

**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 Alexander and Sadie Ginn submitted on April 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 Alexander and Sadie Ginn on April 18, 2022, requesting a rezone of a ±8.1-acre tract of land located at 1971 Flat Rock Road in the 225th G.M.D., Oconee County, Georgia, (tax parcel no. C-05-043J), 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.

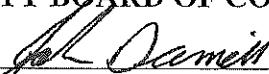
SECTION 4. Effective Date. This Ordinance shall take effect this date.

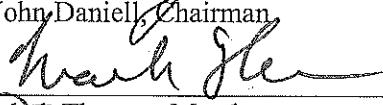
Said Zoning Petition was submitted to the Oconee County Planning Commission and a Public Hearing was duly held by the same on July 18, 2022, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on August 2, 2022.

ADOPTED AND APPROVED, this 2nd day of August, 2022.

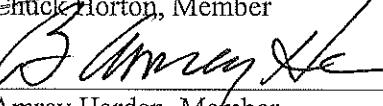
OCONEE COUNTY BOARD OF COMMISSIONERS

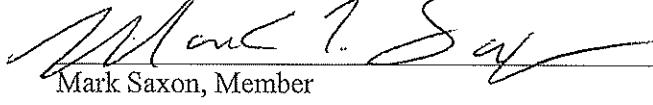
BY:


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 P22-0091

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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.
2. The proposed new driveway for lot C shall be constructed to provide as much separation as possible from the existing gravel drive on lot A. The driveway location shall be subject to approval by the Public Works Director.
3. The proposed driveway for lot B shall be constructed to provide as much separation as possible from the existing paved driveway for Parcel C045034G. The driveway location shall be subject to approval by the Public Works Director.

TAX MAP

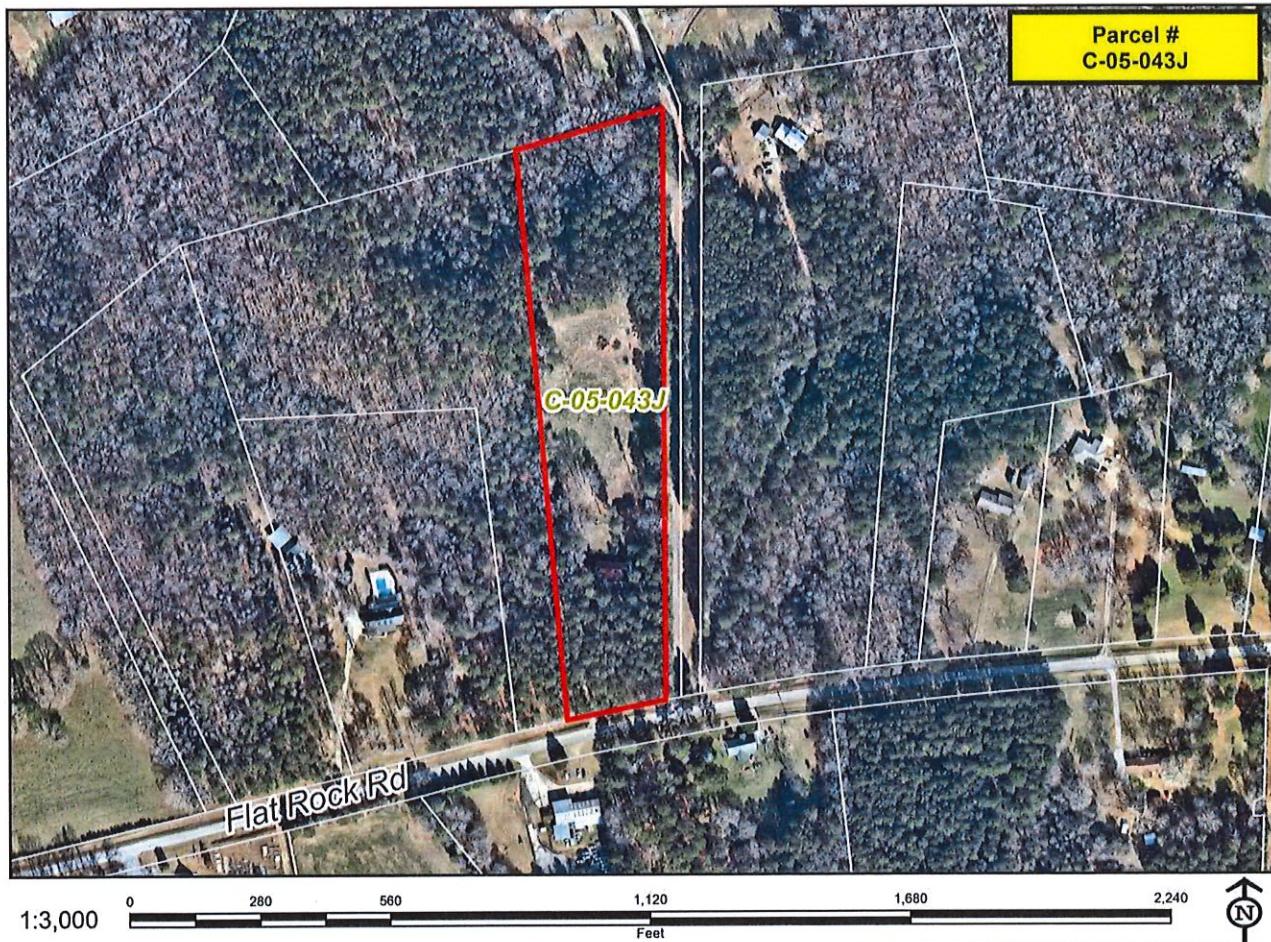


EXHIBIT "A" TO REZONE NO P22-0091

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LEGAL DESCRIPTION

All that tract of parcel of land lying and being in the 225 GMD in Oconee County, Georgia and being shown and described on that certain survey by Piedmont Surveying Co. certified by Sherald G. Sharp, R.L.S. no. 2044, dated Nov. 2, 1993, and being more described as follows:

Beginning at an iron pin found .72 miles from McCree-Gin Rd. and being on the 80' Right-of-Way of Flat Rock Rd. also being the TRUE POINT OF BEGINNING; thence N 3° 29' 42" W a distance of 1,253.02' to an iron pin set; thence N 73° 28' 44" E a distance of 331.04' to an iron pin found; thence S 0° 03' 36" W a distance of 1,295.44' to an iron pin found on the 80' Right-of-Way of Flat Rock Rd.; thence following along said Right-of-Way S 78° 21' 16" W a distance of 244.08' to an iron pin found on said Right-of-Way and also being the TRUE POINT OF BEGINNING. Said property containing 8.10 ac.

