

**APPROVAL OF A SPECIAL EXCEPTION VARIANCE
FROM THE UNIFIED DEVELOPMENT CODE OF OCONEE COUNTY, GEORGIA**

TITLE

A Resolution granting approval of a Special Exception Variance based upon the allowances under the Unified Development Code of Oconee County, Georgia, pursuant to Article 13, Section 1303, to grant approval of a Special Exception Variance pursuant to an application requesting approval of a Special Exception Variance on property owned by Joseph and Melissa Cannon submitted on May 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 requesting Special Exception Variance approval submitted by Joseph and Melissa Cannon on May 18, 2022, regarding a ±1.96 acre tract of land located at 1231 Oaklake Terrace in the 1331st G.M.D., Oconee County, Georgia, (tax parcel no. C-01W-016A), the Board of Commissioners of Oconee County does hereby grant the following:

SECTION 1. A Resolution granting Special Exception Variance approval for the property described above and also described in the attached Exhibit "A" is hereby granted to allow an additional driveway less than 200 feet from an existing driveway on the same property.

Said Special Exception Variance 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. Effective Date. This Resolution shall take effect this date.

Said Special Exception Variance application was submitted to the Oconee County Board of Commissioners and a Public Hearing was duly held by the same at its regular meeting on July 12, 2022.

ADOPTED AND APPROVED, this 12th day of July, 2022.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY: _____

John Daniell
John Daniell, Chairman

Mark Thomas
Mark Thomas, Member

Chuck Horton
Chuck Horton, Member

Amrey Harden
Amrey Harden, Member

Mark Saxon
Mark Saxon, Member

ATTEST:

Holly Stephenson
Holly Stephenson
Clerk, Board of Commissioners

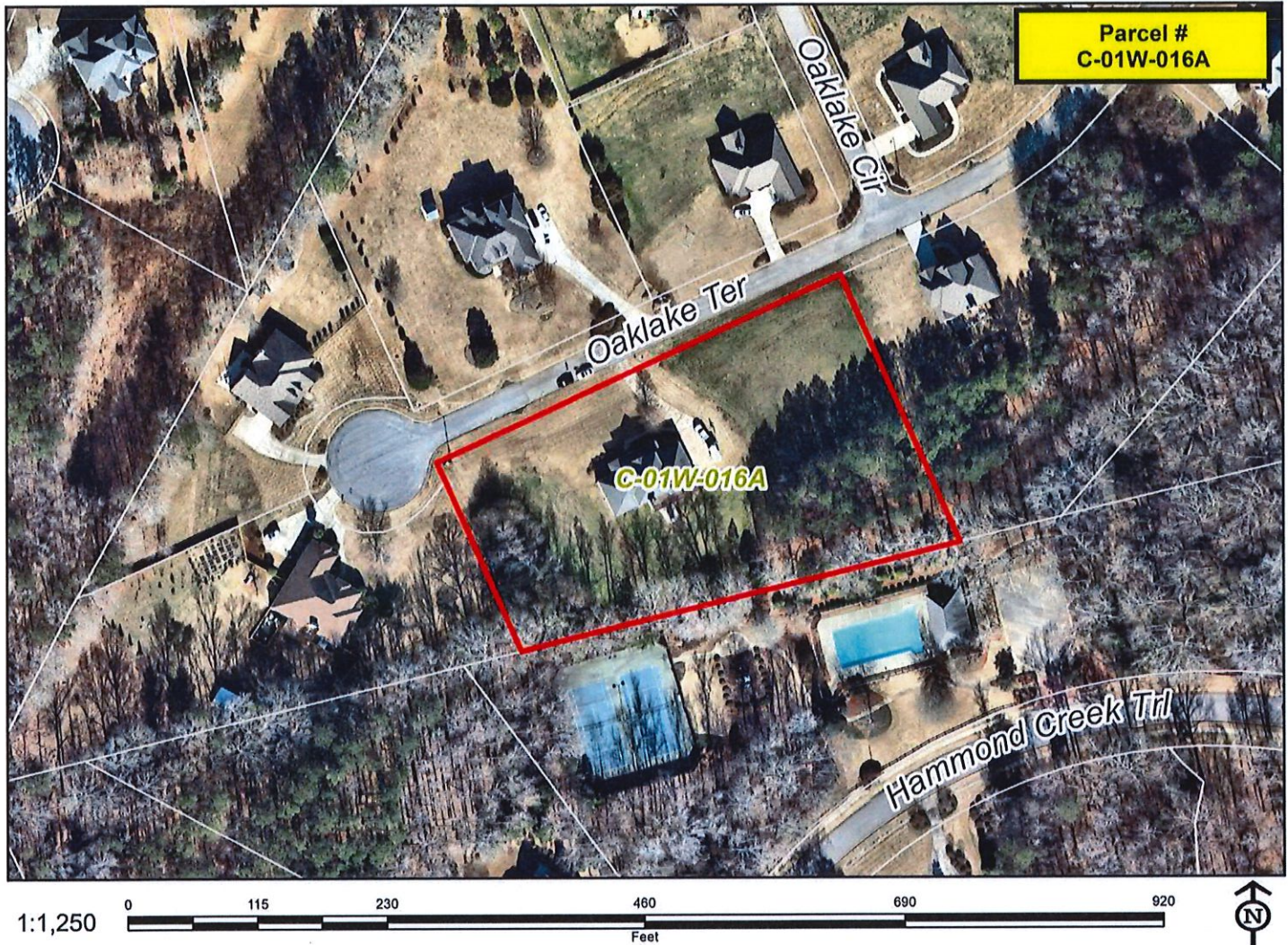
EXHIBIT "A" TO SPECIAL EXCEPTION VARIANCE NO. P22-0123

