

Minutes

Regular Session: October 5, 2020

Historical Agricultural Building

Janet called the meeting to start at 7:00pm.

Attending Officials: Mayor Janet Jones, Council members Pam McNair, John Larkin and David Kilpatrick. David offered invocation. The Pledge of Allegiance was recited.

First order of business was to approve minutes from September 8th meeting. John asked to correct the September Minutes under "Agenda items" #4 be changed to Easement discussion from sidewalk discussion. Pam made a motion to approve. David seconded. All approved.

Committee Reports: Pam reported that she went to Melinda and Michael Wards home to check on water drainage problem. John suggested to get an engineer to look at it to re-route the water. David reported that Jeff Morrow is Bogart's new employee for the maintenance department. John Reported that Raphael told him the cul-de-sac in Deerwood Court is failing and Garrett paving was going to assess the damage Friday. John also reported the Streetscape is moving along well and the new Bogart website should be up and running in a couple weeks.

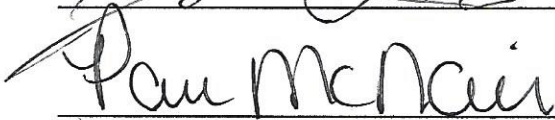
Agenda Items: 1) Regarding sidewalk variance for lot #3 in Piper Glen Subdivision, The planning commission recommends 3 feet. Janet made a motion to go with The Planning Commissions recommendation. Pam seconded. Request to keep it at 2 feet, denied.

2) Streetscape payments to Carter and Sloope : John made a motion to have Carter and Sloope administer the streetscape project with the amount \$37,600. David seconded. All approved.

Meeting adjourned 7:16



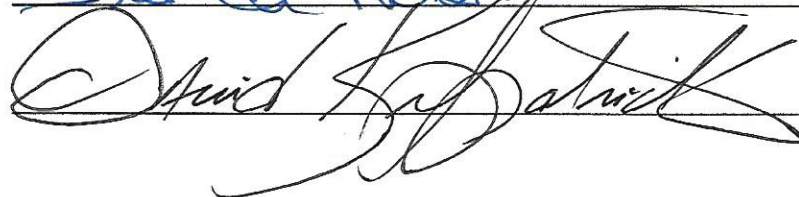
John Larkin



Pam McNair



Brenda Acton



David Kilpatrick



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

VARIANCE CASE #: P20-0151

DATE: August 11, 2020

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

APPLICANT NAME: Chris Frazier

PROPERTY OWNER: SDC Gwinnett, LLC

LOCATION: Day Drive

PARCEL SIZE: ±1.99 acres

EXISTING ZONING: R-1 (Single Family Residential District)

EXISTING LAND USE: Residential



TYPE OF VARIANCE REQUESTED: Variance from Bogart Subdivision Regulations Article III Section 39-102-4.3(2)(s)

REQUEST SUMMARY: The applicant is requesting to reduce the median strip of grasses or landscaped areas that separate sidewalks from adjacent curbs from 3 feet wide to 2 feet wide.

DATE OF SCHEDULED HEARINGS

BOGART CITY COUNCIL: September 8, 2020

ATTACHMENTS: Application
Narrative
Plat
Aerial Imagery
Future Development Map
Concept Plans

BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- Rezone #6982 was approved on 09/21/2016 from General Business (GB) and Neighborhood Business (NB) to Single-Family Residential (R-1) for the development of Piper Glen subdivision
- Rezone modification P19-0042 was approved on 12/05/2019 in order to modify the representative architecture submitted under rezone #6982

VARIANCE DESCRIPTION

- The owner is requesting to reduce the median strip of grasses or landscaped areas that separate sidewalks from adjacent curbs from 3 feet wide to 2 feet wide on lots 1, 2, and 3.
 - o ***Bogart Subdivision Regulations Section 39-102-4.3(2)(s) – Sidewalks***
A median strip of grasses or landscaped areas at least 3 feet wide shall separate all sidewalks from adjacent curbs.

PUBLIC FACILITIES

- Public services, facilities, and infrastructure should not be affected by the present request

ENVIRONMENTAL

- No 100-year floodplain, state waters, or jurisdictional wetland areas are known to exist on the site

STAFF ANALYSIS

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE STANDARDS FOR VARIANCES, EXCEPTIONS, AND WAIVERS OF CONDITIONS AS SET FORTH IN SECTION 39-102-1.13 OF THE BOGART SUBDIVISION REGULATIONS.

