

**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 AG (Agricultural District) to AR (Agricultural Residential District) pursuant to an application for rezoning of property owned by Sapphire Properties, LLC submitted on August 03, 2021.

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 Michael B. Thurmond, P.E. on August 03, 2021, requesting a rezone of a ±4.42-acre tract of land located at 5031 Monroe Highway in the 224th G.M.D., Oconee County, Georgia, (tax parcel no. A-02-022B), 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 AG (Agricultural District) to AR (Agricultural Residential District) 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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 October 18, 2021, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on November 2, 2021.

ADOPTED AND APPROVED, this 2nd day of November, 2021.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY: 

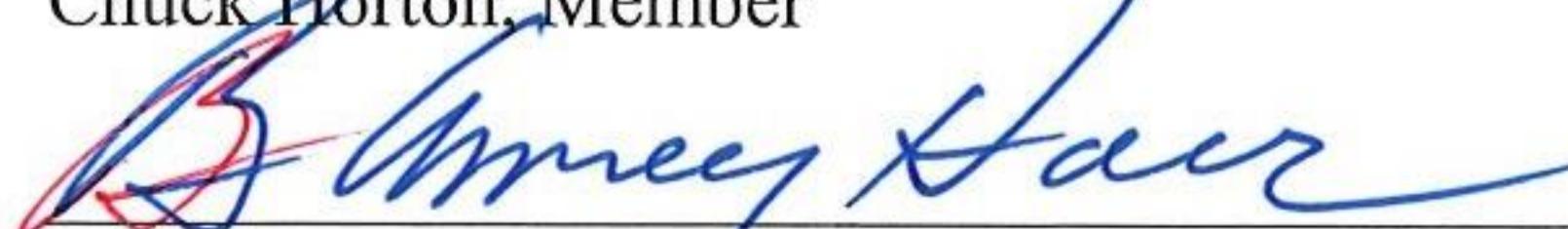
John Daniell, Chairman



Mark Thomas, Member

Absent

Chuck Horton, Member



Amrey Harden, Member



Mark Saxon, Member

ATTEST:



Holly Stephenson,
Clerk, Board of Commissioners

EXHIBIT "A" TO REZONE NO P21-0156
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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.

