

**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 John Willie Pullin, Jr. submitted on September 21, 2023.

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 John Willie Pullin, Jr. on September 21, 2023, regarding a ±5.29-acre tract of land located 1101 Adams Road, Bishop, Georgia, (tax parcel no. A-07-018A), 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 a manufactured home with a 3:12 roof pitch.

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.

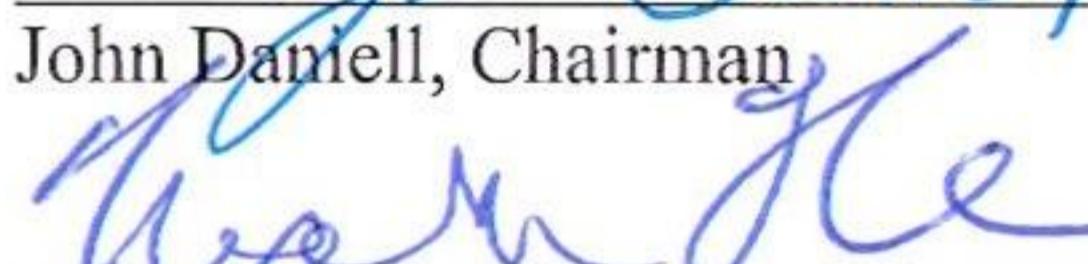
Said Special Exception Variance application was submitted to the Oconee County Board of Commissioners and a Public Hearing was duly held by the same at its regular meeting on December 5, 2023.

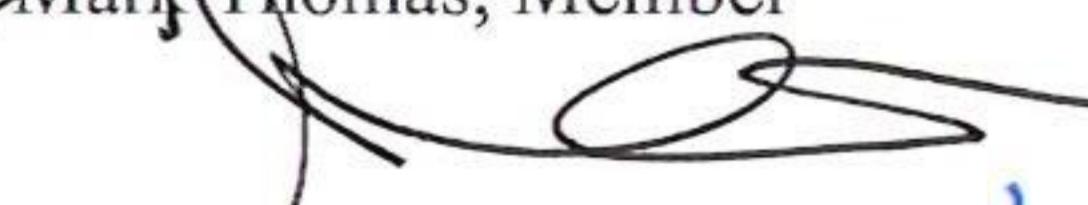
ADOPTED AND APPROVED, this 5th day of December, 2023.

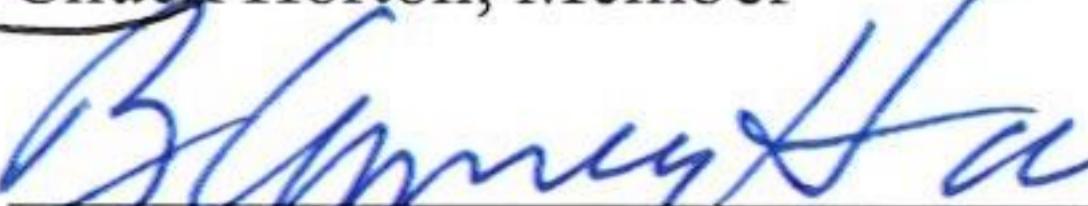
OCONEE COUNTY BOARD OF COMMISSIONERS

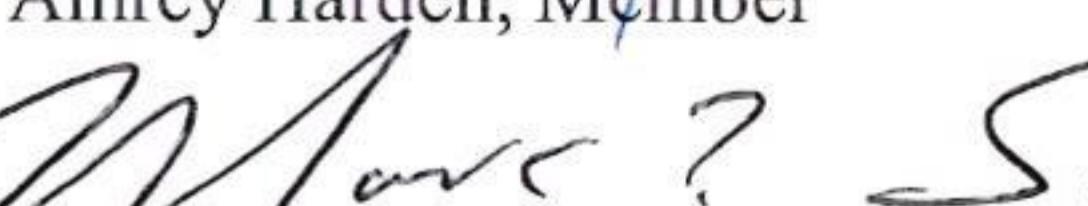
BY:


John Daniell, Chairman


Mark Thomas, Member


Chuck Horton, Member


Amrey Harden, Member


Mark Saxon, Member

ATTEST:

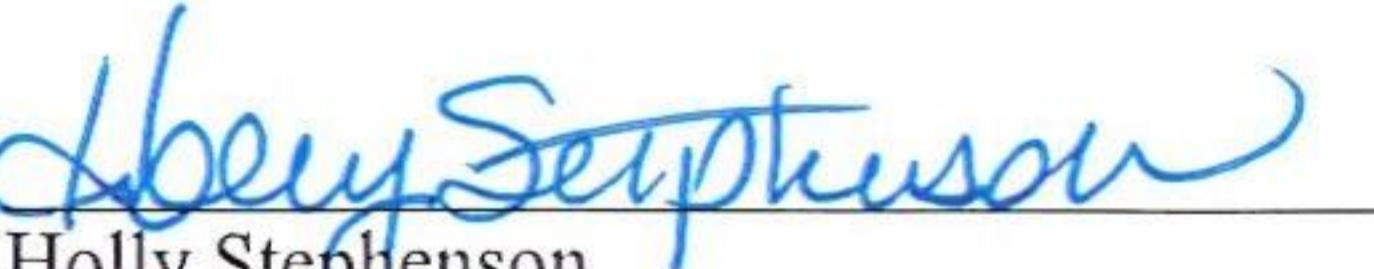

Holly Stephenson
Clerk, Board of Commissioners

EXHIBIT “A” TO SPECIAL EXCEPTION VARIANCE NO. P23-0201

Page 1 of 8

CONDITION

1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Unified Development Code.

TAX MAP

Variance # P23-0201 - John Pullin



TYPED LEGAL DESCRIPTION

All that tract or parcel of land, together with all improvements thereon, containing 5.288 acres, more or less, situate, lying and being on the southeasterly side of a settlement road, in the 239th District, G. M., Oconee County, Georgia; being known and designated as Tract 5 according to a plat entitled "Survey for Claude Thomas" by Landmark Engineering Corporation, Surveyors, dated June 3, 1988, recorded at Plat Book 17, page 25, in the office of the Clerk of Superior Court of Oconee County, Georgia; and subject tract being bounded now or formerly and generally as follows: Northwesterly by said settlement road, centerline of said road is the property line; southwesterly and southeasterly by land of Gailey; and northeasterly by Tract 4, as shown on said plat; and being part of the property conveyed to Claud A. Thomas by Katherine K. Weatherford, et al by Warranty Deed dated August 9, 1985, recorded at Deed Book 70, page 97, said Clerk's office.

NARRATIVE

I am requesting a Special Exception Variance from Unified Development Code Article 3 Section 329.06.b(6). The address of the property is 1101 Adams Rd, Bishop, GA 30621, and the parcel number of the property is A-07-018A. The existing zoning district of the property is AG. The existing use of the property is Residential. The total acreage is 5.29 acres.

The code section that I am requesting a variance from is 329.06.b(6). The reason for the request is to replace an existing manufactured home on the property with a manufactured home that has a 3:12 roof pitch rather than a 4:12 roof pitch. The proposed use of the property will still be Residential.

The existing zoning and existing uses of the adjacent properties are as follows:

A-07-013A – AR – Residential

A-07A-015 – AG – Residential

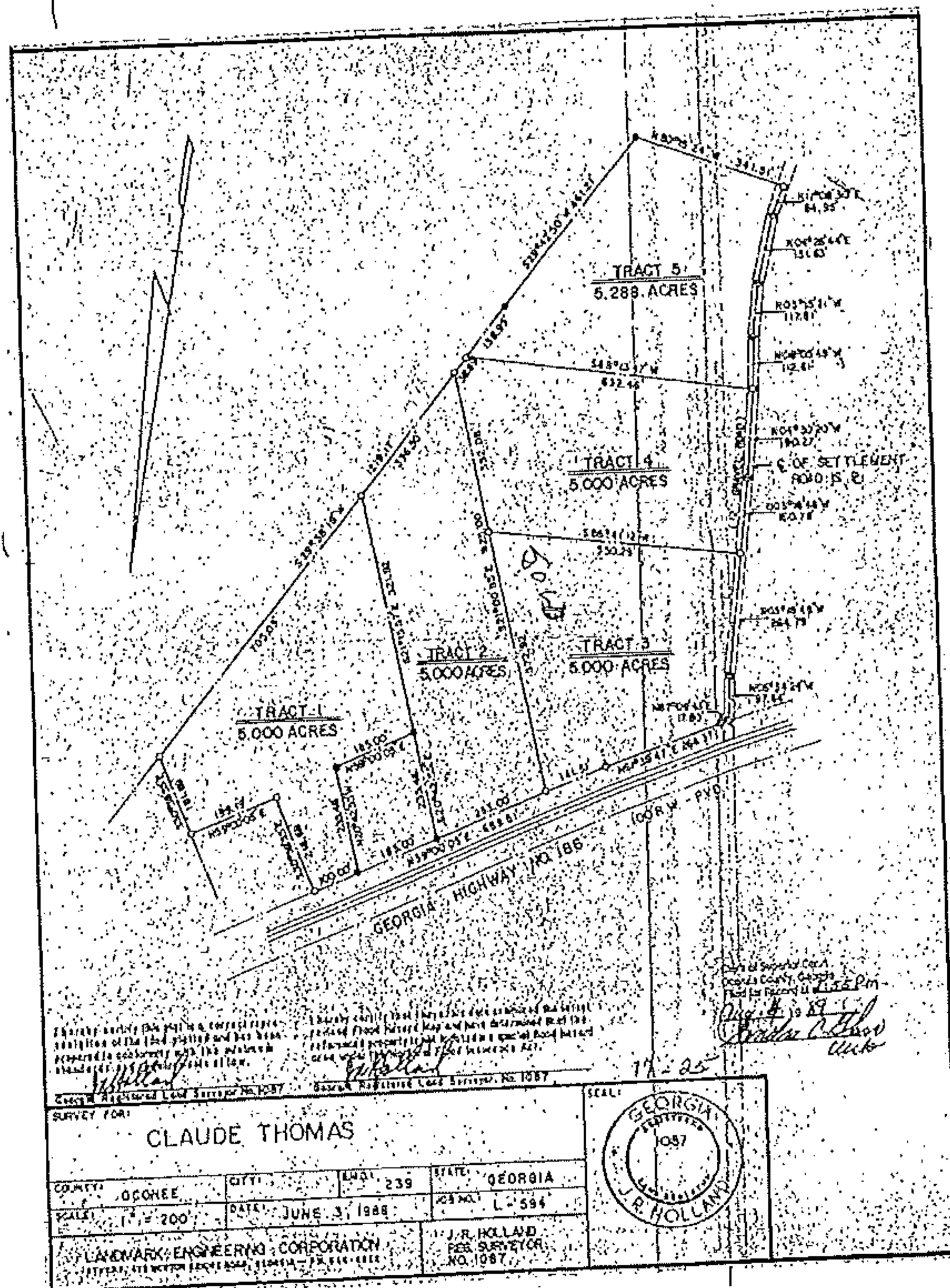
A-07-018B – AG – Residential

