

**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. P21-0101, submitted by Ernest Rivera, on May 17, 2021 requesting Special Use Approval on a ±0.69 acre tract of land located at 1021 Greenbriar Court in the 240th G.M.D., Oconee County, Georgia, tax parcel no. B-02F-021, on property owned by the Ernest Rivera, 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 barber shop home business.

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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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 July 19, 2021, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on August 3, 2021.

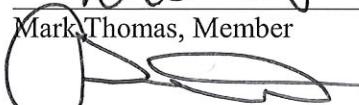
ADOPTED AND APPROVED, this 3rd day of August, 2021.

OCONEE COUNTY BOARD OF COMMISSIONERS

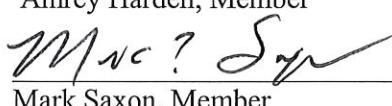
BY:


John Daniell, Chairman


Mark Thomas, Member


Chuck Horton, Member


Amrey Hardin, Member


Mark Saxon, Member

ATTEST:


Holly Stephenson, Board of Commissioners

EXHIBIT "A" TO SPECIAL USE APPROVAL #P21-0101

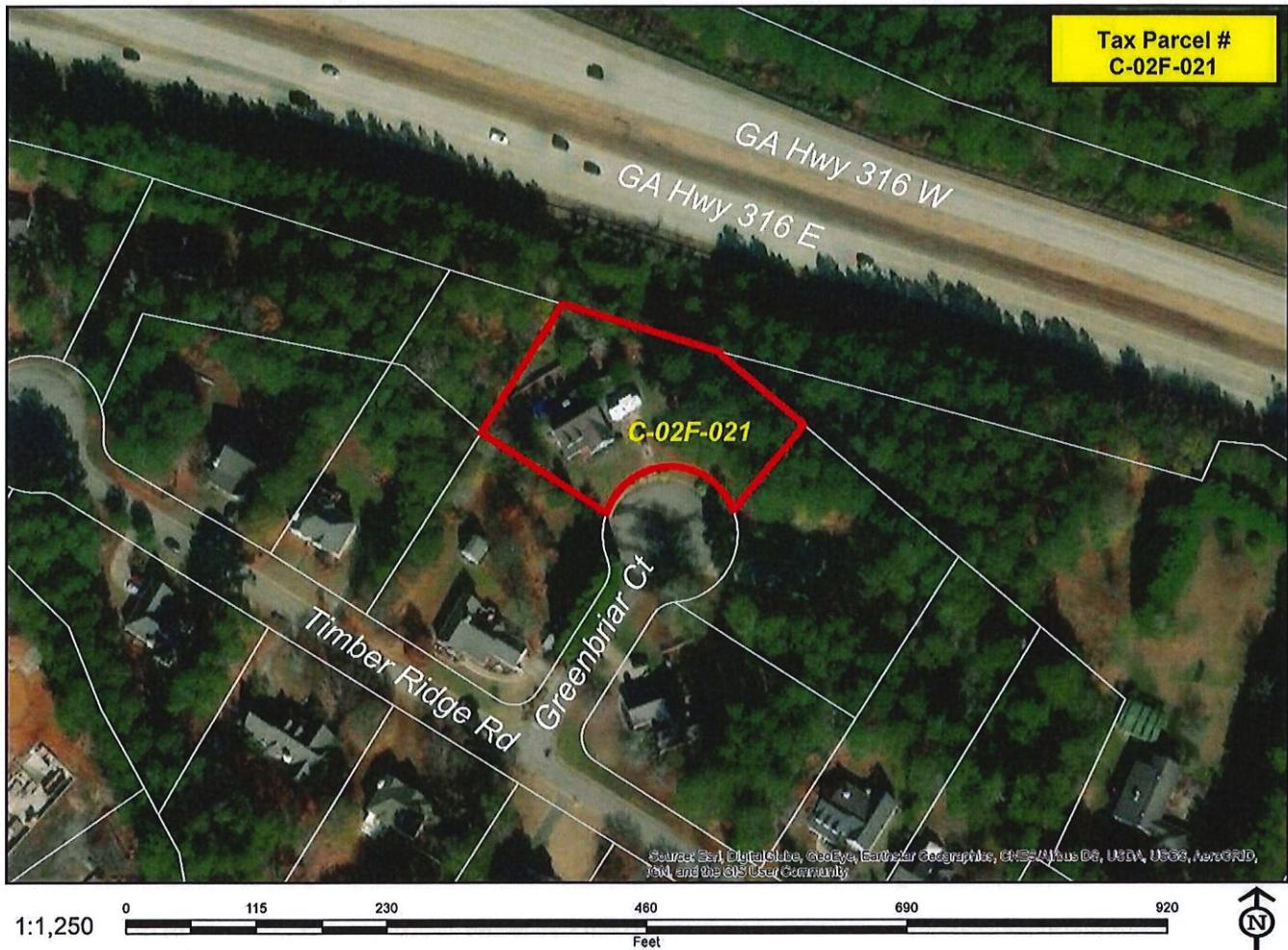
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CONDITION

