

**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 revise the conditions for a previously approved rezone rezone pursuant to an application for rezoning of properties owned by Belfair Subdivision Homeowners Association, Inc, O.S. Properties, Inc, & 1040 Garland, LLC initiated on June 26, 2025.

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 initiated by The Oconee County Board of Commissioners on June 26, 2025, requesting to revise the conditions for previously approved rezones #2385, 2581, & 2582 for property located on the northwest side of the intersection of Monroe Highway and Pete Dickens Road in, Oconee County, Georgia, (tax parcel no. B-01K-001OP, B-01K-000B, B-01L-000A, B-01L-001RW, B-01L-000B, & B-01L-002RW), zoned R-1 (Single Family Residential District), OIP (Office Institutional Professional District), & B-2 (Highway Business District) 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 change in conditions for the property described on the attached “Exhibit A” is hereby changed 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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 Board of Commissioners and a Public Hearing was duly held by the same at its regular meeting on August 5, 2025.

ADOPTED AND APPROVED, this 5th of August, 2025.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY:


John Daniell, Chairman


Mark Thomas, Member


Chuck Horton, Member


Amrey Harden, Member


Mark Saxon, Member

ATTEST:

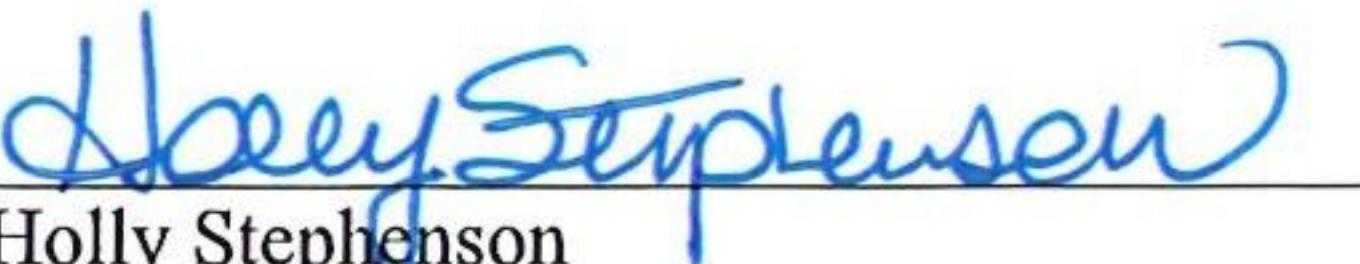

Holly Stephenson
Clerk, Board of Commissioners

EXHIBIT "A" TO REZONE NO P25-0139

Page 1 of 5

CONDITIONS

1. For properties zoned R-1 (parcels B-01K-001OP and B-01K-000B) from rezoning number 2385, remove condition #6: "Developer shall dedicate to Oconee County the necessary right-of-way for the Pete Dickens Road realignment as shown on the concept plan." All other conditions of zoning shall remain in effect.
2. For properties zoned OIP (parcels B-01L-000A and B-01L-001RW) from rezoning number 2581, remove condition #5: "Developer shall dedicate to Oconee County the necessary right-of-way for the Pete Dickens Road realignment as shown on the concept plan." All other conditions of zoning shall remain in effect.
3. For properties zoned B-2 (parcels B-01L-000B and B-01L-002RW) from rezoning number 2382, remove condition #5: "Developer shall dedicate to Oconee County the necessary right-of-way for the Pete Dickens Road realignment as shown on the concept plan." All other conditions of zoning shall remain in effect.

