

SPECIAL EXCEPTION VARIANCE NO. P25-0047

ACTION DENYING SPECIAL EXCEPTION VARIANCE REQUEST

APPLICATION SUBMITTED BY: Gerell Goolsby

APPLICATION SUBMISSION DATE: March 6, 2025

RE: Request for a Special Exception Variance on a ±1.0-acre tract of land located at 1230 Grayson Ln in Oconee County, Georgia, (tax parcel no. C-01-068G), to reduce the required rear building setback from 40ft to 7.4ft.

After consideration and a motion and second, the Oconee County Board of Commissioners does hereby deny the above-referenced request for a Special Exception Variance.

This 4<sup>th</sup> day of November, 2025.

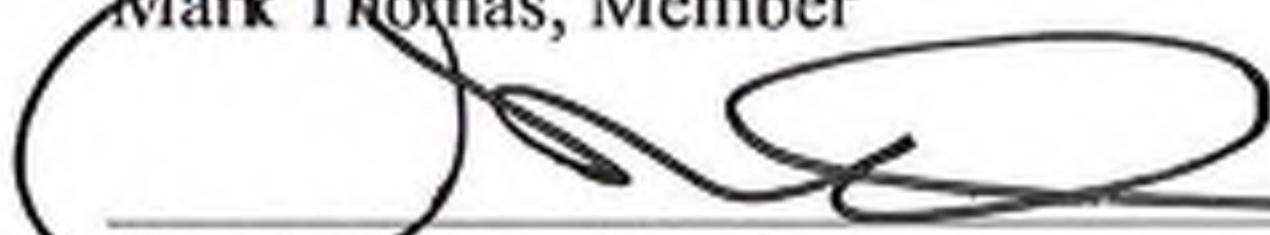
OCONEE COUNTY BOARD OF COMMISSIONERS

BY: 

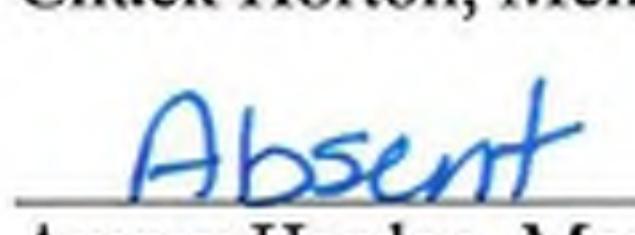
John Daniell, Chairman



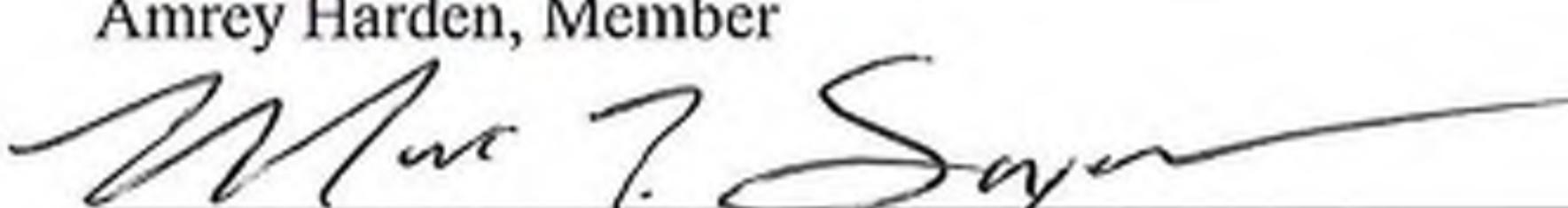
Mark Thomas, Member



Chuck Horton, Member

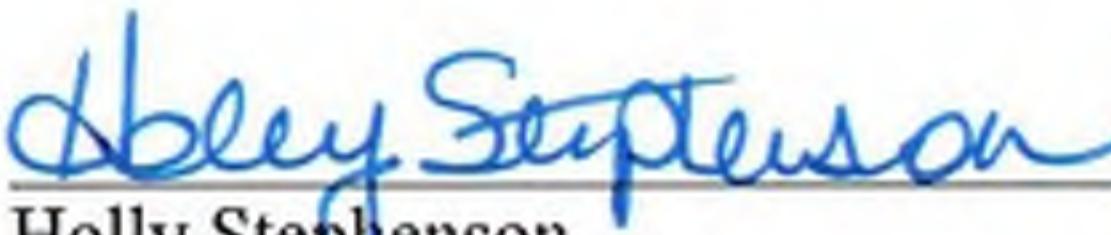


Amrey Harden, Member



Mark Saxon, Member

ATTEST:



Holly Stephenson  
Clerk, Board of Commissioners

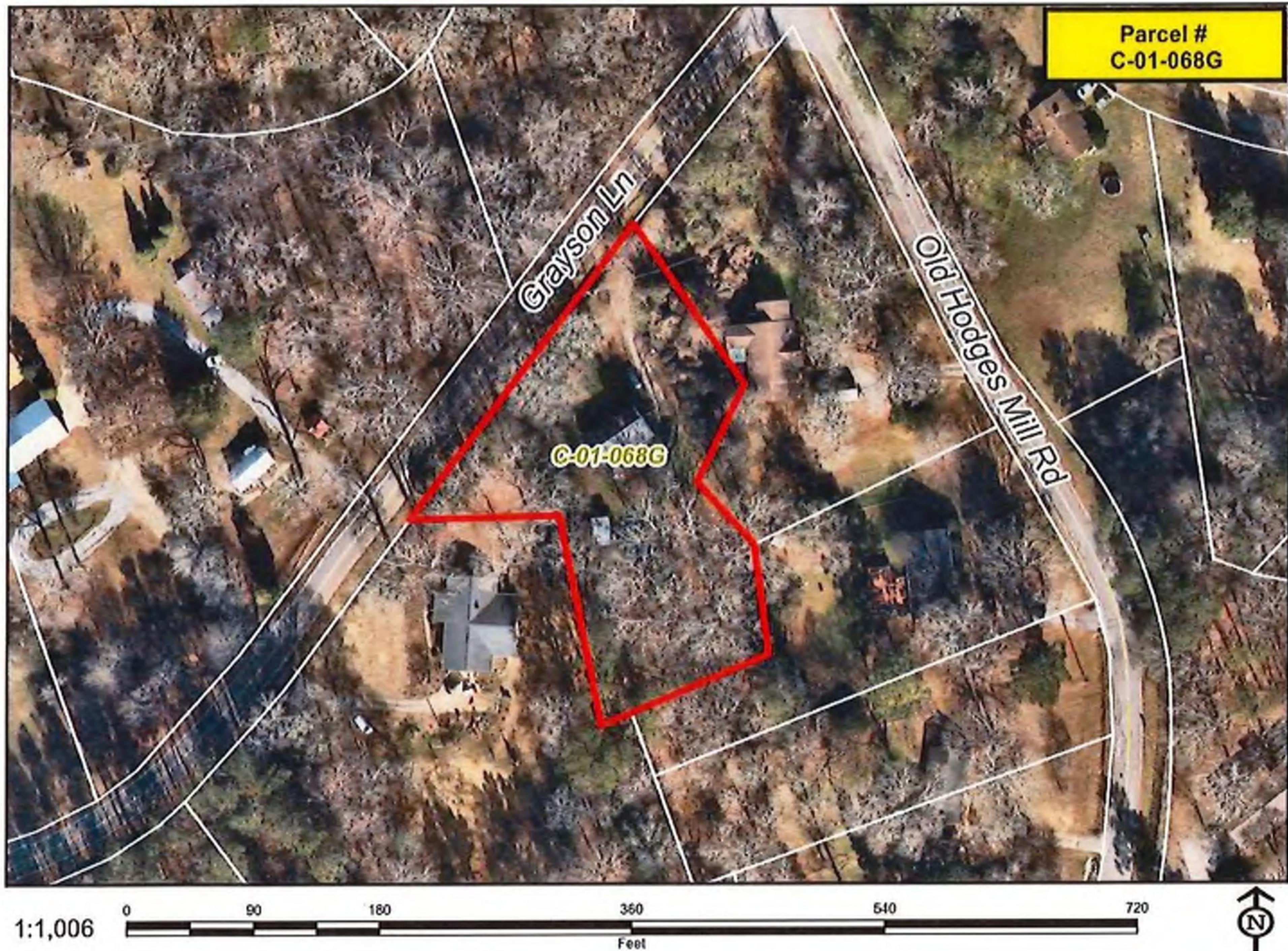
**EXHIBIT "A" TO SPECIAL EXCEPTION VARIANCE NO. P25-0047**

**Page 1 of 7**

**CONDITIONS**

TAX MAP

Variance # P25-0047 - Gail Goolsby



**TYPED LEGAL DESCRIPTION**

**LEGAL DESCRIPTION**  
1230 Grayson Lane

ALL THAT TRACT OR PARCEL OF LAND lying and being in Georgia Militia District 221 of Oconee County, Georgia and being more particularly described as follows:

COMMENCING at the intersection of the southwesterly right of way of Old Hodges Mill Road (60-foot right of way) and the southeasterly right of way of Grayson Lane (60-foot right of way), thence following southwesterly along the right of way of Grayson Lane a distance of 101.44 feet to a PK nail found; said point being the TRUE POINT OF BEGINNING.

From said POINT OF BEGINNING as thus established;

South 23 degrees 26 minutes 54 seconds East, a distance of 55.16 feet to a 5/8-inch rebar found;

Thence South 38 degrees 33 minutes 15 seconds West, a distance of 75.33 feet to a 1/2-inch rod found;

Thence South 24 degrees 27 minutes 18 seconds East, a distance of 164.91 feet to a point;

Thence South 9 degrees 6 minutes 46 seconds East, a distance of 92.24 feet to a point;

Thence South 79 degrees 7 minutes 2 seconds West, a distance of 141.09 feet to a 1/2-inch rebar found;

Thence North 0 degrees 36 minutes 24 seconds East, a distance of 148.77 feet to a 1/2-inch rebar found;

Thence North 61 degrees 25 minutes 16 seconds West, a distance of 74.66 feet to a 1/2-inch rebar found;

Thence, following along the right of way of Grayson Lane;

North 36 degrees 52 minutes 17 seconds East, a distance of 241.09 feet to a PK nail found;

Said point being the TRUE POINT OF BEGINNING.

Containing 35,969.02 square feet or 0.826 acres, more or less.

**NARRATIVE**

**SPECIAL EXCEPTION VARIANCE NARRATIVE**

Gerell Goolsby

1230 Grayson Lane

Watkinsville Ga

30677

Dear Board of Commissioners,

I am writing to formally request a special exception variance for my property located at 1230 Grayson Lane, Watkinsville Ga, 30677 (parcel number C010668G) which is zoned AR (Agricultural Residential). The variance requested pertains to a 24x34 storage building that is currently too close to the property line, as Unified Development Code Article 3 section 409.1 and table 4.1

The need for this variance arises from a poor structural condition of an existing 1960 barn/storage building on the property. My 72-year-old father was using the old structure for storage. But due to its deteriorated/condemned state, I felt it was unsafe for him to continue accessing and using this barn. For this reason, I have replaced it with a new storage building which, is intently used only for storage and no utilities. Unfortunately, does not meet the rear setback requirements. My father was miss informed that the rear setbacks were 5ft for an accessory building. The required set back for the rear is 40ft. The building is only 7.4ft from the property line so, the amount of variance needed is 32.6ft.

