

**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 239th 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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 1st 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!



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

EXHIBIT "A" TO REZONE NO P20-0190

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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

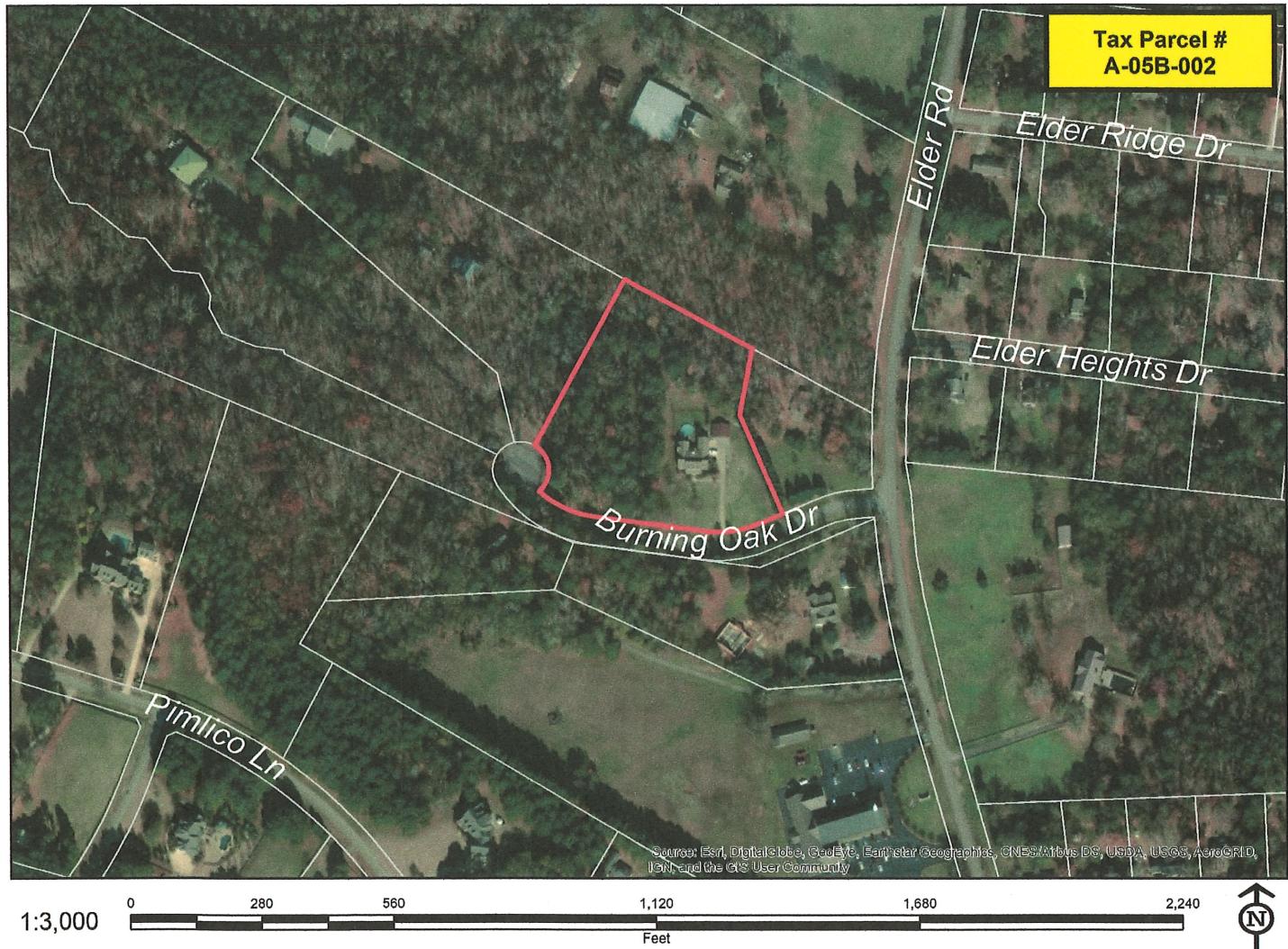


EXHIBIT "A" TO REZONE NO P20-0190

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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

EXHIBIT "A" TO REZONE NO P20-0190

Page 3 of 6

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 used 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 9th 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.

