Board of Zoning Appeals



Minutes of the Thursday, January 7, 2021 Regular Meeting

Members of the Board of Zoning Appeals

Wesley Summers
Chairman

Jim Newman

Kathie Stallworth

Kevin Scaggs

Lynn Stembridge

- 1. <u>Call to Order</u> The regular meeting of January 7, 2021, having been duly publicized, was called to order by Chairman Wesley Summers at 7:00 p.m. The meeting was conducted virtually via GoToMeeting.
- 2. Roll Call Board members present were Chairman Summers, Board members Jim Newman, Kathie Stallworth, and Kevin Scaggs. Board Member Lynn Stembridge was absent. Also in attendance was Libby Hodges, Director, Department of Planning & Development, members of the public, and the applicants. A full list of speakers is provided at the end of the minutes.
- 3. <u>Approval of Minutes</u> The minutes of the Regular Meeting of December 10, 2020 were approved as written. Mrs. Stallworth moved that the minutes be approved. Mr. Newman seconded the motion and the motion was approved unanimously.
- 4. Confirmation of Agenda There were no changes to the agenda.
- 5. <u>ZE20-008</u> A request by Ivey Development for lot widths less than the minimum permitted in the R-7, Small-Lot Single-Family Residential zoning district by Table 3-3, Dimensional Standards of Article 3, Zoning Districts, of the North Augusta Development Code. The request affects a proposed townhome and single-family detached development on ±89.64 acres located at the terminus of Napal, Green Forest, Bobbye Drive, and Dove Avenue, TPNs 006-10-09-002 and 006-11-03-164.

Mr. Scaggs recused himself from the meeting and signed off the meeting.

a. <u>Public Hearing</u> – The purpose of the hearing is to receive public comment on the application.

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Chairman Summers swore in Libby Hodges, Director of Planning & Development. Mrs. Hodges clarified that the request is for a variance to the lot widths. The request is not a rezoning. The property is zoned R-7, Small Lot, Single-Family Residential and townhouses are a permitted use.

She stated she has a list of emails, phone messages, and callers on the line with public comments.

Mr. Newman asked for clarification on which portion of the development would require a variance to the lot widths. Mrs. Hodges stated that the Board of Zoning Appeals could set conditions on the number of lots with the lot width. Chairman Summers asked to save that question for later in the discussion.

Chairperson Summers clarified that the project that can be built, but this case only deals with lot widths.

Ms. Stallworth asked about which street stubs are represented, staff clarified that is included.

Chairman Summers swore in Jason Whingter, representative from Ivey Development. Mr. Whingter stated the request for a variance is only for the townhome portion of the development and the single-family detached dwelling units would meet the lot width requirements of the code. The minimum lot width for townhomes would be 16 ft but range to approximately 35 ft wide. The approximate number of townhomes proposed is 72 with about half at the 16-20 ft lot width range. Mr. Whingter explained about the structure of a homeowner's association. The townhome portion accounts for less than half the proposed lots for the entire development.

Chairman Summers swore in Mark Ivey, representative from Ivey Development. Mr. Ivey said he believed the proposed layout addressed some of the neighbor concerns.

Ms. McKie request to speak regarding Ivey Development. The Chair deferred until later in the meeting.

Board members had questions about the location of the potential townhomes and how many. Mr. Whingter clarified that a study has not been completed yet, with connections to Green Forest and Nepal; stub out from Vireo may be limited by site distance. Dove also not an appropriate connection. Most of the townhomes will have an alley-facing garage entrance. Mr. Whingter discussed site conditions that limit development area. Mr. Whingter introduced Mark Ivey. Mr. Summers had questions about the width and which lots would be the minimum lot size. Mr. Whingter clarified.

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The Chair requested Mrs. Hodges read the names and addresses of the citizens that sent email comments.

At the request of Chairman Summers, Mrs. Hodges read the entirety of the comments from John Mullins, Robert Longe, Mark and Julie Lott, and Jerome Porter as a sample of the surrounding neighbors. Mr. Newman requested Mrs. Hodges read the email in favor of the development. Mrs. Hodges read an email from Tom Kinney aloud. All emails are attached to the minutes in full.

