

**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 Victoria M. Duckworth submitted on January 18, 2022.

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 W&A Engineering on January 18, 2022, requesting a rezone of a ±5.16-acre tract of land located at 2331 Snows Mill Road in the 239th G.M.D., Oconee County, Georgia, (tax parcel no. A-04-006C), 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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.

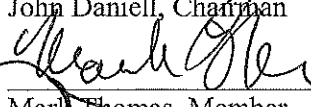
Said Zoning Petition was submitted to the Oconee County Planning Commission and a Public Hearing was duly held by the same on March 21, 2022, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on April 5, 2022.

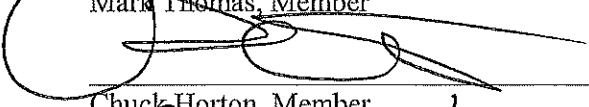
ADOPTED AND APPROVED, this 5th day of April, 2022.

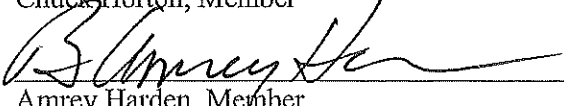
OCONEE COUNTY BOARD OF COMMISSIONERS


BY: _____


John Daniell, Chairman


Mark Thomas, Member


Chuck Horton, Member


Amrey Harden, Member


Mark Saxon, Member

ATTEST:

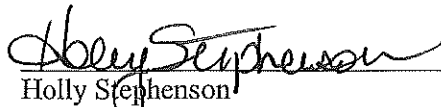

Holly Stephenson
Clerk, Board of Commissioners

EXHIBIT "A" TO REZONE NO P22-0011

Page 1 of 6

CONDITIONS

1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Unified Development Code.
2. The owner, all at owner's expense, shall construct the improvements required by the County for public water and public waste water services for subject property and shall convey same to the County, free of all liens. Said improvements shall include all on-site improvements and such off-site improvements as are required by the County to provide service to subject property.
3. At its expense, Owner shall make all right of way improvements and shall dedicate all rights of way which are required by the County after the County's review of Owner's development plans pursuant to the County's ordinances and regulations. All such improvements shall be shown on the preliminary site plan and site development plans for the project and no development permit shall be issued until Owner has agreed to such improvements and dedication.
4. If the proposed lots are developed as part of Lane Creek Subdivision Phase V, no structures shall be installed within 40 feet of the rear property line of lots 1 and 2. A 20 foot wide vegetated buffer shall be installed along the rear property line of lots 1 and 2 in keeping with other lots along the perimeter of Lane Creek Subdivision. Said buffer shall be shown the preliminary plat and site construction plans for Lane Creek Phase V.

TAX MAP

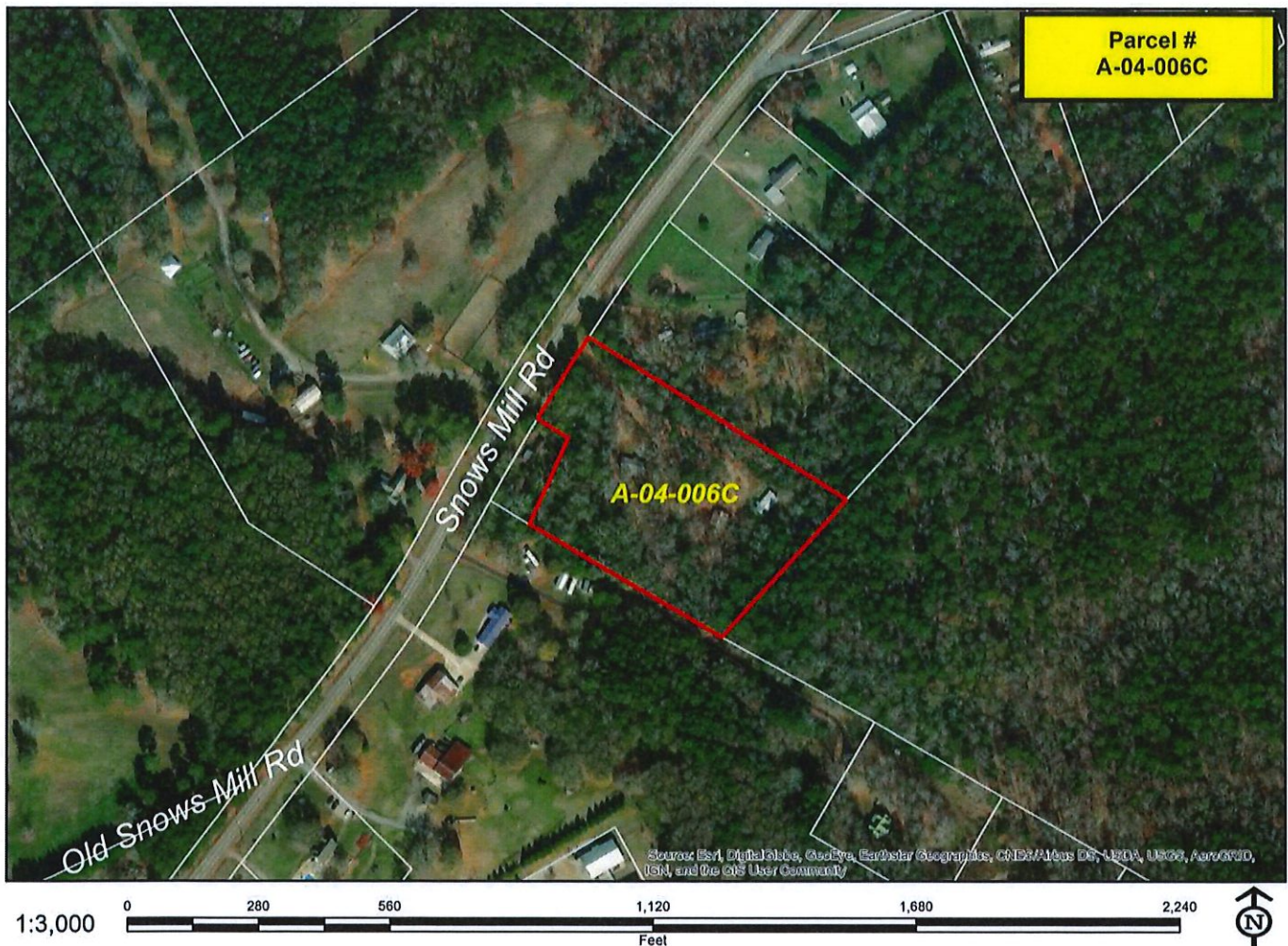


EXHIBIT "A" TO REZONE NO P22-0011

Page 2 of 6

LEGAL DESCRIPTION

All that tract or parcel of land, together with improvements thereon, lying and being in GMD 239, Oconee County, Georgia, containing 5.157 acres of land, more or less, and being more particularly described as:

Commencing at the centerline intersection of Snows Mill Road and Rogers Road, South 32 degrees 14 minutes 00 seconds West with a distance of 678.46 feet to a point on the easterly right-of-way of Snows Mill Road, being the TRUE POINT OF BEGINNING;

Thence leaving said right-of-way South 57 degrees 34 minutes 56 seconds East with a distance of 648.44 feet to a 1/2" rebar; thence South 42 degrees 29 minutes 20 seconds West with a distance of 394.31 feet to a 1" rod; thence North 59 degrees 50 minutes 41 seconds West with a distance of 461.94 feet to a 5/8" rebar; thence North 21 degrees 31 minutes 49 seconds East with a distance of 205.51 feet to a 1/2" rebar; thence North 58 degrees 02 minutes 29 seconds West with a distance of 76.81 feet to a point on the easterly right-of-way of Snows Mill Road; thence following along said right-of-way North 31 degrees 46 minutes 51 seconds East with a distance of 205.29 feet to the TRUE POINT OF BEGINNING.