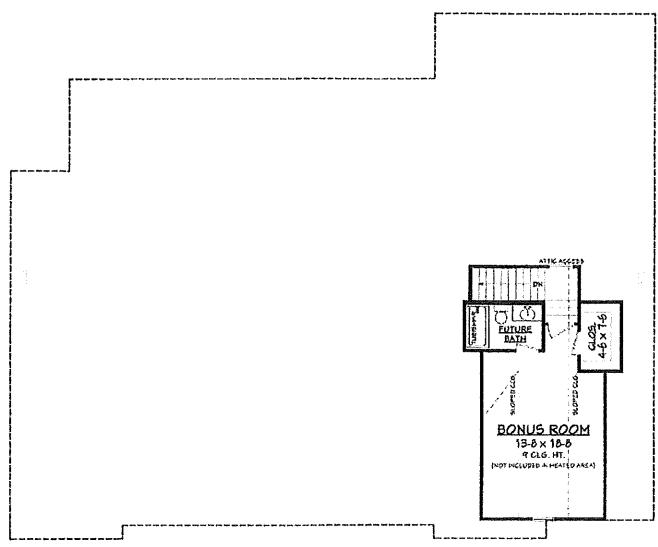
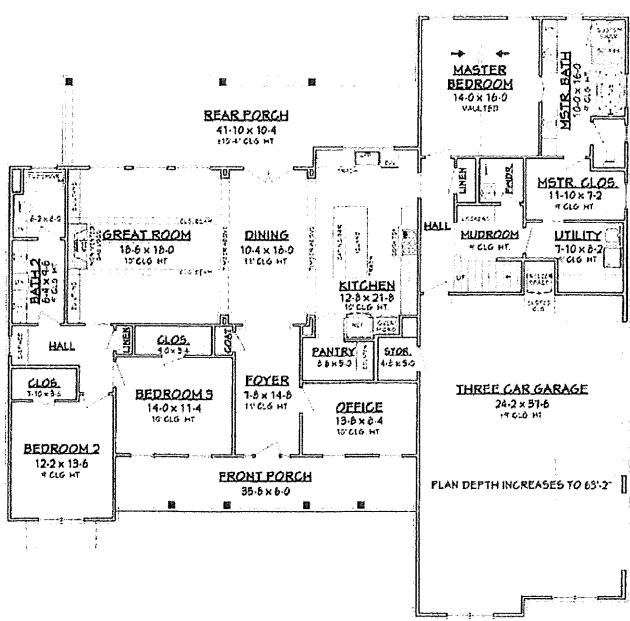
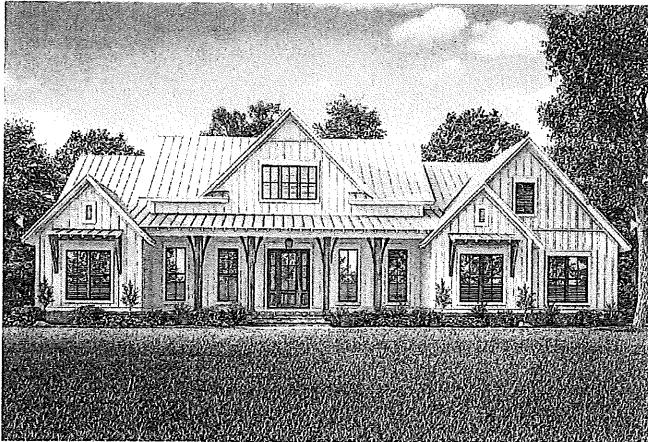
Materials:

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:

EXHIBIT "A" TO REZONE NO P20-0190
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ARCHITECTURAL RENDERINGS



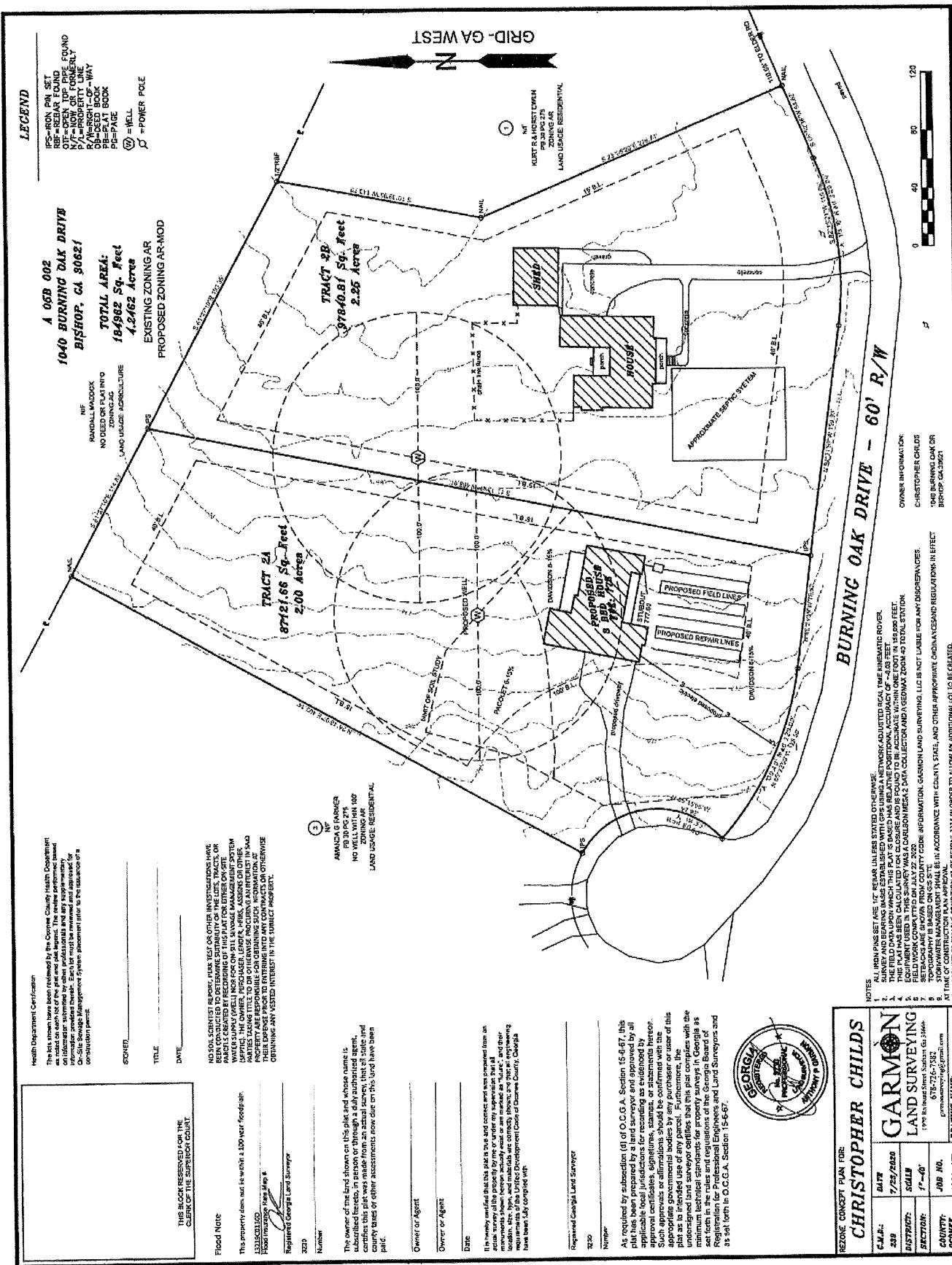
PLAT

2

EXHIBIT "A" TO REZONE NO P20-0190

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CONCEPT PLAN





**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

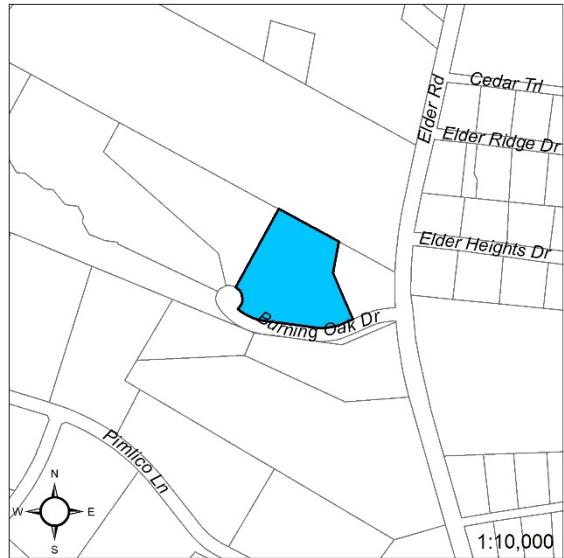
PROPERTY OWNER: Laura and Christopher Childs

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

| | EXISTING LAND USES | EXISTING ZONING |
|--------------|---|--|
| NORTH | Single-family residential | AG (Agricultural District) |
| SOUTH | Single family residential | AG (Agricultural District) |
| EAST | Single-family residential (Burning Oak Estates) | AR (Agricultural Residential District) |
| WEST | 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 (9th 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 FROM 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 (RZ 1114)
 Change in Conditions of Approval for Case #: 1114

