



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

VARIANCE CASE #: P24-0135

DATE: September 20, 2024

STAFF REPORT BY: David Webb, AICP (Senior Planner)

APPLICANT NAMES: Patrick Perry

PROPERTY OWNER(S): Frank and Rachel Sikora

LOCATION: 2480 Barnett Shoals Road
Parcel C 05 008AA

PARCEL SIZE(s): ± 4.0 acres

EXISTING ZONING: AG (Agricultural)

EXISTING LAND USES: Single Family Residence

TYPE OF VARIANCE REQUESTED: Special Exception Variance

REQUEST SUMMARY: Variance to allow a guest house in the front yard

DATE OF SCHEDULED HEARINGS

BOARD OF COMMISSIONERS: October 1, 2024

ATTACHMENTS:

- Application
- Warranty Deed
- Plat of Survey
- Concept Plan
- Narrative
- Legal Description
- Architectural Elevations



BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The property contains a residence that was built in 1973 according to Property Assessor records.
- The first plat for the property was recorded November 3, 1977 (PB 6, Page 344).
- The current plat, with no change in size or lot lines, was recorded August 13, 1990 (PB 17, Page 163)

VARIANCE DESCRIPTION

- A special exception variance from Oconee County Unified Development Code Section 351.02 for a Guest House to be placed in the front yard.
- Section 351.02 (c) Guest House Restrictions states: *For lots less than five acres in size, the guest house must be placed to the rear of the main house or may be placed in the side or front yard if approved by special exception variance as outlined in the Appeals article of this Development Code. For lots greater than five acres in size, guest houses may be placed in any yard.*

PUBLIC FACILITIES

Water:

- The project utilizes a private well

Sewer:

- The existing house has an on-site septic system.

Roads:

- The property has legal access to Barnett Shoals Road

Environmental

- There are no known state waters or floodplain areas on the property.

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 the placement of a guest house in the front yard of the 4-acre property. Staff analysis indicates this would not cause a substantial detriment to the public good as this proposed placement would avoid well setbacks from the adjacent property. The concept plan indicates this is also needed due to the primary residence being in the rear of the property, ± 330 feet from Barnett Shoals Road.

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

The surrounding properties are zoned AG (Agricultural) and AR (Agricultural-Residential). Staff finds that approval of the request to allow the placement of a guest house should not be injurious to the environment or the use and enjoyment of other properties in the immediate vicinity.

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

Based on the configuration of the applicant's property and surrounding properties, staff finds that approval of the requested guest house variance should not diminish or impair the property values within the surrounding neighborhood.

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

The request to allow the placement of a guest house in the front yard will not impair the purpose of this code (Sec. 351.02) due to the required protection of adjacent wells, and the primary residence being in the rear of the property, \pm 330 feet from Barnett Shoals Road. Due to the existing wells, the hardship is not created by the applicant.

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 Guest House 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 variance application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Unified Development Code.

Variance # P24-0135 - Frank & Rachel Sikora

Parcel #
C 05 008AA

Barnett Shoals Rd

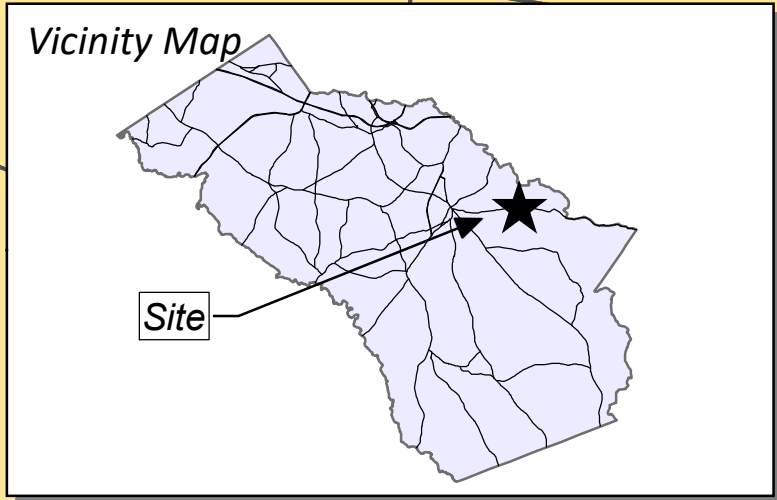
C-05-008AA

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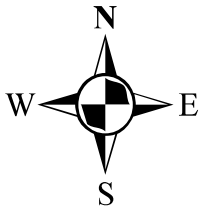
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Feet