These are the neighboring properties and land use

-Adjacent properties include

\*NIF-Jones (Zoned AR, Residential use)

\*NIF-Williams (Zoned AR, Residential use)

\*NIF- Powers (Zoned AG, Residential use)

\*NIF-Lopez (Zoned AR, Residential use)

\*NIF-Browning (Zoned AG, Residential use)

The affected neighboring property owner (NIF-Williams) has no complaints regarding the placement of the storage building. Thank you for your consideration for this mistaken issue.

Gerell Goolsby

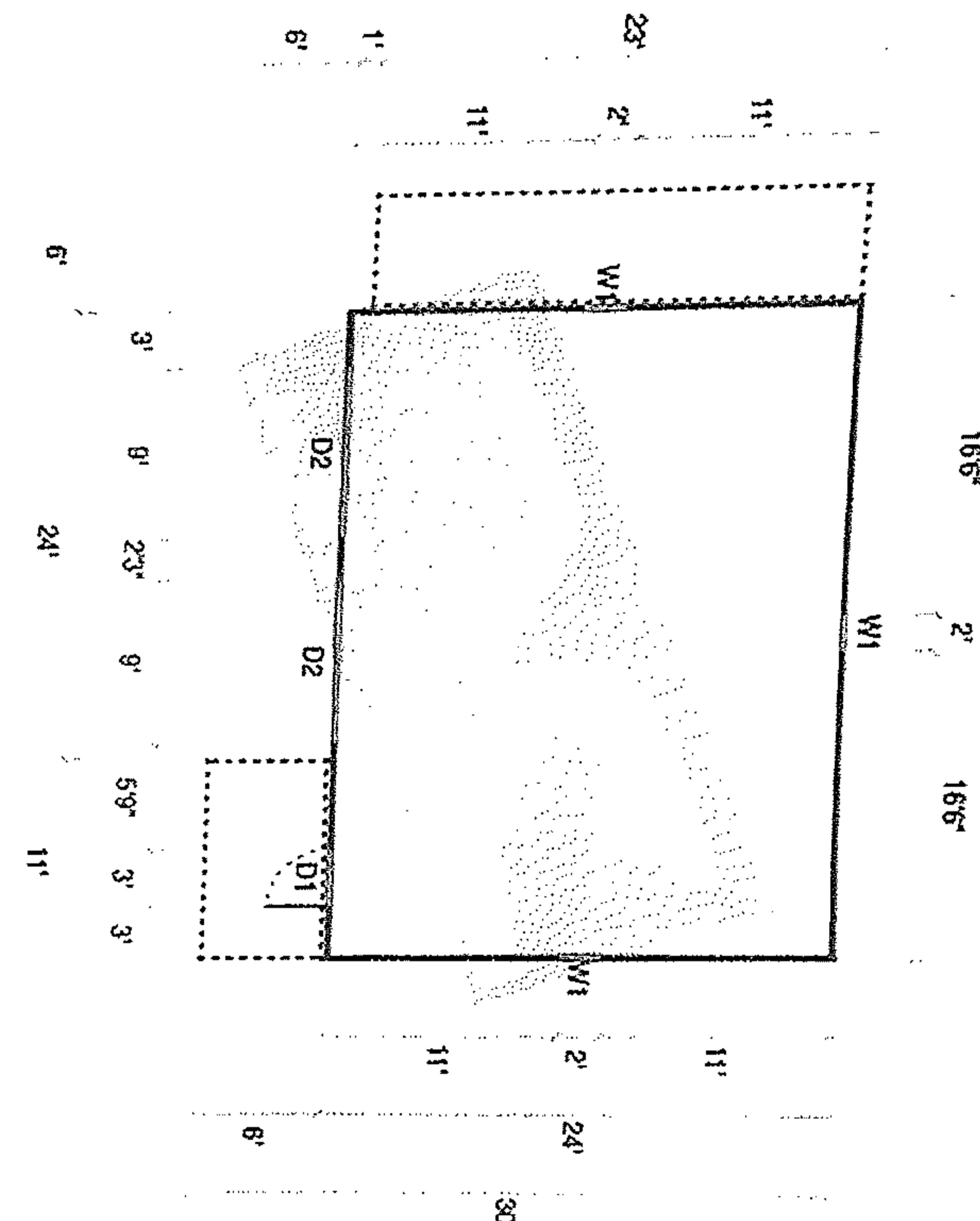
ARCHITECTURAL SKETCHES

Gerell Goolstby  
Drawings - Open message

Buildingshop Stuff.pdf  
Page 1 of 1

↓ ◻ ▶ ×

FRONT

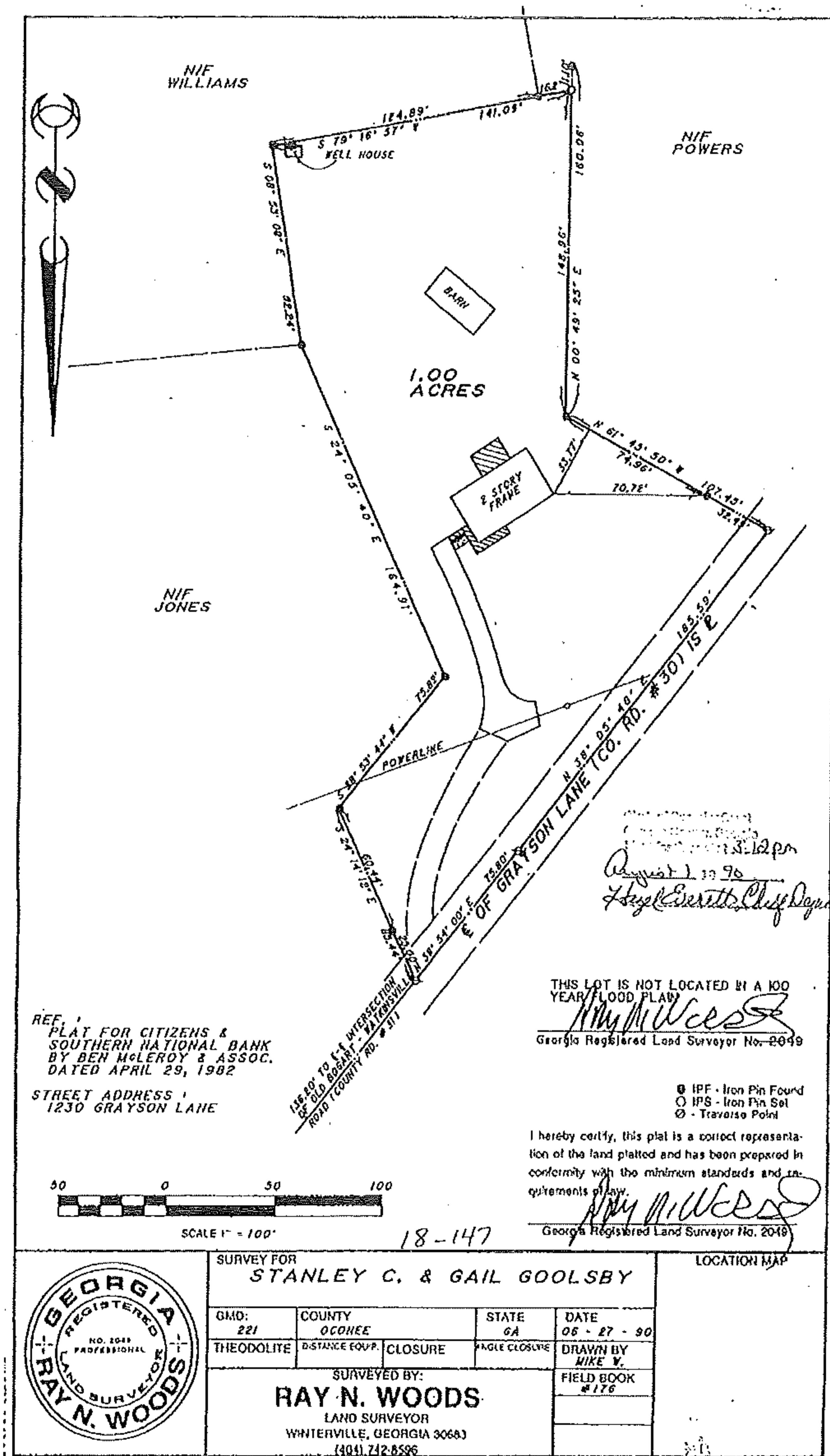


BACK

RIGHT SIDE

EXHIBIT "A" TO SPECIAL EXCEPTION VARIANCE NO. P25-0047  
Page 6 of 7

PLAT





**GENERAL NOTES:**

1: This Plot has been prepared without the benefit of a current title report. Encumbrances or encumbrances **may** exist that are not shown on this plot.

2: This plot is subject to any restrictions, easements, covenants or restrictions that **may** exist either written or unwritten.

3: Underground utilities not shown herein **may** exist. The Surveyor does not take responsibility for absence or presence of any such utilities.

4: No Geodetic monuments were found within 500 feet of this site.

5: This Plot has been prepared for the exclusive use of the person(s) or entities named herein.

CONTINUATION OF FORM 2807-25

THE CROWN LAID POSSUMS  
