

**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 modification to the conditions of Conditional Use Permit #2892, submitted by Rhonda A. Hayes, on June 14, 2021 requesting Special Use Approval on a ±22.23-acre tract of land located at 1271 Old Watson Springs Road in the 223<sup>rd</sup> G.M.D., Oconee County, Georgia, tax parcel no. B-12-007, on property owned by Rhonda A. Hayes, 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.

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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.

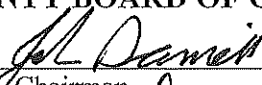
SECTION 4. Effective Date. This Resolution shall take effect this date.

Said Special Use Approval application was submitted to the Oconee County Planning Commission and a Public Hearing was duly held by same on August 16, 2021, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on September 7, 2021.

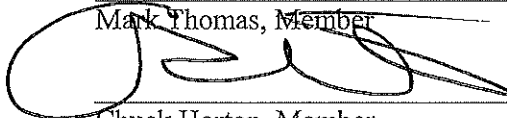
ADOPTED AND APPROVED, this 7<sup>th</sup> day of September, 2021.

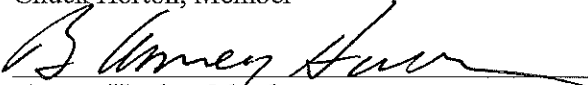
**OCONEE COUNTY BOARD OF COMMISSIONERS**

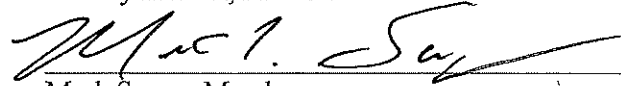
BY:

  
John Daniell, Chairman

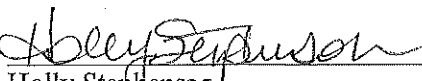
  
Mark Thomas, Member

  
Chuck Horton, Member

  
Amrey Harden, Member

  
Mark Saxon, Member

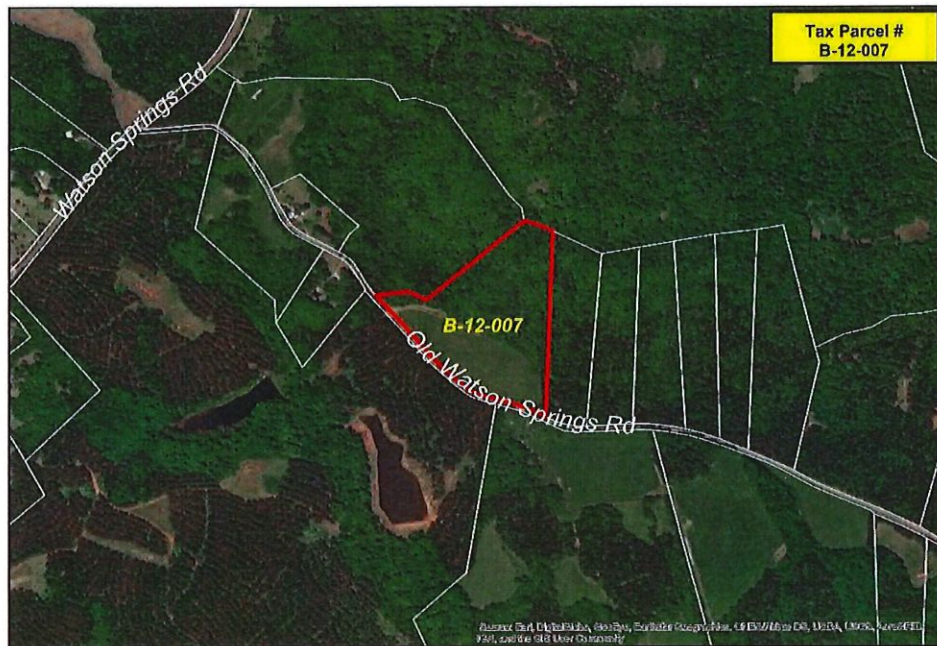
ATTEST:

  
Holly Stephenson  
Clerk, Board of Commissioners

## 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 property may be subdivided into two tracts as shown on the associated concept plan, provided that each resulting lot contains a minimum of five acres. No further subdivisions shall be permitted on the property until such time as Old Watson Springs Road is improved to County standards.