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 # P21-0101 - Ernest L. Rivera



LEGAL DESCRIPTION

All that tract of land, together with improvements thereon, situate, lying and being in Oconee County, 240th Georgia Militia District, and being known as Lot 21, Timber Ridge Subdivision, and being more particularly described as follows:

COMMENCE at the centerline intersection of Timber Ridge Road and Greenbriar Court;

Thence N 17°18'40" E a distance of 221.07' to a point on the westerly right of way of Greenbriar Court, said point being the point of beginning;

thence leaving said right of way N 57°25'15" W a distance of 131.79' to a point;

thence N 32°34'45" E a distance of 134.95' to a point;

thence S 73°14'00" E a distance of 144.04' to a point;

thence S 48°42'25" E a distance of 100.50' to a point;

thence S 39°49'00" W a distance of 97.15' to a point;

thence with a curve turning to the left with an arc length of 147.47', with a radius of 60.00', with a chord bearing of S 88°57'45" W, with a chord length of 113.06', to a point on the westerly right of Greenbriar Court ;

said point being the point of beginning,

said tract being more particularly described on a Subdivision Plat of Survey by Paul & Evans Land Surveying, INC. for Timber Ridge dated November 11th, 1997 and recorded in the Oconee County Superior Court and recorded in Plat Book 30 Page 19.

EXHIBIT "A" TO SPECIAL USE APPROVAL #P21-0101

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NARRATIVE



Mae Rivera
Watkinsville Clipper Cuts
1021 Greenbriar Ct
Watkinsville, GA 30677

Grace Tuschak
gtuschak@oconee.ga.us
Planning & Code Enforcement
1291 Greensboro Highway
Room A108
Watkinsville, GA 30677

Salutations,

June 10, 2021

Thank you for the opportunity to provide further information regarding our Special Use Application. I would like to start by clarifying the floor area that will be devoted to the home business. In my original application, I had noted that the space would occupy 900 Sq. Feet +/- of the dwelling unit. The actual Sq. footage will be 625 Sq. Feet +/- . The 900 Sq. Feet +/- also included a bathroom that is part of the structure, but that area will not be used for the home business.

My residence is well lit and will have low traffic capacity. I will operate four days a week, on Mon, Tues, Thurs, and Fri by appointment only. Also, I will be self-employed with no other employees. There will be a maximum of 6-8 customers/day at the home barber shop; therefore, 6-8 additional vehicle trips to the property will be anticipated from the business. At all times, there will be 1 homeowner and 1 customer parking in the driveway.

I also have full support and documentation from my neighbors to operate my business from my home. The letters of support from my neighbors have been submitted. The existing zoning and adjacent land use and zoning of my property are both R1 Single Family Residential. There is also one-piece of land owned by Donald Norris that is Agriculture zoning. Furthermore, a copy of the warranty deed(s) or quit claim deed has been emailed over to your facility and we have verified that it has been received.

