

**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 2 Section 206.04.d(7)(a) and Section 205.09.c(3)(a) to allow a flat roof on a grocery store.

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.

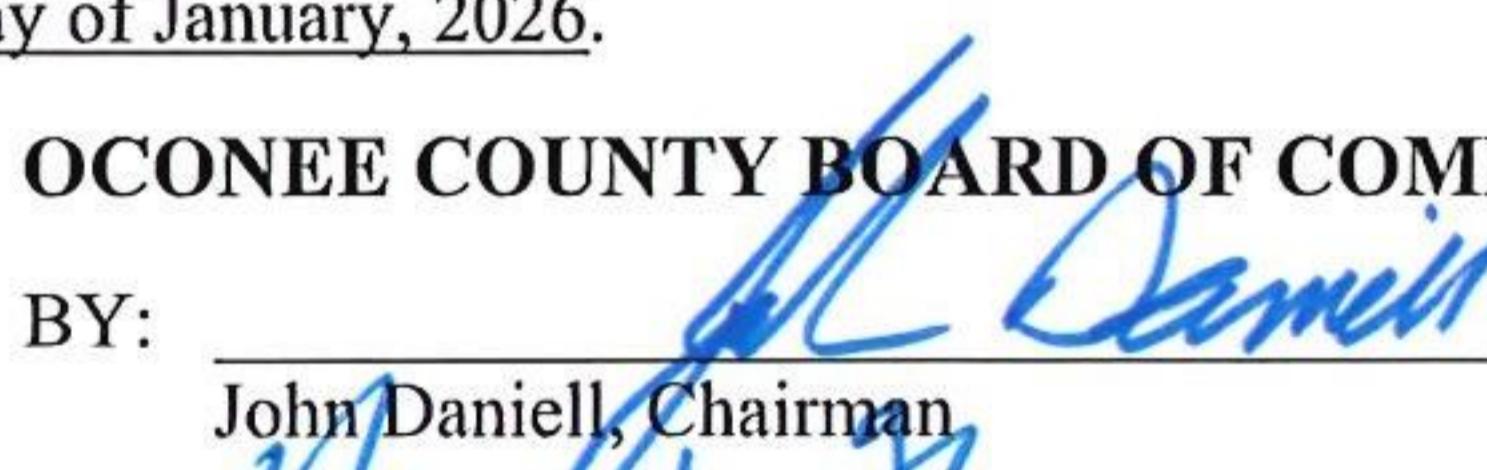
SECTION 3. Effective Date. This Resolution shall take effect this date.

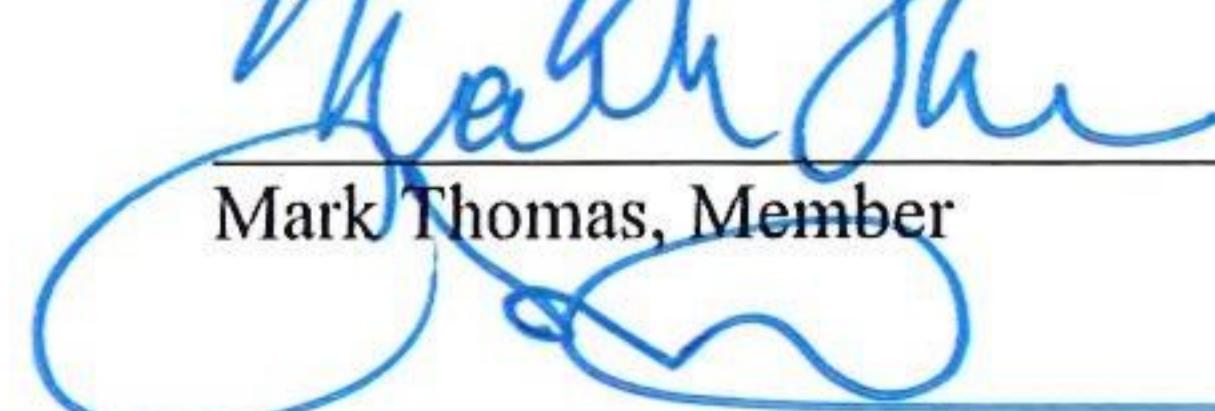
Said Special Exception Variance application was submitted to the Oconee County Board of Commissioners and a Public Hearing was duly held by the same at its regular meeting on January 6, 2026.