A-07-017C – AG – Residential

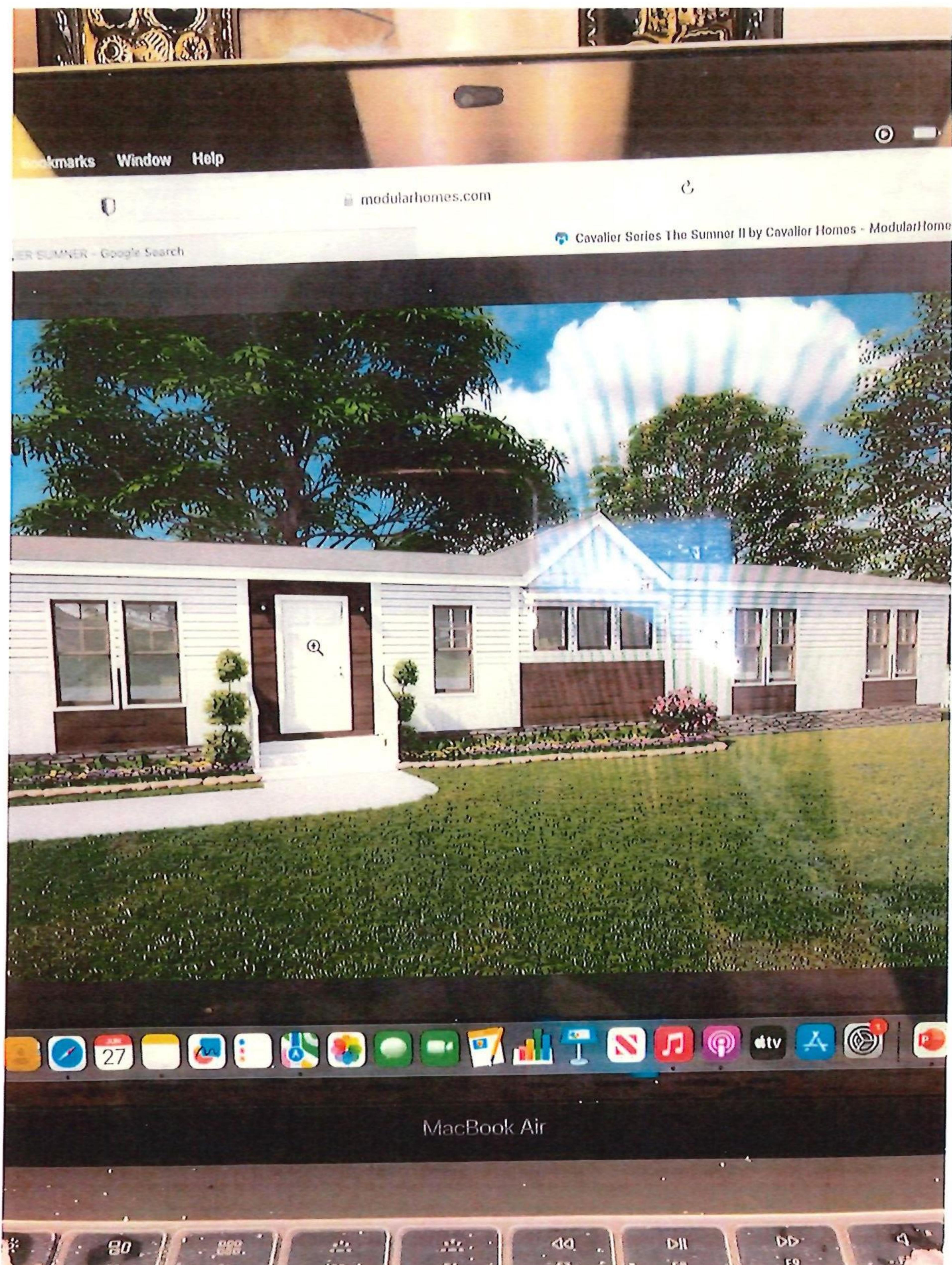
There is no companion application to this variance.