TAX MAP

Rezone # P21-0156 - Sapphire Properties, LP

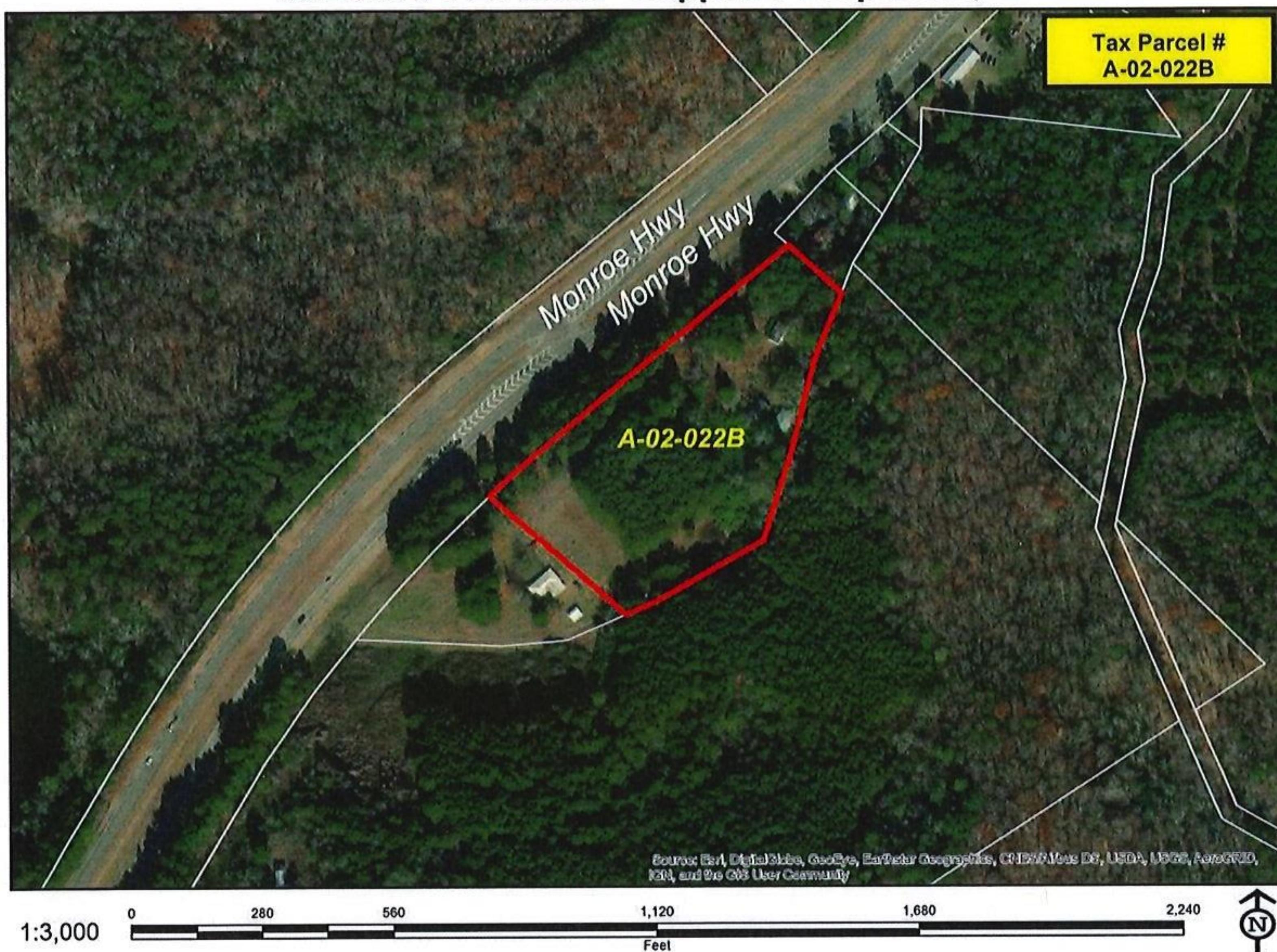


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LEGAL DESCRIPTION

All those three adjoining tracts or parcels of land, situate, lying and being in the 224th GMD, Oconee County, Georgia and being more particularly shown and delineated as "Tract 1," 0.314 acre, "TRACT 2," 1.114 acres, and "TRACT 3," 2.987 acres according to a plat entitled "Plat of Survey For Lamar Davis and Margaret Davis" dated June 30, 1988 and revised July 14, 1988, prepared by Glean Downs Engineer and Surveyor, and recorded in Plat Book 13, Page 25, to the Office of the Clerk of the Superior Court of Oconee County, Georgia. Commencing at a concrete right of way post for US Highway 78/State Route 10/Monroe Highway, of variable width right of way, as the point and place of beginning. Thence running S49°31'48"E for a distance of 34.33 feet to a calculated point. Thence turning and running from the calculated point, S23°24'16"W a distance of 148.70 feet to a 1/2" reinforced steel rod. Thence turning slightly and running S15°31'35"W for a distance of 223.52 feet to a 1/2" reinforced steel rod. Thence turning slightly and running S18°42'17"W a distance of 179.95 feet to a 3/8" square steel rod. Thence turning and running S61°17'54"W a distance of 262.39 feet to a 3/8" square steel rod. Thence turning slightly and running S67°37'42"W a distance of 70.33 feet to a calculated point. Thence turning and running N48°24'52"W a distance of 278.23 feet to a calculated point. Thence turning and running N51°35'15"E a distance of 351.06 feet to a calculated point. Thence continuing and running N51°35'15"E a distance of 89.08 feet to a concrete right of way post. Thence continuing and running N51°35'15"E a distance of 184.47 feet to a reinforced steel rod. Thence turning slightly and running N53°55'13"E a distance of 206.42 feet home to the point and place of beginning, said parcel containing 4.415 acres of land, be the same, more or less as surveyed and shown on a plat prepared by Glean Downs, GA R.L.S. 1746, dated June 30, 1988, revised July 14, 1988, and recorded in Plat Book 13, Page 25, to the Office of the Clerk of the Superior Court of Oconee County, Georgia, on October 7, 1988.

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NARRATIVE



Subject: Rezone Narrative
5031 Monroe Highway, Statham, GA 30666
AG to AR – 4.42 acres
Tax Parcel: A02 022B
Armentrout Matheny Thurmond, P.C., Project No. 21087

Project Overview

5031 Monroe Highway is a single-family residential property with an area of 4.42 acres. The property is currently used for one single-family residence and the owner desires to rezone the property to allow for smaller minimum lot sizes in order to add one additional lot. Sapphire Properties, LP is the current property owner, Armentrout Matheny Thurmond, P.C. (AMT) has been engaged to act as agent in the preparation of the necessary documentation associated with this rezone request. Bret Thurmond, P.E. will act as the primary contact person for the owner.

Site Description

The property fronts Monroe Highway/US-78/GA-10 on the northwest for approximately 832 feet. The property currently contains a 1,257 ft² single family home on the east side of the lot. The remaining area of the lot consists of undeveloped woodlands and small fields. The topography generally drops gently from northeast to southwest. Existing zoning and land uses surrounding the parcel are as follows: to the northeast and southwest – single-family residential parcels zoned AG; to the south and east – undeveloped land zoned R-1; to the north and west – undeveloped woodlands zoned AG. The 2040 Character Areas Map of Oconee County identifies the property as Character Area designation of Suburban Neighborhood.

