

**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 zoning classification R-1 (Single Family Residential District) pursuant to an application for rezoning of property owned by NIW Holdings, LLC submitted on July 21, 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 submitted by Pittman & Greer Engineering on July 21, 2025, requesting a rezone of a ±7.00-acre tract of land located at 2001 Atlanta Highway in, Oconee County, Georgia, (tax parcel no. B-01-050), 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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 Planning Commission and a Public Hearing was duly held by the same on September 15, 2025, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on October 7, 2025.

ADOPTED AND APPROVED, this 7<sup>th</sup> of October, 2025.

**OCONEE COUNTY BOARD OF COMMISSIONERS**


BY: \_\_\_\_\_

John Daniell, Chairman

ATTEST:




Holly Stephenson  
Clerk, Board of Commissioners

  
Mark Thomas, Member

  
Chuck Horton, Member

  
Amrey Harden, Member

  
Mark Saxon, Member

## **EXHIBIT "A" TO REZONE NO P25-0157**

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### **CONDITIONS**

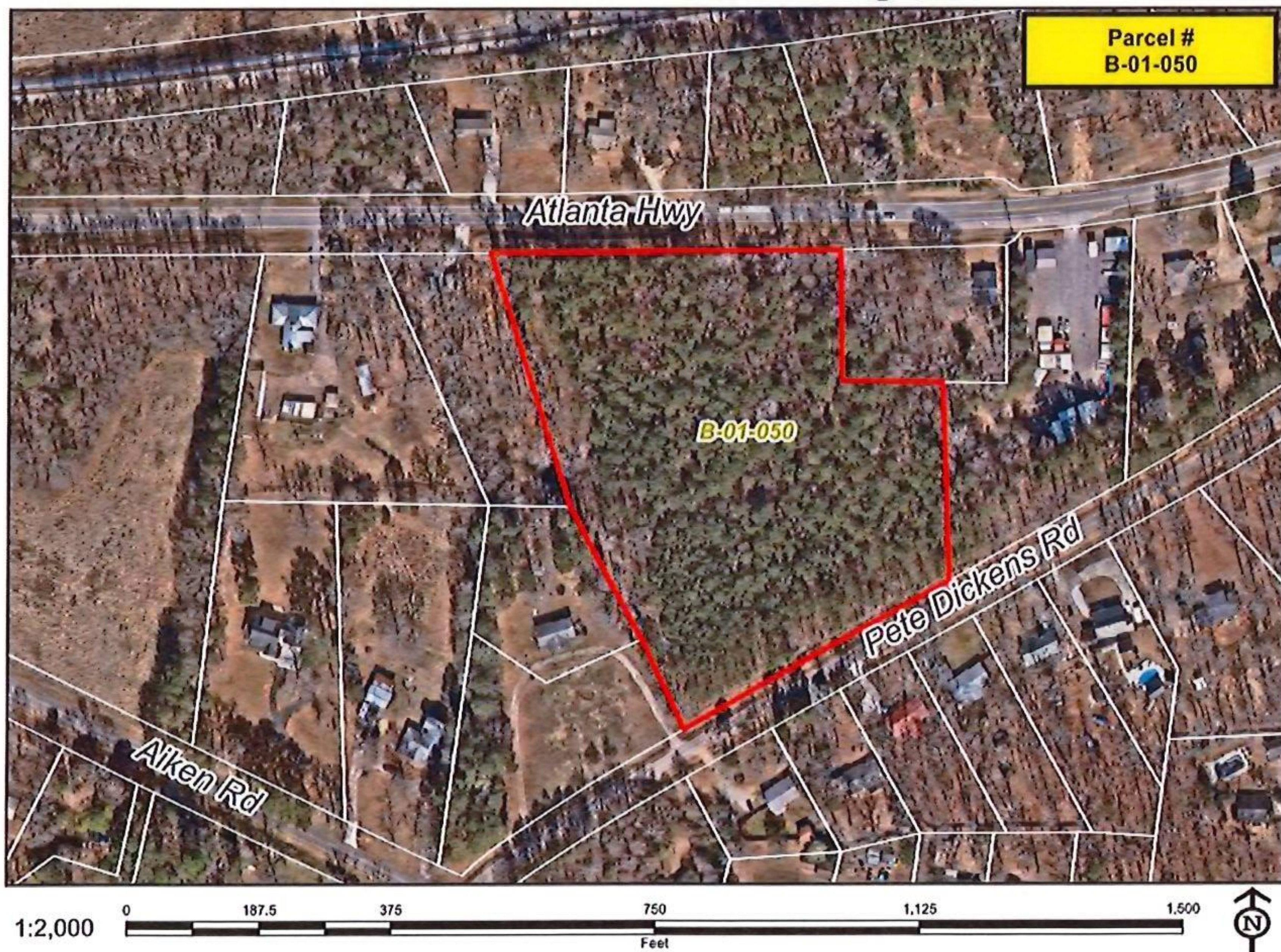
1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Unified Development Code.
2. The owner at their own expense shall construct the improvements required by the County for public water for the subject property and shall convey the 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.

