



260 HILLSBORO ROAD  
PO BOX 129  
HIGH SHOALS, GA 30645

WWW.NORTHHIGHSHOALS.ORG

MAYOR TOBY P. BRADBERRY

POST 1: ERIC CARLSON

POST 2: JASON PRESLEY

POST 3: ANN EVANS

POST 4: HILDA KURTZ

POST 5: VIOLET DAWE

## APPROVED MINUTES

### TOWN OF NORTH HIGH SHOALS, GEORGIA

#### REGULAR COUNCIL MEETING\*

October 19, 2020

Council Present: Toby Bradberry, Ann Evans, Eric Carlson, Hilda Kurtz, Jason Presley, Violet Dawe

Visitors: Pamela Lohr Hendrix, Mark Reign Streiter, Tony Capomachia, Nic Capomacchia, Vince Capomacchia, Fred Johnson, Frank Pittman, Joe Reitman

#### Call to Order

#### Greetings and Declaration of Quorum

- Mayor Bradberry called the meeting to order at approximately 7:33 P.M.

#### Agenda Setting

- Council Member Evans made a motion to move the rezone presentation to the first item of business. Council Member Carlson seconded the motion. The motion passed unanimously.
- Council Member Carlson made a motion to accept the agenda with the update and Council Member Dawe seconded the motion. The motion passed unanimously.

#### Presentation of Draft of the September Meeting

- Council Member Carlson made a motion to accept the minutes from the Regular Council Meeting on September 21, 2020 as presented. Council Member Evans seconded the motion and it passed, with Council Member Dawe abstaining.

#### Presentation of Financial Statement

- In the absence of Clerk Wilson, Mayor Bradberry presented the financial statement to Council. He informed Council that some of the usual numbers on the financial statement were absent due to dates of the month and those particular bills not coming due yet.
- SPLOST money: Mayor Bradberry explained there was an error calculating the 2015 SPLOST so the Town received more money than usual (nearly \$22,000 instead of \$12,000) to correct the mistake.
- Council Member Carlson asked for confirmation that used funds from the CARESACT/COVID-19 funding was returned to the state. Mayor Bradberry confirmed.
- Council Member Kurtz asked about the balances in the revenue column being predominately in the red. With the town clerk being absent from the discussion, Council Member Kurtz moved to delay approval of the financial statement to next month. Council Member Dawe seconded the motion. The motion was passed unanimously.

\*Due to COVID-19 restrictions the meeting was held virtually using GoToMeeting.

## Citizen Comments on Non-agenda Items

- A citizen noted the theft of political signs in the neighborhoods and inquired about the Town's current sign regulations. The citizen asked about putting up a large sign as related to the upcoming election. Mayor Bradberry stated due to the close timing to the election, the council would not have time to take any action on signs should they be constructed.

### **Note: The Town's attorney Joe Reitman joined the meeting at approximately 7:46pm.**

- At this time, he provided Council and all those present a summary of the meeting requirements as laid out in the zoning procedures laws found in the Georgia code. Essentially, each side will get no less than 10 minutes with each side getting equal time.
  - The applicant has the right to use up their entire allotted time because it is their application
  - If there is an opposition, Reitman recommends limiting each person to 3-4 minutes
  - All comments need to be relevant to the matter at hand, no unprofessional comments will be permitted
  - An immediate neighbor who is opposed to the application, is given consideration and allowed more time to present their position. If the application was approved, an immediate neighbor is considered to have standing if the decision was appealed.
- Mayor Bradberry decided each side would be allowed 15 minutes

## NEW BUSINESS

### **Item 1—Re-zoning of Land on New High Shoals Road**

Attorney Reitman outlined the order of public hearing as follows: applicant first, those in favor of the application, and then anyone opposed. If the applicant has any time left from their allotted time, it can be used for rebuttal. Attorney Reitman called the public hearing "Open", at approximately 7:54pm. As an immediate neighbor, Council Member Dawe recused herself as a Council Member and joined the audience as a citizen at approximately 7:57pm.

Frank Pittman, from Pittman Engineering, spoke first on behalf of the property owner, Reign Streiter. Pittman highlighted the following information in his presentation:

- The property in question is 23 acres located on New High shoals Road with an existing A-2 zoning designation
- The original request as presented to Oconee County asked for an R-2 designation. However the recommendation from the Oconee County planning staff was for an R-1 designation with a minimum of 2 acre lots—the property owner has no issue with an R-1 designation
- Without the rezone, the land could be divided into four 5-acre parcels which would require a road; adding a road for only four parcels is cost prohibitive therefore the property owner is asking for a rezone of 2 acre lots
- The development would include a public road, public watermain, the lots would be on septic, stormwater infrastructure to meet all county and state requirements
- Most of the towns current subdivisions contain lots less than 2 acres
- The character area for this property is Country Estates (as defined in the Future Land Use study by Oconee County) which is in keeping with this proposal

\*Due to COVID-19 restrictions the meeting was held virtually using GoToMeeting.

- Proposed houses will sell between \$500,000-\$600,000
- With only 11 residential lots any effects on traffic or schools would be minimal
- If the proposal was approved, it would be binding—no duplexes
- The land would be cleared as the individual lots were purchased and would be cleared by the new property owner.
- This property at one point was approved as part of a subdivision with .75 acre lots
- There is an existing access easement that runs along the northside of the property that is 25ft wide which provides access to a property to the west.
  - The concept map shows the easement being relocated between lots four and five.
  - After speaking with the property owner who needs the easement, Pittman now proposes adding a second access easement between lots three and four which grants access to the property in its current location.
  - If the rezone is approved, Pittman recommends making the access easement a condition of the approval so it will be platted
- Construction plans on the road would start right away if the application were approved
- The Oconee County planning staff recommended approval as well as the Oconee County Planning Commission

Property Owner Mark Reign Streiter spoke next:

- He began by briefly introducing himself and his connection to Oconee County—current resident, three children who attended North Oconee Schools, was previously a schoolteacher himself, owns a real estate company in the area
- Has refused offers to sell the land to people outside the Oconee County community
- His goal is to be a good neighbor and listen to everyone's concerns and ask questions

Questions Followed (Answered by Frank Pittman)

1. Possible to move the stormwater pond?
  - a. The current plan has the stormwater pond at the low point of the property which is where it needs to go to capture all the water from the property. Streiter is open to having a buffer between the neighboring property and the pond. The stormwater pond would discharge into the creek located at the rear of the property (not a neighboring property).
2. Will there be any treatment for mosquitoes?
  - a. Typically no treatment is done for mosquitoes; some landscape will be done inside the pond. As a stormwater management system pond, it is designed for water to go in and filter out. It will not hold water all the time. Ponds that hold water all the time are built for a different purpose and maybe spring fed.
3. Sidewalks?
  - a. If required by Town, sidewalks will be put in; The plan shown here is a zoning concept plan, not a construction plan that would show all those details.
4. Will lot owners have permission to smooth over existing terraces on the property?
  - a. Yes, once a person purchases a lot, they can do what they like with it; Water coming off lots will be caught by the road and piped to the pond—essentially the road replaces the terraces. The terraces are not protected by government regulations. Legally the development cannot cause an increase in runoff

\*Due to COVID-19 restrictions the meeting was held virtually using GoToMeeting.

