

**APPROVAL OF A HARDSHIP VARIANCE
FROM THE UNIFIED DEVELOPMENT CODE OF OCONEE COUNTY, GEORGIA**

TITLE

A Resolution granting approval of a Hardship Variance based upon the allowances under the Unified Development Code of Oconee County, Georgia, pursuant to Article 13, Section 1304, to grant approval of a Hardship Variance pursuant to an application requesting approval of a Hardship Variance on property owned by LCN Oconee, LLC & Frank Halpin submitted on March 31, 2014.

ENACTMENT CLAUSE

Pursuant to the authority conferred by the Constitution and Laws of the State of Georgia and after consideration of an application requesting Hardship Variance approval submitted by Williams & Associates, Land Planners P.C. on March 31, 2014 regarding property owned by LCN Oconee, LLC & Frank Halpin on a ±3.137 acre tract of land located on the north side of SR 316 and Virgil Langford Road (Unimproved) and the south side of Old Jennings Mill Road in the 1331st G.M.D., Oconee County, Georgia, (TP# B-4-7D), the Board of Commissioners of Oconee County does hereby grant the following:

SECTION 1. A Resolution granting Hardship 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 1008.04.f, to construct a dead-end street (cul-de-sac) without a turn-around.

Said Hardship 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 Hardship 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 3, 2014.

APPROVED, this 3rd day of June, 2014.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY:

G. Melvin Davis
G. Melvin Davis, Chairman

Jim Luke
Jim Luke, Member

John Daniell
John Daniell, Member

Margaret S. Hale
Margaret S. Hale, Member

Mark Saxon
Mark Saxon, Member

ATTEST:

Jane Greathouse
Jane Greathouse
Clerk, Board of Commissioners

EXHIBIT "A" TO HARDSHIP VARIANCE #6527

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CONDITIONS

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

1. Developer shall dedicate right-of-way from the site and construct a modified "P-shaped" turnaround at the project entrance, acceptable to Public Works and Planning.