EXHIBIT "A" TO REZONE NO P22-0011

Page 3 of 6

NARRATIVE



2331 Snow's Mill Road
Rezoning from AG to AR
A04 006C

Original Rezoning Submittal – January 18, 2022
Revised Narrative Submittal – February 3, 2022

Project Overview

This rezoning request to AR is being made in order to subdivide the subject property into two building lots to accommodate newly constructed, single-family detached homes, which will be included in the completion of phase five of Lane Creek Subdivision. In addition, this request to rezone is being made to comply with condition number five of the original Lane Creek rezoning approval (#1286- March, 1999) which requires: "The Property shall include a minimum of two separate, dedicated, paved public road entrances which shall connect directly to paved county roads." If approved, this request would allow for one of those entrances to be located on Snow's Mill Road instead of Rogers Road, as originally approved.

Site Description

The subject property is located on the south side of Snow's Mill Rd. approximately three-quarters of a mile to the south and west of the intersection of Snow's Mill Rd. and Lane Creek Rd. The subject property (Parcel ID: A 04 006C) is 5.16 acres and currently classified as a residential use. According to the Oconee County Property Appraisal Office, there are currently two manufactured homes located on property dating from 1983 and 1992.

Current Zoning and Future Development Map

The current zoning for the subject property is AG (Agriculture). Properties adjacent to subject property are zoned as follows:

North: AG
East: AR (Approved phase five of Lane Creek)
South: AG & B-1
West: AG

The Character Area designation for the subject parcel on the 2040 Character Area Map is 'Rural Places'. The development guidelines described for the Rural Places Character Area identify three factors to consider for this request:

- (1) The condition and level of service provided by road access to the property;
- (2) The location of the property relative to Country Estates or Agricultural Preservation Character Areas, and;
- (3) The existing uses and zoning of other properties in the area.

If approved, this request would allow the 5.16-acre subject property to be subdivided into two residential lots. Approval would also permit the newly created lots, as well as the previously approved Lane Creek Phase Five, access to Snows Mill Road from the proposed new entrance as shown on the submitted concept plan.

Traffic Impacts

Minimal traffic impact is anticipated. Approval of the requested rezoning would result in the replacement of two mobile homes with two site-built homes. As a result, no volume projections were prepared for this request. The typical average daily trips (ADT) estimate for a single residential lot is 8 total trips per day and 1 peak hour trip.

Access and Parking

A second entrance to serve Lane Creek, which includes the previously approved lots in Phase Five, is proposed along the northeastern portion of the subject property. The subject property is currently served by a driveway directly off of Snow's Mill Rd. An exhibit depicting the general location of the improved access and a connection to serve Phase five is included. The second required entrance was originally planned to be located on Rogers Rd., which is unpaved. Approval of the request would permit a much more favorable access location along Snows Mill Road. The original and proposed new entrance locations can be found on the included concept exhibit.

Water Supply & Sewage Disposal

The subject property is currently served by private well and an on-site septic system. Future development of the approved Phase Five of Lane Creek subdivision will extend the existing public water lines as depicted on the concept plan. That extension when completed will allow connection to public water. Both lots will continue to be served by private on-site septic drain field systems. Estimated GPD (Gallons Per Day) of water demand for a typical residential use is approximately 150 GPD per bedroom which would range from 450 to 700 per dwelling depending on each individual floor plan.

Common and Open Space

The area between the subject property's current northeast property line and the proposed new right-of-way will be combined with the 83.26 acres (tax parcel A 04B 001FD) and utilized as open space owned by Lane Creek. This portion labeled "Open Space" on the submitted concept plan is not intended to be a separate or buildable lot of record. The location of any project signage which would identify the development has not been identified. Any future signage as part of the Lane Creek subdivision will conform to the applicable regulations of the Oconee County UDC.

Stormwater Drainage

Stormwater management shall comply with all local, state, and federal regulations in effect at time of construction plan approval.

Impact to School System

There is no impact to the school system since there is no proposed increase or decrease in density.

Tentative Development Schedule:

Q1 2022	Rezoning Complete
Q2-Q3 2022	Development Review and LDP Complete
Q3 2022- Q2 2023	Construction
Q3 2023	Completion

ARCHITECTURAL IMAGES

Architecture

Typical architecture examples have been provided for the proposed Homes. In general, these new homes will match the quality and character of the existing homes within the Lane Creek Subdivision with an estimated average cost of ±\$500,000, bringing the total value upon completion to ±\$1,000,000. Both homes will be owned fee-simple. Representative photo examples of the proposed home's style are below.



Example 1



Example 2



Example 3



Example 4



Example 5



Example 6

<p>W&A PROJECT - 210895</p> <p>REZONE CONCEPT PLAN</p> <p>CP01</p>	<p>FOR REVIEW ONLY.</p> <p>INITIAL SIGN DATE: 11/18/2021</p> <p>ISSUANCE DATE: 2/2/2022</p>	<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>DATE</th> <th>COMMENTS</th> </tr> </thead> <tbody> <tr> <td>11/18/2021</td> <td>INITIAL CONCEPT PLAN</td> </tr> </tbody> </table>	DATE	COMMENTS	11/18/2021	INITIAL CONCEPT PLAN	<p>Notes and Details:</p> <p>Call before you dig.</p> <p>811</p>	<p>LANE CREEK PHASE 5</p> <p>PROPERTY OWNER: VICTORIA M. DUCKWORTH</p> <p>OCONEE COUNTY, GA</p> <p>2331 SNOWS MILL RD - 5.15 ACRES</p>	<p>W&A Engineering</p> <p>2331 SNOWS MILL RD</p> <p>OCONEE COUNTY, GA</p> <p>30455</p>	<p>PROJECT DATA</p> <p>PROJECT NAME: LANE CREEK PHASE 5</p> <p>PROJECT LOCATION: 2331 SNOWS MILL RD, OCONEE COUNTY, GA</p> <p>PROJECT OWNER: VICTORIA M. DUCKWORTH</p> <p>PROJECT ENGINEER: W&A ENGINEERING</p> <p>PROJECT DATE: 11/18/2021</p>	<p>PROJECT DATA</p> <p>PROJECT NAME: LANE CREEK PHASE 5</p> <p>PROJECT LOCATION: 2331 SNOWS MILL RD, OCONEE COUNTY, GA</p> <p>PROJECT OWNER: VICTORIA M. DUCKWORTH</p> <p>PROJECT ENGINEER: W&A ENGINEERING</p> <p>PROJECT DATE: 11/18/2021</p>	<p>PROJECT DATA</p> <p>PROJECT NAME: LANE CREEK PHASE 5</p> <p>PROJECT LOCATION: 2331 SNOWS MILL RD, OCONEE COUNTY, GA</p> <p>PROJECT OWNER: VICTORIA M. DUCKWORTH</p> <p>PROJECT ENGINEER: W&A ENGINEERING</p> <p>PROJECT DATE: 11/18/2021</p>
DATE	COMMENTS											
11/18/2021	INITIAL CONCEPT PLAN											



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

REZONE CASE #: P22-0011

DATE: March 4, 2022

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

APPLICANT NAME: W&A Engineering

PROPERTY OWNER: Victoria M. Duckworth

LOCATION: 2331 Snows Mill Road

PARCEL SIZE: ±5.16 acres

EXISTING ZONING: AG (Agricultural District)

EXISTING LAND USE: Residential

FUTURE DEVELOPMENT MAP CHARACTER AREA DESIGNATION: Rural Places

ACTION REQUESTED: Rezone the property from AG (Agricultural District) to AR (Agricultural Residential District) in order to subdivide the property into two ±2.00 acre lots and construct a secondary entrance to Lane Creek Subdivision.

STAFF RECOMMENDATION: Staff recommends conditional approval of this request

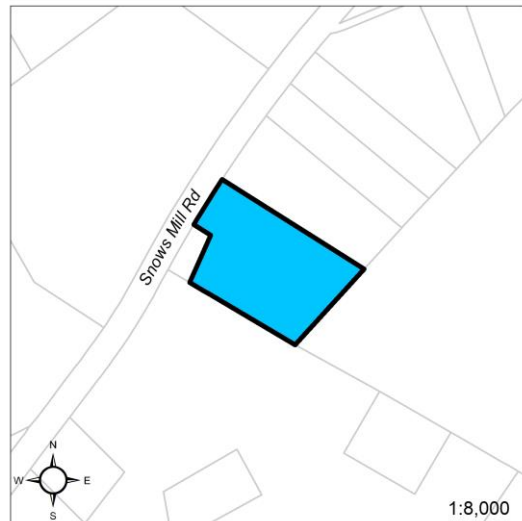
DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: March 21, 2022

BOARD OF COMMISSIONERS: April 5, 2022

ATTACHMENTS:

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



BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The property has been zoned AG since the original adoption of the zoning map in 1968.
- Two mobile homes were permitted in 1983 and 1992.