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

OCONEE COUNTY BOARD OF COMMISSIONERS

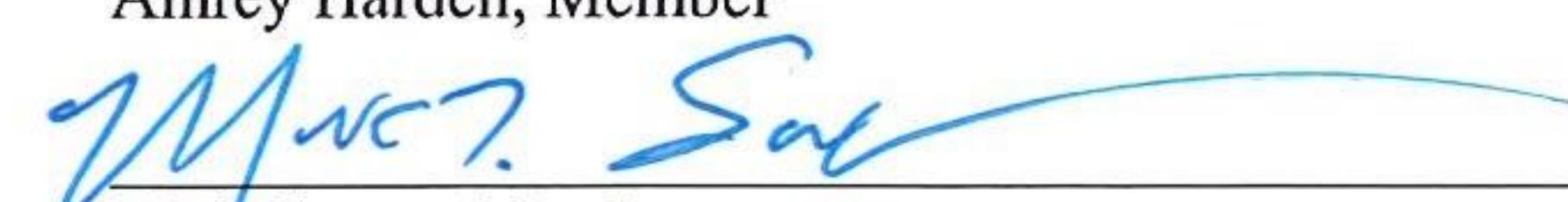
BY:


John Daniell, Chairman


Mark Thomas, Member


Chuck Horton, Member


Amrey Harden, Member


Mark Saxon, Member

ATTEST:


Holly Stephenson
Clerk, Board of Commissioners

EXHIBIT "A" TO SPECIAL EXCEPTION VARIANCE NO. P25-0232

Page 1 of 10

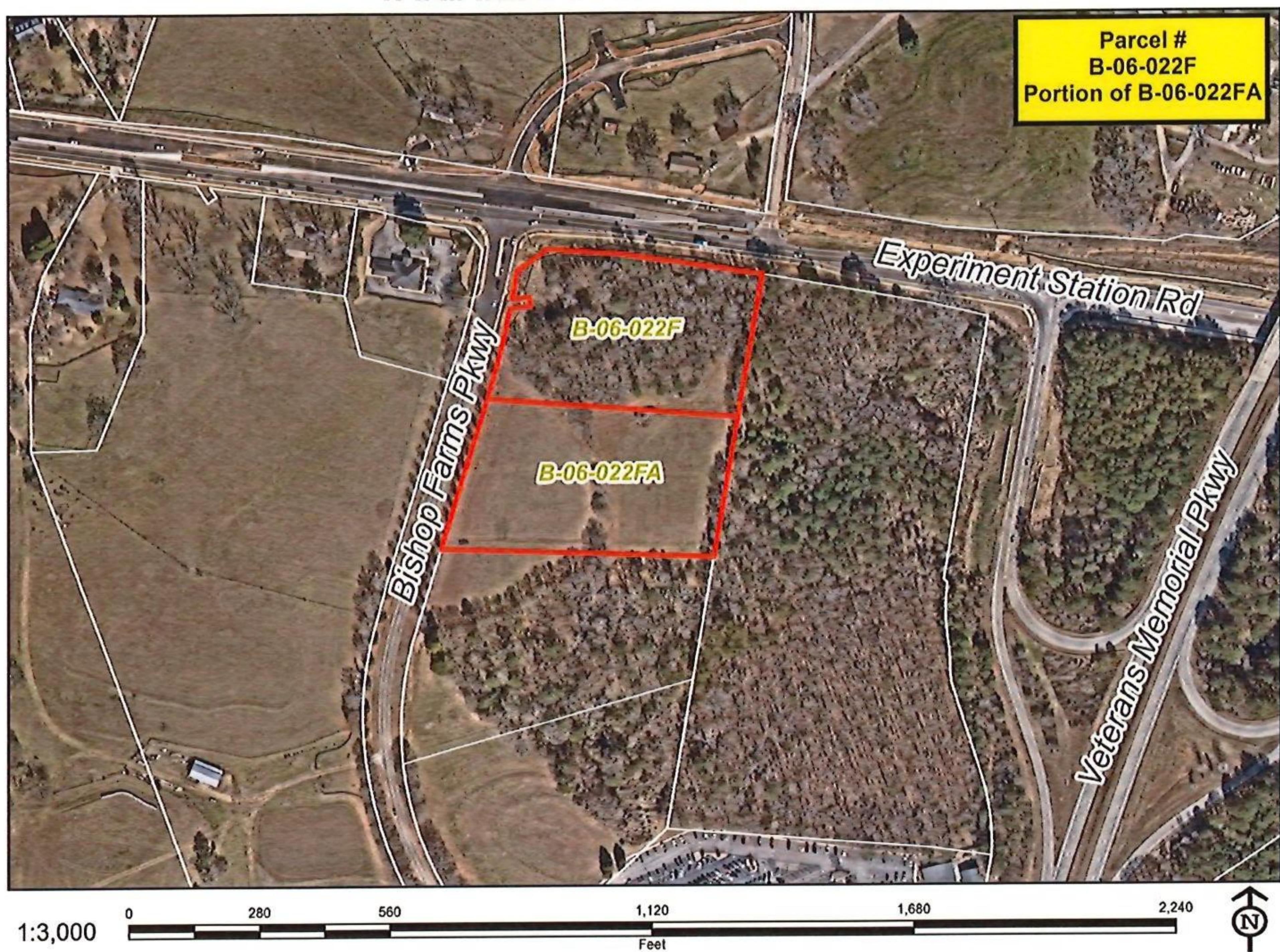
CONDITIONS

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.

EXHIBIT "A" TO SPECIAL EXCEPTION VARIANCE NO. P25-0232
Page 2 of 10

TAX MAP

VARIANCE # P25-0232 - 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 GASPSCS 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 206.04.d.7.a and SECTION 205.09.c.3.a
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 – AR (undeveloped lot by same owners, 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 206.04.d.7.a. Mars Hill Overlay and Section 205.09.c.3.a B1 zoning Architectural requirements (roofs).

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, per the Mars Hill Overlay District, that the roof line be a gable or hip style roof with a minimum pitch of 4 in 12 or steeper. It would also require that the roof material be architectural tab shingles, slate, or wood shakes with standing seam accents.

We are requesting a variance from these two roof requirements. The proposal is for a flat roof with some pitched roof accents and areas. The proposed building is 120 feet deep. Creating a 4 in 12 pitched roof that breaks from the middle to the front and back would be 20 feet tall. By adding a 20 foot tall roof on top of a 2-story building, the maximum 35' building height would be far exceeded. The roof would be enormously tall. By creating a mostly flat roof with pitched accents it will make the building not appear so tall and look more timeless. By creating a flat roof, the material would need to be TPO roofing for the flat portion. Standing seam metal would be on the pitched accent areas that would meet the UDC requirement.

The building will be a 2-story building with an exterior of mostly brick with accents of board and batten fiber cement and less than 20% of stucco/eifs. There will be plentiful inset glass windows with black framing. Building frontage will have black columns with brick bases. There will be some outdoor plaza

NARRATIVE

seating upstairs for the restaurant which will be visible from the front of the building along with exterior egress stairs exiting this area. Seating will also be available on the lower level at entries for customers purchasing food from the grocery food options. The roof line will be flat with TPO roofing with some accented vertical towers having pitched standing seam roofing. Signage will be on the building walls that meets Oconee sign code.

COMPANION REZONE REQUEST

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

COMPANION VARIANCE REQUEST

A companion variance request to vary from the required buffer between incompatible land uses has been submitted with this request.

A companion variance request to vary from the maximum 2-story footprint size and tenant space in B1 zoning has been submitted 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.

