

**SPECIAL USE APPROVAL
OCONEE COUNTY, GEORGIA**

TITLE

A Resolution granting Special Use Approval, as provided by the Unified Development Code of Oconee County, Georgia, pursuant to Article 12, Division I et seq.

ENACTMENT CLAUSE

Pursuant to the authority conferred by the Constitution and Laws of the State of Georgia and after consideration of an application for a change in conditions of approval for Special Use no. P21-0053, submitted by John Wardlow, on March 18, 2021 requesting Special Use Approval on a ±5.53 acre tract of land located along Osborne Road in the 224th G.M.D., Oconee County, Georgia, tax parcel no. A-01-037D, on property owned by the John T. and Brittany M. Wardlow, the Board of Commissioners of Oconee County does hereby grant following:

SECTION 1. A Resolution granting Special Use Approval for the property described above and on the attached Exhibit A is hereby granted for a septic cleaning service.

Said Special Use Approval 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 Resolution be severable and should any portion be held invalid, such invalidity shall not affect any other portion of the Resolution.

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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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 Resolution shall take effect this date.

Said Special Use Approval application was submitted to the Oconee County Planning Commission and a Public Hearing was duly held by same on May 17, 2021, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on June 1, 2021.

ADOPTED AND APPROVED, this 1st day of June, 2021.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY:

John Daniell, Chairman



Mark Thomas, Member



Chuck Horton, Member



Amrey Harden, Member



Mark Saxon, Member



ATTEST:



Clerk, Board of Commissioners

EXHIBIT "A" TO SPECIAL USE APPROVAL #P21-0053

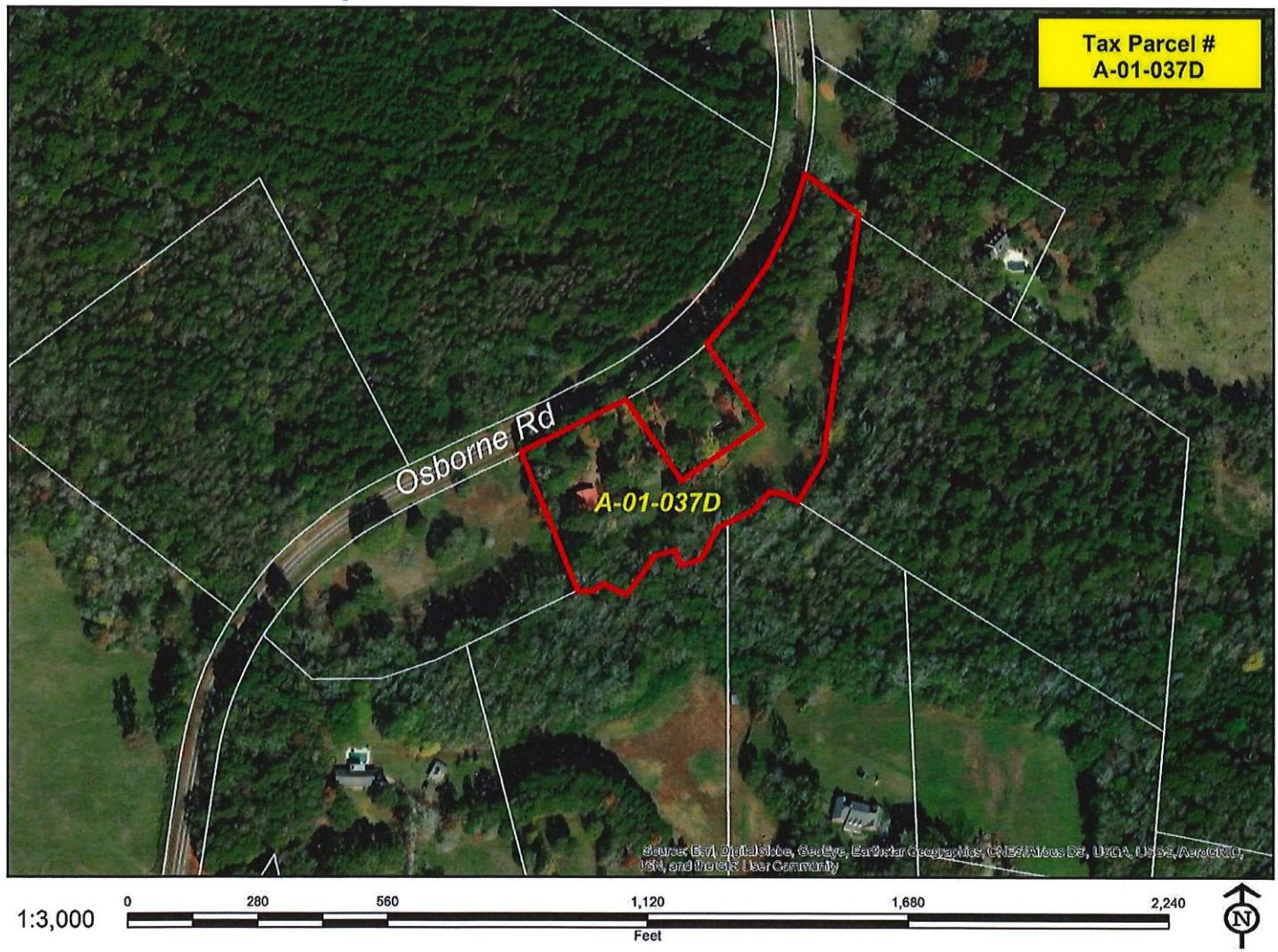
Page 1 of 6

CONDITION

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.

TAX MAP

Special Use # P21-0053 - John Wardlow



LEGAL DESCRIPTION

All that tract or parcel of land being in G.M.D. 224 of Oconee County, Georgia and being more particularly described as follows:

Beginning At A Point Along The Southerly Right-Of-Way Line Of Osborne Road (80' Right-Of-Way)
1679.04 Feet From The Easterly Right-Of-Way Line Of Hebron Church Road; Thence Following The Right-Of-Way Of Osborne Road N 63°42'00" E A Distance Of 251.13' To A Point; Thence Leaving Said Right-Of-Way S 34°29'23" E A Distance Of 210.00' To A Point; Thence N 55°30'37" E A Distance Of 210.00' To A Point; Thence N 34°27'03" W A Distance Of 210.00' To A Point Along The Right-Of-Way Of Osborne Road; Thence Following Said Right-Of-Way N 40°20'22" E A Distance Of 89.56' To A Point; Thence N 35°50'04" E A Distance Of 124.81' To A Point; Thence N 26°33'17" E A Distance Of 115.82' To A Point; Thence N 17°23'52" E A Distance Of 95.71' To A Point; Thence Leaving Said Right-Of-Way S 53°21'25" E A Distance Of 144.68' To A Point; Thence S 08°22'40" W A Distance Of 122.66' To A Point; Thence S 08°22'40" W A Distance Of 256.67' To A Point; Thence S 08°22'40" W A Distance Of 150.90' To A Point; Thence S 30°58'25" W A Distance Of 104.02' To A Point Along The Centerline Of A Creek; Thence Following The Centerline Of The Creek N 62°03'49" W A Distance Of 33.10' To A Point; Thence N 81°44'54" W A Distance Of 33.02' To A Point; Thence S 41°26'10" W A Distance Of 51.06' To A Point; Thence S 63°45'59" W A Distance Of 86.34' To A Point; Thence S 27°45'28" W A Distance Of 75.76' To A Point; Thence S 72°23'06" W A Distance Of 46.62' To A Point; Thence N 17°21'14" W A Distance Of 34.81' To A Point; Thence S 75°51'11" W A Distance Of 47.23' To A Point; Thence S 32°58'37" W A Distance Of 41.82' To A Point; Thence S 37°24'52" W A Distance Of 61.59' To A Point; Thence N 67°10'16" W A Distance Of 32.16' To A Point; Thence N 60°16'48" W A Distance Of 22.27' To A Point; Thence S 56°45'35" W A Distance Of 30.02' To A Point; Thence N 88°13'49" W A Distance Of 31.31' To A Point; Thence Leaving Said Creek N 22°04'06" W A Distance Of 320.59' To A Point Along The Right-Of-Way Of Osborne Road; Which Is The Point Of Beginning,