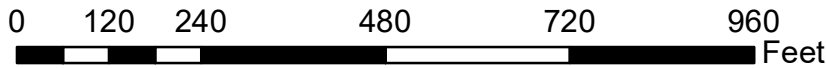




Oconee County
Planning Department



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

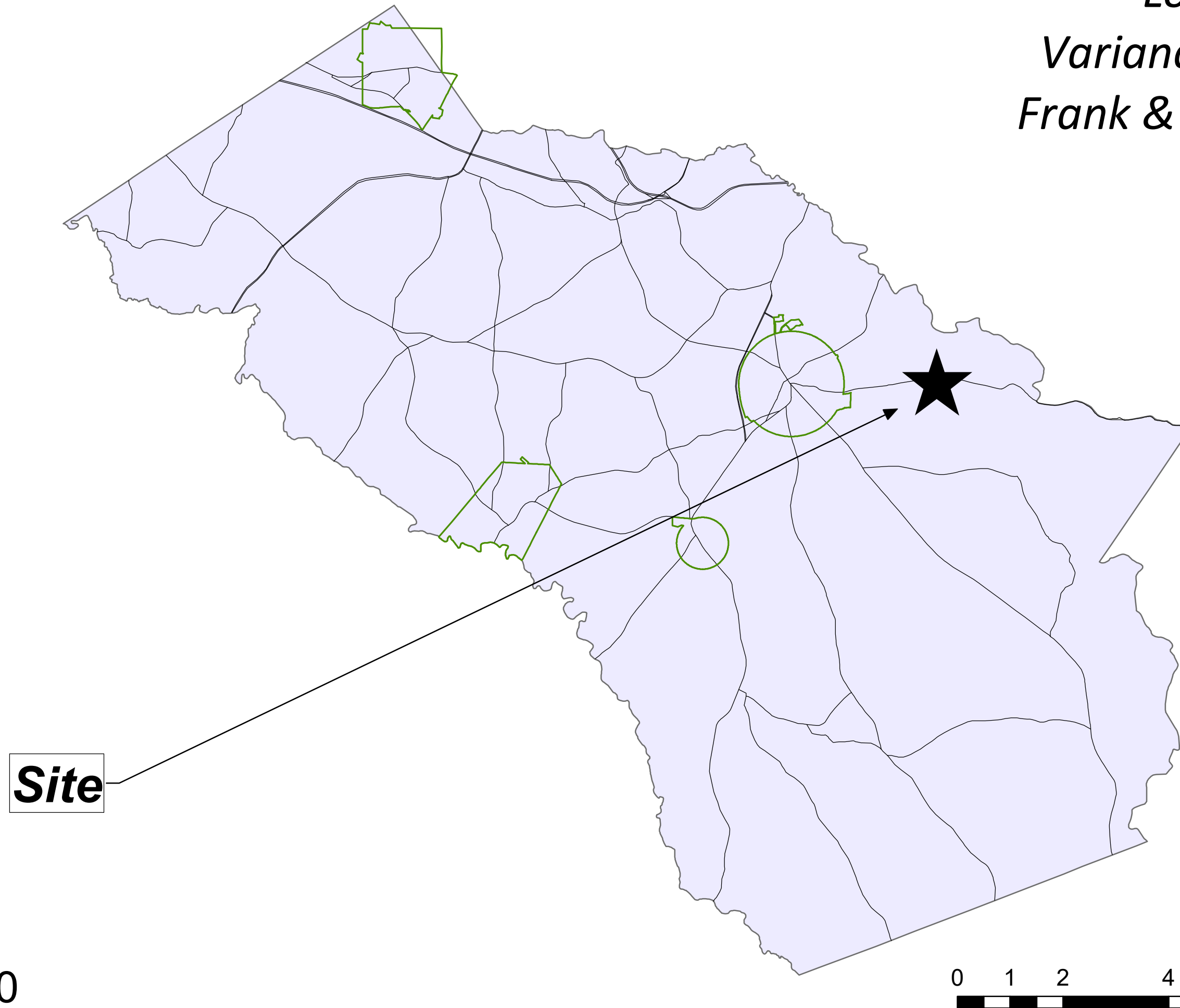


Country Estates

Barnett Shoals Road

Country Estates

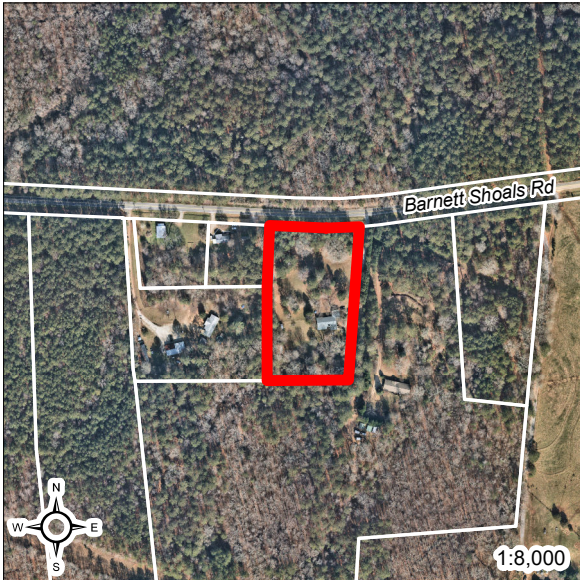
*Location Map -
Variance # P24-0135
Frank & Rachel Sikora*



