

**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 classifications A-1 (Agricultural) to B-1 (General Business) pursuant to an application for rezoning of property owned by Hots BBQ, Inc. submitted on October 26, 2015.

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 Williams & Associates, Land Planners P.C. on October 26, 2015 requesting rezoning a ±0.762 acre tract of land located on the north side of SR 15 in the 225th G.M.D., Oconee County, Georgia, (TP# C-6-21), 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 A-1 (Agricultural) to B-1 (General Business) for the purpose of 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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 same on December 14, 2015, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on January 5, 2016.

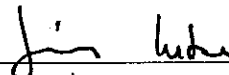
ADOPTED AND APPROVED, this 5th day of January, 2016.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY:



G. Melvin Davis, Chairman



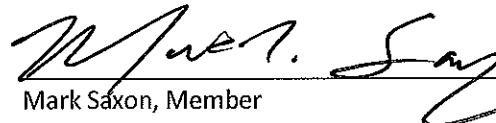
Jim Luke, Member



John Daniell, Member



W. E. "Bubber" Wilkes, Member



Mark Saxon, Member

ATTEST:



Jane Greathouse
Clerk, Board of Commissioners

EXHIBIT "A" TO REZONE #6783

Page 1 of 4

CONDITIONS

This Zoning Amendment shall be subject to the following conditions which shall be fulfilled by the developer at his/her expense:

1. Principal land uses allowed on the site shall be limited to a restaurant and its accessory uses.
2. Prior to the issuance of permits, any building additions or expansions shall be reviewed by the Planning Director in accordance with the Unified Development Code.
3. Unless a Special Exception Variance is approved by the Board of Commissioners, the developer shall comply with the minimum principal building setbacks as required under UDC Section 409 of the Unified Development Code. (Special Exception Variance #6784)
4. Unless a Special Exception Variance is approved by the Board of Commissioners, the developer shall construct off-street parking as required under UDC Section 603 of the Unified Development Code. (Special Exception Variance #6785)
5. Unless a Special Exception Variance is approved by the Board of Commissioners, the developer shall install landscaped buffers between incompatible land uses as required under UDC Section 806 of the Unified Development Code. (Special Exception Variance #6786)

NARRATIVE

Hots BBQ

A Historic Site (Commercial) & Restaurant

3753 Greensboro Highway

Watkinsville, Georgia

A-1 to B-1 - 0.762 Acres – Tax Parcel # C06-021

Narrative

Hots BBQ is an existing historic commercial site and restaurant located in the southern part of Oconee County on a 0.762 acre tract. Hots BBQ, Inc. is the current property owner. Mr. Mark Thomas will act as the primary contact person for the development. Williams & Associates has been engaged by Mr. Thomas to act as his agent in the preparation of the necessary rezoning documentation associated with this request.

The Site

The subject tract fronts on Georgia Highway 15 for approximately 288 LF. The site is predominantly open grass lawn areas with existing gravel and asphalt parking and drives. Existing onsite structures include a restaurant, cook house, historic home and agricultural storage buildings. The topography drops gently from north east to south west, to an existing roadside swale. Existing zoning and land uses surrounding the site are as follows: to the north and west – A-1 zoned agricultural property with residence; to the south – GA Highway 15/Greensboro Highway; to the east – A-1 zoned Thomas Cotton Gin.

The Development

The property exists as a historic commercial site and restaurant. The rezoning proposed is to bring the grandfathered project into zoning compliance. Adequate parking already exists to serve the existing restaurant. Special exception variance requests have been submitted which will allow the site to maintain its historic character by not requiring the existing parking areas to be improved per current code requirements, not imposing the required buffer between incompatible uses and allow buildings to be inside building setbacks. The main structure was originally built in 1948 and served as a general store. It was added onto over the years and converted into a restaurant in 1984. Mr. Thomas wishes to keep the restaurant in its current historical operating condition.

Buildings

The buildings will be maintained with their historic aesthetic and character. No improvements or modifications are proposed as part of this rezoning request. The approximate existing square footages onsite per structure are as follows: restaurant 1,884 sf., cook house 792 sf., historic home 1,366 sf. and agricultural storage buildings 1,497 sf.

Water Supply

The project is currently served by an onsite well.

Sewage Disposal

The project is currently served by an onsite septic system.

Surface Water Drainage

The project will remain as sheet flow.

Access

Access will continue from the existing driveway along GA Highway 15. No additional access or lane improvements are proposed at this time due to no proposed increase in traffic volumes.

Traffic

There is no proposed additional traffic volume projected at this time as a result of the proposed rezoning.

Schools

There will be no impact to county schools as a result of this development.

Schedule

The petitioners plan to complete the zoning efforts on the subject property by January 2016.

Maintenance of Common Areas

There are no common areas for public use currently proposed for this development.