MULAWIKA KENE NO POKO  
KOKO MUSGEGEZA OF  
MUSGEGEZA WE POKO

THESE ARE THE STORIES OF THE PEOPLE WHO MADE THE  
AMERICAN DREAM POSSIBLE. THEY ARE THE STORIES OF THE  
PIONEERS WHO SET OUT TO FIND A BETTER LIFE, OF THE  
WARRIOR WHO FIGHTED FOR FREEDOM, OF THE  
WOMAN WHO WORKED TO ENSURE A BETTER  
FUTURE FOR HER CHILDREN.

MATERIALS AND METHODS

1140

REPORT OF SURVEY, RECOMMENDATION  
AND OUTLINE OF THE PROPOSAL FOR SUBJECT  
SECRETARY OF STATE AT TIME OF SURVEY

FLOOD HAZARD NOTE: THIS PROPERTY IS LOCATED IN A FLOOD HAZARD AREA AS DEFINED BY THE MAP OF OCONEE COUNTY, OCONEE LUMBERHOUSE UTM COORDINATES SEPTEMBER 15, 2002.

HORIZONTAL & VERTICAL DATA:  
HORIZONTAL: NORTH AMERICAN DATUM OF  
1983 (1985) (2011) GEORGIA STATE PLANE, MFS  
ZONE:  
VERTICAL: NORTH AMERICAN VERTICAL  
DATUM OF 1988. ORTHODOXYIC HEIGHTS  
WERE COMPUTED USING GRS80. THE  
POINT OF MEASUREMENT IS U.S. SURVEY  
FOOT.  
DISTANCES SHOWN ARE HORIZONTAL AT  
ELEVATION LEVEL.  
THE DATA FOR THIS SURVEY IS FROM

DR. JOSEPH W.  
WILHELM FRIEDRICH STRAUSS,  
51, KARLSBAD 305  
S. 1900

This plot is a retacement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any property changes to any real property boundaries. The recording information of the documents, maps, plot, or other instruments which created the parcel or parcels are listed herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plot complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Land Surveyors and in Section 15-G-57.



