

**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 classification AR (Agricultural Residential District) to AR (Agricultural Residential District) with modifications to rezone #1114 pursuant to an application for rezoning of property owned by Laura & Christopher Childs submitted on September 16, 2020.

**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 Laura and Christopher Childs on September 16, 2020, requesting rezoning of a ±4.25-acre tract of land located at 1040 Burning Oak Drive in the 239<sup>th</sup> G.M.D., Oconee County, Georgia, (tax parcel no. A-05B-002), 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 classification AR (Agricultural Residential District) to AR (Agricultural Residential District) with modifications to rezone #1114 for the purpose as set forth in "Exhibit A" attached hereto.

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

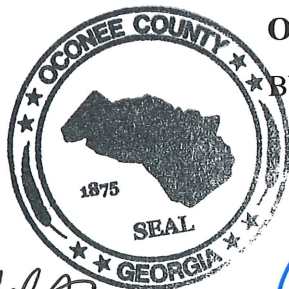
SECTION 2. Severability. It is intended that the provisions of this Ordinance be severable and should any portion be held invalid, such invalidity shall not affect any other portion of the Ordinance.

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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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 the same on November 16, 2020 and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on December 1, 2020.

ADOPTED AND APPROVED, this 1<sup>st</sup> day of December, 2020.



**OCONEE COUNTY BOARD OF COMMISSIONERS**

BY:

John Daniell, Chairman

Mark Thomas, Member

Chuck Horton, Member

Amrey Harden, Member

Mark Saxon, Member

ATTEST:

Kathy Hayes  
Kathy Hayes  
Clerk, Board of Commissioners

## Kathy Hayes

---

**From:** Mark Saxon  
**Sent:** Wednesday, December 2, 2020 11:27 AM  
**To:** Kathy Hayes  
**Subject:** Re: Approved Rezones/Variances

Yes. You have my permission to sign.

Mark

Sent from my iPhone

On Dec 2, 2020, at 10:30 AM, Kathy Hayes <khayes@oconee.ga.us> wrote:

It was great to hear your voice last night! Would you like for me to sign the approved rezones and variances for you?

P20-0214

P20-0213

P20-0194

P20-0190

Thanks!

*Kathy Hayes*

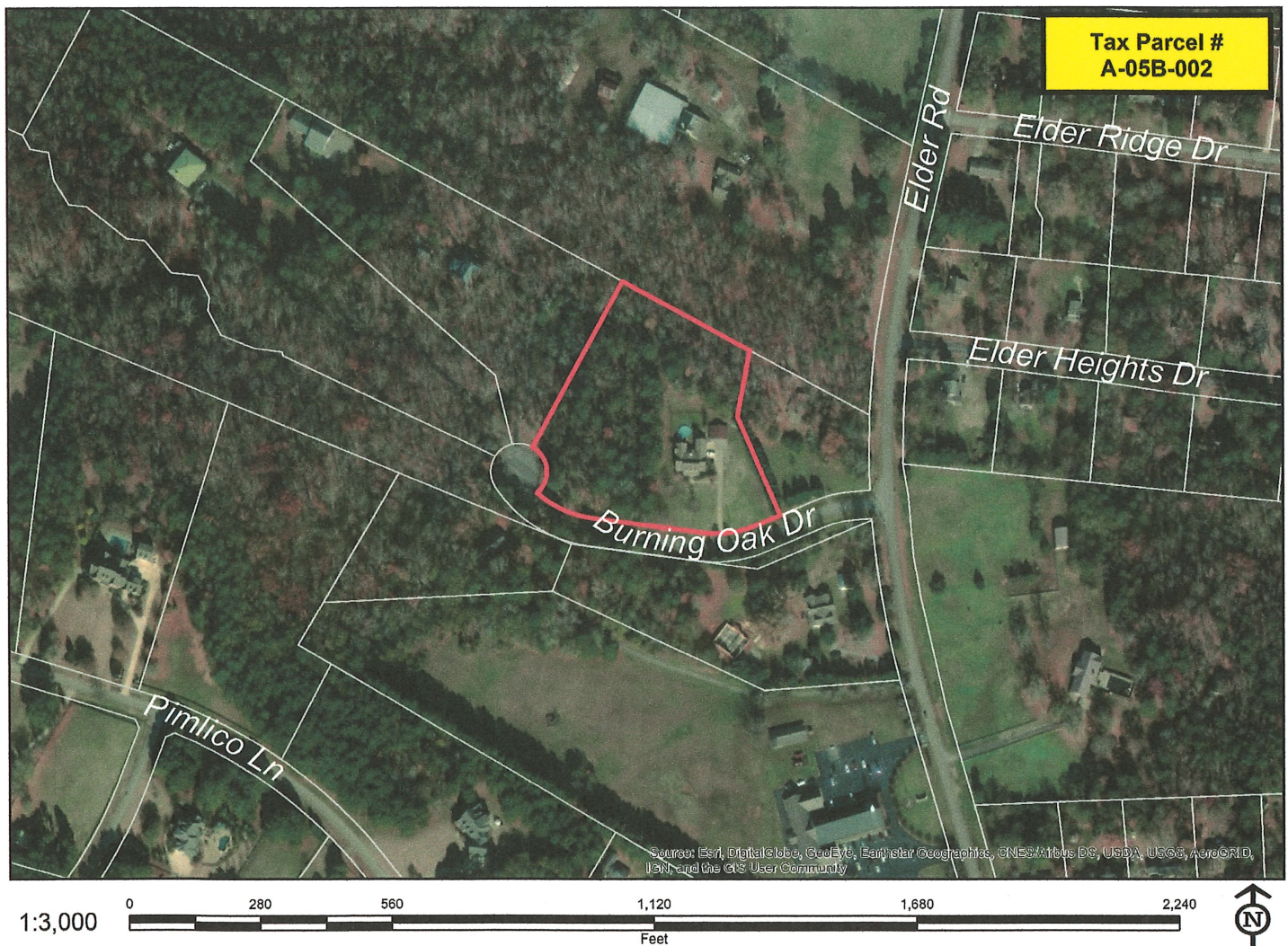
County Clerk/Open Records Officer  
Oconee County Board of Commissioners  
PO Box 145  
23 North Main Street  
Watkinsville, GA 30677  
Phone: 706-769-5120  
Email: khayes@oconee.ga.us



CONDITIONS

1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Unified Development Code.
2. The owner, all at owner's expense, shall construct the improvements required by the County for public water and public waste water services for subject property and shall convey same to the County, free of all liens. Said improvements shall include all on-site improvements and such off-site improvements as are required by the County to provide service to subject property.

TAX MAP



# EXHIBIT "A" TO REZONE NO P20-0190

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## LEGAL DESCRIPTION

### Legal Description of Burning Oak Dr. Property

#### Tract 2A

All that tract or parcel of land being in G.M.D. 239 of Oconee County, Georgia and being more particularly described as follows:

Beginning At A Point Along The Northerly Right-Of-Way Of Burning Oak Drive (60' Right-Of-Way) 443.43' From The Westerly Right-Of-Way Of Elder Road; Thence Following The Right-Of-Way Of Burning Oak Drive N 82°21'59" W A Distance Of 78.53' To A Point; Thence With A Curve Turning To The Right With An Arc Length Of 130.40', With A Radius Of 220.00', With A Chord Bearing Of N 65°23'09" W, With A Chord Length Of 128.50', To A Point; Thence With A Reverse Curve Turning To The Left With An Arc Length Of 114.53', With A Radius Of 60.00', With A Chord Bearing Of N 05°15'05" W, With A Chord Length Of 97.92', To A Point; Thence Leaving Said Right-Of-Way N 28°46'07" E A Distance Of 403.14' To A Point; Thence S 61°27'10" E A Distance Of 114.89' To A Point; Thence S 11°13'47" W A Distance Of 468.91' To A Point Along The Right-Of-Way Of Burning Oak Drive; Which Is The Point Of Beginning,

Having An Area Of 87121.7 Square Feet, 2.0000 Acres

#### Tract 2B

All that tract or parcel of land being in G.M.D. 239 of Oconee County, Georgia and being more particularly described as follows:

Beginning At A Point Along The Northerly Right-Of-Way Of Burning Oak Drive (60' Right-Of-Way) 110.65' From The Westerly Right-Of-Way Of Elder Road; Thence Following The Right-Of-Way Of Burning Oak Drive S 66°52'36" W A Distance Of 54.62' To A Point; Thence With A Curve Turning To The Right With An Arc Length Of 118.10', With A Radius Of 220.00', With A Chord Bearing Of S 82°15'21" W, With A Chord Length Of 116.69', To A Point; Thence N 82°21'59" W A Distance Of 159.93' To A Point; Thence Leaving Said Right-Of-Way N 11°13'47" E A Distance Of 468.91' To A Point; Thence S 61°27'10" E A Distance Of 193.35' To A Point; Thence S 10°39'05" W A Distance Of 143.70' To A Point; Thence S 23°06'26" E A Distance Of 228.74' To A Point Along The Right-Of-Way Of Burning Oak Drive; Which Is The Point Of Beginning,

Having An Area Of 97840.8 Square Feet, 2.2461 Acres



## NARRATIVE

**General Data:**

Property Address: 1040 Burning Oak Dr. Bishop GA 30621

Owner: Christopher R & Laura P Childs

Existing Zoning : AR

Proposed Zoning: AR w/ Mod

Existing Use: Single Family Residential

Proposed Use: Single Family Residential

Property Area: 4.25 acres

**Site Narrative:**

The property is located off of Elder Road at 1040 Burning Oak Drive. The property is 4.25 acres and is currently zoned AR and is being using as a single family residence with a 2500 square foot home on the property. Adjacent land is zoned AR and is used for single family residence. The property owners are Christopher R. and Laura P. Childs. The owners are seeking to rezone the property from AR to AR w/ modification. This request is to remove condition #1 of rezone 1114 in order to allow an additional lot to be created.