- b. to adjacent properties. If the proposal is approved, I (Pittman) would submit a hydrology study explaining runoff details.

Next presenter—Nic Capomacchia (opposed)

- Attended meeting with brother Vince (2x UGA grad) and father Tony (former UGA professor)
- Began with providing an overview of their property (listed as tract 4 on the survey) and how it connects to Mark Streiter's property. Their current easement is between tracts 1 and 3
- Where tracts 1, 2, and 4 meet the easement widens to 50 feet as it crosses over a creek. At the creek there is a 24-inch pipe that was put there by a logging company in the past. That location is the best place to access their property beyond the creek for logging purposes; need to maintain this access or be granted different access that would meet the same needs
- The easement was recorded in Oconee County Superior Court in June 2014; At the Planning Commission meeting Pittman stated the easement was not recorded.
- The proposed easement along lot 5 would diminish our land value by one-third (based on Oconee County laws limiting the number of parcels allowed to use an easement)
- Concerned about the pollution of Frazer Creek, number of septic systems, Steiter is a developer not a builder so will the quality of house match what is being presented?
- If Council votes to approve, would like the following conditions—10' buffer along easement, 75' buffer along Capomacchia southern property line, lot sizes between 3-4 acres

Next Presenter—Pam Hendricks/Violet Dawe (opposed)

- Dawe provided background on her property: purchased 40 acres on one side of Hwy 186 and 11.1 acres on the other side of Hwy 186 currently used to raise and train horses
- Water from Streiter's property flows through her property to Frazer Creek; currently she supplies compost to organic gardeners and is concerned about homeowners using fertilizers, pesticides, and other chemicals—provided documentation dated 9/20/2020 stating the tributary tested as “clean”
- Expressed concerns about the following issues:
  - Closeness of stormwater pond to her property attracting mosquitos
  - Increased water runoff onto her that will contain sediment, pesticides, and other chemicals, increased water runoff onto Hwy 186 making the road more dangerous
  - Septic systems contaminating wells and underground streams
  - Construction noise detrimental to training green horses
  - Costs to the school system for increased attendance and the Town for road maintenance
- Hendricks now speaking
  - Presented an argument about the concept of zoning, noting that most of the surrounding property was 5 acres or larger
  - She pointed out Streiter knew the zoning when he purchased the property and did not make the sale of the property contingent on a change in the zoning classification
  - If you allow an exception how will you tell anyone else no in the future?
  - Streiter is asking for 3x times the number of houses allowed by the current zoning
  - Restated concerns about the septic system

Next Speaker—Fred Johnson (opposed)

\*Due to COVID-19 restrictions the meeting was held virtually using GoToMeeting.

- Surrounding neighbors purchased land and built homes with the expectations of 5 acre lots; if they knew the city was going to change the zoning code may have placed houses differently to sell off land
- Expenses of taking care of the road (will be wholly in the city)

Pittman spoke again, giving a rebuttal and addressing the questions and concerns of the nearby landowners mentioned above.

- Capomacchia's Concerns:
  - He clarified that at the planning commission meeting he did not say the Capomacchia easement was unrecorded
  - Because the Capomacchia family may have the ability to subdivide the property later, Pittman recommends Council making the second access easement a condition of approval
  - Four parties spoke against the proposal at the planning commission meeting, not 6; 2 are present tonight and the other 2 own the 5 and 6.6 acre lots nearby
  - Met with the mayor about the project, emailed all members of council, gave his card to Dr. Dawe and got no feedback from Council or Dr. Dawe
  - This family originally wanted to subdivide the land into many more lots than 11, so he (Pittman) does not understand why now they insist on 5 acre lots
  - As a condition of the planning commission approval all architecture must meet or exceed what is presented in the concept plan
  - Would not be willing to do an additional 10' buffer on the easement, but would meet all requirements for a buffer along the creek
- Dawe's Concerns:
  - Grade issues—some steep areas near the creek, if you take them out it is a gentle sloping property only 3-5% which is no different than any other subdivision around
    - The road will catch much of the water
  - Pond must be on the low side of the property, and we are offering a buffer near the barn
  - Septic issues—septic tanks and permits are issued by the state and require the land be tested before issuing
    - Cannot be within 100' of a well
  - Subdivisions all over the country have stormwater ponds—mosquitos are not as big of a problem as you fear them to be
  - Schools are funded by county taxes and as the County Planning Commission approved the plan, they do not share your concerns
  - Based on the value of the houses, the tax increase will pay for the road in addition to other things in town
- Hendrick's Concerns:
  - Oconee County focuses on character areas in their land use plan and the proposed plan is well within the guidelines for Country Estates as recommended by the land use plan
  - At one point this land was approved for 38 lots so this plan is a decrease in density which some of the speakers here tonight were the developers on
- General remarks:
  - Only a couple of the lots in Steeplechase are 5 acres, most are less than 2 acres
  - Any concerns about a potential three way stop for New High Shoals Road and Hwy 186 must be worked out between Oconee County and DOT because it is a DOT road

\*Due to COVID-19 restrictions the meeting was held virtually using GoToMeeting.