SURROUNDING LAND USE AND ZONING

	EXISTING LAND USES	EXISTING ZONING
NORTH	Single-family residential	AG (Agricultural District)
SOUTH	Single-family residential/agricultural	AG (Agricultural District) and B-1 (General Business District)
EAST	Vacant/undeveloped, single-family residential (Lane Creek Subdivision)	AR (Agricultural Residential District)
WEST	Single-family residential	AG (Agricultural District)

PROPOSED DEVELOPMENT

- The applicant proposes to rezone the property from AG to AR in order to provide a second entrance into the Lane Creek subdivision and build two additional homes as part of Lane Creek Phase V in order to satisfy a zoning condition of rezone case #1286 for Lane Creek subdivision:
 - Condition #5: *"The property shall include a minimum of two separate, dedicated, paved public road entrances which shall connect directly to paved county roads."*
- The applicant proposes to remove the existing two mobile homes, subdivide the property, and build two single-family homes to be included in Phase V of Lane Creek.
- The proposed houses would be architecturally similar to the existing homes in Lane Creek (see representative architectural images).
- The houses are estimated to cost \$500,000 each. The total project value is estimated to be \$1,000,000.
- Construction is estimated to begin in 2022 and be completed in 2023.

PROPOSED TRAFFIC PROJECTIONS

- The property has two existing mobile homes; no additional traffic is anticipated from the two proposed lots.
- Traffic impacts of adding an entrance to Lane Creek subdivision on Snows Mill Road will require further evaluation at the time of development in order to determine any necessary transportation improvements.

PUBLIC FACILITIES

Water:

- A water line would be extended from Lane Creek Phase V into the proposed lots at the time of development.
- If the proposed lots are developed independent of Lane Creek Subdivision, then individual wells would be required.

Sewer:

- The proposed lots would be served by private on-site septic systems.

Roads:

- Access to the lots would be along the proposed public road providing access to the Lane Creek Subdivision.

ENVIRONMENTAL

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

COMMENTS FROM OTHER DEPARTMENTS & AGENCIES

OCONEE COUNTY PUBLIC WORKS DEPARTMENT

- Any driveways constructed for these lots must connect to a public roadway. If proposed road (shown on the concept plan) is not constructed, then lot 2 will need an access easement to connect to Snows Mill Road.

OCONEE COUNTY FIRE DEPARTMENT

- No comments

OCONEE COUNTY WATER RESOURCES DEPARTMENT

- Suggested condition: The owner, all at owner's expense, shall construct the improvements required by the County for public water and public waste water services for subject property and shall convey same to the County, free of all liens. Said improvements shall include all on-site improvements and such off-site improvements as are required by the County to provide service to subject property.

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 lots are predominantly zoned AG or AR and range from 1-5 acre residential lots to larger agricultural tracts of 20 acres or more. Primary land uses in the area are agricultural and single family residential. Future Phase V of Lane Creek subdivision would allow for a minimum lot size of 0.68 acres (provided that usable soils are adequate for septic permitting), in keeping with the previous phases of the subdivision. Staff holds that the proposed residential lots are suitable view of the existing nearby development and zoning.
- B. Whether the property to be rezoned has a reasonable economic use as currently zoned.**
The property has a reasonable economic use for agricultural and residential uses 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;**
No change in demand is anticipated for schools, as two dwellings currently exist on the property and no increase in density is proposed. The proposed secondary entrance to Lane Creek subdivision is anticipated to generate additional traffic on Snows Mill Road rather than on Rogers Road as previously approved. A waterline is proposed to be extended from the subdivision to the subject property resulting in a small additional increase in demand for County water services. No additional demand on sewer services is anticipated.
 - ii. Environmental impact;**
No environmentally sensitive areas are known to exist on the site.
 - iii. Effect on the existing use, usability and/or value of adjoining property.**
The proposed development 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 subject property is not currently vacant; this standard is not applicable to the present case.

- 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 use is consistent with the stated purpose of the proposed zoning district.
- F. Whether there are other existing or changing conditions or land use patterns affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**
Condition no. 5 of rezone 1286 for Lane Creek subdivision required a secondary entrance on a paved public road. The original location for the secondary entrance was approved on Rogers Road, which is currently unpaved. Staff holds that the proposed entrance on Snows Mill Road is a more appropriate location for the secondary subdivision entrance and that this lends supporting grounds for approval 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 Rural Places Character Area ([2040 Character Areas Map](#)). This Character Area is a “residential-agricultural community, which benefits from its scenic rural landscape, with much of its identity based on its agrarian past while accommodating limited residential growth ([2018 Comprehensive Plan p. 31](#)). This Character Area typically supports larger residential lot sizes of 5 acres or larger, however, the Comprehensive Plan also specifies that in Rural Places, “Important factors in considering a rezoning include the condition and level of service provided by road access to the property (higher level of service may support higher density), the location of the property relative to other Character Areas (Country Estates or Agricultural Preservation), and the existing uses and zoning of other properties in the area ([2018 Comprehensive Plan p. 32](#)). Given that the subject property directly abuts the Country Estates Character and would connect to a previously approved AR-zoned residential subdivision, staff holds that the proposal is in conformity 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 requested residential use and 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.
2. The owner, all at owner’s expense, shall construct the improvements required by the County for public water and public waste water services for subject property and shall convey same to the County, free of all liens. Said improvements shall include all on-site improvements and such off-site improvements as are required by the County to provide service to subject property.
3. At its expense, Owner shall make all right of way improvements and shall dedicate all rights of way which are required by the County after the County’s review of Owner’s development plans pursuant to the County’s ordinances and regulations. All such improvements shall be shown on the preliminary site plan and site development plans for the project and no development permit shall be issued until Owner has agreed to such improvements and dedication.
4. If the proposed lots are developed as part of Lane Creek Subdivision Phase V, no structures shall be installed within 40 feet of the rear property line of lots 1 and 2. A 20 foot wide vegetated buffer shall be installed along the rear property line of lots 1 and 2 in keeping with other lots along the perimeter of Lane Creek Subdivision. Said buffer shall be shown the preliminary plat and site construction plans for Lane Creek Phase V.



OCONEE COUNTY ZONING CHANGE APPLICATION

Requested Action:

- ☒ Rezoning from: AG to A-R ☐ Change in Conditions of Approval for Case # : _____
- ☐ Special Use Approval for: _____ in the _____ Zoning District

Applicant

Name: W & A Engineering

Address: 355 Oneta St. D100
Athens, GA (No P.O. Boxes)

Telephone: 706.310.0400

Email: shaines@waengineering.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: Scott Hains Date: 1/11/22 Notarized: [Signature]



Property

Location: 2331 Snows Mill Road
Bogart, GA 30622 (Physical Description)

Tax Parcel Number: A04 006C

Size (Acres): 5.16 Current Zoning: AG

Future Development Map—Character Area Designation: Rural Places

Use

Current Use: Residential: Manufactured Homes

Proposed Use: Residential: Single-Family Detached

Attachments (check all that apply)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Property Owner's Authorization (if applicable) | <input checked="" type="checkbox"/> Narrative (Detailed Description of the Request) |
| <input checked="" 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 | Water and/or Sewer Capacity Letter from OCUD |
| <input checked="" type="checkbox"/> Plat of Survey | 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: _____	APPLICATION NUMBER <input type="text"/>
	DRI Transmitted to RDC <input type="checkbox"/> Date: _____ <input type="checkbox"/> N/A	Planning Commission Date: _____
	Date Submitted: _____ <input type="checkbox"/> Findings Complete	<input type="checkbox"/> Approval <input type="checkbox"/> With Conditions <input type="checkbox"/> Denial
	Posted: _____ Ad: _____ Ad: _____	Board of Commissioners Date: _____
	Application Withdrawn <input type="checkbox"/> Date: _____	<input type="checkbox"/> Approved <input type="checkbox"/> With Conditions <input type="checkbox"/> Denied



2331 Snow's Mill Road
Rezone from AG to AR
A04 006C

Original Rezone Submittal – January 18, 2022
Revised Narrative Submittal – February 3, 2022

Project Overview

This rezone request to AR is being made in order to subdivide the subject property into two building lots to accommodate newly constructed, single-family detached homes, which will be included in the completion of phase five of Lane Creek Subdivision. In addition, this request to rezone is being made to comply with condition number five of the original Lane Creek rezoning approval (#1286- March, 1999) which requires: "The Property shall include a minimum of two separate, dedicated, paved public road entrances which shall connect directly to paved county roads." If approved, this request would allow for one of those entrances to be located on Snow's Mill Road instead of Rogers Road, as originally approved.