ARCHITECTURAL SKETCHES

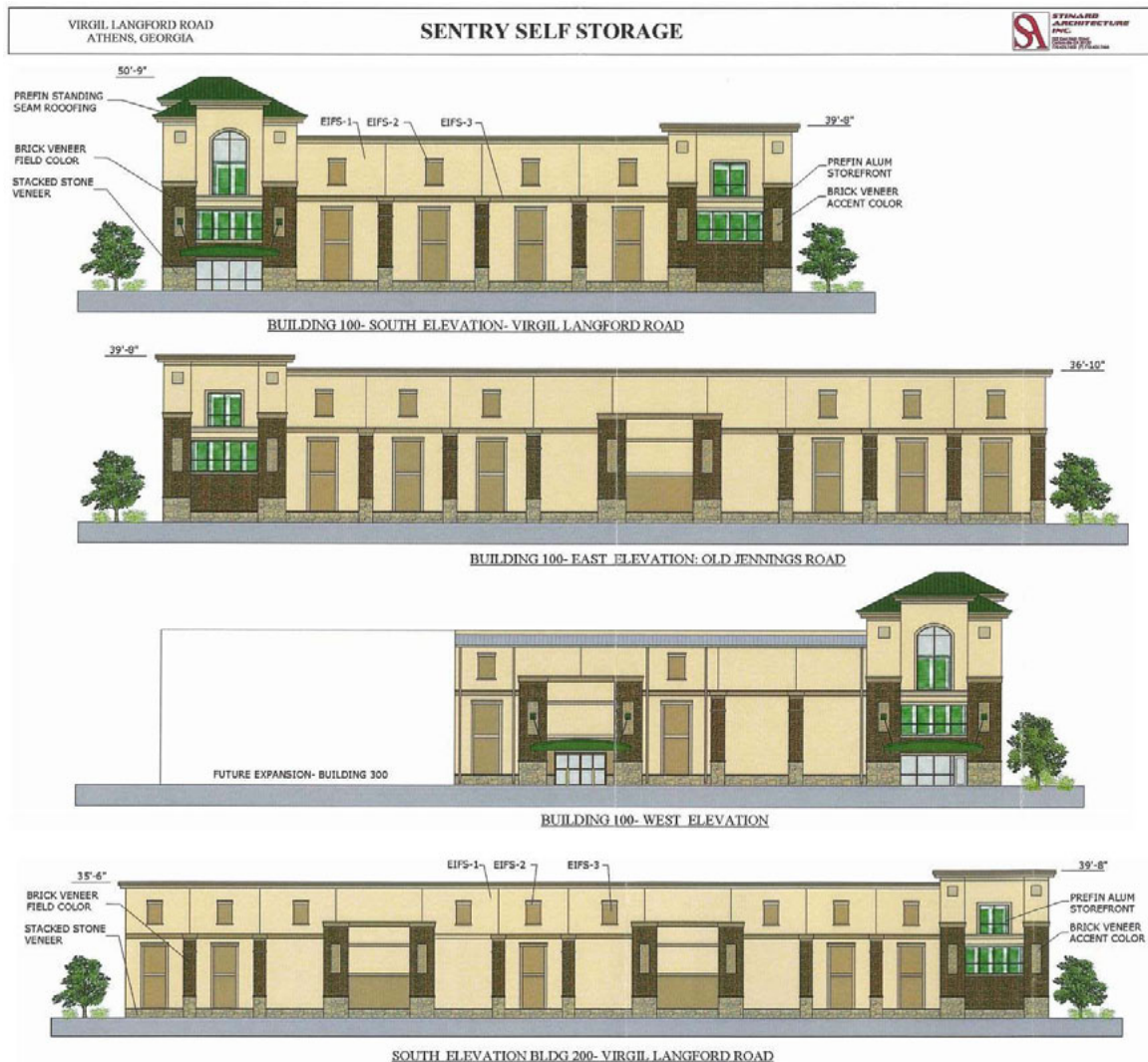


EXHIBIT "A" TO HARDSHIP VARIANCE #6527

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NARRATIVE

Sentry Self Storage

A Commercial Development

The northeast corner of Jennings Mill Ext. and Virgil Langford Road

Bogart, Georgia

A-1 to B-2 Special Use

3.137 Acres – Tax Parcel # 804-007D

Hardship Variance Submittal – March 28, 2014

Revised April 23, 2014

Narrative

Sentry Self Storage is a proposed self-service storage development to be located on a 2.951 acre site and developed by JenHill, LLC. Chance Warren will act as primary contact person for the developers. LCN Oconee, LLC. & Frank Halpin are the current property owners. Carl Nichols will act as the primary contact person for the owners. Williams & Associates has been engaged by LCN Oconee, LLC. & Frank Halpin to act as agent in the preparation of the necessary rezone and special use documentation associated with this request.

The Site

The subject tract fronts on Virgil Langford Road for approximately 795 LF and Jennings Mill Ext. for approximately 70 LF. The site is predominantly wooded with a mixture of pines and hardwoods. There are no existing onsite structures. The topography drops gently from the center of the property to both the west and east, to existing roadside swales. Existing zoning and land uses surrounding the site are as follows: to the west – Jennings Mill Ext.; to the north – one (1) A-1 zoned vacant tract; to the south – Jennings Mill Road; to the west – one (1) OIP zoned vacant tract and one (1) B-2 zoned tract with an existing commercial business. The Future Development Map 2030 identifies the site with a Future Character Area designation of Regional Center. The proposed development is in line with this future character area as it meets the development strategy of a regional-serving role and planning objective.