- Agricultural land is where you see the most use of pesticides and loud noises; agricultural land does not have to follow stormwater management whereas subdivisions must follow state laws regarding the capture, treatment, and release of stormwater

Additional Questions:

1. Has the issue with the easement been resolved? Mayor Bradberry
  - a. No
2. Can there be a condition of zoning for the stormwater pond? Hendricks
3. Who is responsible for pond maintenance and inspection? Dawe
  - a. Oconee County requires a homeowners association for any major subdivision (anything over four lots) who will be responsible for stormwater maintenance. The HOA signs a legal document regarding stormwater maintenance.
  - b. Oconee County Code Enforcement is diligent about inspecting ponds and erosion control during construction.
4. Multiple questions about reorganizing the lots to avoid having to put in a stormwater pond
  - a. Due to the shape of the property and the available existing road frontage, there is no way to feasibly split the property into four lot using the existing road frontage; a road would have to be built which would trigger building the stormwater pond. The building of any infrastructure requires a stormwater pond no matter how many lots.
5. Why are the septic systems failing in Boulder Springs?
  - a. The subdivision was built before the current regulations were enacted that dictate the size of the septic system based on number of bedrooms. Most of the septic systems in Boulder springs are too small for how large the houses are.

The question session ended, and the meeting was turned back over to Mayor Bradberry. The mayor conferred with Attorney Reitman regarding next steps. He laid four options for Council: approval without conditions, denial, approval with conditions, and tabling the issue. If the request is going to be approved, he recommended using a development agreement in combination with mitigating measures which are the provisions the developer agrees to be bound by to ensure it is a good quality development. If Council would like to go that route, the application would have to be tabled while the documents were created.

At 9:43pm Reitman declared the public hearing portion closed so that Council could discuss the matter

Council Member Evans made a motion to deny the request to re-zone. The motion was seconded by Council Member Kurtz. Discussion of the motion followed:

- Council Member Evans stated the land was purchased with the existing zoning; it matches the character area as laid out by Oconee County as well as the character of the neighbors
- Council Member Carlson stated it was the job of Council to uphold citizen's views on responsible development and this project is not responsible development
- Council Member Kurtz supported Council Member Carlson's points; additionally she stated:
  - The project would change the traffic flow and add unknown costs to surrounding property owners; in the Joint Comprehensive Plan on page 35 country estates is defined as 3 acres not 2 as stated by Pittman

The motion was denied unanimously.

\*Due to COVID-19 restrictions the meeting was held virtually using GoToMeeting.

At approximately 9:50 Attorney Reitman and Council Member Presley left the meeting and Council Member Dawe rejoined the meeting.

**Item 2—Building Permit 2551 Rays Church Road—rear deck**

This is an after-the-fact permit for a rear deck added to a home at 2551 Rays Church Road. The deck has been inspected and approved by Inspector Morgan Wheeler. A motion to approve the permit for the deck was made by Council Member Kurtz and seconded by Eric Carlson. The motion passed unanimously with Council Member Dawe abstaining.

**Item 3 – Demolition Permit at 231 Shadyfield Lane**

Mayor Bradberry reviewed the application for Council. He explained the permit was to demolish and rebuild on the existing foundation. There was some confusion about the permit application as the information on the permit request did not match the plan. The property owner was called to confirm all the measurements for the rebuild. The new structure will be 1600 sq ft heated (800 sq ft per floor) with a 600 sq ft unheated basement. It will be a three-bedroom, two bath house. Council Member Dawe made a motion to approve the demolition permit. Council Member Evans seconded the motion. The motion passed without dissent.

Council Member Evans then made a motion to approve the corrected building permit. The motion was seconded by Council Member Carlson. The motion passed unanimously.

**Item 4—Building Permit 3601 New High Shoals Road—carport**

Discussion postponed until the next month

**Item 5—Disc Golf Course**

A motion to table the discussion of the Disc Golf Course was delayed to next month's Council Meeting was made by Council Member Carlson. The motion was seconded by Council Member Dawe. The motion passed unanimously.

**MAYOR'S UPDATE**

- LMIG Grant Project Ideas:
  - Rays Church Road and Hillsboro Road chicane
  - Jefferson Road and Dickens Road speed bump
  - Bike lane on Hillsboro Road
  - Sidewalks on Hillsboro Road

Council Member Carlson made a motion to adjourn the meeting. Council Member Dawe seconded the motion and it passed without objection. The meeting ended at approximately 10:28 pm.

Submitted, Laura Wilson  
Clerk, North High Shoals

\*Due to COVID-19 restrictions the meeting was held virtually using GoToMeeting.



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

**REZONE CASE #:** P20-0142

**DATE:** September 2, 2020

**STAFF REPORT BY:** Grace Tuschak, Senior Planner  
Monica Davis, Planner

**APPLICANT NAME:** Frank Pittman

**PROPERTY OWNER:** Mark Streiter

**LOCATION:** Along New High Shoals Road, tax parcel A-06-005

**PARCEL SIZE:**  $\pm 23.29$  acres

**EXISTING ZONING:** A-2 (Agricultural Residential District)

**EXISTING LAND USE:** Vacant/undeveloped

**FUTURE DEVELOPMENT MAP CHARACTER AREA DESIGNATION:** Country Estates

**ACTION REQUESTED:** Rezone the property from A-2 (Agricultural Residential District) to R-2 (Two Family Residential District) to allow for construction of a major residential subdivision consisting of 11 lots.

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

**DATE OF SCHEDULED HEARINGS**

**PLANNING COMMISSION:** September 21, 2020

**NORTH HIGH SHOALS TOWN COUNCIL:** October 19, 2020

**ATTACHMENTS:**

Application  
Narrative  
Zoning Impact Analysis  
Aerial Imagery  
Zoning Map  
Future Development Map  
Plat of Survey  
Concept Plan



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

### **HISTORY**

- The property was rezoned from A-1 (Agricultural District) and F-P (Flood Prone Overlay District) to R-1 PUD (Single Family Residential District Planned Urban Development) and F-P Overlay District on 07/10/2006 for development of a 38-lot single family residential subdivision.
- The property was rezoned from R-1 PUD and F-P overlay district to A-2 (Agricultural Residential District) on 12/30/2013 for development of a 4-lot single family residential subdivision.