Chairman Summers swore in Ross Douglas, 101 Cascade Dr. Mr. Douglas requested the BZA deny the application. He stated the traffic will impact the safety of the neighborhood, adding more than 800 cars a day. Streets are currently not wide enough, walkers may be endangered, and Knotty Pine crossing and the Pisgah and Five Notch will be congested. They are very concerned about the infrastructure. He voiced concerns regarding the wetlands and potential for erosion and pollution from stormwater runoff. He voiced concerns about erosion and foundation issues. Mentioned 171 signatures on the petition.

Chairman Summers swore in David Owens, 1952 Bolin Rd. Mr. Owens stated he and his wife Linda have lived on Bolin Rd. for over 10 years. He stated the surrounding neighborhood is upset regarding the development and he would not repeat some of the issues brought up by Mr. Douglas. He stated his concerns for the public notice timeline. He requested that the Board postpone a vote due to the overwhelming concern from the neighbors and to give the public more time to respond. Mr. Owens expressed further concerns for the wildlife in the area. He understands that the developer has the right to develop the property as it is zoned R-7, Small Lot, Single-Family Residential, but wanted time to understand the impacts.

Chairman Summers swore in Christine Liner. Mrs. Christine Liner stated she did not receive a letter and found out about the application from her neighbors. She concurs that she was aware the land would be developed eventually. Her concerns were for the Knollwood covenants and the vision for the neighborhood not aligning with the original plans to connect to Martintown Road and Cascade. She asked the Board to look at the covenants, a traffic study, and environmental impact study. She questioned the number of homes within the development and requested postponing the decision. She asked that the board look at the covenants, environmental impacts and traffic impacts. How does this neighborhood integrate into the existing neighborhood and positively impact the City.

Mr. Newman questioned if this is truly an extension of Knollwood and if their covenants would extend to this particular piece of property. Mrs. Hodges responded that each subdivision is treated independently for development review purposes and that the Planning Department does not enforce private covenants.

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Ms. Liner stated that the do not have a Homeowner's Association and mentioned a recorded plat and who signed the covenants. Ms. Stallworth asked about the plat for the original Knollwood. Ms. Liner responded that the extension was shown on the plat. She stated the plat showed houses outlined behind Mr. Douglas' home.

Chairman Summers swore in Doug Melton, 104 Cascade Drive. He wanted to correct a few statements from others and does not believe the Board can legally grant the variance. He said a traffic study was done around 2003 when there was some discussion on the Hugh Street connection. He also stated that he believes the proposed development only shows one outlet on Green Forest Drive. He does not understand how the Board can approve something that will not work. Mr. Melton has concerns about the entrances, stating that there has been flooding across the Greeneway crossing. He stated the City commissioned a study of traffic at that time.

Mrs. Hodges stated that traffic studies do expire after a period of time, so an old study may not be appropriate to use. Unless the traffic study was adopted with specific conditions staff may be limited to enforce. Some of the minutes from the Planning Commission at that time expressed concern that some conditions were not enforceable. No preliminary plat was approved for this area so there are no vested plans. The current code sets plan expiration dates at 2 years. Since they have not vested plans, current plans would need to meet current standards.

Mr. Summers reiterated the application is not a rezoning request.

Chairman Summers swore in JoAnn McKie, property owner. She clarified that their family did not develop Mountside. She stated SCDOT has deemed Vireo drive inaccessible due to sight distances. She stated they are very protective of Knollwood and spoke about history of the site and nearby property. She stated the Greeneway would be approximately 500 ft from the edge of the development in the proposed plans. The choice for Ivey Development is based on their ability to build without mass grading the entire site.

Chairman Summers swore in Forrest McKie, property owner. He questioned the Cascade Dr. bridge and Martintown Rd. connections that were mentioned by the public. He disputed some of the statements made by previous speakers. As for flooding, he stated the site will be engineered to address runoff. He stated he believes that the neighborhood needs a shot in the arm.

Mrs. McKie stated she has advocated for Knollwood in the past. Family still lives on Green Forest. Mrs. McKie spoke about Ivey Homes' reputation and building methods. Ms. McKie mentioned that Whatley Place has the same 16' homes with garages in the back. Mrs. McKie clarified with Mr. Ivey that the lots will be several hundred feet from the Greeneway. Mrs. McKie reviewed several other developments that have similar lots and

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spoke about mass grading and other lot widths. Mrs. McKie spoke about crossing over Cascade, wants to make 3 roads into the neighborhood, spoke about stop signs.