Page 1 of 4

CONDITION

1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, 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 proposed driveway shall not conflict with the existing double wing catch basin along Oaklake Terrace. Final design of the driveway shall be approved by the Public Works Director.

TAX MAP



NARRATIVE

Introduction

We are requesting a special exception variance on 1231 Oaklake Ter., Watkinsville, GA 30677, parcel #C 01W 016A. The existing zoning district is Unincorporated (District 01). The existing use of property is R-1 Residential. The size of the lot is 1.96 acres.

Variance Requested

We are requesting a special exception variance on code section: 1012.02.d (2) *Along all other County streets or roads, except for circular driveways for single-family detached houses on local streets and minor collectors (provided sight distances can be met), the following shall apply; no more than 1 point of vehicular access from a property to each abutting public road shall be permitted for each 200 feet of lot frontage; provided however, that lots with less than 200 feet of frontage shall have no more than one point of access to any one public street. The Public Works Director shall determine whether the points of access may be unrestricted or must be designed for right-in, right-out traffic flow.*

Our reason for variance is that we would like to build a detached garage and have a second driveway access garage. Our lot has 395 feet of road frontage. The driveway we are requesting to add will be 125 feet to the right of my existing driveway.

Adjacent Properties

- 1251 Oaklake Terrace, Watkinsville, GA 30677; parcel #C 01W 015A; zoned R-1 residential
- 1191 Oaklake Terrace, Watkinsville, GA 30677; parcel #C 01W 017A; zoned R-1 residential
- Old Waverly Home Owners Association Incorporated, 1071 Hammond Creek Trail, Watkinsville, GA 30677; parcel #B-03E-032A; zoned AR

Other Applications

Not applicable

Conclusion

HOA has approved location and plans for garage.



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

VARIANCE CASE #: P22-0123

DATE: July 1, 2022

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

APPLICANT NAME: Joseph and Melissa Cannon

PROPERTY OWNER: Joseph and Melissa Cannon

LOCATION: 1231 Oaklake Terrace, tax parcel C-01W-016A

PARCEL SIZE: ±1.96 acres

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

EXISTING LAND USE: Single-Family Residential

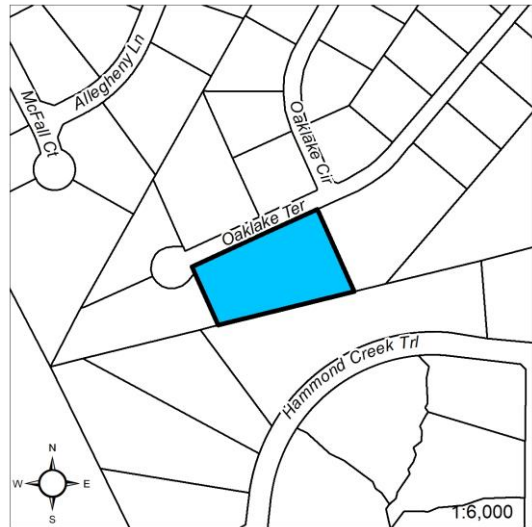
TYPE OF VARIANCE REQUESTED: Special Exception Variance

REQUEST SUMMARY: The property owner is requesting a variance from UDC Sec. 1012.02.d(2) to allow an additional driveway less than 200 feet from an existing driveway on the same property.