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

	<b>EXISTING LAND USES</b>	<b>EXISTING ZONING</b>
<b>NORTH</b>	Undeveloped/wooded	A-1 (Agricultural District)
<b>SOUTH</b>	Single-family Residential Undeveloped/wooded	R-1 (Single Family Residential District) A-1 (Agricultural District)
<b>EAST</b>	Undeveloped/wooded	A-1 (Agricultural District)
<b>WEST</b>	Undeveloped/wooded, pasture	A-1 (Agricultural District)

### **PROPOSED DEVELOPMENT**

- The applicant is proposing to subdivide the property into 11 lots with 2-acre minimum and a public cul-de-sac street.
  - Each will residence is proposed to have 4-5 bedrooms and a minimum of 2,400 square feet
  - Each residence is estimated to be valued at \$500,000+ for an estimated total project value of \$5,500,000.
  - See attachment for representative images of proposed homes

### **PROPOSED TRAFFIC PROJECTIONS**

- An additional 105 average daily trips are projected should the present request be approved (9<sup>th</sup> Edition ITE Trip Generation Manual)

### **PUBLIC FACILITIES**

#### **Water:**

- The proposed parcels will be served by Oconee County Water Resources Department

#### **Sewer:**

- Private on-site septic systems are proposed to serve the new residential lots

#### **Roads:**

- One interior subdivision road is proposed off of New High Shoals Road to serve the development
- A private access easement is proposed to serve lot 1 and the existing 25' access easement is to be relocated (as shown on the concept plan)

### **ENVIRONMENTAL**

- No jurisdictional wetlands, 100-year flood plain, or state waters are known to exist on the site

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

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

- Please show adequate stopping and intersection sight distance at entrance

### **OCONEE COUNTY FIRE DEPARTMENT**

- No comments

## OCONEE COUNTY WATER RESOURCES DEPARTMENT

- Suggested zoning condition: 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 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 BOARD OF EDUCATION

- This will impact the North Attendance Zone, specifically High Shoals and Dove Creek elementary schools. Malcom Bridge Middle School, which is already over capacity by 17 students, and NOHS will also be impacted.

## STAFF ANALYSIS

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE “STANDARDS GOVERNING EXERCISE OF ZONING POWER” AS SET FORTH IN SECTION 1705 OF THE *NORTH HIGH SHOALS ZONING REGULATIONS*.

**A. Existing land uses and zoning of nearby property.**

Nearby properties are primarily large wooded/agricultural tracts (zoned A-1 or A-2) or residential lots zoned R-1. Staff holds that the proposed use is suitable in view of the existing uses, development, and zoning of nearby property.

**B. The extent to which property values are diminished by the particular zoning restrictions of the current zoning.**

The property has a reasonable economic use for agricultural purposes or for development as a 4-lot single family residential subdivision as currently zoned.

**C. The extent to which the destruction of property values of the individual property owner 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 proposed 11-lot subdivision is anticipated to have a small impact on population density and community facilities.

**ii. Environmental impact;**

No environmentally sensitive areas are known to exist on site.

**iii. Effect on adjoining property values.**

The proposed residential lots should not have a significant impact on the value of adjoining property.

**D. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.**

The proposed residential subdivision should not have a significant impact on the public good.

**E. The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property.**

The subject property has been undeveloped since it was rezoned to A-2 in 2013. The majority of nearby property also remains undeveloped.

**F. Conformity with or divergence from any land use plan or established land use patterns.**

The surrounding area is primarily agricultural or single-family residential and has not seen any major transitions in last use in recent years. According to the 2040 Future Land Use Plan, the subject property lies in the County Estates Character Area. This Character area is “a low-intensity residential community reminiscent of a rural environment” with properties that “are undeveloped but rarely or no longer in agricultural production or have been developed as ‘estate farms’ or large-lot subdivisions” (2018 Comprehensive Plan p. 34). Subdivision densities within this Character Area range from one to two acres per dwelling unit, and the appropriate zoning districts for this Character Area within North High Shoals are A-2 (Agricultural Residential), R-1 (Single-Family Residential), and PUD (Planned Unit Development).

The proposed use and minimum lot size are in conformity with the Future Development Map/Comprehensive Plan. However, R-2 zoning is not considered an appropriate zoning district for the Country Estates Character Area. Staff holds that R-2 zoning is not in keeping with the surrounding area nor with the goals and objectives of the Comprehensive Plan and that R-1 is a more appropriate zoning district for the proposed development.

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

Several other properties in the county have already been zoned for single-family subdivisions and would permit the proposed use.

**H. The suitability of the site for the proposed use relative to the requirements set forth in the Zoning Ordinance such as off-street parking, setbacks, buffer zones, and open space.**

Staff believes that the proposed concept plan meets the requirements of the North High Shoals Zoning Regulations.

## **STAFF RECOMMENDATION & CONDITIONAL REQUIREMENTS**

The Oconee County 2018 Comprehensive Plan supports the proposed development but does not support the proposed zoning district. Based on the decision-making criteria and standards outlined in the Oconee County 2018 Comprehensive Plan and the North High Shoals Zoning Regulations, staff recommends condition approval of this request subject to the following conditions to be fulfilled at the expense of the owner/developer:

1. The subject property shall be rezoned to R-1 (single family residential district) with a two acre minimum lot size.
2. 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 North High Shoals Zoning Regulations or North High Shoals Subdivision Regulations.
3. 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 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.
4. At its expense, Owner shall make all right of way improvements and shall dedicate all rights of way which are required by the City after the City's review of Owner's development plans pursuant to the City's ordinances and regulations. No development permit shall be issued until Owner has agreed to such improvements and dedication and all such improvements shall be shown on the preliminary site plan and site development plans for the project.

# CITY OF NORTH HIGH SHOALS REZONE & CONDITIONAL USE PERMIT APPLICATION

Requested Action:

A-2 *(FP)*



Rezoning from:

A-2

*(FP)*

to R-2 *(FP)*



Conditional Use Permit: for: \_\_\_\_\_

## Applicant

Name: Frank Pittman

Address: Pittman Engineering

(No P.O. Boxes)

1020 Barber Creek Drive, Suite 113

Watkinsville Ga 30677

Telephone: 706-340-5599

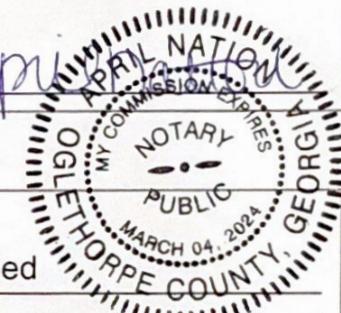
Applicant is (check one):  the Property Owner  Not the Property Owner (attach Property Owner's Authorization)

Applicant's Certification: I hereby certify that the information contained in and attached to this application is true and correct.