NARRATIVE

Our family has outgrown our current residence of 1971 Flat Rock Road (8.1 Acres, currently zoned AG) and we are looking for a larger space to accommodate our growing family. Renovations to our current home do not make sense either financially or for the house itself. We have dramatically improved the land where the house sits; clearing trees, forming and planting pasture, planting and fencing a garden, raising livestock, updates and improvements to the three outbuildings, etc. We hope to continue enjoying the property we have cultivated for three years.

We propose splitting our current lot into three sections; one at the front of the property with the current house (2 acres, Lot A on map), one for the pasture in the middle of the property (2.5 acres, Lot B on map), and one at the back of the property for us to build a house that better accommodates our family's future growth (3.6 acres, Lot C on map). Our proposal requires the front 2 acres to be zoned as AR. With consideration to where the house sits on the property and the topography of the pasture, a 2-acre lot for the current home is the most reasonable break for the property. We propose the two remaining lots be zoned AR at 2.5 and 3.6 acres. The house to be built on the third lot (C) would be a single-family residence sized at roughly 3,000 square feet.

The existing water supply for the current residence is a drilled well and sewage disposal is a septic system. Each new lot's water supply would be a drilled well and each lot's sewage disposal would be a septic system, resulting in at least one new well and septic system with the potential for two new wells and two new septic systems total. We would cut a driveway on the west side of the current house to access lot C and give lot B the option of a separate driveway. We would like Lot B to be separated from the other two lots in anticipation of another potential homesite in the future. Lot B would most likely be used to build a small home that is wheelchair accessible for our aging parents' needs in the next 10-20 years. The lot could also potentially be used to build a larger home when our family is complete. We would like to preemptively zone the lot as AR to keep our options open should a need for our family arise in the future. If we are given approval to build a home, the projected impact to local traffic would roughly 9 ADT, 18 if both houses are built in the next 10-20 years. There would be roughly 2 new cars on the roads and add roughly 3 students to Oconee County Schools.

All adjacent properties to our lot (C 05 043K, C 05 043G, C 05 043G) have the same land uses and zoning as our current and proposed land use; Residential and AG, respectively.

Proposal Overview:

Split the current lot into three sections; the front (2 acres, Lot A), middle pasture (2.5 acres, Lot B), and back pasture (3.6 acres, Lot C) all zoned as AR

Build a 2,500-3,000 square foot home in the back of the property on the third lot, Lot C

EXHIBIT "A" TO REZONE NO P22-0091

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ARCHITECTURAL IMAGE

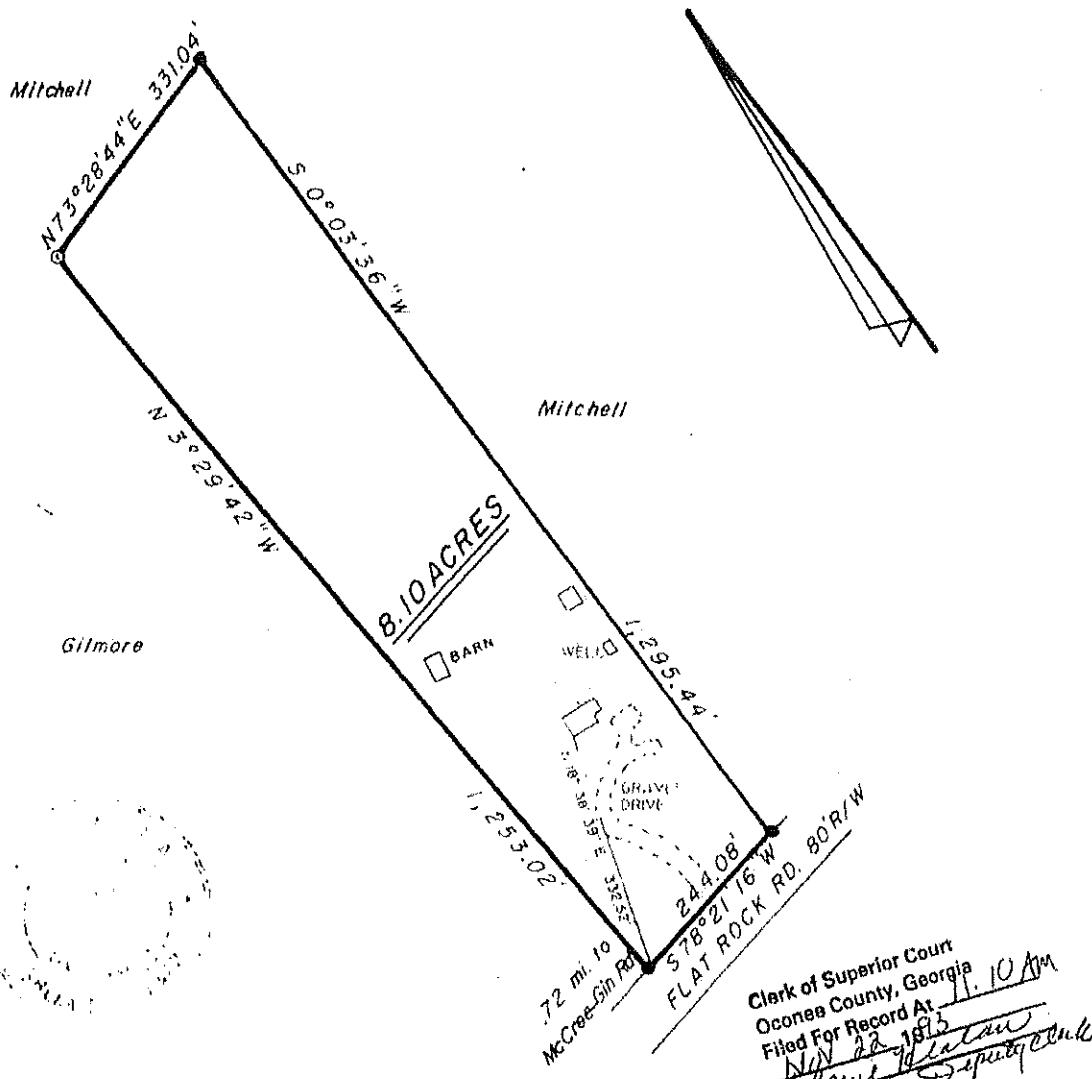


EXHIBIT "A" TO REZONE NO P22-0091

Page 4 of 5

PLAT

OIRON PIN SET • IRON PIN FOUND

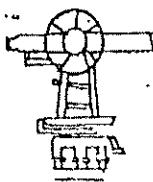


This Property (is not) Located In a Federal Flood Area Indicated by F.I.A. Official Flood Hazard Maps

IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND WAS PREPARED WITHIN THE MINIMUM STANDARDS REQUIRED BY LAW.