REPRESENTATIVE ARCHITECTURE



NARRATIVE



NARRATIVE



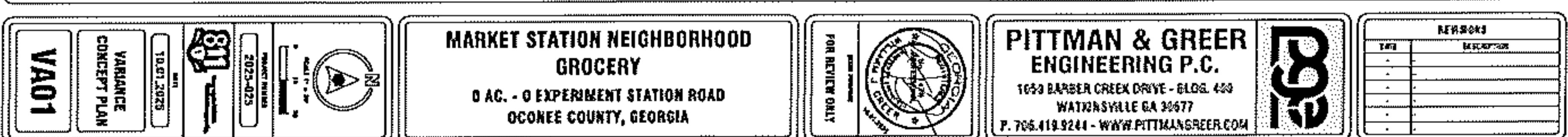
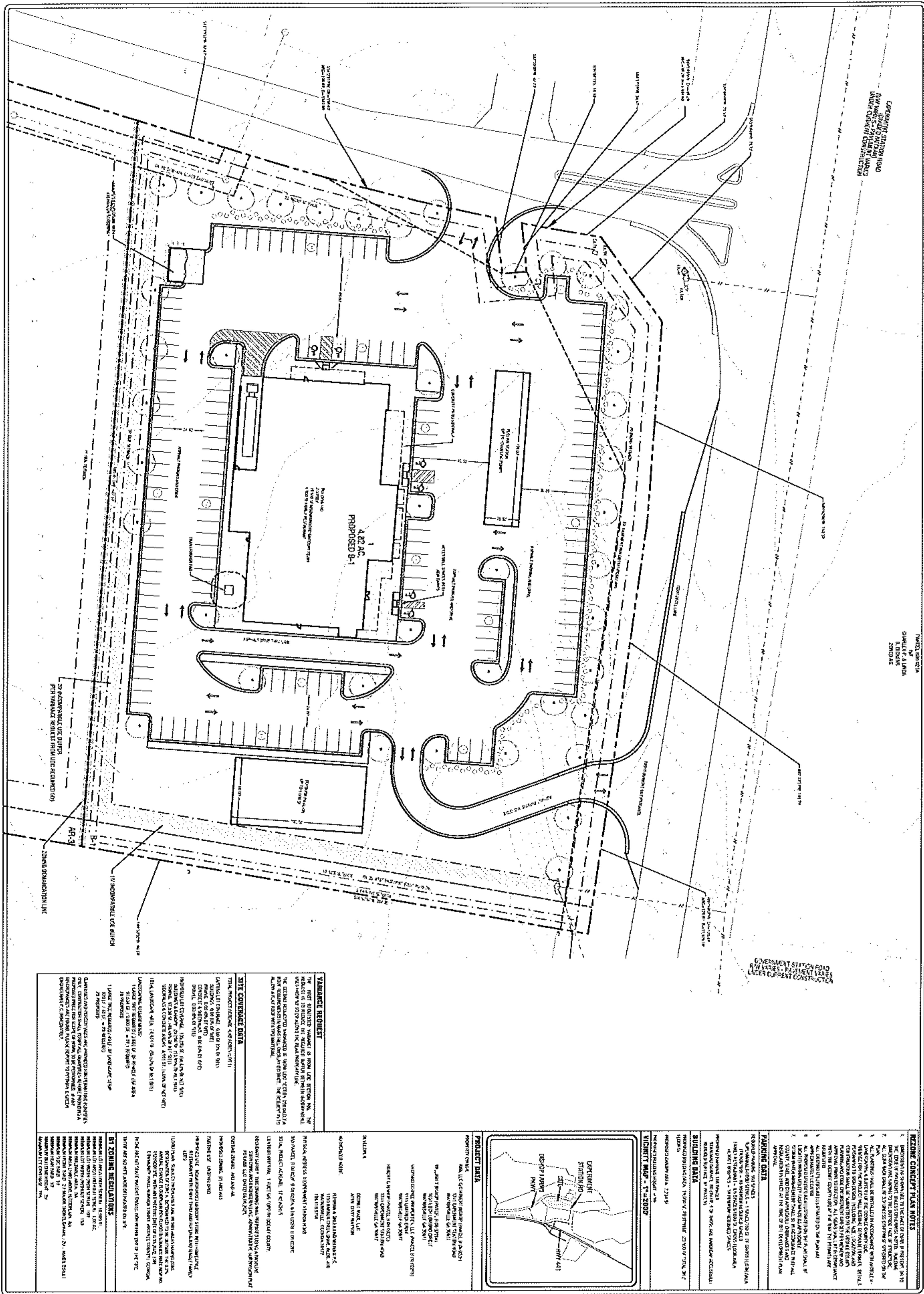
NARRATIVE



EXHIBIT "A" TO SPECIAL EXCEPTION VARIANCE NO. P25-0232
Page 9 of 10

Page 9 of 10

PLAT





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

VARIANCE CASE #: P25-0232

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 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.

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. **P25-0290 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.
3. **P25-0231** 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.