## TAX MAP



## LEGAL DESCRIPTION

All that tract or parcel of land lying and being in the 223<sup>rd</sup> G.M.D in Oconee County, Georgia, and being more particularly shown on plat of John D. Hayes, dated 12/09/02 by Dills, Jones & Associates and being more particularly described as follows:

Beginning at the centerline, centerline intersection of Old Watson Spring Road thence north westerly along center of dirt road a distance of 3915.35 feet to a point thence northeasterly 17.51 feet to the true point of beginning.

Beginning at the true point of beginning;

Thence northwesterly having a radius of 1735.71 feet  
 371.04 feet along said curve; thence north 73 degrees 12 minutes 43 seconds west  
 A distance of 103.37 to a point; thence northwesterly having a radius of 590.46 feet  
 223.49 feet along said curve; thence northwesterly having a radius of 1824.60 feet  
 333.34 feet along said curve; thence north 40 degrees 45 minutes 56 seconds west  
 A distance of 514.36 to a point; thence north 83 degrees 26 minutes 38 seconds east  
 A distance of 306.94 feet to a point; thence south 65 degrees 09 minutes 17 seconds east  
 A distance of 156.55 feet to a point; thence north 51 degrees 02 minutes 50 seconds east  
 A distance of 969.12 feet to a point; thence north 51 degrees 02 minutes 50 seconds east  
 A distance of 49.29 feet to a point;  
 Thence along center of creek in southeasterly directions  
 A distance of 84' plus or minus.  
 Thence south 03 degrees 46 minutes 00 seconds west  
 A distance of 30.25 feet to a point;  
 Thence south 03 degrees 46 minutes 00 seconds west  
 A distance of 974.92 feet to a point;  
 Thence south 03 degrees 46 minutes 00 seconds west  
 A distance of 456.48 feet to a point;  
 To the point of beginning;  
 Containing 22.23 acres more or less.

NARRATIVE

07.14.2021

Rhonda A. Hayes

1572 Norton Road

Watkinsville, GA 30677

478-747-7100

[Rhayes1572@yahoo.com](mailto:Rhayes1572@yahoo.com)

RE: 1271 Old Watson Springs Rd,

Watkinsville, GA 30677

22.23 acres

Oconee County Planning Dept,

I request to have the conditions of current zoning removed from my property located at 1271 Old Watson Springs Rd, Watkinsville, GA 30677,

I would like to be able to divide and deed 4-5 acres to a family member in the near future.

A single family home built on this land would be stick-built with block foundation and hardi-plank siding.

Water would be provided to home by a drilled well and sewage disposal would be by septic tank/drain field.