EXHIBIT "A" TO REZONE NO P25-0139

Page 2 of 5

TAX MAP

REZONE # P25-0139 - OCONEE COUNTY BOARD OF COMMISSIONERS

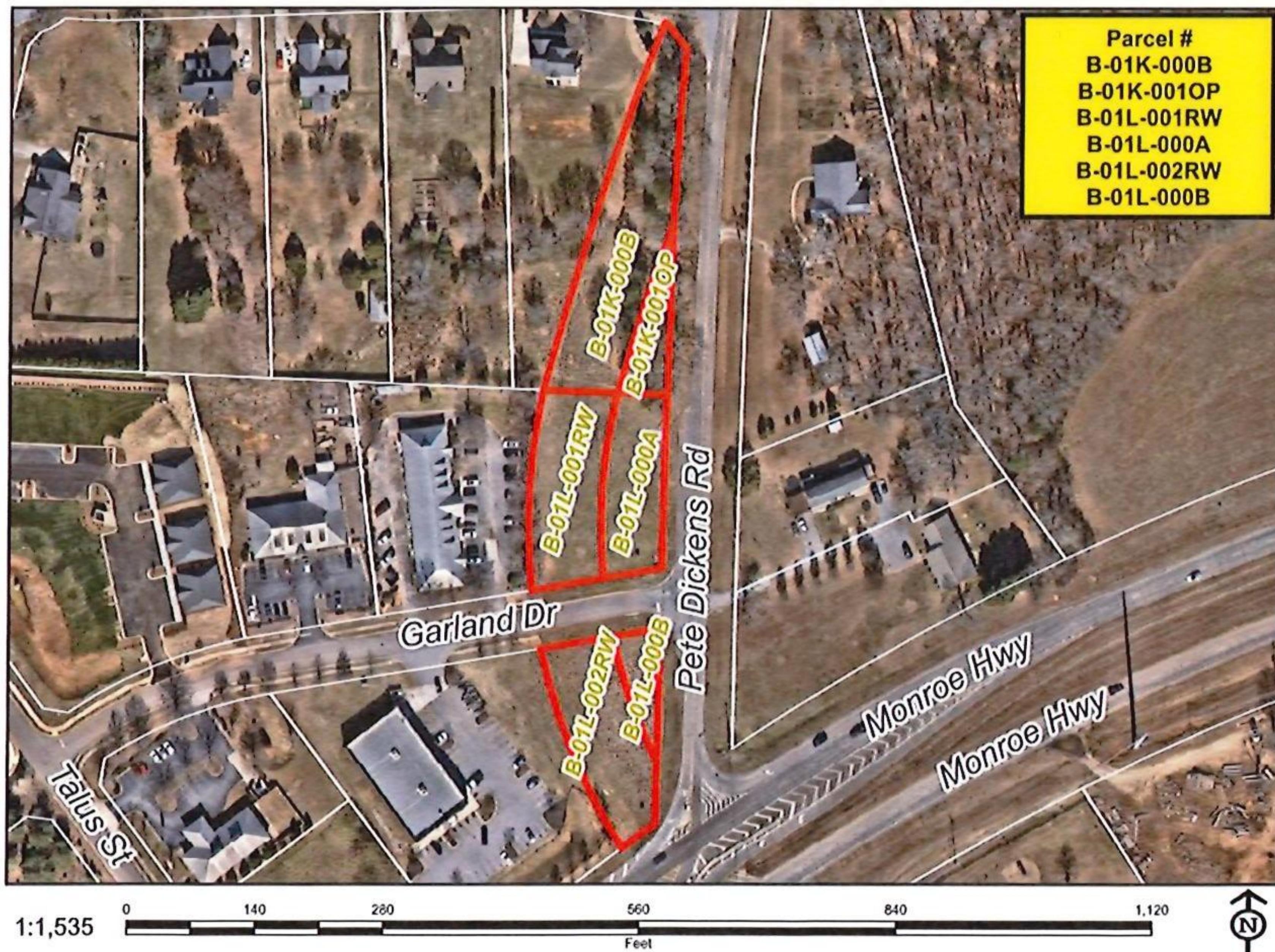


EXHIBIT "A" TO REZONE NO P25-0139

Page 3 of 5

MEMORANDUM

Oconee County Memorandum

7635 Macon Hwy • Suite 400 • Watkinsville, GA 30677
P: (706) 769-3910
www.oconeecounty.com

Planning and Code Enforcement Department

DATE: July 24, 2025
TO: Oconee County Board of Commissioners
CC: Holly Stephenson
David Webb, AICP, Senior Planner
FROM: Guy Herring, Director of Planning & Code Enforcement
RE: Rezonings 2385, 2581, 2582 – Board Initiated Modification of Conditions
(P25-0139)