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 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.
- For non-residential structures in a B-1 district, UDC Sec. 205.09.c.3.a indicates:
 - All buildings shall have roof lines and roof structures that are gable, hip or well-hipped styles with a minimum roof pitch of 6 in 12 or steeper for a single story building and a minimum roof pitch of 4 in 12 or steeper for a multistory building.
 - Limited application of parapet walls with flat roofs shall be permitted as further defined herein provided that the architectural details are approved as part of the rezone concept plan and architectural drawings submitted with the rezone application and provided that such parapets constitute no more than 20 percent of any side of the building and that such flat roofs constitute no more than twenty percent of the total roof area on any side of the building and further provided that such parapets are highly embellished with architectural detailing as opposed to being single plane surfaces with plain tops.
 - Roof material shall be architectural tab shingles, tile, slate, or wood shingles. Standing seam metal roofing material of copper or with baked on color may be used in limited applications for accent but may not be used as the primary roofing material on a building. Chimneys and cupolas are permitted where approved in the rezone concept plans and architectural drawings submitted with the rezone application.
 - Other roof mounted structures such as solar collectors, and HVAC equipment are prohibited. Necessary vents and plumbing stacks are to be designed and located to reduce visibility from surrounding roads and properties and shall be of sizes, colors and styles which, to the extent possible, minimize their visibility.
- For non-residential structures in the Mars Hill Overlay District, Section 206.04.d.7.a. requires:
 - (a) Roofs.
 - i. All buildings shall have roof lines and roof structures that are gable or hip styles with a minimum roof pitch of 6 in 12 or steeper for a single story building and a minimum roof pitch of 4 in 12 or steeper for a multistory building.
 - ii. Limited application of parapet walls with flat roofs are allowed, provided that such parapets constitute no more than 20 percent of any side of the building, that such flat roofs constitute no more than 20 percent of the total roof area on any side of the building, and that such parapets are highly embellished with architectural detailing as opposed to being single plane surfaces with plain tops.
 - iii. Roof material shall be architectural tab shingles, tile, slate, or wood shingles. Standing seam metal roofing material of copper or with baked on color may be used in limited applications for accent but may not be used as the primary roofing material on a building.
 - iv. Chimneys, solar collectors and cupolas are permitted. Other roof mounted structures such as HVAC equipment are prohibited.
 - v. Necessary vents and plumbing stacks are to be designed and located to reduce visibility from surrounding roads and properties and shall be of sizes, colors and styles which, to the extent possible, minimize their visibility.
 - The M-H Mars Hill Overlay District is intended to:
 - (a) Protect the stability, value and livability of residential neighborhoods within the overlay district;

- (b) Provide appropriate locations for residential, office and commercial development within the overlay district compatible with and supportive of the stability, value and livability of residential neighborhoods; and,
- (c) Provide a transition for impacted residential properties to higher density single-family subdivisions and compatible mixed use developments.

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 alteration of architectural standards for the B-1 zone within the Mars Hill Overlay District. This location is not adjacent to a residential neighborhood, and the change of architectural standards would not compromise the intent of the Overlay District. Staff finds that an alteration to the architectural standards 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 alteration of the roof architectural standards would not injure the use and enjoyment of other properties in the immediate vicinity or compromise the intent of the Mars Hill Overlay District.

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. This location is not adjacent to a residential neighborhood, and the change of architectural standards would not compromise the intent of the Mars Hill Overlay District.

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 architectural roof 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 # P25-0232 - KBB LLC