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TAX MAP

Rezone # P25-0157 - NIW Holdings, LLC



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**LEGAL DESCRIPTION**

**LEGAL DESCRIPTION**

All that tract, or parcel of land, together with all improvements thereon, containing 7.0000 acres, more or less, lying and being in the 240th District, G.M., Oconee County, Georgia, and being more particularly described as follows:

Beginning at the centerline intersections of Pete Dickens Road and Aiken Road; thence North 51 degrees 29 minutes 35 seconds East, 404.66 feet to a 5/8" rebar along the northly right-of-way of Pete Dickens Road, being the TRUE POINT OF BEGINNING; thence leaving said right-of-way North 23 degrees 15 minutes 52 seconds West, 8.03 feet to a 5/8" rebar; thence North 24 degrees 12 minutes 21 seconds West, 348.52 feet to a 3/4" angle iron; thence North 18 degrees 21 minutes 06 seconds West, 385.36 feet to a 5/8" steel rod along the southerly right-of-way of Atlanta Highway; thence continuing along the right-of-way of Atlanta Highway South 89 degrees 46 minutes 07 seconds East, 528.55 feet to a 3/8" steel rod; thence leaving said right-of-way South 00 degrees 13 minutes 53 seconds West, 208.63 feet to a 3/8" steel rod; thence North 89 degrees 23 minutes 58 seconds East, 150.47 feet to a 3/8" steel rod; thence South 00 degrees 11 minutes 24 seconds West, 190.06 feet to a 3/8" steel rod; thence South 00 degrees 11 minutes 24 seconds West, 67.81 feet to a 3/8" steel rod along the northly right-of-way of Pete Dickens Road; thence continuing along the right-of-way of Pete Dickens Road South 61 degrees 20 minutes 59 seconds West, 467.10 feet to a 5/8" rebar BEING THE TRUE POINT OF BEGINNING.

Said tract being the same as Tract 1 on a Recombination Plat for Gaston T. Rowden, by Glenn Downs Engineer and Surveyor dated September 10/15/1999.

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## **NARRATIVE**

### **PETE DICKENS ROAD ADMINISTRATIVE SUBDIVISION**

**REZONE SUBMITTED 07/21/2025**

#### **GENERAL DATA**

Property Address: 2001 Atlanta Highway, Bogart, GA

Parcel: B 01 050

Owner: NIW Holdings LLC

Existing Zoning: AG

Proposed Zoning: R1

Existing Use: undeveloped

Proposed Use: Single-Family Residential

Property Area: 7.00 acres

#### **ADJACENT LAND USES AND ZONING**

North – Atlanta Highway

West – AG zoned property - residential

South – Pete Dickens Road with R1 residential lots across road

East – AG residential and B1 commercial use

#### **OWNERSHIP TYPE**

The development will be fee simple ownership.