Special Use Approval for: _____ in the _____ Zoning District

Applicant

Name: Laura Childs *cc* Chris Childs
Address: 1040 Burning Oak Dr
(No P.O. Boxes)
Bishop GA 30421

Telephone: 706 252 4500

Email: lpchildsrn 8030@bellsouth.net

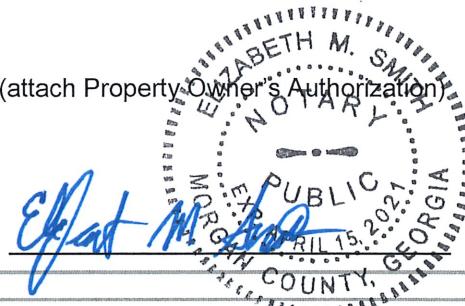
Applicant is (check one): the Property Owner Not the Property Owner (attach Property Owner's Authorization)

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:

**Property**

Location: 1040 Burning Oak Dr
(Physical Description)
Bishop GA 30421

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)

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

For Oconee County Staff Use Only

Application Date Received: _____ Date Accepted: _____
DRI Transmitted to RDC Date: _____ N/A
Date Submitted: _____ Findings Complete
Posted: _____ Ad: _____ Ad: _____
Application Withdrawn Date: _____

APPLICATION NUMBER _____

Action **Planning Commission** Date: _____
 Approval With Conditions Denial
Board of Commissioners Date: _____
 Approved With Conditions 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 used 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 9th 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:

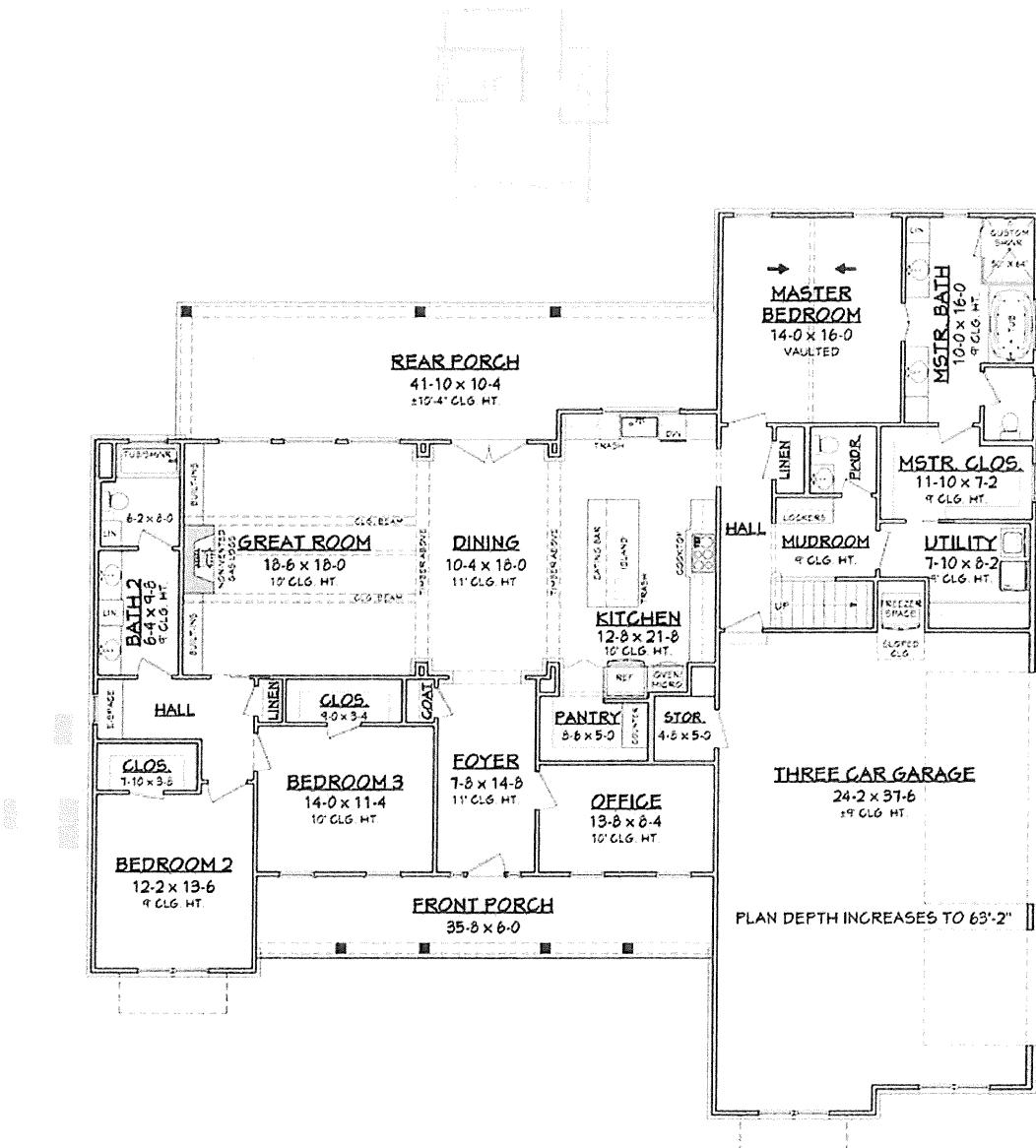
Home is proposed to be stick built with a modern farmhouse style consisting of wood and fiber cement exterior materials with asphalt shingle or metal roofing per the attached representative architecture.