Site

1:120,000

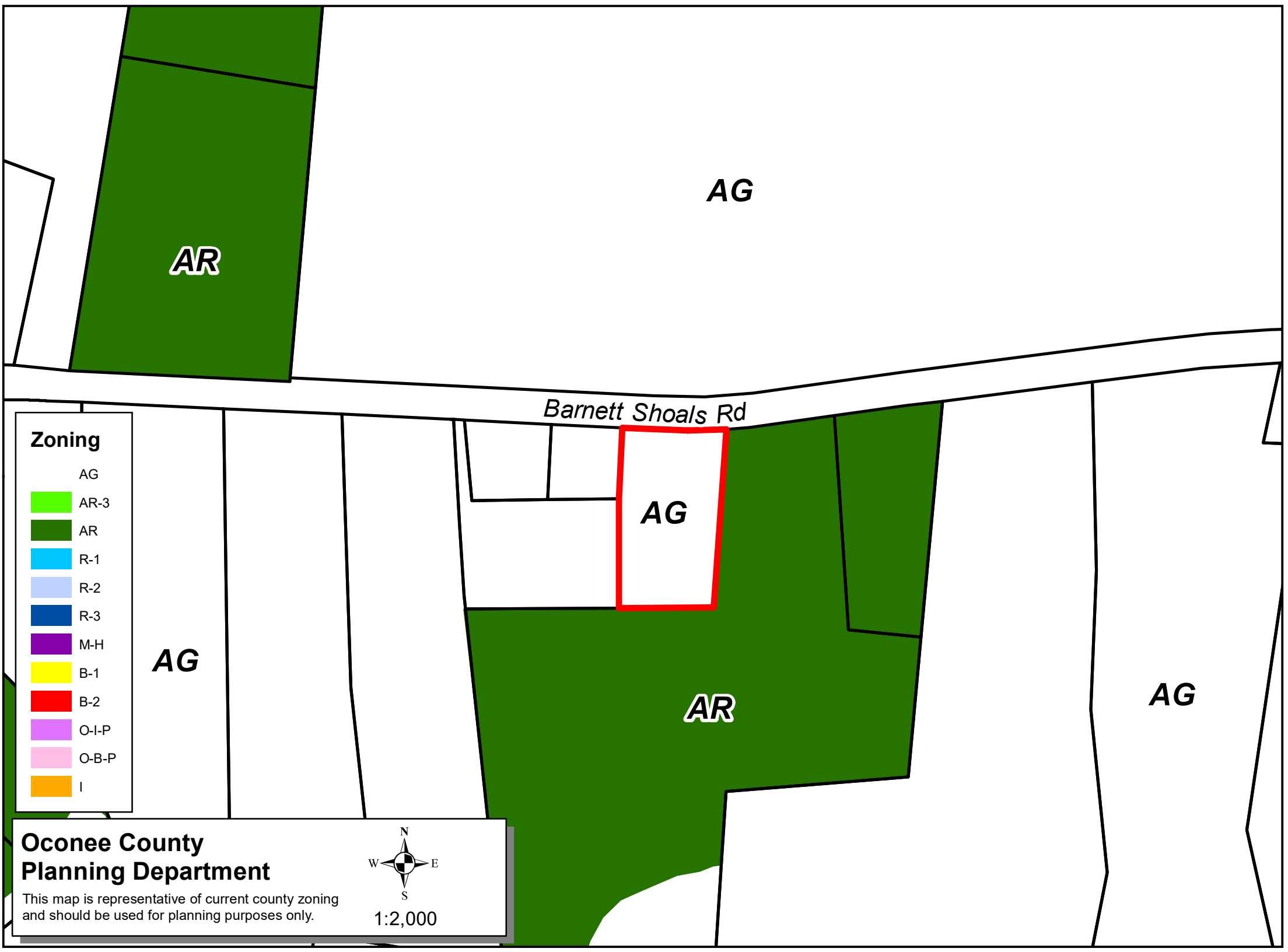
0 1 2 4 6 8 Miles



Barnett Shoals Rd



1:8,000



AR

AG

Barnett Shoals Rd

AG

AR

AG

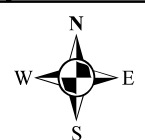
AG

Zoning

- AG
- AR-3
- AR
- R-1
- R-2
- R-3
- M-H
- B-1
- B-2
- O-I-P
- O-B-P
- I

**Oconee County
Planning Department**

This map is representative of current county zoning
and should be used for planning purposes only.



