

**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 Linda S. Abney Et Al submitted on January 25, 2016.

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 Smith Planning Group on January 25, 2016 regarding a ±1.50 acre tract of land located on the south side of Virgil Langford Road and the west of the Oconee Connector in the 1331st G.M.D., Oconee County, Georgia, (TP# B-4-7C & Portion of TP# C-1-45C), 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 806, to eliminate the requirement for landscaped buffers between incompatible land uses.

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 April 5, 2016.

APPROVED, this 5th day of April, 2016.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY:

G. Melvin Davis
G. Melvin Davis, Chairman

ATTEST:

Jim Luke
Jim Luke, Member

Vacant
Vacant, Post 2

Member Absent due to funeral
W. E. "Bubber" Wilkes, Member

Mark Saxon
Mark Saxon, Member

Jane Greathouse
Jane Greathouse
Clerk, Board of Commissioners

EXHIBIT "A" TO SPECIAL EXCEPTION VARIANCE #6831

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NARRATIVE

VIRGIL LANGFORD PINNACLE BANK VARIANCE REQUEST

Per the Oconee County Unified Development Code, Section 806 a buffer must be provided between any nonresidential development along a side or rear lot line that abuts a less intense land use. The Pinnacle Bank site has a proposed zoning classification of B-2, Business Highway district and is adjacent to a property with a classification of AR-1, agricultural zoning district.

According to Sec. 806, Table 8.1 it is required to provide a 50 foot buffer on a lot with a commercial land use along the side or rear lot line adjacent to any agricultural land use.

A Special Exception Variance is sought to waive the buffer requirement along the adjacent property with an existing zoning classification of AR-1. The existing zoning classification of AR-1 and the allowed uses within the zone are no longer consistent with land-use patterns and uses in the surrounding area. The adjoining property is unimproved and vacant.

The design of the proposed bank site is consistent with other developments in the surrounding area. By allowing the proposed reduction in the width of the buffer, the compact layout of the site is preserved and the design of landscaping and screening provides adequate separation and protects the quality of the adjoining property.

Standards for special exception variance approval:

A. With regards to the public good:

The land uses in the surrounding area of this proposed development do not support an agricultural land use. A future rezoning of the adjacent property from an agricultural use to a commercial use is eminent thereby diminishing the need for visual and dimensional separation between dissimilar land uses.

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

With the recent expansion and improvements to the local thoroughfares and collector roads in the vicinity, urban growth continues and there will be no effect on the enjoyment of the environment or use of adjacent properties resulting from the granting of this variance.

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 furthers the intent towards more compact development and is in keeping with the Future Land Use Map Category designation of a Regional Center.

LEGAL DESCRIPTION

All that tracts or parcels of land containing 1.500 acres, more or less, lying in G.M. District 1331, Oconee County, Georgia, and located at the southwest corner of the intersection of Virgil Langford Road and Oconee Connector, being more particularly described as follows:

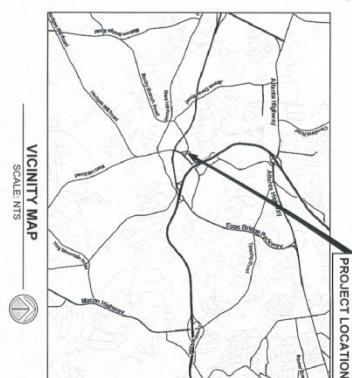
Beginning at an iron pin at the northwest property corner located along the southern right-of-way of Virgil Langford Road which is the Point of Beginning, running

Thence continuing along the southern right-of-way of Virgil Langford Road South 70 degrees 50 minutes 08 seconds East 285.32 feet to an iron pin, thence continuing South 19 degrees 06 minutes 20 seconds West 17.41 feet to a right-of-way marker, thence South 34 degrees 47 minutes 01 seconds East 49.24 feet, thence along the right-of-way of Oconee Connector South 43 degrees 47 minutes 11 seconds West 163.08 feet to the beginning of a curve, said curve having radius 2009.87 feet, chord bearing South 41 degrees 42 minutes 31 seconds West, chord distance 145.76 feet, continuing along curve having a radius 2009.87 feet, chord bearing South 38 degrees 36 minutes 17 seconds West chord distance 72.03 feet, North 04 degrees 53 minutes 51 seconds West 434.98 feet, which is the Point of Beginning, containing 1.500 acres more or less.