The Board of Commissioners has initiated a rezone modification to amend the conditions of approval of rezonings 2385, 2581, 2582 to remove the requirement for a future right-of-way dedication. The current property owners, sizes of the parcels and current zoning districts are as follows:

Parcel Number	Owner	Size (in acres)	Zoning District
B-01K-001OP	BELFAIR SUBDIVISION HOMEOWNERS ASSOCIATION, INC	0.119	R-1
B-01K-000B	BELFAIR SUBDIVISION HOMEOWNERS ASSOCIATION, INC	0.614	R-1
B-01L-000A	O.S. PROPERTIES, INC C/O MILTON GARLAND, SR.	0.288	OIP
B-01L-001RW	O.S. PROPERTIES, INC C/O MILTON GARLAND, SR.	0.384	OIP
B-01L-000B	O.S. PROPERTIES, INC C/O MILTON GARLAND, SR.	0.096	B-2
B-01L-002RW	O.S. PROPERTIES, INC C/O MILTON GARLAND, SR.	0.378	B-2

- The six properties are located along Pete Dickens Road, north of the intersection with Monroe Highway (US 78) and adjacent to Garland Drive.
- The request is to remove the condition that: "Developer shall dedicate to Oconee County the necessary right-of-way for the Pete Dickens Road realignment as shown on the concept plan."
- The future right-of-way is no longer needed as indicated on long range transportation plans and the re-configuration of the US 78 and Pete Dickens Road intersection by the Georgia Department of Transportation.
- All other conditions of approval shall remain in effect for rezoning numbers 2385 (approved 2-5-2002), 2581 (approved 6-4-2002), and 2582 (approved 6-4-2002).