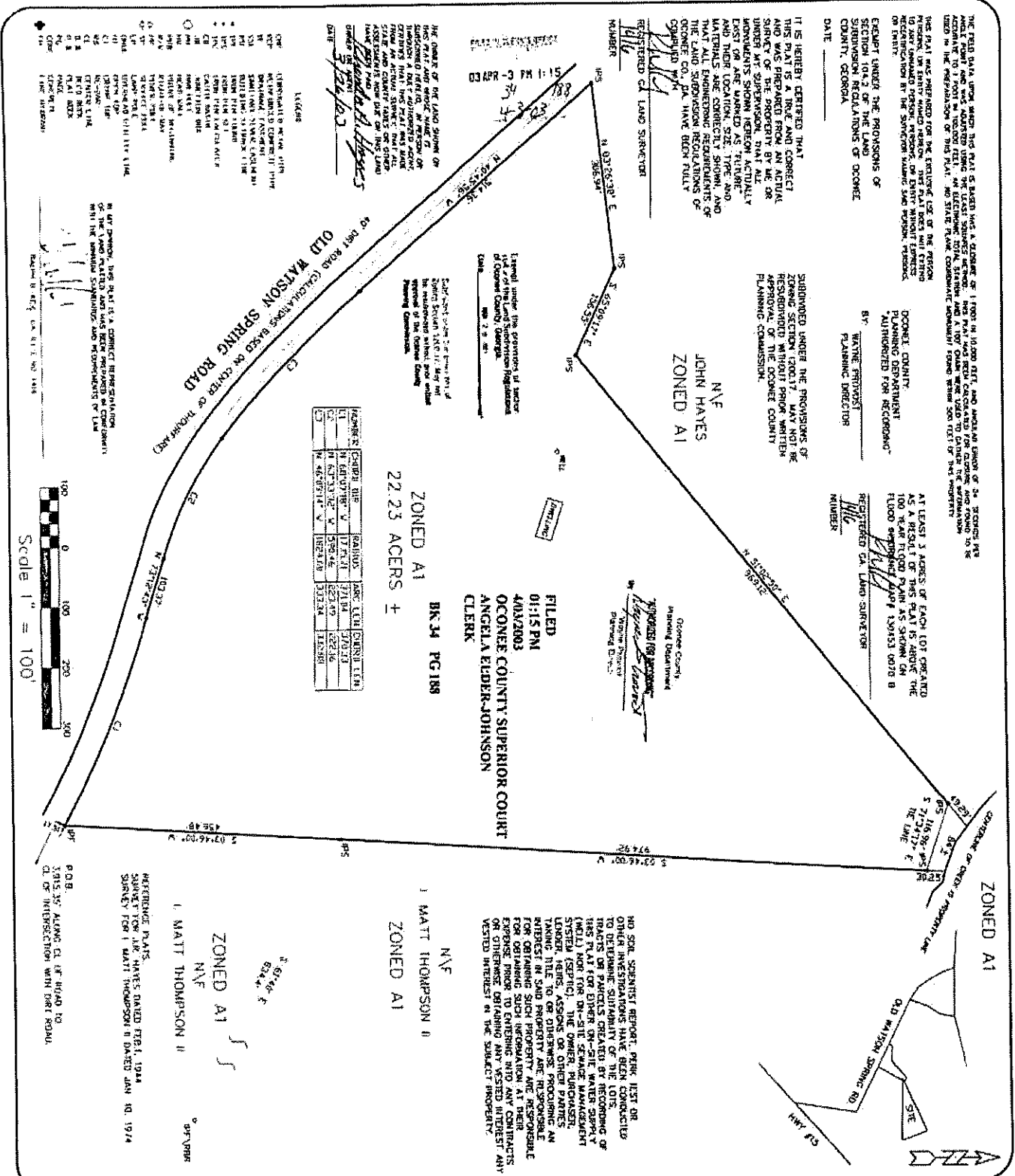
Thank you for your consideration,



Rhonda A. Hayes

# PLAT

188



RHONDA A. HAYES

LOCATED IN G.M.D. 223  
OCONEE COUNTY, GEORGIA

**DILLS ~ JONES & ASSOCIATES, INC.**  
CIVIL ENGINEERS ~ LAND SURVEYORS

P.O. BOX 1618  
LOGANVILLE, GEORGIA 30052-1618  
PHONE: (770) 466-9975 FAX: (770) 466-9188



## CONCEPT PLAN

188

[illegible]

SUBDIVIDED UNDER THE PROVISIONS OF ZONING SECTION 1200.7. MAY NOT BE REMOVED WITHOUT PRIOR WRITTEN APPROVAL OF THE COCONO COUNTY PLANNING COMMISSION.

AT LEAST 3 ACRES OF EACH LOT CREATED  
AS A RESULT OF THIS PLAT IS ABOVE THE  
100 YEAR FLOOD PLAIN AS SHOWN ON  
FLOOD MAPS AND 1,100453 0070 B

N/E  
JOHN HAYES  
ZONED AT

[illegible][illegible]

THE OWNER OF THE LAND SHOWN ON  
THE PLAN AND HEREIN MADE IS  
THOMAS EDWARD LEE, JR. IN PERSON OR  
THROUGH A duly authorized agent,  
CERTATES THAT THE PLAT WAS MADE  
FROM AN ACTUAL SURVEY THAT ALL  
STRAITS AND CORNER MARKS OF OTHER  
ADJACENTS ARE SET ON THE LANDS  
HEREIN SHOWN.