Site Description

The subject property is located on the south side of Snow's Mill Rd. approximately three-quarters of a mile to the south and west of the intersection of Snow's Mill Rd. and Lane Creek Rd. The subject property (Parcel ID: A 04 006C) is 5.16 acres and currently classified as a residential use. According to the Oconee County Property Appraisal Office, there are currently two manufactured homes located on property dating from 1983 and 1992.

Current Zoning and Future Development Map

The current zoning for the subject property is AG (Agriculture). Properties adjacent to subject property are zoned as follows:

North:	AG
East:	AR (Approved phase five of Lane Creek)
South:	AG & B-1
West:	AG

The Character Area designation for the subject parcel on the 2040 Character Area Map is 'Rural Places'. The development guidelines described for the Rural Places Character Area identify three factors to consider for this request:

- (1) The condition and level of service provided by road access to the property;
- (2) The location of the property relative to Country Estates or Agricultural Preservation Character Areas, and;
- (3) The existing uses and zoning of other properties in the area.

If approved, this request would allow the 5.16-acre subject property to be subdivided into two residential lots. Approval would also permit the newly created lots, as well as the previously approved Lane Creek Phase Five, access to Snows Mill Road from the proposed new entrance as shown on the submitted concept plan.

Architecture

Typical architecture examples have been provided for the proposed Homes. In general, these new homes will match the quality and character of the existing homes within the Lane Creek Subdivision with an estimated average cost of \pm \$500,000, bringing the total value upon completion to \pm \$1,000,000. Both homes will be owned fee-simple. Representative photo examples of the proposed home's style are below.



Example 1



Example 2



Example 3



Example 4



Example 5



Example 6

Traffic Impacts

Minimal traffic impact is anticipated. Approval of the requested rezoning would result in the replacement of two mobile homes with two site-built homes. As a result, no volume projections were prepared for this request. The typical average daily trips (ADT) estimate for a single residential lot is 8 total trips per day and 1 peak hour trip.

Access and Parking

A second entrance to serve Lane Creek, which includes the previously approved lots in Phase Five, is proposed along the northeastern portion of the subject property. The subject property is currently served by a driveway directly off of Snow's Mill Rd. An exhibit depicting the general location of the improved access and a connection to serve Phase five is included. The second required entrance was originally planned to be located on Rogers Rd., which is unpaved. Approval of the request would permit a much more favorable access location along Snows Mill Road. The original and proposed new entrance locations can be found on the included concept exhibit.

Water Supply & Sewage Disposal

The subject property is currently served by private well and an on-site septic system. Future development of the approved Phase Five of Lane Creek subdivision will extend the existing public water lines as depicted on the concept plan. That extension when completed will allow connection to public water. Both lots will continue to be served by private on-site septic drain field systems. Estimated GPD (Gallons Per Day) of water demand for a typical residential use is approximately 150 GPD per bedroom which would range from 450 to 700 per dwelling depending on each individual floor plan.

Common and Open Space

The area between the subject property's current northeast property line and the proposed new right-of-way will be combined with the 83.26 acres (tax parcel A 04B 001FD) and utilized as open space owned by Lane Creek. This portion labeled "Open Space" on the submitted concept plan is not intended to be a separate or buildable lot of record. The location of any project signage which would identify the development has not been identified. Any future signage as part of the Lane Creek subdivision will conform to the applicable regulations of the Oconee County UDC.

Stormwater Drainage

Stormwater management shall comply with all local, state, and federal regulations in effect at time of construction plan approval.

Impact to School System

There is no impact to the school system since there is no proposed increase or decrease in density.

Tentative Development Schedule:

Q1 2022	Rezone Complete
Q2-Q3 2022	Development Review and LDP Complete
Q3 2022- Q2 2023	Construction
Q3 2023	Completion

STATEMENT OF REQUEST AND LEGAL OBJECTIONS

Victoria M. Duckworth is the owner of property located at 2331 Snows Mill Rd. Bogart, GA 30622.

Under these circumstances, a denial of the Request in question would be unlawful, arbitrary, capricious, irrational and a manifest abuse of discretion, all in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Denial of the Request would discriminate unfairly between the Appellant and others similarly situated, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Denial of the Request would amount to a taking of property, in violation of the Fifth and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

For these reasons, we respectfully request Approval of this request.

Respectfully submitted,



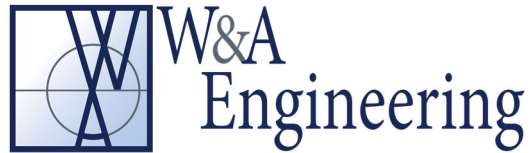
Scott A. Haines, PLA, LEEP AP
Director of Landscape Architecture

Zoning Impact Analysis: 2331 Snows Mill Rd.

- 1) **Whether the zoning proposal will permit a use that is suitable in view of the existing uses, development, and zoning of nearby property.** The requested residential use, if approved, would be compatible with existing nearby residential uses. The proposal would permit the buildout of the final phase of the previously approved Lane Creek subdivision. With the addition of the 5.16-acre property at 2331 Snow's Mill Rd. a second access to an established paved county road is proposed to be constructed.
- 2) **Whether the property to be rezoned has a reasonable economic use as currently zoned.**

As the property is currently in use for two manufactured homes, which are classified as a residential use, the request to rezone will not alter the use of the property. At the same time, approval would not permit for any increase in the overall residential density allowed by-right. The proposed lots to be created by the subdivision of the subject property meet or exceed the county standards for the proposed zoning district.
- 3) **The extent to which the zoning proposal promotes the health, safety, morals or general welfare of the public with consideration to:**
 - a) **Population density and effect on community facilities such as streets, schools, water and sewer.**

If approved, the request to rezone would improve the safety of the previously approved access, upgrading it from an emergency only easement to a roadway that meets current county standards.
 - b) **Environmental impact.** No environmental impacts would result from the approval of this rezoning, as proposed.
 - c) **Effect on the existing use, usability and/or value of adjoining property.** New construction and upgraded access will increase the value of the subject and surrounding properties.
- 4) **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 currently in residential use. According to the Oconee County Property Appraisal Office, there are currently two manufactured homes located on the subject property.
- 5) **Consistency of the proposed use with the stated purpose of the zoning district that is being requested.** The proposed use is single-family residential, and is classified as permitted by-right in the AR district.
- 6) **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.** The existing zoning of the adjacent 83.26-acre parcel and its designation as the approved phase five of Lane Creek
- 7) **Conformity with or divergence from the Future Development Map or the goals and objectives of the Oconee County Comprehensive Plan.** The Character Area map designates the subject property as 'Rural Places'. The intent is to combine the subject property with the adjacent parcel, which is designated as Country Estates, and to develop single-family residential uses. The target density of the proposed rezoning is described as appropriate for the guidelines outlined for properties identified as Country Estates.
- 8) **The availability of adequate sites for the proposed use in districts that permit such use.** There are other available sites within the requested district, however, this request, if approved would not permit uses that are not allowed as currently zoned.