Variances, exceptions, or waivers of conditions may be granted upon findings that:

- The granting of the variance, exception, or waiver of conditions will not be detrimental to the public safety, health, or welfare or injurious to other property;**
No significant negative impacts to public safety, health, or welfare are expected as a result of approval of the requested variance. Staff holds that approval of the present request should not cause any substantial detriment to the public good or to other property.
- The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property;**
Staff holds that the request is not based on any condition unique to the subject property.
- Because of the particular surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out provided that the variance, exception or waiver of conditions does not contribute to an unlawful act or consequences prohibited by law.**
Strict application of Bogart Subdivision Regulations Section 39-102-4.3(2)(s) would require the property owner to remove the existing sidewalk and re-install the sidewalk three feet from the curb. Staff holds that this would constitute an inconvenience but would not constitute a hardship due to particular surroundings, shape, or topographical conditions of the subject property.
- The relief sought will not in any manner vary the provisions of the Zoning Ordinance, Comprehensive Plan, or Official Map, except that those documents may be amended in the manner prescribed by law.**

The applicant is requesting a variance to the Bogart Subdivision Regulations and the relief sought would not alter the provisions of the Zoning Ordinance, Comprehensive Plan, or Official Map.

STAFF SUMMARY & CONDITIONAL RECOMMENDATIONS

Based upon the standards for granting a variance, exception, or waiver conditions, staff holds that this request **does not meet all necessary conditions to grant a variance from the Bogart Subdivision Regulations**. Should the variance be granted, staff recommends the following condition to be fulfilled at the expense of the owner/developer:

1. The final plat for Piper Glen Subdivision shall be revised to reflect any approved changes.

**CITY OF BOGART
VARIANCE APPLICATION**

Variance Request Description: Side walk Variance

Applicant

Name: Chris Frazier

Address: 110 Village Trail Suite 215

(No P.O. Boxes)

Woodstock, Ga 30188

Telephone: 770.712.5987

Property Owner

Name: SDH Atlanta, LLC

Address: 110 Village Trail Suite 215

(No P.O. Boxes)

Woodstock, GA 30188

Telephone: 770.213.8067

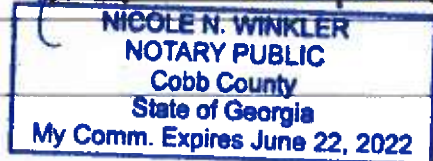
Applicant is (check one): ☐ the Property Owner ☒ Not the Property Owner (attach Property Owner's Authorization)

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

Signature: [Signature]

Date: 8/12/20

Notarized: [Signature]



Property

Location: Piper Glen Lots 1-3

(Physical Description)

Tax Parcel Number: B 01V 001, B 01V 002 & B 01V 003

lot 1- 0.71 lot 2- 0.82 lot 3- 0.46

Size (Acres): _____ Current Zoning: r-1

Future Development Map—Character Area Designation: Corridor Commercial

Use

Current Use: Single Family Detached

Proposed Use: Single Family Detached

Sidewalk Variance

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: _____



SMITH DOUGLAS HOMES



QUALITY | INTEGRITY | VALUE

Planning and Code Enforcement

Requested variance of Article III Subdivision Application Procedures and Approval Process page 41 Paragraph *S Sidewalks*. SDH Atlanta requests that the median strip of grasses or landscaped areas of at least (3) feet wide shall separate all sidewalks from adjacent curbs, to be reduced to (2) feet wide. The variance is requested for lots 1-3.

Chris Frazier
Permits Acquisitions
SDH Atlanta, LLC
770.712.5987

THIS PLAT HAS BEEN APPROVED IN ACCORDANCE WITH THE CITY OF BOGART
SUBDIVISION REGULATIONS AND HAS BEEN APPROVED BY THE MAYOR AND CITY
COUNCIL OF BOGART, GA.

John Lee 11/2/20
Date

[illegible]

SCALE 1"=60'

A horizontal scale bar with vertical tick marks at 0, 30, 60, and 120. The segment between 30 and 60 is shaded black.