The Development

The project is to be developed as a state-of-the-art self-service storage facility providing both personal and business storage solutions. The buildings will be the first of its kind in Oconee County with climate controlled storage space that is all internally accessed. The project will be constructed with a curb & gutter parking lot and sidewalks. All utilities will be underground. Extensive landscaping including buffers and shade trees will be installed throughout the development. The project is proposed to be constructed in 3 phases, with building 100, parking, landscaping, buffers, storm water management and access comprising of phase 1. Phase 2 is to be the addition of building 200. Phase 3 is the addition to building 100, labeled as building 300 on the plans, to begin following the demolition of a portion of asphalt parking and loading area and a canopy serving the north side of building 100. The total build-out of the project should be completed between January 2018 and January 2019.

Buildings

The proposed 152,250 square foot self-service storage facility structures are to be 3 story, climate controlled with all units internally accessed. Facility structures are to be four sides EIFS siding with a stone waterable and architectural detailing. The roof is to be a parapet roof structure with gabled accents. The 152,250 square feet includes an office space, retail space (for the allowed sale or rental of items related to moving and storage such as moving boxes, packing supplies and hand trucks), maintenance facility, storage units and access corridors. See attached representative architecture photographs of the proposed structures.

Water Supply

A 12" water main currently exists in the right-of-way of Virgil Langford Road & an 8" water main currently exists in the right-of-way of Old Jennings Mill Road. The project will require a water main extension to the proposed property. A single service and meter will be installed to meet the domestic water demand. A second meter will be installed for irrigation purposes.

Probable Water Demand

*assume water use 400 gal./restroom/day

*assume 2 restrooms for this facility

Probable Water Demand = (400 gpd x 2 restrooms) = 800 gpd

Peak Water Demand = 800 gpd/24 hr./day = 33.33 gal/hr. = 0.56 gpm
0.56 gpm x 3 (peaking factor) = 1.68 gpm peak

Sewage Disposal

A conventional septic tank and drain-field are planned for the development. A soil survey map has been prepared by an approved soil scientist to insure that the system will be constructed in an area with appropriate soils per county and state regulations.

Surface Water Drainage

Concrete curb & gutter, corrugated pipe, grassed and natural waterways will be employed to collect and divert storm water to a proposed storm water management facility. Post development run-off will be maintained at predevelopment rates for 2, 5, 10, 25, and 50 year events. The proposed storm water management facility will be designed to achieve the required capacity and volume based on hydrological analysis to be performed and submitted with site development plans. Stormwater management will be in compliance with the Oconee County UDC.

Access

Access will be via a single driveway from Virgil Langford Road. Access will require improvements to the existing public street which had previously been downgraded to an unimproved, dead-end street. A hardship variance has been requested to allow a permanent dead-end street that is not terminated by a turnaround or cul-de-sac. A variance has also been requested for flexibility in the required access of mini-warehouses and self-service storage, which will permit the use of a local street base and pavement cross-section rather than an industrial/business cross-section. All remaining improvements to the unimproved street will be subject to Oconee County UDC regulations and OC Public Works direction at the time of permitting. Ten feet, comprising of a 0.185 acre portion of the property adjacent to Virgil Langford Road, is to be dedicated as required by code for additional right-of-way to accommodate the anticipated road improvements. The improved street will be designed to meet local street classification requirements as designated in the street design standards (UDC Table 10.1).

Traffic

Projected traffic is based on the trip generation rate published by the Institute of Transportation Engineers, *Trip Generation*, 8th Edition. Traffic projections are based on the ITE code (151) Mini-Warehouse.

The average rate is 2.50 trips per 1000 sq.ft. Gross Floor Area on a weekday.
(152,250 sq.ft. / 1000 sq.ft.) x 2.50 trips = 380.63 ADT

The average rate is 0.28 trips per 1000 sq.ft. Gross Floor Area for AM peak hour.
(152,250 sq.ft. / 1000 sq.ft.) x 0.28 trips = 42.63 ADT AM peak

The average rate is 0.29 trips per 1000 sq.ft. Gross Floor Area for PM peak hour.
(152,250 sq.ft. / 1000 sq.ft.) x 0.29 trips = 44.15 ADT PM peak

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 by May 2014. The Preliminary Site Plan and Site Development Plans for the development will be submitted for approval by July 2014. Construction of the project infrastructure will commence immediately upon approval of these plans. The infrastructure and phase 1 building construction will require a minimum of 4-6 months to complete. It is anticipated that the total build-out of the project should be completed between January 2016 and June 2016.