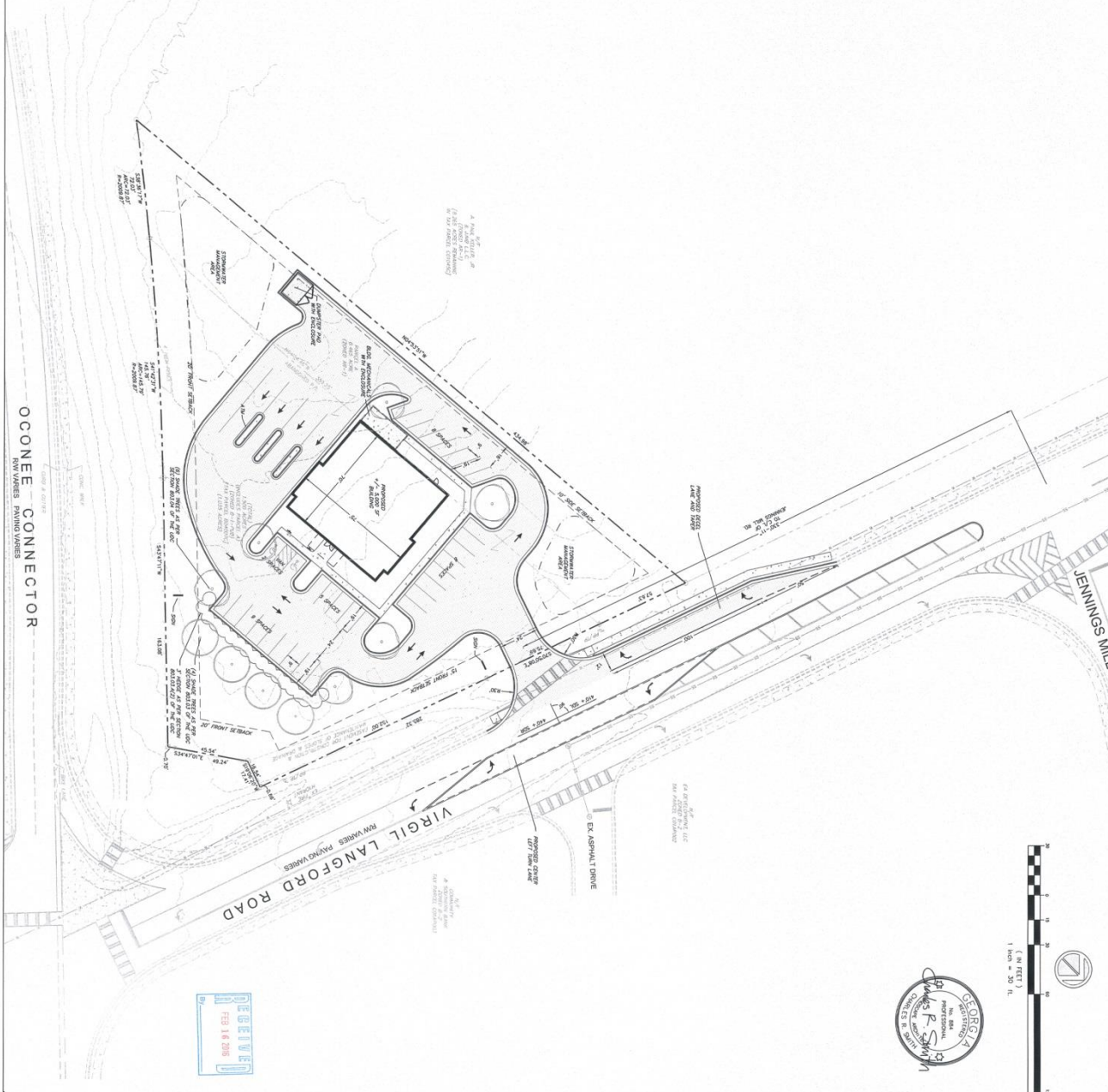
PLAT



DEVELOPMENT PLAN



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PINNACLE BANK
OCONEE COUNTY, GEORGIA



SMITH
PLANNING
GROUP

LAND PLANNING
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL DESIGN
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