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

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**VARIANCE CASE #:** P25-0047

**DATE:** October 22, 2025

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

**APPLICANT NAMES:** Gerell Goolsby

**PROPERTY OWNER(S):** Stanley & Gail Goolsby

**LOCATION:** 1230 Grayson Lane  
Parcel C-01-068G

**PARCEL SIZE(s):** ± 1.0 acres

**EXISTING ZONING:** AR (Agricultural Residential), within the Mars Hill Overlay



**EXISTING LAND USES:** Single Family Residence

**TYPE OF VARIANCE REQUESTED:** Special Exception Variance

**REQUEST SUMMARY:** Variance for a metal accessory building constructed without permits from Oconee County Unified Development Code Section 410.01.c (1) and Table 4.1 to allow an accessory structure to encroach 32.6 feet into the rear 40-foot setback.

**DATE OF SCHEDULED HEARINGS**

**BOARD OF COMMISSIONERS:** November 4, 2025

**ATTACHMENTS:**

- Application
- Warranty Deed
- Plat of Survey
- Concept Plan
- Narrative
- Legal Description
- Architectural Elevations
- Notice of Violation
- Pictures from Code Investigation
- Summons to Appear before Magistrate

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

### **HISTORY**

- The 1.0-acre property was created by deed and reflected on a plat recorded July 2, 1982, that was not signed by the county.
- The recorded plat was filed August 1, 1990, that was not signed by the county.
- This property was rezoned to A-2 on April 1, 1969.
- According to Tax Assessor records a 1,450 square foot single family dwelling was built in 1990.
- A complaint was filed April 3, 2024, that an accessory building was constructed without a permit.
- Aerial photography shows the accessory structure between January 7, 2023, and January 4, 2024, without a permit.
- After the investigation, a notice of violation was issued April 8, 2024, by Planning and Code Enforcement for building an accessory structures without first obtaining a permit, a violation of UDC section 1225.01(a).
- The applicant was also found to have a deck under construction without a permit when Code Enforcement visited the site. A permit was later obtained for the deck.
- The applicant did not take steps to rectify the violation on the accessory structure, and a summons was issued to appear before Magistrate Court on February 7, 2025.
- The court date was delayed as the applicant applied for a variance on April 18, 2025, but the application was not complete.
- The case was not dismissed from Magistrate Court as the applicant has not been timely in making corrections to the variance application.
- The survey submitted shows the accessory structure is  $\pm$  1,117.6 square feet. In the AR zoning district the size of accessory structures are not restricted.
- The survey also shows the structure encroaches 32.6 feet into the rear 40-foot setback/

### **VARIANCE DESCRIPTION**

- Variance for a metal accessory building constructed without permits from Oconee County Unified Development Code Section 410.01.c (1) and Table 4.1 to allow an accessory structure to encroach 32.6 feet into the rear 40-foot setback.
- Table 4.1: AR Setbacks

Front- From major thoroughfare:	40 feet
Front- From minor street:	30 feet
Side:	15 feet
Rear:	40 feet

### **PUBLIC FACILITIES**

#### **Water:**

- The existing house is serviced by an on-site well.

#### **Sewer:**

- The existing house has an on-site septic system.

#### **Roads:**

- The property has an existing access to Grayson Lane

#### **Environmental**

- There are no known state waters or floodplain areas on the property.

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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 on the tax base or nearby public infrastructure, schools, or environmentally sensitive areas should result from approval of the variance request. However, staff analysis indicates that the need for a variance is a result of a hardship created by the property owner in the placement of an unpermitted structure. Additionally, granting the requested variances could potentially diminish the enjoyment of adjacent properties with a structure too close to the property line than the required setbacks. If the placement of the unpermitted accessory structure was correctly planned, there would be no need for the variance. The applicant has not shown any reason the structure could not meet setbacks.

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

The surrounding properties are zoned AR and AG. Staff analysis indicates that granting the requested variance could potentially diminish the enjoyment of adjacent properties with a structure too close to the property line than the required setbacks.

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

Staff analysis indicates that granting the requested variance could have a negative effect on the value of adjacent properties as the location of the metal accessory structure is not in harmony with surrounding residential uses. The hardship was created by the property owner in the placement of the unpermitted structure. If the location of the unpermitted structure was correctly planned, there would be no need for the variance. Additionally, granting the requested variances could potentially diminish the enjoyment of adjacent properties with a structure too close to the property line than the required setbacks.

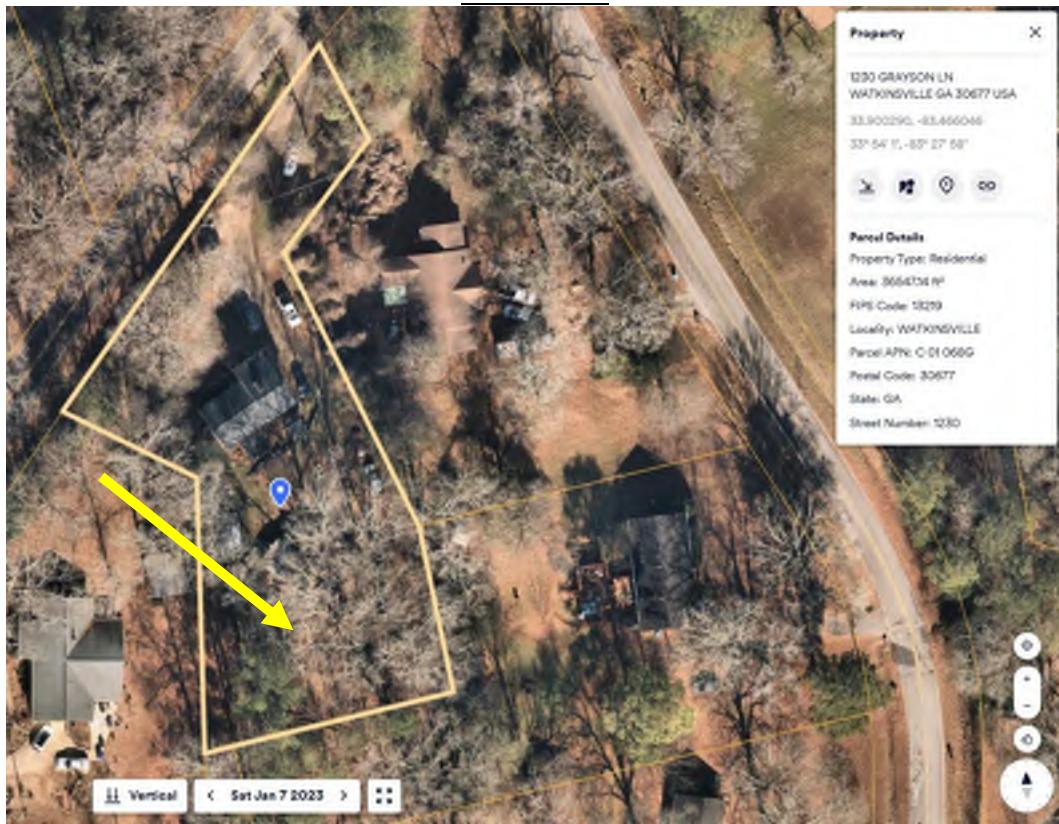
**d. Impair the purpose and intent of this Development Code:**