Traffic Impacts

Projected traffic added from the rezone of this property is expected to be minimal. The Trip Generation Manual published by the Institute of Transportation Engineers was not used to project traffic volumes because the low number of residences added as a result of this rezone is not applicable to the traffic studies that measured locations with an average of 200+ residences.

The average daily trips (ADT) as a result of this rezone is estimated for two lots since a rezone approval would allow for one additional lot to be added to the property. The estimated average daily trips for the two lots is 8 trips per day and 2 peak hour trips. Monroe Highway/US-78/GA-10 has approximately an annual average daily traffic (AADT) of 20,600, per 2019 GDOT data for station 219 0105. Monroe Highway/US-78/GA-10 is a 4-lane national and state highway that is designed and more than capable of handling the increased traffic rate for this additional residence.

The existing driveway is proposed to remain and will be shared by both proposed lots. No additional driveways are proposed. An access easement is proposed for the additional lot to have legal right of access to the driveway.

330 Research Drive, Suite A240 • Athens, GA 30605
Tel 706.548.8211 • Fax 706.548.1814 • www.amtathens.com

Rezone Narrative
5031 Monroe Highway, Statham, GA 30666
August 2, 2021
AMT Project No. 21087
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Range/Average Cost of Residences

The home is expected to have a target sales price of \$300,000. The average size of the homes is proposed to be 2,000 – 2,300 ft². The proposed square footage does not include the basement which will be unfinished.

Range/Average Square Footage(s) for Residences

2,000 ft² – 2,300 ft² plus basements where topography is favorable.

Estimated Value of the Project at Completion

\$600,000

Type(s) of Ownership

Single owner

Common/Open Space Areas/Buffers

There are no open spaces or common areas proposed at this time.

Maintenance of Common/Open Space Areas

There are no common/open space areas proposed.

Sidewalks/Curb & Gutter

Sidewalks/curb and gutter are not proposed for the property.

Amenity/Recreation Areas

No amenity or recreation areas are proposed.

Rezone Narrative
5031 Monroe Highway, Statham, GA 30666
August 2, 2021
AMT Project No. 21087
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Impact to School System

The proposed development would create additional tax revenue for the school system with estimated average home sales revenue of \$300,000 thereby increasing the property taxes to Oconee County and Oconee County Schools.

Method of Water Supply

The property will obtain potable water by connecting to the existing 12" water main located along Monroe Highway. Oconee County Water Resources has confirmed availability and adequate capacity.

Method of Sewage Disposal

Residential septic systems are proposed for the property. The on-site sewage management systems shall be designed according to the Georgia Department of Environmental Health Guidelines for On-site Sewage Management Systems. A level III soil survey will be completed by a qualified professional to determine the general filtration rate for the soils.

Proposed Utilities

All utilities are proposed to be overhead and include electricity and telephone, as well as cable TV, and internet access, if available.

Method of Stormwater Drainage

Stormwater will be conveyed away from proposed houses by drainage swales and other grading features varying by lot.

Total Number of Proposed Lots/Homes

The maximum number of proposed lots is two, each containing one single-family home.

Proposed Development Schedule

Pending approval of this rezone application by the Oconee County Board of Commissioners on September 7, 2021, the subdivision plat will be completed in fall 2021. Houses will be built following approval of the subdivision plat.

Architecture/Themes

The existing house is proposed to be renovated. The new house is proposed to be built in a Craftsman or similar style. Photographs of example houses are attached.

Construction/Façade Materials

Construction is wood frame construction with brick/stone and Hardiplank façade materials built upon basements or crawlspace. Homes will be two-story with a variety of various styles of porches, dormers, gable and hip roof designs.