Sherald G. Sharp

SHERALD G. SHARP GA R.L.S. NO. 2044



PIEDMONT

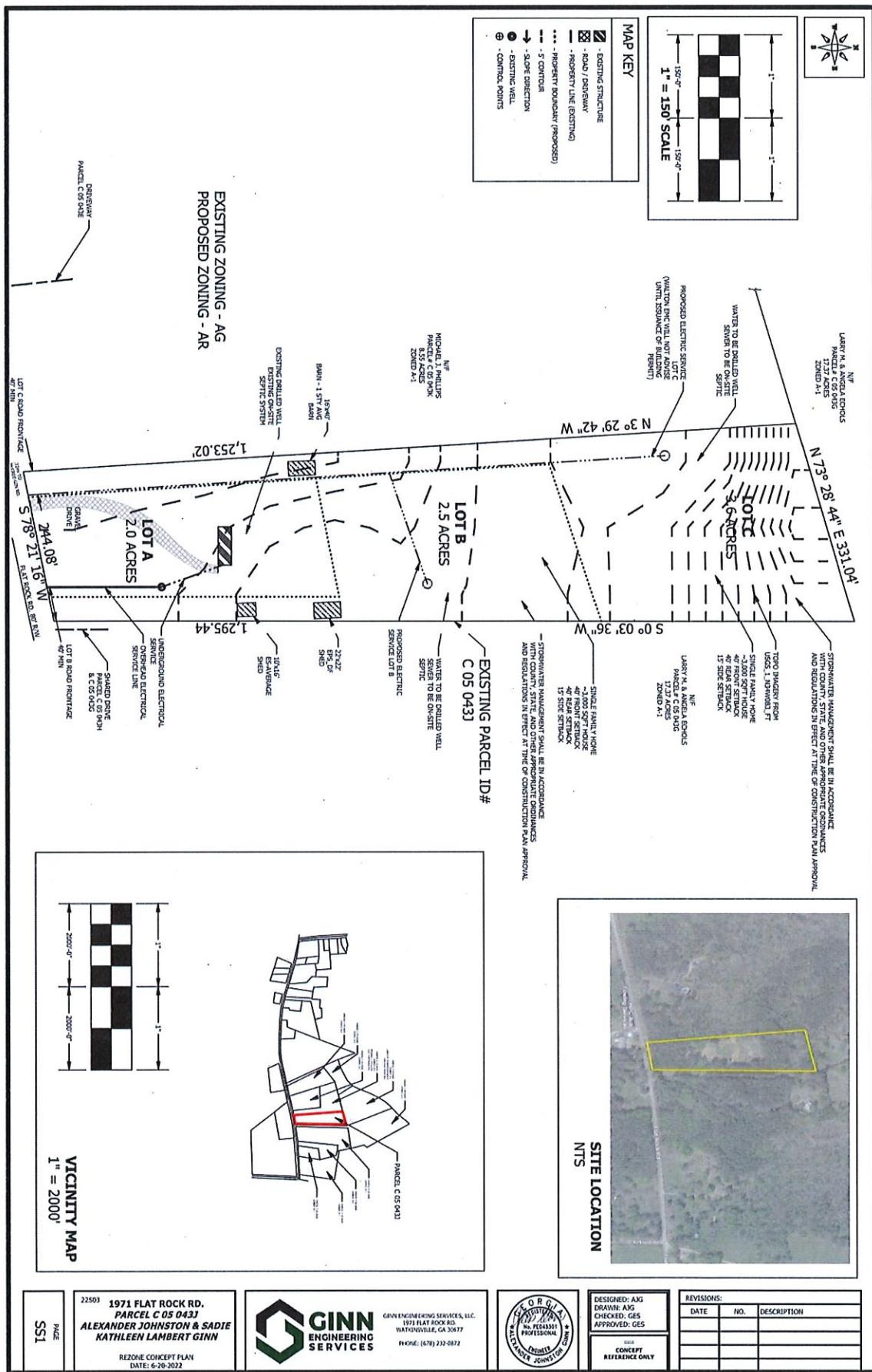
SURVEYING CO.
CRAWFORD, GA 743-0634

SURVEY FOR	
STANLEY T. MITCHELL AND SCARLETT H. MITCHELL	
Portion of Omougee Timber Co.	
ERROR CLOSURE	END 225
EQUIPMENT USED:	DATE NOV. 2, 1993
LINEAR NIKON EDM	DRAWN AKS
ANGULAR NIKON NT-1	REVISIONS
SCALE 1" = 200'	Land Lot
COUNTY OCONEE	Land Dist.
STATE GEORGIA	
CITY	✓

EXHIBIT "A" TO REZONE NO P22-0091

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CONCEPT PLAN





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

REZONE CASE #: P22-0091

DATE: July 8, 2022

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

APPLICANT NAME: Alexander and Sadie Ginn

PROPERTY OWNER: Alexander and Sadie Ginn

LOCATION: 1971 Flat Rock Road,
tax parcel #C-05-043J

PARCEL SIZE: ± 8.1 acres

EXISTING ZONING: AG (Agricultural District)

EXISTING LAND USE: Residential

FUTURE DEVELOPMENT MAP CHARACTER AREA DESIGNATION: Country Estates

ACTION REQUESTED: Rezone the property from AG (Agricultural District) to AR (Agricultural Residential District) in order to subdivide it into three ± 2.00 acre lots.

STAFF RECOMMENDATION: Staff recommends conditional approval of this request

DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: July 18, 2022

BOARD OF COMMISSIONERS: August 2, 2022

ATTACHMENTS:

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



BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The subject parcel has been zoned AG since the original adoption of the zoning map in 1968
- A single family residence was built in 1987

SURROUNDING LAND USE AND ZONING

	EXISTING LAND USES	EXISTING ZONING
NORTH	Single-family residential	AG (Agricultural District)
SOUTH	Single-family residential Auto towing service	AG B-1 (General Business District)
EAST	Single-family residential	AG
WEST	Undeveloped	AG

PROPOSED DEVELOPMENT

- The applicant proposes to rezone the entire property from AG to AR in order to subdivide it into three residential lots with a minimum lot size of 2 acres.

PROPOSED TRAFFIC PROJECTIONS

- Approximately 20 additional average daily trips (ADT) (Trip Generation Manual, 10th Edition)

PUBLIC FACILITIES

Water:

- All lots would be served by individual on-site wells

Sewer:

- All lots would be served by private on-site septic systems

Roads:

- All lots would utilize driveways off of Flat Rock Road

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

- All new driveways be constructed to the requirements of Sections 1012.02 and Section 1012.03 of the UDC.
- Proposed driveway for Lot C be constructed to provide as much separation as possible from the existing gravel drive (lot A).
- Proposed driveway for Lot B be constructed to provide as much separation as possible from the existing paved driveway for Parcel C045034G.

OCONEE COUNTY FIRE DEPARTMENT

- No comments

OCONEE COUNTY WATER RESOURCES DEPARTMENT

- No comments

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 and are primarily single family residential or agricultural tracts. 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;

A small impact on local streets and schools are anticipated should the two additional residential lots be approved. No impact on water or sewer is anticipated as a result of the present request.