Having An Area Of 240882.4 Square Feet, 5.5299 Acres

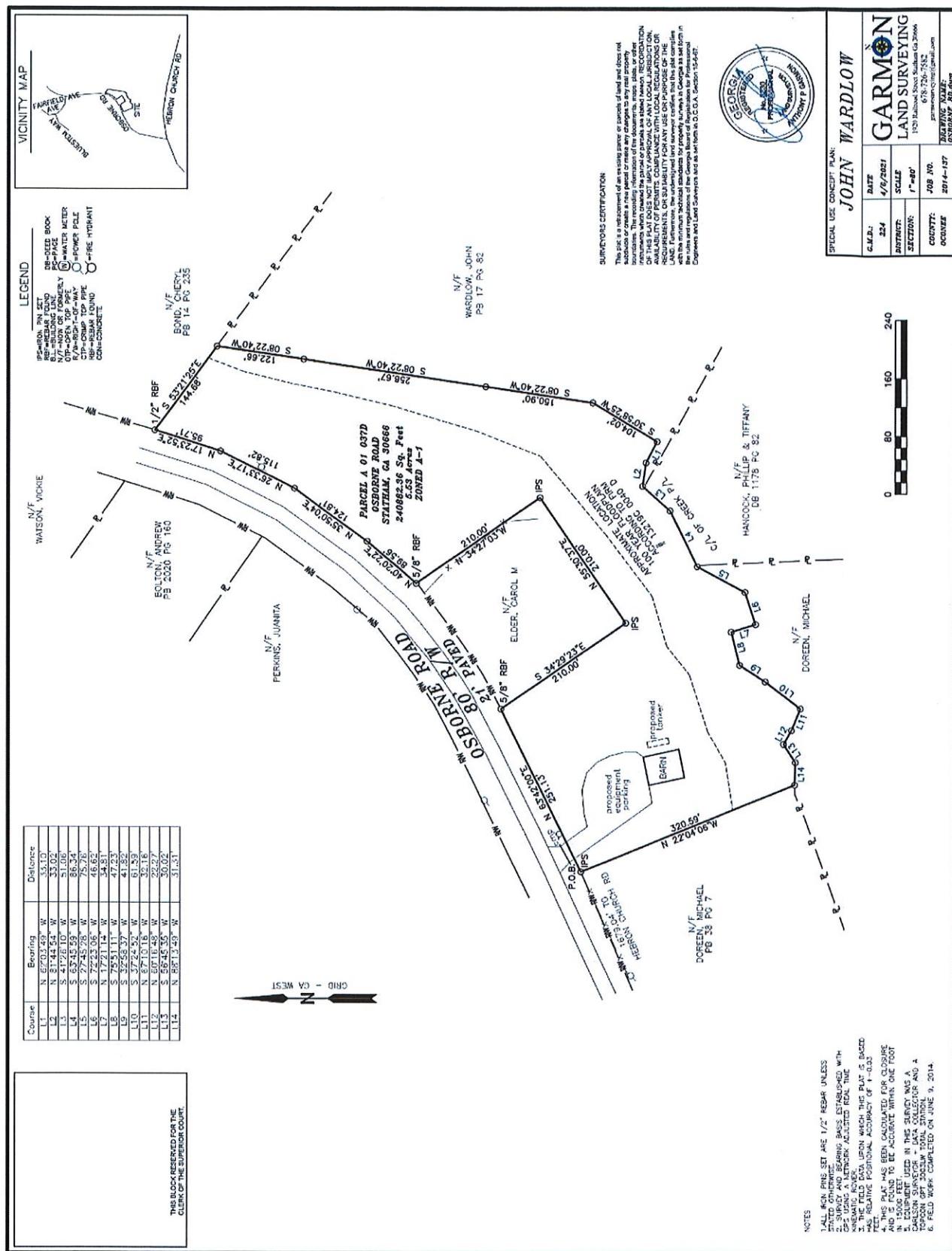
NARRATIVE

I am opening up a Septic company in Oconee County called Septic Solutions of Oconee, LLC. The majority of Oconee County is on individual septic. I will be providing professional and reliable services for the citizens of Oconee County and surrounding areas. I am requesting a special use permit to be able to park my septic truck, trailers, equipment and storage tanker on my personal property located at 1561 Osborne Road, Statham, GA 30666. I am a longtime citizen of Oconee County and all surrounding properties are family owned.

EXHIBIT "A" TO SPECIAL USE APPROVAL #P21-0053

Page 3 of 6

PLAT



CONCEPT PLAN



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

SPECIAL USE CASE #: P21-0053

DATE: May 7, 2021

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

APPLICANT NAME: John Wardlow

PROPERTY OWNER: John T. and Brittany M. Wardlow

LOCATION: Along Osborne Road, parcel A-01-037D

PARCEL SIZE: ± 5.53 acres

EXISTING ZONING: AG (Agricultural District)

EXISTING LAND USE: Residential

FUTURE DEVELOPMENT MAP CHARACTER AREA



DESIGNATION: Country Estates

ACTION REQUESTED: The applicant is requesting special use approval for a septic cleaning service.

STAFF RECOMMENDATION: Staff recommends conditional approval of the request

DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: May 17, 2021

BOARD OF COMMISSIONERS: June 1, 2021

ATTACHMENTS:

- Application
- Narrative
- Special Use Impact Analysis
- Aerial Imagery
- Zoning Map
- Future Development Map
- Plat of Survey
- Concept Plan

BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- Parcel A-01-037D has been zoned AG (Agricultural District) since the original adoption of the zoning map in 1968.
- A barn was built on the property in 1986.