EXHIBIT "A" TO SPECIAL EXCEPTION VARIANCE NO. P23-0201
Page 5 of 8

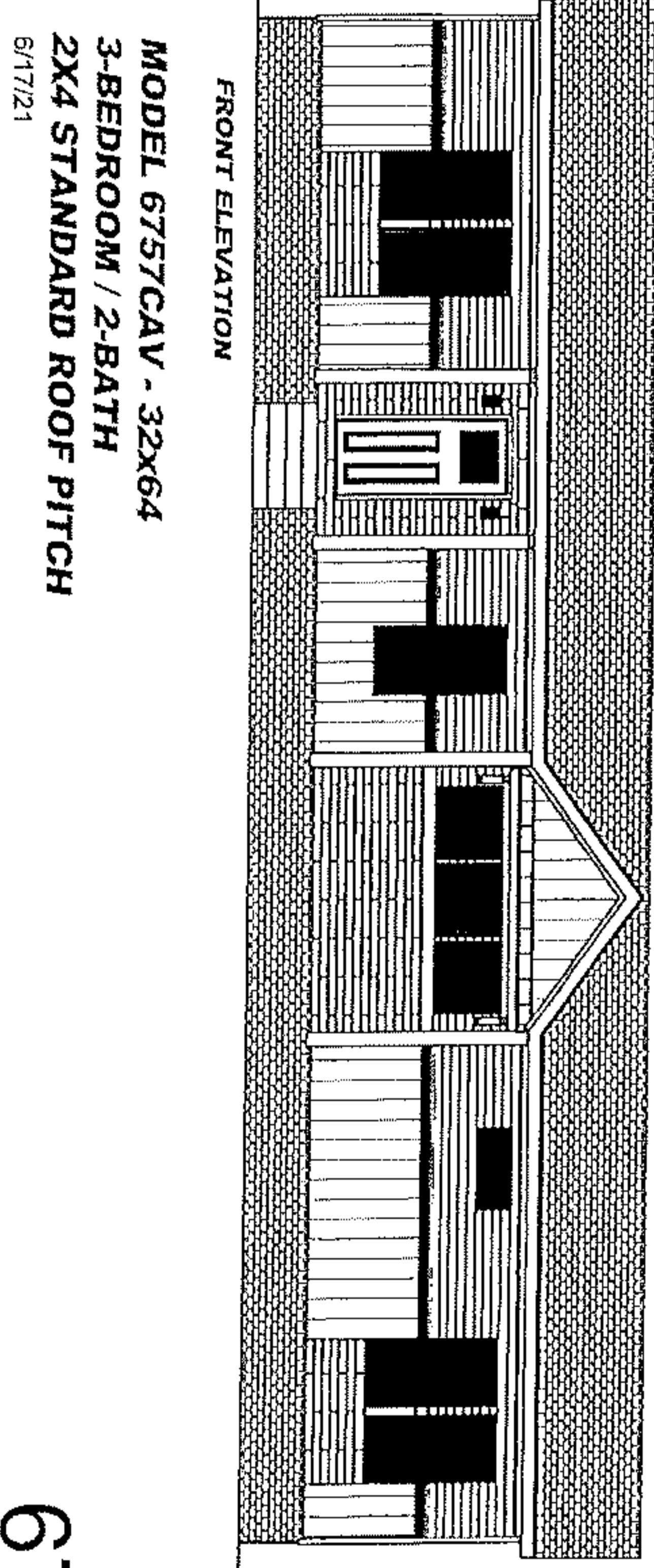
PLAT