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 lot sizes and uses are in keeping with surrounding area and are 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. 205.03](#)). 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 which 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 Country Estates Character Area ([2040 Character Areas Map](#)). This Character Area is primarily medium-density residential and “provides a transition between the more rural areas of the county and traditional suburban residential development and provides an ‘edge’ between the urban and rural fringe” ([2018 Comprehensive Plan p. 34](#)). In the Country Estates Character Area, a density of one dwelling unit per 2 acres is supported by the Comprehensive Plan ([2018 Comprehensive Plan p. 35](#)). 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 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 proposed new driveway for lot C shall be constructed to provide as much separation as possible from the existing gravel drive on lot A. The driveway location shall be subject to approval by the Public Works Director.
3. The proposed driveway for lot B shall be constructed to provide as much separation as possible from the existing paved driveway for Parcel C045034G. The driveway location shall be subject to approval by the Public Works Director.



OCONEE COUNTY ZONING CHANGE APPLICATION

Requested Action:

Rezoning from: AG to AB
 Special Use Approval for: _____

Change in Conditions of Approval for Case #: _____

in the _____ Zoning District

Applicant

Name: Alexander Johnston & Sadie Kathleen Lambert Ginn
 Address: 1971 FLAT ROCK RD.
(No P.O. Boxes)
WATKINSVILLE, GA 30677

Telephone: 678-232-0872
 Email: ALEXGINN61@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: Alex Ginn

Date: 6/20/22

Notarized: 6/20/22

Property Owner

Name: Alexander Johnston & Sadie Kathleen Lambert Ginn
 Address: 1971 FLAT ROCK RD.
(No P.O. Boxes)
WATKINSVILLE, GA 30677

Telephone: 678-232-0872

Ellen Williams

NOTARY PUBLIC

Clarke County, GEORGIA

My Commission Expires 10/14/2022

Property

Location: 1971 FLAT ROCK RD.
(Physical Description)
WATKINSVILLE, GA 30677

Tax Parcel Number: C 05 043J

Size (Acres): 8.1 Current Zoning: AG

Future Development Map—Character Area Designation: COUNTRY ESTATES

Use

Current Use: RESIDENTIAL

Proposed Use: RESIDENTIAL

Attachments (check all that apply)

- Property Owner's Authorization (if applicable)
- Application Fee
- Warranty Deed
- Typed Legal Description
- Plat of Survey
- Disclosures (Interest & Campaign Contributions)
- Zoning Impact Analysis

- Narrative (Detailed Description of the Request)
- Concept Plan
- Attachments to the Concept Plan:
 - Water and/or Sewer Capacity Letter from OCUD
 - Representative Architecture/Photographs
- Proof all property taxes paid in full
- 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

Narrative:

Our family has outgrown our current residence of 1971 Flat Rock Road (8.1 Acres, currently zoned AG) and we are looking for a larger space to accommodate our growing family. Renovations to our current home do not make sense either financially or for the house itself. We have dramatically improved the land where the house sits; clearing trees, forming and planting pasture, planting and fencing a garden, raising livestock, updates and improvements to the three outbuildings, etc. We hope to continue enjoying the property we have cultivated for three years.

We propose splitting our current lot into three sections; one at the front of the property with the current house (2 acres, Lot A on map), one for the pasture in the middle of the property (2.5 acres, Lot B on map), and one at the back of the property for us to build a house that better accommodates our family's future growth (3.6 acres, Lot C on map). Our proposal requires the front 2 acres to be zoned as AR. With consideration to where the house sits on the property and the topography of the pasture, a 2-acre lot for the current home is the most reasonable break for the property. We propose the two remaining lots be zoned AR at 2.5 and 3.6 acres. The house to be built on the third lot (C) would be a single-family residence sized at roughly 3,000 square feet.

The existing water supply for the current residence is a drilled well and sewage disposal is a septic system. Each new lot's water supply would be a drilled well and each lot's sewage disposal would be a septic system, resulting in at least one new well and septic system with the potential for two new wells and two new septic systems total. We would cut a driveway on the west side of the current house to access lot C and give lot B the option of a separate driveway. We would like Lot B to be separated from the other two lots in anticipation of another potential homesite in the future. Lot B would most likely be used to build a small home that is wheelchair accessible for our aging parents' needs in the next 10-20 years. The lot could also potentially be used to build a larger home when our family is complete. We would like to preemptively zone the lot as AR to keep our options open should a need for our family arise in the future. If we are given approval to build a home, the projected impact to local traffic would roughly 9 ADT, 18 if both houses are built in the next 10-20 years. There would be roughly 2 new cars on the roads and add roughly 3 students to Oconee County Schools.

All adjacent properties to our lot (C 05 043K, C 05 043G, C 05 043G) have the same land uses and zoning as our current and proposed land use; Residential and AG, respectively.

Proposal Overview:

Split the current lot into three sections; the front (2 acres, Lot A), middle pasture (2.5 acres, Lot B), and back pasture (3.6 acres, Lot C) all zoned as AR

Build a 2,500-3,000 square foot home in the back of the property on the third lot, Lot C



Rezone Analysis:

a. The zoning proposal for the back six acres will permit the same use that is suitable in view of existing uses, development and zoning of nearby property. The use will still be a single family residence and be used to raise crops and livestock as currently provided under the V4 conservation use.

The front 1.5 acres would be rezoned to R-1 which is consistent with the zoning or acreage of 15 properties on Flat Rock Road between McRee Gin and McRee Mill Roads:

C05034 (1 acre, R-3)
C05035 (2.5 acres, R-3)
C05040A (2.68 acres, R-4)
C05052B (2 acres, R-3)
C05052C (1.99 acres, R-3)
D02013BA (2.93 acres, R-4)
D02002C (2 acres, A-3)
D02002DA (1.17 acres, A-3)
D02003A (1 acre, A-3)
C05036 (2.22 acres, A-3)
C05033BB (1.57 acres, A-4)
C05033BA (1.35 acres, A-4)
C05055B (2.08 acres, A-4)
C05036P (1 acre, A-3)
C05044A (2.36 acres, A-3)

b. The property's proposed rezoning would have the same economic use as currently zoned.

c.

(1) The population density would be adding one single family which would provide very little impact on streets and schools, and would have no impact to county water or sewer as the proposed house would be on well and septic systems.

(2) The proposed house would require the clearing of roughly one acre of trees, drilling a well and developing a driveway.

(3) The proposed rezoning and house would not affect the use, usability or value of adjoining property.

d. The land has not been vacant.