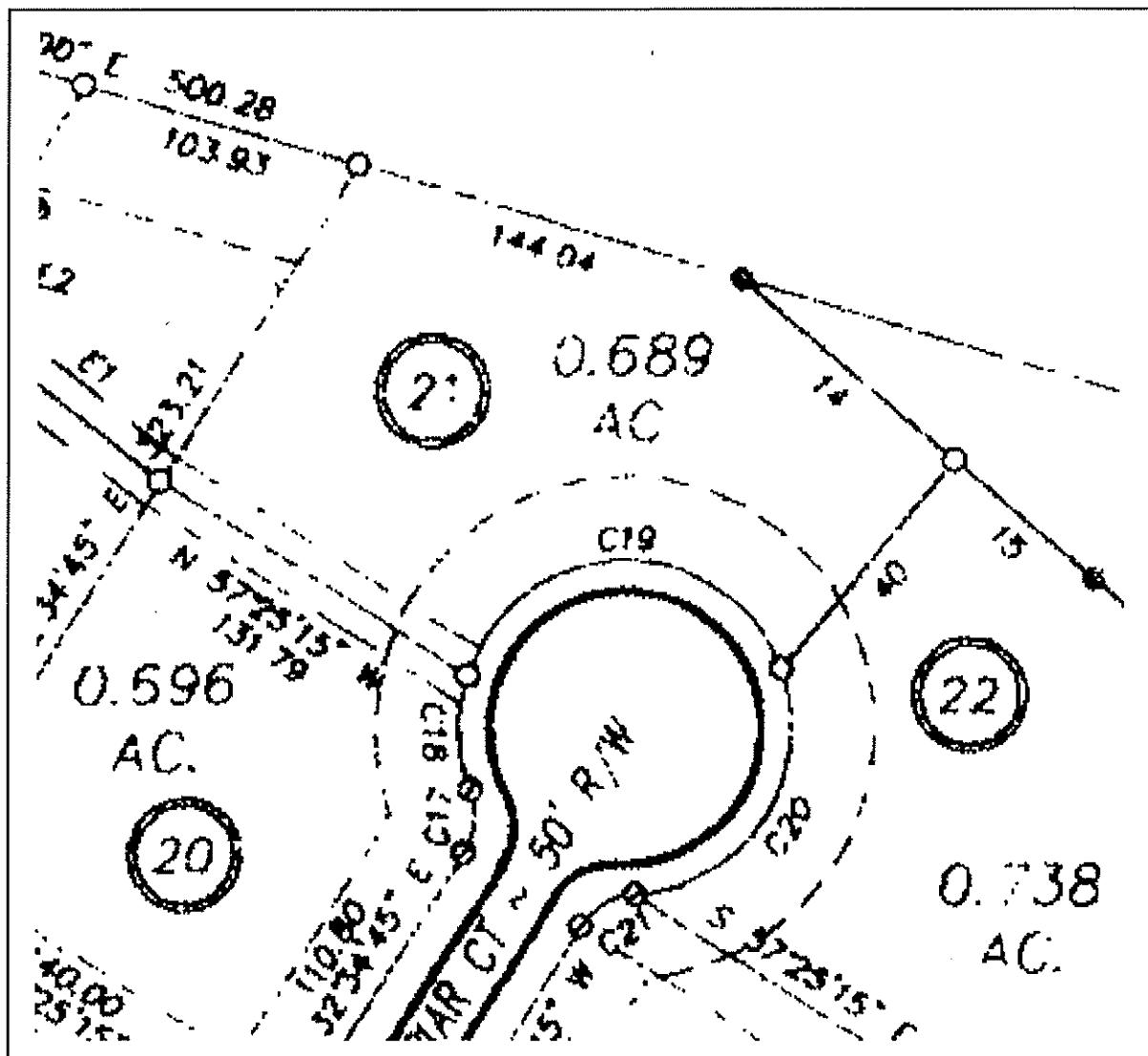
I have familiarized myself with the UDC Section 350.03 and stand willing and ready to abide by all restrictions as noted.

I love Oconee County and want to continue making a valuable contribution. I am happy to provide any further information or additional clarification. I appreciate your consideration of my request and look forward to your decision.

Sincerely,

Mae Rivera, owner

CONCEPT PLAN





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

SPECIAL USE CASE #: P21-0101

DATE: July 9, 2021

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

APPLICANT NAME: Ernest Rivera

PROPERTY OWNER: Ernest Rivera

LOCATION: 1021 Greenbriar Court

PARCEL SIZE: ±0.69 acres

EXISTING ZONING: R-1 (Single-Family Residential District)

EXISTING LAND USE: Residential

FUTURE DEVELOPMENT MAP CHARACTER AREA DESIGNATION: Regional Center

ACTION REQUESTED: The applicant is requesting special use approval for a barber shop home business.