#### **SITE NARRATIVE**

The property is 7.00 acres and is currently zoned AG and undeveloped. The property owner is NIW Holdings LLC. The owner is seeking to rezone the property from AG to R1 to create a 4 lot residential administrative subdivision for family purposes.

#### **SITE DESCRIPTION**

The property is located on the north side of Pete Dickens Road and south side of Atlanta Highway. The Character Area for the property and its surrounding properties is identified as ‘Corridor Commercial’ according to the Oconee Future Development Map.

The property is wooded and undeveloped. Slopes onsite range from 2 to 15%. The site drains primarily to the northeast into an existing swale.

#### **PROPOSED USE**

The proposed use of the property is a single family residential administrative subdivision. Homes will range in size from approximately 1,600 sf. to 2,000 sf with a minimum of 1,600 sf. The proposed architectural design theme is a craftsman style and will feature pitched shingled roofs, shed dormers, wide overhanging eaves, wood or masonry columns, and divided light windows/doors. Predominant exterior materials will be cementitious plank siding, with the combination of stone or brick water tables, some shingle siding accents, and low-maintenance composite trim and ornamentations. See attached representative architecture photographs of the proposed structures.

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### NARRATIVE

#### ACCESS

Access will be via individual driveways for Lot 1 & 2 from Atlanta Highway and for lots 3 & 4 from Pete Dickens Road.

#### TRAFFIC IMPACT

Per the Institute of Transportation Engineers, Trip Generation, 11<sup>th</sup> Edition (ITE Manual), the proposed development does not generate the 500 trips per day that is required to trigger a Traffic Impact Analysis. Trip Generation Data is as follows:

Land Use	Intensity	Daily	AM Peak	PM Peak
Single Family Detached Housing (210)	4	38	3	4

#### WATER SUPPLY

Water will be provided by individual wells as there is no public water main on Pete Dickens Road or Atlanta Highway. If allowed by Water Resources, shared wells could be utilized.

#### SEWAGE DISPOSAL

Conventional septic tanks and drain-fields are proposed for the individual lots. A soil survey map has been prepared by an approved soil scientist to ensure that the system will be constructed in an area with appropriate soils per county health department and state regulations.

#### GARBAGE COLLECTION

Garbage collection will be handled by private contractor service.

#### UTILITIES

Electricity and data will be provided by power/data providers in the area.

#### STORMWATER MANAGEMENT AND DRAINAGE

Stormwater Management will not be required as part of an administrative subdivision.

#### IMPACT TO SCHOOL SYSTEM

It is anticipated that there will be minimum impact to the school system from this development due to the limited number of lots proposed.

#### PROJECT SCHEDULE

Once zoning is approved in approximately October 2025 lots would be platted and homes could be started as early as 2026.

#### BUFFERS

There are no required buffers on the development.

#### SIGNAGE

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**NARRATIVE**

There is not anticipated to be any signage associated with this project.

**ESTIMATED VALUE OF PROJECT**

The complete buildout of the project is estimated to be \$2.4-3.0 Million.