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ARCHITECTURAL IMAGES



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PLAT

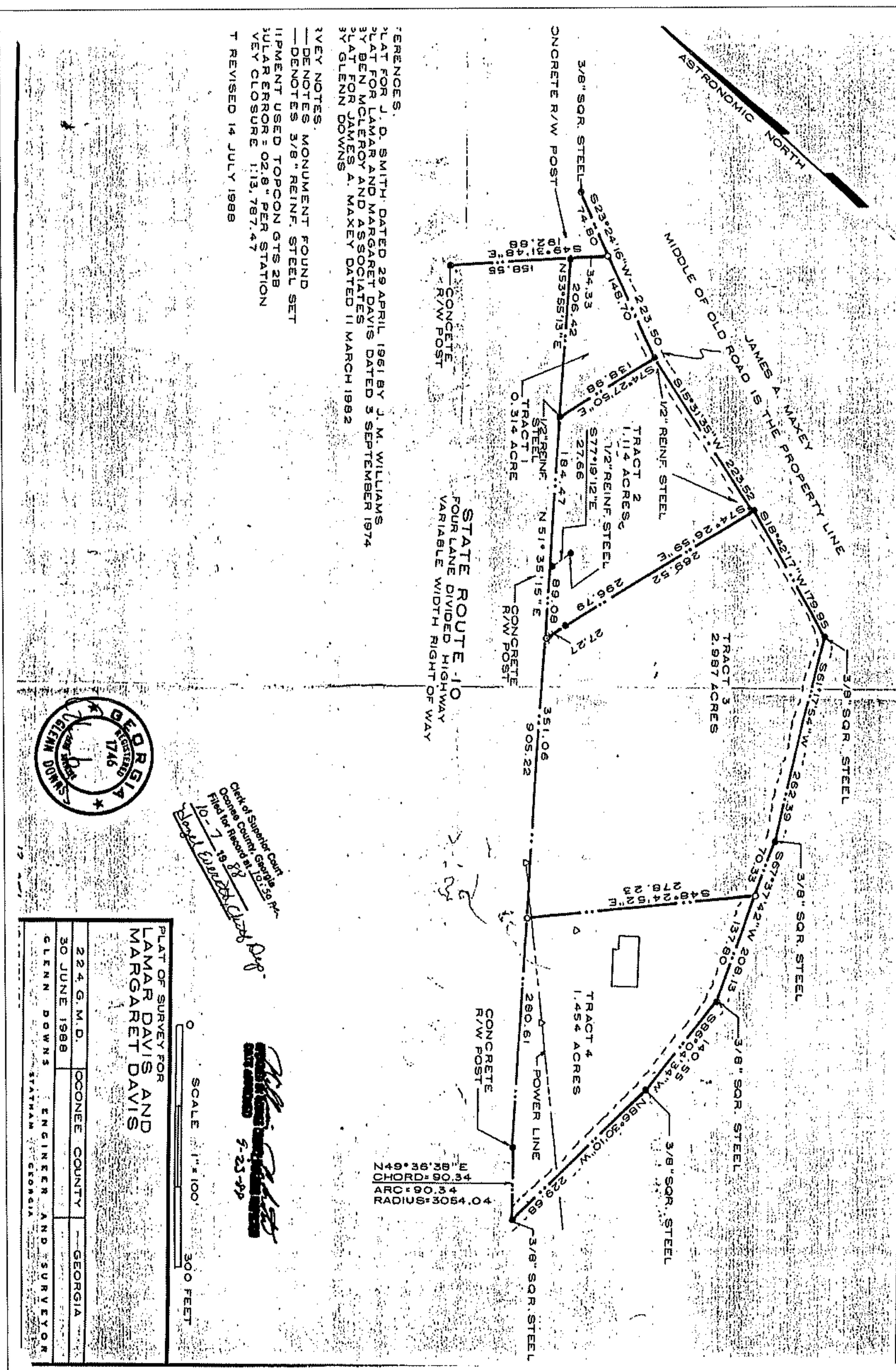
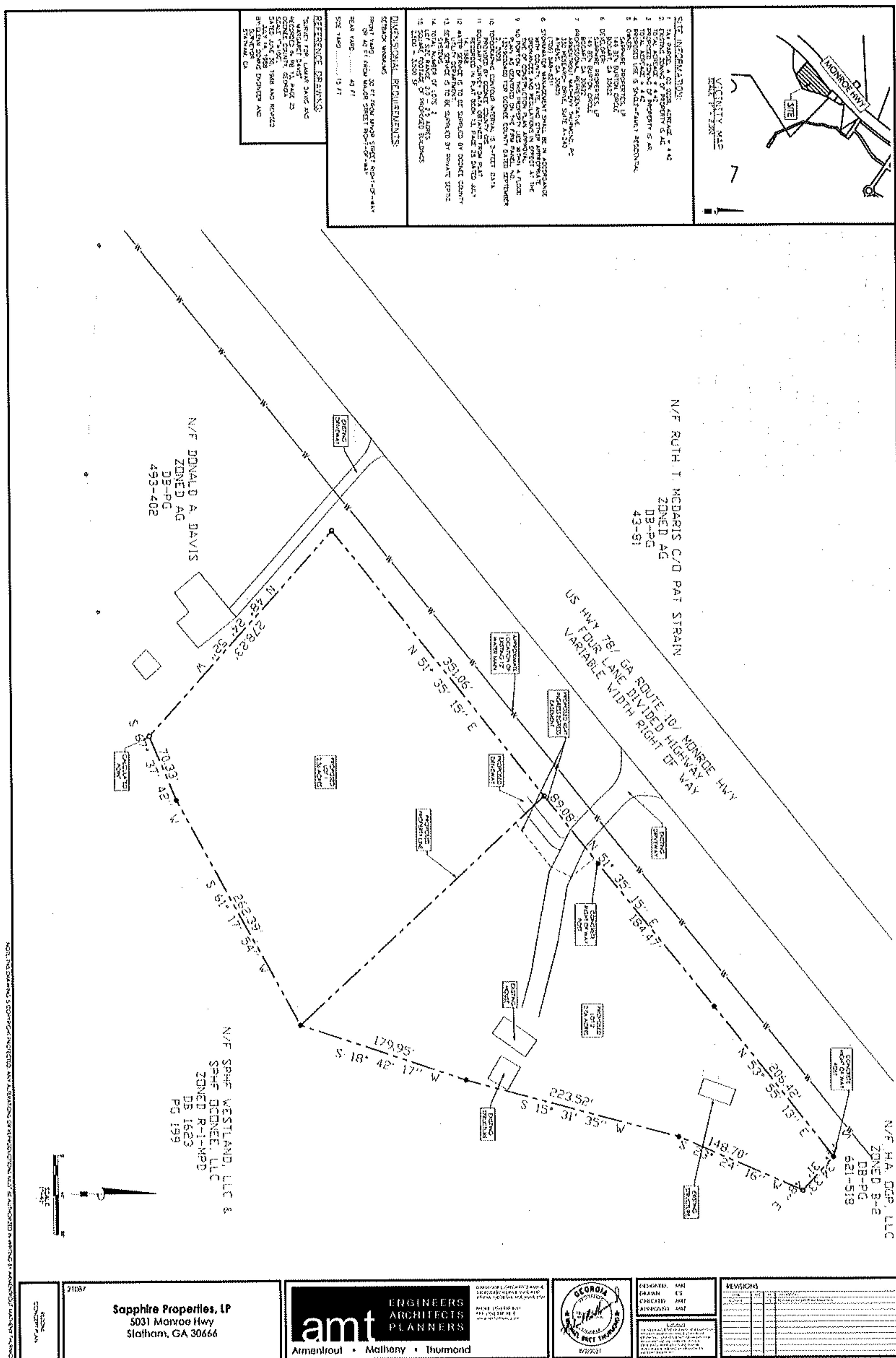