**Site Narrative:** The property is located off Elder Road at 1040 Burning Oak Drive. The Character Area for the property and its surrounding properties is identified as " County Estates" according to the Oconee County Future Development Map.

The property is comprised of 4.25 acres, with a single family residence onsite. The property is relatively flat with no environmentally sensitive areas.

**Proposed Use:**

The Proposed use of the property is to remove condition #1 of rezone 1114 in order to allow an additional lot to be created. This would subdivide the current lot of 4.25 acres to a lot with 2.25 acres and a lot with 2.0 acres.

**Access:**

Both tracts of land will have adequate road frontage to allow for access to meet Oconee County specifications.

**Traffic Impact:**

Per the Institute of Transportation Engineers, Trip Generation 9<sup>th</sup> Edition, the proposed one single family lot will generate 9.2 trips per day.

**Impact to School System:**

There will be very minimal impact to the school system due to an increase of one single family parcel. The additional parcel could add 2-3 students to the school system. The current property owners no longer have school aged children.

**Water Supply:**

Water will be provided by private well on each parcel.

**Sewage Disposal:**

Sewage disposal will be per individual septic systems on each parcel.

**Garbage Collection:**

Garbage collection will be handled by private collectors via roll carts.

**Utilities:**

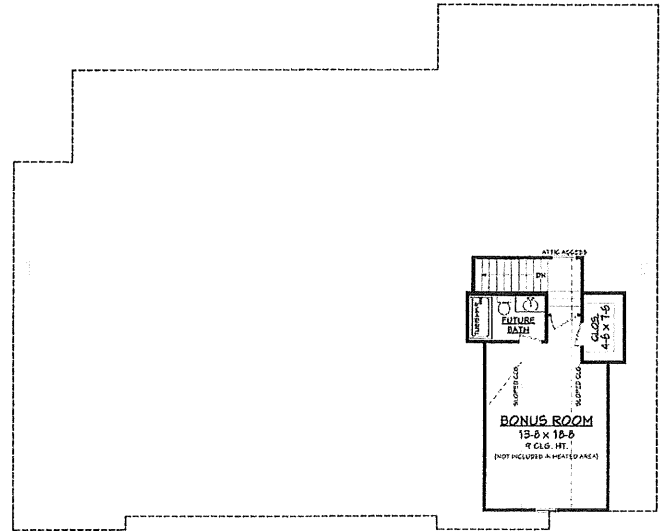
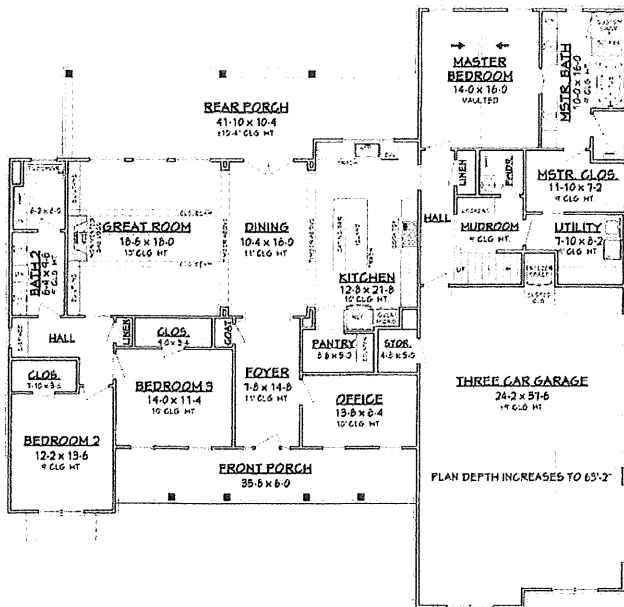
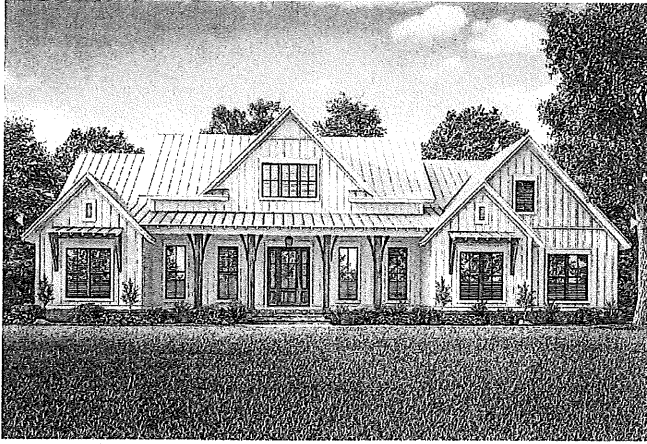
Electricity and Data will be provided by power/data providers in the area.

**Materials:**

Home is proposed to be stick built with a modern farmhouse style consisting of wood and fiber cement exterior materials with asphalt shingle or metal roofing per the attached representative architecture.

**Representative Architecture:**

ARCHITECTURAL RENDERINGS





# EXHIBIT "A" TO REZONE NO P20-0190

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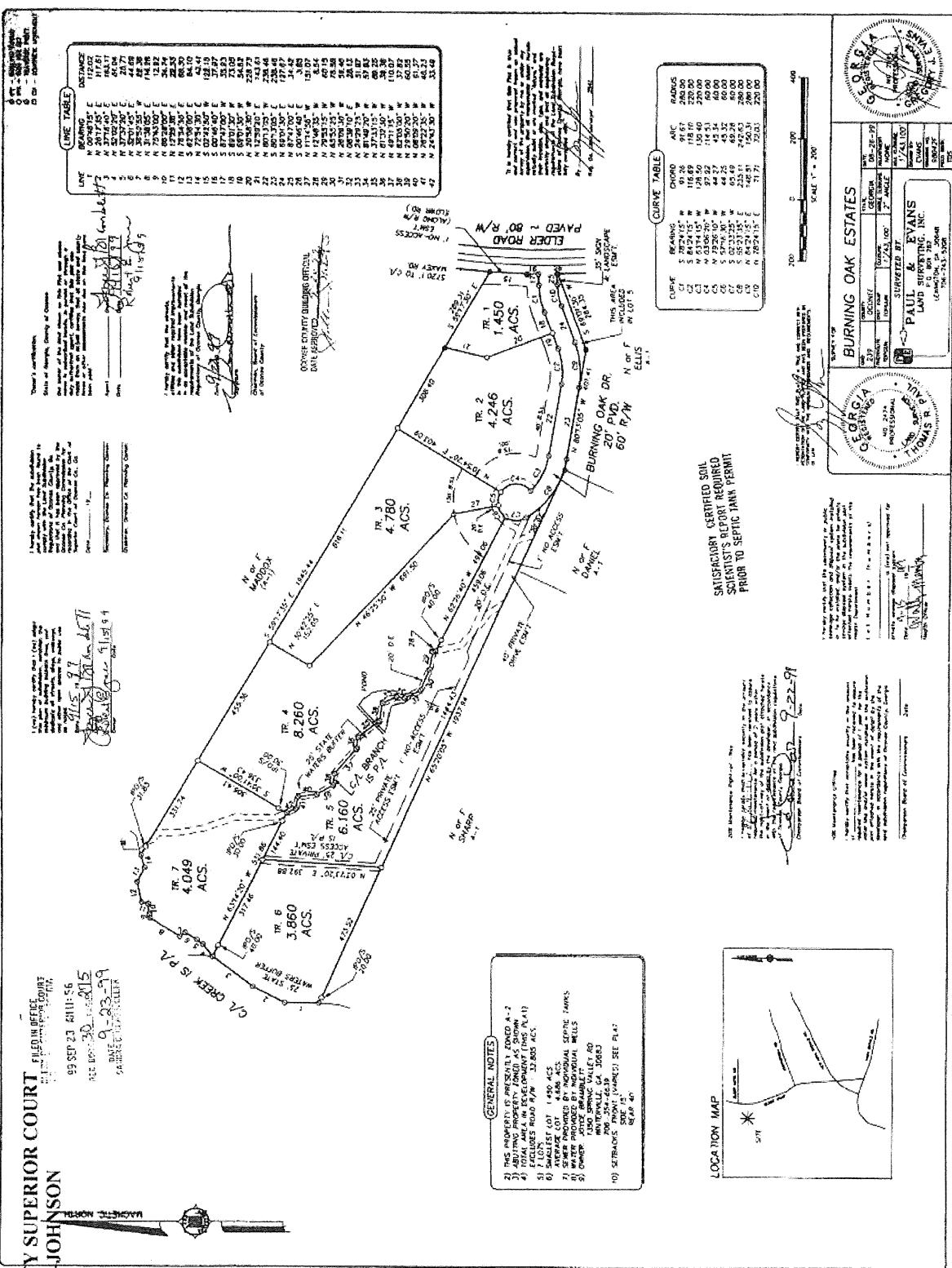
## PLAT

2

BK 30 PG 275

ILED  
1:56 AM  
9/23/1999

FILED IN DEPT. OF REVENUE  
CONEE COUNTY SUPERIOR COURT  
NGELA ELDER-JOHNSON  
LERK  
99 SEP 23 4:11:56  
REC 000-30-1-615  
9-23-99  
SARAH E. JOHNSON



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## CONCEPT PLAN

[illegible]





**Planning Department  
Oconee County, Georgia  
STAFF REPORT**

**REZONE CASE #:** P20-0190

**DATE:** October 26, 2020

**STAFF REPORT BY:** Grace Tuschak, Senior Planner  
Monica Davis, Planner

**APPLICANT NAME:** Laura and Christopher Childs

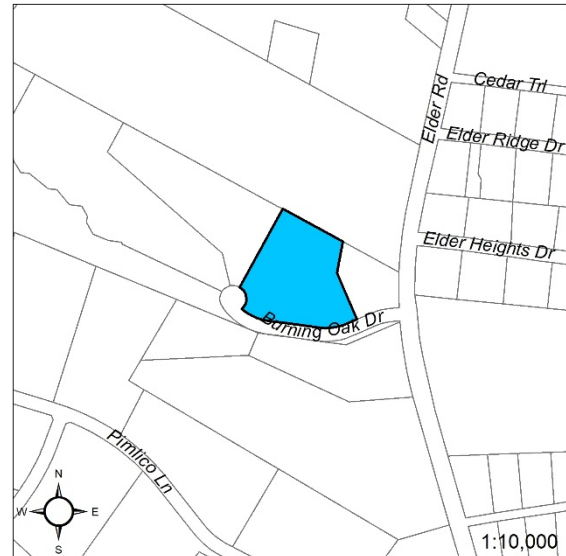
**PROPERTY OWNER:** Laura and Christopher Childs

**LOCATION:** 1040 Burning Oak Drive

**PARCEL SIZE:** ±4.25 acres

**EXISTING ZONING:** AR (Agricultural Residential District)

**EXISTING LAND USE:** Residential



**FUTURE DEVELOPMENT MAP CHARACTER AREA DESIGNATION:** Country Estates

**ACTION REQUESTED:** The owner is requesting to remove condition #1 from the previously approved rezone (#1114) in order to create one additional 2.0-acre lot in the Burning Oak Estates subdivision.