The intent of UDC Section 410.01.c (1) and Table 4.1 is to provide a minimum setback distance for accessory buildings and control the placement and size of buildings and structures on a lot, and the intensity of development on a lot. If the location of the unpermitted structure was correctly planned, there would be no need for the variance. The applicant already has reasonable use of the property as there is an existing residence on the property. Staff analysis indicates that the purpose of the code would be impaired by granting this request.

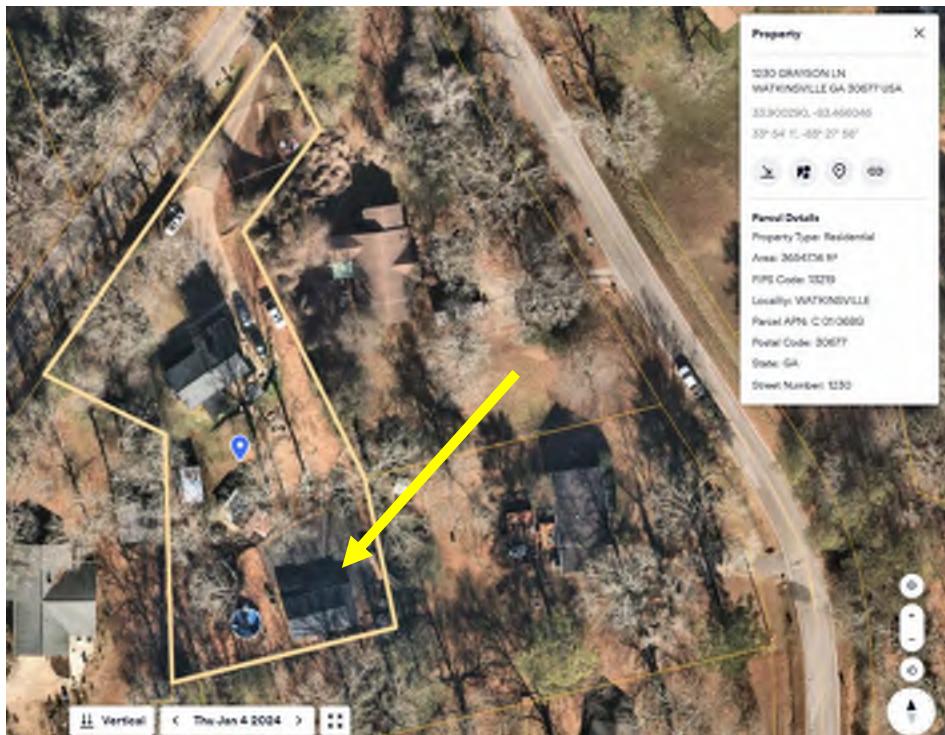
## **STAFF RECOMMENDATION**

Based upon the standards and limitations for special exception variance approval, this request **does NOT meet all necessary conditions** to grant a special exception variance as the hardship was created by the property owner with the construction of an unpermitted structure. Staff recommends **denial** of the request as the applicant did not indicate why the setback requirements could not be met.

### Site Pictures



Site in 2023 prior to construction of the accessory building built without permits



Site as of January 4, 2024, showing the accessory building built without permits

Code Enforcement Pictures







**Oconee County**  
**Planning & Code Enforcement**  
**Guy Herring, Director**

Board of Commissioners  
John Daniell, Chair  
Mark Thomas, Post 1  
Chuck Horton, Post 2  
Annes Harden, Post 3  
Mark Saxon, Post 4

April 8, 2024

Stanley C. & Gail Goolsby  
1230 Grayson Lane  
Watkinsville, GA 30677

PROPERTY: 1230 Grayson Lane  
Tax Parcel #: C-01-0680

OWNER: Stanley C. & Gail Goolsby

In accordance with Oconee County Unified Development Code UDC§1410.03(b) and as owner of the subject property, you are hereby notified of the following violation:

- I. 2 new additions were built on your property without first obtaining a building permit UDC Article 12, Sec.1225.01(a).

This determination may be appealed to the Board of Commissioners by filing a written notice of appeal within ten (10) days of receipt of this notice.

You have thirty (30) days from receipt of this notice to apply for the appropriate permits to bring the site into compliance with the UDC. If the site is not brought into compliance within the 30 days, a citation may be issued.

Please feel free to contact our office if you have any questions or need additional information at 706-769-3907.