Signature: Frank Pittman

Date: 7/17/2020

Notarized: Apri



## Property

Location: 23.29 acres-westside of New High Shoals Road  
(Physical Description)

just north of High Shoals Road

Tax Parcel Number: A 06 005

Size (Acres): 23.29 Current Zoning: A-2

Future Development Map—Character Area Designation: Country Estates

## Use

Current Use: undeveloped

Proposed Use: subdivision up to 11 lots

## Attachments (check all that apply)

- Property Owner's Authorization (if applicable)
- Application Fee
- Warranty Deed
- Typed Legal Description
- Plat of Survey
- Disclosures (Interest & Campaign Contributions)
- Zoning Impact Analysis

- Narrative (Detailed Description of the Request)
- Concept Plan
- Attachments to the Concept Plan:
  - Pre-approved Sanitary Sewer Extension Submittal
  - Representative Architecture/Photographs
  - Proof all property taxes paid in full
  - Other Attachments: \_\_\_\_\_

## **GENERAL DATA**

Property Address: New High Shoals Road (Town of North High Shoals) – Parcel A 06 005

Owner: Mark Streiter

Existing Zoning: A-2

Proposed Zoning: R-2

Existing Use: undeveloped

Proposed Use: Single Family Residential Subdivision

Property Area: 23.29 acres

## **SITE NARRATIVE**

The property is located on New High Shoals Road just north of the intersection of New High Shoals Road and High Shoals Road. The property is 23.29 acres and is currently zone A-2 and undeveloped. The property owner is Mark Streiter. The owner is seeking to rezone the property from A-2 to R-2 to create a maximum of 11 lot Single Family Residential Subdivision consisting of minimum 2-acre lots.

If rezoning is approved, the property would be subdivided into up to 11 lots consisting of 2-acres minimum and a public cul-de-sac street. The provided concept plan shows 11 lots roughly 2 acres each in size but actual size will be dependent on soils for septic systems. All lots, however, would be at least 2 acres in size.

## **SITE DESCRIPTION**

The property is located in North High Shoals on New High Shoals Road just north of High Shoals Road. The Character Area for the property and its surrounding properties is identified as 'Country Estates' according to the Oconee Future Development Map.

The property is comprised of 23.29 acres, mostly wooded. The property slopes toward the west with a creek along the western boundary.

## **PROPOSED USE**

The proposed use of the property is a single-family subdivision allowing up to 11 single-family residences to be constructed on the property.

## **ACCESS**

A cul-de-sac street will be constructed to access all lots except 1 lot would be accessed via a private drive easement. The street would be built to meet North High Shoals/Oconee County specifications. It is the intent of the owner to dedicate this street to Town of North High Shoals or Oconee County upon completion.

## **TRAFFIC IMPACT**

Per the Institute of Transportation Engineers, Trip Generation, 9<sup>th</sup> Edition (ITE Manual), the proposed eleven lots will generate 105 trips per day.

## **WATER SUPPLY**

Water will be provided by Oconee County Water Resources. A watermain will be extended from New High Shoals Road in the proposed right-of-way to serve the proposed lots.

## **SEWAGE DISPOSAL**

Sewage disposal will be per individual septic systems on each parcel.

## **GARBAGE COLLECTION**

Garbage collection will be handled by private contractor via roll carts.

## **UTILITIES**

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

## **STORMWATER MANAGEMENT**

There will be a Stormwater Management Pond constructed onsite to manage the stormwater runoff from the development to meet Oconee County stormwater ordinance.

## **IMPACT TO SCHOOL SYSTEM**

There will be very minimal impact to school system due to an increase of eleven single family lots. The subdivision could potentially add 20-30 students to the school system once fully built out.

## **PROJECT SCHEDULE**

Once zoning is approved in approximately October 2020 then a preliminary plat and subdivision plans will be created and construction could begin on the subdivision in early 2021, completed in mid-late 2021 allowing home construction to begin as early as late 2021 or early 2022.

## **BUFFERS**

Any buffers required by the Town of North High Shoals subdivision ordinance will be provided.

## **SIGNAGE**

The subdivision could permit and build a subdivision sign to meet the Town of New High Shoals sign ordinance.

## **COMMON AREAS/AMENITIES/REC AREAS**

There are no common areas/amenities/recreation areas proposed for this project.

## **SIDEWALKS**

There are no sidewalks proposed for this project.

## **RESIDENCE SIZE**

The proposed subdivision would consist of up to 11 single family residences with 4-5 bedrooms and minimum 2,400 square feet in size.