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

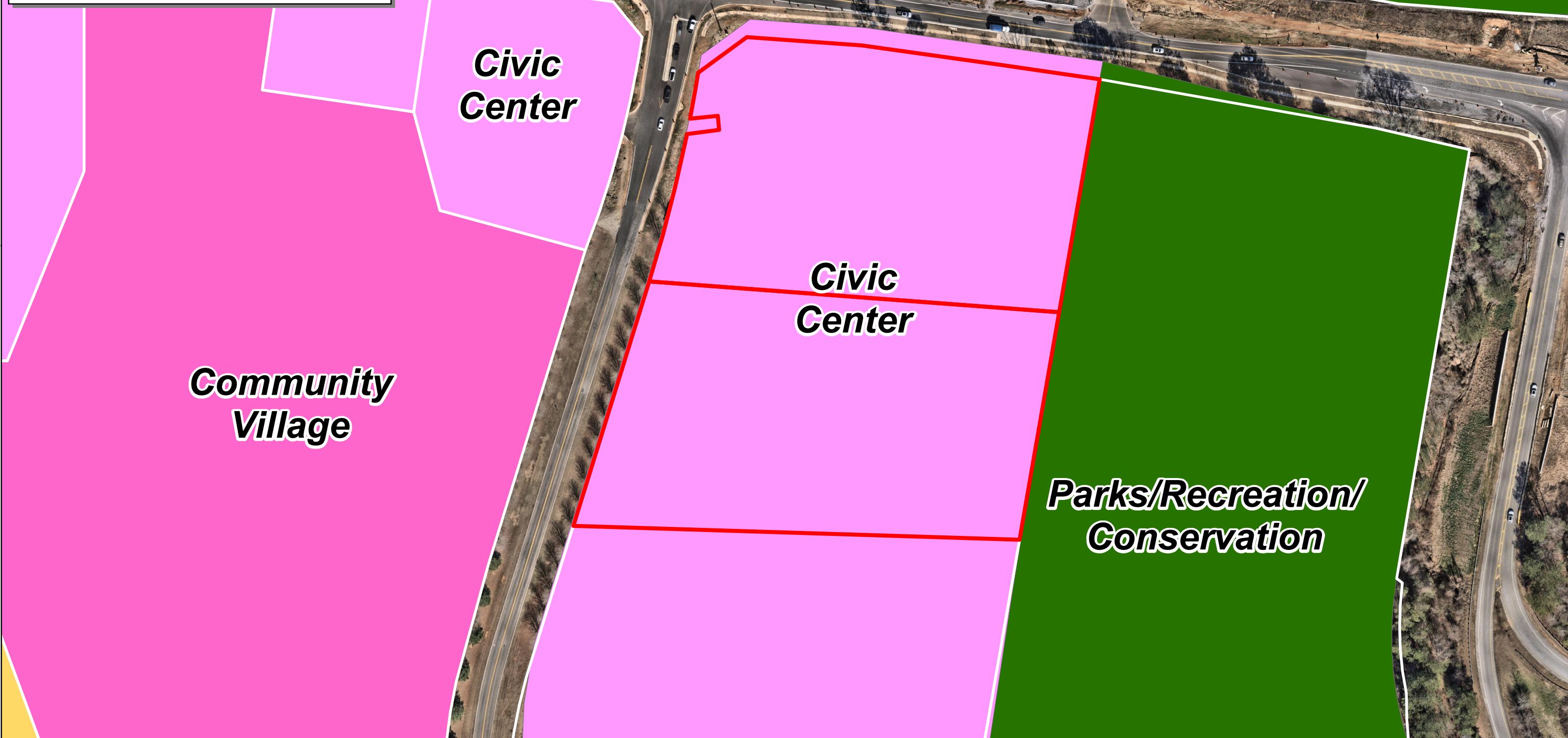