DATE OF SCHEDULED HEARINGS

BOARD OF COMMISSIONERS: July 12, 2022

ATTACHMENTS: Application
Narrative
HOA Approval Letter
Aerial Imagery
Zoning Map
Future Development Map
Plat
Concept Plan



BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The property was rezoned from AG (Agricultural Residential District) to R-1 on 06/05/2001 for a single-family residential subdivision
- A single-family house was built in 2008
- A 2,376 square foot basement and 1,754 unheated square foot garage were built in 2008

VARIANCE DESCRIPTION

- The owner requests a variance from UDC Sec. 1012.02.d(2) to allow an additional driveway less than 200 feet from an existing driveway.
 - ***Unified Development Code Section 1012.02.d(2) – Driveway design standards***
Along all other County streets or roads, except for circular driveways for single-family detached houses on local streets and minor collectors (provided sight distances can be met), the following shall apply: no more than 1 point of vehicular access from a property to each abutting public road shall be permitted for each 200 feet lot of frontage.
- The proposed driveway would be 125 feet from the existing driveway and provide access to a proposed detached garage.

PUBLIC FACILITIES

- The present request should not affect county services, facilities, and infrastructure.

ENVIRONMENTAL

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

COMMENTS FROM OTHER DEPARTMENTS & AGENCIES

OCONEE COUNTY PUBLIC WORKS DEPARTMENT

- Proposed driveway needs to be installed so as to not conflict with double wing catch basin on applicant's side of Oaklake Terrace.

STAFF ANALYSIS

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE “STANDARDS FOR SPECIAL EXCEPTION VARIANCE APPROVAL” AS SET FORTH IN SECTION 1303.03 OF THE OCONEE COUNTY UNIFIED DEVELOPMENT CODE.

Special exception variances may be granted upon findings that if granted, the relief will not cause an occurrence of any of the following:

a. Cause a substantial detriment to the public good:

No significant negative impact to the tax base or to nearby public infrastructure, schools, or environmentally sensitive areas should result from approval of the present request. Staff holds that approval of the present request should not cause any substantial detriment to the public good.

b. Be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity:

The surrounding properties are single-family residential. Staff holds that the location of the proposed driveway should not affect ingress or egress from adjacent properties and should not be injurious to the use and enjoyment of the environment of other property in the immediate vicinity.

c. Diminish and impair property values within the surrounding neighborhood:

Staff holds that it is unlikely that the location of the proposed driveway would significantly impair property values in the surrounding area.

d. Impair the purpose and intent of this Development Code:

The intent of UDC Section 1012.02.d(2) is to ensure adequate separation of driveways in single-family residential neighborhoods in order to promote public safety. Staff holds that the location of the proposed driveway is adequately separated from adjacent driveways and should not impair public safety or the purpose and intent of the UDC.

STAFF RECOMMENDATION & CONDITIONAL RECOMMENDATIONS

Based upon the standards and limitations for special exception variance approval, this request **does meet all necessary conditions** to grant a special exception variance. Should the present request be approved, staff recommends 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, 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 proposed driveway shall not conflict with the existing double wing catch basin along Oaklake Terrace. Final design of the driveway shall be approved by the Public Works Director.



OCONEE COUNTY APPEAL APPLICATION

Type of Appeal Submitted:

☐ Hardship Variance ☐ Appeal of Administrative Decision ☐ Flood Damage Prevention Variance

☒ Special Exception for: Code section 1012.02.d(2)

Applicant

Name: Joseph and melissa Cannon

Address: 1231 Oaklake Ter

(No P.O. Boxes)

Watkinsville, GA 30677

Telephone: (706) 207-0505

Email: ecan722@gmail.com

Applicant is (check one): ☒ the Property Owner ☐ Not the Property Owner (attach Property Owner's Authorization)

Applicant's Certification: I hereby certify that the information contained in and attached to this application is true and correct.