Zoning Impact Analysis: 2331 Snows Mill Rd.

- 1) **Whether the zoning proposal will permit a use that is suitable in view of the existing uses, development, and zoning of nearby property.** The requested residential use, if approved, would be compatible with existing nearby residential uses. The proposal would permit the buildout of the final phase of the previously approved Lane Creek subdivision. With the addition of the 5.16-acre property at 2331 Snow's Mill Rd. a second access to an established paved county road is proposed to be constructed.
- 2) **Whether the property to be rezoned has a reasonable economic use as currently zoned.**

As the property is currently in use for two manufactured homes, which are classified as a residential use, the request to rezone will not alter the use of the property. At the same time, approval would not permit for any increase in the overall residential density allowed by-right. The proposed lots to be created by the subdivision of the subject property meet or exceed the county standards for the proposed zoning district.
- 3) **The extent to which the zoning proposal promotes the health, safety, morals or general welfare of the public with consideration to:**
 - a) **Population density and effect on community facilities such as streets, schools, water and sewer.**

If approved, the request to rezone would improve the safety of the previously approved access, upgrading it from an emergency only easement to a roadway that meets current county standards.
 - b) **Environmental impact.** No environmental impacts would result from the approval of this rezoning, as proposed.
 - c) **Effect on the existing use, usability and/or value of adjoining property.** New construction and upgraded access will increase the value of the subject and surrounding properties.
- 4) **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 currently in residential use. According to the Oconee County Property Appraisal Office, there are currently two manufactured homes located on the subject property.
- 5) **Consistency of the proposed use with the stated purpose of the zoning district that is being requested.** The proposed use is single-family residential, and is classified as permitted by-right in the AR district.
- 6) **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.** The existing zoning of the adjacent 83.26-acre parcel and its designation as the approved phase five of Lane Creek
- 7) **Conformity with or divergence from the Future Development Map or the goals and objectives of the Oconee County Comprehensive Plan.** The Character Area map designates the subject property as 'Rural Places'. The intent is to combine the subject property with the adjacent parcel, which is designated as Country Estates, and to develop single-family residential uses. The target density of the proposed rezoning is described as appropriate for the guidelines outlined for properties identified as Country Estates.
- 8) **The availability of adequate sites for the proposed use in districts that permit such use.** There are other available sites within the requested district, however, this request, if approved would not permit uses that are not allowed as currently zoned.

Rezone # P22-0011 - Victoria M. Duckworth

Parcel #
A-04-006C

A-04-006C

Snows Mill Rd

Old Snows Mill Rd

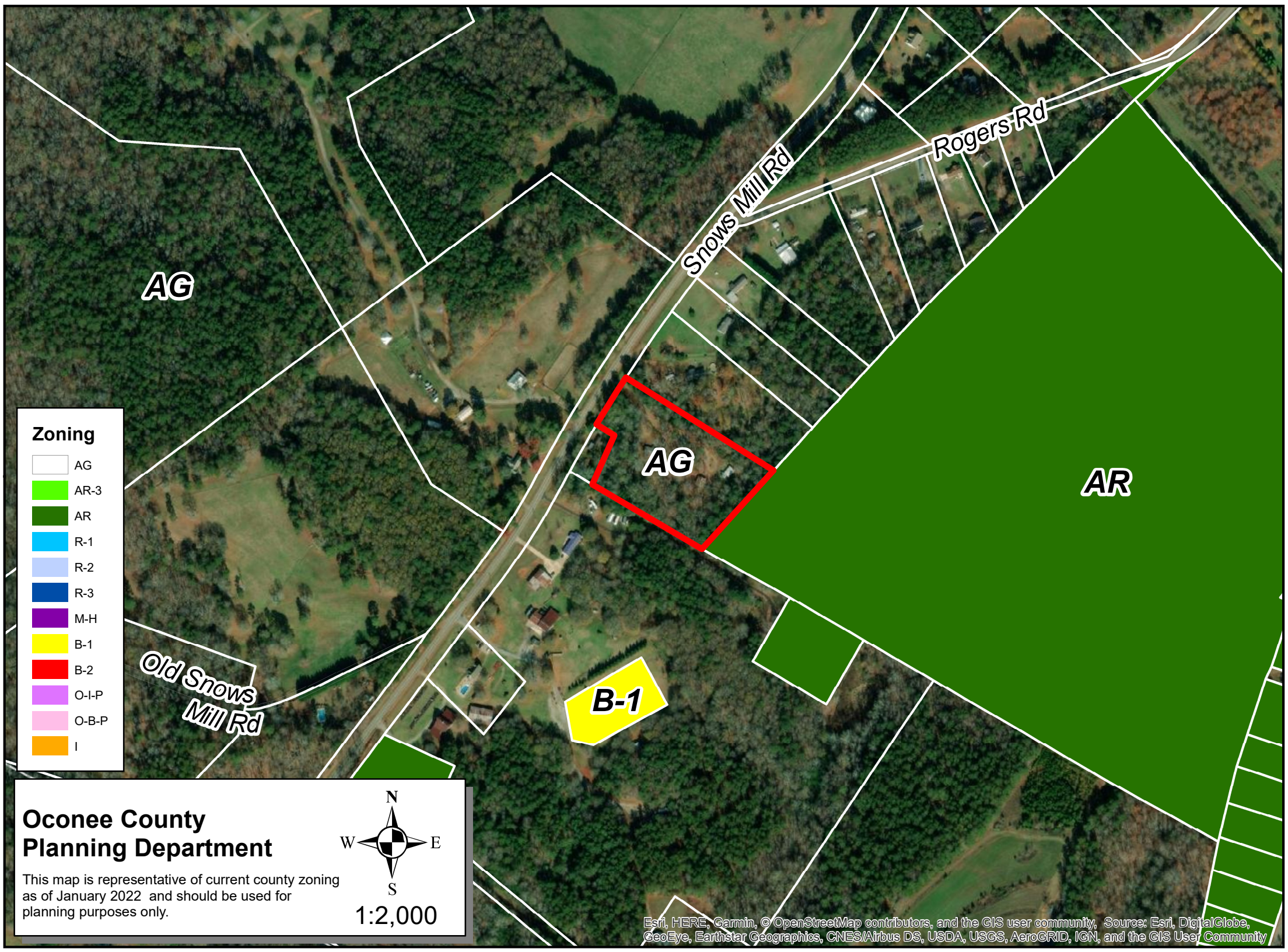
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

1:3,000

0 280 560 1,120 1,680 2,240

Feet





Zoning

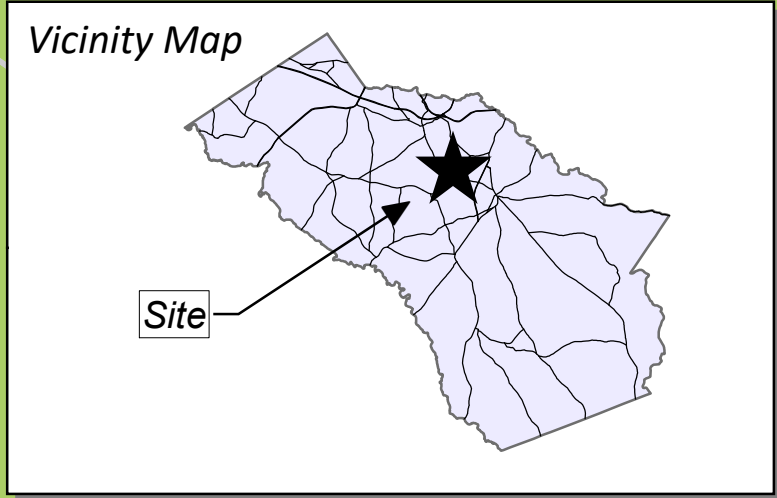
AG	AG
AR-3	AR-3
AR	AR
R-1	R-1
R-2	R-2
R-3	R-3
M-H	M-H
B-1	B-1
B-2	B-2
O-I-P	O-I-P
O-B-P	O-B-P
I	I

**Oconee County
Planning Department**

This map is representative of current county zoning as of January 2022 and should be used for planning purposes only.

