

**AMENDMENT  
TO THE ZONING REGULATIONS OF THE TOWN OF BISHOP, GEORGIA  
AND THE OFFICIAL ZONING MAPS OF THE TOWN OF BISHOP, GEORGIA**

**TITLE**

An Ordinance amending the Zoning Regulations of the Town of Bishop, Georgia, and the Official Zoning Maps of the Town of Bishop, Georgia, pursuant to Article XVII, Section 1700 et seq., to rezone from zoning classifications R-1 (Single-Family Residential) to B-1 (General Business) pursuant to an application for rezoning of property owned by R.T. & Betty S. MacPherson submitted on March 3, 2014.

**ENACTMENT CLAUSE**

Pursuant to the authority conferred by the Constitution and Laws of the State of Georgia and after consideration of an application for zoning change submitted by Smith Planning Group on March 3, 2014 requesting rezoning of a ±2.492 acre tract of land located on the west side of US Hwy 441 inside the Town of Bishop in the 221<sup>st</sup> G.M.D., Oconee County, Georgia, (TP# BI-2-4), the Town of Bishop Mayor and Council does hereby ordain and enact to law the following:

SECTION 1. An Ordinance known as the "Zoning Regulations of the Town of Bishop, Oconee County, Georgia" as enacted and amended by the Mayor and Council of the Town of Bishop and the Zoning Maps described therein are hereby amended as follows:

"The zoning classification for the property described on the attached "Exhibit A" is hereby changed from R-1 (Single-Family Residential) to B-1 (General Business) for the purpose of as set forth in "Exhibit A" attached hereto.

Said rezone 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.

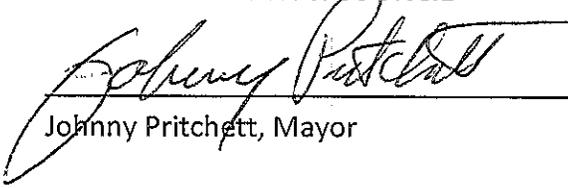
SECTION 3. Repeal of Conflicting Resolutions or Ordinances. All Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4. Effective Date. This Ordinance shall take effect this date.

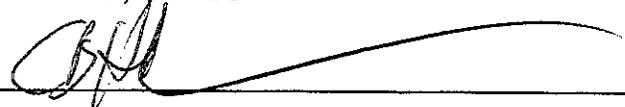
Said Zoning Petition was submitted to the Oconee County Planning Commission and a Public Hearing was duly held on same on April 21, 2014, and a Public Hearing was held by the Town of Bishop Mayor and Council at its regular meeting on May 12, 2014.

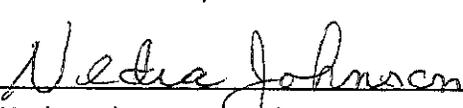
ADOPTED AND APPROVED, this 12<sup>th</sup> day of May, 2014.

**TOWN OF BISHOP MAYOR & COUNCIL**

BY:   
Johnny Pritchett, Mayor

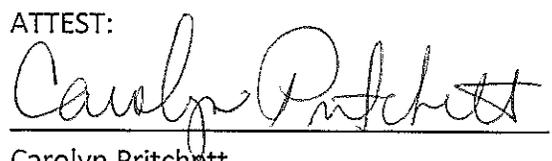
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John Dekker, Member

  
Charles Hadden, Member

  
Nedra Johnson, Member

  
Aldon Knight, Member

  
William Stauff, Member

ATTEST:  
  
Carolyn Pritchett  
Clerk, Town of Bishop

**CONDITIONS**

This Zoning Amendment shall be subject to the following conditions which shall be fulfilled by the developer at his/her expense:

1. The requirement to install a buffer along the southern boundary of the site in accordance with Section 605.01 is hereby waived by the Mayor and Council. Developer shall provide an evergreen hedge in lieu of the required buffer as illustrated on the Rezone Concept Plan.
2. The requirement to provide supplemental evergreen plantings within a required buffer along the western boundary of the site in accordance with Section 605.03.e is hereby waived by the Mayor and Council.