Signature: [Signature]

Date: 06/04/2022 Notarized: [Signature]

Property Owner

Name: Joseph and melissa Cannon

Address: 1231 Oaklake Ter.

(No P.O. Boxes)

Watkinsville, GA 30677

Telephone: (706) 207-0505

Property

Location: 1231 Oaklake Ter.

Watkinsville, 30677

Tax Parcel Number: C01W016A

Size (Acres): 1.96 Current Zoning: R-1

Future Development Map—Character Area Designation: Suburban Neighborhood

Use

Current Use: Residence

Proposed Use: Residence

Attachments (check all that apply)

- ☒ Property Owner's Authorization (if applicable)
- ☒ Application Fee
- ☒ Warranty Deed(s), Legal Description, & Plat of Survey
- ☒ Disclosures
- ☒ Maps or Drawings Illustrating Variance Request
- ☒ Narrative Statement Explaining Variance Request
- ☒ Concept Plan

Appeal or Variance Requested

Provide the code section and briefly explain the requested variance

I would like a variance from
code section 1012.02.d(2)
so that I can add a
second driveway.

Introduction

We are requesting a special exception variance on 1231 Oaklake Ter., Watkinsville, GA 30677, parcel #C 01W 016A. The existing zoning district is Unincorporated (District 01). The existing use of property is R-1 Residential. The size of the lot is 1.96 acres.

Variance Requested

We are requesting a special exception variance on code section: 1012.02.d (2) *Along all other County streets or roads, except for circular driveways for single-family detached houses on local streets and minor collectors (provided sight distances can be met), the following shall apply; no more than 1 point of vehicular access from a property to each abutting public road shall be permitted for each 200 feet of lot frontage; provided however, that lots with less than 200 feet of frontage shall have no more than one point of access to any one public street. The Public Works Director shall determine whether the points of access may be unrestricted or must be designed for right-in, right-out traffic flow.*

Our reason for variance is that we would like to build a detached garage and have a second driveway access garage. Our lot has 395 feet of road frontage. The driveway we are requesting to add will be 125 feet to the right of my existing driveway.

Adjacent Properties

- 1251 Oaklake Terrace, Watkinsville, GA 30677; parcel #C 01W 015A; zoned R-1 residential
- 1191 Oaklake Terrace, Watkinsville, GA 30677; parcel #C 01W 017A; zoned R-1 residential
- Old Waverly Home Owners Association Incorporated, 1071 Hammond Creek Trail, Watkinsville, GA 30677; parcel #B-03E-032A; zoned AR

Other Applications

Not applicable

Conclusion

HOA has approved location and plans for garage.

OCONEE'S OAKLAKE PROPERTY OWNERS ASSOCIATION, INC.

HOA CONFIRMATION LETTER

RE: 1231 Oaklake Terrace; New Garage Driveway

To Whom it May Concern:

Please let this letter serve as confirmation that the Board of Directors of Oconee's Oaklake Property Owners Association, Inc., has approved the plans for a new garage/outbuilding and driveway contemplated at the above-referenced property, exercising its review and approval discretion under that certain Declaration of Protective Covenants for Oaklake Subdivision receded in Deed Book 610, Page 81 in the Office of the Clerk of Superior Court, Oconee County, Georgia.

Should you have any questions, please contact me at the email below.



Chris Hart
President
Oconee's Oaklake Property Owners Association, Inc.
hart27@gmail.com