*Thomas E. Lee, Jr.*  
OWNER OF LAND  
3/26/03  
JAL

BK34 PG188  
ZONED A1  
22.23 ACERS ±

FILED  
01:15 PM  
4/03/2003  
OCCONEE COUNTY SUPERIOR  
ANGELA ELDER-JOHNSON  
CLERK

N/F  
I. MATT THOMPSON II  
ZONED A1

[illegible][illegible]

IN MY OPINION, THIS MATERIAL IS A CORRECT REPRESENTATION  
OF THE VARIOUS PLANNED ACTIVITIES BEING UNDERTAKEN IN CONFORMANCE  
WITH THE NATIONAL STRATEGIES AND REQUIREMENTS OF LAW.

DATE: 10-14-64 FILE NO: 100-1018

P.O.B.  
3,815.35' ALONG CL. OF ROAD TO  
CL. OF INTERSECTION WITH BIRCH ROAD.

REFERENCE PLATS:  
SURVEY FOR L.R. HAYES DATED FEB. 1, 1944.  
SURVEY FOR J. MATT THOMPSON II DATED JAN. 10, 1974.

1. MATT THOMPSON II

ZONED A1

RHONDA A. HAYES  
LOCATED IN G.M.D. 223  
OCONEE COUNTY, GEORGIA

DRAWN BY: JJA  
 CHECKED BY: JJA  
 APPROVED BY: JJA  
 DATE 12/04/02  
 SCALE: 1" = 100'

**DILLS ~ JONES & ASSOCIATES, INC.**  
CIVIL ENGINEERS ~ LAND SURVEYORS  
P.O. BOX 1618  
LOCANVILLE, GEORGIA 30052-1618  
PHONE: (770) 466-9975 FAX: (770) 466-9158



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

**SPECIAL USE CASE #:** P21-0127

**DATE:** August 6, 2021

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

**APPLICANT NAME:** Rhonda A. Hayes

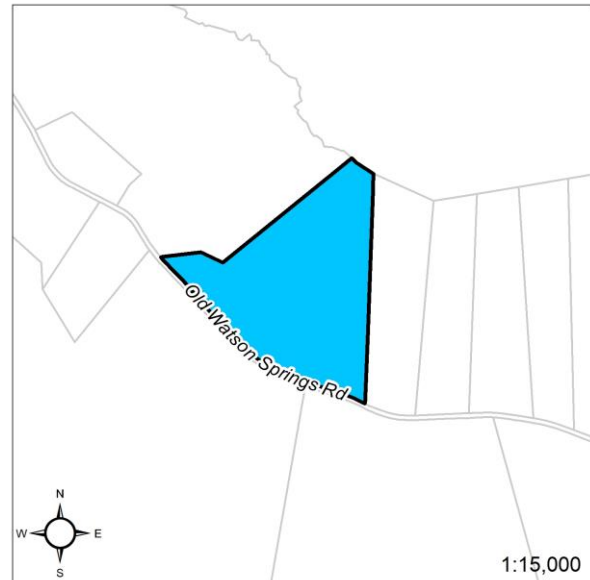
**PROPERTY OWNER:** Rhonda A. Hayes

**LOCATION:** 1271 Old Watson Springs

**PARCEL SIZE:** ±22.23 acres

**EXISTING ZONING:** AG (Agricultural District)

**EXISTING LAND USE:** Single-Family Residential



**FUTURE DEVELOPMENT MAP CHARACTER AREA DESIGNATION:** Agricultural Preservation

**ACTION REQUESTED:** The applicant is requesting to remove the conditions of conditional use permit #2892 in order to create one additional lot.

**STAFF RECOMMENDATION:** Staff recommends conditional approval of the request.

**DATE OF SCHEDULED HEARINGS**

**PLANNING COMMISSION:** August 16, 2021

**BOARD OF COMMISSIONERS:** September 7, 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**

- The property has been zoned AG since the original adoption of the zoning map in 1968.
- A conditional use permit was approved on 02/04/2003 for the purpose of creating a two-lot subdivision on an unpaved county road. This conditional use permit was required under the 1999 Zoning Ordinance in effect at the time.
- The subject ±22 acre parcel was administratively subdivided from the parent ±87-acre parcel on 04/03/2003.