CONCEPT PLAN



CONCEPT PLAN



6757CAV

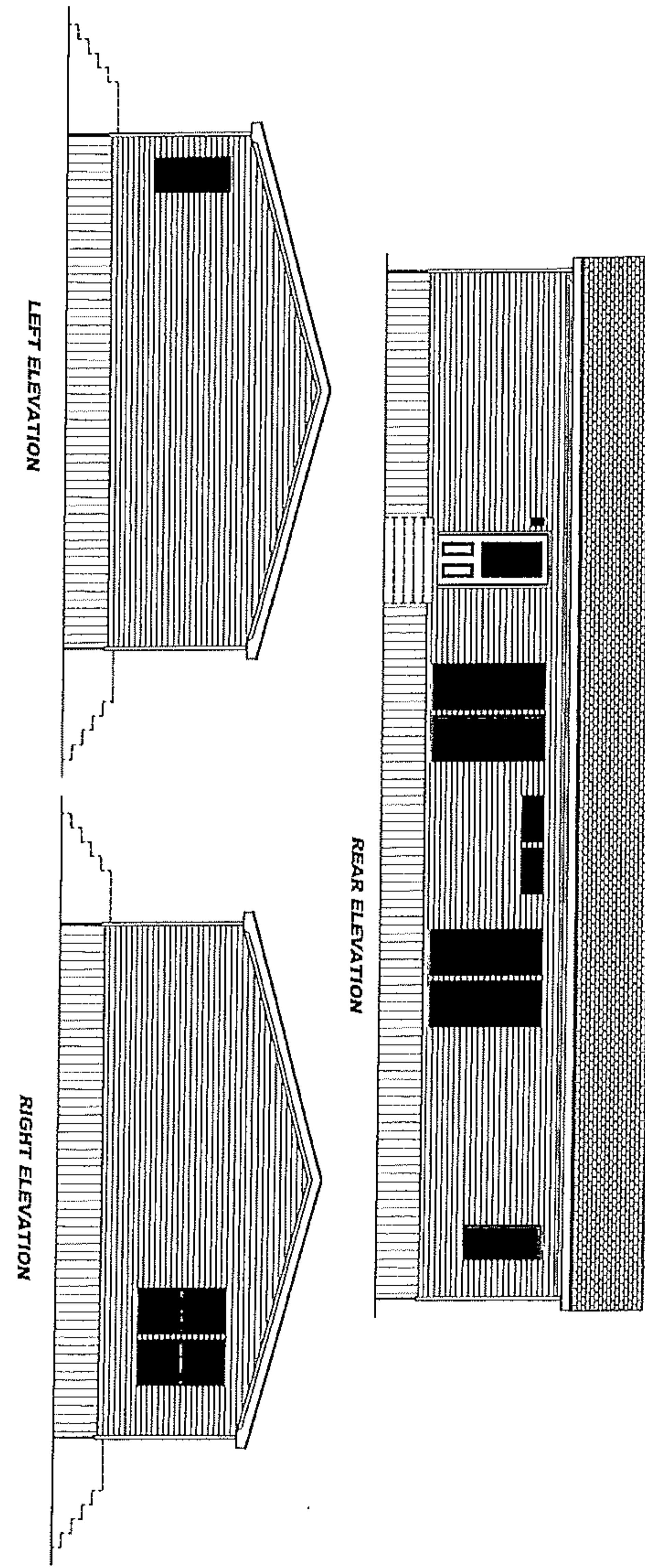
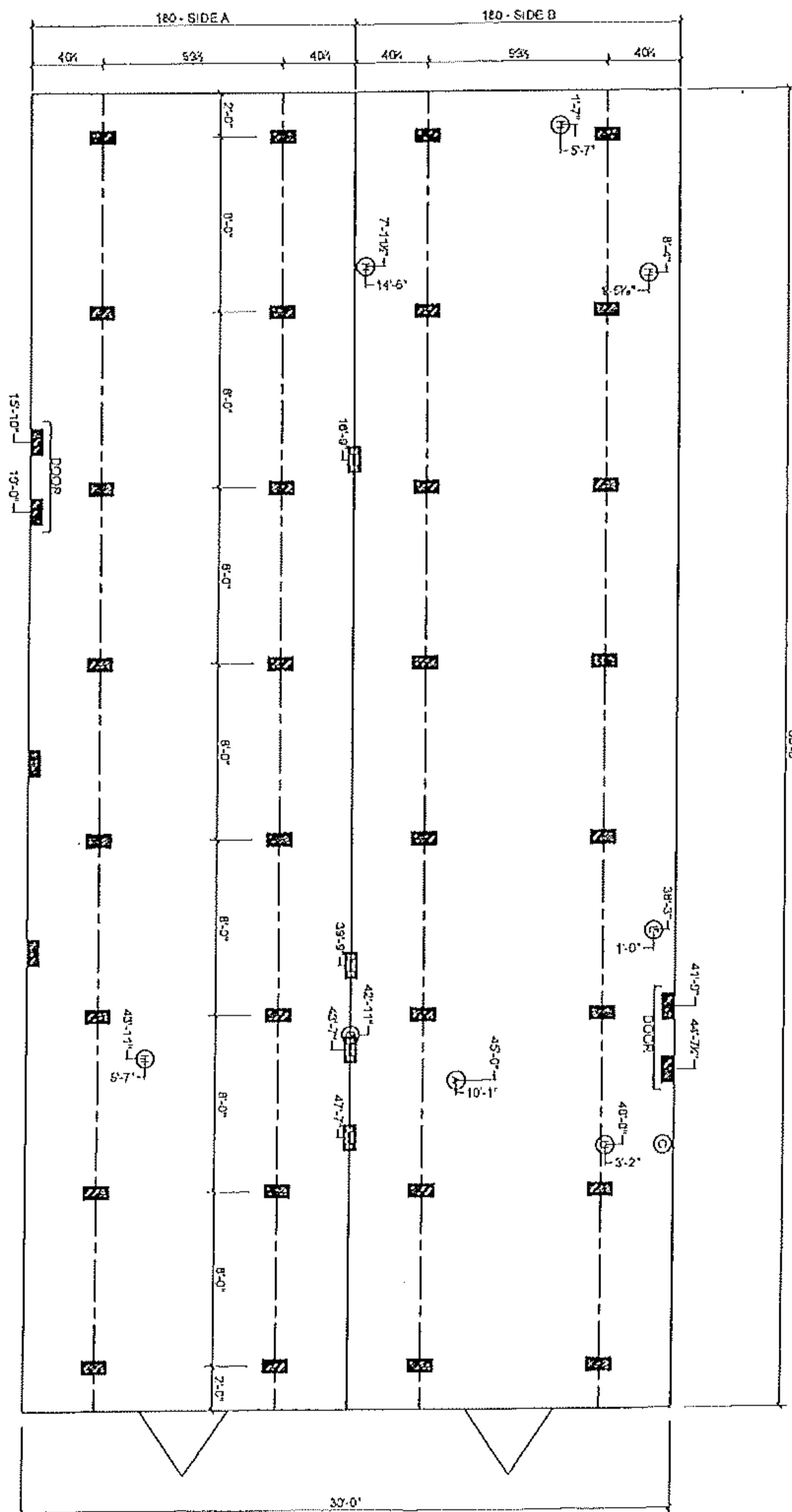