**REZONE NARRATIVE**

**THE BISHOP HOUSE**

(PROPOSED)

BISHOP, GEORGIA

In late 2013, Blyth and Diana Biggs made an agreement with the current owners to purchase the subject property with the express purpose of making the existing house their home and to open a small, family-style restaurant and event venue. The house, with its spacious rooms, high ceilings, wide passageways and large windows make for an inviting dining venue of traditional southern fare. Constructed in 1908, the house is an example of the Victorian-era, Queen Anne style. The large site, on which the house is located, is in the heart of the City of Bishop and is accessed directly from US Hwy. 441. The house and property is therefore uniquely suited for the proposed use.

It is necessary for the property to be rezoned to a business classification in the order for the restaurant use to occur. It will also be necessary to make modest improvements to the site and structure in order to provide access to the main floor for patrons and to allow for adequate parking. Because the property is located within the historic district, all proposed improvements will be in accordance with district guidelines.

It is the express intent of the owners for the proposed use to be a compatible extension of the existing neighboring uses, and for The Bishop House to be an asset to the City of Bishop.

**SITE DESCRIPTION**

The site consists of a total of 2.492 acres and located in the heart of the City of Bishop. The only access to the site is from US Hwy. 441. The existing house, constructed in 1908, dominates the front portion of the property. The house is framed on each side by the old bank building (currently vacant) to the south, and by the post office to the north. The site is composed of gently rolling terrain, falling generally to the north-west. Vegetation consists of areas of large mature pecan and oak trees, with some open lawn areas.

**ZONING**

The current zoning for the site is R-1. Properties adjacent to the site are zoned as follows:

North: O.I.P

West: A-1

South: B-1, A-1 and R-1

East: O.I.P (across US Hwy. 441)

The proposed zoning for the site is B-1.

**DETAILS OF PROPOSED USE**

The proposed restaurant will occupy the main floor of the existing house and will seat 80 patrons. A 33 space parking lot will occupy the southwestern portion of the site and is located behind, and the side of the existing house, and to the rear of the existing (old) bank building. The parking area is designed in a manner to complement the existing patterns within Bishop, principally narrow drive aisles entering the parking lot and by incorporating planting islands between the lot and US Hwy 441. Due to the proposed change of use, it will be necessary to permit the driveway access to the site through The Georgia Department of Transportation (GDOT). The site plan illustrates the drive apron anticipated by GDOT.

The kitchen will be located in the rear of the structure. As such, deliveries will be limited to this area. Dumpsters are also located in this area and will be screened from view.

Access from the parking lot to the front of the restaurant will occur along a proposed sidewalk to be located along the southern side of the structure. Also located in this area is a ramp designed to meet accessibility requirements. The ramp is located adjacent to the structure and will provide an accessible route from the proposed sidewalk to the front porch of the structure.

**ARCHITECTURE**

The exterior of the structure will not be modified except to provide an accessible route from the parking lot to the main level of the house. The route will consist of a ramp and railings as required by local and State codes/ requirements and the design will complement the architecture of the structure.

**ACCESS, TRAFFIC, AND PARKING**

The site is proposed to be accessed from US Hwy. 441. A single access point is proposed at the existing driveway to the site. Traffic generated by the proposed use is illustrated on the following table:

**TRAFFIC IMPACT CALCULATIONS**

Speed Limit	AADT (Two-Way)		Weekday					Average Rate			
	SR24		Land Use (ITE Code)	Intensity	Unit	Daily Trip Ends	Avg Vehicle Trip Ends				
45 MFH	9,880					Entering	Exiting	RTV	LTV		
			Quality Restaurant (831)	80	Seats	229	114	114	58	56	2.86

**PROPOSED UTILITIES**

Water is provided to the site by the Oconee County Utility Department. Other utilities include electricity, natural gas, television cable and internet service. An on-site septic system consisting of septic tanks and drain fields will be utilized.

Trash will be collected onsite and disposed of by a licensed contract service provider.

**STORMWATER DRAINAGE**

Stormwater management shall comply with all local, state, and federal regulations in effect at time of construction plan approval. Stormwater shall be collected in swales or in drains and pipes and directed to proposed stormwater detention basins. All stormwater management facilities shall be maintained according to local regulations and will be the responsibility of the owner.

