

**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 KBB LLC and William Bishop submitted on October 13, 2025.

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 Pittman & Greer Engineering on October 13, 2025, regarding a ±4.82-acre tract of land located at Experiment Station Rd, Oconee County, Georgia, (tax parcel no. B-06-022F and a portion of tax parcel no. B-06-022FA), 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 from Oconee County Unified Development Code Article 8 Section 806 and Table 8.1 to reduce the required buffer width from 50 feet to 20 feet.

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 January 6, 2026.

ADOPTED AND APPROVED, this 6th day of January, 2026.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY:

John Daniell, Chairman

Mark Thomas, Member

Chuck Horton, Member

Amrey Harden, Member

Mark Saxon, Member

ATTEST:

Holly Stephenson

Holly Stephenson
Clerk, Board of Commissioners

EXHIBIT "A" TO SPECIAL EXCEPTION VARIANCE NO. P25-0231

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CONDITIONS

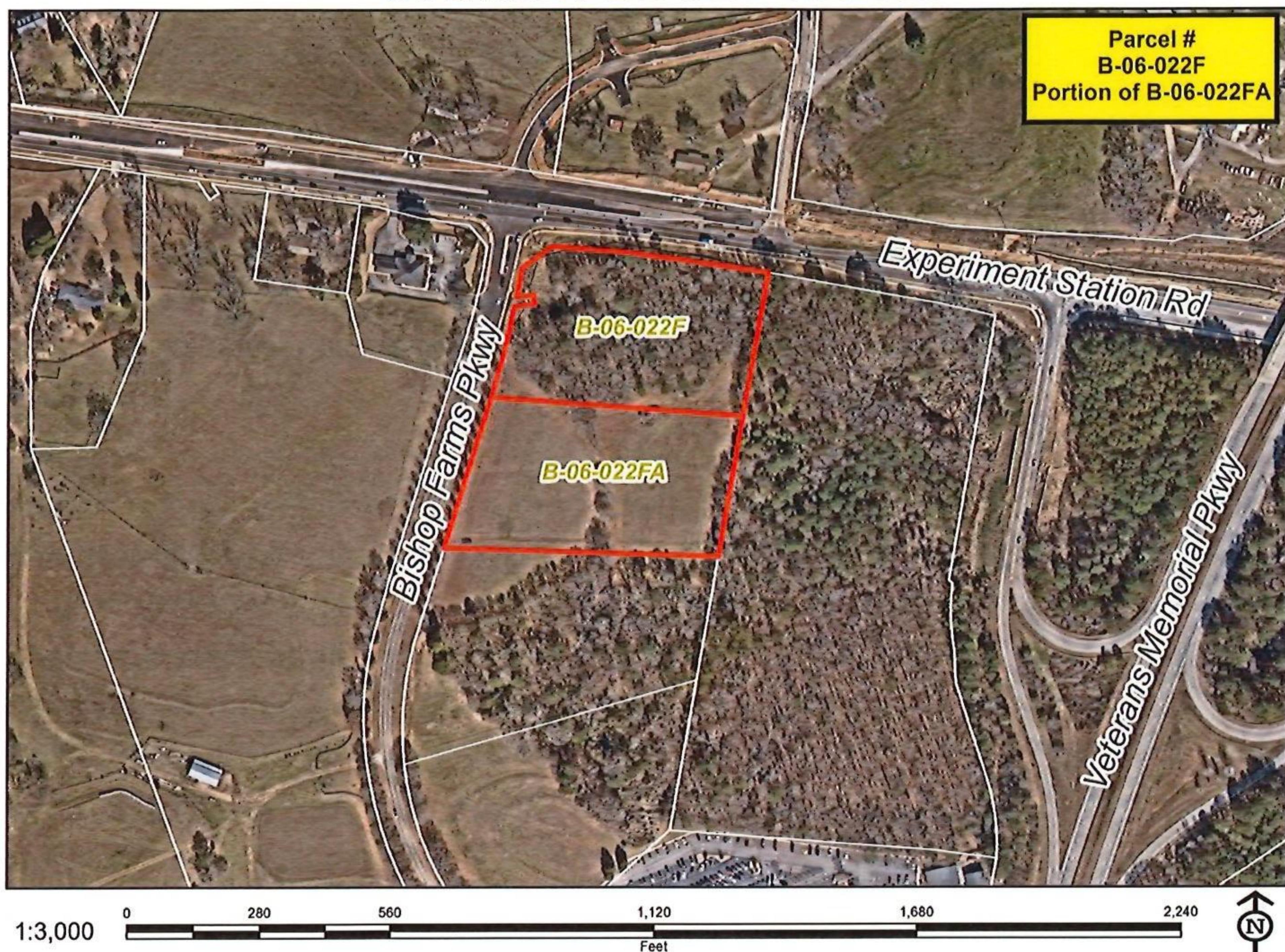
1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not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