SURROUNDING LAND USE AND ZONING

	EXISTING LAND USES	EXISTING ZONING
NORTH	Undeveloped	AG (Agricultural District)
SOUTH	Single-Family Residential/ Pasture/Undeveloped	AG (Agricultural District)
EAST	Single-Family Residential/ Pasture/Undeveloped	AG (Agricultural District)
WEST	Pasture/Undeveloped	AG (Agricultural District)

PROPOSED SPECIAL USE

- The applicant is requesting special use approval for a septic cleaning service and is proposing to store and park a septic truck, trailers, farm equipment, and storage tanker in front of the existing barn along Osborne Road. The equipment would be utilized for the applicant's business, Septic Solutions of Oconee, LLC.

PROPOSED TRAFFIC PROJECTIONS

- A negligible number of additional trips may be anticipated due to the operation of the septic cleaning service.

PUBLIC FACILITIES

Water:

- No additional water services are proposed as part of the special use.

Sewer:

- No additional sewer services are proposed as part of the special use.

Roads:

- A private driveway is proposed off Osborne Road for the proposed storage and parking area.

ENVIRONMENTAL

- State waters, jurisdictional wetlands, and a conservation corridor exist along the southern portion of the parcel.
- No development is proposed for these environmental areas and all environmental buffers would be maintained.

COMMENTS FROM OTHER DEPARTMENTS & AGENCIES

OCONEE COUNTY PUBLIC WORKS DEPARTMENT

- No Comments

OCONEE COUNTY FIRE DEPARTMENT

- No Comments

OCONEE COUNTY WATER RESOURCES DEPARTMENT

- No Comments

STAFF ANALYSIS

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE **“STANDARDS FOR SPECIAL USE CONSIDERATION”** AS SET FORTH IN SECTION 1207.02 OF THE OCONEE COUNTY UNIFIED DEVELOPMENT CODE.

A. Will the proposed special use be consistent with the stated purpose of the zoning district in which it will be located?

The purpose of the AG zoning district is “to preserve prime agricultural areas, allow mini farm estates where appropriate, and discourage the subdivision of land into suburban development which requires significant increases in public services such as schools, fire protection, transportation improvements or waste disposal” ([UDC Sec. 205.01](#)). The proposed special use should not interfere with the preservation of agricultural areas nor encourage suburban development and staff holds that it is consistent with the stated purpose of the AG zoning district.

B. Is the proposed special use compatible with the goals, objectives, purpose, and intent of the Comprehensive Plan?

The subject property lies within the Country Estates Character Area as shown on the [2040 Character Areas Map](#). The 2018 Comprehensive Plan describes this Character Area as “a low-intensity residential community reminiscent of a rural environment” intended for primarily residential and agricultural activities ([2018 Comprehensive Plan p. 34](#)). Staff holds that the proposed special use is compatible with this Character Area and with the goals, objectives, purpose, and intent of the Comprehensive Plan.

C. Will the establishment of the special use impede the normal and orderly development of surrounding property for uses predominate in the area?

The establishment of the proposed septic cleaning company should not impede normal and orderly development of the surrounding area, which is primarily agricultural, single-family residential, or undeveloped.

D. Is the location and character of the proposed special use consistent with a desirable pattern of development for the locality in general?

A desirable pattern of development for this area would be a mixture of residential and agricultural uses to serve as a transition between the more rural areas of the county and established suburban residential development (2018 Comprehensive Plan). Staff holds that the proposed special use is consistent with a desirable pattern of development for the locality.

E. Is or will the type of street providing access to the use be adequate to serve the proposed special use?

Additional traffic associated with the septic cleanout business should be negligible and Osborne Road should be adequate to serve the proposed special use.

F. Is or will access into and out of the property be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles?

The proposed driveway should be sufficient to provide for traffic and pedestrian safety and emergency vehicle access.

G. Are or will public facilities such as schools, water or sewer utilities, and police or fire protection be adequate to serve the special use?

No additional demand on public facilities are anticipated for the proposed special use.

H. Are or will refuse, service, parking and loading areas on the property be located or screened to protect other properties in the area from such adverse effects as noise, light, glare, and odor?

No additional refuse or service areas are proposed. Negative impacts from the proposed parking and loading area should be minimal. Parcels adjacent to the parking and loading area are vacant and/or heavily wooded. Staff holds that other properties in the area should be adequately protected from any adverse effects.

I. Will the hours and manner of operation of the special use have no adverse effects on other properties in the area?

The hours and manner of operation should not have any adverse effects on other properties in the area.

J. Will the height, size, or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties?

No additional structures are proposed as part of the special use.

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 special use 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.