1:2,000

**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 Frank and Rachel Sikora submitted on July 15, 2024.

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 Perry Planning on July 15, 2024, regarding a ±4.0-acre tract of land located 2480 Barnett Shoals Road, Oconee County, Georgia, (tax parcel no. C-05-008AA), 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 Unified Development Code Section 351.02 to allow a guest house in the front yard.

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 October 1, 2024.

ADOPTED AND APPROVED, this 1st day of October, 2024.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY: _____

John Daniel
John Daniel, Chairman

Mark Thomas
Mark Thomas, Member

Chuck Horton
Chuck Horton, Member

Amrey Harden
Amrey Harden, Member

Mark Saxon
Mark Saxon, Member

ATTEST:

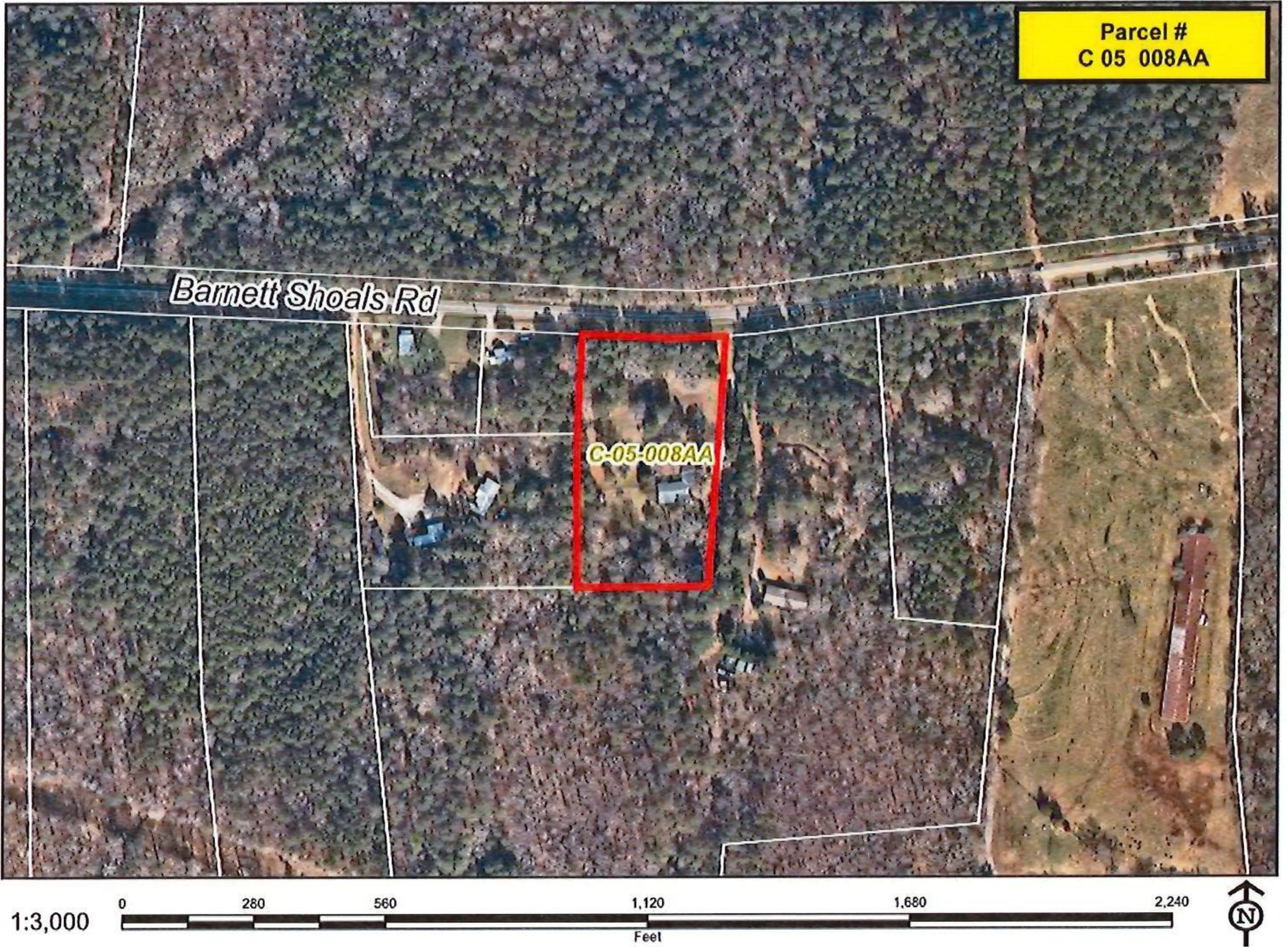
Holly Stephenson
Holly Stephenson
Clerk, Board of Commissioners

CONDITION

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 variance application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Unified Development Code.