**REPRESENTATIVE ARCHITECTURE**

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**NARRATIVE**



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**NARRATIVE**



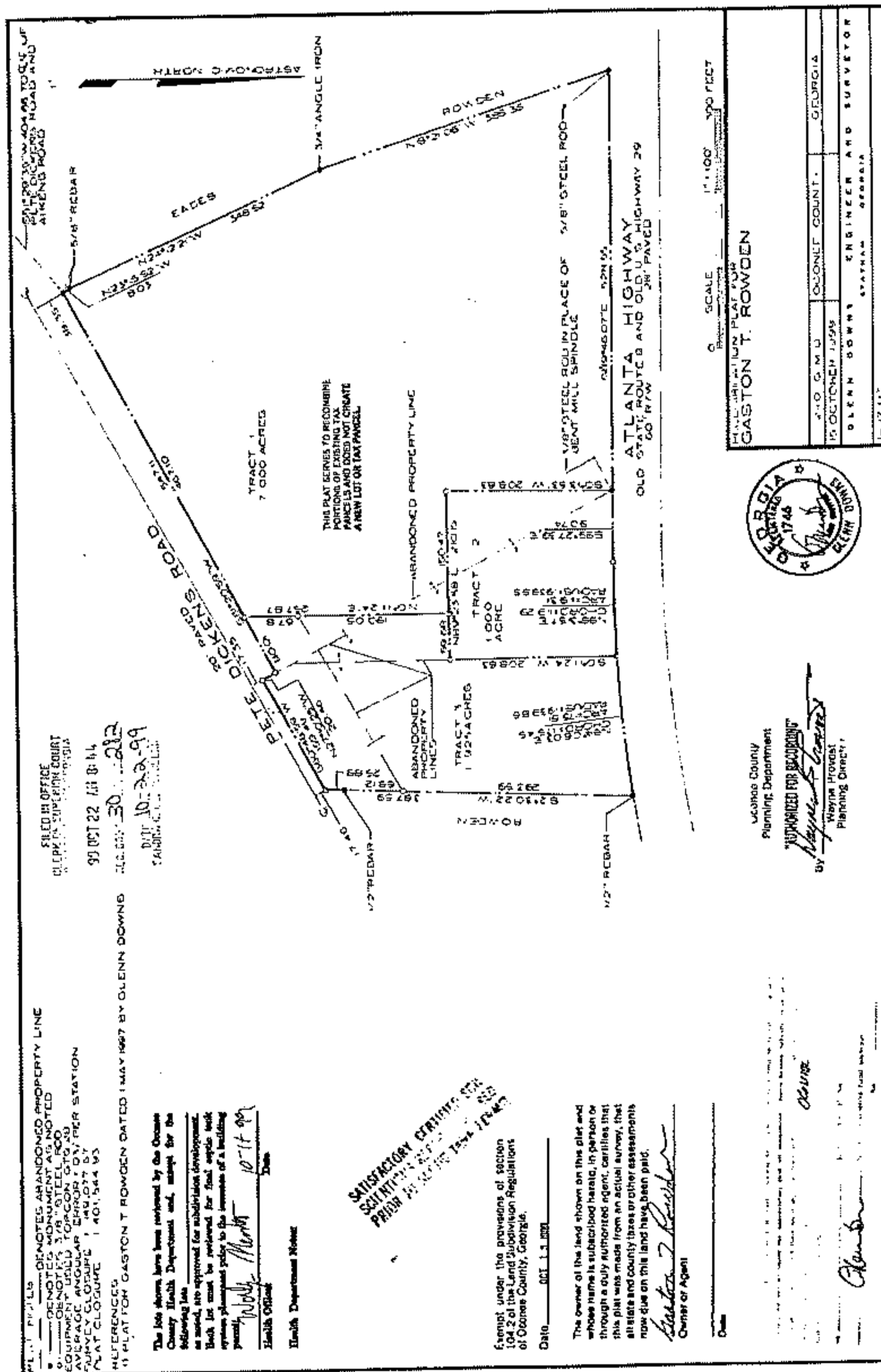
**EXHIBIT "A" TO REZONE NO P25-0157**

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**NARRATIVE**



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**PLAT**

**FILED**

08:44 AM

10/22/1999

**OCONEE COUNTY SUPERIOR COURT**

**ANGELA ELDER-JOHNSON**

CLERK BK 30 PG 282





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

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**REZONE CASE #:** P25-0157

**DATE:** September 5, 2025

**STAFF REPORT BY:** David Webb, AICP  
(Planning Manager)

**APPLICANT NAMES:** Justin Greer, Pittman and Greer,  
Engineering, P.C.

**PROPERTY OWNER(S):** NIW Holdings, LLC

**LOCATION:** 2001 Atlanta Highway  
Parcel: B01 050

**PARCEL SIZE(s):** ±7.0 acres

**EXISTING ZONING:** AG (Agricultural)

**EXISTING LAND USES:** Vacant- wooded

**2023 FUTURE DEVELOPMENT MAP CHARACTER AREA DESIGNATION:** Corridor Commercial

**ACTION REQUESTED:** Rezone ±7.0 acres from AG (Agricultural) to R-1 (Single-Family Residential District)

**STAFF RECOMMENDATION:** Staff recommends conditional approval of this request.

**DATE OF SCHEDULED HEARINGS**

**PLANNING COMMISSION:** September 15, 2025

**BOARD OF COMMISSIONERS:** October 7, 2025

**ATTACHMENTS:** Application  
Narrative  
Architectural Renderings  
Zoning Impact Analysis  
Plat of Survey  
Concept Plan



## **BACKGROUND INFORMATION & FINDINGS OF FACT**

### **HISTORY**

- The property was created by a recombination plat recorded in Plat Book 30, Page 282 on October 22, 1999.
- The property was zoned AG with the original adoption of the zoning map in 1968.

### **SURROUNDING LAND USE AND ZONING**

	<b>EXISTING LAND USES</b>	<b>EXISTING ZONING</b>