EXHIBIT "A" TO REZONE NO P25-0139

Page 4 of 5

PLAT

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OCONEE COUNTY CLERK
ANGELA ELDER-JOHNS
CLERK

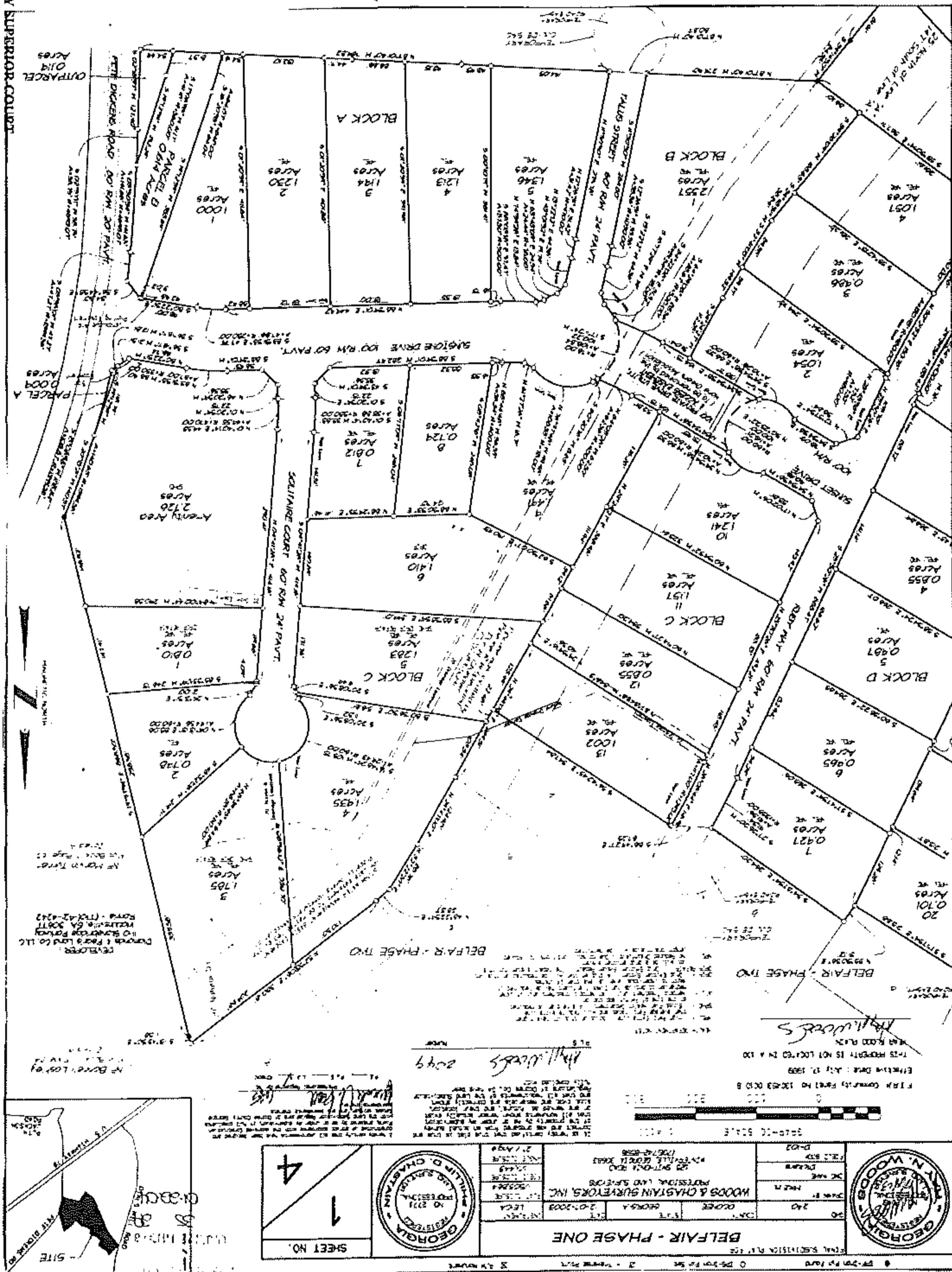
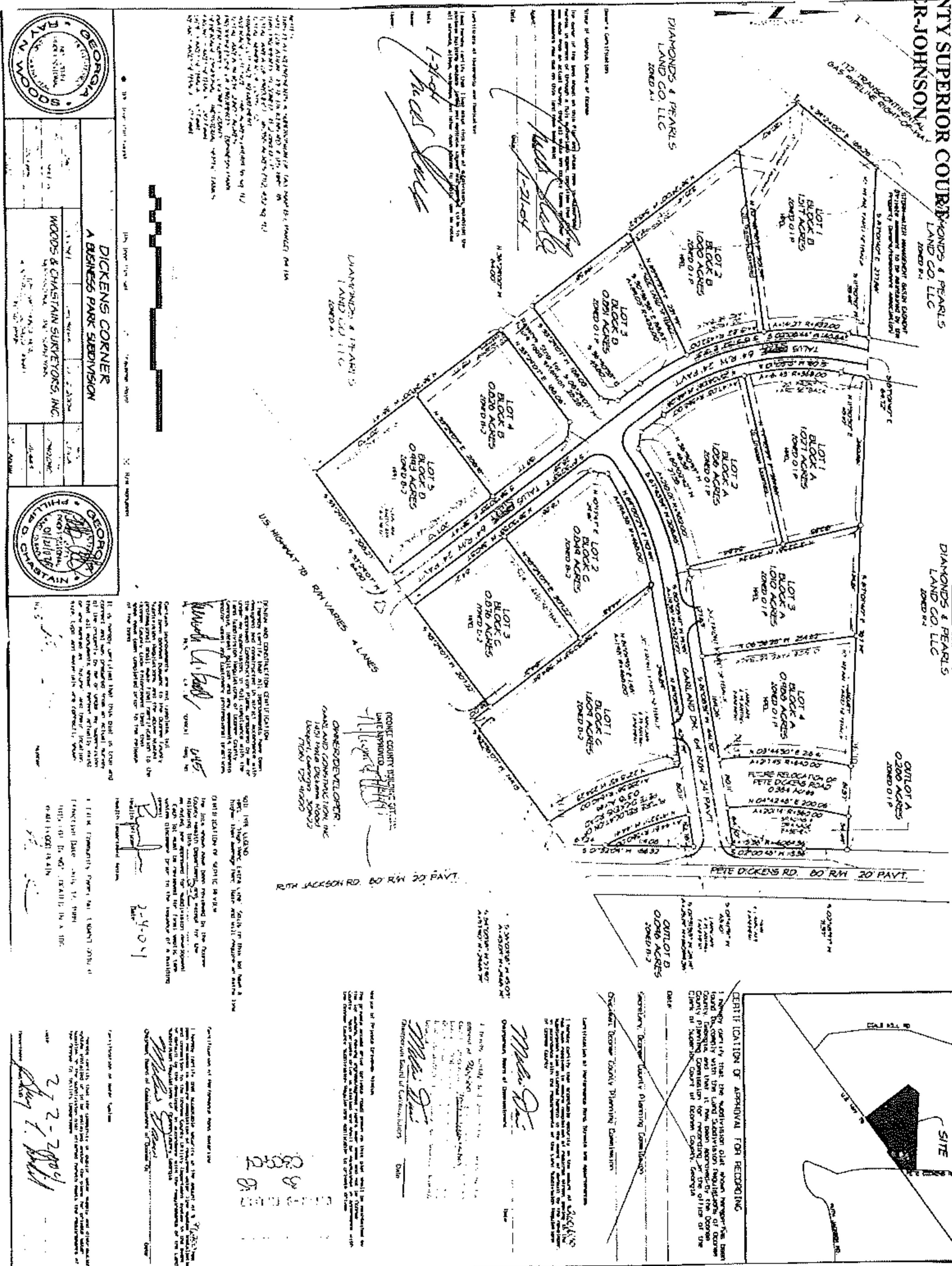