Buffers

A special exception variance has been submitted for a reduction from 50' to 0', along all property lines, for the required buffer between land uses (UDC 806).

Utilities

Existing utilities serving the site are in place. No new utilities are anticipated at this time.

Garbage Collection

Garbage collection will be handled by private contract service.

Sidewalks

No sidewalks are proposed as part of this development.

Public & Semi-public Areas

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

Outdoor Lighting

No lighting is currently proposed for this development.

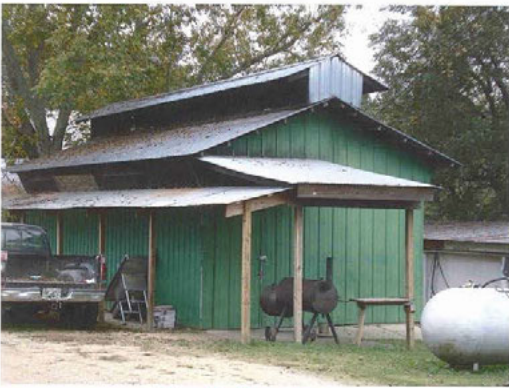
Development Valuation

Total Completed Project Value \$48,340

Hots BBQ



Restaurant



Cook House



Historic Home

TAX MAP

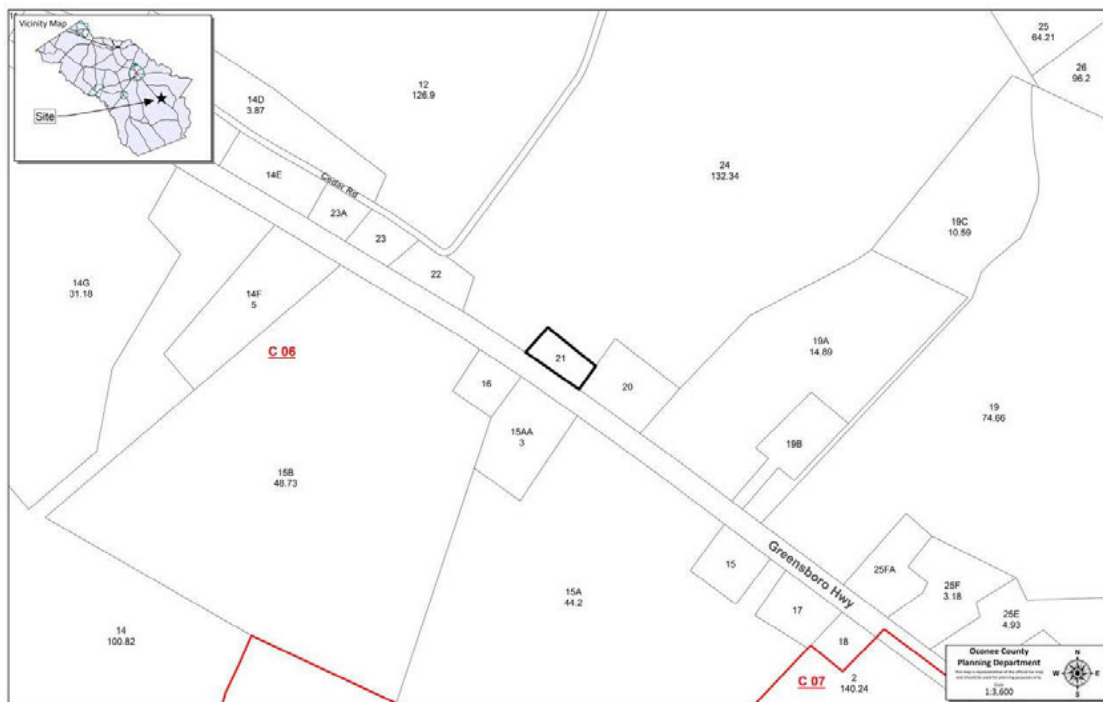


EXHIBIT "A" TO REZONE #6783

Page 3 of 4

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in the county of Oconee, State of Georgia, GMD 225, and described as a 0.762 acre tract on a survey for Thomas Store Lot, by Paul & Evans Land Surveying, Inc., dated 09/29/2000, more particularly described as follows:

Starting at an iron pin along the right-of-way of GA Highway 15; said pin being the **POINT OF BEGINNING**.

Thence N53°57'20"W, a distance of 54.09' to a traverse point;

Thence N54°26'55"W, a distance of 64.59' to a traverse point;

Thence N54°40'15"W, a distance of 92.82' to a traverse point;

Thence N55°12'10"W, a distance of 76.19' to an iron pin;

Thence N38°47'50"E, a distance of 117.74' to an iron pin;

Thence S54°22'45"E, a distance of 283.15' to an iron pin;

Thence S36°36'05"W, a distance of 166.33' to an iron pin; said pin being the **POINT OF BEGINNING**.

PLAT