**IMPACT TO SCHOOL SYSTEM**

No impact is anticipated to school system.

**DISCLOSURE OF INTEREST AND CAMPAIGN CONTRIBUTIONS**

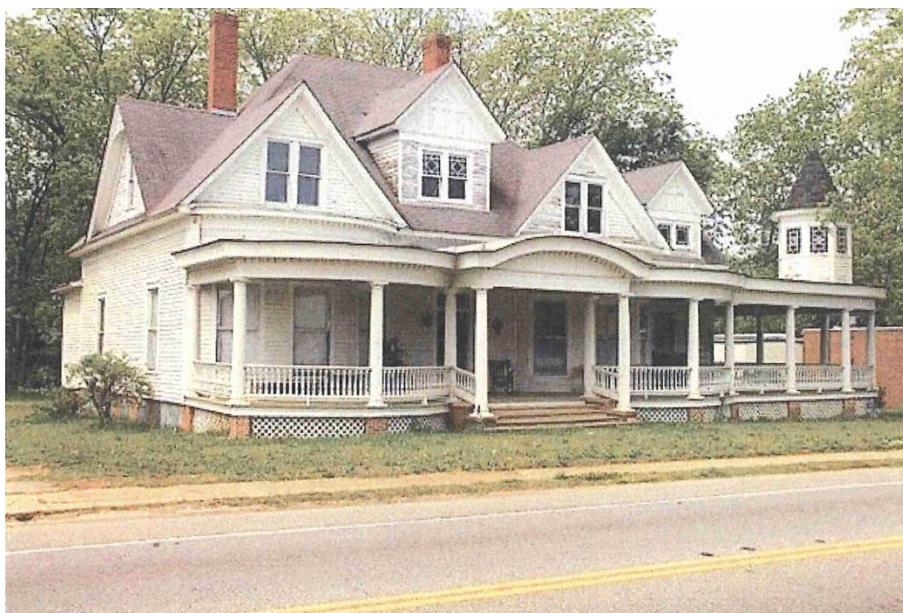
The owners of the property have no interests to disclose. Neither has made any local campaign contributions.

**WAIVERS**

The following waivers from the City of Bishop Zoning Ordinance are being requested:

1. Section 504: Only one principle building or use on lot  
The owner requests the ability to continue to use the structure as a residential use. residential use will be limited to the second floor, with the proposed restaurant use occupying the main floor.
2. Section 605.1: Buffers; where required  
The owner requests the buffer requirement along the southern boundary of the property (side property line) be waived. Although the adjoining property is zoned R-1, the strip of land is only +/-20 feet wide, with lands further south zoned B-1. An evergreen hedge is proposed in this area as illustrated on the rezone site plan.
3. Section 605.3e: Natural Buffers  
Although the width of the required buffer is met in areas where the site adjoins an A-1 zone, a waiver is sought to allow the buffer to be natural in character, without the introduction of evergreen material.
4. Section 1001.3a: Improvements of Off-Street Parking Lots  
In order to promote and continue the character within the historic district, the property owner requests the ability to maintain the parking lot as a gravel surface.

**REPRESENTATIVE PHOTOGRAPH**



**EXHIBIT "A" TO ZONING AMENDMENT # 6502**

**LEGAL DESCRIPTION**

All that tract or parcel of land containing 2.492 acres, more or less, lying in the 222<sup>nd</sup> G.M. District, Oconee County, Georgia, and located on the southwest side of U.S. Highway 441 being more particularly described as follows:

Beginning at a point at the northwest property corner located along southwest right-of-way of U.S. Highway 441, approximately 1141.55 feet southeast from the intersection of U.S. Highway 441 and Price mill Road, which is the Point of Beginning,

Running thence:

South 34 degrees 21 minutes 25 seconds East 118.01 feet to a point along the right-of-way of U.S. Highway 441,

Thence South 34 degrees 34 minutes 26 seconds East 35.79 feet along a curve with a radius of 4,728.84 feet to a point along the right-of-way of U.S. Highway 441,

Thence South 51 degrees 08 minutes 55 seconds West 39.04 feet to a point,

Thence South 38 degrees 51 minutes 05 seconds East 20.24 feet to a point,

Thence North 51 degrees 08 minutes 55 seconds East 37.65 feet to a point along the right-of-way of U.S. Highway 441,