EXHIBIT "A" TO REZONE NO P25-0139
Page 5 of 5

PLAT

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04:47 PM
03/09/2004

OCONEE COUNTY SUPERIOR COURT
ANGELA ELDER-JOHNSON
CLERK
BK 35 PG 65



Oconee County Memorandum

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- The request is to remove the condition that: “Developer shall dedicate to Oconee County the necessary right-of-way for the Pete Dickens Road realignment as shown on the concept plan.”
- The future right-of-way is no longer needed as indicated on long range transportation plans and the re-configuration of the US 78 and Pete Dickens Road intersection by the Georgia Department of Transportation.
- All other conditions of approval shall remain in effect for rezoning numbers 2385 (approved 2-5-2002), 2581 (approved 6-4-2002), and 2582 (approved 6-4-2002).

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.

The properties are currently zoned R-1, OIP and B-2. There is no proposal to change the zoning district or the allowed uses as indicated on the previous rezoning. Staff analysis indicates the proposed modification to remove requirements for future right-of-way dedication will be in harmony with the existing residential and commercial uses in the area.

B. Whether the property to be rezoned has a reasonable economic use as currently zoned.

The property does not have a reasonable use without the amendments to conditions as the property has been vacant for 23 years. The condition to reserve the six properties for future right-of-way is no longer necessary.

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;
The modifications will not have an effect on schools, streets, water or sewer.

ii. Environmental impact;

There are no changes to the approved concept plans. Any development plans would be required to follow current UDC environmental requirements.

iii. Effect on the existing use, usability and/or value of adjoining property.

Adjoining property is predominantly low density residential, retail, and office parks. The proposed modification is not anticipated to affect the usability or value of adjoining properties.

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 property has been vacant for 22 years since it was rezoned. The condition to reserve the six properties for future right-of-way is no longer necessary.