OCONEE COUNTY ZONING CHANGE APPLICATION

Requested Action:

Rezoning from: _____ to _____ Change in Conditions of Approval for Case # : _____
 Special Use Approval for: _____ in the _____ Zoning District

Applicant

Name: John Wardlow

Address: 1561 Osborne Road
(No P.O. Boxes)
Spartan GA 30666

Telephone: (706) 296-4960

Email: john@septicsolutionsofconee.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: Date

Date: 3-18-21 Notarized: * Elizabet M. Andricic

Property

Location: 1561 Osborne Road

(Physical Description)

Statham G.A. 30666

Tax Parcel Number: A 01 037 D

Size (Acres): 5.83 Current Zoning: A-1

Future Development Map—Character Area Designation:

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 *NA*

- Narrative (Detailed Description of the Request)
- Concept Plan
- Attachments to the Concept Plan:
 - Water and/or Sewer Capacity Letter from OCUD **N/A**
 - Representative Architecture/Photographs
 - Proof all property taxes paid in full
 - Other Attachments:

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: _____
	<input type="checkbox"/> Approval <input type="checkbox"/> With Conditions	<input type="checkbox"/> Denial
	Board of Commissioners	Date: _____
	<input type="checkbox"/> Approved <input type="checkbox"/> With Conditions	<input type="checkbox"/> Denied

I am opening up a Septic company in Oconee County called Septic Solutions of Oconee, LLC. The majority of Oconee County is on individual septic. I will be providing professional and reliable services for the citizens of Oconee County and surrounding areas. I am requesting a special use permit to be able to park my septic truck, trailers, equipment and storage tanker on my personal property located at 1561 Osborne Road, Statham, GA 30666. I am a longtime citizen of Oconee County and all surrounding properties are family owned.

Planning Director for the record prior to the issuance of any permit or consideration of Project Approval under Division II of this Article.

- (3) If the requested rezoning or Special Use application is approved, no building permit, other permit or certificate of occupancy shall be granted except for uses or structures conforming substantially to the Concept Plan and related documents submitted with the application. Changes to an approved concept plan that present an increase in intensity of use such as, but not limited to, an increase in the total number of lots, an increase in the total proposed building area, or an increase in the number of total number of buildings proposed for the development shall not be considered substantially compliant with the approved concept plan and are subject to the requirements of Sec. 1210.02 for processing and approval.
- (4) Subsequent revisions to an approved Concept Plan that represent a change in conditions of zoning approval are subject to the requirements of Sec. 1210.02 for processing and approval.

Sec. 1207. Standards governing consideration of a zoning change.

Sec. 1207.01. Standards for rezoning consideration.

In consideration of a rezoning, the Board of Commissioners shall consider factors relevant in balancing the interest in promoting the public health, safety, or general welfare against the right of the individual to the unrestricted use of property and shall specifically consider the following objective criteria. Emphasis may be placed on those criteria most applicable to the specific use proposed:

- a. Whether the zoning proposal will permit a use that is 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.
- 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;
 - (2) Environmental impact;
 - (3) Effect on the existing use, usability and/or value of adjoining 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.
- e. Consistency of the proposed use with the stated purpose of the zoning district that is being requested.
- 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.
- g. Conformity with or divergence from the Future Development Map or 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.

Sec. 1207.02. Standards for special use consideration.

A Special Use otherwise permitted within a zoning district shall be considered to be compatible with other uses permitted in the district, provided that due consideration is given to the following objective criteria. Emphasis may be placed on those criteria most applicable to the specific use proposed:

- a. Will the proposed special use be consistent with the stated purpose of the zoning district in which it will be located? *yes*

- b. Is the proposed special use compatible with the goals, objectives, purpose and intent of the Comprehensive Plan? *yes*
- c. Will the establishment of the special use impede the normal and orderly development of surrounding property for uses predominate in the area? *No*
- d. Is the location and character of the proposed special use consistent with a desirable pattern of development for the locality in general? *yes*
- e. Is or will the type of street providing access to the use be adequate to serve the proposed special use? *yes*
- f. Is or will access into and out of the property be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles? *yes*
- g. Are or will public facilities such as schools, water or sewer utilities, and police or fire protection be adequate to serve the special use? *yes*
- h. Are or will refuse, service, parking and loading areas on the property be located or screened to protect other properties in the area from such adverse effects as noise, light, glare or odor? *yes*
- i. Will the hours and manner of operation of the special use have no adverse effects on other properties in the area? *yes*
- j. Will the height, size or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties? *yes*

Sec. 1208. Taking action on a zoning change.

Before the Board of Commissioners may take final action on a proposed zoning change, it shall have been submitted to the Oconee County Planning Commission for review and recommendation. The public hearing is to be conducted in accordance with the provisions of this Section.