VARIANCE # P25-0231 - KBB LLC



TYPED LEGAL DESCRIPTION



LEGAL DESCRIPTION

All that tract, or parcel of land, together with all improvements thereon, containing 4.82 acres, more or less, lying and being in the 221ST District, G.M., Oconee County, Georgia, and being more particularly described as follows:

BEGINNING at a GPS monument with coordinates of a Northing of 1408739.58 and an Easting of 2521444.00 using the NAD 83 GSPCS western zone coordinate system; THENCE continuing North 09 degrees 52 minutes 32 seconds East 23.57 feet, THENCE along a curve turning to the left having a radius of 11,405.16 feet, an arc length of 128.81 feet and being subtended by a chord having a bearing of North 81 degrees 44 minutes 07 seconds West for a distance of 128.81 feet to a point, THENCE North 82 degrees 03 minutes 13 seconds West 184.75 feet to a point, THENCE North 82 degrees 52 minutes 04 seconds West 150.33 feet to a point, THENCE South 53 degrees 50 minutes 48 seconds West 78.72 feet to a point, THENCE South 09 degrees 44 minutes 48 seconds West 21.53 feet to a point, THENCE along a curve turning to the left having a radius of 1949.86 feet, an arc length of 39.28 feet and being subtended by a chord having a bearing of South 10 degrees 19 minutes 15 seconds West for a distance of 39.28 feet to a point, THENCE North 84 degrees 11 minutes 55 seconds East 36.47 feet to a point, THENCE South 05 degrees 04 minutes 13 seconds East 18.38 feet to a point, THENCE South 82 degrees 39 minutes 09 seconds West 42.23 feet to a point, THENCE along a curve turning to the right having a radius of 1949.86 feet, an arc length of 198.62 feet and being subtended by a chord having a bearing of South 14 degrees 23 minutes 13 seconds West for a distance of 198.40 feet to a point, THENCE South 17 degrees 15 minutes 33 seconds West 82.47 feet to a point, THENCE South 85 degrees 41 minutes 19 seconds East 547.17 feet to a point, THENCE North 09 degrees 52 minutes 32 seconds East 80.76 feet to an iron pin, THENCE North 09 degrees 52 minutes 32 seconds East 284.95 feet to a point BEING THE TRUE POINT OF BEGINNING.

Said tract being the same as Lot 1 on a Market Station Neighborhood Grocery Composite Plat by Pittman & Greer Engineering, P.C. dated October 13, 2025.