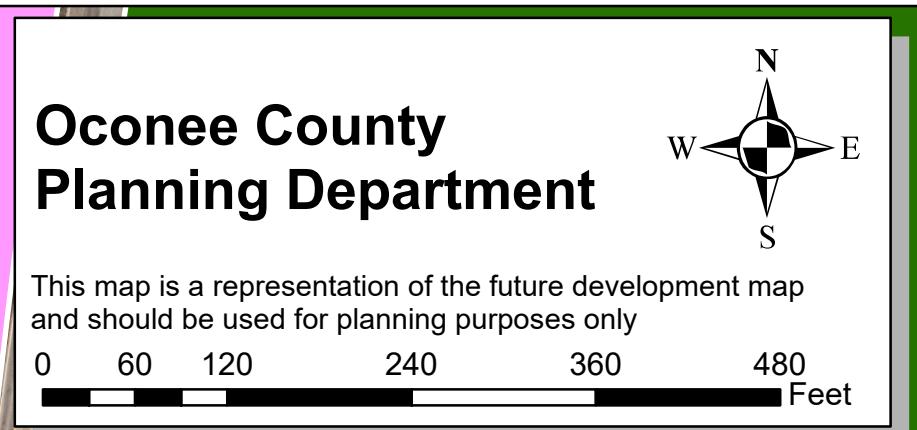
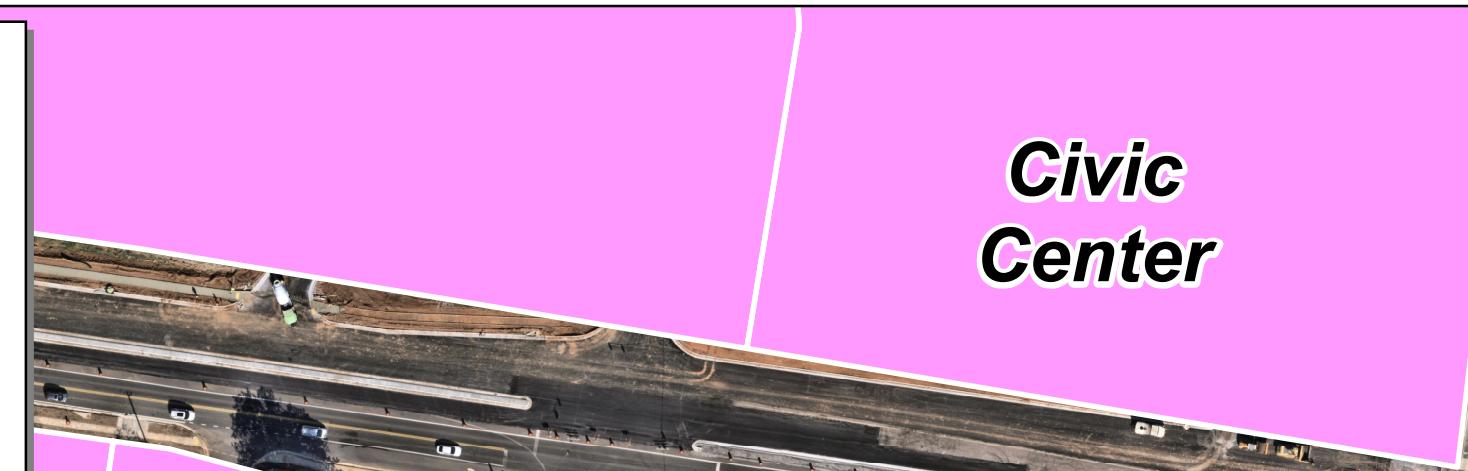
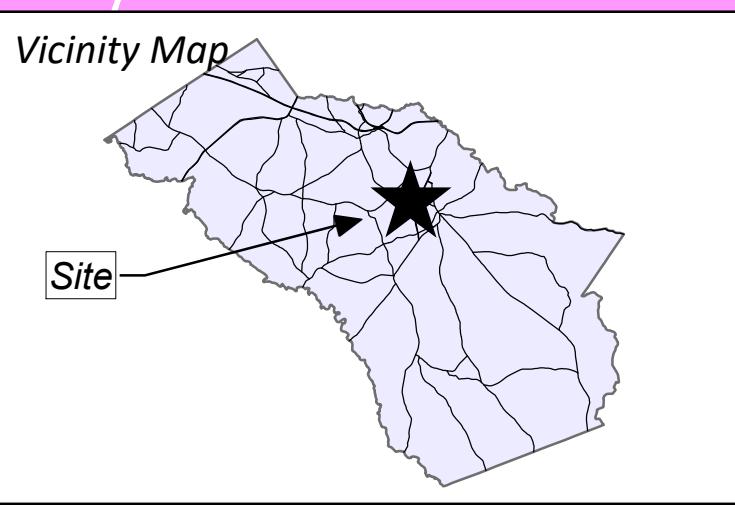