Representative Architecture:



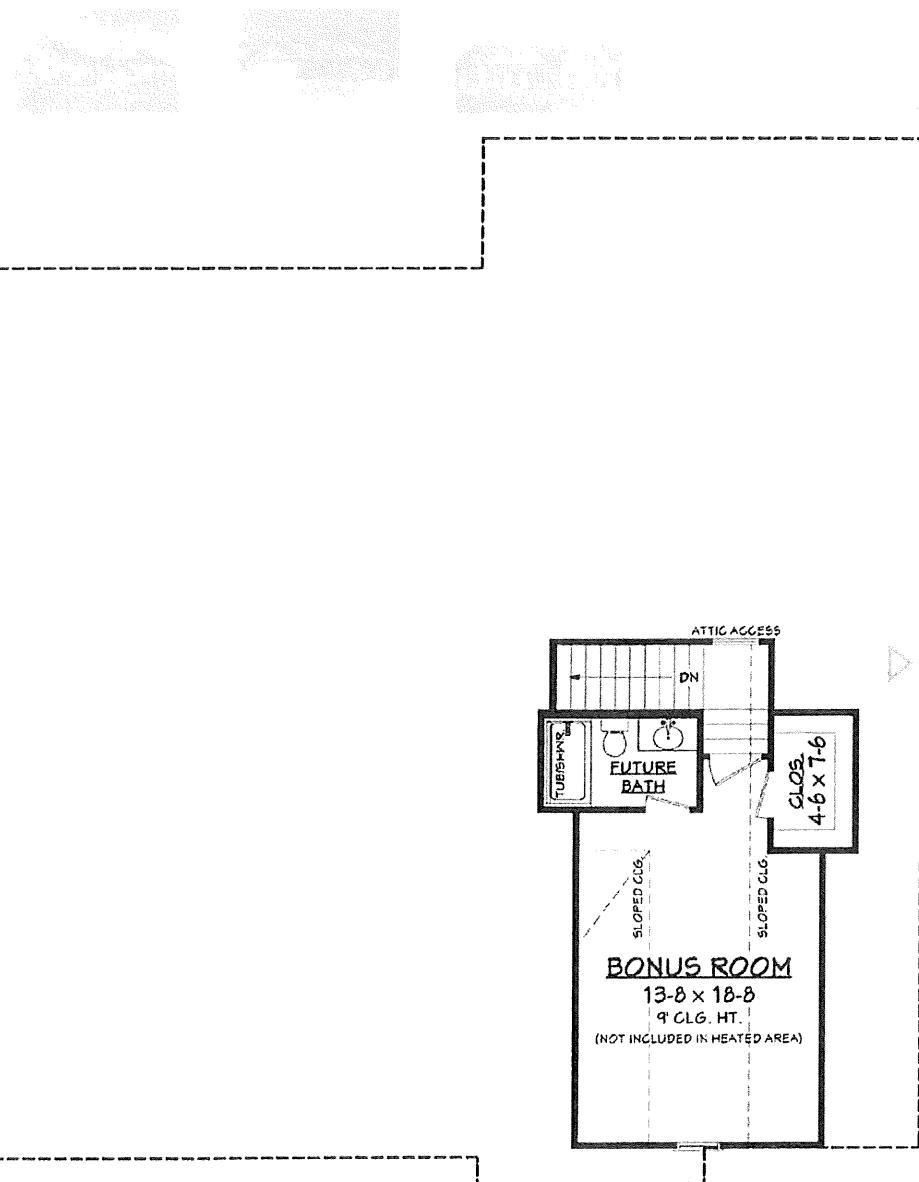
Country Chateau: Curbappeal Floor Plan 56700 with 3 Beds, 3 Baths, 2 Car Garage, Elevation: Chateau 71166