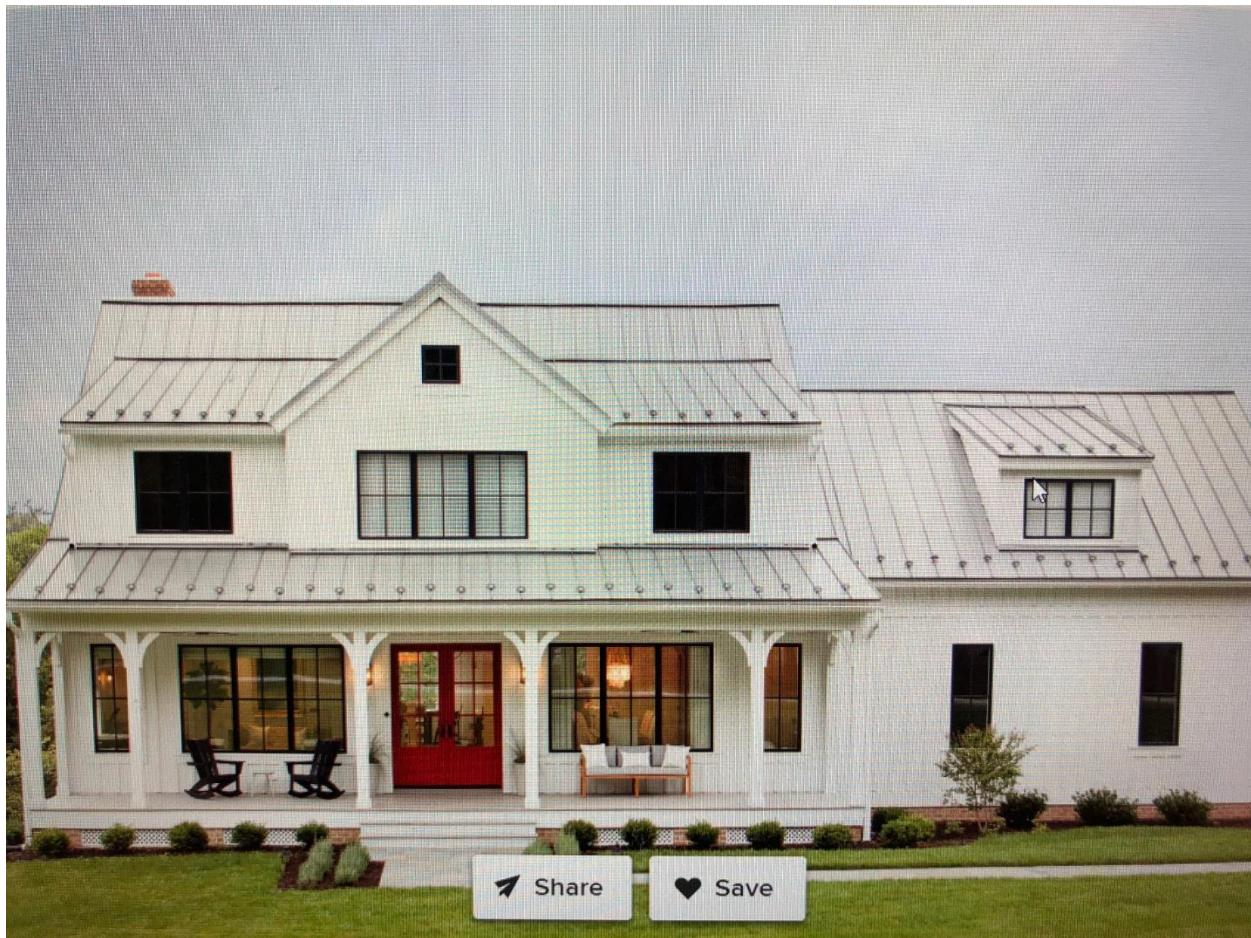
## **ESTIMATED VALUE OF PROJECT**

Each residence is estimated to be valued at \$500,000+ for an estimated total value of \$5,500,000+

**REPRESENTATIVE ARCHITECTURE**







## **ZONING IMPACT ANALYSIS**

Rezone Consideration Standards

North High Shoals Subdivision

**A. Consider 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 use and zoning is suitable given the site's location along New High Shoals Road in the proximity to other subdivisions. There are multiple single-family subdivisions in the vicinity of this property with similar quality of homes.

**B. Consider whether the property to be rezoned has a reasonable economic use as currently zoned:**

Under the existing AR-2 zoning classification, the property has a negligible value for agricultural uses due to its size, shape, and location. It could be developed into a 5-acre lot subdivision but being only 23 acres would not yield enough lots to be economically feasible to cover development costs.

**C. Consider the extent to which the zoning proposal promotes the health, safety, morals or general welfare of the public with consideration to:**

**(1) Population density and effect on community facilities such as streets, schools, water and sewer:**

Due to the minimal number of lots proposed in this subdivision, there is minimal effect on the nearby streets. Estimated traffic count is 105 average trips per day. There is a 12" watermain in front of the property to serve water and the water usage of 11 lots is low. The property will be on septic and not public sewer. The estimated 20-30 school children will have a very negligible effect on the schools.

**(2) Environmental impact:**

Potential increase in storm-water runoff will be mitigated through the use of a storm water management facility to be designed in compliance with Oconee County ordinances. Enhanced "best management practices" will be employed to address soil erosion/sediment control concerns.

**(3) Effect on the existing use, usability and/or value of adjoining property:**

No negative effects are anticipated on adjoining property values. Based on the quality of the representative homes being proposed, property values should increase in the area.

**D. Consider 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 not been vacant as zoned. The current zoning of the two parcels is AR-2 would allow for a 5-acre lot subdivision which is not economically feasible.

**E. Consider the consistency of the proposed use with the stated purpose of the zoning district that is being requested:**

The purpose of the requested R-2 zoning district is to create 2-acre minimum subdivisions which is consistent with the proposed use.

**F. Consider 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:**

The development patterns in the area are the creation of single-family subdivisions similar to the requested use. Farming in the area has decreased and large tracts of property are too valuable in the area to justify single homes on these tracts.

**G. Consider the conformity with or divergence from the Future Development Map or the goals and objectives of the Oconee County Comprehensive Plan:**

The Character Areas Map illustrates the property as Country Estates. This area is characterized primarily by single-family residential subdivision and homes. This is in keeping with the proposed use.

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

There are not current sites available in the area for a small rural subdivision of this size and quality.