TAX MAP

Variance # P24-0135 - Frank & Rachel Sikora



TYPED LEGAL DESCRIPTION

Legal Description for 2480 Barnett Shoals

All that tract or parcel of land situate, lying and being in the 225th district, G.M., Oconee County, Georgia, being known and designated as 4.00 acres, more or less, and being more particularly described on that certain plat of entitled "John E. Bentley & Janet E. Bentley", by Timberland Management Services, Dated July 24, 1990 and recorded in Plat Book 17, Page 163, in the Office of the Clerk of the Superior Court of Oconee County, Georgia, and being more particularly described as follows, to wit:

Beginning at an iron pin located on the southernly side of Barnett Shoals Road right- of- way, said iron pin located 1.8 miles from the City of Watkinsville and running thence along the southernly side of Barnett Shoals South 85 degrees 08 minutes 59 seconds East 195.00 feet to an iron pin; thence running North 88 degrees 20 minutes, 00 seconds East 164.40 feet to an iron pin; thence running South 07 degrees 06 minutes 00 seconds West 561.80 feet to an iron pin, thence running North 85 degrees 31 minutes 00 seconds West 277.80 feet to an iron pin; running thence North 01 degrees 16 minutes 52 seconds West 547.62 feet to the beginning iron pin.

NARRATIVE

2480 Barnett Shoals Road

SPECIAL EXCEPTION VARIANCE SUBMITTED 07/15/2024

INTRODUCTION

Variance requested: A Special Exception Variance from UDC Code Section 351.02 - *Guest House Restrictions* is requested to allow construction of a small guest house in the front yard of the subject property.

Property Address: 2480 Barnett Shoals Road Watkinsville, GA 30677

Parcel Info: Parcel C 05 008AA / 4.00 Acres

Existing / Proposed Zoning: AG

Existing / Proposed Use: Existing & proposed use is residential

VARIANCE REQUEST NARRATIVE

The subject AG-zoned property contains 4.0 acres and is the principal residence of the property owners Frank and Rachel Sikora. The Sikora's would like to build a small guest house on their property as allowed in the Unified Development Code (UDC) of Oconee County. While the minimum standards outlined in the UDC for a guest house will be met, the proposed location of the guest house is within the front yard. Since the property is less than 5-acres, approval of a special exception variance is required per section 351-02. c.

The existing single-family home is located towards the rear of the 4-acre parcel. The area behind the house in the rear and side yards are currently encumbered by existing sheds, a septic system, a large garden area, and mature forests. The only location suitable for a guest house within the rear/side yard would be directly outside of the owner's bedroom in the main house. Building a guest house in this location would block views out of the bedroom windows and limit privacy for both guests and the Sikora's. In addition to this, a future pool is planned for this location as the pool is not permitted in the front yard of the property. Due to the existing constraints and future pool, the most suitable location for the guest house is small open knoll within the front yard.

STANDARDS FOR SPECIAL EXCEPTION VARIANCE APPROVAL

Pursuant to Oconee County UDC Section 1303.3 a special exception variance may be granted upon finding that the relief, if granted:

- a. Would not cause substantial detriment to the public good; and

The proposed guest house is over 200 feet from the main road, and dense forest will be between the road and house, screening views of the guest house from the road.

Granting a variance will not cause substantial detriment to the public good.

NARRATIVE

- b. Would not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity; and

The location of the proposed guest house is in an open area on the lot to minimized clearing of the existing mature forest that currently exists. This forest provides a great screen and buffer for the houses on the surrounding properties. Granting a variance for guest house in the front yard will not be injurious to use and enjoyment of the environment or other property in the immediate vicinity.

- c. Would not diminish and impair property values within the surrounding neighborhood; and

Granting a variance for a guest house will not diminish nor impair property values within the surrounding neighborhood.

- d. Would not impair the purpose and intent of this Development Code.

The guest house regulation specifically allows guest houses within the front yard of lots under 5-acres if approved by a special exception. Granting a variance for this front yard guest house will not impair the purpose and intent of the UDC Development Code.