EXHIBIT "A" TO REZONE NO P21-0156

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CONCEPT PLAN





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

REZONE CASE #: P21-0156

DATE: October 8, 2021

STAFF REPORT BY: Grace Tuschak, Senior Planner

APPLICANT NAME: Michael B. Thurmond, P.E.

PROPERTY OWNER: Sapphire Properties, LP

LOCATION: 5031 Monroe Highway

PARCEL SIZE: ±4.42 acres

EXISTING ZONING: AG (Agricultural District)

EXISTING LAND USE: Residential

FUTURE DEVELOPMENT MAP CHARACTER

AREA DESIGNATION: Suburban Neighborhood

ACTION REQUESTED: Rezone the property from AG (Agricultural District) to AR (Agricultural Residential District) in order to subdivide it into two single-family residential lots.

STAFF RECOMMENDATION: Staff recommends conditional approval of this request

DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: October 18, 2021

BOARD OF COMMISSIONERS: November 2, 2021

ATTACHMENTS:

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



BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The property has been zoned AG since the original adoption of the zoning map in 1968.
- A single-family residence was built in 1974.

SURROUNDING LAND USE AND ZONING

	EXISTING LAND USES	EXISTING ZONING
NORTH	Undeveloped HWY 78 Right of Way	AG (Agricultural District)
SOUTH	Undeveloped (Westland Subdivision)	R-1 MPD (Single-Family Residential Master Planned Development)
EAST	Single-family residential	AG
WEST	Single-family residential Undeveloped	AG R-1 MPD

PROPOSED DEVELOPMENT

- The applicant proposes to rezone the property from AG (Agricultural District) to AR (Agricultural Residential District) in order to subdivide it into two residential lots of 2 or more acres each.
- Architecture: One addition home is proposed to be craftsman or similar style. The existing house is proposed to be renovated.
- The estimated value of the project at completion is \$600,000.

PROPOSED TRAFFIC PROJECTIONS

- A total of 8 trips per day and 2 peak hour trips are projected should the present request be approved (10th Edition ITE Trip Generation Manual).

PUBLIC FACILITIES

Water:

- The proposed lots would utilize County water services.
- The Water Resources Department has indicated in a letter dated 04/09/2021 that potable water is available at this location.

Sewer:

- The proposed lots would utilize onsite septic systems.

Roads:

- Access to both lots is proposed off of Highway 78 via an existing driveway.