<b>NORTH</b>	Agricultural and Residential	AG (Agricultural District)
<b>SOUTH</b>	Residential	R-1 (Single-Family Residential District)
<b>EAST</b>	Commercial- Metal Building Sales	B-1 (General Business District)
<b>WEST</b>	Residential	AG (Agricultural District)

### **PROPOSED DEVELOPMENT**

- The applicant is proposing an administrative plat with a total of 4 lots.

### **PROPOSED TRAFFIC PROJECTIONS**

- The narrative indicates the average daily trips (ADT) to be 38 using the Institute of Transportation Engineers 11<sup>th</sup> Edition (ITE) Trip Generation Manual, for this development.

### **PUBLIC FACILITIES**

#### **Water:**

- The applicant proposes individual wells.

#### **Sewer:**

- The applicant proposes an individual on-site septic system.

#### **Roads:**

- The project proposes access to Pete Dickens Road or Atlanta Highway for the lots adjacent to each road.

#### **Environmental:**

- The Concept Plan indicates there are no state waters, wetlands, or 100-year flood plain areas on the site.

## **COMMENTS FROM OTHER DEPARTMENTS & AGENCIES**

### **OCONEE COUNTY PUBLIC WORKS DEPARTMENT**

- Reviewed with no comments on September 2, 2025

### **OCONEE COUNTY WATER RESOURCES DEPARTMENT**

- Reviewed on September 2, 2025, with the recommendation that the standard condition be required:  
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.

### **OCONEE COUNTY FIRE-DEVELOPMENT REVIEW**

- No comments received as of September 5, 2025.

## OCONEE BOARD OF EDUCATION

- Reviewed with comments on August 29, 2025:  
We have reviewed the Justin Greer, Pittman & Greer Engineering, P.C. rezone request P25-0157. This will impact our North Oconee Attendance Zone by 4 students, specifically, Dove Creek Elementary School, Dove Creek Middle School, and North Oconee High School.