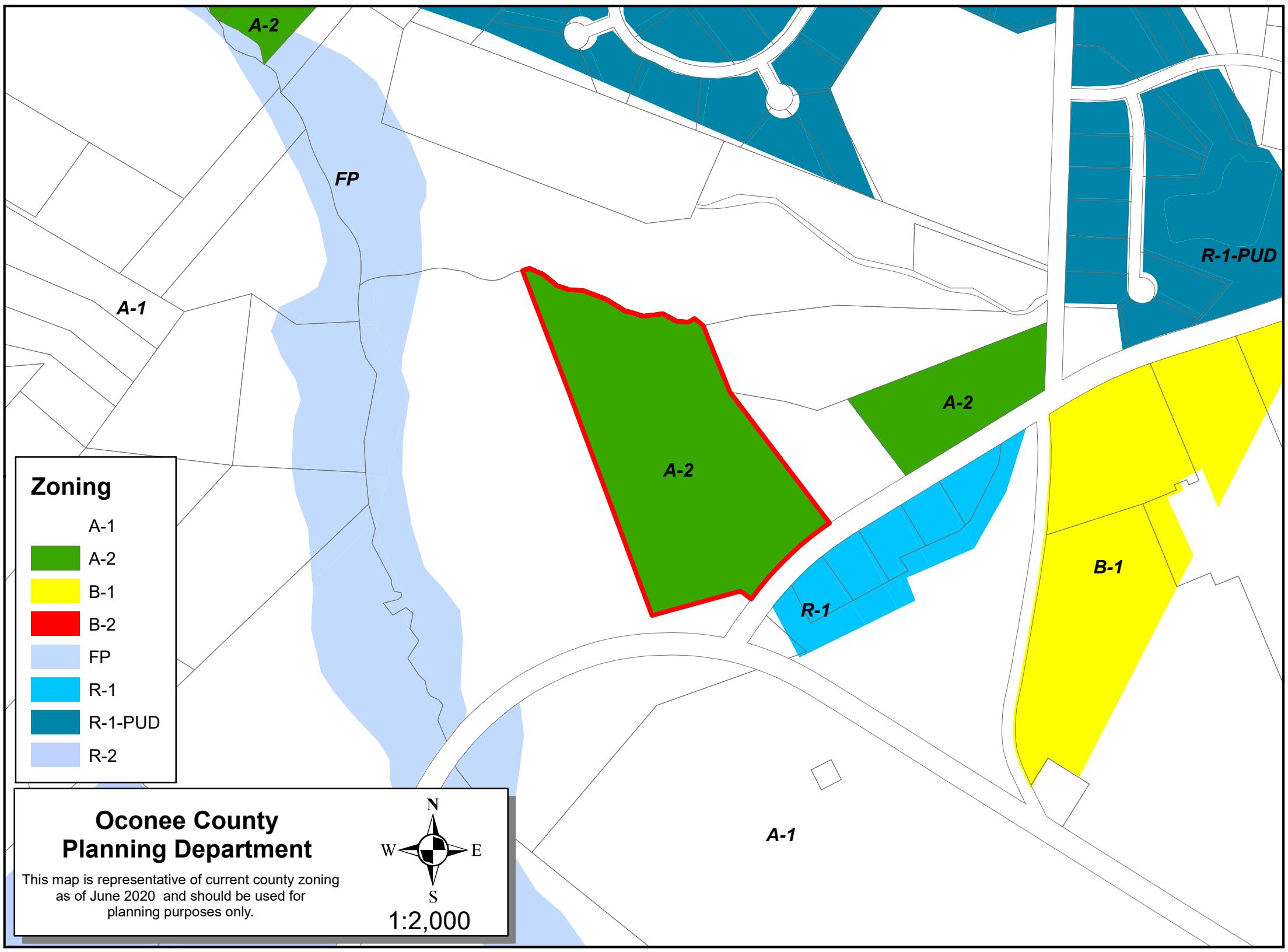
# Rezone # P20-0142 - Mark Streiter

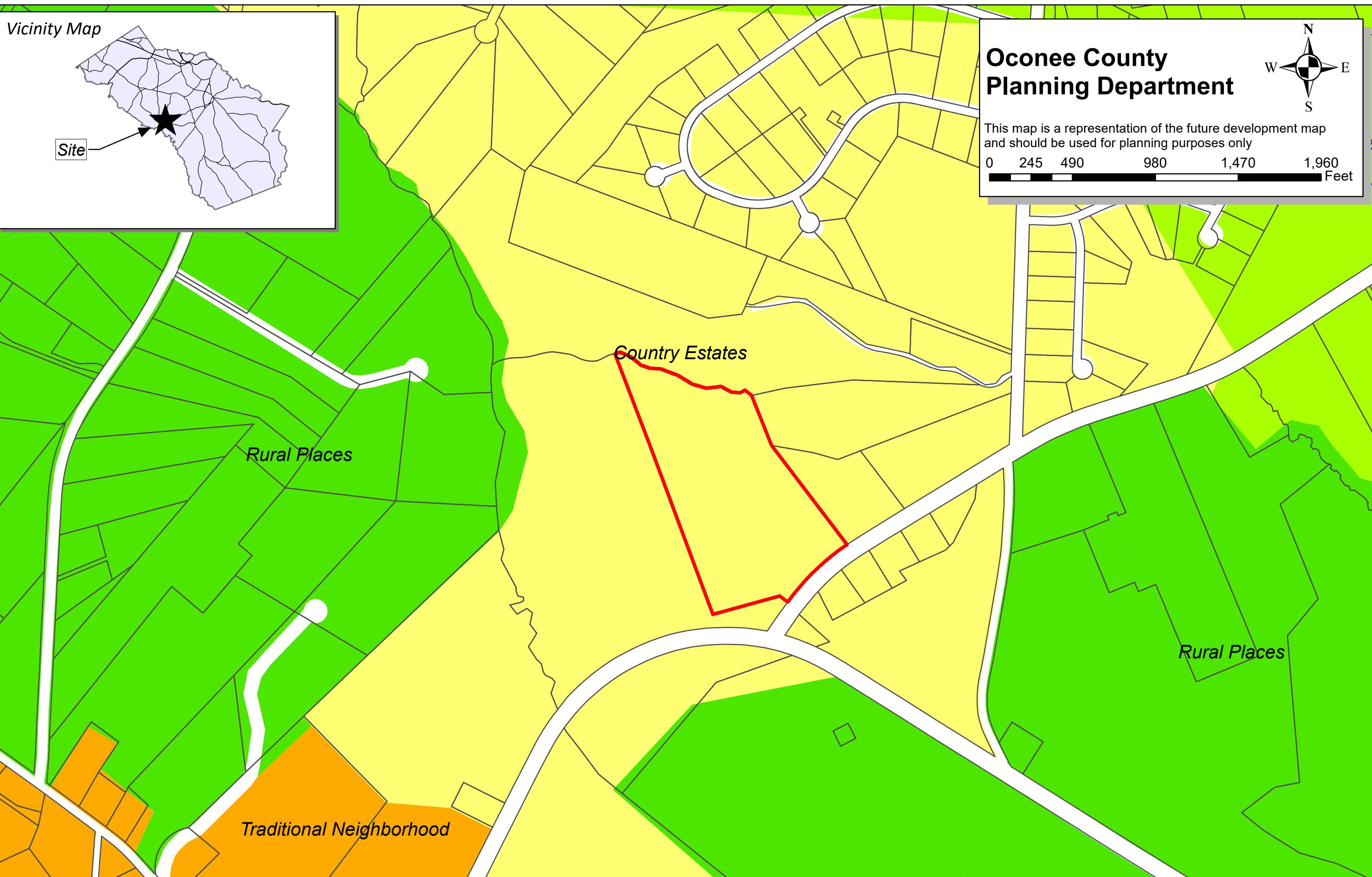
Tax Parcel #  
A-06-005

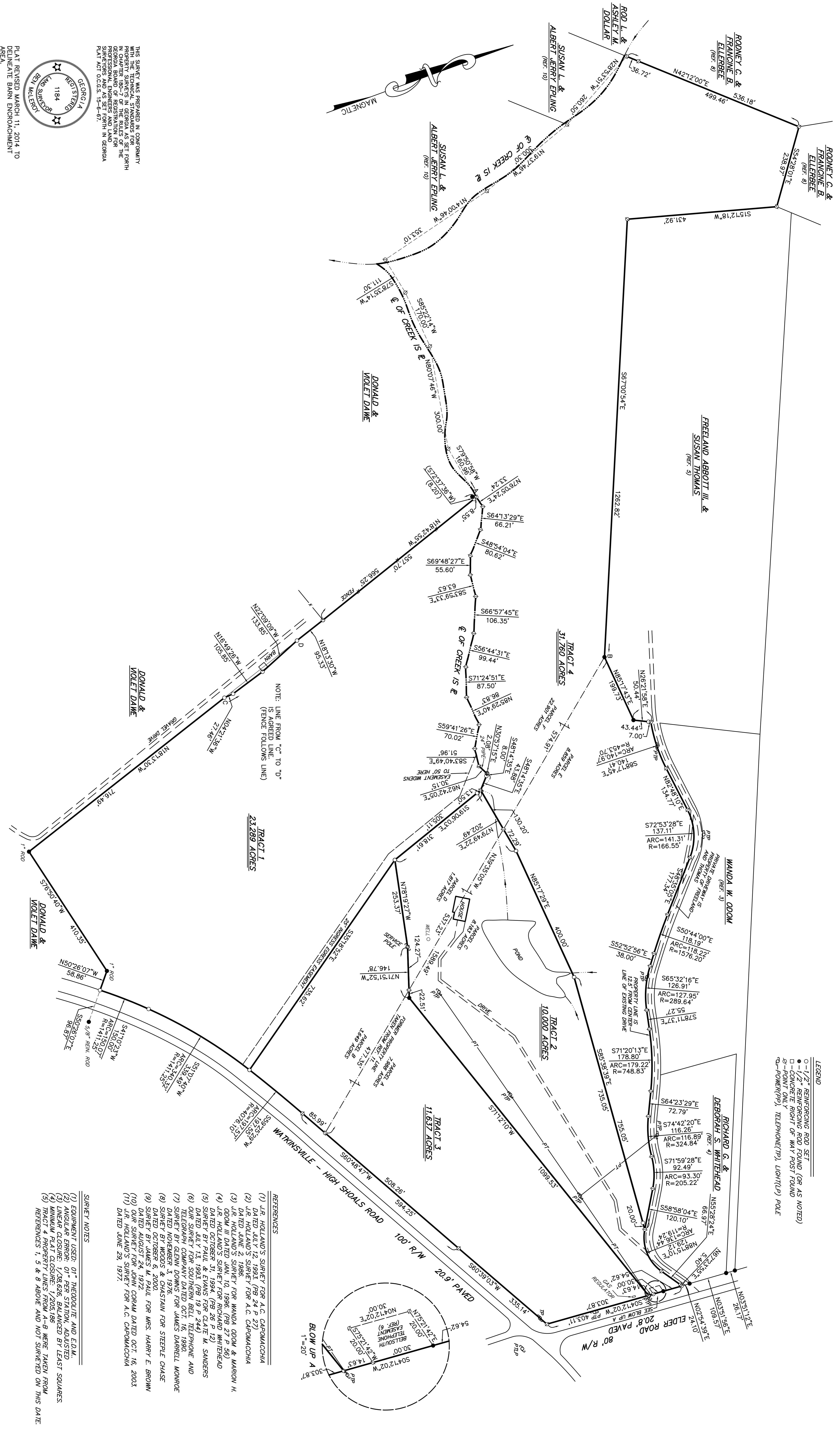


1:6,000 0 550 1,100 2,200 3,300 4,400  
Feet

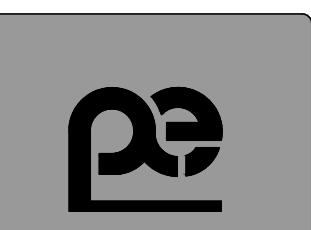
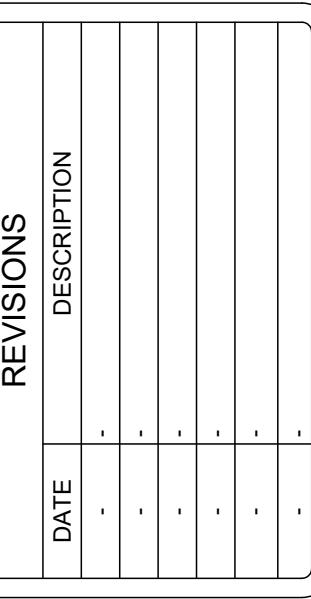




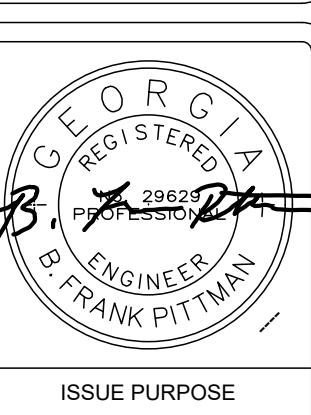




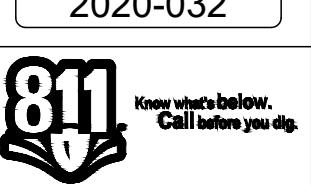
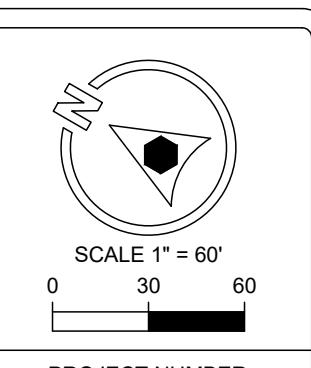
<b>TONY CAPOMACCHIA</b>			
NORTH HIGH SHOALS			
COUNTY:	OCONEE	G.M.D.:	239
DATE:	NOV. 25, 2013	SCALE:	1"=120'
FIELDBOOK:	SURVEYED BY: BEN McLERRO & ASSOCIATES, INC. ENGINEERS & SURVEYORS 706-548-5673 140 MILL CENTER BLVD. BOGART, GA.		
995	FILE NO.: 34009-		



**PITTMAN ENGINEERING PC**  
**PO BOX 1023**  
**WATKINSVILLE GA 30677**  
**WWW.PITTMANENGINEER.COM**



NORTH HIGH SHOALS SUBD.  
-----  
NORTH HIGH SHOALS, GEORGIA



DATE  
07/08/2020

# CONCEPT PLAN

CP01