**STAFF RECOMMENDATION:** Staff recommends conditional approval of this request

**DATE OF SCHEDULED HEARINGS**

**PLANNING COMMISSION:** November 16, 2020

**BOARD OF COMMISSIONERS:** December 1, 2020

**ATTACHMENTS:**

- Application
- Narrative
- Representative Images
- Zoning Impact Analysis
- Aerial Imagery
- Zoning Map
- Future Development Map
- Signed Resolution for Rezone #1114 (1998)
- Plat of Survey
- Concept Plan

## **BACKGROUND INFORMATION & FINDINGS OF FACT**

### **HISTORY**

- Rezone #1114 was approved on 05/05/1998 to allow for the construction of Burning Oak Estates subdivision with six single-family residential lots.
- A single-family residence and a metal carport were built on the property in 2000.

### **SURROUNDING LAND USE AND ZONING**

	<b>EXISTING LAND USES</b>	<b>EXISTING ZONING</b>
<b>NORTH</b>	Single-family residential	AG (Agricultural District)
<b>SOUTH</b>	Single family residential	AG (Agricultural District)
<b>EAST</b>	Single-family residential (Burning Oak Estates)	AR (Agricultural Residential District)
<b>WEST</b>	Single-family residential (Burning Oak Estates)	AR (Agricultural Residential District)

### **PROPOSED DEVELOPMENT**

- The applicant requests that condition #1 of rezone #1114 (below) be removed in order to create one additional 2.0-acre residential lot; the existing house would remain on a 2.25-acre portion of the parent parcel
  - *Condition #1: “The lot count shall not be increased beyond the rezone concept plan without the prior approval of the Board of Commissioners.”*

### **PROPOSED TRAFFIC PROJECTIONS**

- An additional 9.2 average daily trips (ADT) are projected should this rezone modification request be approved (9<sup>th</sup> Edition ITE Trip Generation Manual).

### **PUBLIC FACILITIES**

#### **Water:**

- The additional lot would be served by a private well.

#### **Sewer:**

- The additional lot would be served by an individual septic system.

#### **Roads:**

- Road access for the additional lot is proposed along Burning Oak Drive.

### **ENVIRONMENTAL**

- No jurisdictional wetlands, 100-year flood plain, or state waters are known to exist on the site.

## **COMMENTS FR**

## **OM OTHER DEPARTMENTS & AGENCIES**

### **OCONEE COUNTY PUBLIC WORKS DEPARTMENT**

- No comments

### **OCONEE COUNTY FIRE DEPARTMENT**

- No comments



## OCONEE COUNTY WATER RESOURCES DEPARTMENT

- Suggested zoning condition: The owner, all at owner's expense, shall construct the improvements required by the County for public water and public waste water services for subject property and shall convey same to the County, free of all liens. Said improvements shall include all on-site improvements and such off-site improvements as are required by the County to provide service to subject property.

## OCONEE COUNTY BOARD OF EDUCATION

- The rezone request has little to no immediate impact. However, it could impact the North Attendance Zone, specifically High Shoals Elementary School, Malcolm Bridge Middle School, which is already over capacity by 19 students, and North Oconee High School.
- 

## **STAFF ANALYSIS**

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE "STANDARDS FOR REZONING CONSIDERATION" AS SET FORTH IN SECTION 1207.01 OF THE *OCONEE COUNTY UNIFIED DEVELOPMENT CODE*.

- A. Whether the zoning proposal will permit a use that is suitable in view of the existing uses, development, and zoning of nearby property.**  
Nearby properties are primarily single family residential and zoned AG or AR. The proposed additional residential lot should be suitable in view of the existing uses, development, and zoning of nearby property.
- B. Whether the property to be rezoned has a reasonable economic use as currently zoned.**  
The property has a reasonable economic use for residential purposes as currently zoned.
- C. The extent to which the zoning proposal promotes the health, safety, morals or general welfare of the public with consideration to:**
- i. Population density and effect on community facilities such as streets, schools, water, and sewer;**  
The additional parcel is to be served by private well and septic system; County sewer and water service would be unaffected by approval of the request. Minimal impacts to local schools, police and fire protection services is expected.
  - ii. Environmental impact;**  
No environmentally sensitive areas are known to exist on site.
  - iii. Effect on the existing use, usability and/or value of adjoining property.**  
The addition of one residential lot should not have a significant impact on the existing use, usability, and/or value of adjoining residential property.
- D. The length of time the property has been vacant as zoned, considered in the context of land development in the vicinity of the property.**  
The subject property is not currently vacant; this standard is not applicable to the present request.
- E. Consistency of the proposed use with the stated purpose of the zoning district that is being requested.**  
The property is to remain in the AR zoning district, which is intended to "allow medium rural residential densities and compatible agricultural activities without encouraging commercial development or multi-family development" (Unified Development Code Sec. 205.03). Staff holds that the proposed additional residential lot is consistent with the stated purpose of the proposed zoning district.
- F. Whether there are other existing or changing conditions or land use patterns affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**  
Staff finds no other existing or changing conditions or land use patterns which would give supporting grounds for either approval or disapproval of the zoning proposal.

**G. Conformity with or divergence from the Future Development Map or the goals and objectives of the Oconee County Comprehensive Plan.**

The subject property lies within the Country Estates Character Area (2040 Future Development Map). This Character Area is intended for primarily medium-density residential use and “provides a transition between the more rural areas of the county and traditional suburban residential development and provides an ‘edge’ between the urban and rural fringe” (2018 Comprehensive Plan p. 34). For subdivisions in the Country Estates Character Area, a density of one dwelling unit per 2 acres is supported by the Comprehensive Plan (2018 Comprehensive Plan p. 35). Staff holds that the present request is in conformity with the Future Development Map and the goals and objectives of the Oconee County Comprehensive Plan.

**H. The availability of adequate sites for the proposed use in districts that permit such use.**

It is likely that other similarly-sized lots exist within the county that would permit an additional residential lot.

## **STAFF RECOMMENDATION & CONDITIONAL REQUIREMENTS**

**Based on Board of Commissioners policies, decision-making criteria, and standards outlined in the development codes of Oconee County, staff recommends conditional approval of the present rezone modification request subject to the following conditions to be fulfilled at the owner/developer’s expense:**

1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Unified Development Code.
2. The owner, all at owner’s expense, shall construct the improvements required by the County for public water and public waste water services for subject property and shall convey same to the County, free of all liens. Said improvements shall include all on-site improvements and such off-site improvements as are required by the County to provide service to subject property.





# OCONEE COUNTY ZONING CHANGE APPLICATION

Requested Action:

- ☒ Rezoning from: AR to AR W MOD <sup>(R2 1114)</sup> ☒ Change in Conditions of Approval for Case #: 1114
- ☐ Special Use Approval for: \_\_\_\_\_ in the \_\_\_\_\_ Zoning District

## Applicant

Name: Laura Childs <sup>CE</sup> Chris Childs

Address: 1040 Burning Oak Dr  
Bishop GA 30621  
(No P.O. Boxes)

Telephone: 706 252 4500

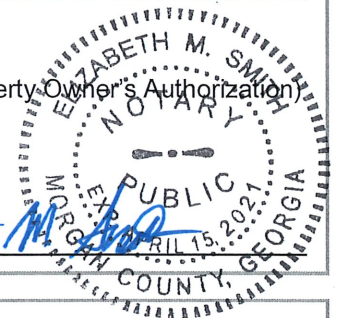
Email: lpcchilds@gmail.com

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: Laura Childs Date: 9/15/2020

Notarized: Elizabeth M. Smith



## Property

Location: 1040 Burning Oak Dr  
Bishop GA 30621  
(Physical Description)

Tax Parcel Number: A05B002

Size (Acres): 4.25 Current Zoning: AR

Future Development Map—Character Area Designation: Country Estates

## Use

Current Use: Residential

Proposed Use: Residential

## Attachments (check all that apply)

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Property Owner's Authorization (if applicable)  | <input checked="" type="checkbox"/> Narrative (Detailed Description of the Request)          |
| <input type="checkbox"/> Application Fee  | <input checked="" type="checkbox"/> Concept Plan   |
| <input checked="" type="checkbox"/> Warranty Deed                                   | <input checked="" type="checkbox"/> Attachments to the Concept Plan:                         |
| <input checked="" type="checkbox"/> Typed Legal Description                         | <input checked="" type="checkbox"/> Water and/or Sewer Capacity Letter from OCUD             |
| <input checked="" type="checkbox"/> Plat of Survey                                  | <input checked="" type="checkbox"/> Representative Architecture/Photographs                  |
| <input checked="" type="checkbox"/> Disclosures (Interest & Campaign Contributions) | <input checked="" type="checkbox"/> Proof all property taxes paid in full                    |
| <input checked="" type="checkbox"/> Zoning Impact Analysis                          | <input checked="" type="checkbox"/> Other Attachments: <u>new survey that shows 2 tracts</u> |