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

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

### **PROPOSED SPECIAL USE**

- The applicant proposed to create one addition residential lot on the property. In order to allow this subdivision, the applicant requests removal of the conditions of conditional use permit #2892, which are as follows:
  - (1) The applicant shall submit a subdivision plat for the subject property in accordance with administrative plat procedures.
  - (2) No plats or deeds shall be recorded describing more lots or smaller lots than those shown on the attached concept plan. This prohibition includes plats or deeds for financing purposes.
  - (3) Uses of the property shall be limited to those described in the narrative by John Durham.

### **PROPOSED TRAFFIC PROJECTIONS**

- A negligible amount of traffic is projected should the request be approved.

### **PUBLIC FACILITIES**

#### **Water:**

- Water would be provided by a private well.

#### **Sewer:**

- Wastewater disposal would be provided by a private septic system.

#### **Roads:**

- Access is proposed off Old Watson Springs Road.

### **ENVIRONMENTAL**

- Jurisdictional wetlands and a conservation corridor exist on the northern side of the property
- No development is proposed for these environmental areas and all environmental buffers would be maintained.

## **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](#)). Provided that any new lot would be required to meet the 5-acre minimum lot size in AG zoning, staff holds that removing the conditions of conditional use permit #2892 does not conflict 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 Agricultural Preservation Character Area as shown on the [2040 Character Areas Map](#). The 2018 Comprehensive Plan states that this Character Area is intended for agricultural uses and “homesteads on large individual lots” ([2018 Comprehensive Plan p. 29](#)). Staff holds that one additional lot of 5 acres or more 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 proposed additional lot should not impede normal and orderly development of the surrounding agricultural areas.

**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 predominantly agricultural and low-density residential; staff holds that the proposed special use modification is consistent with said pattern of development.

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

Old Watson Springs Road should be adequate to serve the additional residential lot.

**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 access along Old Watson Springs Road 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?**

The impacts on public facilities are anticipated to be negligible (in the case of schools and emergency services) or nonexistent (in the case of water and sewer utilities).

**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, or loading areas are anticipated as part of the present request. Staff holds that nearby properties should not be adversely affected by the proposed special use modification.

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

Staff holds that the hours and manner of operation should be similar to other residential tracts in the area and should not have any adverse effects on other properties.

**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?**

The proposed residence should be compatible with the height, size, and location of other structures on neighboring agricultural and residential properties.



## **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.
2. The property may be subdivided into two tracts as shown on the associated concept plan, provided that each resulting lot contains a minimum of five acres. No further subdivisions shall be permitted on the property until such time as Old Watson Springs Road is improved to County standards.



# OCONEE COUNTY ZONING CHANGE APPLICATION

Requested Action:

- ☐ Rezoning from: \_\_\_\_\_ to: \_\_\_\_\_ ☐ Change in Conditions of Approval for Case #: 2892
- ☐ Special Use Approval for: \_\_\_\_\_ in the \_\_\_\_\_ Zoning District

## Applicant

Name: Rhonda A. Hayes

Address: 1572 Norton Rd.  
(No P.O. Boxes)  
Watkinsville, GA 30677

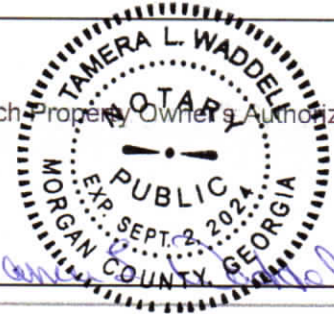
Telephone: 478-747-7100

Email: rhayes1572@yahoo.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: Rhonda A. Hayes Date: 6/14/21 Notarized: Samuel L. Waddell



## Property

Location: 1271 Old Watson Sp. Rd.  
(Physical Description)  
Watkinsville, GA 30677

Tax Parcel Number: B 12 007

Size (Acres): 22.23 Current Zoning: A-2

Future Development Map—Character Area Designation: Agricultural Preservation

## Use

Current Use: Pasture land - 1 mobile home

Proposed Use: build 1 house

## Attachments (check all that apply)

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

☐ Approval ☐ With Conditions ☐ Denial

Board of Commissioners Date: \_\_\_\_\_

☐ Approved ☐ With Conditions ☐ Denied

07.14.2021

Rhonda A. Hayes

1572 Norton Road

Watkinsville, GA 30677

478-747-7100

[Rhayes1572@yahoo.com](mailto:Rhayes1572@yahoo.com)

RE: 1271 Old Watson Springs Rd.