NARRATIVE

MARKET STATION NEIGHBORHOOD GROCERY

SPECIAL EXCEPTION VARIANCE FROM UDC SECTION 806 SUBMITTED 10/13/2025 revised 12/3/2025

GENERAL DATA

Property Address: 0 Experiment Station Road

Parcels: B 06 022F, portion of B 06 022FA

Owner: KBB, LLC, William T Bishop (in order of parcel list)

Existing Zoning: AR3

Proposed Zoning: B1

Existing Use: Undeveloped

Proposed Use: neighborhood grocery store with fuel and home style restaurant

Property Area: 4.82 acres

ADJACENT LAND USES AND ZONING

North – Experiment Station Road with AG (residential use) across roadway

West – Bishop Farms Parkway with B1 (First American Bank) and AG (undeveloped) property across roadway (owned by same family as subject property)

South – AR3 (lot owned by same family and part of same rezone request)

East – AG (Board of Regents property)

OWNERSHIP TYPE

The development will be privately owned with a neighborhood grocery store along Experiment Station Road.

VARIANCE REQUEST NARRATIVE

A Special Exception Variance is being requested from Oconee County UDC Section 806. Landscape Buffers between Incompatible Land Uses.

The proposed development consists of a neighborhood grocery store with a home style restaurant and fueling center. If the companion rezone is approved allowing this use in a B1 zoning, the UDC would require a 50 foot buffer along the rear of the property adjacent to the residential lot. This residential lot is undeveloped and owned by the same family and is actually part of the same rezone application requesting AR3 zoning. Due to this lot being owned by the same owner and the likelihood that it will never be built as a residential lot but end up as a commercial lot at some point, we are requesting a variance from the required 50 foot buffer along this rear lot line to a 20 foot buffer. If/when the residential lot is rezoned to commercial there would be no required buffer at all. Constructing a 50 foot buffer along a property line that the same owner is confident will someday be commercial would be a waste of valuable commercial property.

The parcel would require a 15 foot buffer along the Eastern property line adjacent the AG zoned Board of Regents property. No variance is being requested along this side of the property.

COMPANION REZONE REQUEST

A companion rezone request to change the zoning from AR3 to B1 has been submitted along with this variance request.

NARRATIVE

COMPANION VARIANCE REQUEST

A companion variance request to vary from the roof requirements in the Mars Hill Overlay and B1 zoning has been submitted along with this request.

A companion variance request to vary from the maximum footprint size and tenant space size in B1 zoning has been submitted along with this request.