ENVIRONMENTAL

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

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

OCONEE COUNTY WATER RESOURCES DEPARTMENT

- This project will require GDOT coordination.

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 used and/or zoned for single-family residential or agricultural use. Nearby zoning is primarily AG or R-1 MPD. Staff holds that the proposed residential lots are 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 single-family residential and agricultural 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;**
Negligible impacts on community facilities such as streets, schools, and water are anticipated and no impact on sewer is anticipated should the request be approved.
 - 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 proposal is in keeping with surrounding uses and is not anticipated to affect 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.**
The property is not currently vacant, this standard is not applicable to the request.
- E. Consistency of the proposed use with the stated purpose of the zoning district that is being requested.**
The AR zoning district is intended “to allow medium rural residential densities and compatible agricultural activities without encouraging commercial development or multi-family development.” (Unified Development Code Sec. 205.08). Staff holds that the proposed residential lots are 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 Suburban Neighborhood Character Area (2040 Character Areas Map). This Character Area “consists principally of single-family detached houses” (2018 Comprehensive Plan p. 36) and a density of one dwelling unit per 2 acres in this area is supported by the Comprehensive Plan (2018 Comprehensive Plan p. 36). 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 AR-zoned properties exist in the county that would permit the proposed lot size.

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 this request subject to the following conditions to be fulfilled at the expense of the owner/developer:

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.



Subject: Rezone Narrative
5031 Monroe Highway, Statham, GA 30666
AG to AR – 4.42 acres
Tax Parcel: A02 022B
Armentrout Matheny Thurmond, P.C., Project No. 21087

Project Overview

5031 Monroe Highway is a single-family residential property with an area of 4.42 acres. The property is currently used for one single-family residence and the owner desires to rezone the property to allow for smaller minimum lot sizes in order to add one additional lot. Sapphire Properties, LP is the current property owner. Armentrout Matheny Thurmond, P.C. (AMT) has been engaged to act as agent in the preparation of the necessary documentation associated with this rezone request. Bret Thurmond, P.E. will act as the primary contact person for the owner.

Site Description

The property fronts Monroe Highway/US-78/GA-10 on the northwest for approximately 832 feet. The property currently contains a 1,257 ft² single family home on the east side of the lot. The remaining area of the lot consists of undeveloped woodlands and small fields. The topography generally drops gently from northeast to southwest. Existing zoning and land uses surrounding the parcel are as follows: to the northeast and southwest – single-family residential parcels zoned AG; to the south and east – undeveloped land zoned R-1; to the north and west – undeveloped woodlands zoned AG. The 2040 Character Areas Map of Oconee County identifies the property as Character Area designation of Suburban Neighborhood.

Traffic Impacts

Projected traffic added from the rezone of this property is expected to be minimal. The *Trip Generation Manual* published by the Institute of Transportation Engineers was not used to project traffic volumes because the low number of residences added as a result of this rezone is not applicable to the traffic studies that measured locations with an average of 200+ residences.

The average daily trips (ADT) as a result of this rezone is estimated for two lots since a rezone approval would allow for one additional lot to be added to the property. The estimated average daily trips for the two lots is 8 trips per day and 2 peak hour trips. Monroe Highway/US-78/GA-10 has approximately an annual average daily traffic (AADT) of 20,600, per 2019 GDOT data for station 219-0105. Monroe Highway/US-78/GA-10 is a 4-lane national and state highway that is designed and more than capable of handling the increased traffic rate for this additional residence.

The existing driveway is proposed to remain and will be shared by both proposed lots. No additional driveways are proposed. An access easement is proposed for the additional lot to have legal right of access to the driveway.

Impact to School System

The proposed development would create additional tax revenue for the school system with estimated average home sales revenue of \$300,000 thereby increasing the property taxes to Oconee County and Oconee County Schools.

Method of Water Supply

The property will obtain potable water by connecting to the existing 12" water main located along Monroe Highway. Oconee County Water Resources has confirmed availability and adequate capacity.

Method of Sewage Disposal

Residential septic systems are proposed for the property. The on-site sewage management systems shall be designed according to the Georgia Department of Environmental Health Guidelines for On-site Sewage Management Systems. A level III soil survey will be completed by a qualified professional to determine the general filtration rate for the soils.

Proposed Utilities

All utilities are proposed to be overhead and include electricity and telephone, as well as cable TV, and internet access, if available.

Method of Stormwater Drainage

Stormwater will be conveyed away from proposed houses by drainage swales and other grading features varying by lot.

Total Number of Proposed Lots/Homes

The maximum number of proposed lots is two, each containing one single-family home.

Proposed Development Schedule

Pending approval of this rezone application by the Oconee County Board of Commissioners on September 7, 2021, the subdivision plat will be completed in fall 2021. Houses will be built following approval of the subdivision plat.

