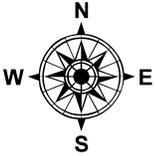
Scale
1 in = 667 ft

A compass rose with a central star and four points labeled N (North), S (South), E (East), and W (West).

Traci L. Britt Variance



Feet
1:10000



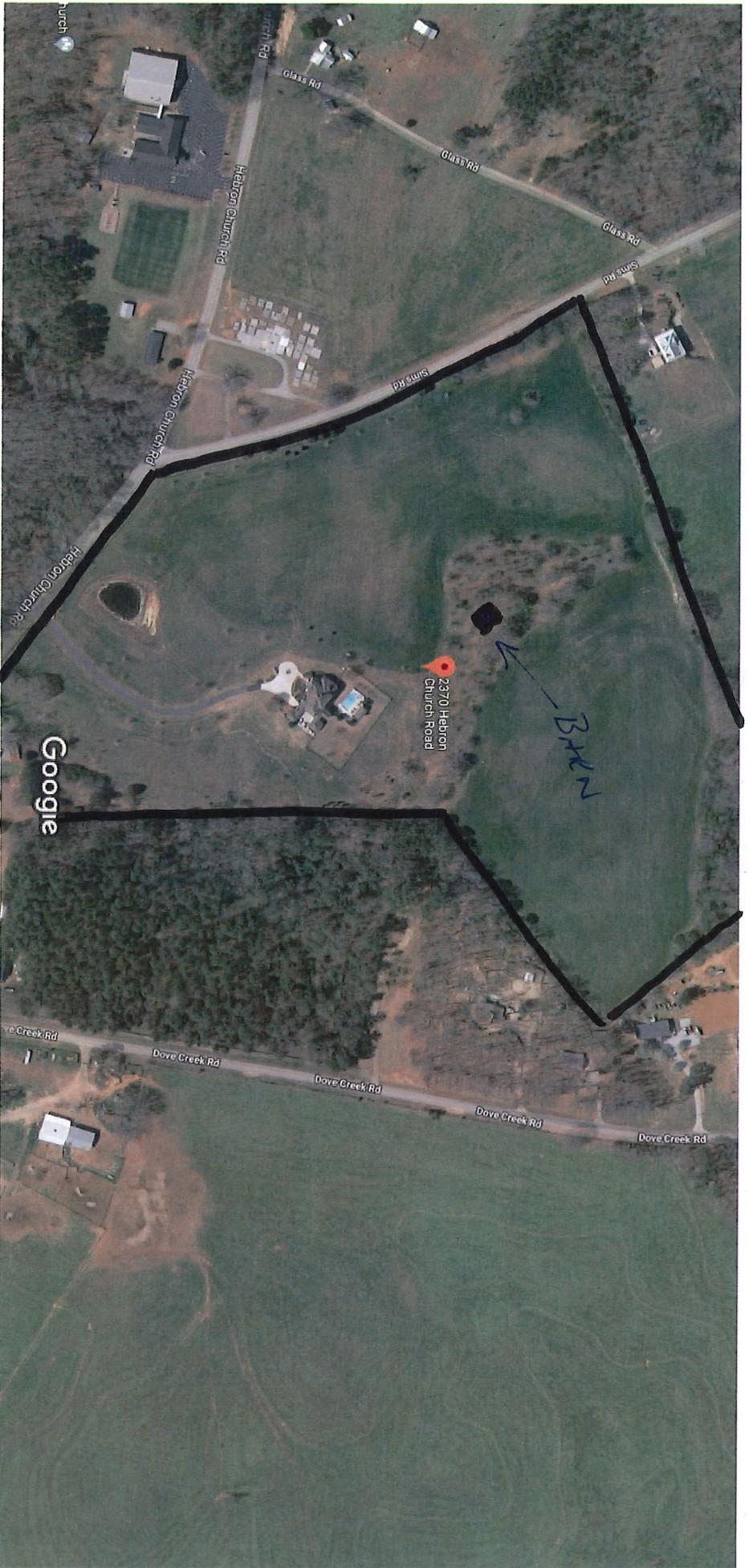
Narrative on Variance request

I am asking for a variance to build a Barn so that we can store our tractors and other equipment that we use to maintain our personal residence.