Watkinsville, GA 30677

22.23 acres

Oconee County Planning Dept,

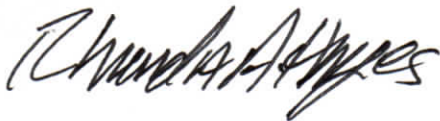
I request to have the conditions of current zoning removed from my property located at 1271 Old Watson Springs Rd, Watkinsville, GA 30677.

I would like to be able to divide and deed 4-5 acres to a family member in the near future.

A single family home built on this land would be stick-built with block foundation and hardi-plank siding.

Water would be provided to home by a drilled well and sewage disposal would be by septic tank/drain field.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'Rhonda A. Hayes', with a stylized, cursive script.

Rhonda A. Hayes

06.12.2021

SPECIAL USE IMPACT ANALYSES

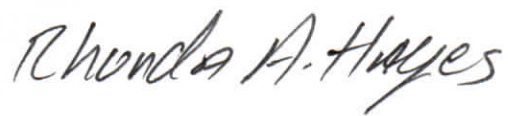
1271 Old Watson Spring Road

Watkinsville, GA 30677

One single family home

- a. Yes
- b. Yes
- c. No
- d. Yes
- e. Yes
- f. Yes
- g. Yes
- h. Yes
- i. Yes
- j. Yes

Sincerely,

A handwritten signature in black ink that reads "Rhonda A. Hayes". The signature is written in a cursive, flowing style.