REFERENCES:
 "SURVEY FOR HOMER L. MCLEROY ESTATE," BY BEN MCLEROY & ASSOCIATES, INC., DATED
 01/02/2001

PROJECT # 15081

Variance # P20-0151 - SDC Gwinnett, LLC

Tax Parcel #
B-01V-001
B-01V-002
B-01V-003

Atlanta Hwy

McLeroy Pl

Atlanta Hwy

B 01V 001

B 01V 002

B 01V 003

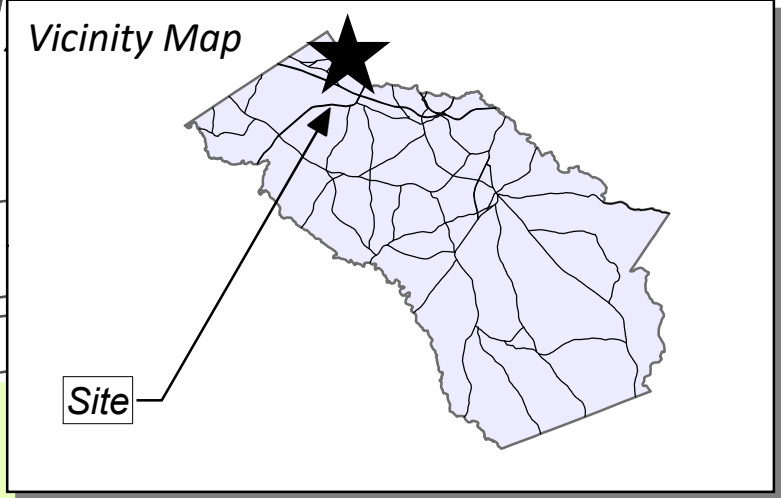
Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

1:1,250

0 115 230 460 690 920

Feet



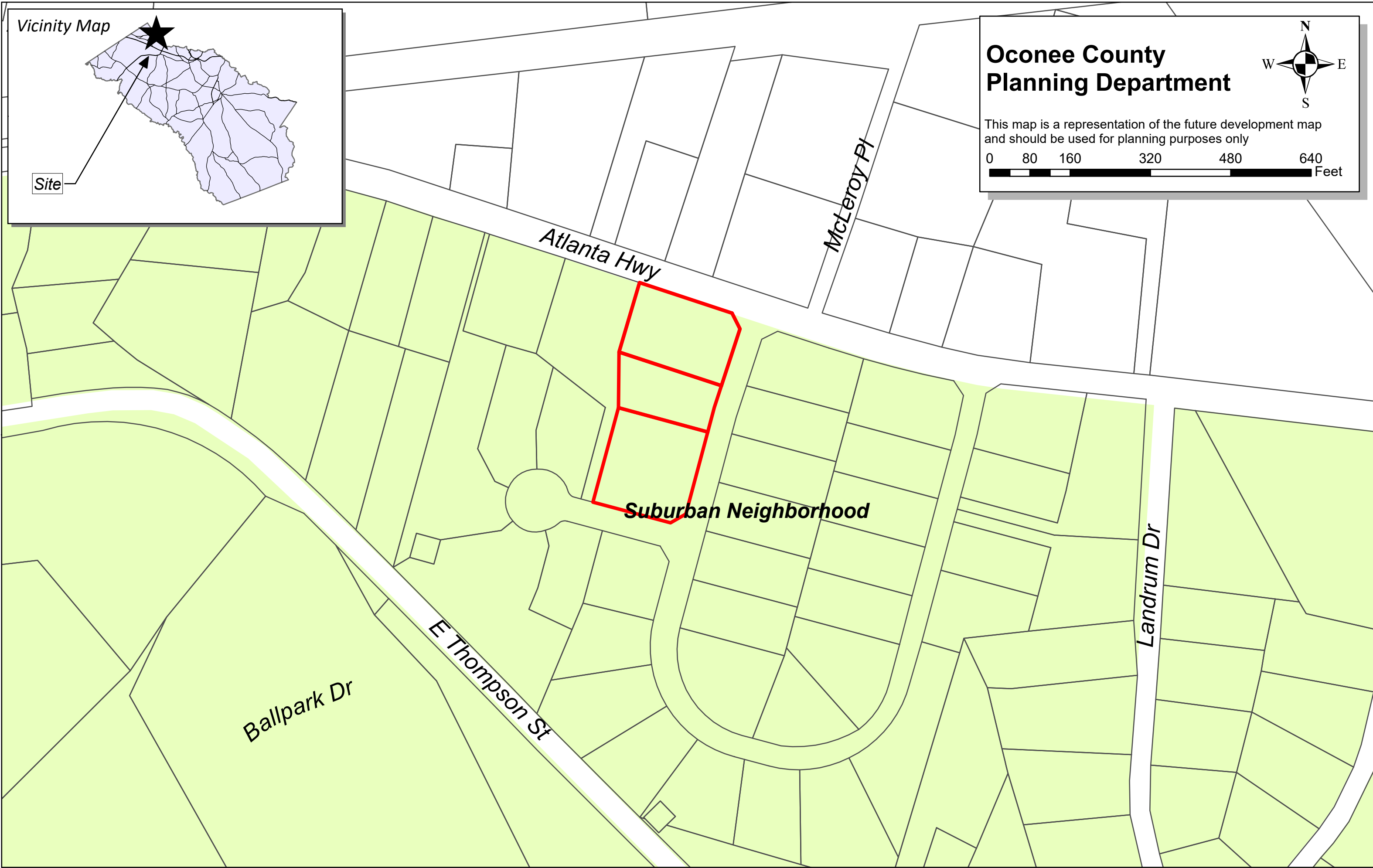


**Oconee County
Planning Department**

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

0 80 160 320 480 640 Feet

A north arrow pointing North (N), South (S), East (E), and West (W). Below it is a scale bar with markings at 0, 80, 160, 320, 480, and 640 feet.