ADJACENT PROPERTIES

NORTH: AG Zone- Undeveloped

WEST: AG Zone- Existing single-family home

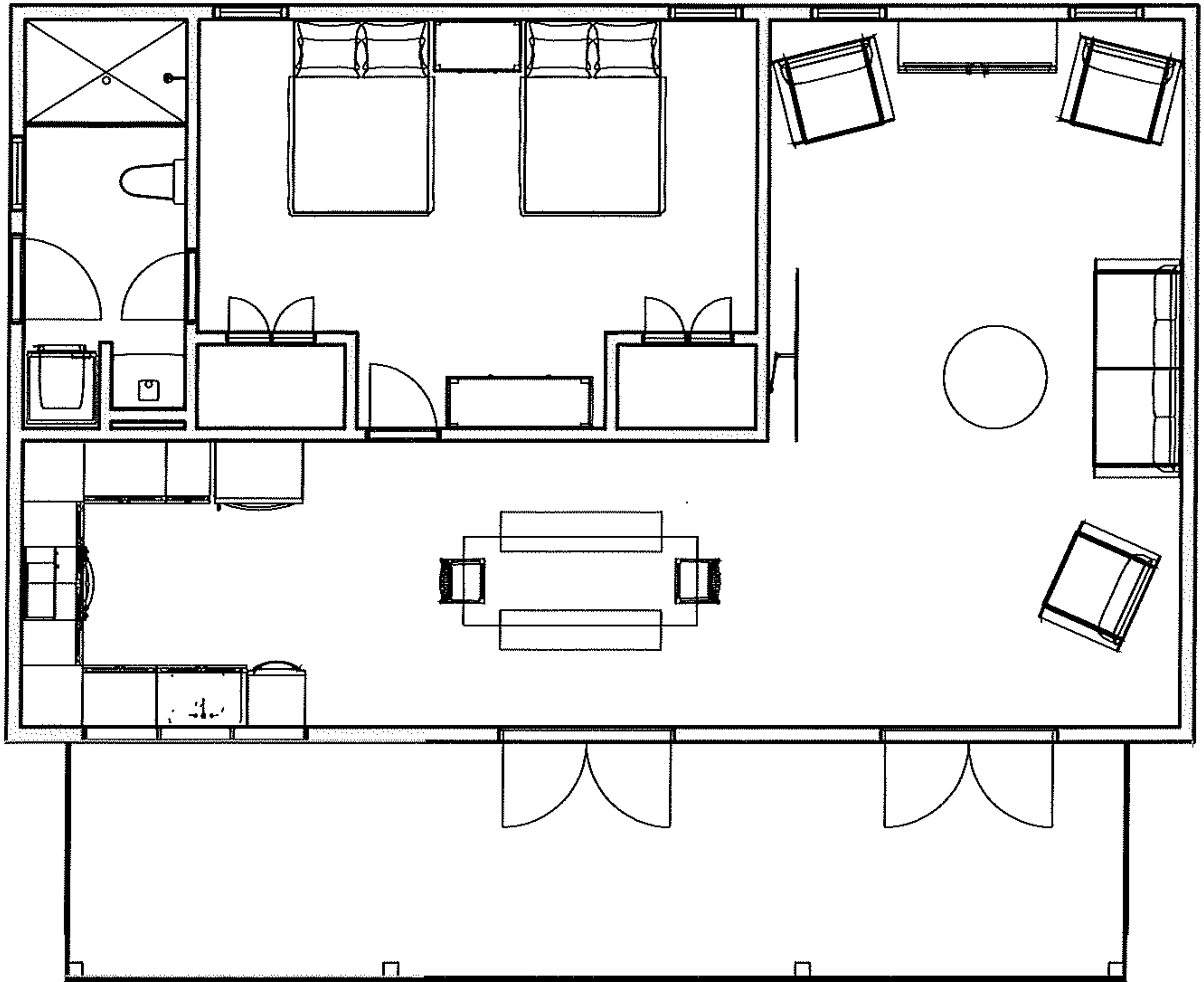
SOUTH: AR Zone- Existing single-family home

EAST: AR Zone- Existing single-family home

CONCLUSION

The owners of the subject property would like approval to build a guest house within their front yard. This improvement will be screened from the street, adjacent neighbors and located in a area of the lot which minimizes clearing of the existing on-site trees. As all requirements for approval of a variance are met, granting this special exception variance is in accordance with the purpose and intent of the Oconee County UDC.