Rhonda A. Hayes  
478-747-7100



# Special Use # P21-0127 - Rhonda A. Hayes

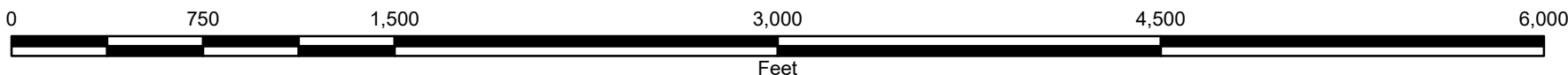
Tax Parcel #  
B-12-007

B-12-007

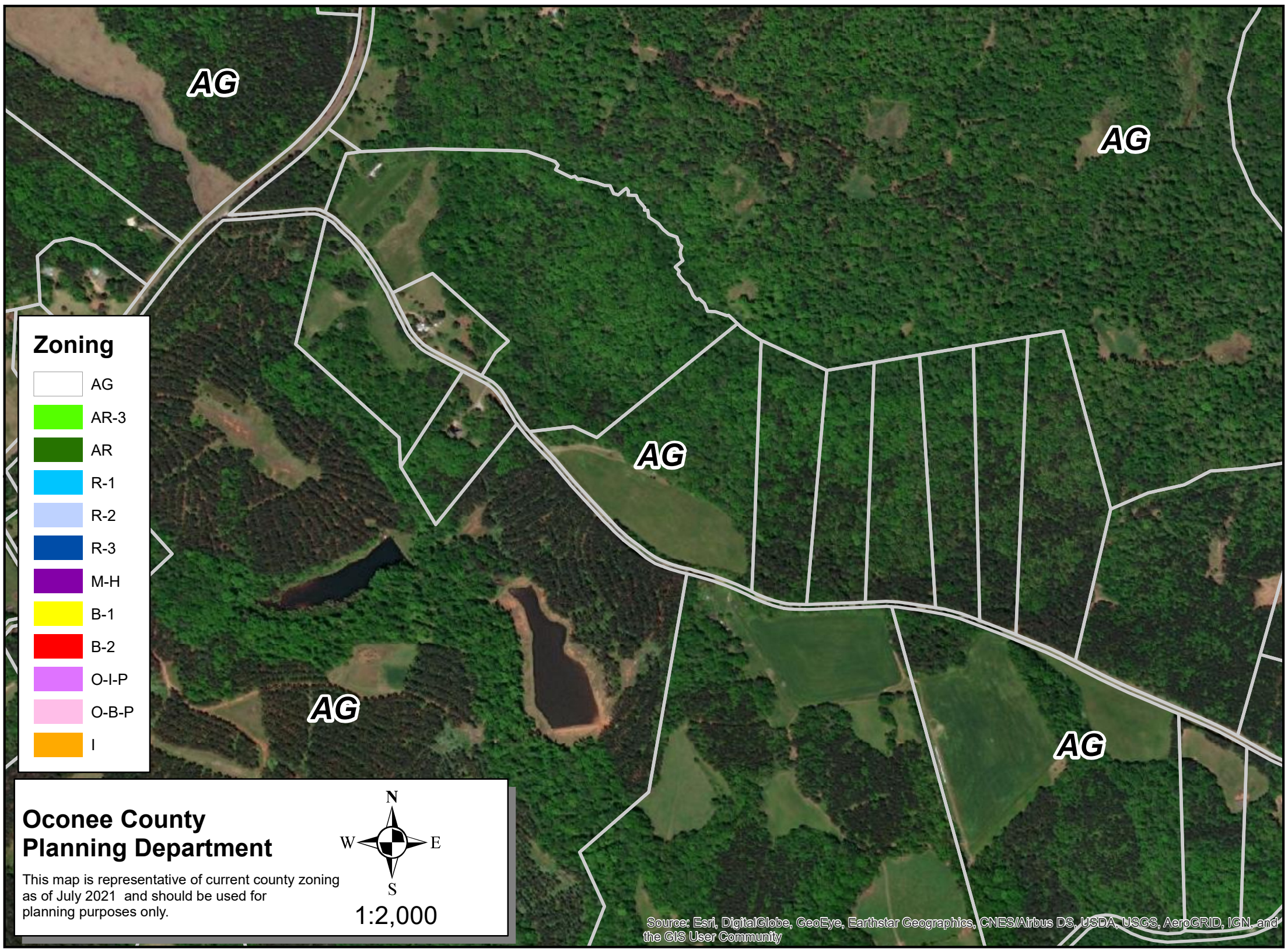
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



1:8,000





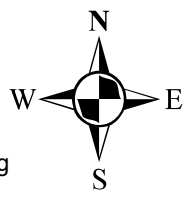


**Zoning**

- AG
- AR-3
- AR
- R-1
- R-2
- R-3
- M-H
- B-1
- B-2
- O-I-P
- O-B-P
- I

**Oconee County  
Planning Department**

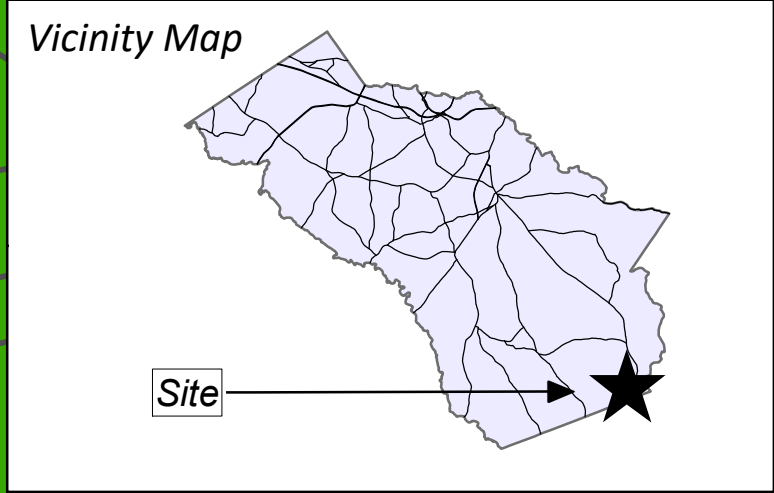
This map is representative of current county zoning  
as of July 2021 and should be used for  
planning purposes only.