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## **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 proposed zoning is consistent with the adjacent R-1 zoning across Peter Dickens Road. There is no apparent conflict with adjacent uses. Staff analysis indicates that the proposed R-1 zoning with the requirement for 1.5-acre minimum lot sizes would be suitable in view of the mixed-density developments in the area.
- B. Whether the property to be rezoned has a reasonable economic use as currently zoned.**  
The property is currently vacant. Based on the current use, the property does not have a reasonable economic use as no public utilities have been extended to the property.
- 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 request proposes to increase the number of lots from one to four. The narrative indicates there will be minimum impact to the school system. The applicant is not proposing to use public water or sewer. The existing road access points will be used for the administrative subdivision.
  - ii. Environmental impact;**  
The Concept Plan indicates there are no state waters, wetlands, or 100-year flood plain areas 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 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 no current use. Staff finds the proposed R-1 zoning to be in harmony with the surrounding mix of land uses.
- E. Consistency of the proposed use with the stated purpose of the zoning district that is being requested.**  
The intent of the R-1 District is: “to protect and promote a suitable environment for family life, to discourage any use which would generate other than residential traffic on minor streets and to protect the orderly future development of land in accordance with comprehensive development plans for the county.” Staff finds the proposed 4 lot development to be consistent with the purpose of this 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.**  
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 Corridor Commercial Character Area as shown on the Character Areas Map, 2023 Oconee County Comprehensive Plan Update. The Comprehensive Plan indicates this area should be “Large-scale, auto-oriented, primarily commercial development that is located along major roadways for

visibility and access and significantly buffered from adjacent residential, agricultural, and other neighboring lower-intensity commercial developments.” The Plan indicates that B-2 zoning is appropriate. However, the county has not extended water or sewer services to this area of Atlanta Highway. As a result, the intense commercial uses described in the Comprehensive Plan are not possible at this time. Water Services could provide water for the property, but a line extension of over 1,700 feet would be required at the expense of the owner. Additionally, public sewer service for residential uses is not available at this location. As a result, the uses described in the Comprehensive Plan are not economically feasible for a 7-acre site. As a result of the lack of public utilities at this location, staff finds the proposed R-1 zoning is in conformity with the Comprehensive Plan.

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

Currently there are no undeveloped R-1 zoned sites in the vicinity.

**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 the request to rezone ±7.0 acres to R-1 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 at their own expense shall construct the improvements required by the County for public water for the subject property and shall convey the 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.