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SECOND FLOOR PLAN

SECOND FLOOR



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



1:3,000

0

280

560

1,120

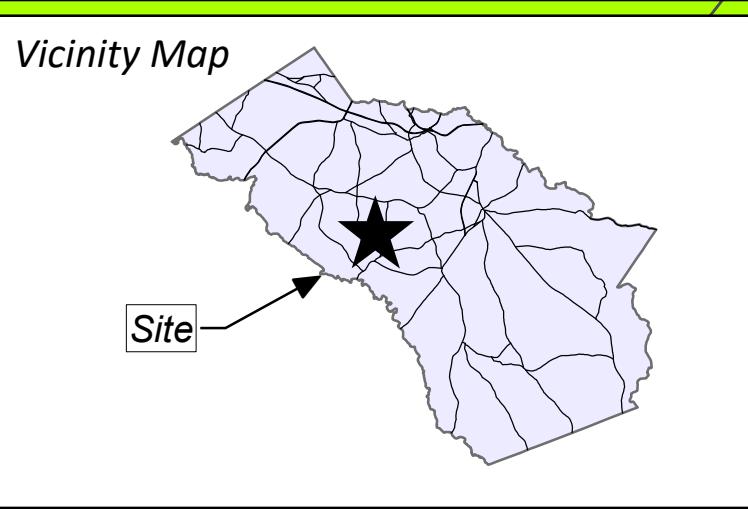
1,680

2,240

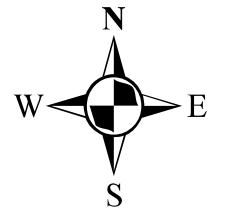
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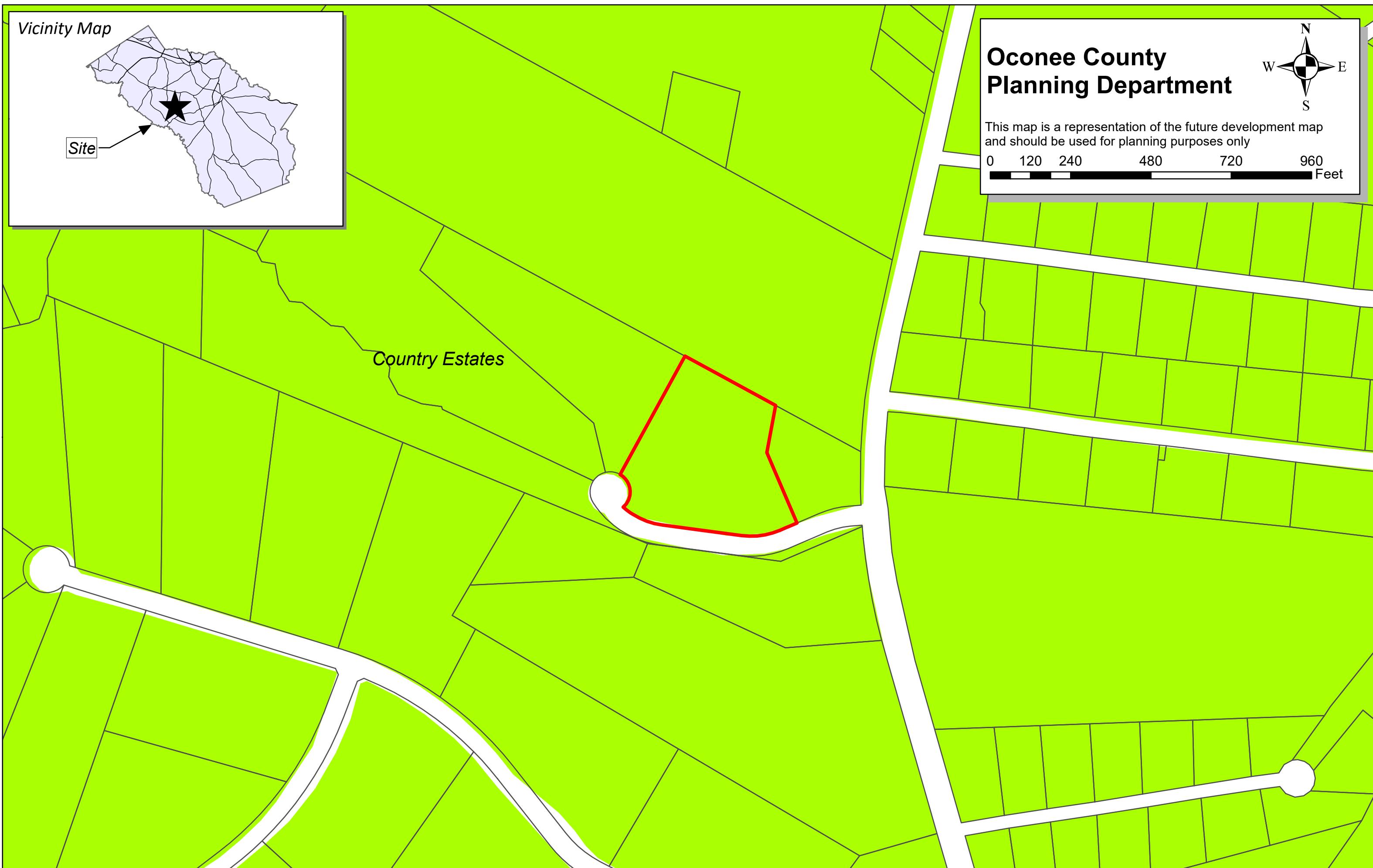