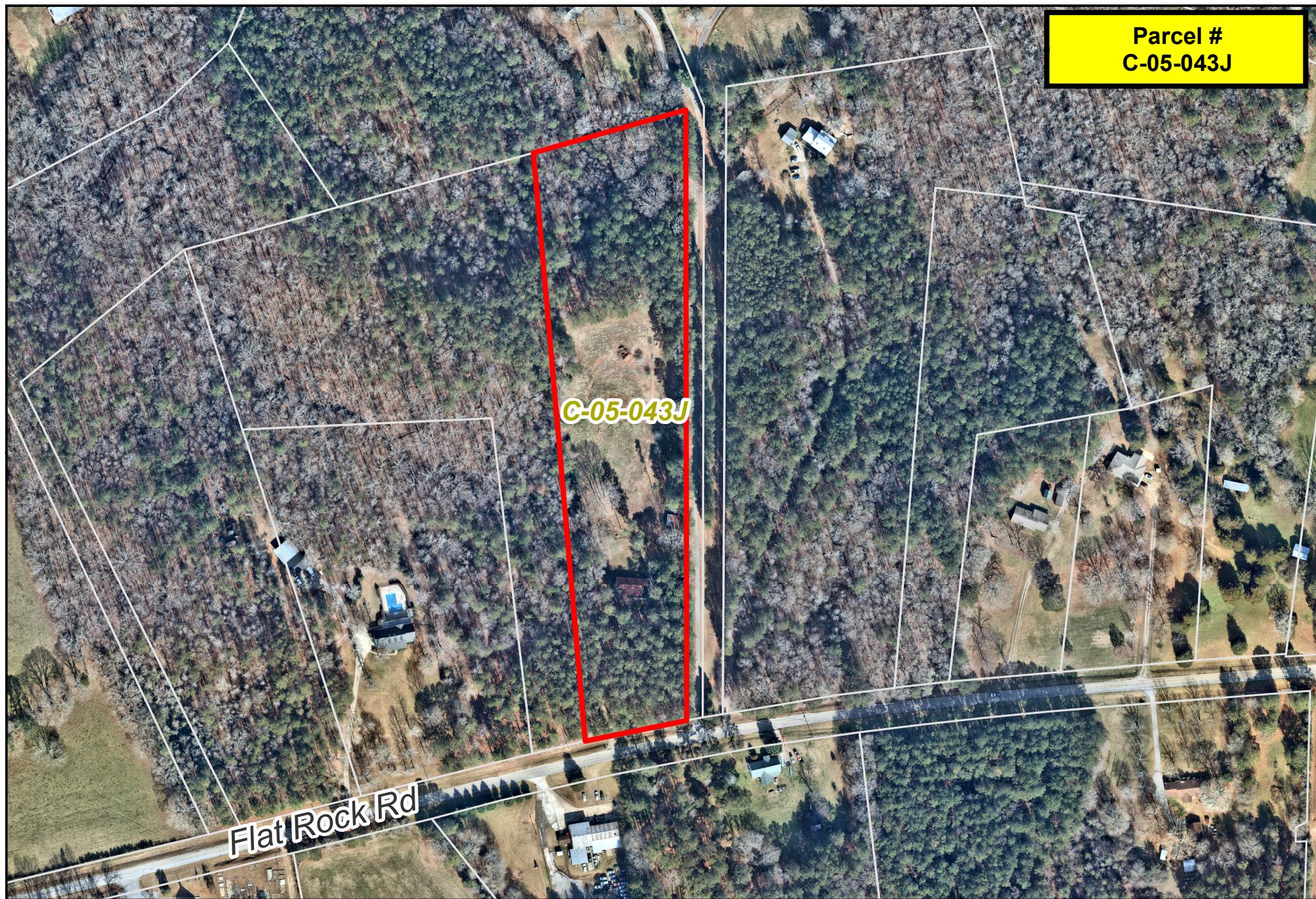
e. The rezoning of the current home (Lot A) would be consistent with the use of the land near the property and the remaining 2 lots would be consistent with how the house is currently zoned (please refer to "a" above). The three parcels would all remain consistent with the purpose of the zoning district requested.

f. We are not aware of any changing conditions that would affect our zoning proposal.

g. Our proposal would diverge from the Future Development Map by rezoning the current house (Lot A) with 1.5 acres but would nonetheless remain consistent with the current zoning and use of our area (please refer to "a" above). The Lots B and C would conform to the Future Development Map as A-3.

h. There are adequate sites for the proposed use.