LEGEND:

IPS	IRON PIN SET	ⓑ	BOLLARD
IPF	IRON PIN FOUND	CMF	CONCRETE MONUMENT FOUND
OT	OPEN TOP PIN	—Z—Z—	OVERHEAD UTILITY LINE(S).
CT	CRIMP TOP PIN	SSMH	SANITARY SEWER MAN HOLE
RB	RE-BAR	DWCB	CATCH BASIN
CRB	CAPPED RE-BAR	JB	JUNCTION BOX
CL	CENTERLINE	DI	DROP INLET
R/W	RIGHT-OF-WAY	HW	HEAD WALL
LLL	LAND LOT	CMP	CORRUGATED METAL PIPE
CONC	CONCRETE	CPP	CORRUGATED PLASTIC PIPE
PP	POWER POLE	RCP	REINFORCED CONCRETE PIPE
LP	LAMP POLE	SSE	SANITARY SEWER EASEMENT
SS	SANITARY SEWER	FH	FIRE HYDRANT
FC	FENCE CORNER	DE	DRAINAGE EASEMENT
X	FENCE	WV	WATER VALVE
AE	ACCESS EASEMENT	WM	WATER METER
PROP	PROPOSED	CO C/O	SANITARY SEWER CLEANOUT
AC	AIR-CONDITIONER	POB	POINT OF BEGINNING
NTS	NOT TO SCALE	SWCB	SINGLE WING CATCH BASIN
		UE	UTILITY EASEMENT

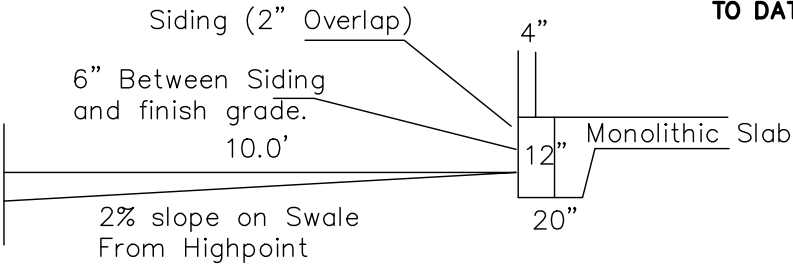
P-5' SIDEWALK 5' SIDEWALK

BOUNDARY BY W&A ENGINEERING AS
RECORDED IN PB:2019 PG:26 AT THE
CLERK OF THE SUPERIOR COURT IN OCONEE
COUNTY.

LINE TABLE		
LINE	LENGTH	BEARING
L1	118.99	S18°09'21"W
L2	215.13	N71°50'48"W
L3	144.12	N16°23'30"E
L4	194.57	S71°49'42"E
L5	35.36	S26°50'43"E



3595 Canton Road
Suite 312 – 272
Marietta, GA 30066
Ph. (678) 355-9905
Fax (678) 355-9805
www.frontlinesurveying.com



Standard Grading Detail (NTS)

I HAVE THIS DATE, EXAMINED THE "FIA OFFICIAL FLOOD HAZARD MAP" AND FOUND
REFERENCED PARCEL (IS NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS.
MAP ID 13219C0050D EFFECTIVE DATE : 09/02/2009

SETBACKS: R-1 ZONING
FRONT: 30' (40' ON ARTERIAL STREETS)
REAR: 30'
SIDES: 10'

HOUSE LOCATION PLAN FOR:

LOT 1

2899 DAY DR

LAND LOT GMD

240TH DISTRICT

OCONEE COUNTY, GEORGIA

CITY OF BOGART

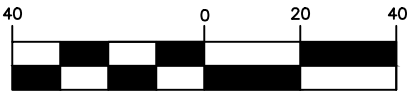
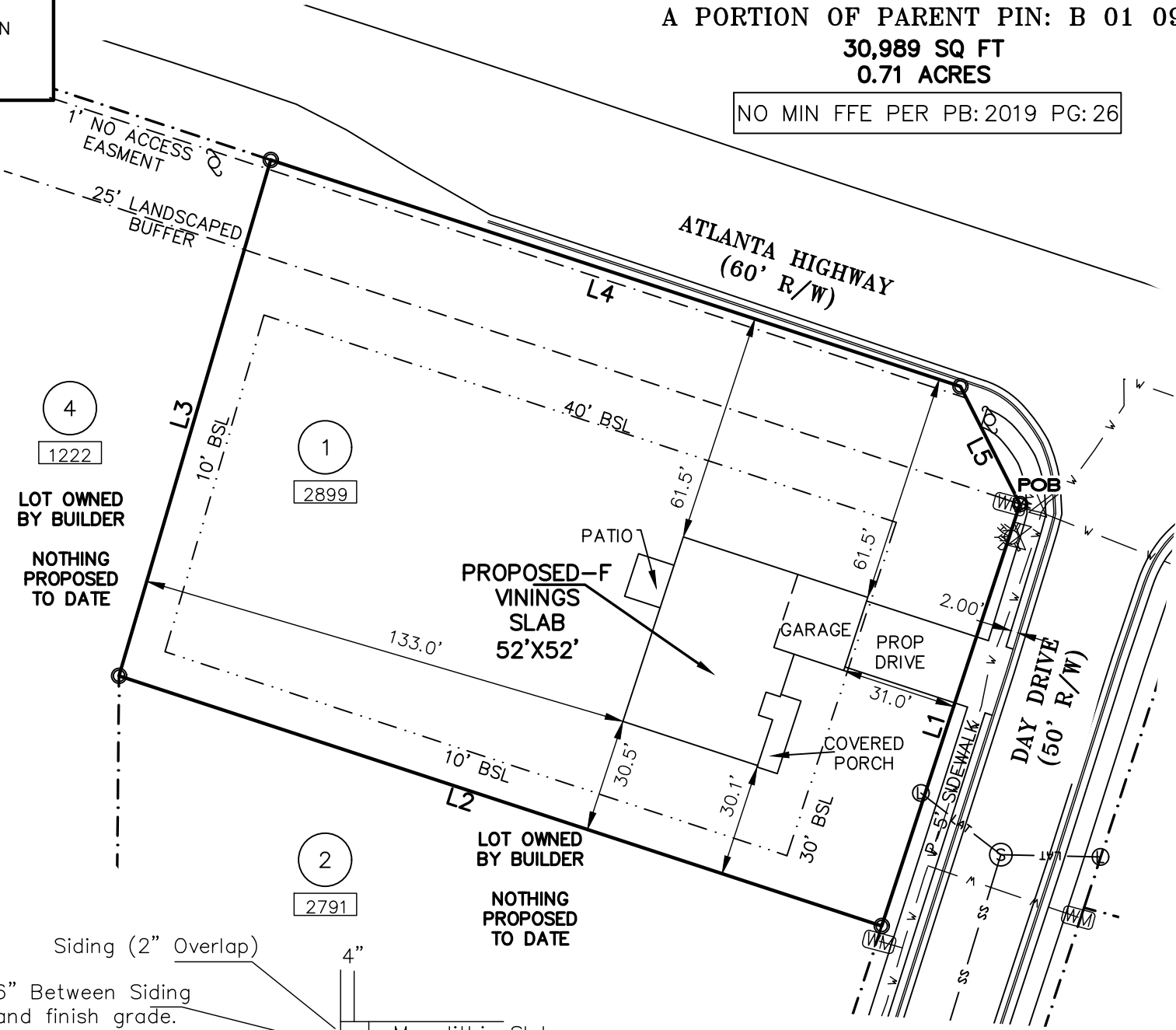
EXISTING ZONING: R-1

A PORTION OF PARENT PIN: B 01 094

30,989 SQ FT

0.71 ACRES

NO MIN FFE PER PB:2019 PG:26



HOUSE LOCATION PLAN FOR:

SMITH DOUGLAS HOMES, LLC

DATE 09/10/19

SCALE 1" = 40'

OCONEE COUNTY, GEORGIA

SECTION

240TH DISTRICT

LAND LOT GMD

AREA OF LOT:

UNIT

BLOCK

LOT 1

REVISION:

SURVEYED:

COMPUTED:

SUBDIVISION PIPER GLEN

THE FIELD DATA UPON WHICH THIS PLAN IS BASED HAS A CLOSURE OF 1 FOOT IN 10,000+ FEET, AN ANGULAR ERROR OF 3 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAN HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000+ FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAN. NO N.G.S. MONUMENT WAS FOUND WITHIN 500 FEET OF THIS PROPERTY. THIS PLAN WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAN DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECOGNITION BY THE SURVEYOR NAMING SAID PERSON, PERSONS OR ENTITY. THESE DOCUMENTS, AS INSTRUMENTS OF SERVICE, REMAIN THE PROPERTY OF FRONTLINE SURVEYING & MAPPING, INC. AND NO PART THEREOF MAY BE USED, COPIED OR REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION. COPYRIGHT © 2020 FRONTLINE SURVEYING AND MAPPING, INC. *** ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED ***