Oconee County Planning Department



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



**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:

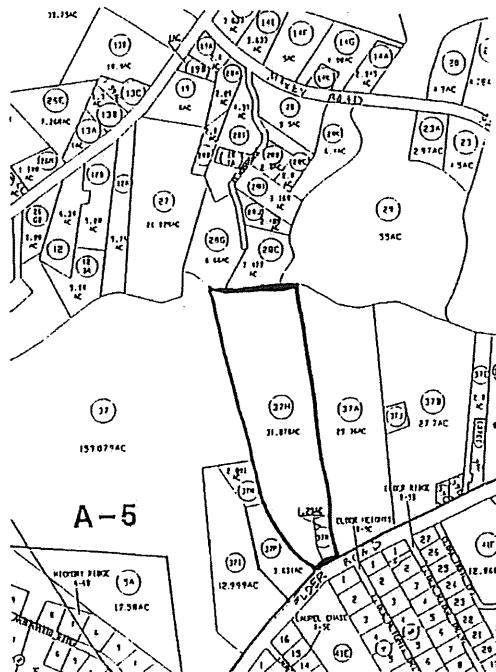
Ella M. Lindsey
Clerk, Board of Commissioners

(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 zoning 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 counsel, 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.

EXHIBIT "A" TO ZONING AMENDMENT # 1114
Page 2 of 3

LEGAL DESCRIPTION

All that certain tract or parcel of land lying, being and situated in Ghu 239, Oconee County, Georgia, containing 16.759 acres, more or less. Said tract is more fully shown and described according to a plat of survey by J. R. Holland, Jr., dated March 16, 1981, recorded in Plat Book 37, page 6, Office of the Clerk of Superior Court, Oconee County, Georgia, said plat and the description thereon incorporated herein by reference for all intents and purposes. Said property is bounded, now or formerly, as follows: On the North by line of itself on the Southeast by the right-of-way of Elder Road, on the South and Southwest by other lands formerly of the estate of Lamer Elder, Sr., and/or the estate of Johnnie Lucille Elder, and on the Northwest by the center of a creek as shown on the above-referenced plat.