Rezone # P22-0091 - Alexander & Sadie Ginn

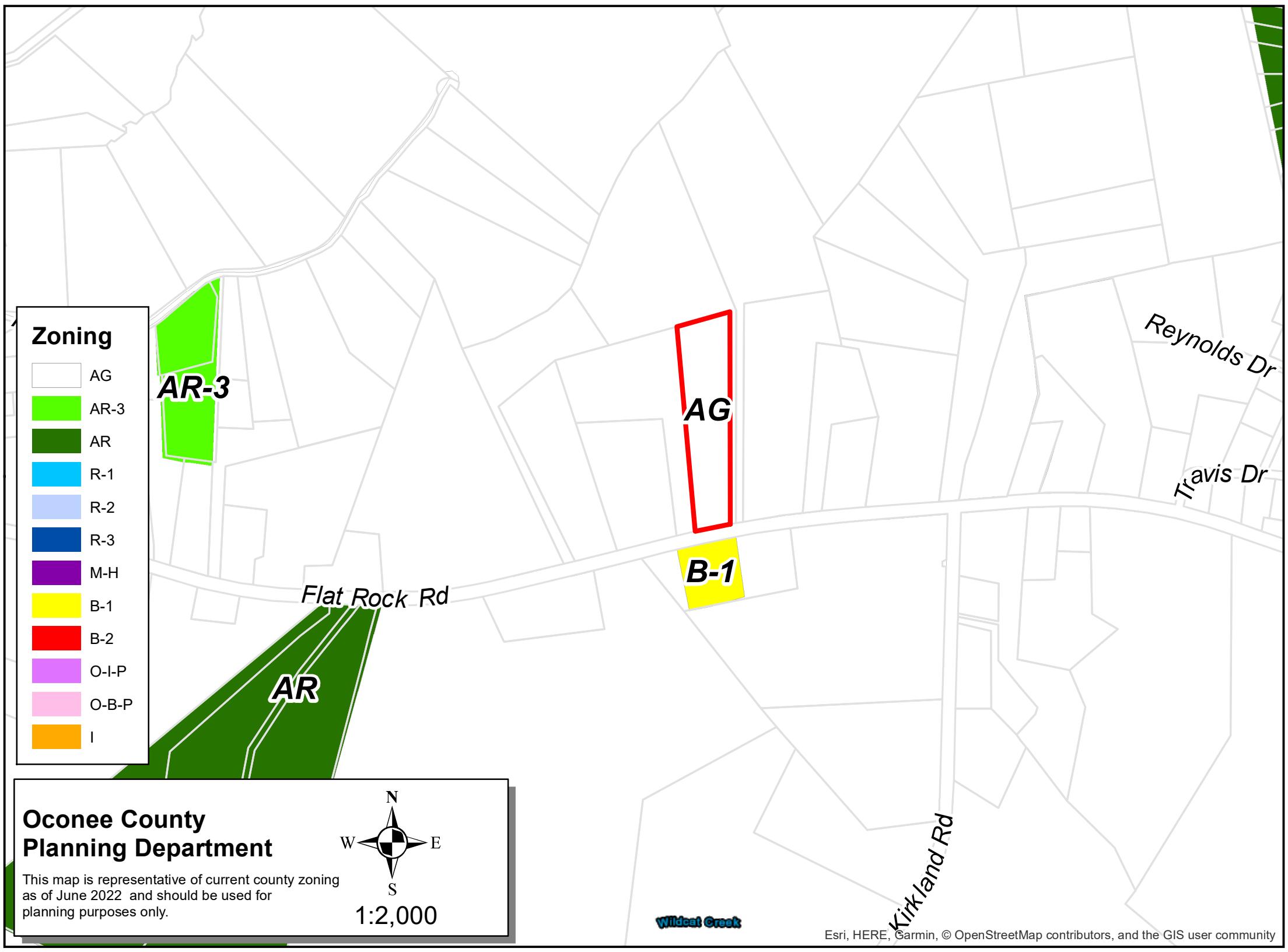


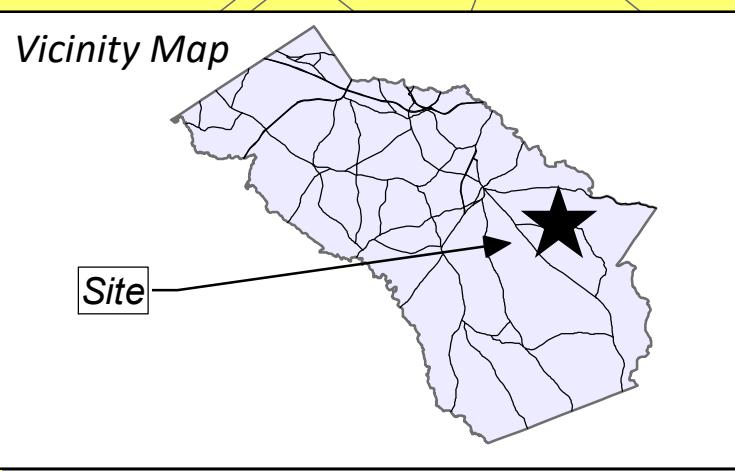
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Feet