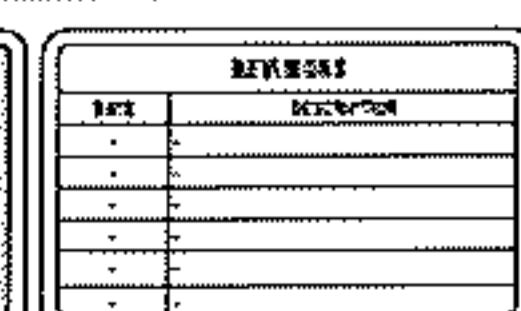
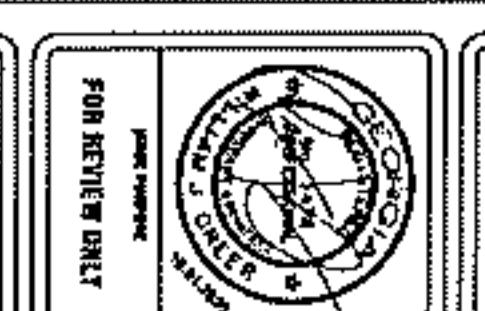
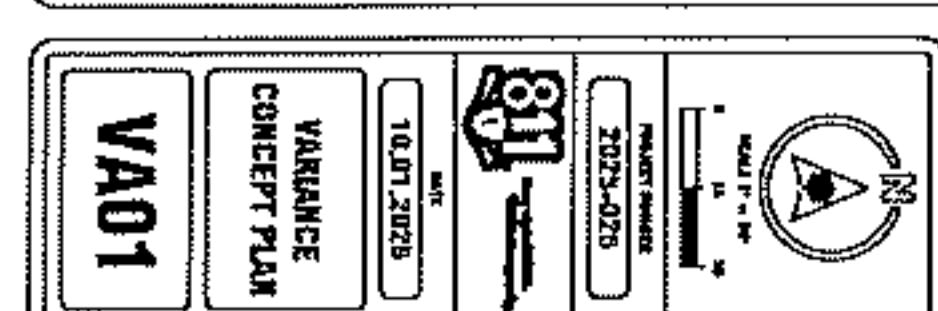
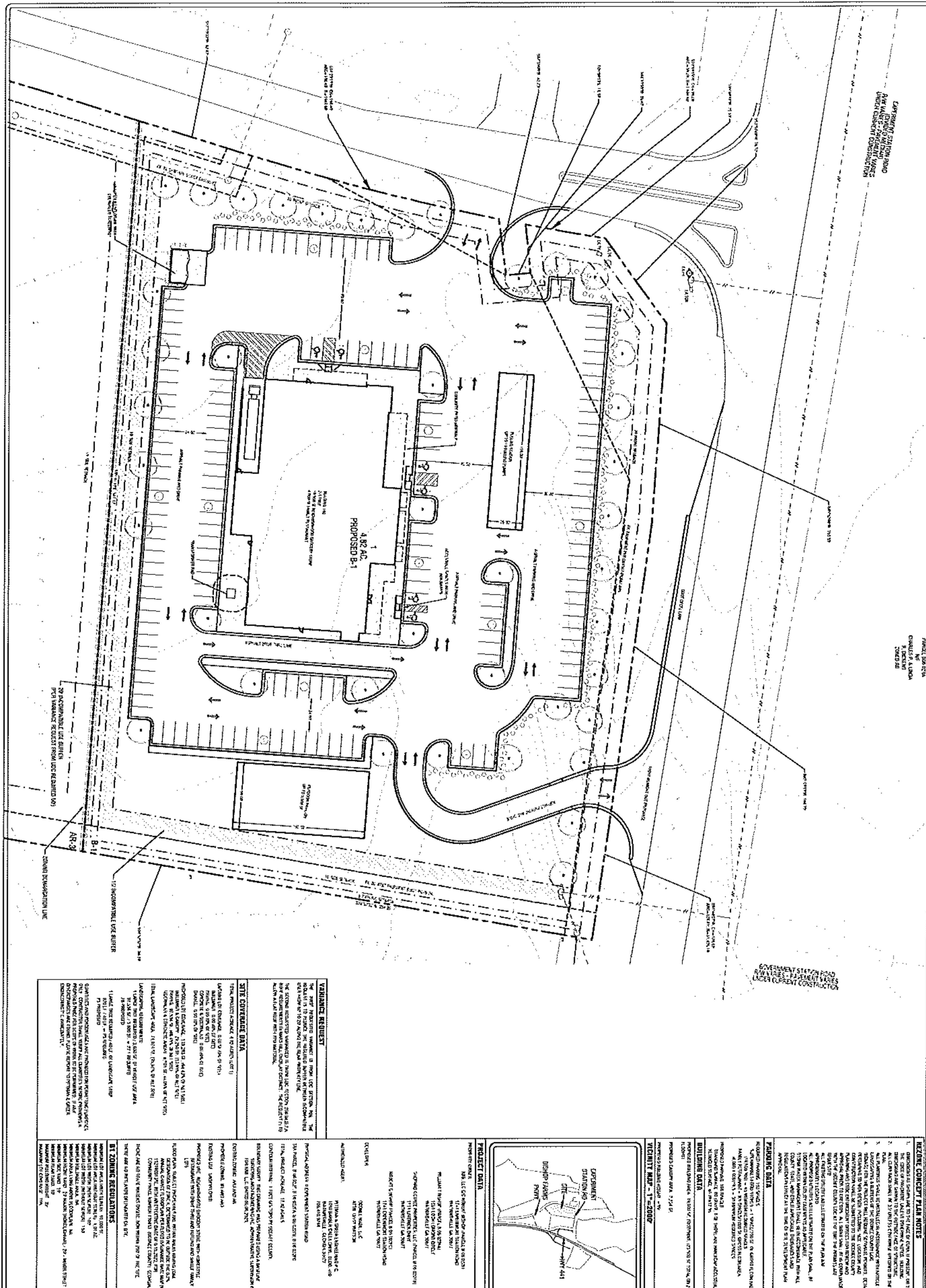
MARS HILL OVERLAY DISTRICT

The project will be within the Mars Hill Overlay District in the Mixed Use Development Land Use Category. The overlay has specific design guidelines which must be followed above and beyond UDC requirements.