Sec. 1208.01. Planning Department.

It shall be the responsibility of the Oconee County Planning Department to set the agenda for the meetings of the Oconee County Planning Commission.

- a. From time to time, the Board of Commissioners may adopt by Resolution a maximum limitation on the number of new applications for zoning amendments and special use permits that can be heard by the Planning Commission as New Business at each Planning Commission meeting.
- b. All submitted items shall be reviewed by the Planning Department for compliance with this Development Code and only those submissions that are complete in all respects will be accepted for placement onto the Planning Commission agenda, in the order in which they were received, up to the maximum allowed.
- c. All complete submitted items that number over the maximum allowed to be placed on the agenda shall be deferred to the next available Planning Commission agenda, with previously deferred items taking precedence over newly submitted items.

Sec. 1208.02. Planning Commission.

- a. The Planning Commission shall hold a public hearing on each application for rezoning or Special Use in accordance with a schedule adopted by the Board of Commissioners. Such meeting shall be presided over by the chairman of the Planning Commission or in the chairman's absence a designated member of the Planning Commission. A staff report on each application shall be submitted to and considered by the Planning Commission at the public hearing. The Planning Commission shall investigate each of the criteria set forth in Sec. 1207 of this Article, as appropriate to the request.
- b. The Planning Commission shall review all Zoning Amendment or Special Use requests on its agenda and forward a recommendation for each request to the Board of Commissioners.