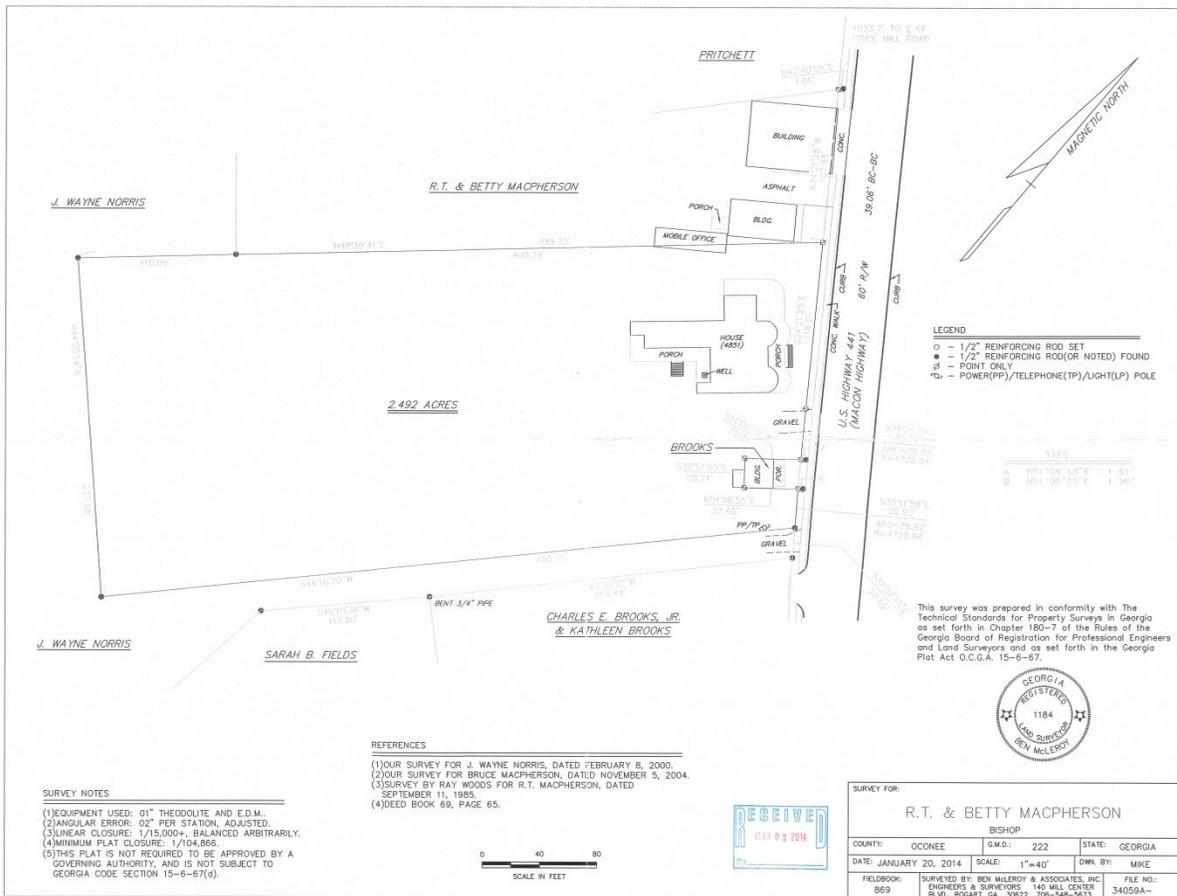
Thence South 35 degrees 11 minutes 59 seconds East 26.92 feet along a curve with a radius of 4,728.84 feet to an iron pin located along the right-of-way of U.S. Highway 441,

Thence South 44 degrees 16 minutes 20 seconds West 485.70 feet to an iron pin,

Thence North 44 degrees 05 minutes 14 seconds West 237.06 feet to an iron pin,

Thence North 48 degrees 39 minutes 41 seconds East 519.35 to a point along the right-of-way of U.S. Highway 441, which is the Point of Beginning.

**PROPERTY SURVEY**



**TAX MAP**