FOR THE FIRM FRONTLINE SURVEYING & MAPPING, INC. LSF #000631

JOB #: 69650

LEGEND:

IPS	IRON PIN SET	ⓑ	BOLLARD
IPF	IRON PIN FOUND	CMF	CONCRETE MONUMENT FOUND
OT	OPEN TOP PIN	—Z—Z—	OVERHEAD UTILITY LINE(S).
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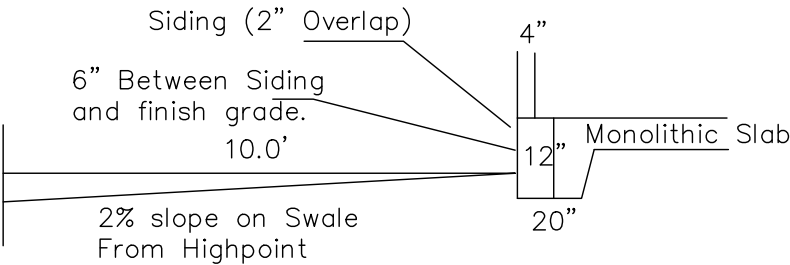
P-5' SIDEWALK 5' SIDEWALK

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L3	184.69	N74°43'44"W
L4	110.65	N00°31'45"E
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SETBACKS: R-1 ZONING
FRONT: 30' (40' ON ARTERIAL STREETS)
REAR: 30'
SIDES: 10'

HOUSE LOCATION PLAN FOR:

LOT 2

2791 DAY DR

LAND LOT GMD

240TH DISTRICT

OCONEE COUNTY, GEORGIA

CITY OF BOGART

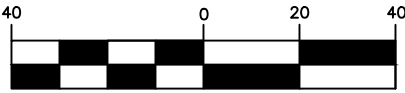
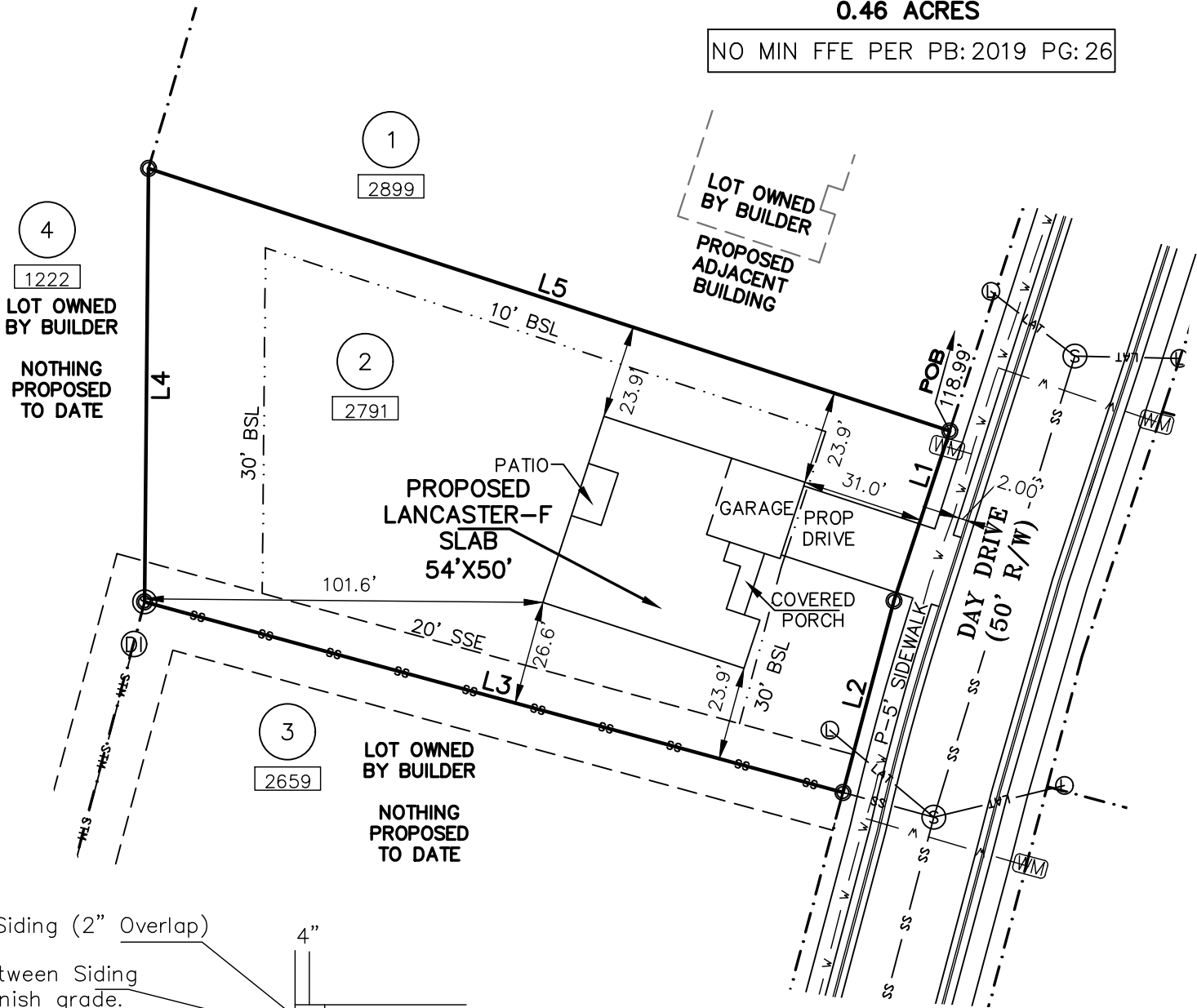
EXISTING ZONING: R-1