Special Use # P21-0053 - John Wardlow

Tax Parcel #
A-01-037D

Osborne Rd

A-01-037D

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

1:3,000

0

280

560

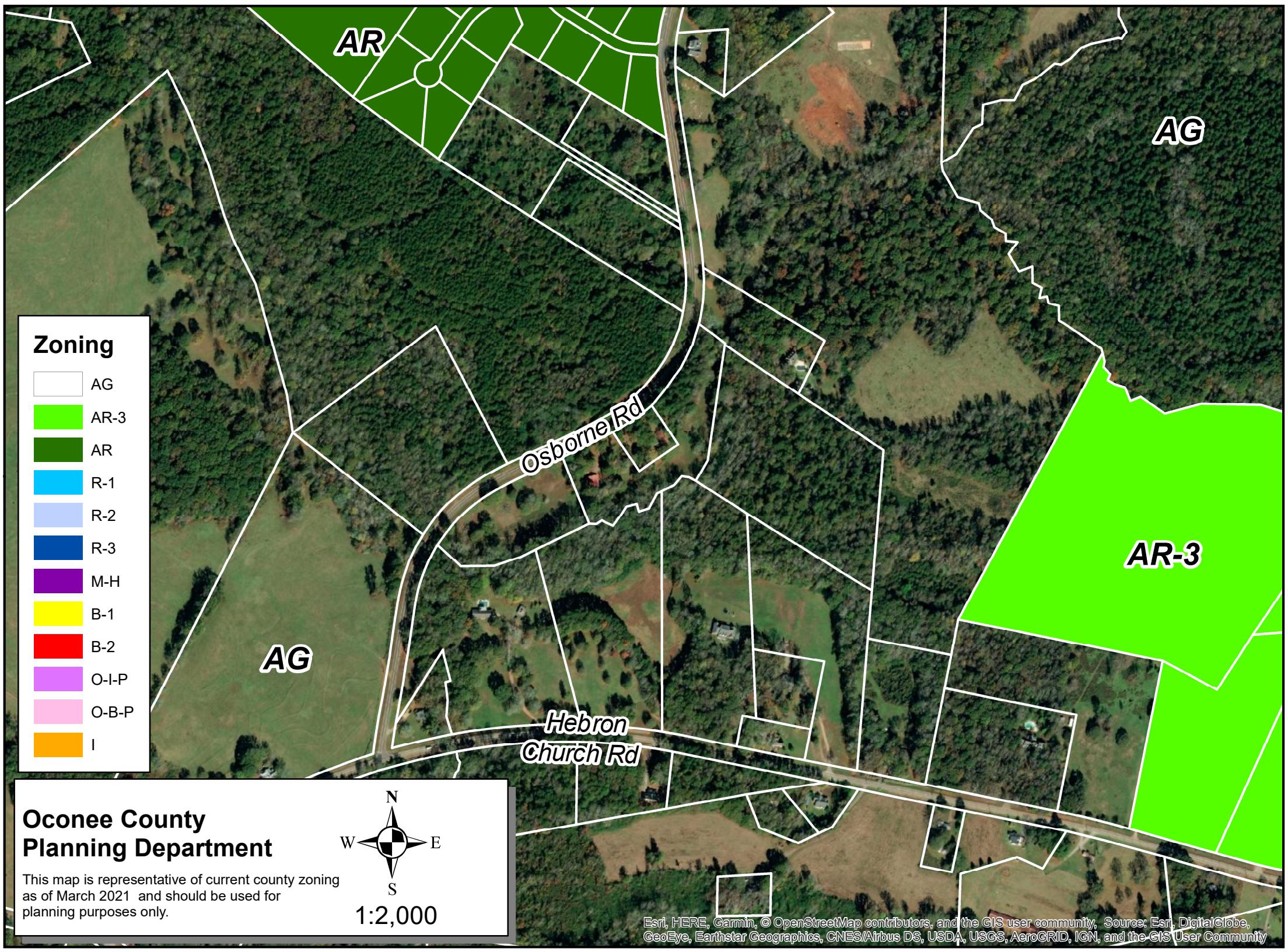
1,120

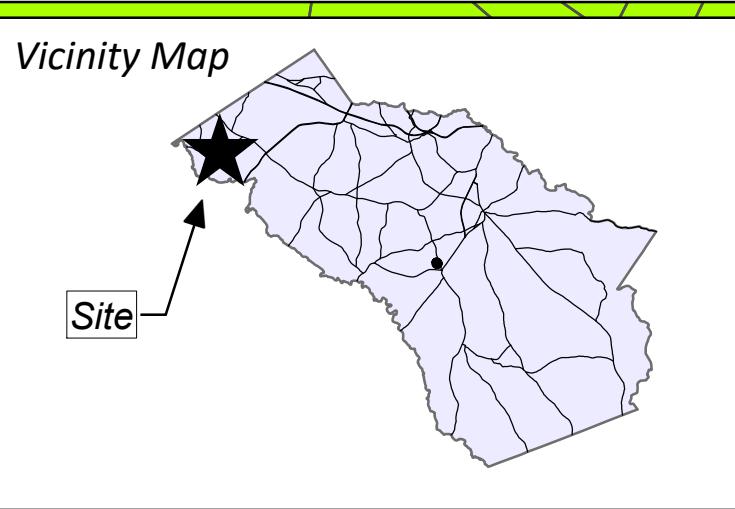
1,680

2,240

Feet





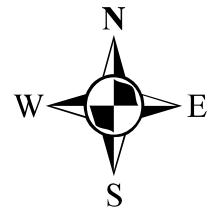


Oconee County Planning Department

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

0 205 410 820 1,230 1,640
Feet

Suburban Neighborhood



Rural Places

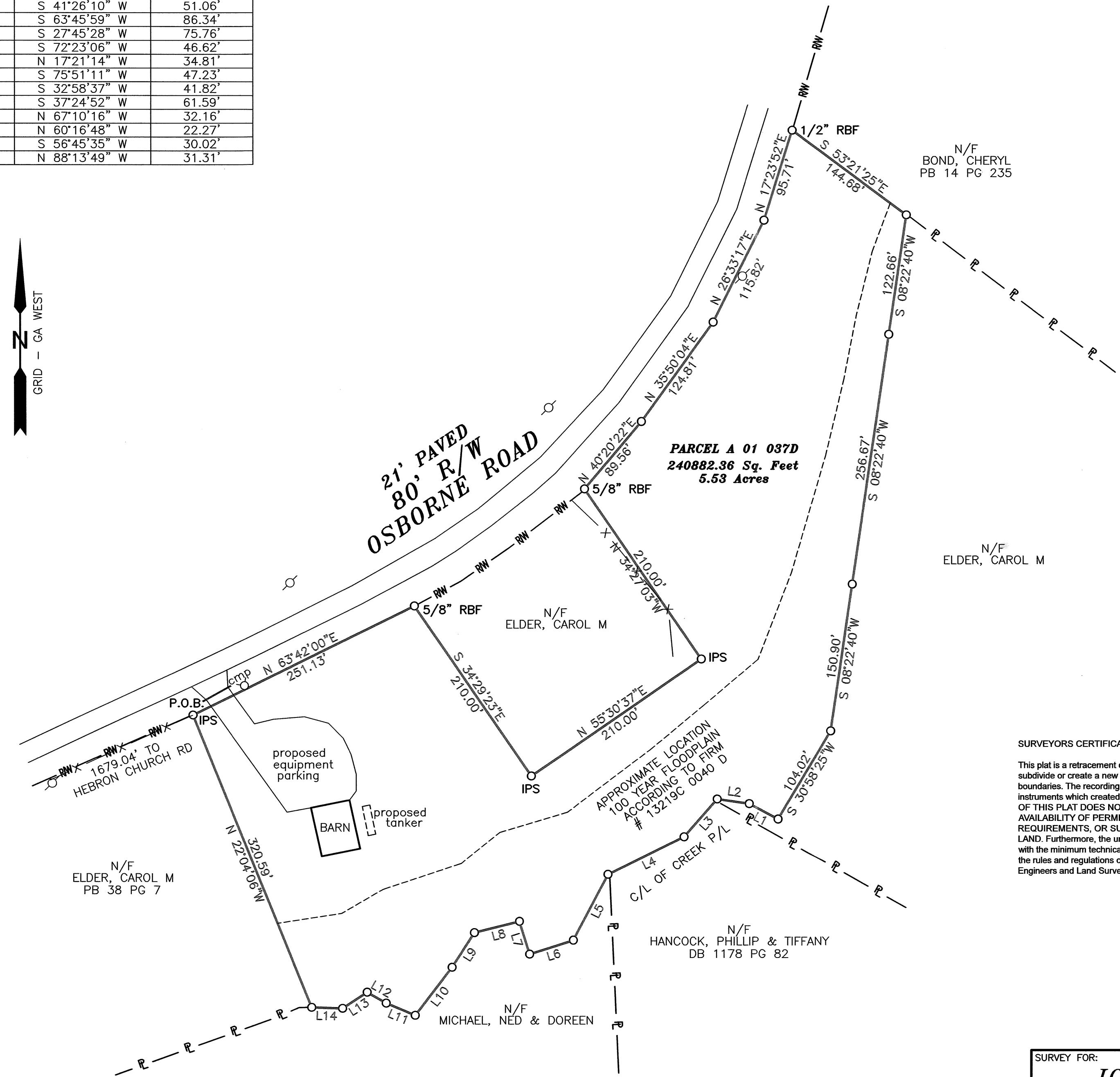
THIS BLOCK RESERVED FOR THE
CLERK OF THE SUPERIOR COURT.