For Oconee County Staff Use Only

Application	Date Received: _____	Date Accepted: _____	APPLICATION NUMBER	<div></div>
	DRI Transmitted to RDC <input type="checkbox"/> Date: _____ <input type="checkbox"/> N/A		Planning Commission	Date: _____
	Date Submitted: _____ <input type="checkbox"/> Findings Complete		<input type="checkbox"/> Approval <input type="checkbox"/> With Conditions <input type="checkbox"/> Denial	
	Posted: _____ Ad: _____ Ad: _____		Board of Commissioners	Date: _____
	Application Withdrawn <input type="checkbox"/> Date: _____		<input type="checkbox"/> Approved <input type="checkbox"/> With Conditions <input type="checkbox"/> Denied	

**General Data:**

Property Address: 1040 Burning Oak Dr. Bishop GA 30621

Owner: Christopher R & Laura P Childs

Existing Zoning : AR

Proposed Zoning: AR w/ Mod

Existing Use: Single Family Residential

Proposed Use: Single Family Residential

Property Area: 4.25 acres

**Site Narrative:**

The property is located off of Elder Road at 1040 Burning Oak Drive. The property is 4.25 acres and is currently zoned AR and is being using as a single family residence with a 2500 square foot home on the property. Adjacent land is zoned AR and is used for single family residence. The property owners are Christopher R. and Laura P. Childs. The owners are seeking to rezone the property from AR to AR w/ modification. This request is to remove condition #1 of rezone 1114 in order to allow an additional lot to be created.

**Site Narrative:** The property is located off Elder Road at 1040 Burning Oak Drive. The Character Area for the property and its surrounding properties is identified as " County Estates" according to the Oconee County Future Development Map.

The property is comprised of 4.25 acres, with a single family residence onsite. The property is relatively flat with no environmentally sensitive areas.

**Proposed Use:**

The Proposed use of the property is to remove condition #1 of rezone 1114 in order to allow an additional lot to be created. This would subdivide the current lot of 4.25 acres to a lot with 2.25 acres and a lot with 2.0 acres.

**Access:**

Both tracts of land will have adequate road frontage to allow for access to meet Oconee County specifications.

**Traffic Impact:**

Per the Institute of Transportation Engineers, Trip Generation 9<sup>th</sup> Edition, the proposed one single family lot will generate 9.2 trips per day.

**Impact to School System:**

There will be very minimal impact to the school system due to an increase of one single family parcel. The additional parcel could add 2-3 students to the school system. The current property owners no longer have school aged children.

**Water Supply:**

Water will be provided by private well on each parcel.

**Sewage Disposal:**

Sewage disposal will be per individual septic systems on each parcel.

**Garbage Collection:**

Garbage collection will be handled by private collectors via roll carts.

**Utilities:**

Electricity and Data will be provided by power/data providers in the area.

**Materials:**

Home is proposed to be stick built with a modern farmhouse style consisting of wood and fiber cement exterior materials with asphalt shingle or metal roofing per the attached representative architecture.

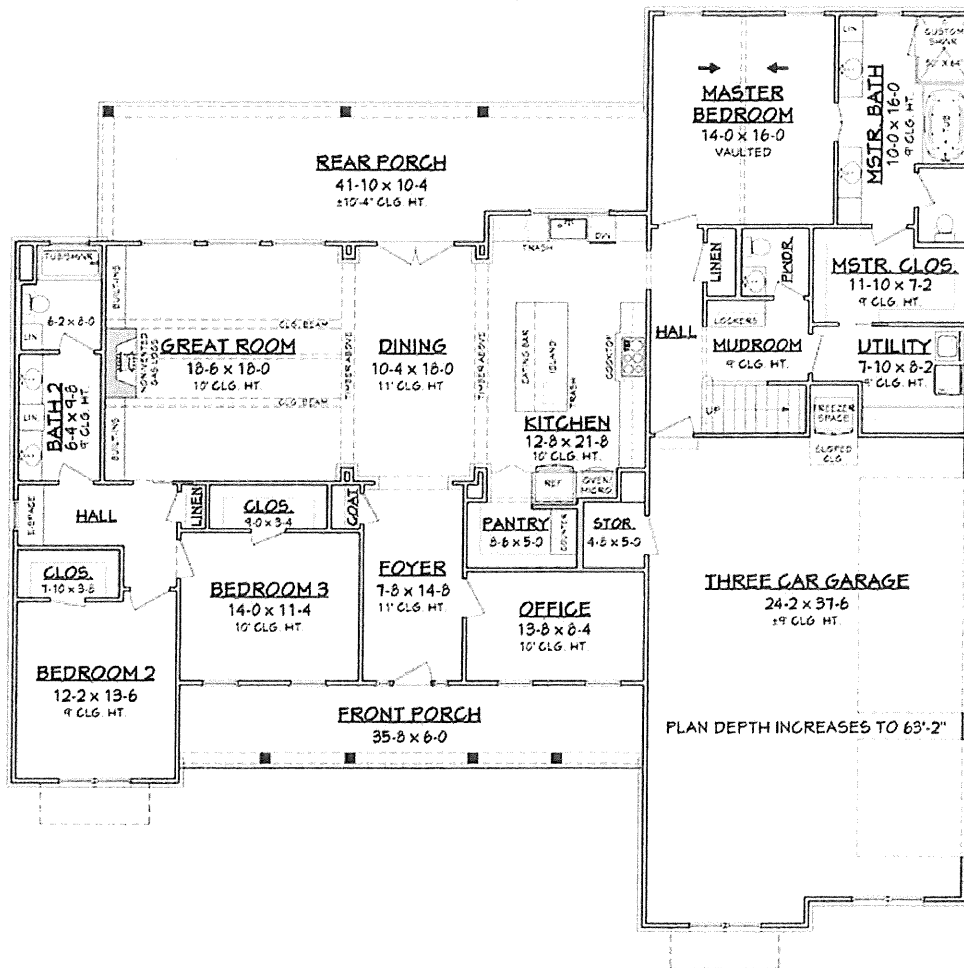
**Representative Architecture:**





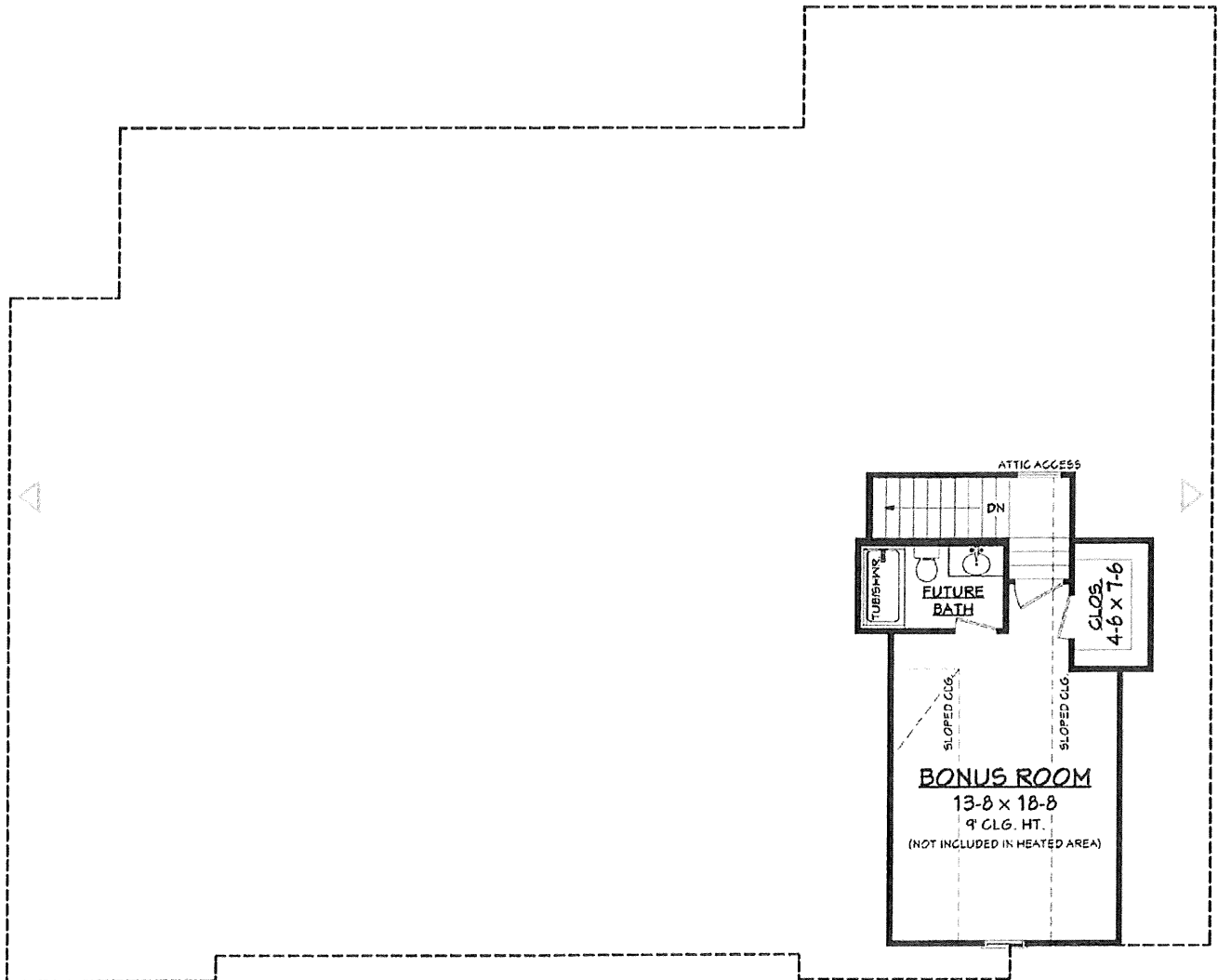
Country Craftsman, Farmhouse House Plan 56708 with 3 Beds, 3 Baths, 2 Car Garage Elevation  
 Level One

2 of 23



Country Craftsman Farmhouse House Plan 9570H with 3 Beds, 3 Baths, 2 Car Garag, 1 Storage Level One

Architect: [illegible]  
 Designer: [illegible]



Copyright, Crutcher - Farmhouse House Plan 56/00 with 3 Beds, 3 Baths, 2 Car Garage Level Two

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## **Zoning Impact Analysis**

**A. Whether the zoning proposal will permit a use that is suitable in view of the existing uses, development, and zoning of nearby property.**

All property near the proposal rezoning is residential land. The petitioner is requesting the rezone in order to split 4.25 acres that have been owned by current owner for 20+ years. The rezone would allow 2.25 acres to contain the current residential single-family home that is on the property and the other 2.0 acres would contain a proposed residential single-family home. The land has enough road frontage on each of the proposed properties.