A PORTION OF PARENT PIN: B 01 094

20,162 SQ FT

0.46 ACRES

NO MIN FFE PER PB:2019 PG:26



(IN FEET)
1 inch = 40 ft.

HOUSE LOCATION PLAN FOR:

SMITH DOUGLAS HOMES, LLC

DATE 09/10/19

SCALE 1" = 40'

OCONEE COUNTY, GEORGIA

SECTION

240TH DISTRICT

LAND LOT GMD

AREA OF LOT:

UNIT

BLOCK

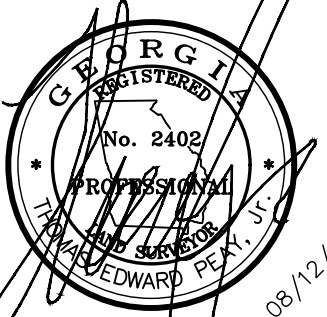
LOT 2

REVISION:

SURVEYED:

COMPUTED:

SUBDIVISION PIPER GLEN



FOR THE FIRM FRONTLINE SURVEYING
& MAPPING, INC. LSF#000631

JOB #: 69653

LEGEND:

IPS	IRON PIN SET	⊗	BOLLARD
IPF	IRON PIN FOUND	⊗	CONCRETE MONUMENT FOUND
OT	OPEN TOP PIN	—Z—Z—	OVERHEAD UTILITY LINE(S)
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MAP ID 13219C0050D EFFECTIVE DATE : 09/02/2009

HOUSE LOCATION PLAN FOR:

LOT 3

2659 DAY DR
LAND LOT GMD
240TH DISTRICT
OCONEE COUNTY, GEORGIA
CITY OF BOGART

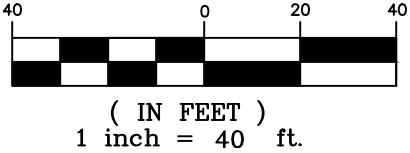
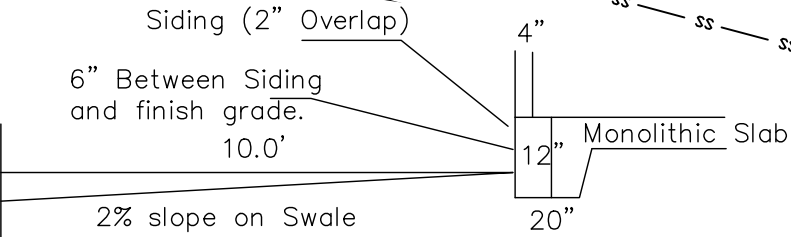
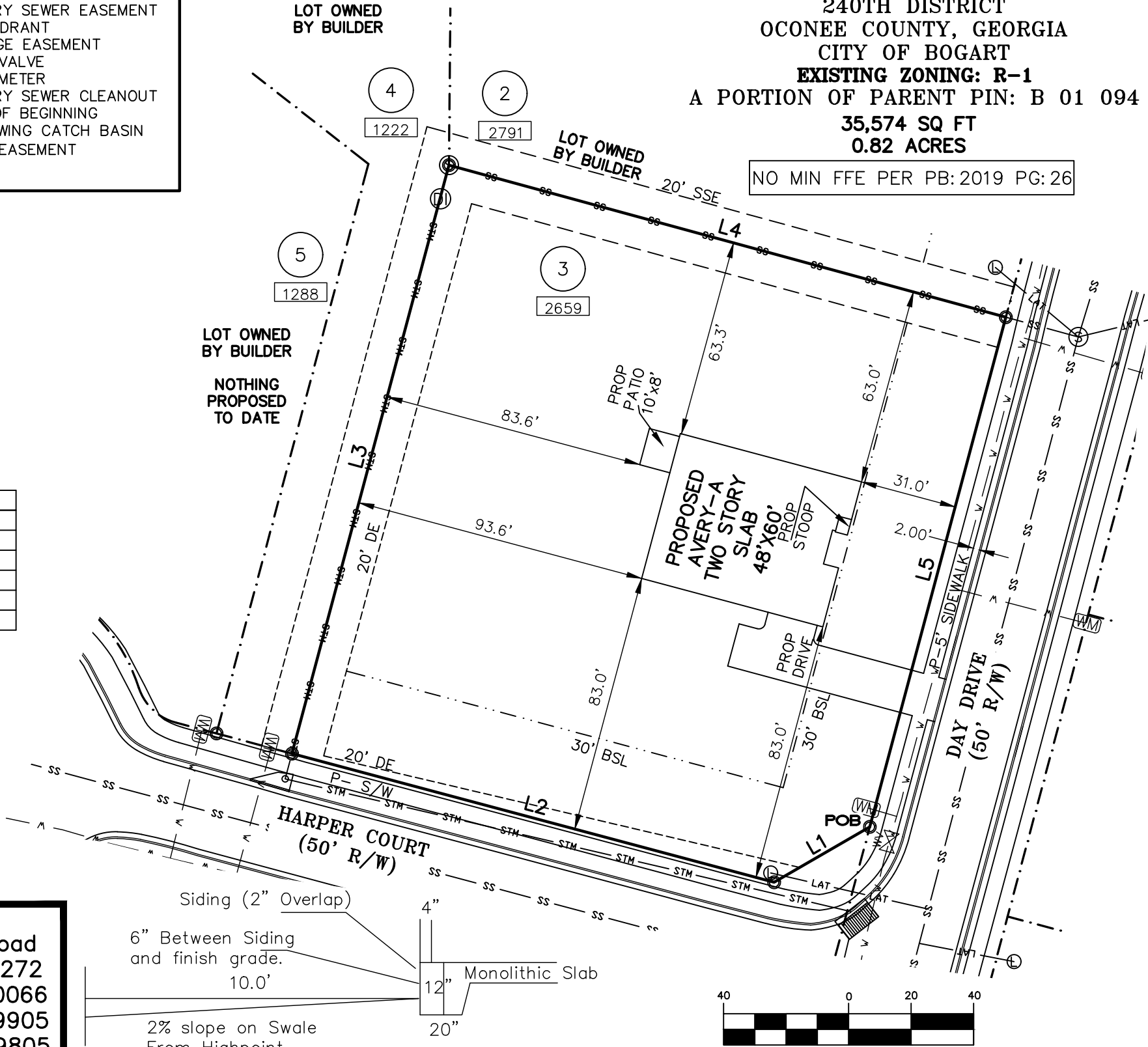
EXISTING ZONING: R-1

A PORTION OF PARENT PIN: B 01 094

35,574 SQ FT
0.82 ACRES

NO MIN FFE PER PB:2019 PG:26

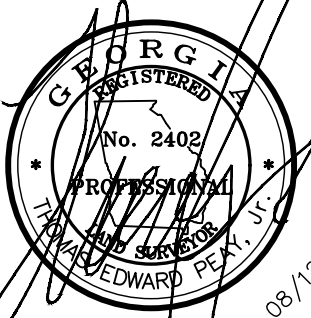
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FRONT: 30' (40' ON ARTERIAL STREETS)
REAR: 30'
SIDES: 10'



HOUSE LOCATION PLAN FOR:

SMITH DOUGLAS HOMES, LLC

DATE	09/10/19	SCALE	1" = 40'
SECTION	OCONEE COUNTY, GEORGIA		
LAND LOT GMD	240TH DISTRICT	BLOCK	UNIT
LOT 3			
SUBDIVISION	PIPER GLEN		



FOR THE FIRM FRONTLINE SURVEYING
& MAPPING, INC. LSF#000631

JOB #: 69656

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ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECERTIFICATION BY THE SURVEYOR NAMED SAID PERSON, PERSONS OR ENTITY. THESE DOCUMENTS, AS
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