STAFF RECOMMENDATION: Staff recommends conditional approval of the request.

DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: July 19, 2021

BOARD OF COMMISSIONERS: August 3, 2021

ATTACHMENTS:

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



BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The property was rezoned from AG to R-1 on 04/01/1997 for the Timber Ridge residential subdivision.
- A single-family home was built on the property in 1999 and a shed was built in 2016.

SURROUNDING LAND USE AND ZONING

	EXISTING LAND USES	EXISTING ZONING
NORTH	Undeveloped HWY 316	AG (Agricultural District)
SOUTH	Single-Family Residential	R-1 (Single-Family Residential District)
EAST	Single-Family Residential	R-1 (Two Family Residential District) AG (Agricultural District)
WEST	Single-Family Residential	R-1 (Single-Family District)

PROPOSED SPECIAL USE

- The applicant is requesting special use approval for a barber shop home business.
- The business would operate four days of the week (Monday, Tuesday, Thursday, and Friday) by appointment only. There would be no employees and a maximum of 6-8 customers/day. There would be no more than one customer at a time parked in the driveway.

PROPOSED TRAFFIC PROJECTIONS

- An additional 12-16 vehicle trips are estimated on Monday, Tuesday, Thursday, and Friday, based on the proposed 6-8 customers per day.

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:

- No new access is proposed, the existing driveway would be used for the home business.

ENVIRONMENTAL

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

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 R-1 zoning district is “to protect and promote a suitable environment for family life, to discourage any use which would generate other than residential traffic on minor streets and to protect the orderly future development of land in accordance with comprehensive development plans for the county” ([UDC Sec. 205.04](#)). The proposed special use should not generate traffic above the level expected in a residential neighborhood and should not interfere with residential use. Staff holds that the proposed home business is consistent with the stated purpose of the R-1 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 Regional Center Character Area as shown on the [2040 Character Areas Map](#). Single family subdivisions are compatible with this Character Area and the proposed home business is considered a compatible accessory use associated with the existing residence on the property. 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 home business should not generate significant additional traffic nor disturb nearby properties. Staff holds that the special use should not impede normal and orderly development of the surrounding single-family neighborhood.

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 predominantly residential; 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?

One customer at a time is projected to visit the home, resulting in minimal traffic impacts. Greenbriar Drive should be sufficient to serve the proposed home business.

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 existing 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, service, parking/loading areas, or negative impacts are anticipated. Staff notes that the home business would be subject to UDC Section 350.02, Home Business, which restricts the permitted business activities and size/location of the use. Staff holds that other properties in the area should not be adversely impacted should the special use be approved.

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: Barber shop in the RI Zoning District

Applicant

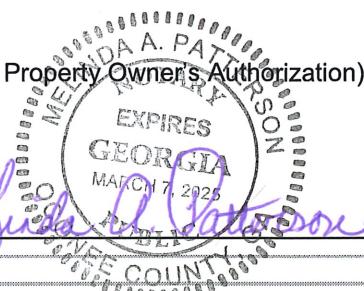
Name: Ernest Lewis
Address: 1021 Greenbriar CT
(No P.O. Boxes)
Watkinsville, GA
30677
Telephone: 706 255 2858

Email: Cissyriver@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: Ernest Lewis Date: 5-24-21 Notarized: Melinda A. Patterson

**Property**

Location: 1021 Greenbriar ct
(Physical Description)
Watkinsville, GA 30677

Tax Parcel Number: B-02F-021

Size (Acres): 0.69 Current Zoning: RI

Future Development Map—Character Area Designation: Regional Center

Use

Current Use: Residential

Proposed Use: Barber Shop

Regional Center

Attachments (check all that apply)