Tracy A. Butts



Google Maps 2370 Hebron Church Rd



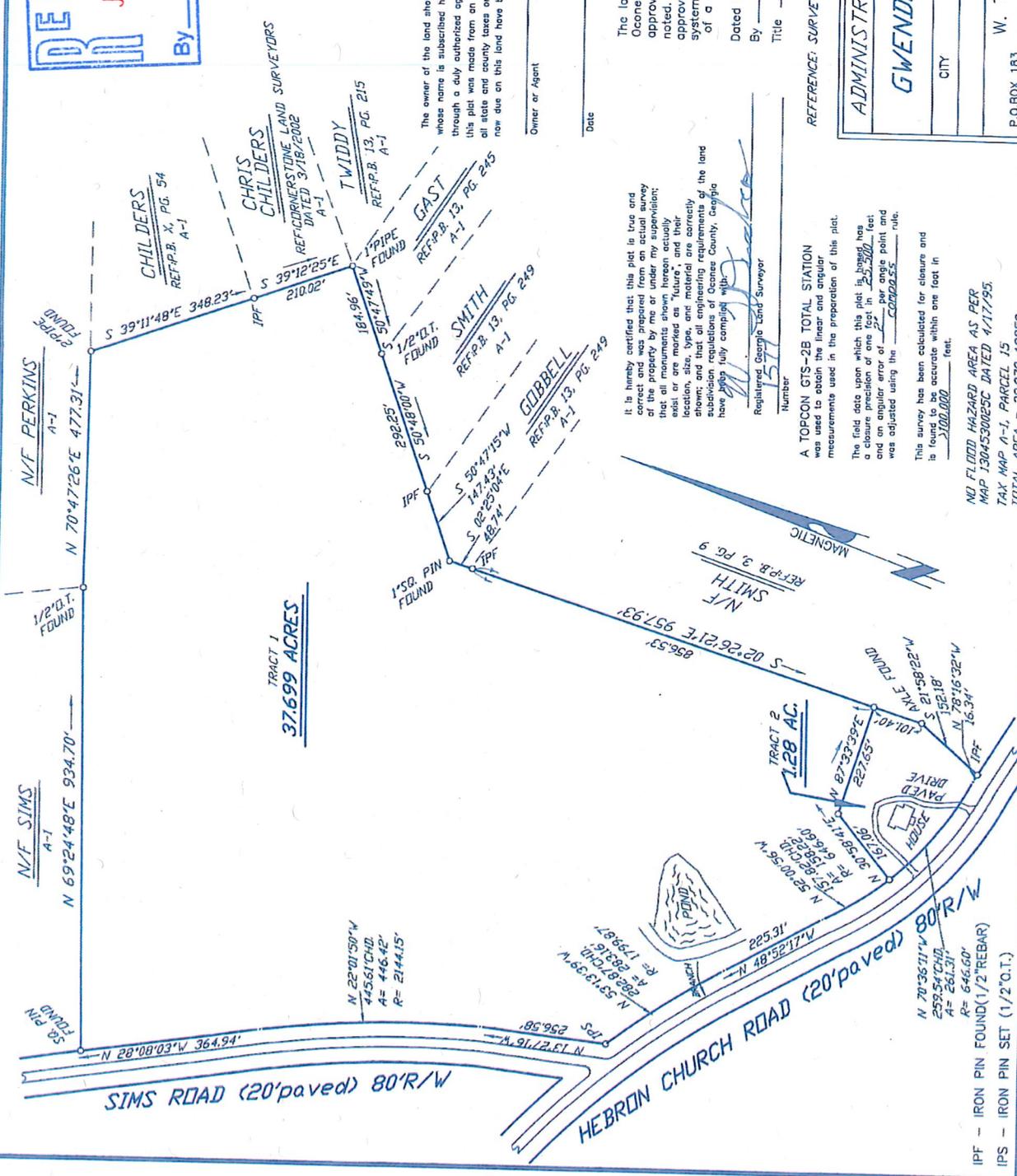
Imagery ©2018 Google, Map data ©2018 Google 200 ft

□ - Proposed BARN Site 60 x 60

RECEIVED
 JUN 25 2018
 By *JP.*

RECEIVED
 JUN 25 2018
 BY *[Signature]*

MAY 15 2003
[Stamp]



Daconee County
 Planning Department
 "AUTHORIZED FOR RECORDING"
 By: *[Signature]*
 Wayne Provost
 Planning Director

The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that this plat was made from an actual survey, that all state and county taxes or other assessments now due on this land have been paid.

Subdivided under the provisions of Zoning Section 120017. May not be resubdivided without prior written approval of the Daconee County Planning Commission.