E. Consistency of the proposed use with the stated purpose of the zoning district that is being requested.

There are no changes proposed to the existing R-1, OIP and B-2 zoning districts. Staff finds this criteria is not applicable.

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.

There are no known existing or changing conditions or land use patterns affecting the use and development of the property.

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 Community Village Center Character Area as shown on the Character Area Maps, 2023 Oconee County Comprehensive Plan Update. This Character Area is intended to have “Mixed-use developments that integrate and link together a compatible assortment of higher-intensity commercial (such as larger-scaled shopping centers, professional offices, and services), residential, and recreational uses through a comprehensive circulation system.” Staff finds the proposed amendment to the conditions of the existing zoning districts are in conformity with the Comprehensive Plan.

H. The availability of adequate sites for the proposed use in districts that permit such use.

The properties were previously zoned in 2022. These properties have been held to a future right-of-way reservation and were not allowed to develop. There are likely other properties available in the R-1, OIP and B-2 zones, but no specific uses are proposed at this time.

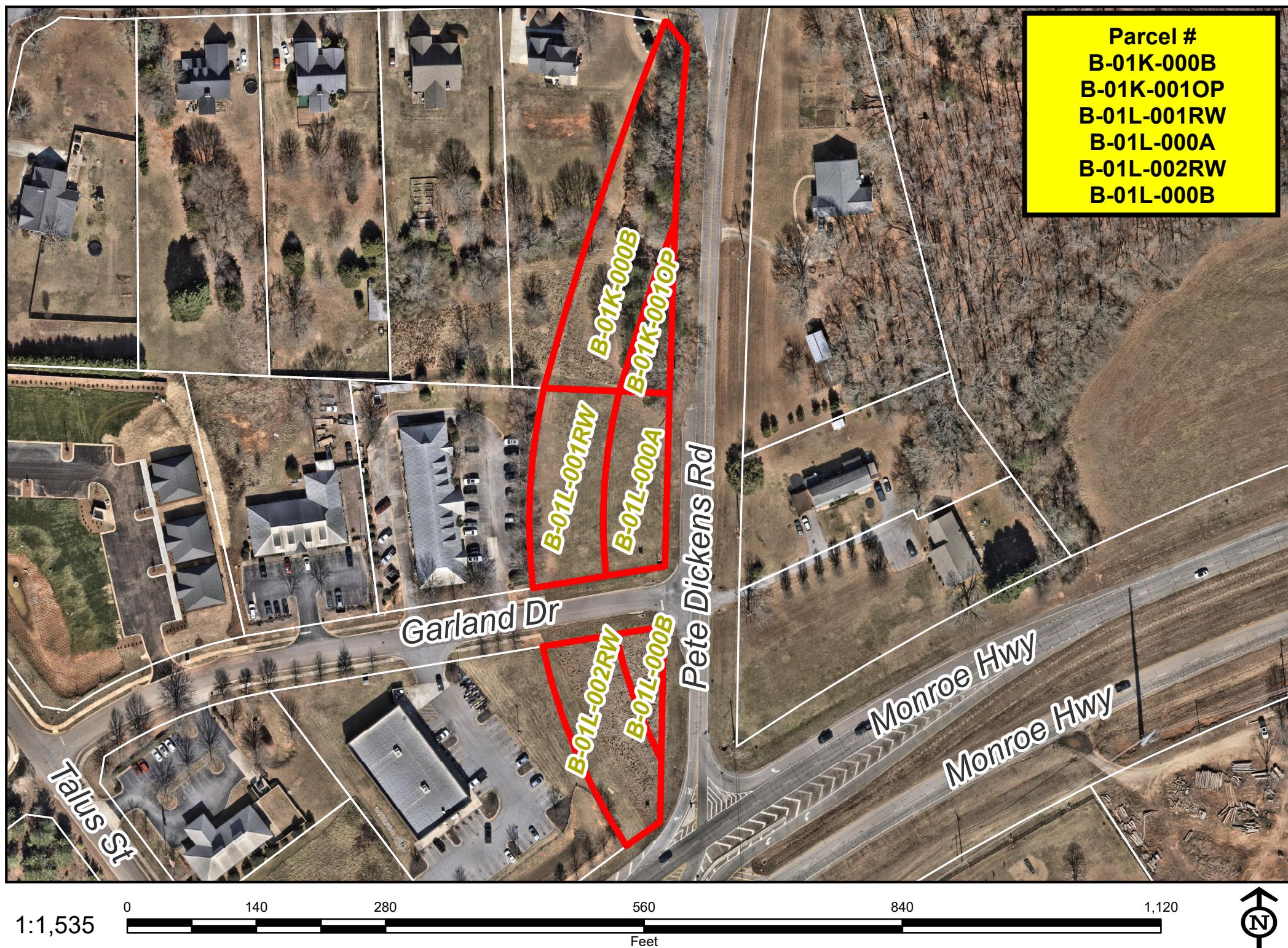
Staff recommends **approval** of the request to amend the conditions of zoning as follows:

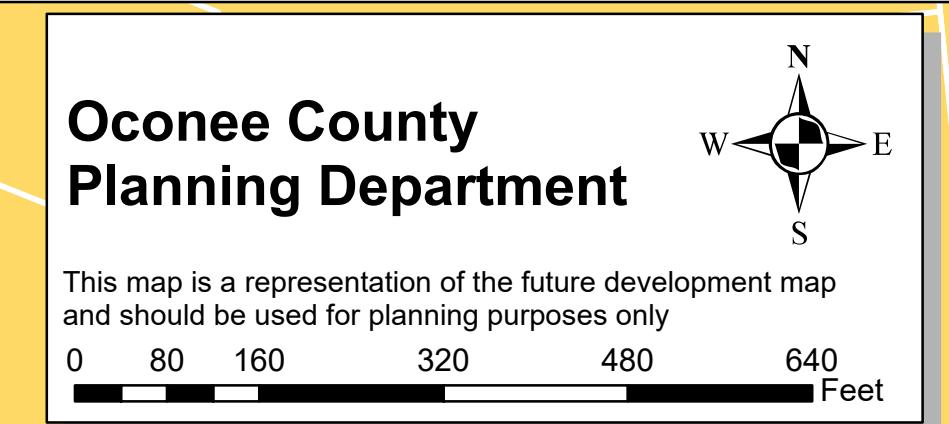
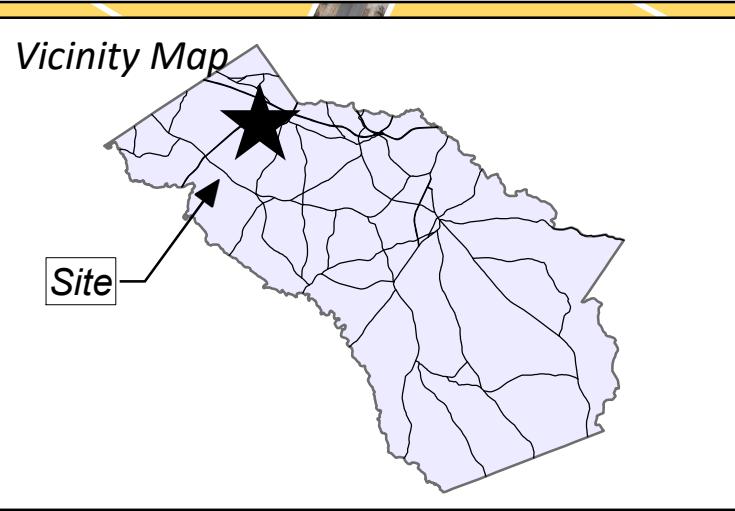
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Attachments:

Recorded Plats
Vicinity Map
Zoning Map
Future Land Use Plan map

REZONE # P25-0139 - OCONEE COUNTY BOARD OF COMMISSIONERS

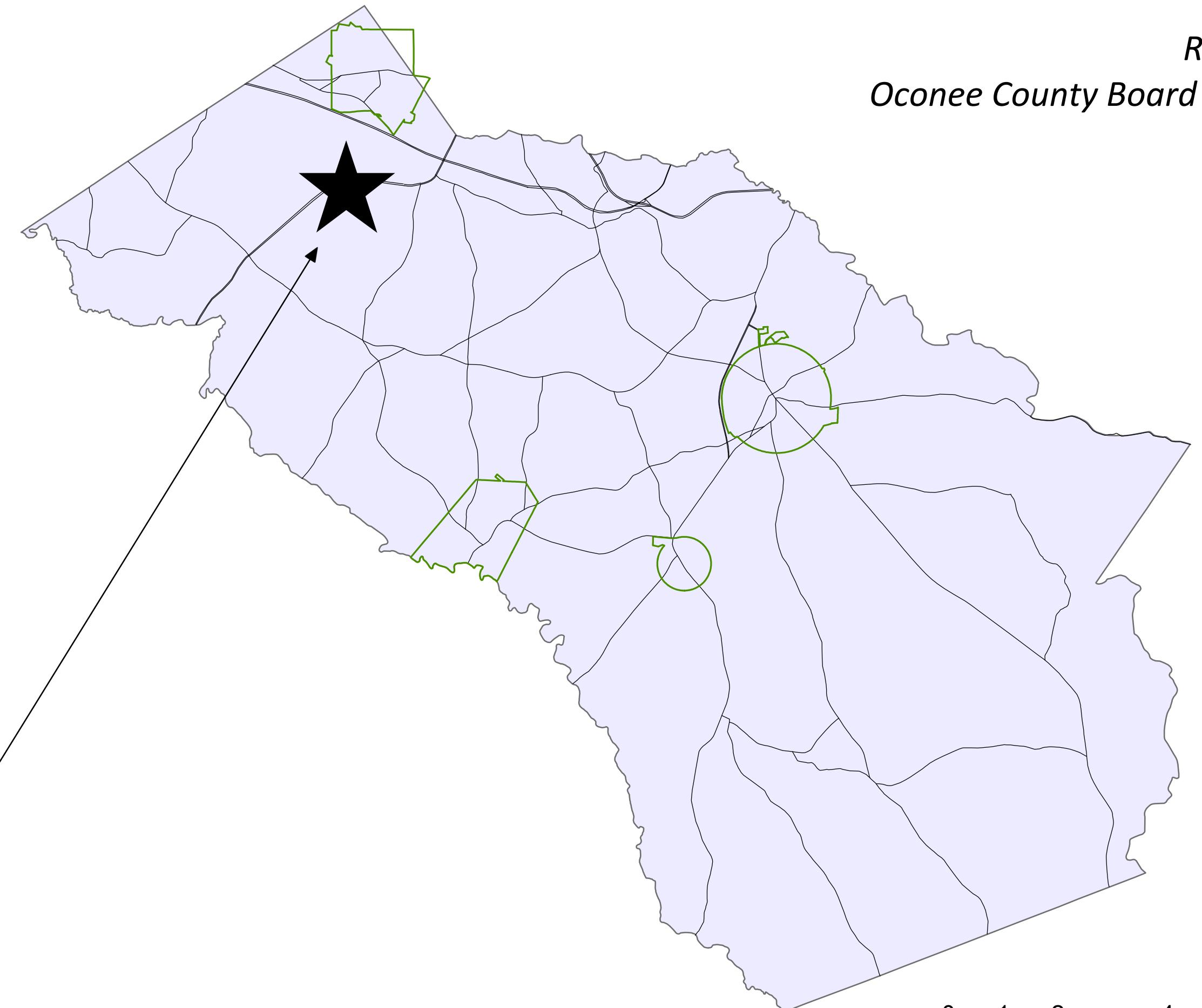




Community Village

Suburban Neighborhood

Location Map -
Rezone # P25-0136
Oconee County Board of Commissioners



1:120,000

0 1 2 4 6 8 Miles