**B. Whether the property to be rezoned has a reasonable economic use as currently zones.**

The current zoning of the property is AR. The petitioner is requesting the rezone to be AR w MOD. As it is currently zone one single family home is on 4.25 acres.

**C. The extent to which the zoning proposal promotes the health, safety, morals or general welfare of the public with consideration to:**

1. Population density and effect on community facilities such as streets, schools, water and sewer: The location and size of the property promote the building of a single-family home. The proposed home would have a private well for water usage and an individualized septic system. The current Burning Oak Dr would allow for the driveway of the new home with adequate road frontage. This additional home would possibly add 1-2 children to the school system. The current home owners on the property have no school aged children.
2. Environmental impact: There will be minimal environment impact as most trees will be left on the proposed acreage; only for area of home.
3. Effect on the existing use, usability and/ or value of adjoining property. Burning Oak Estates currently has 4 single family residences on the property. This would add an additional home and would increase the value for the current home owners with a new up to date residence.

**D. The length of time the property has been vacant as zones, considered in the context of land development in the vicinity of the property.** The current property has been owned since July 30, 2000. The current 4.25 acres have one single family home on the property.

**E. Consistency of the proposed use with the stated purpose of the zoning district that is being requested.** The request is to change the current AR zoning to AR w MOD zoning. This would allow the 4.25 acres to be split into two tracts of land (one being 2.25 acres and one being 2.0 acres).

**F. Whether there are other existing or changing condition or land use patterns affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.** There are no existing or changing conditions or land use patterns that would affect this zoning proposal.

- G. Conformity with or divergence from the Future Development Map or the goals and objectives of the Oconee County Comprehensive Plan.** The Character Area Designation is County Estates under the Future Development Map. This property would still be used as residential land with 2 single family homes instead of only one that is currently on the property.
- H. The availability of adequate sites for the proposed use in districts that permit such use.** The proposed rezone would allow for the current property of 4.25 acres to be divided into two separate tracts of land (one being 2.25 acres and one being 2 acres.)



# Rezone # P20-0190 - Childs

**Tax Parcel #  
A-05B-002**



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

1:3,000













0 280 560 1,120 1,680 2,240

Feet



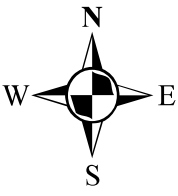


**Zoning**

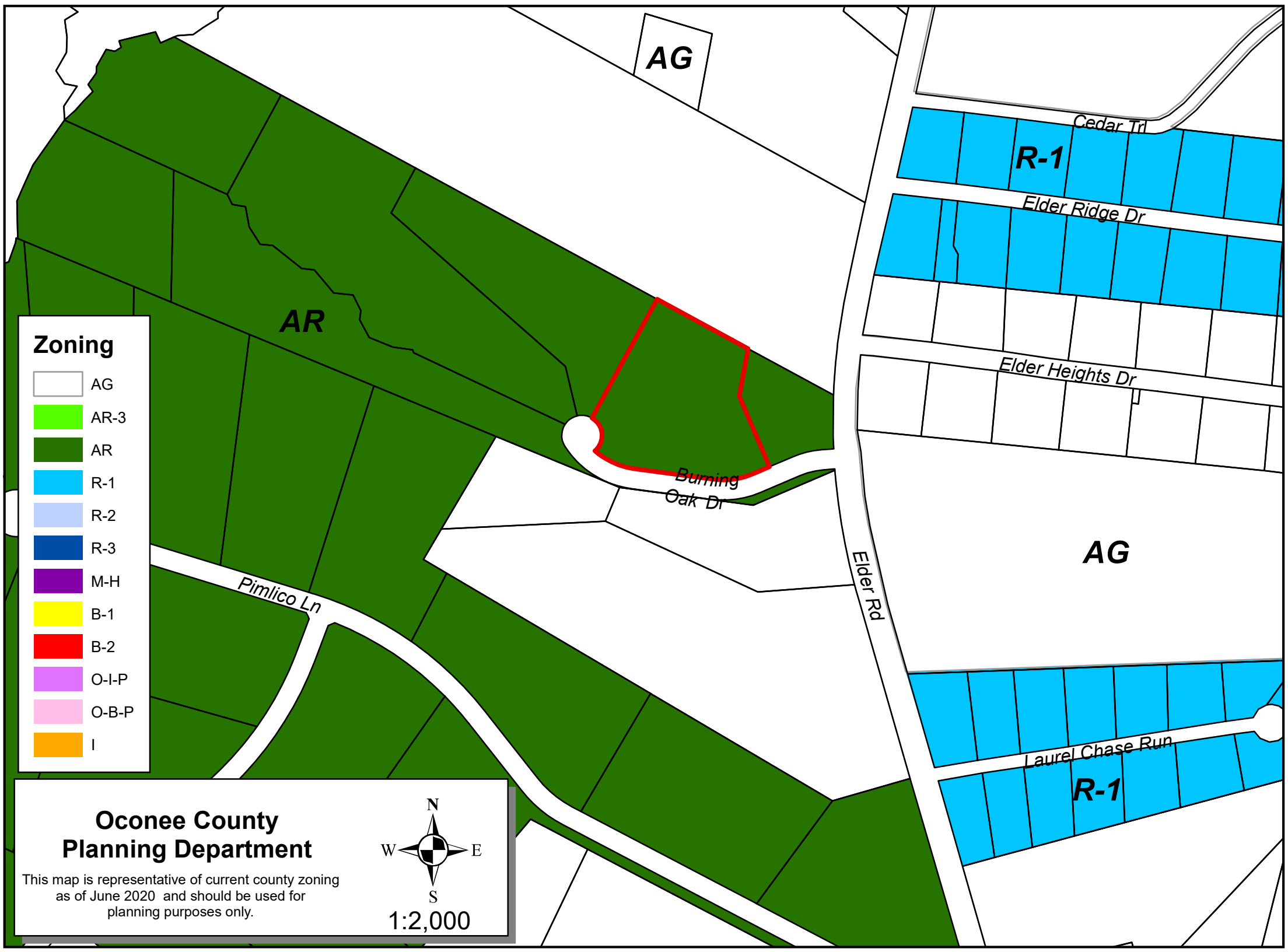
	AG
	AR-3
	AR
	R-1
	R-2
	R-3
	M-H
	B-1
	B-2
	O-I-P
	O-B-P
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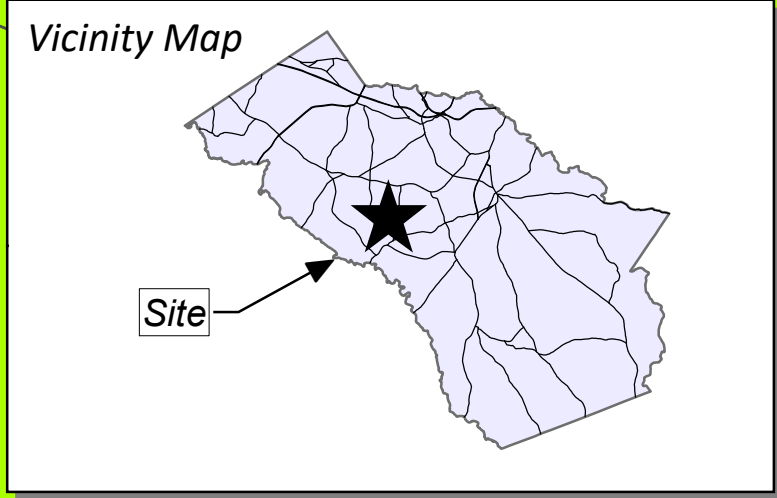
**Oconee County  
Planning Department**

This map is representative of current county zoning  
as of June 2020 and should be used for  
planning purposes only.