1:2,000

Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community, 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

0 162.5 325 650 975 1,300 Feet

Rural Places

Country Estates

Legend

- Agricultural Preservation
- Rural Places
- Country Estates
- Suburban Neighborhood
- Neighborhood Village
- Community Village
- Corridor Commercial
- Civic Center
- Technology Gateway
- Regional Center

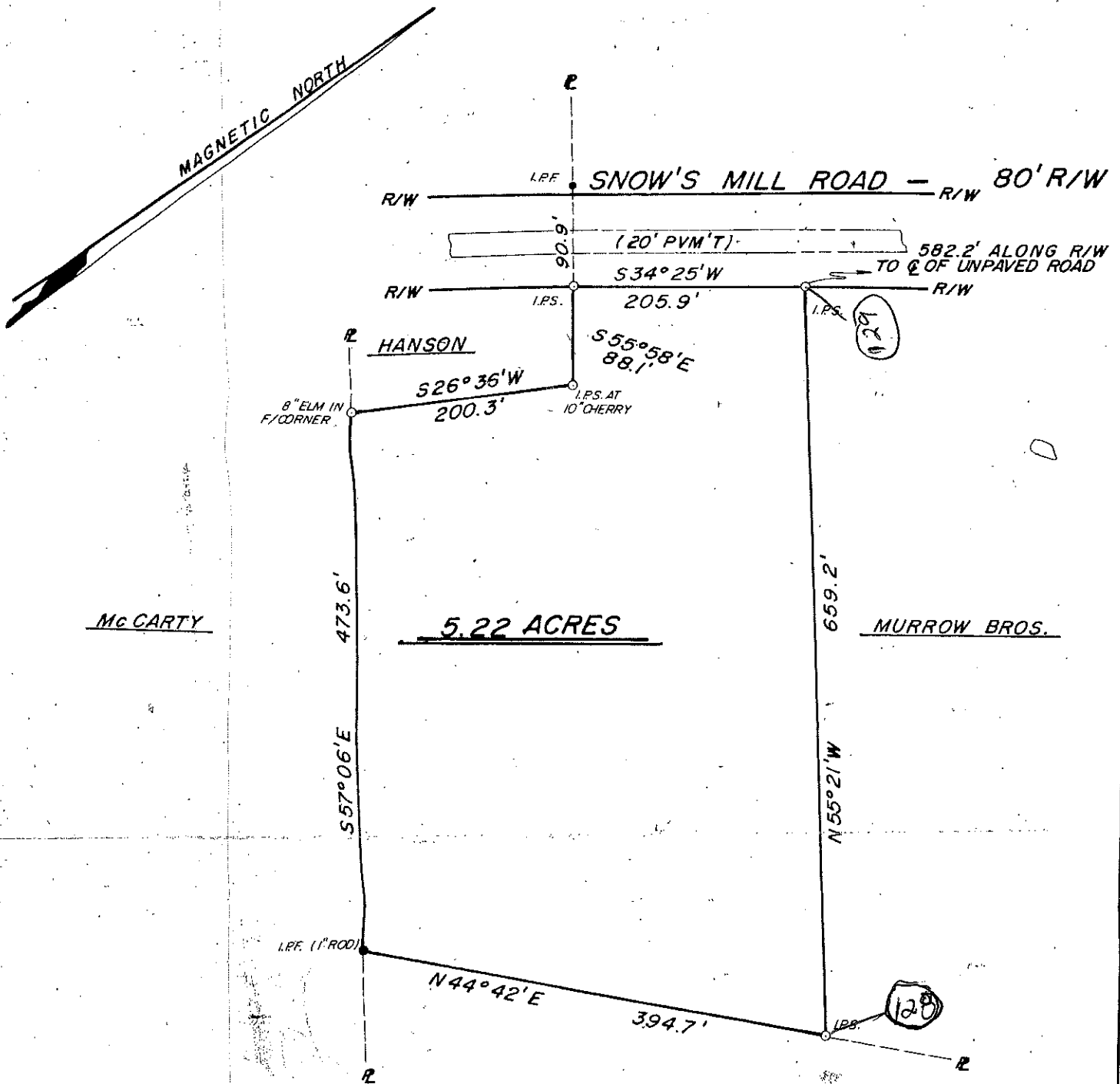
Snows Mill Rd

Snows Mill Rd

Rogers Rd

Red Fox Trl

Riverhill Dr



MC CARTY

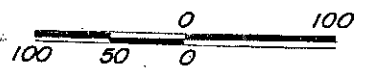
5.22 ACRES

MURROW BROS.

LEGEND

I.P.F. IRON PIN FOUND
I.P.S. IRON PIN SET
R/W RIGHT OF WAY
P PROPERTY LINE

GRAPHIC SCALE



ERROR OF CLOSURE = 1' / 11,633'

Clerk of Superior Court
Oconee County, Georgia
Filed for Record at 2:14 P.M.

5-21-1986
Sandra C. Glass
Clerk
9-283



IN MY OPINION THIS PLAT IS A CORRECT
REPRESENTATION OF THE LAND PLATTED
AND HAS BEEN PREPARED IN CONFORMITY
WITH THE MINIMUM STANDARDS AND
REQUIREMENTS OF LAW.

Joseph L. Harwell

SURVEY FOR:

BEING: PORTION OF MURROW BROS. PROPERTY

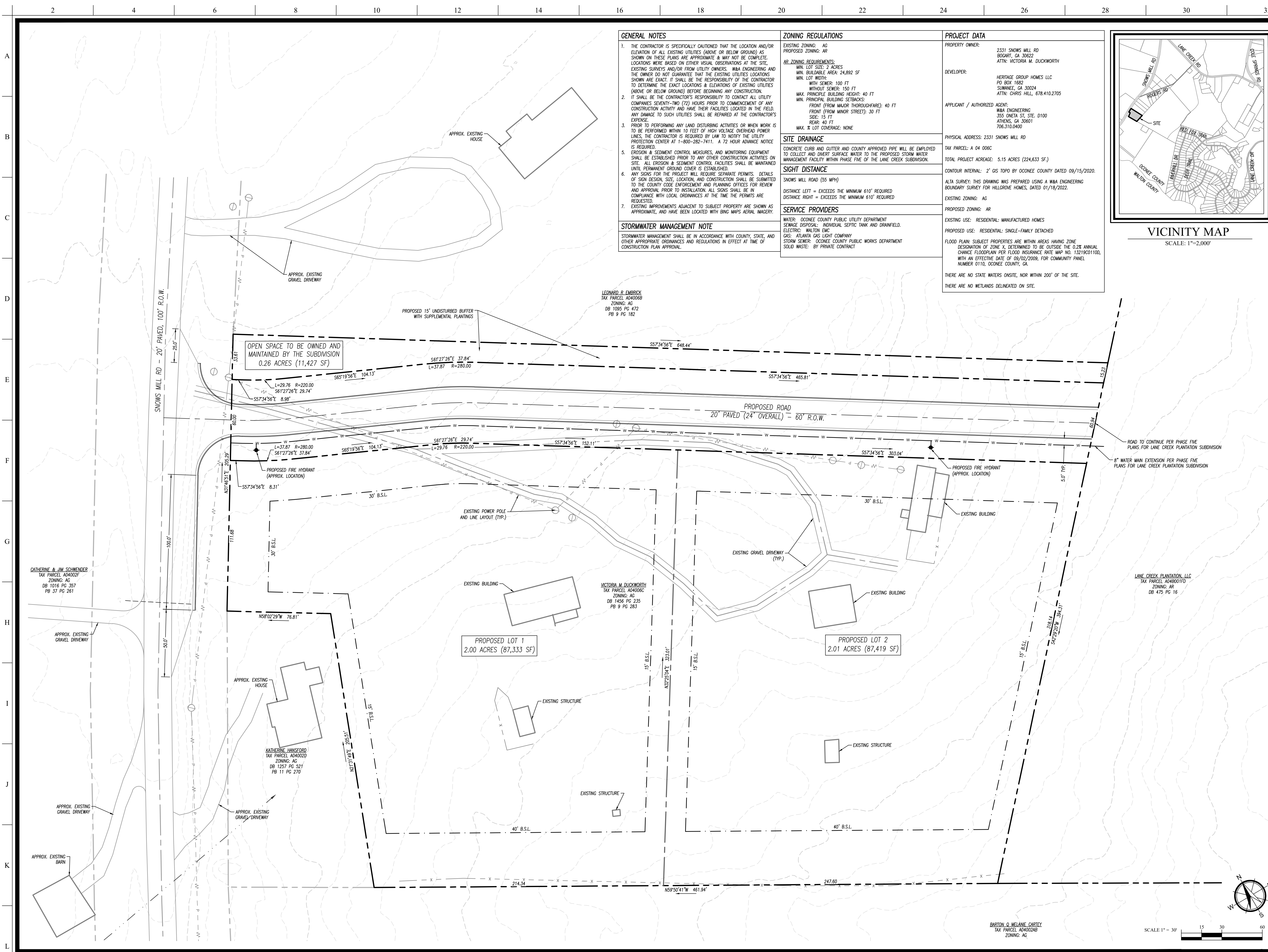
MARCH 11, 1985 SCALE: 1" = 100'