Sincerely,

*By Gaby Bryan 4-8-24*

Gaby Bryan  
Code Enforcement Officer  
Oconee County Planning and Code Enforcement  
706-248-1607

Encs: Copy of UDC Section

C. Guy Herring, Planning and Code Enforcement Director

7635 Macon Hwy, Ste. 400, Watkinsville, GA 30677  
Planning: 706-769-3907  
Code Enforcement: 706-769-3907  
[gherring@oconee.ga.us](mailto:gherring@oconee.ga.us)  
[www.oconeecounty.com](http://www.oconeecounty.com)

FILED  
SUPREME COURT OF CALIFORNIA  
MAY 1966

2025 FEB 11 P 12:40

ANGELA BLACK  
DOOLIE COUNTY, GEORGIA

### Georgia, Oconee County

**CITATION FOR VIOLATION OF OCONEE COUNTY ORDINANCE**

Name Gail Goolishy

Address 1230 Grayson Lane

City Watkinsville State GA Zip 306077

Telephone Number 706-769-1087

Male \_\_\_\_\_ Female X Race: \_\_\_\_\_

The above named individual is charged with the offense of Built a  
Storage Building to Closets PROPERTY LINE in the violation of Code Section UDC Article  
4 Sec. 410.01(c)(2) State  Local Ordinance at the following location :  
1230 Grayson Lane

The accused is hereby cited for violating the following Ordinance(s) of Oconee County, Georgia. Said violation occurred on the 7th day of February, 2025 in Oconee County, Georgia

Additional Comments:

Enforcement Officer \_\_\_\_\_ Date 2/17/02

**YOU ARE HEREBY NOTIFIED TO APPEAR:**  
The above named individual is hereby notified to be and appear in the

The above named individual is hereby notified to be and appear in the Magistrates Court of OCONEE COUNTY, Georgia, to be held at 23 North Main Street, Watkinsville Georgia at 9:00 AM 14 day of March 10 AM, year 2025.

The undersigned acknowledges service of this citation and receipt copy of the same, agreeing to appear in the said court on the specified date and time. This is not a plea of guilty.