1:3,000

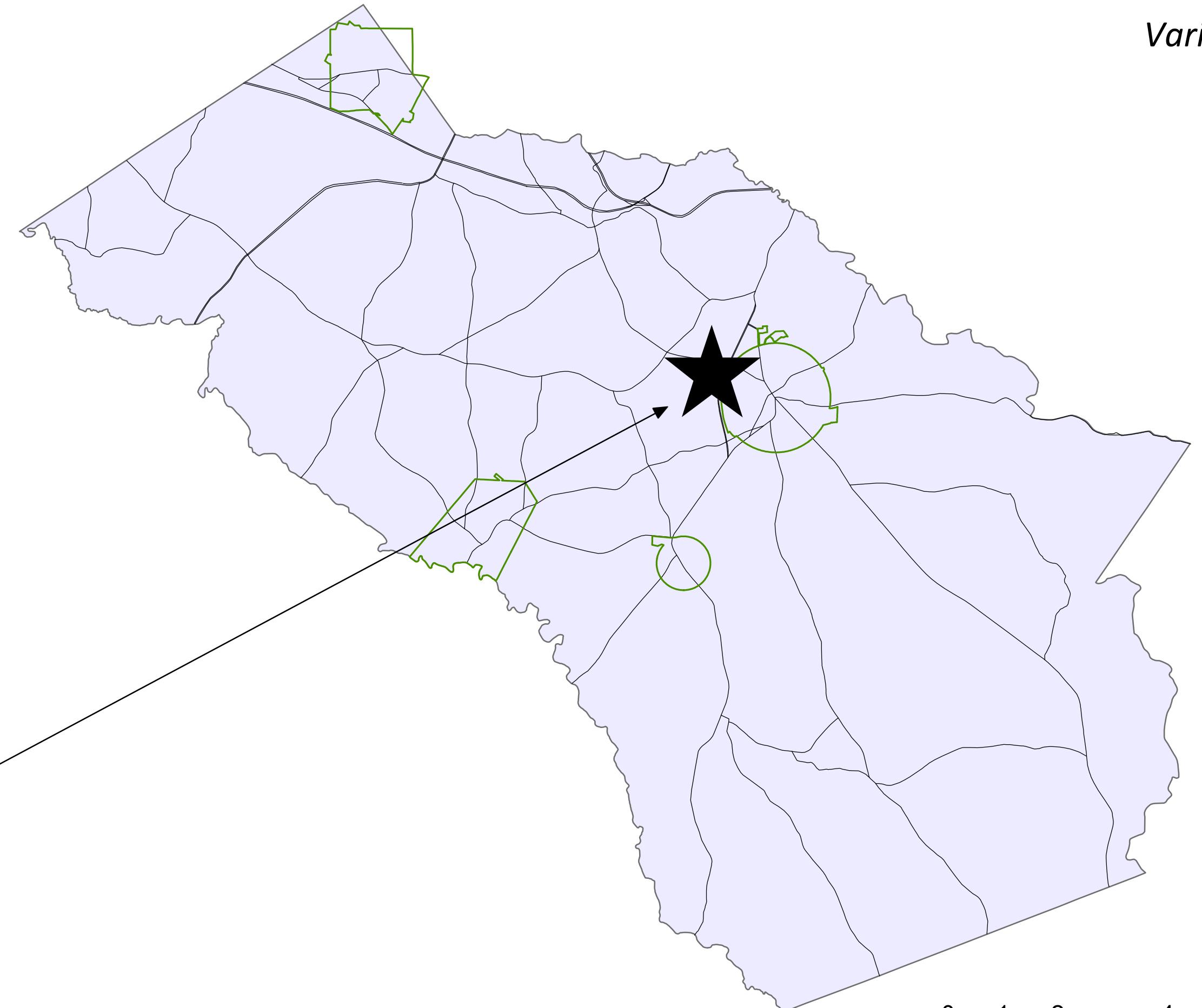
0 280 560 1,120 1,680 2,240

Feet



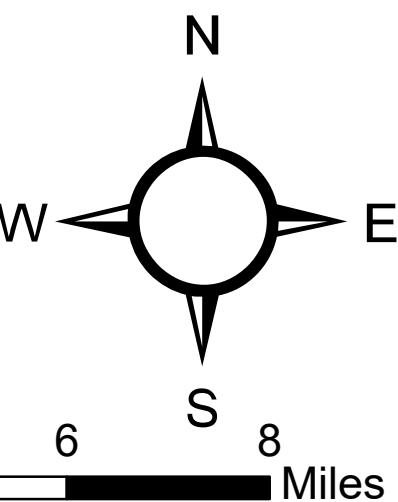


Location Map -
Variance # P25-0232
KBB, LLC



1:120,000

0 1 2 4 6 8 Miles



AR