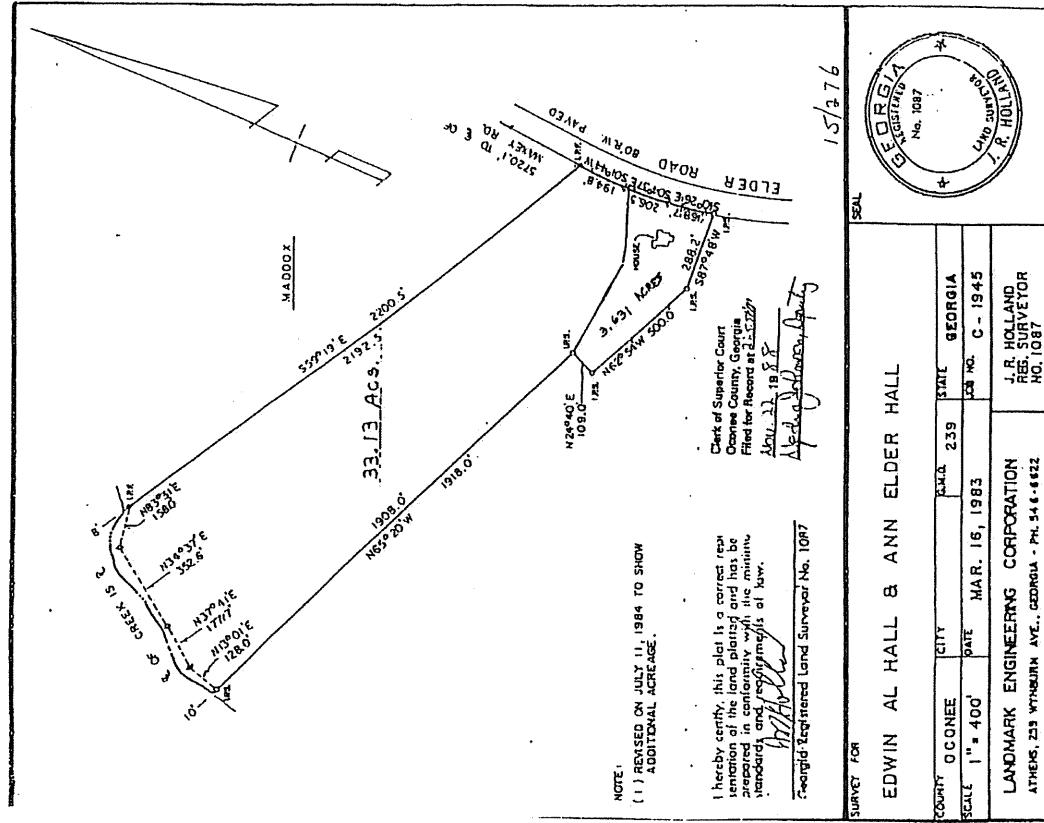
This tract includes the same property shown on a plat of survey entitled "Survey for Edwin Al Hall and Ann Elder Hall", showing 35.000 acres, recorded in Plat Book 10, page 177, said records, plus an additional 1.756 acres.

LESS AND EXCEPT

All that tract or parcel of land lying and being in the 239th District, C. M., of Survey, prepared by Registry, Registered Land Surveyor, November 27, 1931, said plat being recorded in Plat Book 17, page 27, Oconee County Records, and being incorporated herein by reference for a more complete description. Said tract of land being bounded on the North by other lands of Bramblett; on the East by right of way of Elder Road; on the South by lands of High Shoals Baptist Church; and on the West by lands of Daniel.

The land herein described and hereby conveyed is a portion of the land described in and conveyed by Warranty Deed dated July 4, 1931, from Ann Elder Hall and Ed Hall to Joyce Bramblett, said deed being recorded in Deed Book 55, page 107, Oconee County Deed Records, and a subsequent Quitclaim Deed dated 1936, filed for record November 21, 1936, recorded in Deed Book 105, page 11, Oconee County Deed Records.

PLAT



NOTE:
(1) REVISED ON JULY 11, 1984 TO SHOW
ADDITIONAL ACREAGE.

I hereby certify, this plat is a correct representation of the land plotted and has been prepared in conformity with the minimum standards and requirements of the State of Georgia.

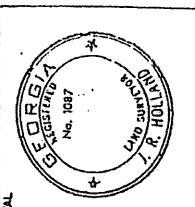
Ed Hall
Joyce Bramblett

Registered Land Surveyor No. 1017

15/276

15/276

SEAL



| | | |
|--|-----------|---------------|
| EDWIN AL HALL & ANN ELDER HALL | | 15/276 |
| COUNTY | OCONEE | CITY |
| SCALE | 1" = 400' | DATE |
| | | MAR. 16, 1983 |
| | | STATE |
| | | GEORGIA |
| | | FILE NO. |
| | | C - 1945 |
| | | J. R. HOLLAND |
| | | REG. SURVEYOR |
| | | NO. 1087 |
| LANDMARK ENGINEERING CORPORATION | | |
| ATHENS, 23 WHEATON AVE., GEORGIA - PH. 34-4422 | | |

EXHIBIT "A" TO ZONING AMENDMENT # 1114

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DEVELOPMENT PLAN