1:2,000



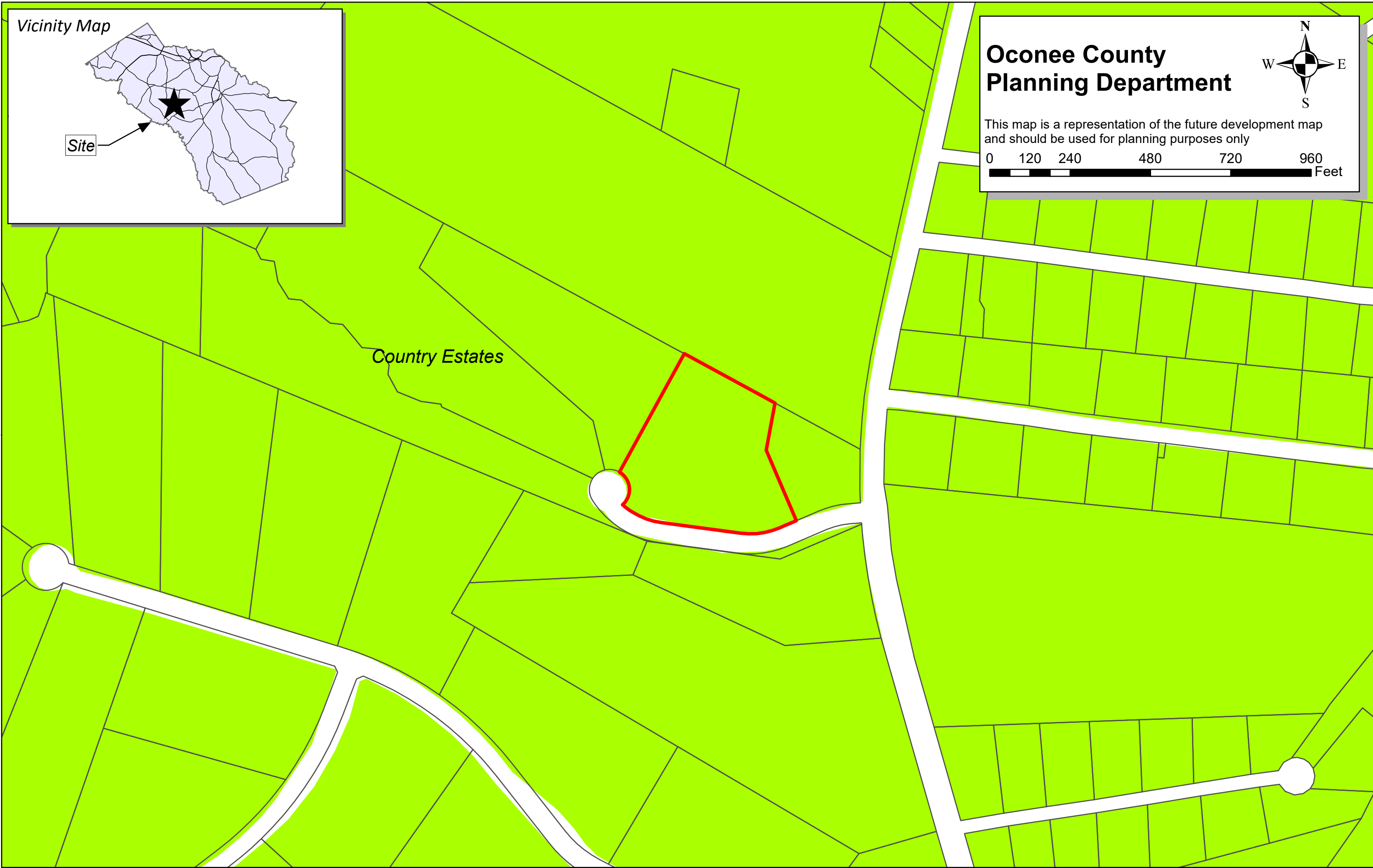


**Oconee County  
Planning Department**

This map is a representation of the future development map and should be used for planning purposes only

0 120 240 480 720 960 Feet

A north arrow pointing North (N), South (S), East (E), and West (W). Below it is a scale bar with markings at 0, 120, 240, 480, 720, and 960 feet.



**AMENDMENT TO THE ZONING REGULATIONS  
OF OCONEE COUNTY, GEORGIA, AND THE  
ZONING MAPS OF OCONEE COUNTY, GEORGIA**

**TITLE**

An Ordinance amending the Zoning Regulations of Oconee County, Georgia, and the Zoning Maps of Oconee County, Georgia, pursuant to Article XVII, Section 1700, et. seq. to rezone from zoning classification A-2, Agricultural Residential District with conditions to zoning classification A-2, Agricultural Residential District with modified conditions pursuant to application for rezoning of property of Joyce J. Bramblett & Robert E. Jones by Petition filed March 24, 1998.

**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 Joyce J. Bramblett on March 24, 1998, requesting rezoning of a +/- 33.13 acre tract of land located on the north side of Elder Road in the 239th District, G.M., Oconee County, Georgia, (tax parcel numbers A5-37M & A5-37R) the Board of Commissioners of Oconee County does hereby ordain and enact to law the following:

SECTION 1. An Ordinance known as the "Zoning Regulations of Oconee County, Georgia" enacted by the Board of Commissioners of Oconee County, on January 6, 1987, 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-2, Agricultural Residential District with conditions to A-2, Agricultural Residential District with modified conditions 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 on same on April 20, 1998, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on May 5, 1998.

ADOPTED AND APPROVED, this 5th day of May, 1998.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY: \_\_\_\_\_

Chairman

Member

Member

Member

Member

ATTEST:

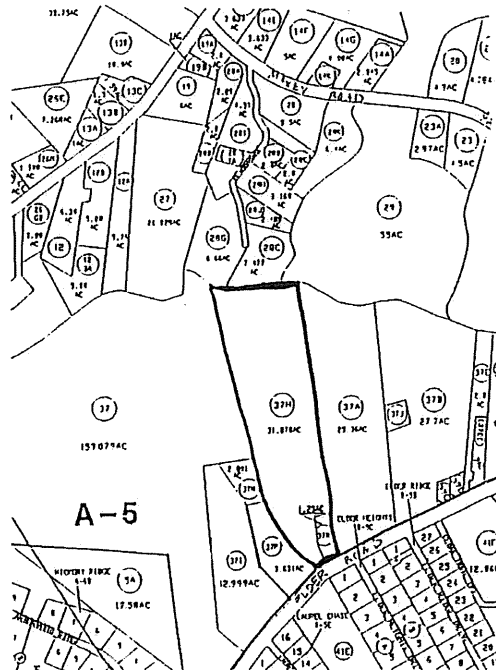
Chris M. Sindrey  
Clerk, Board of Commissioners

(SEAL)

CONDITIONS

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

1. The lot count shall not be increased beyond the rezone concept plan without the prior approval of the Board of Commissioners.
2. The existing drainage ditches, swales, and drainage corridors shall be maintained and improved. Drainage easements shall be platted along such existing areas. All existing and proposed drainage ditches, swales and drainage ways shall be field surveyed including profiles and cross sections. All road centerlines shall be field surveyed. Such field surveys shall be obtained for and said data shown on all preliminary plats and subdivision construction plans.
3. Land clearing, grading (except for normal logging), and construction of the subdivision improvements shall not commence until engineered plans for the roads, storm drainage system and other required improvements have been approved by Oconee County. One copy of the approved plans shall be kept on site at all times until completion of construction.
4. Except where discharged directly to the 100 year floodway, post-development storm water runoff shall not exceed pre-development conditions for the 2, 5, 10, 25 and 50 year storm events. Where storm water discharge directly to the 100 year floodway is concentrated or increased as a result of development, said discharge shall be routed through siltation basin(s) in such a manner as to protect the watershed from siltation and erosion. This condition shall be met in accordance with standard engineering practices.
5. Before any division of the subject property, developer shall provide a title opinion from legal council, acceptable to Oconee County, for all rights-of-way, ingress/egress easements, well lot(s) and utility easements associated with the development.
6. Placement of any and all signs on the property, including vehicular signs, shall comply with the Oconee County Sign Regulations and require a separate sign permit. No signs, walls, fences, sprinkler systems or other structures shall be placed within the road rights-of-way.

LOCATION MAPNARRATIVE


NARRATIVE FOR RE-ZONE WITH MODIFIED CONDITIONS  
ELDER ROAD  
PROPERTY OF JOYCE J. BRAMBLETT

The proposed modification to the conditions of the re-zone would allow for six lots ranging in size from 4.07 acres to 7.02 acres. One existing lot of 1.25 acres would be enlarged to 1.35 acres. All lots will be accessed from a proposed road intersecting Elder road extending to a cul-de-sac of approved design and construction per county regulations. Each lot will be limited to one single family residence, site-built, a minimum 2500 square feet in area with a minimum of 1600 square feet on the main floor. Lot use will be restricted to residential purposes. Each lot will be serviced by individual well and septic systems. Lots will be "estate" in nature with a minimum of disturbance. No common areas or facilities are proposed.