Architecture/Themes

The existing house is proposed to be renovated. The new house is proposed to be built in a Craftsman or similar style. Photographs of example houses are attached.

Construction/Façade Materials

Construction is wood frame construction with brick/stone and Hardiplank façade materials built upon basements or crawlspace. Homes will be two-story with a variety of various styles of porches, dormers, gable and hip roof designs.

Range/Average Cost of Residences

The home is expected to have a target sales price of \$300,000. The average size of the homes is proposed to be 2,000 – 2,300 ft.². The proposed square footage does not include the basement which will be unfinished.

Range/Average Square Footage(s) for Residences

2,000 ft² – 2,300 ft² plus basements where topography is favorable.

Estimated Value of the Project at Completion

\$600,000

Type(s) of Ownership

Single owner

Common/Open Space Areas/Buffers

There are no open spaces or common areas proposed at this time.

Maintenance of Common/Open Space Areas

There are no common/open space areas proposed.

Sidewalks/Curb & Gutter

Sidewalks/curb and gutter are not proposed for the property.

Amenity/Recreation Areas

No amenity or recreation areas are proposed.



Subject: Zoning Impact Analysis
5031 Monroe Highway, Statham, GA 30666
AG to AR – 4.42 acres
Tax Parcel: A02 022B
Armentrout Matheny Thurmond, P.C., Project No. 21087

ZONING IMPACT ANALYSIS

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

Existing uses and zonings are a mixture of residential and institutional uses within the local area of this proposed rezone. Existing zoning within one mile includes AG, AR, AR-3, B-1, B-2, and R-1. Adjacent to the property is AG to the north and to the west and R-1 to the south and to the east.

B. Consider whether the property to be rezoned has a reasonable economic use as currently zoned.

Property values are not diminished by rezoning this property from AG to AR. Nearby residential properties with similar zoning have continued to gain in value. The current zoning restricts the property values as the current use is not the most favorable use in a suburban neighborhood character area designation.

C. Consider 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 proposed development will generate only minimal volume of traffic. This development will add housing and therefore increase population in the county. Existing infrastructure can accommodate the proposed development. Domestic wastewater will be treated by on-site septic systems which will be designed to the required state criteria and regulations. A reserve field is required. The school system will experience increased enrollment; however, the proposed subdivision will create one additional lot on this parcel and the impact will be minimal.

2. Environmental impact

There are no known environmental areas on the site. The proposed parcel has one structure with an existing septic system. One new system will be installed for the additional lot proposed. The private septic systems will be designed and

installed according to guidance from the Georgia Department of Public Health Environmental Health Section, so no groundwater contamination is expected to occur. Proper best management practices for erosion, sediment, and pollution control will be utilized during construction of houses.

3. Effect on adjoining property values

No adverse effects to adjoining property values can be identified with this rezone request.

D. Consider 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 property has contained one single-family residence surrounded by undeveloped land for several decades. The trend has been to develop formerly agricultural zoned properties in this area to single-family subdivisions.

E. Consider the consistency of the proposed use with the stated purpose of the zoning district that is being requested.

The existing land use plan is residential. The requested rezone is consistent with the character area.

F. Consider 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.

Land use patterns in this area are changing from agricultural and residential to commercial and residential suburban uses. This request conforms to established land use patterns in the vicinity.

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

The 2040 Character Areas Map designates property in this area with a designation of Suburban Neighborhood. Surrounding properties along Monroe Highway are compatible with this future land use. Single-family subdivisions are compatible with Suburban Neighborhood and this request meets the intent of the 2040 Character Areas Map.

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

There are similar properties of the size to support additional small lot subdivisions but are not available. The current Owner of this parcel is the applicant.

Rezone # P21-0156 - Sapphire Properties, LP

Tax Parcel #
A-02-022B

Monroe Hwy
Monroe Hwy

A-02-022B

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

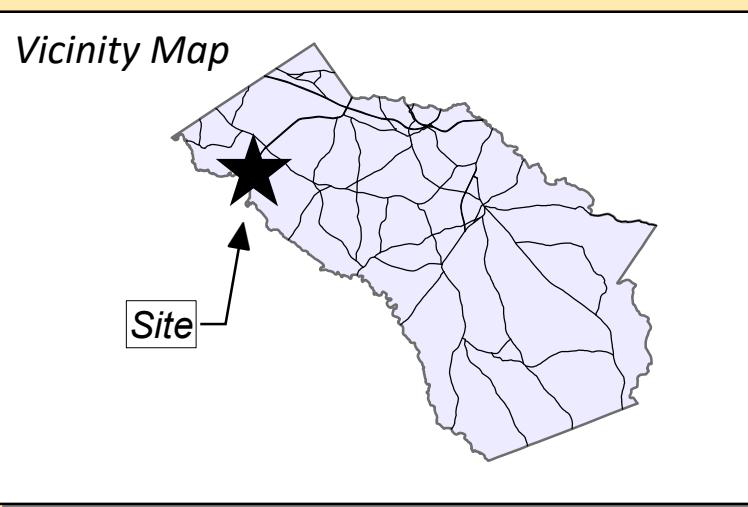
Feet





Oconee County Planning Department

This map is representative of current county zoning as of October 2021 and should be used for planning purposes only.