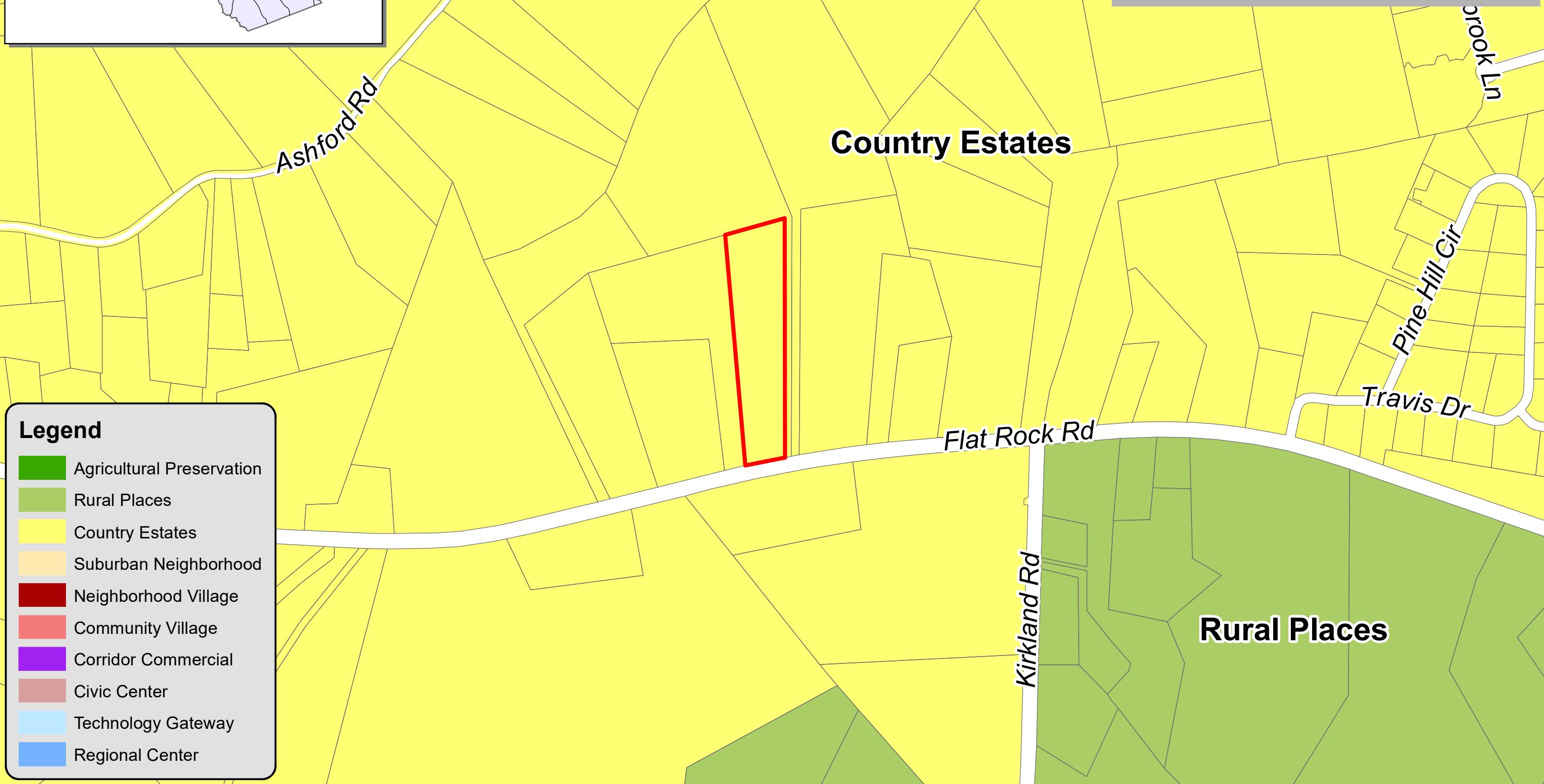




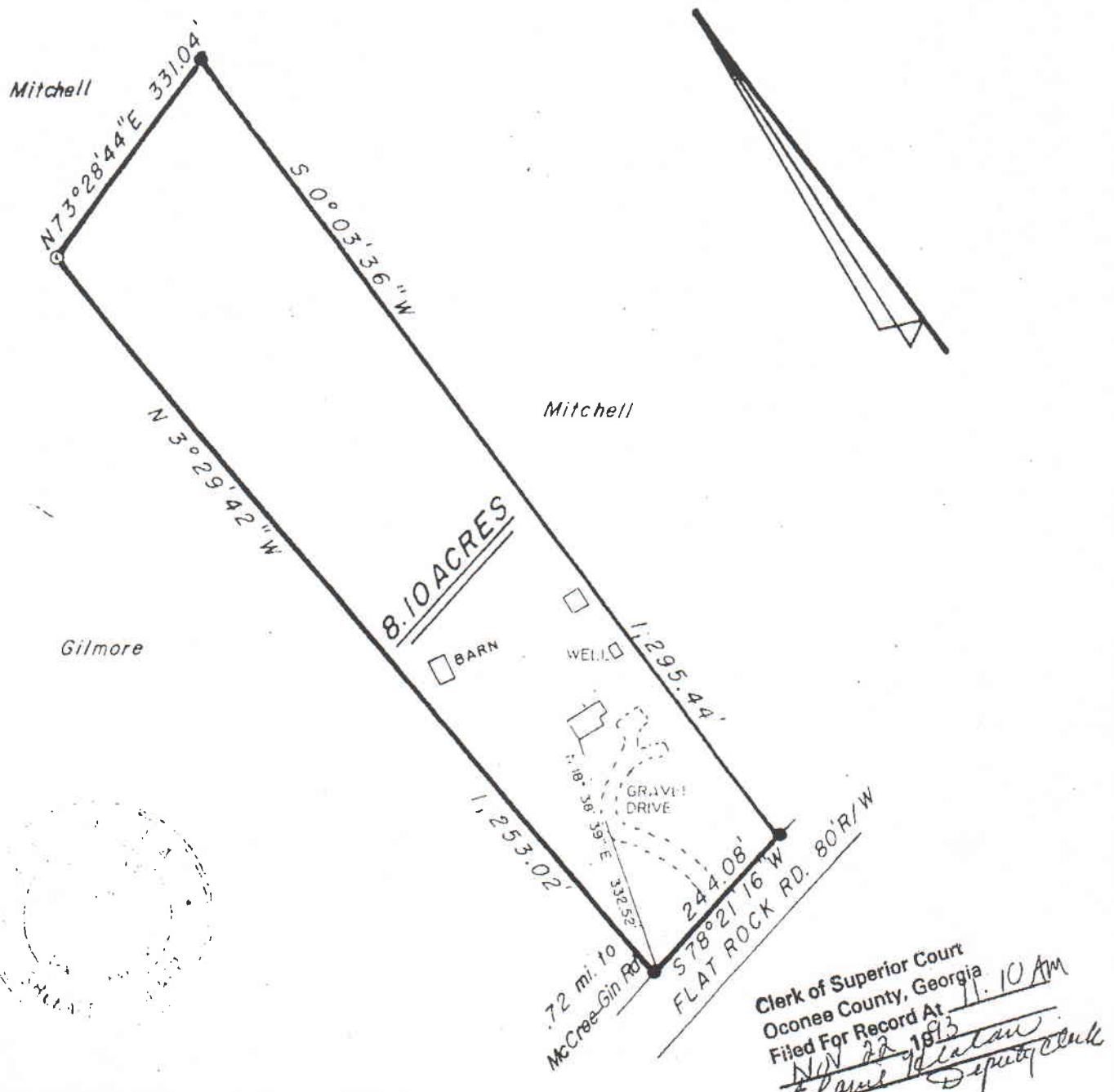
Oconee County Planning Department

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

0 245 490 980 1,470 1,960
Feet



OIRON PIN SET • IRON PIN FOUND

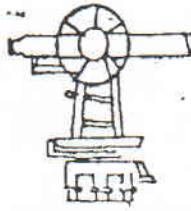


This Property (is not) Located In a Federal Flood Area Indicated by F.I.A. Official Flood Hazard Maps

IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND WAS PREPARED WITHIN THE MINIMUM STANDARDS REQUIRED BY LAW.