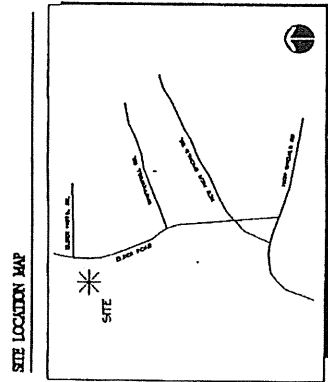
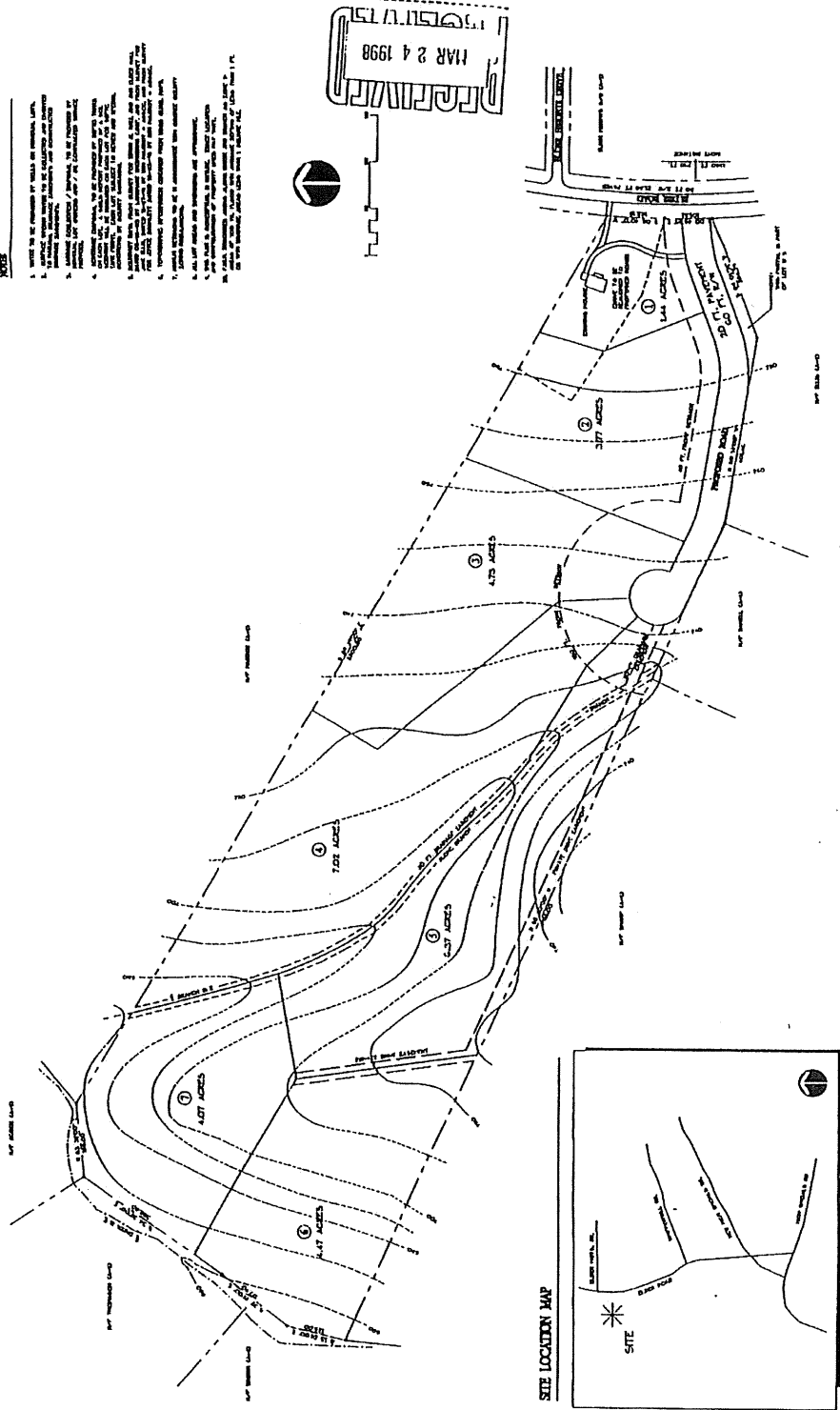




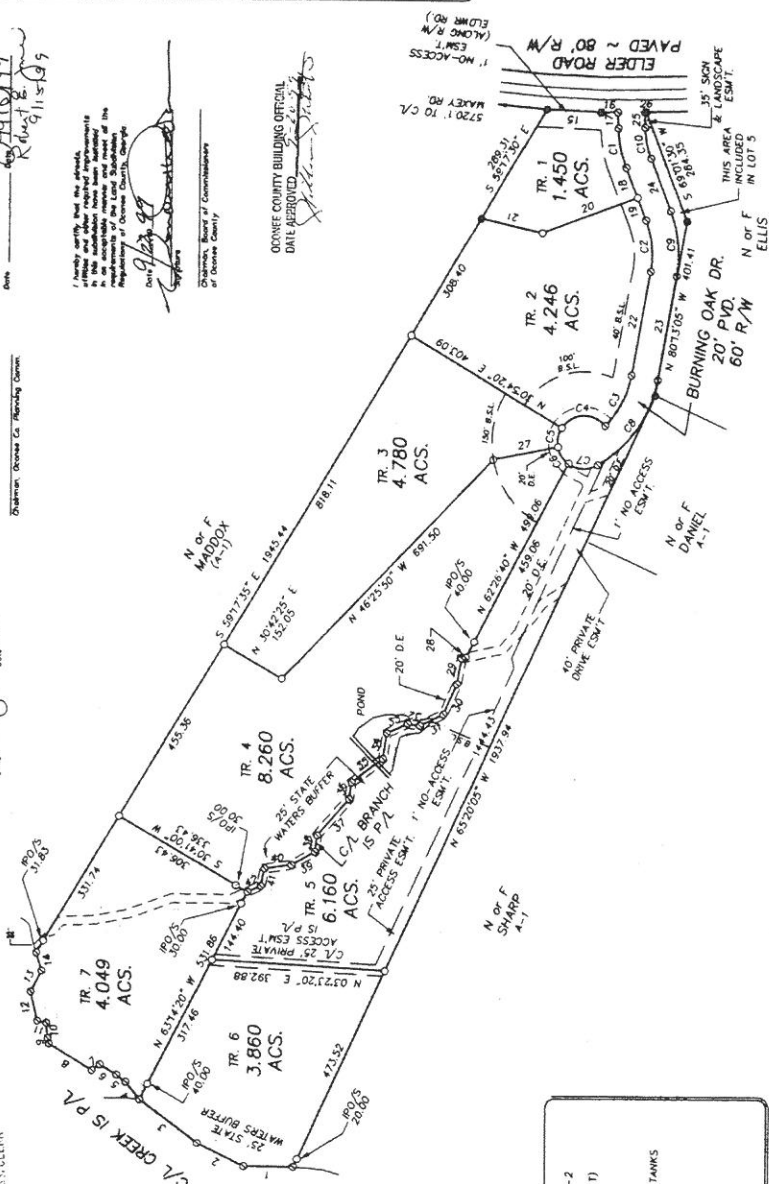
DEVELOPMENT PLAN

	LANDSCAPE ARCHITECTURE LAND PLANNING DESIGN ENGINEER ENVIRONMENTAL ANALYSIS SITE INVESTIGATION  JESSE L. SMITH, JR. PROFESSIONAL ENGINEER 1000 W. 10TH STREET, SUITE 100 MARIETTA, GEORGIA 30067 404-576-1111	PROPOSED RESIDENTIAL SUBDIVISION DeKalb County, Georgia	OWNER / DEVELOPER JESSE L. SMITH, JR. 1000 W. 10TH STREET, SUITE 100 MARIETTA, GEORGIA 30067 404-576-1111	COUNTRY 1000 W. 10TH STREET, SUITE 100 MARIETTA, GEORGIA 30067 404-576-1111	COUNTY 1000 W. 10TH STREET, SUITE 100 MARIETTA, GEORGIA 30067 404-576-1111	SCALE 1" = 100'	DATE MARCH 1, 1998	SHEET 1 OF 1	TITLE PROPOSED RESIDENTIAL SUBDIVISION	JOB NO. 1114
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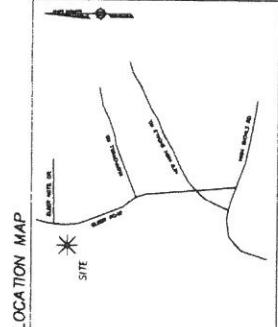
- NOTES**
1. THIS PLAN IS THE PROPERTY OF JESSE L. SMITH, JR. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF JESSE L. SMITH, JR.
  2. THE CITY OF MARIETTA, GEORGIA, HAS REVIEWED THIS PLAN AND HAS GRANTED A CONDITIONAL APPROVAL OF THE SUBDIVISION. THE CITY OF MARIETTA, GEORGIA, HAS REVIEWED THIS PLAN AND HAS GRANTED A CONDITIONAL APPROVAL OF THE SUBDIVISION.
  3. THE CITY OF MARIETTA, GEORGIA, HAS REVIEWED THIS PLAN AND HAS GRANTED A CONDITIONAL APPROVAL OF THE SUBDIVISION. THE CITY OF MARIETTA, GEORGIA, HAS REVIEWED THIS PLAN AND HAS GRANTED A CONDITIONAL APPROVAL OF THE SUBDIVISION.
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CONEE COUNTY SUPERIOR COURT  
NGELA ELDER-JOHNSON  
LERK  
99 SEP 23 AM 11:56  
REC. BOOK 30 PAGE 275  
DAVE C. ELDER, CLERK



- GENERAL NOTES
- 1) THIS PROPERTY IS PRESENTLY ZONED A-2
  - 2) LOTS 1-10 ARE EXCLUDED FROM THIS PLAT
  - 3) TOTAL AREA IN DEVELOPMENT (THIS PLAT) EXCLUDES ROAD R/W: 32.805 ACS.
  - 4) 7 LOTS, LOT 1, 4.049 ACS.
  - 5) AVERAGE LOT: 4.049 ACS.
  - 6) SEWER PROVIDED BY INDIVIDUAL SEPTIC TANKS
  - 7) WATER PROVIDED BY INDIVIDUAL WELLS
  - 8) OWNER: 1300 SPRING VALLEY RD. WINTERVILLE, GA 30683
  - 9) 700-354-6639
  - 10) SETBACKS (FEET) (MINIMUM) SEE PLAT
  - 11) REAR 40'



CURVE TABLE

CURVE	BEARING	CHORD	ARC	RADIUS
C1	S 78°24'15" W	91.26	91.67	280.00
C2	N 65°24'15" E	118.89	119.10	220.00
C3	N 03°06'20" W	97.92	114.53	60.00
C4	N 79°26'10" W	44.27	45.34	60.00
C5	S 77°15'15" E	44.25	45.32	60.00
C6	S 02°15'20" E	235.11	242.63	280.00
C7	S 55°23'35" E	150.31	148.51	280.00
C8	N 64°24'15" E	71.71	72.03	280.00
C9	N 78°24'15" E	91.26	91.67	280.00