Variance # P22-0123 - Joseph Cannon

Parcel #
C-01W-016A

Oaklake Ter

Oaklake Cir

C-01W-016A

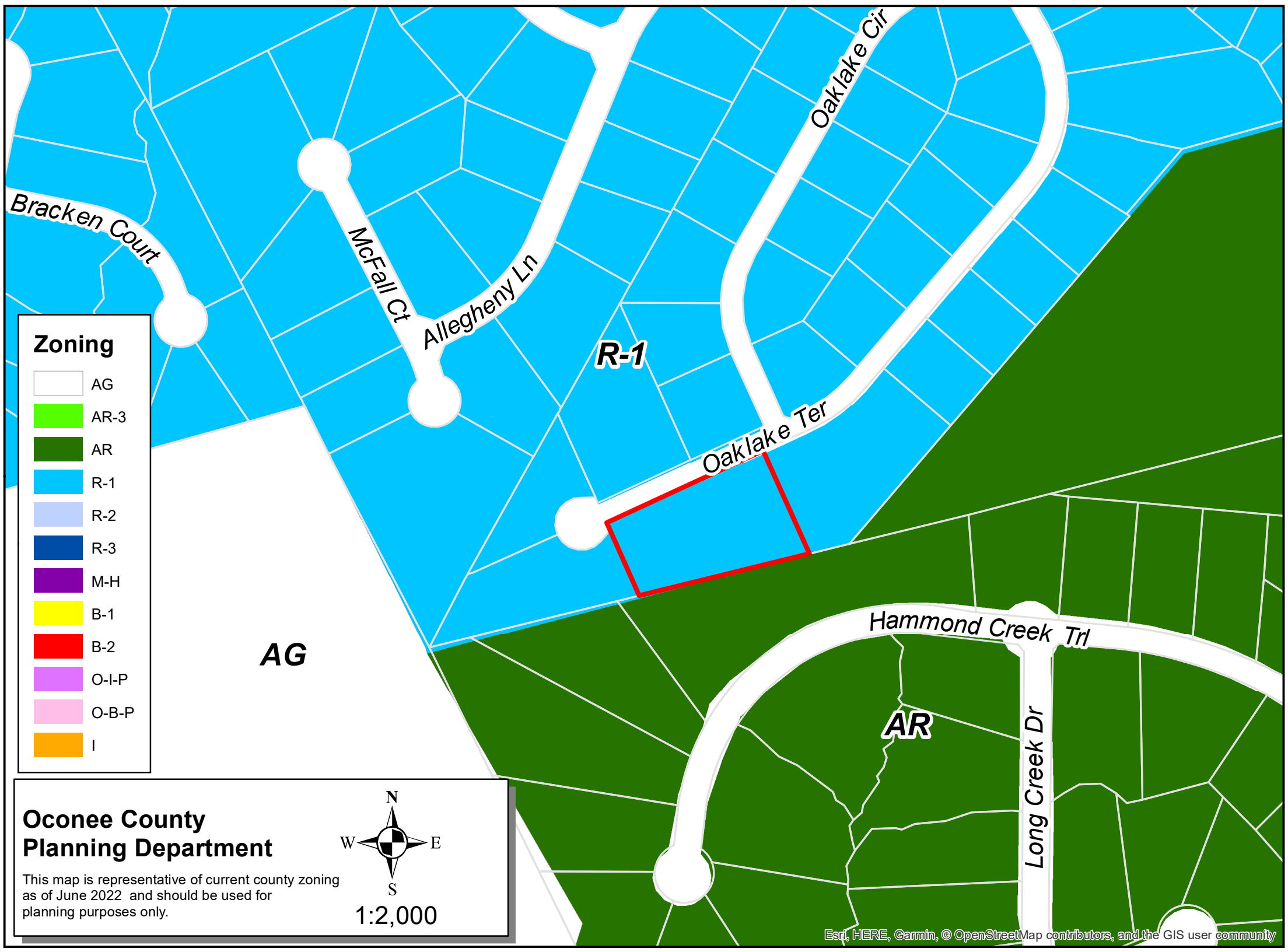
Hammond Creek Trl

1:1,250

0 115 230 460 690 920

Feet





Zoning

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

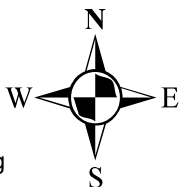
AG

R-1

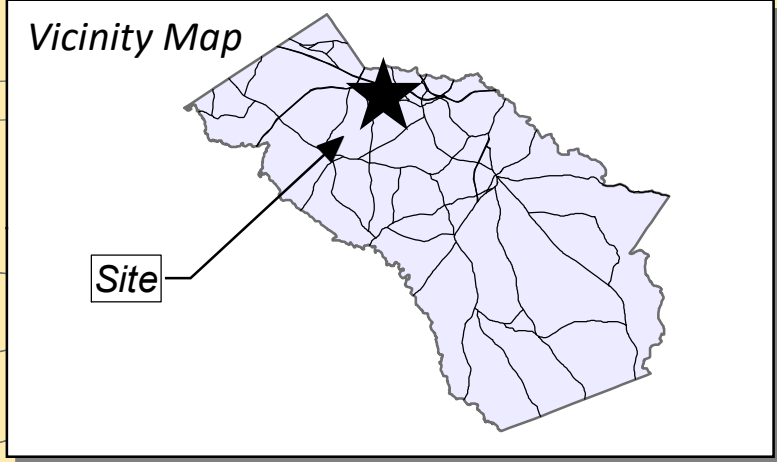
AR

Oconee County Planning Department

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



