



## Special Exceptions

**Special exception:** A special exception use is one which is not permitted by right, but which may be permitted after a public hearing by the board of zoning appeals and all conditions stated in this chapter are met. The zoning chapter lists, by zoning district, those uses that may be allowed by right or by special exception. Uses that are included or fit the intent of these lists will be considered in each zoning district.

Requesting a special exception requires a public hearing, through the Board of Zoning Appeals. These hearings are generally held once per month on the fourth Monday. During the hearing the applicant, or their assignee, may speak to the Board regarding their request. Neighbors and citizens are given an opportunity to speak in-favor, or against, the special exception.

The public is notified about the request in following ways:

- 1) Signage on, adjacent, and near the property the requested special exception is for.
- 2) All property owners within a 250' radius of the property will receive a mailed notification regarding the requested special exception.
- 3) A newspaper advertisement at least 21 calendar days before the meeting.

**Refer to the Oconee County Code of Ordinances for a comprehensive list of uses that require a special exception hearing.**

### **Sec. 38-7.2. Special exceptions.**

The board of zoning appeals may grant a special exception only if it finds adequate evidence that any proposed development will meet all of the following general requirements as well as any specific requirements and standards listed for the proposed use. The board of zoning appeals shall among other things require that any proposed use and location be:

- (1) In accordance with the comprehensive plan and is consistent with the spirit, purposes, and the intent and specific requirements of this chapter, to include the definition and intent of the district in which the special exception is being requested;
- (2) In the best interests of the county, the convenience of the community and the public welfare;
- (3) Suitable for the property in question, and designed, constructed, operated, and maintained so as to be in harmony with and appropriate in appearance to the existing or intended character of the general vicinity;
- (4) Suitable in terms of effects on highway traffic, parking and safety with adequate access arrangements to protect streets from undue congestion and hazards.

The developer shall have the burden of providing evidence to the county of compliance with the general requirements of this chapter and the specific requirements of the applicable section. The board of zoning appeals may impose whatever reasonable conditions it deems necessary to ensure that any proposed development will comply substantially with the objectives in this chapter.

(Ord. No. 2012-14, § 1, 5-15-2012)