LOCATED IN 239th G.M.D.

OCONEE COUNTY, GEORGIA

PREPARED BY HARWELL AND ASSOCIATES

LAND SURVEYORS P.O. BOX 418 WINDER, GA.



GENERAL NOTES

1. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF ALL EXISTING UTILITIES (ABOVE OR BELOW GROUND) AS SHOWN ON THESE PLANS ARE APPROXIMATE & MAY NOT BE COMPLETE. LOCATIONS WERE BASED ON EITHER VISUAL OBSERVATIONS AT THE SITE, EXISTING SURVEYS AND/OR FROM UTILITY OWNERS. W&A ENGINEERING AND THE OWNER DO NOT GUARANTEE THAT THE EXISTING UTILITIES LOCATIONS SHOWN ARE EXACT. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXACT LOCATIONS & ELEVATIONS OF EXISTING UTILITIES (ABOVE OR BELOW GROUND) BEFORE BEGINNING ANY CONSTRUCTION.
2. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT ALL UTILITY COMPANIES SEVENTY-TWO (72) HOURS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITY AND HAVE THEIR FACILITIES LOCATED IN THE FIELD. ANY DAMAGE TO SUCH UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
3. PRIOR TO PERFORMING ANY LAND DISTURBING ACTIVITIES OR WHEN WORK IS TO BE PERFORMED WITHIN 10 FEET OF HIGH VOLTAGE OVERHEAD POWER LINES, THE CONTRACTOR IS REQUIRED BY LAW TO NOTIFY THE UTILITY PROTECTION CENTER AT 1-800-282-7411. A 72 HOUR ADVANCE NOTICE IS REQUIRED.
5. EROSION & SEDIMENT CONTROL MEASURES, AND MONITORING EQUIPMENT SHALL BE ESTABLISHED PRIOR TO ANY OTHER CONSTRUCTION ACTIVITIES ON SITE. ALL EROSION & SEDIMENT CONTROL FACILITIES SHALL BE MAINTAINED UNTIL PERMANENT GROUND COVER IS ESTABLISHED.
6. ANY SIGNS FOR THE PROJECT WILL REQUIRE SEPARATE PERMITS. DETAILS OF SIGN DESIGN, SIZE, LOCATION, AND CONSTRUCTION SHALL BE SUBMITTED TO THE COUNTY CODE ENFORCEMENT AND PLANNING OFFICES FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION. ALL SIGNS SHALL BE IN COMPLIANCE WITH LOCAL ORDINANCES AT THE TIME THE PERMITS ARE REQUESTED.
7. EXISTING IMPROVEMENTS ADJACENT TO SUBJECT PROPERTY ARE SHOWN AS APPROXIMATE, AND HAVE BEEN LOCATED WITH Bing Maps Aerial Imagery.

STORMWATER MANAGEMENT NOTE

STORMWATER MANAGEMENT SHALL BE IN ACCORDANCE WITH COUNTY, STATE, AND OTHER APPROPRIATE ORDINANCES AND REGULATIONS IN EFFECT AT TIME OF CONSTRUCTION PLAN APPROVAL.

ZONING REGULATIONS

EXISTING ZONING: AG
PROPOSED ZONING: AR

AR ZONING REQUIREMENTS:
MIN. LOT SIZE: 2 ACRES
MIN. BUILDABLE AREA: 24,892 SF
MIN. LOT WIDTH:
WITH SEWER: 100 FT
WITHOUT SEWER: 150 FT
MAX. PRINCIPLE BUILDING HEIGHT: 40 FT
MIN. PRINCIPLE BUILDING SETBACKS:
FRONT (FROM MAJOR THOROUGHFARE): 40 FT
FRONT (FROM MINOR STREET): 30 FT
SIDE: 15 FT
REAR: 40 FT
MAX. % LOT COVERAGE: NONE

SITE DRAINAGE

CONCRETE CURB AND GUTTER AND COUNTY APPROVED PIPE WILL BE EMPLOYED TO COLLECT AND DIVERT SURFACE WATER TO THE PROPOSED STORM WATER MANAGEMENT FACILITY WITHIN PHASE FIVE OF THE LANE CREEK SUBDIVISION.

SIGHT DISTANCE

SNOWS MILL ROAD (55 MPH)
DISTANCE LEFT = EXCEEDS THE MINIMUM 610' REQUIRED
DISTANCE RIGHT = EXCEEDS THE MINIMUM 610' REQUIRED

SERVICE PROVIDERS

WATER: OCONEE COUNTY PUBLIC UTILITY DEPARTMENT
SEWAGE DISPOSAL: INDIVIDUAL SEPTIC TANK AND DRAINFIELD.
ELECTRIC: WALTON EMC
GAS: ATLANTA GAS LIGHT COMPANY
STORM SEWERS: OCONEE COUNTY PUBLIC WORKS DEPARTMENT
SOLID WASTE: BY PRIVATE CONTRACT