<input type="checkbox"/> Property Owner's Authorization (if applicable)	<input type="checkbox"/> Narrative (Detailed Description of the Request)
<input type="checkbox"/> Application Fee	<input type="checkbox"/> Concept Plan
<input type="checkbox"/> Warranty Deed	<input type="checkbox"/> Attachments to the Concept Plan: <u>?</u>
<input type="checkbox"/> Typed Legal Description	<input type="checkbox"/> Water and/or Sewer Capacity Letter from OCUD
<input type="checkbox"/> Plat of Survey	<input type="checkbox"/> Representative Architecture/Photographs <u>?</u>
<input type="checkbox"/> Disclosures (Interest & Campaign Contributions)	<input type="checkbox"/> Proof all property taxes paid in full
<input type="checkbox"/> Zoning Impact Analysis	<input type="checkbox"/> 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: _____	Board of Commissioners Date: _____
	<input type="checkbox"/> Approval <input type="checkbox"/> With Conditions <input type="checkbox"/> Denial	<input type="checkbox"/> Approved <input type="checkbox"/> With Conditions <input type="checkbox"/> Denied



Mae Rivera

Watkinsville Clipper Cuts
1021 Greenbriar Ct
Watkinsville, GA 30677

Grace Tuschak

gtuschak@oconee.ga.us

Planning & Code Enforcement
1291 Greensboro Highway
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Salutations,

June 10, 2021

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My residence is well lit and will have low traffic capacity. I will operate four days a week, on Mon, Tues, Thurs, and Fri by appointment only. Also, I will be self-employed with no other employees. There will be a maximum of 6-8 customers/day at the home barber shop; therefore, 6-8 additional vehicle trips to the property will be anticipated from the business. At all times, there will be 1 homeowner and 1 customer parking in the driveway.

I also have full support and documentation from my neighbors to operate my business from my home. The letters of support from my neighbors have been submitted. The existing zoning and adjacent land use and zoning of my property are both R1 Single Family Residential. There is also one-piece of land owned by Donald Norris that is Agriculture zoning. Furthermore, a copy of the warranty deed(s) or quit claim deed has been emailed over to your facility and we have verified that it has been received.

I have familiarized myself with the UDC Section 350.03 and stand willing and ready to abide by all restrictions as noted.

I love Oconee County and want to continue making a valuable contribution. I am happy to provide any further information or additional clarification. I appreciate your consideration of my request and look forward to your decision.

Sincerely,

Mae Rivera, owner

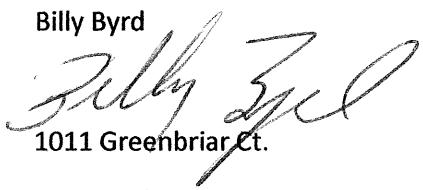
Special Use Impact Analyses are your responses to the following questions

- 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*

To whom it may concern,

Mrs. Rivera has expressed her desire to move her hair salon business from its current location to her residence. She has explained the hours of operation would be 3 days a week, and that she would only have one customer at her residence at a time. She has also assured me that there would not be any excessive vehicles parked in our cul-de-sac. With the hours of operation that she has outlined, and with only having one customer at her residence at a time, I would not have an issue with this proposition. I also do not foresee any traffic issues, or any other problems this would cause for our neighborhood.

Billy Byrd



1011 Greenbriar Ct.

Watkinsville, Georgia

May 13th, 2021

To whom it may concern,

This letter is to confirm that I am aware of Mrs. Rivera's intentions of having her business at her house. I have no objections or concerns. Please call with any questions.