# Rezone # P25-0157 - NIW Holdings, LLC

Parcel #  
B-01-050

Atlanta Hwy

B-01-050

Pete Dickens Rd

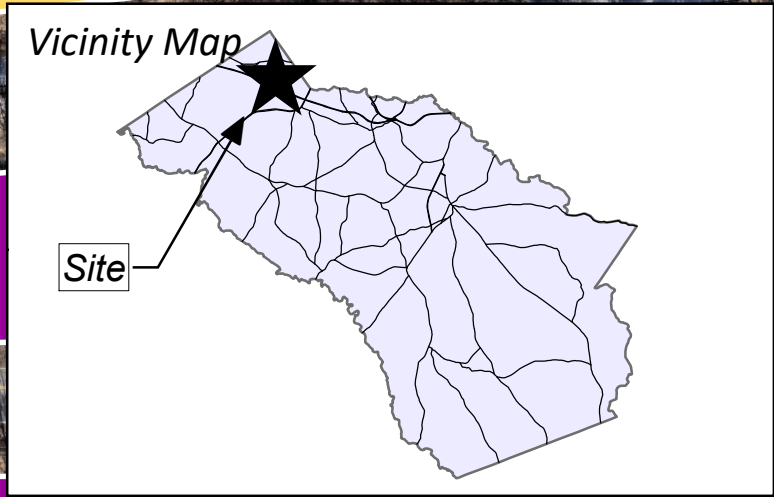
Aiken Rd

1:2,000

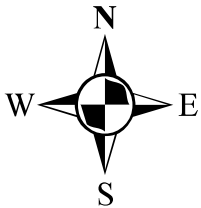
0 187.5 375 750 1,125 1,500

Feet





**Oconee County  
Planning Department**



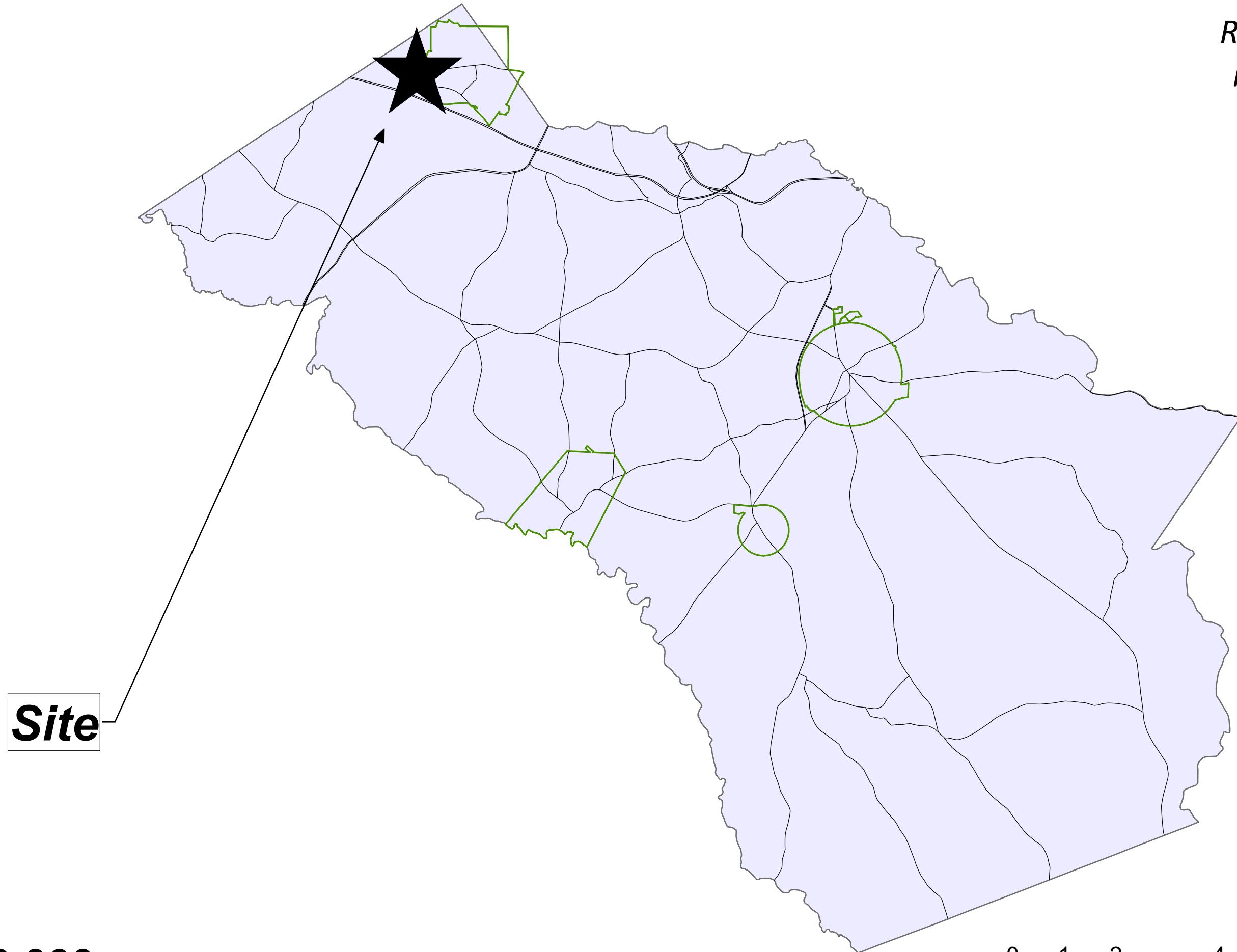
This map is a representation of the future development map  
and should be used for planning purposes only