LINE TABLE

LINE	BEARING	DISTANCE
1	N 00°48'15" E	112.02
2	N 26°17'45" E	117.61
3	N 79°26'10" W	68.11
4	N 37°23'20" E	26.71
5	N 37°23'20" E	26.71
6	N 37°23'20" E	26.71
7	N 37°23'20" E	26.71
8	N 37°23'20" E	26.71
9	N 37°23'20" E	26.71
10	N 37°23'20" E	26.71
11	N 37°23'20" E	26.71
12	N 37°23'20" E	26.71
13	N 37°23'20" E	26.71
14	N 37°23'20" E	26.71
15	N 37°23'20" E	26.71
16	N 37°23'20" E	26.71
17	N 37°23'20" E	26.71
18	N 37°23'20" E	26.71
19	N 37°23'20" E	26.71
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24	N 37°23'20" E	26.71
25	N 37°23'20" E	26.71
26	N 37°23'20" E	26.71
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81	N 37°23'20" E	26.71
82	N 37°23'20" E	26.71
83	N 37°23'20" E	26.71
84	N 37°23'20" E	26.71
85	N 37°23'20" E	26.71
86	N 37°23'20" E	26.71
87	N 37°23'20" E	26.71
88	N 37°23'20" E	26.71
89	N 37°23'20" E	26.71
90	N 37°23'20" E	26.71
91	N 37°23'20" E	26.71
92	N 37°23'20" E	26.71
93	N 37°23'20" E	26.71
94	N 37°23'20" E	26.71
95	N 37°23'20" E	26.71
96	N 37°23'20" E	26.71
97	N 37°23'20" E	26.71
98	N 37°23'20" E	26.71
99	N 37°23'20" E	26.71
100	N 37°23'20" E	26.71

SAISFACTORY CERTIFIED SOIL  
SCIENTIST'S REPORT TANK PERMIT  
PRIOR TO SEPTIC TANK PERMIT

I, the undersigned, being a duly qualified and licensed Professional Engineer, do hereby certify that the foregoing plat and map were prepared by me or under my direct supervision and that I am a duly qualified and licensed Professional Engineer in the State of Georgia.

DATE: 9/23/99

THOMAS R. BURNING

I, the undersigned, being a duly qualified and licensed Professional Engineer, do hereby certify that the foregoing plat and map were prepared by me or under my direct supervision and that I am a duly qualified and licensed Professional Engineer in the State of Georgia.

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DATE: 9/23/99

THOMAS R. BURNING



BURNING OAK ESTATES

NO. 2474

PROFESSIONAL ENGINEER

THOMAS R. BURNING

DATE: 9/23/99

PAUL S. EVANS & ASSOCIATES, INC.

LAND SURVEYORS, INC.

P.O. BOX 7021

LEANSVILLE, GA 30648

770-743-5208

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LEANSVILLE, GA 30648

770-743-5208

The lots shown have been reviewed by the Onne County Health Department and an on each lot of the plat and plat legend. The review performed based on information submitted by other professionals and any supplementary information provided therein. Each lot must be reviewed and approved for On-Site Sewage Management System placement prior to the issuance of a Construction Permit.

SIGNED \_\_\_\_\_

TITLE \_\_\_\_\_

DATE \_\_\_\_\_

### Flow Note

This property does not lie within a 100 year floodplain.

13219001300

Flood Insurance Rate Map #

Registered Georgia Land Surveyor

3230

Number

The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies 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.

Owner or Agent

Owner or Agent

Date

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision that all monuments shown hereon actually exist or are marked as "future", and that the survey complies with the requirements of the Unified Development Code of Onne County, Georgia. The survey has been fully complied with.

Registered Georgia Land Surveyor

3230

Number

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by the purchaser or user of this plat as to intended use of any portion of the plat. The surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



### REZONE CONCEPT PLAN FOR:

## CHRISTOPHER CHILDS

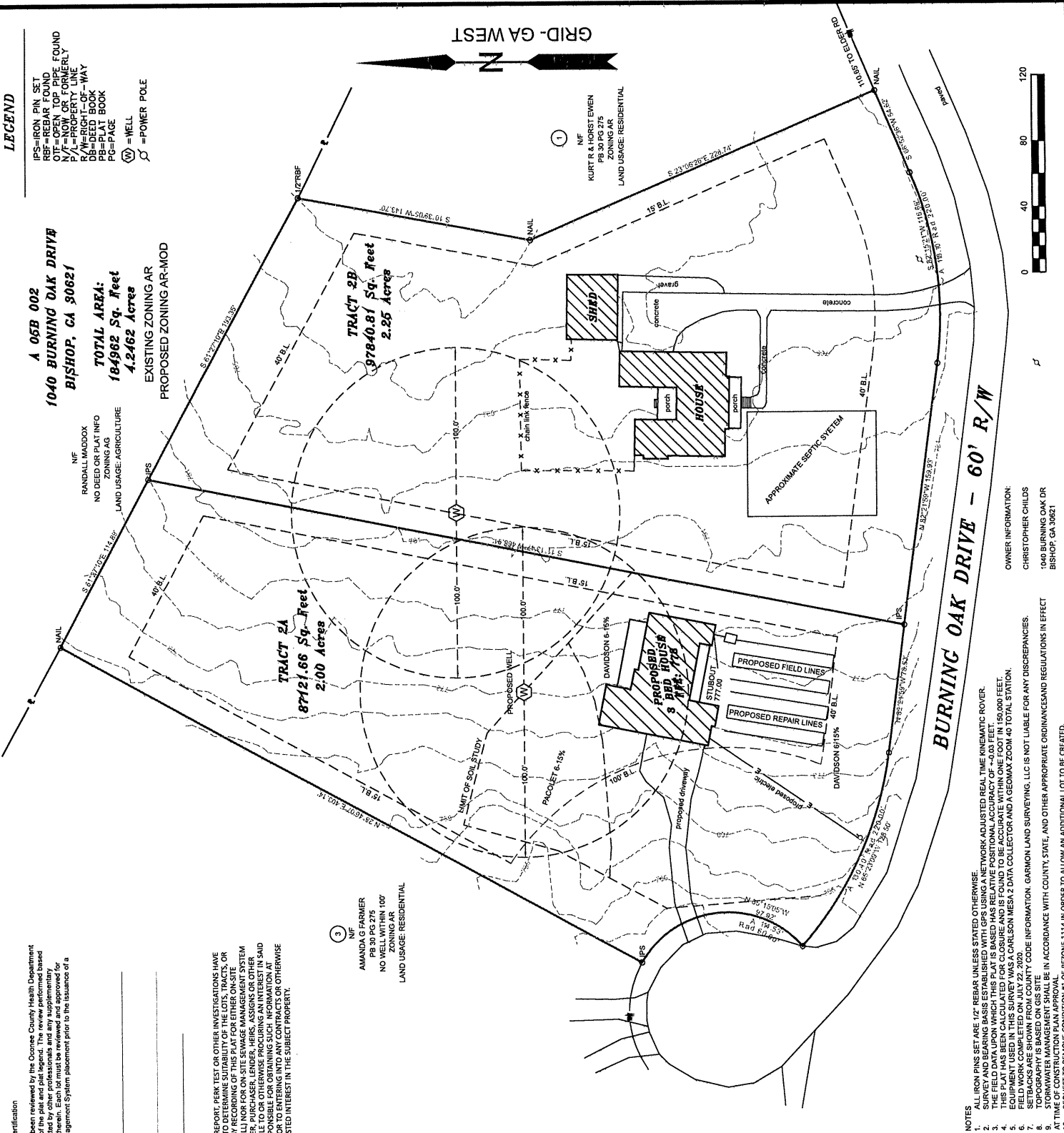
C.M.D.:	DATE
239	7/23/2020
DISTRICT:	SCALE
SECTION:	1"=40'
COUNTY:	JOB NO.
OCONEE	2020-168

**GARMON**  
LAND SURVEYING  
1920 Railroad Street, Suite 100  
Bishop, GA 30621  
678-726-7582  
garmonsurveying@gmail.com

DRAWING NAME  
1040 BURNING OAK DRIVE

- NOTES
- ALL IRON PINS SET ARE 1/2" REBAR UNLESS STATED OTHERWISE.
  - SURVEY AND BEARING BASIS ESTABLISHED WITH GPS USING A NETWORK ADJUSTED REAL TIME KINEMATIC ROVER.
  - THE FIELD DATA UPON WHICH THIS SURVEY WAS BASED WAS OBTAINED FROM A GARMIN 60CSX GPS RECEIVER AND A GARMIN 100000 FEET.
  - THIS SURVEY WAS CONDUCTED FOR A 100' X 100' AREA AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.
  - EQUIPMENT USED IN THIS SURVEY WAS A CARLSON MESA 2 DATA COLLECTOR AND A GEOMAX ZOOM 40 TOTAL STATION.
  - FIELD WORK COMPLETED ON JULY 22, 2020.
  - SETBACKS ARE SHOWN FROM COUNTY CODE INFORMATION. GARMON LAND SURVEYING, LLC IS NOT LIABLE FOR ANY DISCREPANCIES.
  - THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH COUNTY, STATE, AND OTHER APPROPRIATE ORDINANCES AND REGULATIONS IN EFFECT AT TIME OF CONSTRUCTION PLAN APPROVAL.
  - REQUEST TO REMOVE CONDITION #1 OF REZONE 1114 IN ORDER TO ALLOW AN ADDITIONAL LOT TO BE CREATED.

OWNER INFORMATION:  
CHRISTOPHER CHILDS  
1040 BURNING OAK DR  
BISHOP, GA 30621



### LEGEND

- IPS=IRON PIN SET
- RF=REBAR FOUND
- OT=OPEN OR FORMERLY
- P/L=PROPERTY LINE
- R/W=RIGHT-OF-WAY
- DB=DEED BOOK
- PG=PLAT BOOK
- PG=PAGE
- W=WELL
- OP=POWER POLE

GRID - GA WEST