EXHIBIT "A" TO SPECIAL EXCEPTION VARIANCE NO. P23-0201

Page 8 of 8

CONCEPT PLAN



- (A) MAIN ELECTRICAL
- (B) ELECTRICAL CROSSOVER
- (C) WATER INLET
- (D) WATER CROSSOVER
- (E) GAS INLET
- (F) GAS CROSSOVER (IF ANY)
- (G) DUCT CROSSOVER
- (H) SEWER DROPS
- (I) RETURN AIR (W/O PT. HEAT PUMP OR DUCT)
- (J) SUPPLY AIR (W/O PT. HEAT PUMP OR DUCT)



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

VARIANCE CASE #: P23-0201

DATE: November 21, 2023

STAFF REPORT BY: Guy Herring (Director of Planning and Code Enforcement)

APPLICANT NAME: John Willie Pullin, Jr.

PROPERTY OWNER: John Willie Pullin, Jr.

LOCATION: 1101 Adams Road, Bishop, GA 30321
(A 07 018A)

PARCEL SIZE: ±5.29 acres

EXISTING ZONING: AG (Agricultural District)

EXISTING LAND USE: Single Family Residential

TYPE OF VARIANCE REQUESTED: Special Exception Variance to allow a manufactured home with a 3:12 roof pitch.

REQUEST SUMMARY: The property owner requests a variance from UDC Sec. 329.06.b.6. which requires all manufactured homes to have a pitched roof with a slope of at least four feet in height for each 12 feet in width (4:12).

DATE OF SCHEDULED HEARINGS

BOARD OF COMMISSIONERS: December 5, 2023

ATTACHMENTS:

- Application
- Narrative
- Legal Description
- Plat of Survey
- Illustrative Plans



BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The applicant is seeking to replace an existing manufactured home that dates to 1990.
- The applicant states that they are unable to obtain a suitable manufactured home with a 4:12 roof pitch and seek permission to replace the existing manufactured home with one that has a roof pitch of 3:12.

VARIANCE DESCRIPTION

- The owner is requesting a special exception variance to allow a manufactured home with a 3:12 roof pitch.
 - ***Unified Development Code Section 329.06 – Qualified manufactured home.***
 - b. Compatibility standards.*
 - (6) Roof pitch and materials. The manufactured home shall have a pitched roof with a slope of at least four feet in height for each 12 feet in width (4:12). Roof materials shall be wood shake, tile, or asphalt shingle material.*

PUBLIC FACILITIES

Water:

- The residence does not utilize water services.

Sewer:

- The residence utilizes an on-site septic system.

Roads:

- The site will be accessed from the existing driveway for the residence from Adams Road.

ENVIRONMENTAL

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

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:

The residence will sit on a property of over 5 acres and on a roadway with limited traffic. Staff holds that there should be no significant negative impact on the tax base or nearby public infrastructure, schools, or environmentally sensitive areas from approval of the present request.

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

The residential properties to the north and east are buffered by existing stands of woods. The property to the west is a campground with sites for RV parking. The property to the south is agricultural. Staff holds that approval of the request to allow a manufactured home with a 3:12 roof pitch in this location should not be injurious to the use and enjoyment of the environment or of other properties in the immediate vicinity.

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

Based on the configuration of the applicant’s property and surrounding properties, staff holds that approval of the requested variance should not diminish or impair the property values within the surrounding neighborhood.

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

The intent of UDC Section 329.06 is to require that manufactured homes be of suitable quality. Staff believes that approval of this special exception variance request would not impair the UDC's purpose and intent given the compliance with other standards identified in 329.06.

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, 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.