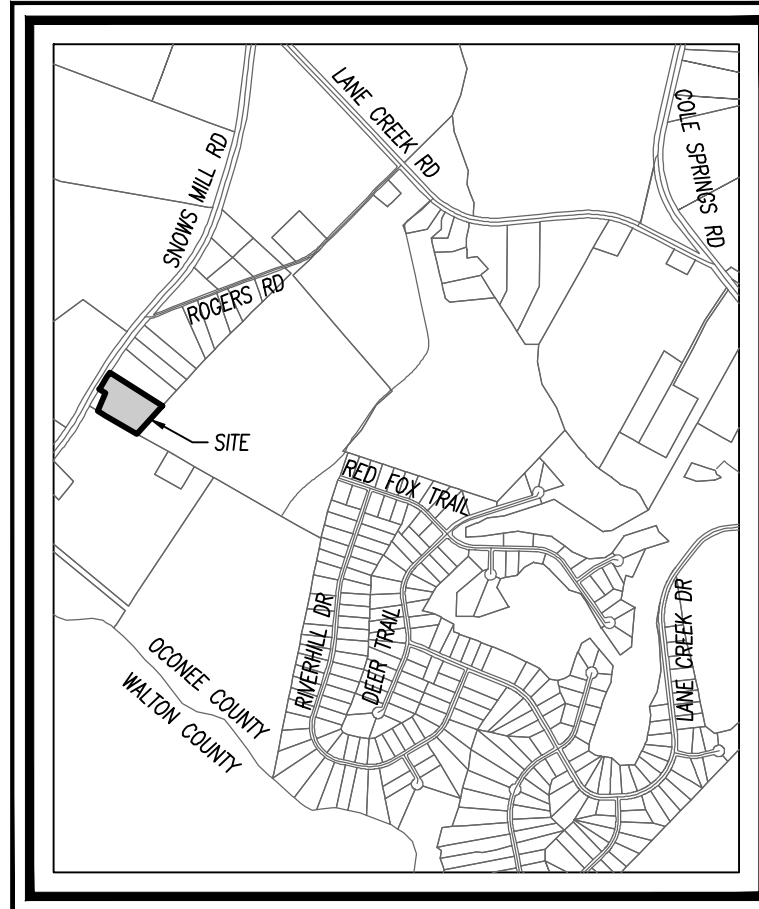
PROJECT DATA

PROPERTY OWNER: 2331 SNOWS MILL RD
BOGART, GA 30622
ATTN: VICTORIA M. DUCKWORTH

DEVELOPER: HERITAGE GROUP HOMES LLC
PO BOX 1882
SUWANEE, GA 30024
ATTN: CHRIS HILL, 678.410.2705

APPLICANT / AUTHORIZED AGENT: W&A ENGINEERING
355 ONETA ST, STE. D100
ATHENS, GA 30601
706.310.0400

PHYSICAL ADDRESS: 2331 SNOWS MILL RD
TAX PARCEL: A 04 0066
TOTAL PROJECT ACREAGE: 5.15 ACRES (224,633 SF.)
CONTOUR INTERVAL: 2' GIS TOPO BY OCONEE COUNTY DATED 09/15/2020.
ALTA SURVEY: THIS DRAWING WAS PREPARED USING A W&A ENGINEERING BOUNDARY SURVEY FOR HILLGROVE HOMES, DATED 01/18/2022.
EXISTING ZONING: AG
PROPOSED ZONING: AR
EXISTING USE: RESIDENTIAL: MANUFACTURED HOMES
PROPOSED USE: RESIDENTIAL: SINGLE-FAMILY DETACHED
FLOOD PLAIN: SUBJECT PROPERTIES ARE WITHIN AREAS HAVING ZONE DESIGNATION OF ZONE X, DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD INSURANCE RATE MAP NO. 13219C01100, WITH AN EFFECTIVE DATE OF 09/02/2009, FOR COMMUNITY PANEL NUMBER 0110, OCONEE COUNTY, GA.
THERE ARE NO STATE WATERS ONSITE, NOR WITHIN 200' OF THE SITE.
THERE ARE NO WETLANDS DELINEATED ON SITE.



VICINITY MAP

SCALE: 1"=2,000'



W&A
Engineering

CIVIL ENGINEERING - LANDSCAPE ARCHITECTURE
TRAFFIC ENGINEERING - SURVEYING
ECONOMIC DEVELOPMENT

355 Oneta Street, Suite D100
Athens, GA 30601

P: (706) 310-0400 • F: (706) 310-4011
waengineering.com

ALL DRAWINGS SHALL REMAIN THE PROPERTY OF W&A ENGINEERING. THESE INSTRUMENTS OF SERVICE ARE TO BE USED SOLELY FOR THE SPECIFIC PROJECT. W&A ENGINEERING SHALL RETAIN ALL LEGAL RIGHTS TO THE USE OF THE INSTRUMENTS OF SERVICE AND SHALL RETAIN FULL PROTECTION UNDER UNITED STATES COPYRIGHT LAW.

LANE CREEK PHASE 5
PROPERTY OWNER: VICTORIA M. DUCKWORTH
OCONEE COUNTY, GA
2331 SNOWS MILL RD - 5.15 ACRES

Know what's below.
Call before you dig.

REVISIONS

DATE	COMMENT
02/02/22	PER OCONEE COUNTY COMMENTS RECEIVED 02/02/2022.

FOR REVIEW ONLY

INITIAL SUB. DATE: 1/18/2022

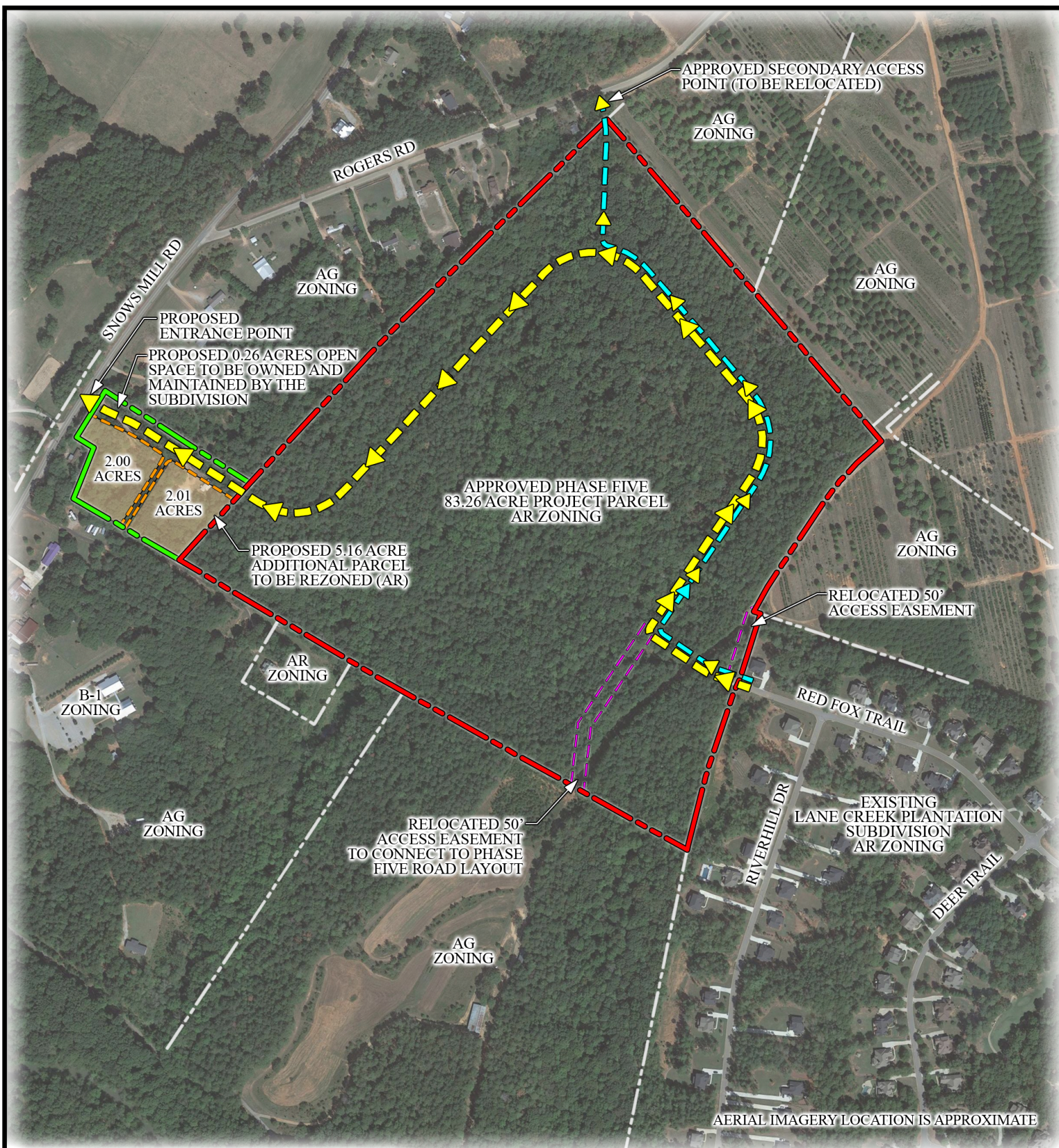
ISSUANCE DATE: 2/2/2022



W&A PROJECT #: 210889

REZONE CONCEPT
PLAN

CP01



W&A
Engineering

CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE • SURVEYING
TRAFFIC ENGINEERING • ECONOMIC DEVELOPMENT

355 Oneta Street, Suite D100 Athens, GA 30601

P: (706) 310-0400 • F: (706) 310-4011

waengineering.com

LANE CREEK PHASE FIVE

LANE CREEK DR, 2331 SNOWS MILL RD - OCONEE, GA
88.41 ACRES

PLAN TYPE: REZONE CONCEPT EXHIBIT

PROJECT NO: 210889

SCALE: 1"=500'

0 250 500

DATE: 1/13/2022