Signature

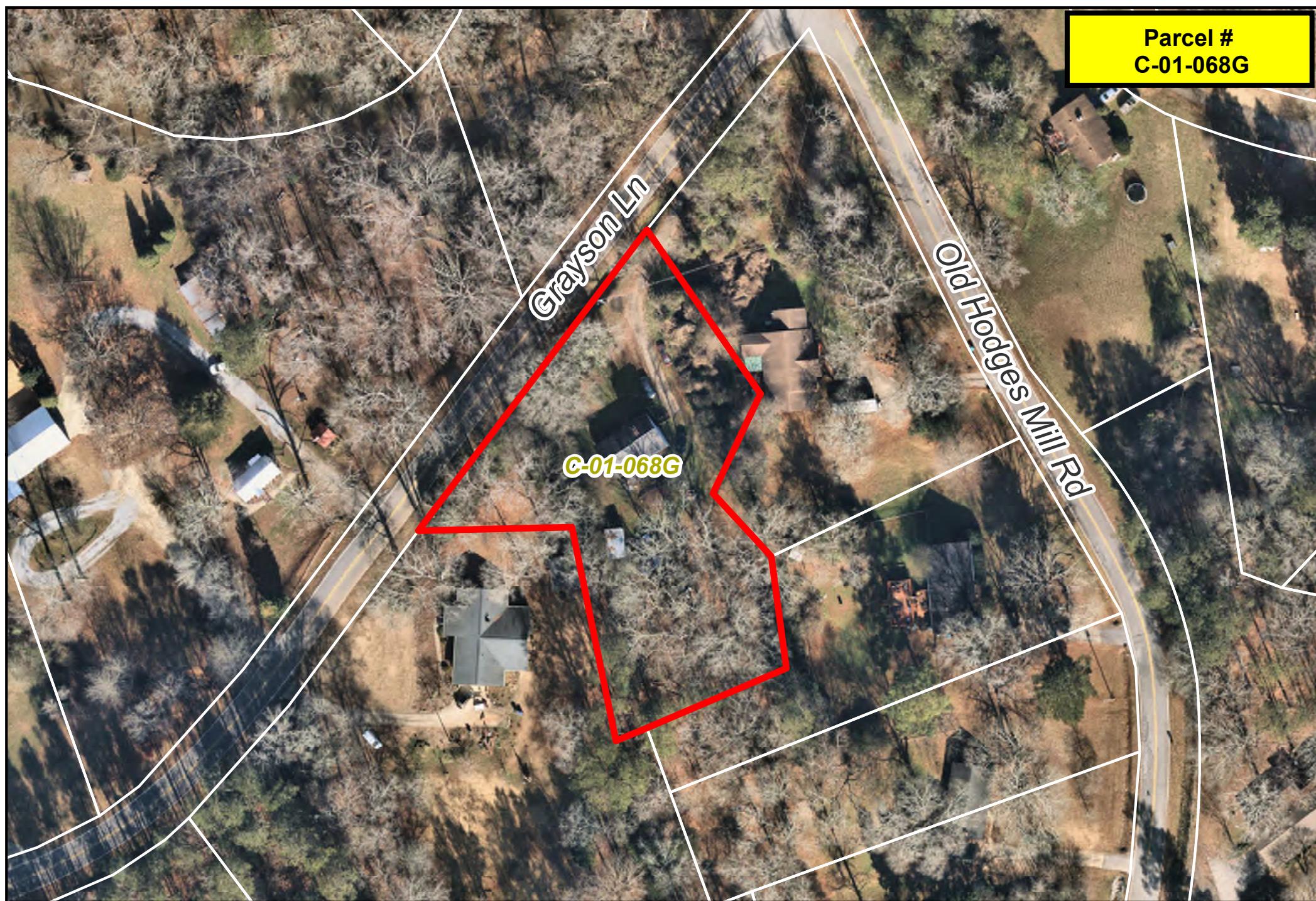
# Variance # P25-0047 - Gail Goolsby

Parcel #  
C-01-068G

Grayson Ln

Old Hodges Mill Rd

C-01-068G



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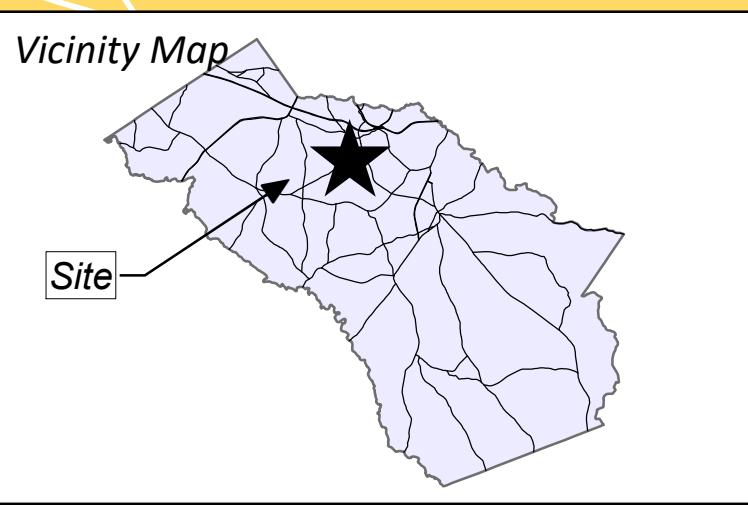
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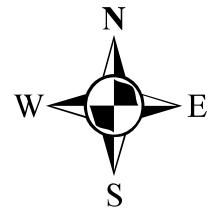
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Feet





## Oconee County Planning Department



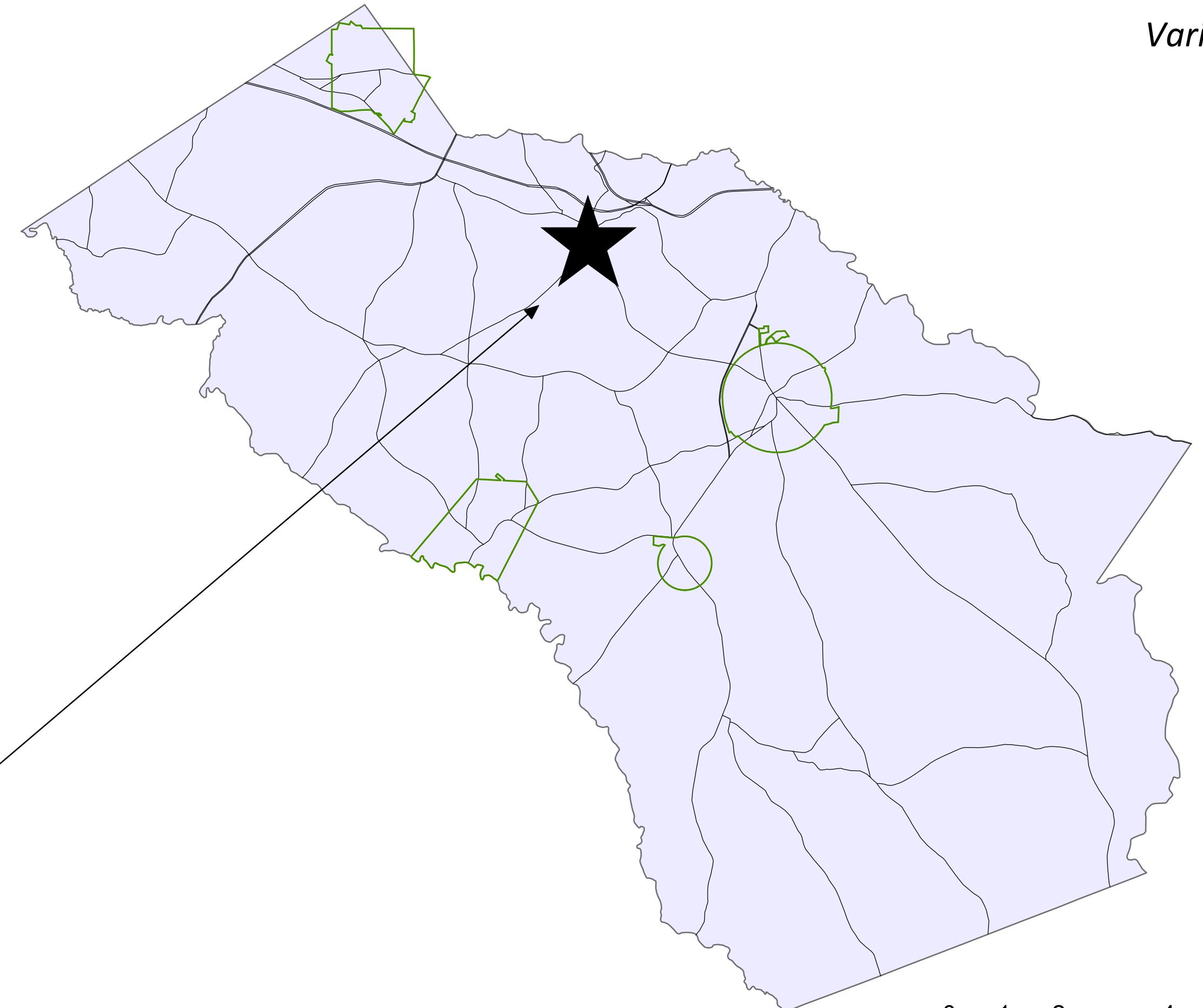
This map is a representation of the future development map  
and should be used for planning purposes only

0 25 50 100 150 200 Feet

***Suburban  
Neighborhood***

***Suburban  
Neighborhood***

*Location Map*  
Variance # P25-0047  
Gail Goolsby



1:120,000

0 1 2 4 6 8 Miles