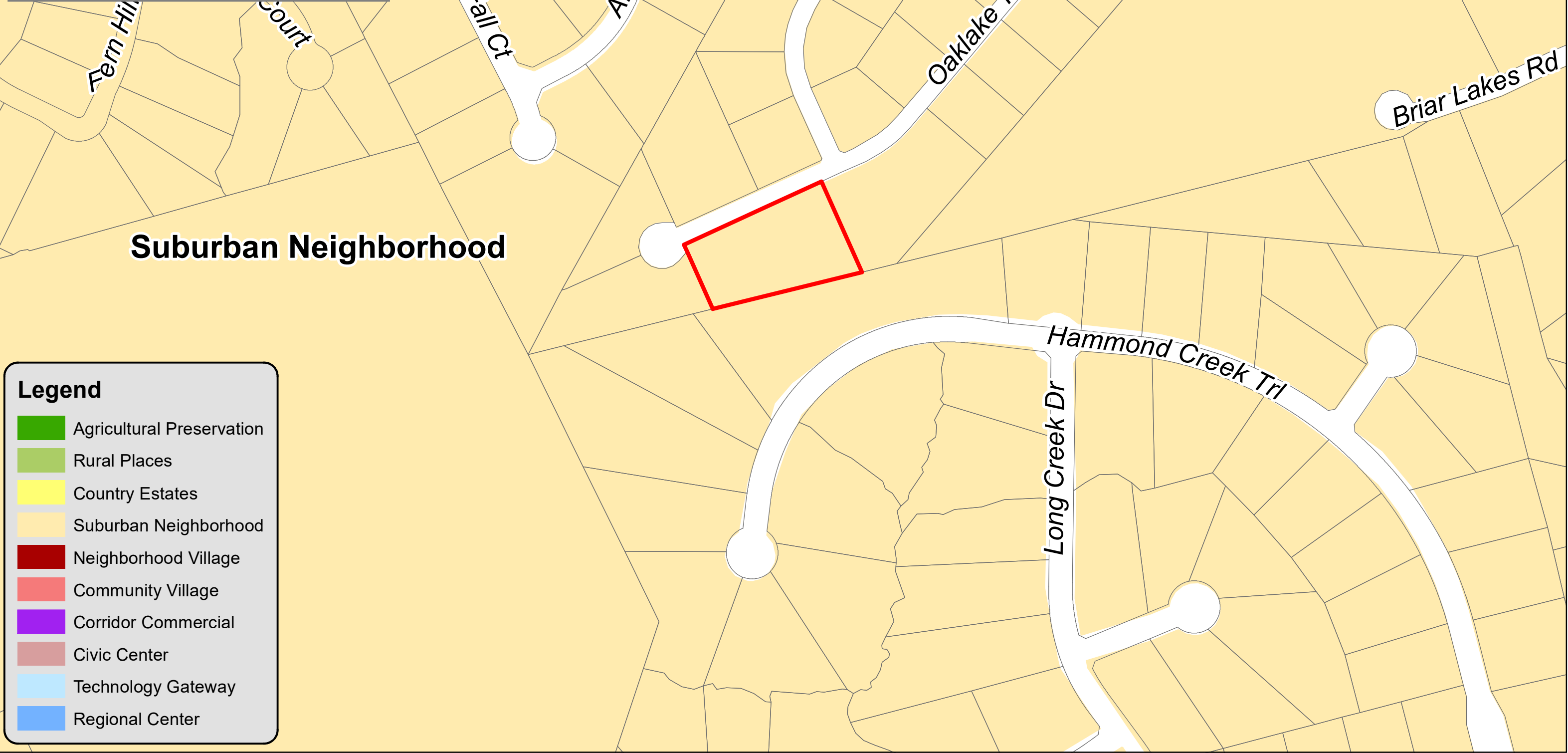
1:2,000



**Oconee County
Planning Department**

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

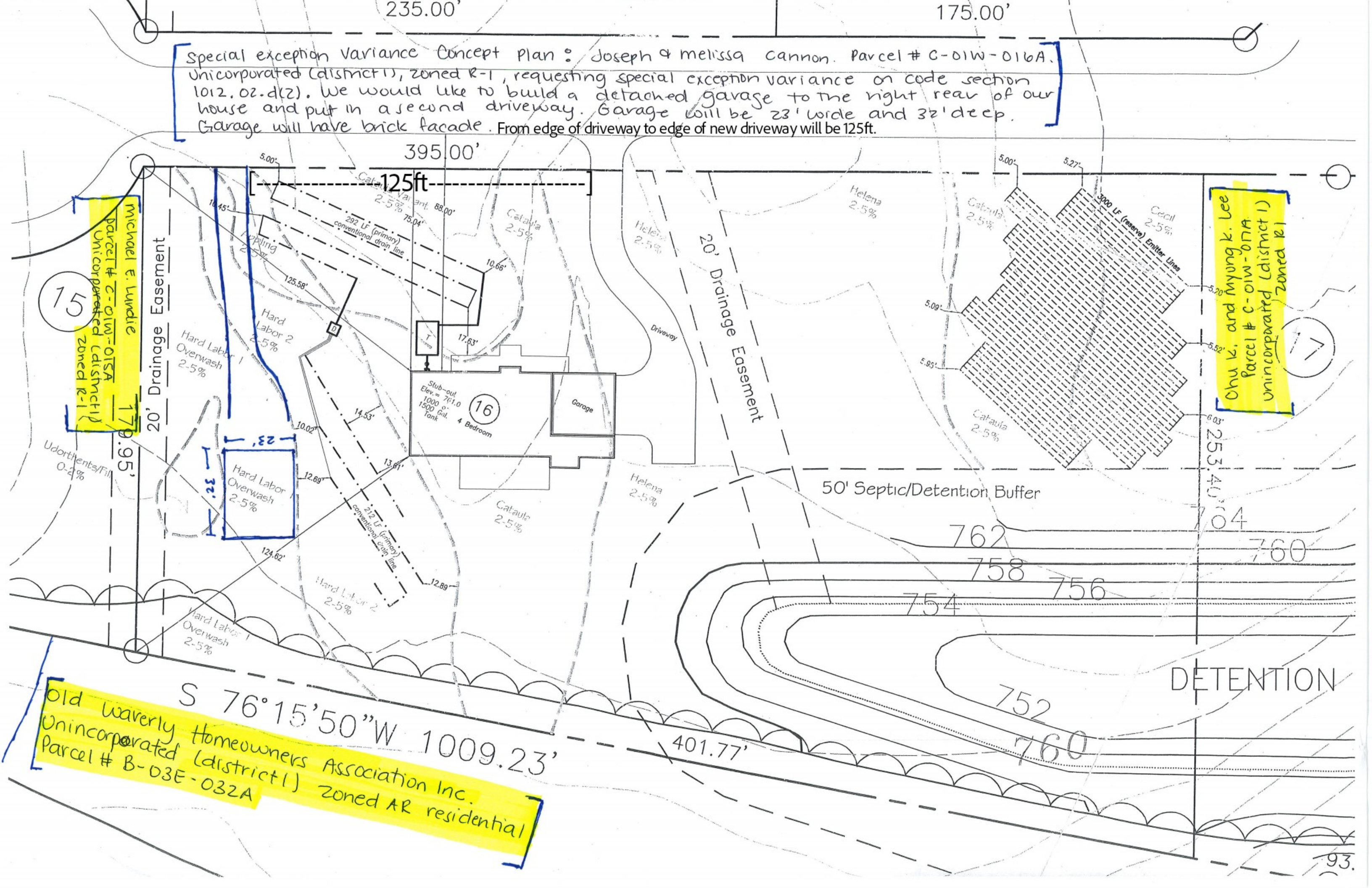
0 120 240 480 720 960 Feet



Legend

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

Special exception Variance Concept Plan: Joseph & Melissa Cannon. Parcel # C-01W-016A. Unincorporated (District 1), Zoned R-1, requesting special exception variance on code section 1012.02.d(2). We would like to build a detached garage to the right rear of our house and put in a second driveway. Garage will be 23' wide and 32' deep. Garage will have brick facade. From edge of driveway to edge of new driveway will be 125ft.



Old Waverly Homeowners Association Inc. Unincorporated (District 1) Zoned AR residential Parcel # B-03E-032A