Maintenance of Common Areas

There are no common areas currently proposed for this development.

Landscaping and Buffers

Street trees, parking lot buffers, and parking lot tree plantings will be installed in accordance with the Oconee County UDC. A buffer is shown along the adjacent property line to the north, as required by OC-UDC Section 806 and a 20' landscape strip is shown along Virgil Langford Road to the south, as required by OC-UDC Section 327. The Landscape strip and buffer will be designed with details provided during the site development plans approval stage of the project. Any additional required buffers will be illustrated on site development plans or as directed by Oconee County.

Utilities

All utilities are proposed to be underground. No existing utilities are located onsite nor are any utility relocations 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

Concrete sidewalks will be constructed to service the project and provide customer access and circulation. Sidewalks will be installed during building construction and completion of all underground utility service installation.

Public & Semi-public Areas

Drainage easements will be dedicated to Oconee County. Easements for power, telephone, cable TV, and gas will be dedicated as required for specific utility construction.

Outdoor Lighting

Box type light fixtures on metal poles will be installed to illuminate the development for safety and security. Lighting will be oriented inward and downward within the proposed development. A lighting plan will be submitted to the Oconee Planning Department illustrating lighting templates and proposed fixtures. This plan will be reviewed during the site development plans approval stage of the project.

Development Valuation

Proposed total value of the project at completion: \$7,000,000.00

Variance

A Hardship Variance is requested from UDC Sec. 1008.04.(f1) allowing a permanent dead-end street that is not terminated by a turnaround or cul-de-sac.

Sec. 1304.03. Standards for hardship variance approval.

A hardship variance may be granted in such individual case of unnecessary hardship upon a finding by the Board of Commissioners that all of the following conditions exist:

- There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography:
Due to the property's small size and triangular shape, the petitioner does not have adequate area to dedicate to the county the required circular termination in right-of-way of the minimum 120' diameter, while maintaining an area of adequate size to construct a viable development.
- The application of this development code to this particular piece of property would create an unnecessary hardship:
The application of this development code to this particular piece of property would create an unnecessary hardship because of the county's decision to downgrade the existing public street to an unimproved, dead-end street with the construction of Highway 316. Now that the petitioners intend on moving forward with the development of the property, it is hardship to require them to provide improvements to an existing public road where the necessary lot area to provide such improvements creates a detriment to the project being proposed. The remaining lot area will not be of adequate size to construct a viable development because the required cul-de-sac will be wholly on the subject property; no property is available on the adjacent lot owned by Walton FMC at this time.
- Such conditions are peculiar to the particular piece of property involved:
The conditions involved in this request are peculiar to this particular piece of property. The property exists as a tract where the county has downgraded a portion of the public road access and frontage. Coupled with the shape and small size of the lot, which is ideal for commercial development in an area being developed commercially, requiring a right-of-way of the minimum 120' diameter dimension does not leave an area of adequate size to construct a viable development. Also, there will be no other users on this section of roadway other than those who intend to access to the Walton FMC and GA Transmission sites.
- Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this ordinance:
The allowance of a permanent dead-end street that is not terminated by a turnaround or cul-de-sac will not cause substantial detriment to the public good because there is no advantage to the public if the cul-de-sac exists. The UDC does not anticipate this type of single user at the end of a dead-end street nor the events involving the evolution of the existing condition with the construction of a major highway such as Highway 316. The intent of the code is to provide an opportunity for motorists and emergency vehicles to turn around. We have provided a hammerhead for emergency vehicle maneuvering, utilizing a portion of the project drive. The dead end street will essentially serve as and appear to be a driveway to serve the proposed development and as a result not impair the purposes nor intent of the ordinance.