Course	Bearing	Distance
L1	N 62°03'49" W	33.10'
L2	N 81°44'54" W	33.02'
L3	S 41°26'10" W	51.06'
L4	S 63°45'59" W	86.34'
L5	S 27°45'28" W	75.76'
L6	S 72°23'06" W	46.62'
L7	N 17°21'14" W	34.81'
L8	S 75°51'11" W	47.23'
L9	S 32°58'37" W	41.82'
L10	S 37°24'52" W	61.59'
L11	N 67°10'16" W	32.16'
L12	N 60°16'48" W	22.27'
L13	S 56°45'35" W	30.02'
L14	N 88°13'49" W	31.31'

LEGEND

IPS=IRON PIN SET
 RBF=REBAR FOUND
 B.L.=BUILDING LINE
 N/F=NOW OR FORMERLY
 OTP=OPEN TOP PIPE
 R/W=RIGHT-OF-WAY
 CTP=CRIMP TOP PIPE
 RBF=REBAR FOUND
 CON=CONCRETE

DB=DEED BOOK
 PG=PAGE
 =WATER METER
 =POWER POLE
 =FIRE HYDRANT

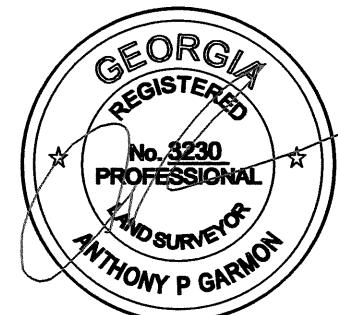


NOTES

1. ALL IRON PINS SET ARE 1/2" REBAR UNLESS STATED OTHERWISE.
2. SURVEY AND BEARING BASIS ESTABLISHED WITH GPS USING A NETWORK ADJUSTED REAL TIME KINEMATIC ROVER.
3. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS RELATIVE POSITIONAL ACCURACY OF ± 0.03 FEET.
4. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 15000 FEET.
5. EQUIPMENT USED IN THIS SURVEY WAS A CARLSON SURVEYOR + DATA COLLECTOR AND A TOPCON GPT 3003LW TOTAL STATION.
6. FIELD WORK COMPLETED ON JUNE 9, 2014.

SURVEYORS CERTIFICATION:

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land 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.



SURVEY FOR:		JOHN WARDLOW	
G.M.D.: 224	DATE 06/12/2014	 GARMON LAND SURVEYING 1920 Railroad Street Statham Ga 30666 678-726-7582 garmonsurveying@gmail.com	
DISTRICT:	SCALE		
SECTION:	1"=80'		
COUNTY: OCONEE	JOB NO. 2014-137		
DRAWING NAME: OSBORNE RD.dwg			