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PLAT





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

VARIANCE CASE #: P25-0231

DATE: December 22, 2025

STAFF REPORT BY: David Webb, AICP, Planning Manager

APPLICANT NAME: Pittman and Greer Engineering

PROPERTY OWNER(S): KBB, LLC and William T. Bishop

LOCATION: Intersection of Experiment Station Road and Bishop Farms Parkway (unaddressed)
Parcels: B-06-022F and a portion of B-06-022FA

PARCEL SIZE(s): ±4.82 acres

EXISTING ZONING: AR-3 (Agricultural Residential Three Acre District)

EXISTING LAND USES: Vacant

TYPE OF VARIANCE REQUESTED: Special Exception Variance

REQUEST SUMMARY: A special exception variance from Oconee County Unified Development Code Article 8 Section 806 and Table 8.1 to reduce the required buffer width from 50 feet to 20 feet.

DATE OF SCHEDULED HEARINGS

BOARD OF COMMISSIONERS: January 6, 2026

ATTACHMENTS:	Application	Concept Plan
	Warranty Deed	Plat of Survey
	Narrative	Legal Description

CONCURRENT APPLICATIONS:

1. **P25-0230- Rezone** ±4.82 acres from AR-3 (Agricultural Residential Three Acre District) to B-1 (General Business District) and Rezone ± 10.0 acres from AG (Agricultural District) to AR-3 (Agricultural Residential Three Acre District)
2. **P25-0232 Variance** from UDC Sec. 205.09.c.3.a. (Special provisions applicable to the B-1 zoning district) and to Sec. 206.04.d.7.a. (Mars Hill Overlay Architectural requirements) to allow a flat roof with pitched accents instead of the required gable or hip style with a minimum roof pitch of 4 in 12 or steeper for a multistory building and to modify the required roofing materials.
3. **P25-0290 Variance** from UDC Sec. 205.09.c.3.h. (Special provisions applicable to the B-1 zoning district) to allow a building with 23,500 SF total on 2 floors to exceed the limitation of 12,000 on 2 floors with a 6,000 SF footprint or 20,000 SF with a single-story building.



BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The current parcels were created by an administrative plat recorded July 5, 2023, in Plat Book 2023, Page 95.
- Parcels B-06-022F and B-06-022FA were rezoned from AG to AR-3 on May 2, 2023.
- Parcels B-06-022FB and B-06-022FC were zoned AG with the original adoption of the zoning map in 1968.

VARIANCE DESCRIPTION

- A special exception variance from Oconee County Unified Development Code Article 8 Section 806 and Table 8.1 to reduce the required buffer width from 50 feet to 20 feet.
- Table 8.1 indicates that a 50-foot buffer is required for a commercial use adjacent to an AR-3 zoned parcel.
- The proposed reduced buffer is adjacent to an existing AR-3 lot to the south which is owned by the Bishop family.

PUBLIC FACILITIES

Water:

- The applicant proposes public water from Oconee County Water Resources.

Sewer:

- The applicant proposes public sewer from Oconee County Water Resources for the commercial B-1 lot.

Roads:

- The project proposes access to Experiment Station Road (GA 53) and Bishop Farms Parkway.

Environmental:

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

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 requested variance would allow a reduction in the required landscape buffer. Staff finds that a reduction of the buffer would not be a detriment to the public good.