Sherald G. Sharp

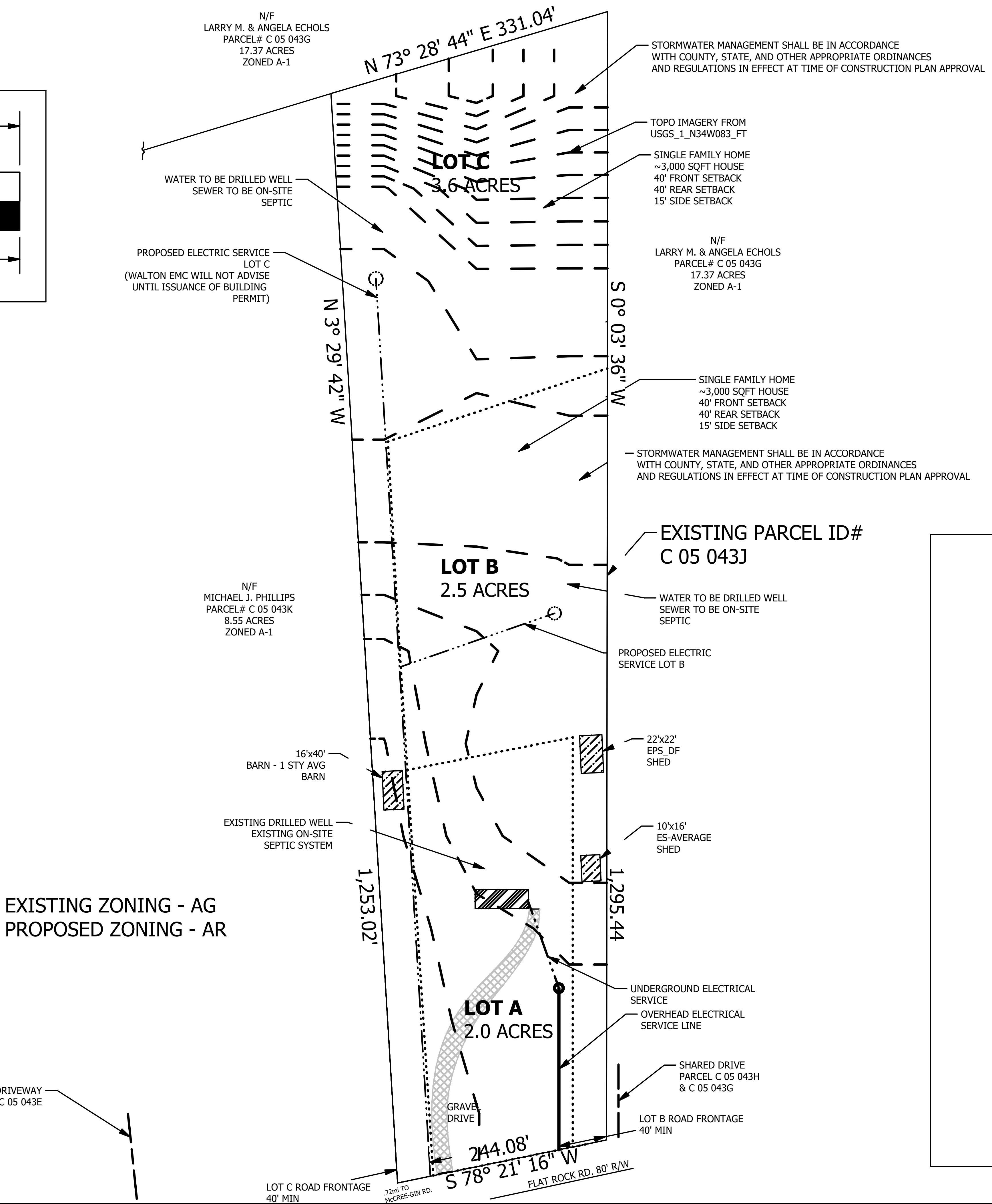
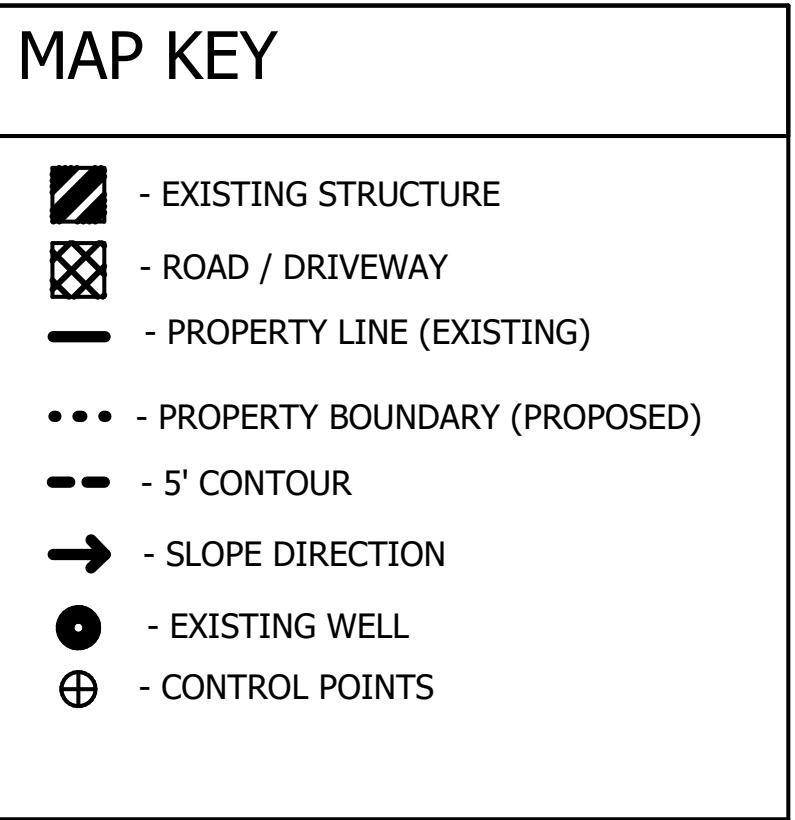
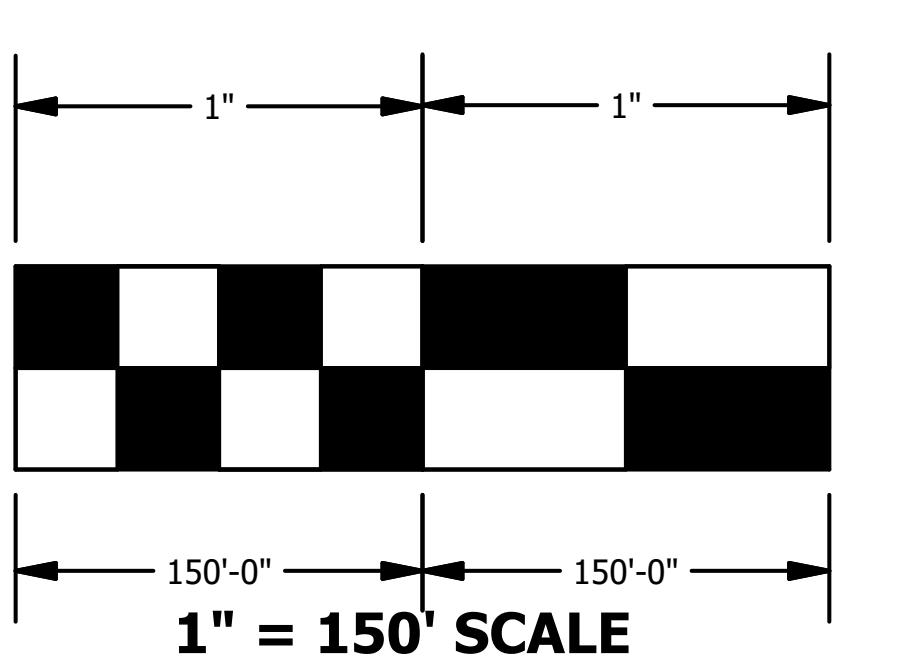
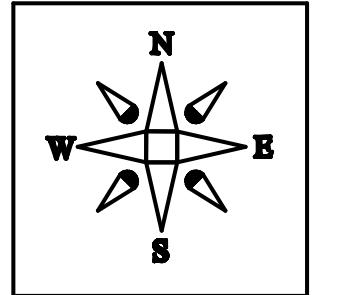
SHERALD G. SHARP GA R.L.S. NO. 2044



PIEDMONT

SURVEYING CO.
CRAWFORD, GA 743-8634

SURVEY FOR	
STANLEY T. MITCHELL AND SCARLETT H. MITCHELL	
Portion of Omugulee Timber Co.	
ERROR CLOSURE	GND 225
EQUIPMENT USED:	DATE NOV. 2, 1993
LINEAR NIKON EDM	DRAWN AKS
ANGULAR NIKON NT-1	REVISIONS
SCALE 1" = 200'	Land Lot
COUNTY OCONEE	Land Dist.
STATE GEORGIA	
City	✓



SITE LOCATION
NTS

REVISIONS:	DATE	NO.	DESCRIPTION
DESIGNED: AJG DRAWN: AJG CHECKED: GES APPROVED: GES			CONCEPT REFERENCE ONLY



GINN ENGINEERING SERVICES, LLC.
1971 FLAT ROCK RD.
WATKINSVILLE, GA 30677
PHONE: (678) 232-0872



22503 1971 FLAT ROCK RD.
PARCEL C 05 043J
ALEXANDER JOHNSTON & SADIE
KATHLEEN LAMBERT GINN
REZONE CONCEPT PLAN
DATE: 6-20-2022

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