ARCHITECTURAL RENDERINGS



ETL CONSTRUCTION
design • build • renovate • remodel • maintain

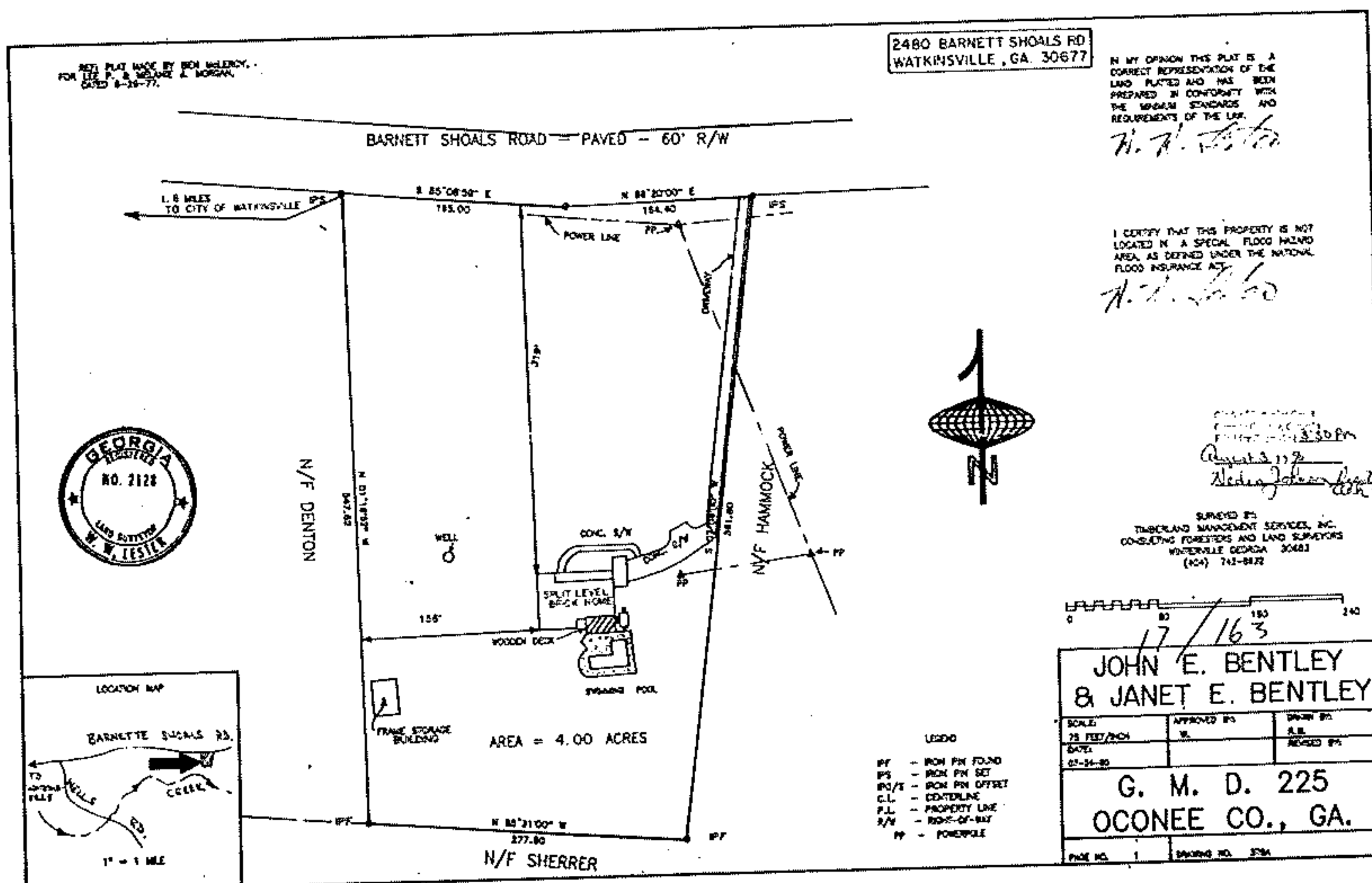
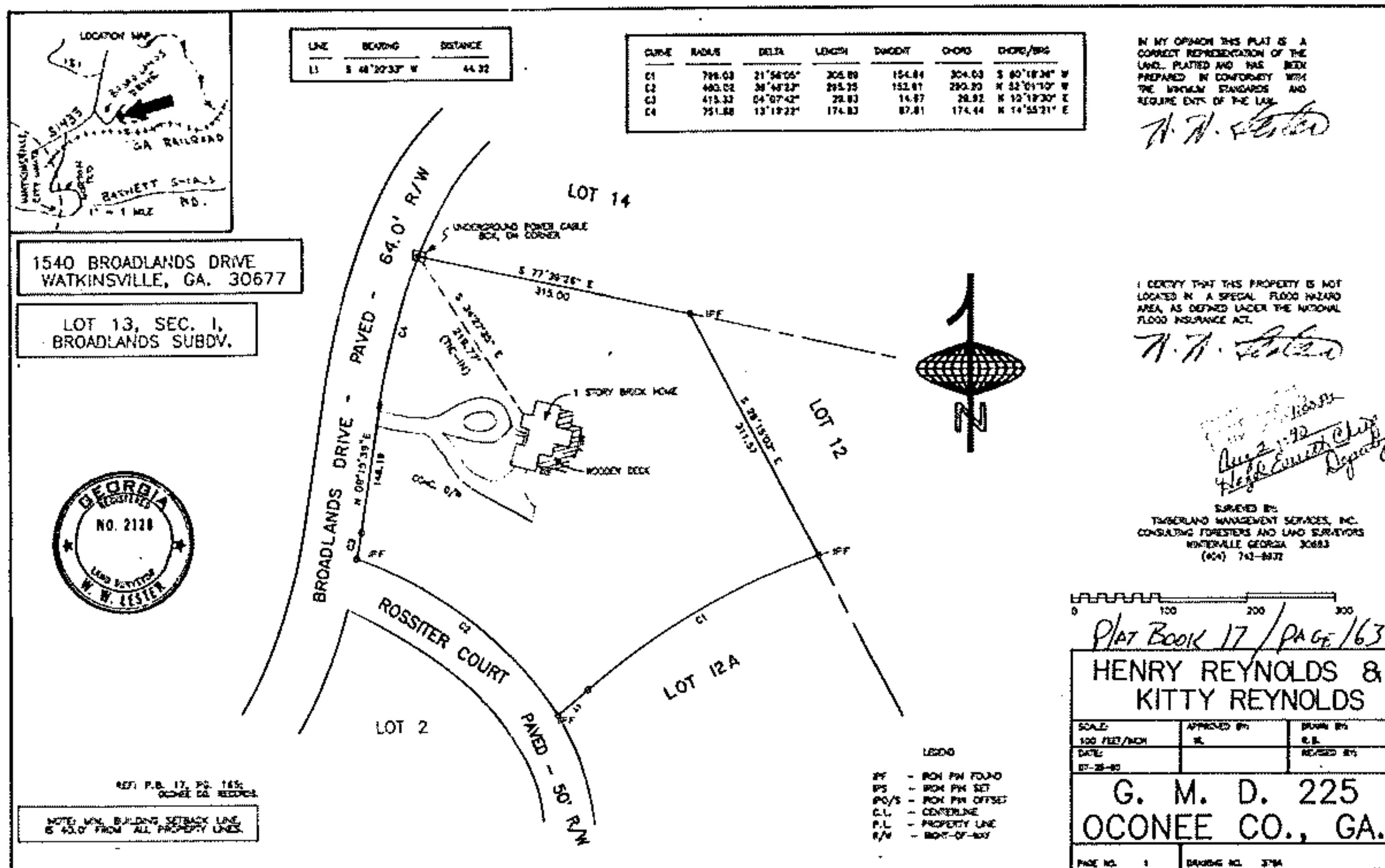
ARCHITECTURAL RENDERINGS