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

Staff analysis indicates that granting the requested variance would not injure the environment as the site would still have to meet stormwater and environmental regulations. Staff finds the reduction in the landscape buffer would not injure the use and enjoyment of other properties in the immediate vicinity.

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

Staff analysis indicates that granting the requested variance would not have a negative effect on the value of adjacent properties.

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

Staff analysis indicates that the purpose of the code would not be impaired by granting this request.

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 to the buffer standards. 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.
2. The owner at their own expense shall construct the improvements required by the County for public water and public waste services 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.

VARIANCE # P25-0231 - KBB LLC

Parcel #
B-06-022F
Portion of B-06-022FA

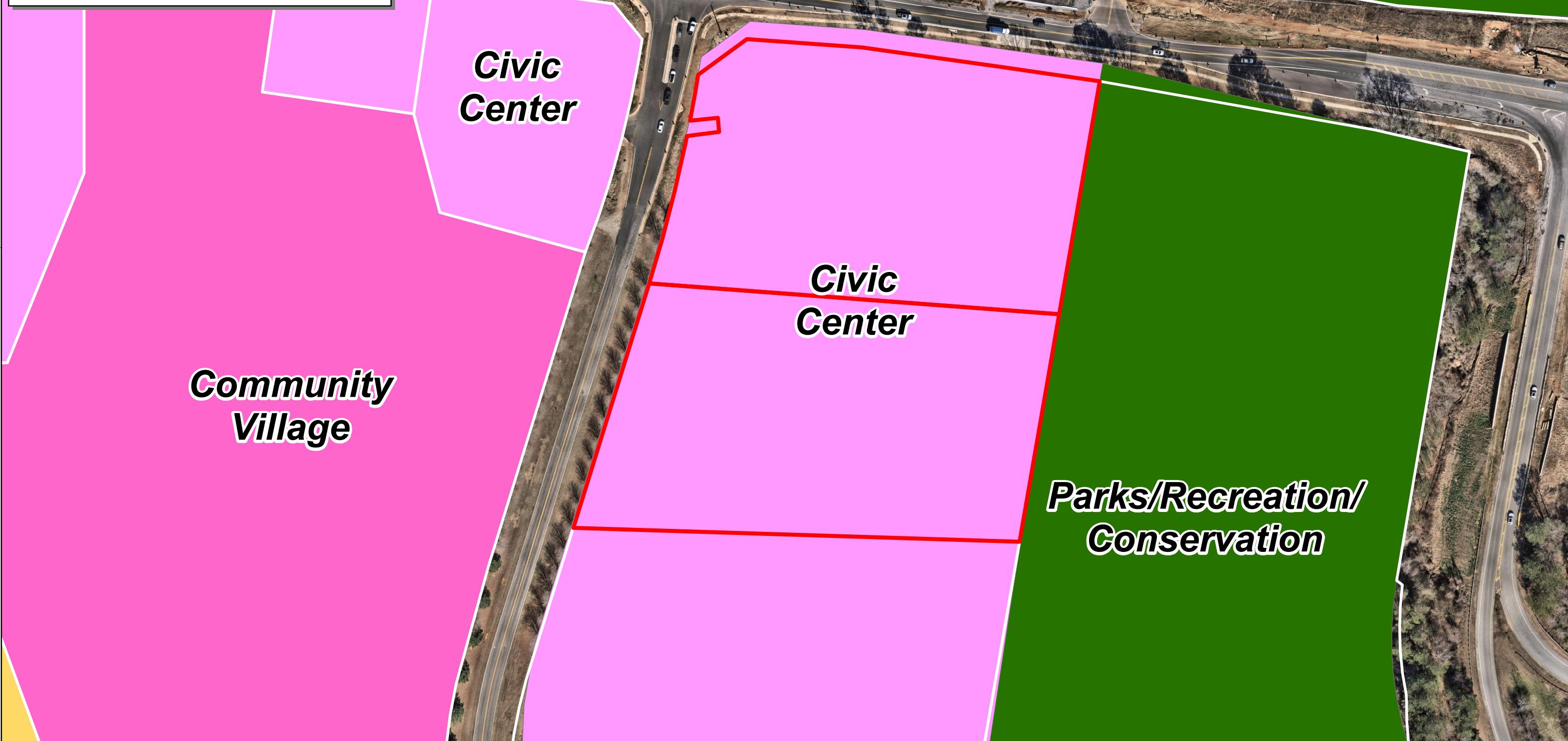
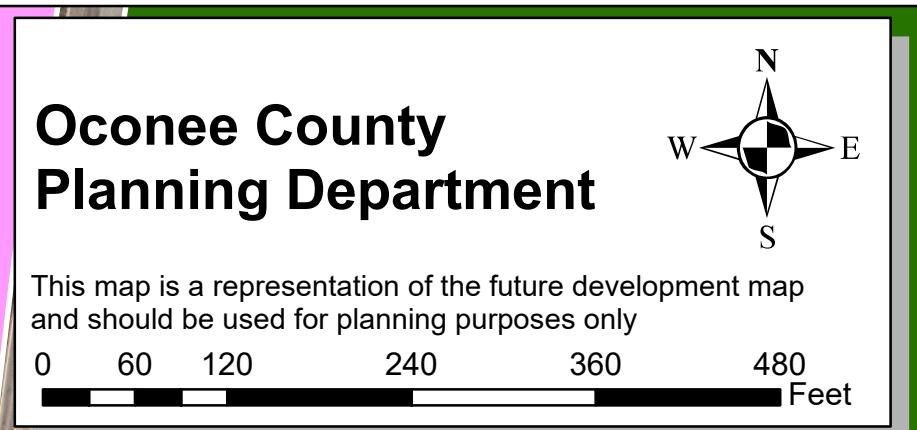
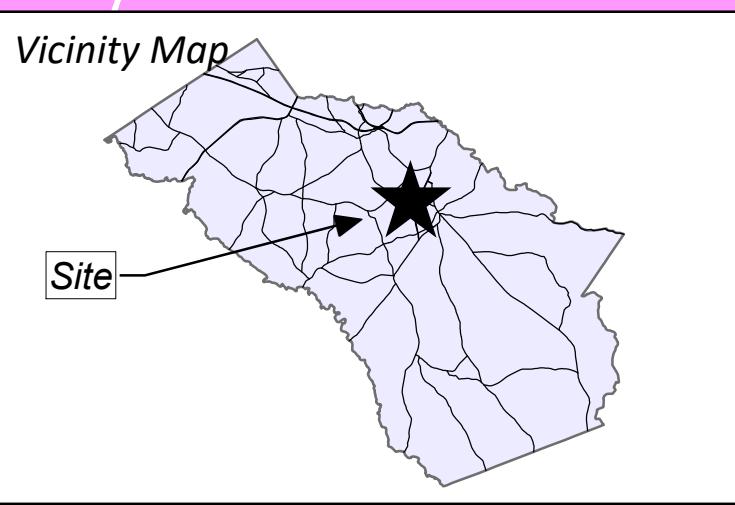