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

Monroe Hwy
Monroe Hwy

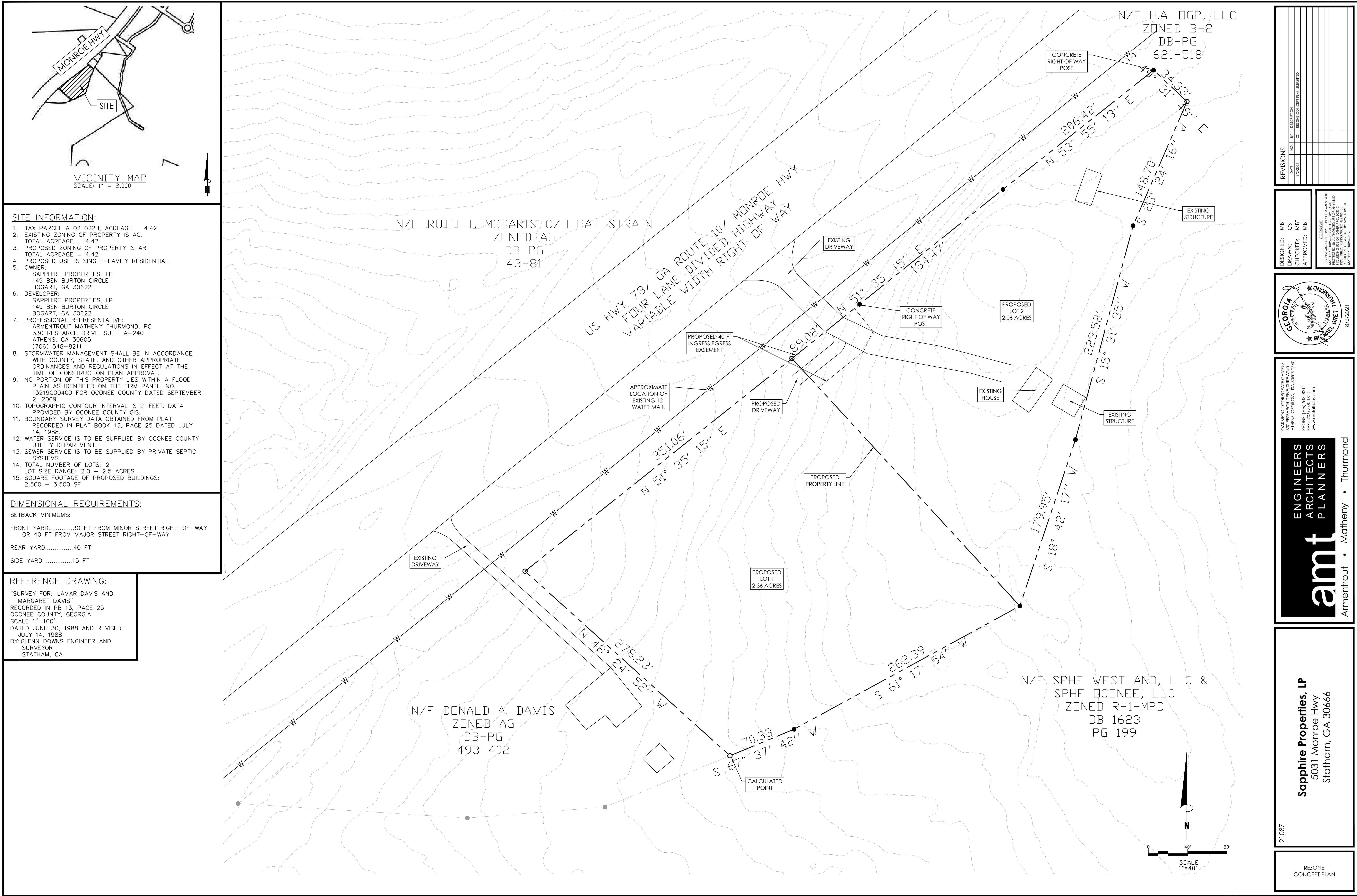
Suburban Neighborhood

Rezone
Representative Photographs
AMT #21087



Rezone
Representative Photographs
AMT #21087





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