Jimmy and Estela Quijada

(706) 248-7505

1020 Greenbriar Court

Watkinsville, GA 30677

Special Use # P21-0101 - Ernest L. Rivera

Tax Parcel #
C-02F-021

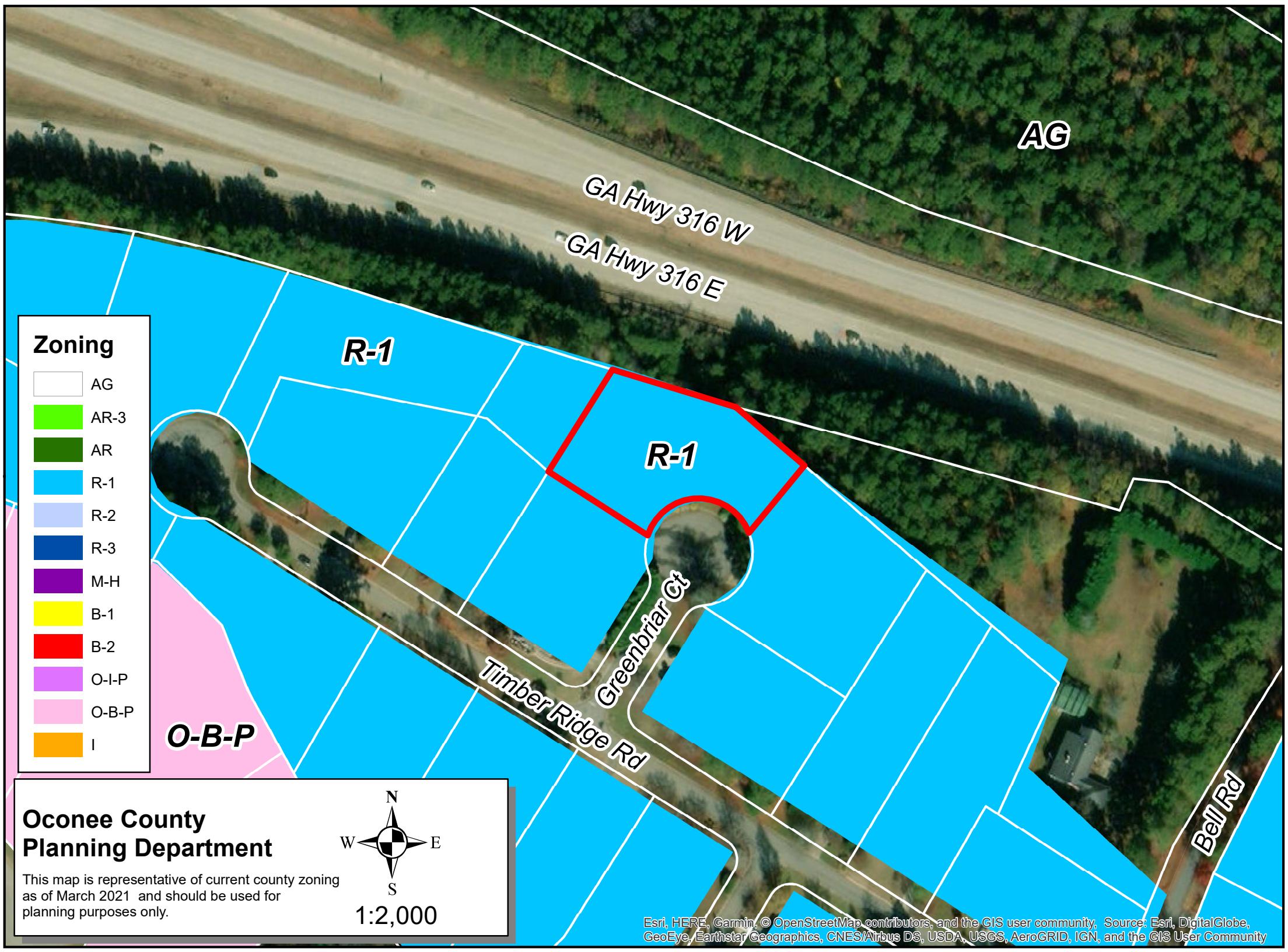


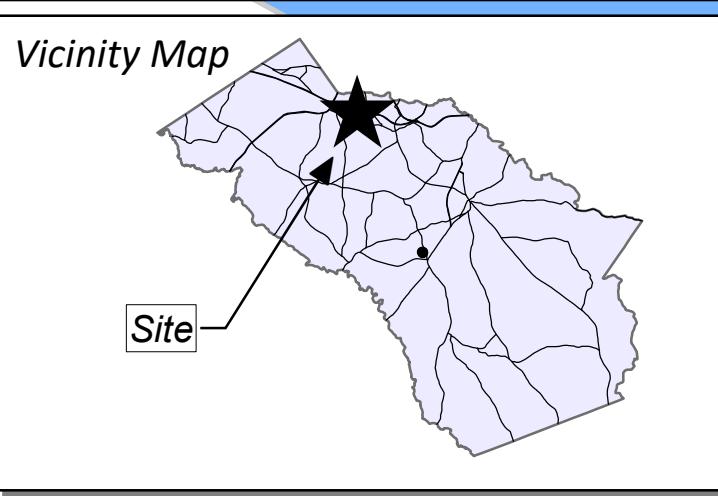
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Feet







Oconee County Planning Department



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

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Feet