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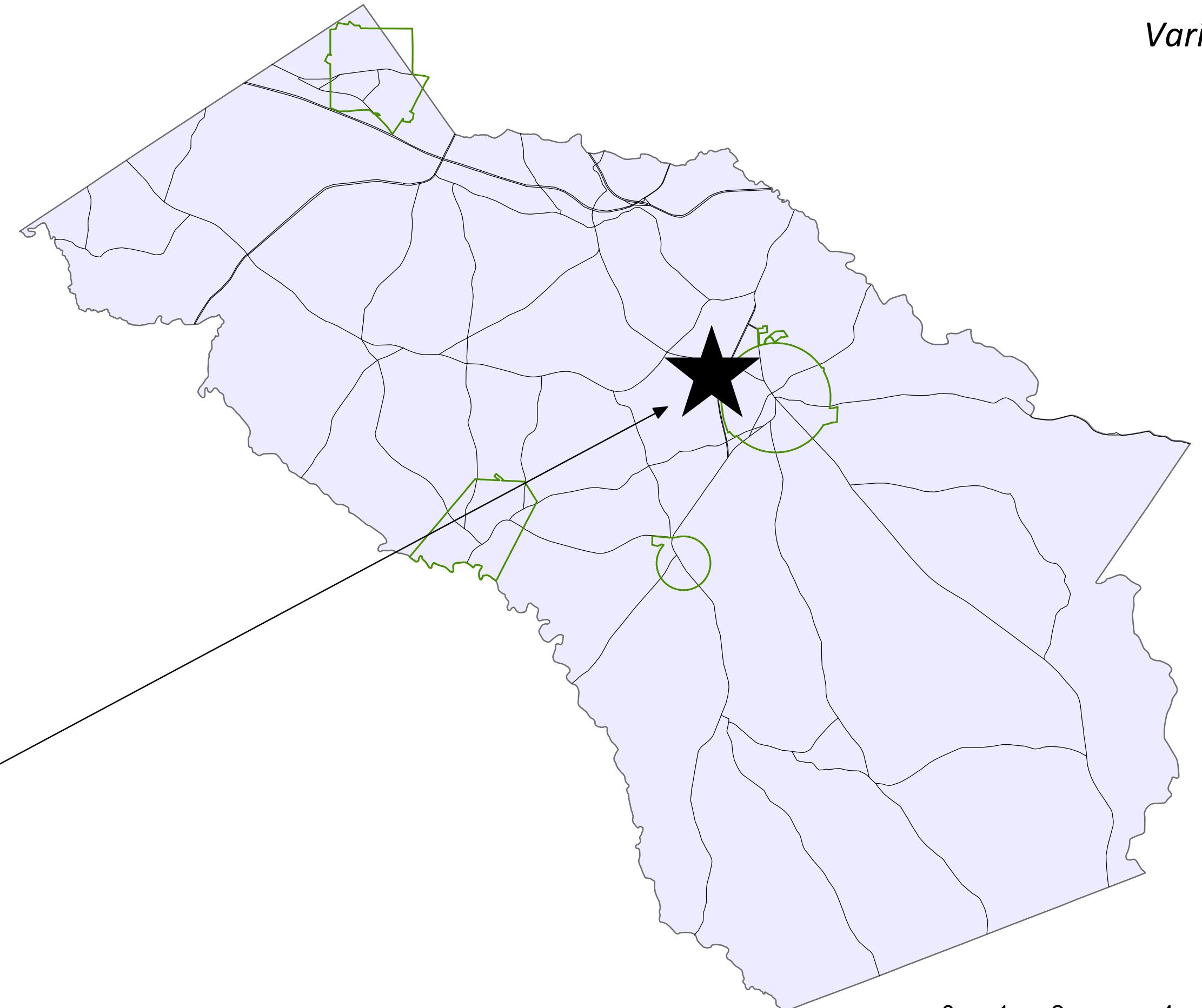
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Feet



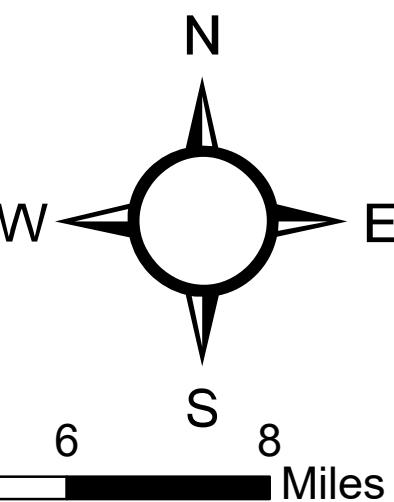


Location Map -
Variance # P25-0231
KBB, LLC



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