ARCHITECTURAL RENDERINGS



PLAT



The map is a technical survey drawing of a site, likely a golf course, showing various features and survey data. The map includes contour lines indicating elevation, with labels such as "100 FT. WELL BUFFER" and "5-15%". Key areas are labeled, including "Pacole" and "SUNNYSIDE". The map also shows "BURNETT SHOALS ROAD" and "SURVEY LIMITS". Various survey points and measurements are noted, including "50' R/W", "23' MAID", and "50' R/W". The map is oriented with North at the top. The title "BURNETT SHOALS ROAD" is prominently displayed on the left side. The map is a technical drawing with various lines, text, and symbols used to represent the terrain and survey data.

[illegible]

ZONING DATA	
ZONE AD	REQUIRED
MINIMUM FRONT YARD BUILDING SETBACK	40 FT
MINIMUM SIDE SETBACK	25 FT
MINIMUM REAR SETBACK	25 FT
MAX BUILDING HEIGHT	40'

SPECIAL EXCEPTION VARIANCE REQUEST:

A CITY COUNCIL ACTION VARIANCE IS REQUESTED FOR THE PROPOSED 10,000 S.F. LOT TO ALLOW A 600 S.F. LOT. THE CITY COUNCIL HAS THE AUTHORITY TO GRANT THIS VARIANCE.

VICINITY MAP
SCALE: N.T.S.