Exempt under the provisions of Section 104.2 of the Land Subdivision Regulations of Daconee County, Georgia
 Date _____

The lots shown have been reviewed by the Oconee County Health Department and are approved for subdivision development as noted. Each lot must be reviewed and approved for on-site sewage management system placement prior to the issuance of a building permit.

Dated this _____ day of _____
 By: *[Signature]*
 Title _____



REFERENCE: SURVEY BY W.T. DUNAHOO & ASSOC. DATED 10/16/02.

ADMINISTRATIVE PLAT FOR
GWENDOLYN B. EVANS

CITY	GMD	COUNTY	SCALE	DATE
	224	DAKONEE	1"=200'	5-12-2003

W. T. DUNAHOO AND ASSOCIATES
 P.O. BOX 183
 302 W. MAY STREET
 PH: (770) 867-3911
 WINDER, GEORGIA

It is hereby certified that this plat is true and correct as prepared from an actual survey of the property shown hereon, and that all monuments shown hereon, and their location, size, type, and material are correctly shown; and that all engineering requirements of the land have been fully complied with.

Registered Georgia Land Surveyor
 Number _____
[Signature]

A TOPCON GTS-2B TOTAL STATION was used to obtain the linear and angular measurements used in the preparation of this plat.

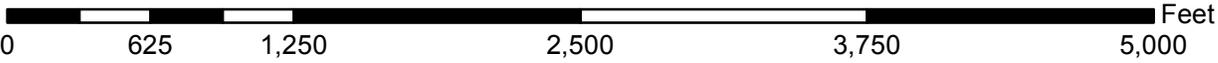
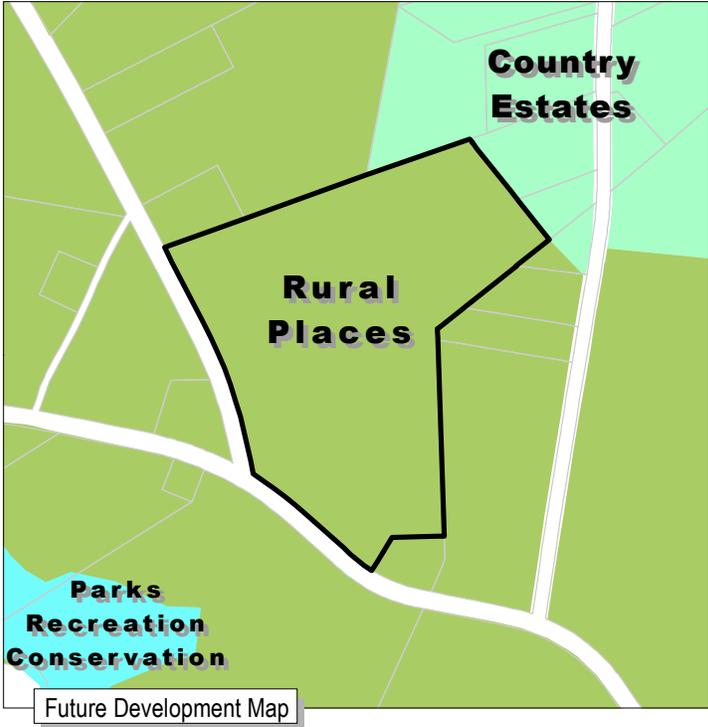
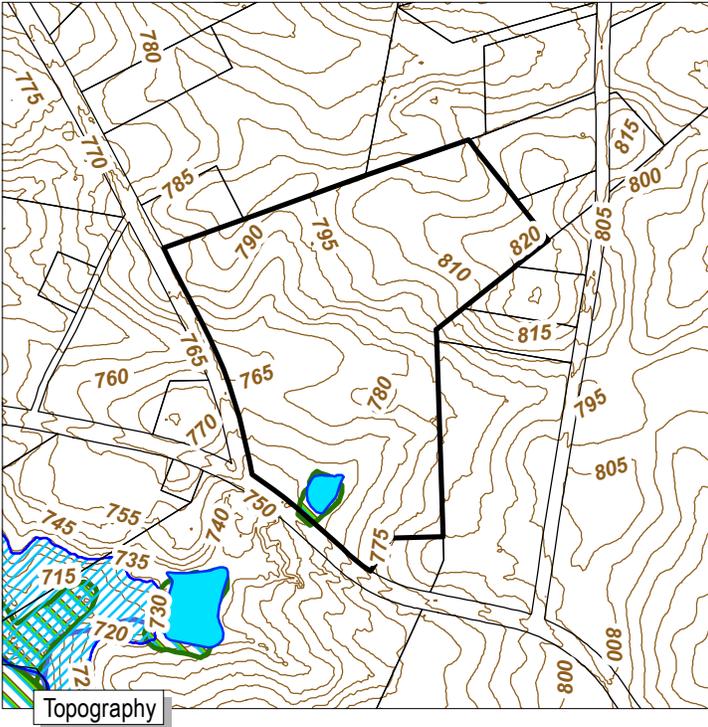
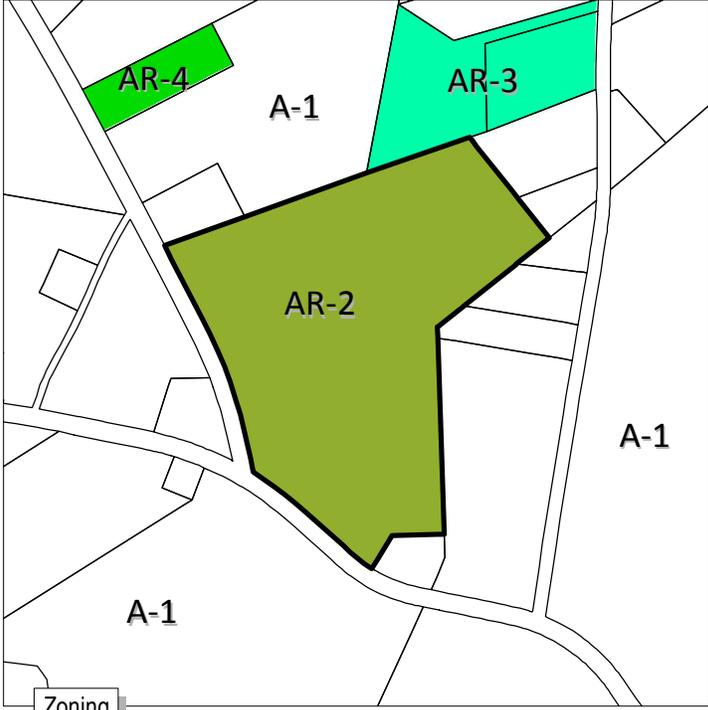
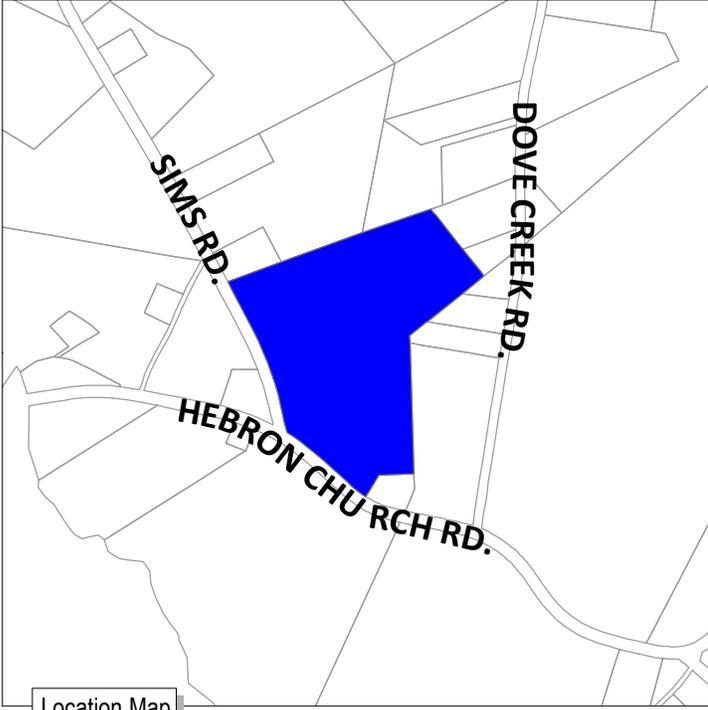
The field data upon which this plat is based has a closure precision of one foot in 25,500 feet and an angular error of 1" per angle point and was adjusted using the CORRECTION rule.

This survey has been calculated for closure and is found to be accurate within one foot in 2100.000 feet.

NOT FLOODED HAZARD AREA AS PER MAP 1304530025C DATED 4/17/95.
 TAX MAP A-1, PARCEL 15
 TOTAL AREA = 38.979 ACRES

C. 167 25

Traci L. Britt Variance Site Review



1:10000