1:2,000

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



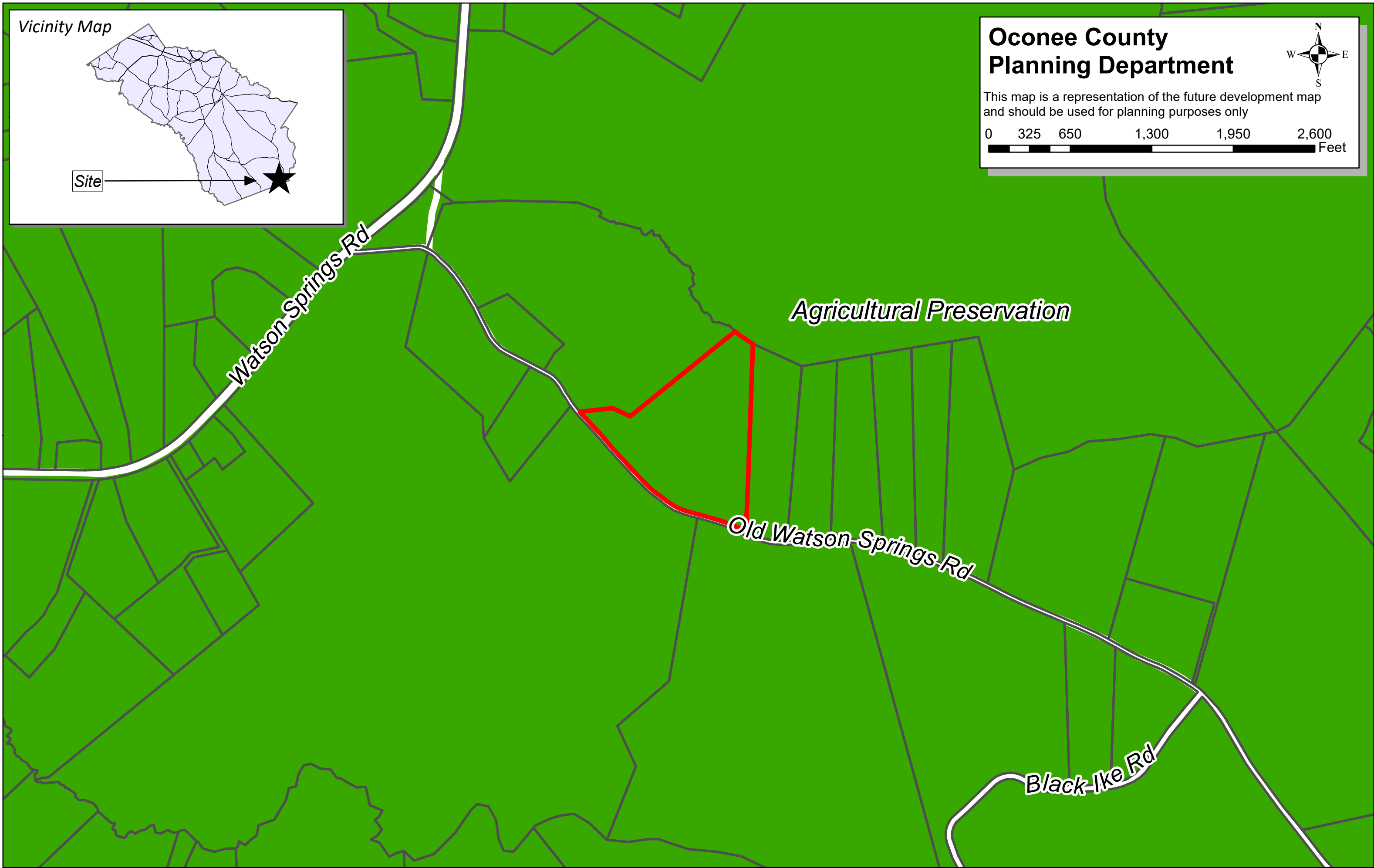


# Oconee County Planning Department

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

0 325 650 1,300 1,950 2,600 Feet

A north arrow pointing upwards and a scale bar with markings at 0, 325, 650, 1,300, 1,950, and 2,600 feet.



**DILLS ~ JONES & ASSOCIATES, INC.**  
CIVIL ENGINEERS ~ LAND SURVEYORS  
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LOGANVILLE, GEORGIA 30052-1618  
PHONE: (770) 465-9975 FAX: (770) 466-9188