0 55 110 220 330 440 Feet

***Corridor  
Commercial***

***Suburban Neighborhood***

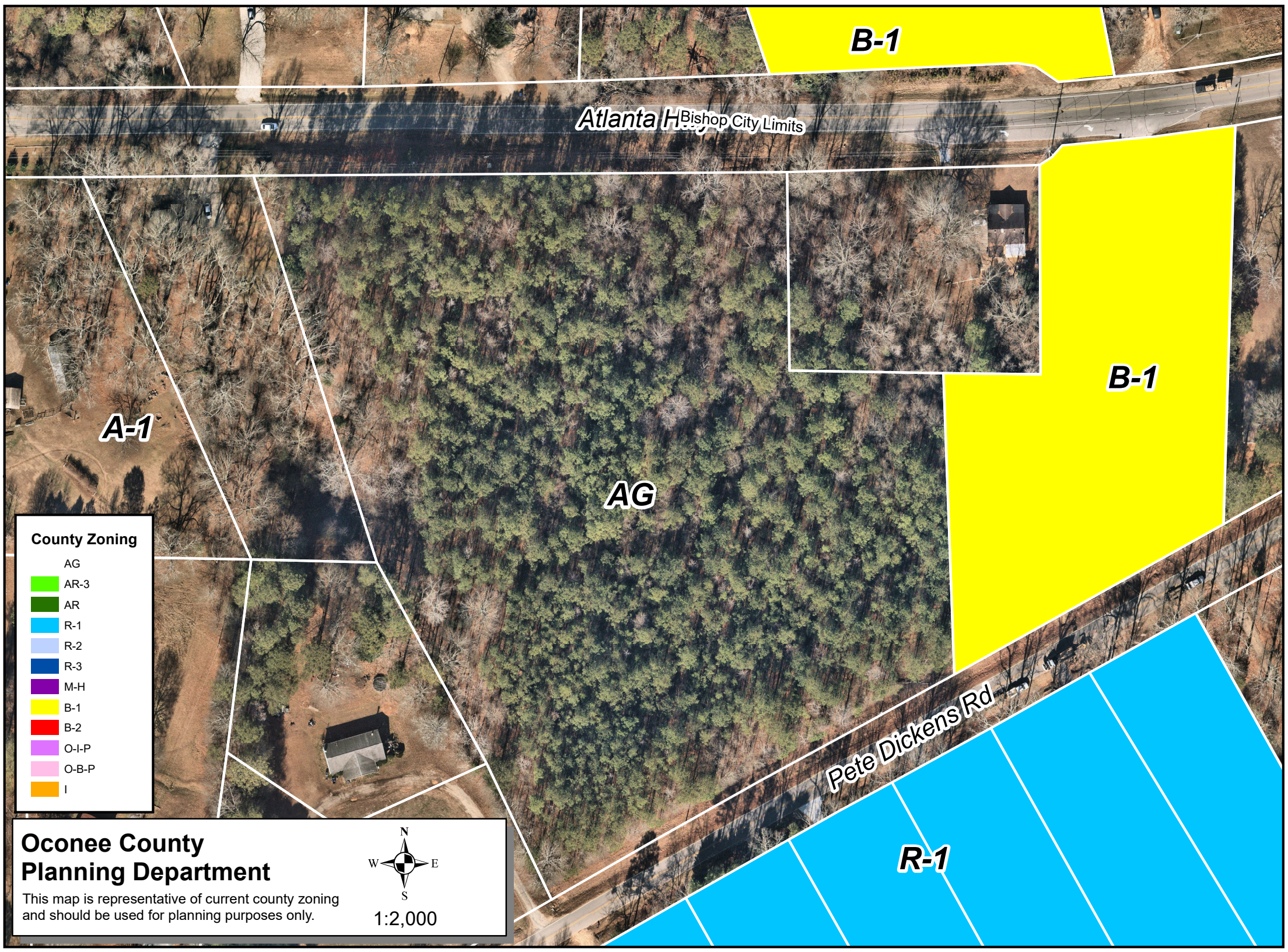
*Location Map -  
Rezone # P25-0157  
NIW Holdings, LLC*



**Site**

1:120,000

0 1 2 4 6 8 Miles



**County Zoning**

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

**Oconee County  
Planning Department**

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



1:2,000