Mr. Summers asked Mrs. McKie about the project with 16' lots; corrected to 24'. Mr. Summers does not recall a 16' lot being approved by the BZA.

Mrs. McKie stated she believed the BZA has not approved those lots; but that Whatley Place has 16' lots. Mr. Summers questioned how those lots were approved. Mr. Summers reiterated that each project is reviewed separately. Mrs. McKie responded that they chose lots for their building and design methods.

There were no other comments taken.

Mr. Summers asked Mr. Whingter if there were 72 townhomes. This was confirmed, depending on final design. Mr. Summers asked if they were asking if all townhome lots would be 16' width. Mr. Whingter confirmed. Mr. Whingter offered an average lot width. Mr. McKie stated to explain the maximum density for the site cannot be exceeded. Mr. Whingter agreed.

Mr. Newman asked if there were plans to cross the wetlands in the future or place townhomes in a future phase. Mr. Whingter stated he did not know about the townhomes, but they would have to buy mitigation credits from a wetlands mitigation bank and at this time there are no mitigation banks for this particular drainage basin.

There was some discussion regarding the number of 16 ft wide lots that would be allowed and in what arrangement. Mr. Summers, Newman, Mrs. McKie and Mr. Whingter discussed it at length. The final condition reflects the discussion.

Mr. Summers reiterated a concern about traffic, seconded by Mrs. Stallworth. Staff requested that the findings be followed. Chairman Summers read the 10 findings of fact and then closed the public hearing at approximately 8:38 p.m.

Mrs. Hodges informed callers that since the public comment was closed, callers could leave if they would like.

b. **Consideration** – Application ZE20-008

The Board discussed the findings at length. Staff reiterated that the project must still go through the development review process and a traffic study will be completed as part of the development review process. Mr. Newman made the motion with the following conditions:

- 1) There may be no more than two (2) sixteen (16) foot townhome lots per block of townhomes with the other townhomes having lots that are twenty-four (24) feet or wider on a strip of four (4) or more townhomes. Blocks of less than four (4) townhomes shall have only one 16 foot lot, with all other lots being twenty-four (24) feet in width or more.
- 2) No more than thirty-six (36) total lots within the development will have a sixteen (16) foot lot width.
- 3) A traffic study will be required from the Developer with Planning and Development and Planning Commission approval as required. A final presentation to the Board of Zoning Appeals will be required.
- 4) The developer shall be required to have a similar floor plan to what was submitted, with final approval from the Planning Director.
- 5) "Future development" should be returned to the Board of Zoning Appeals if required by the Development Code at that time.

Mrs. Stallworth offered a second. The vote to approve was unanimous.

In other items from staff, staff encouraged the public and the Board to take the survey shown on the screen.

6. Adjourn

With no objections, Chairman Summers adjourned the meeting at approximately 10 p.m.

As approved February 5, 2021.

Libby Hodges, AICP

Director of Planning and Development Secretary to the Board of Zoning Appeals

Attached Public Comments as noted

We have 4 who have requested to speak.

- 1) Ross Douglas
- 2) David & Linda Owens
- 3) Keith or Christine Liner
- 4) Doug Melton, 104 Cascade Dr.

We received 7 phone messages

- 1) Mary Stacy, who also provided written comments
- 2) Linda Owens, who also provided written comments and will be on the call
- 3) John Zentz, 1910 Bolin Rd.
- 4) Jeanne Carver, 539 Siskin Circle
- 5) Willard Joseph Alexander, Vireo Drive
- 6) Hal Hooper, 1821 Mountside
- 7) William Kinney, also provided written comments 1/7

We received the following emails:

- 1) Larry Hammett, 109 Cascade, 12-27
- 2) Doug Melton, 104 Cascade, 1-3 (also on call)
- 3) Jeremy Whidden, 1956 Bolin, 1-4
- 4) Bryan Villarreal, 1950 Bolin, 1-4
- 5) Erica Villarreal, 1950 Bolin, 1-4
- 6) Debbie Larkin, 437 Dove, 1-4
- 7) Danny Rosario, 1946 Bolin, 1-5
- 8) Paul Hoehn, 1916 Bolin (petition slip), 1-5
- 9) Michele Douglas, resident of Knollwood, 1-5
- 10) Perry Holcomb, 1891 Green Forest Dr., 1-5
- 11) Ross Douglass, 101 Cascade, 1-5, with petition attached (171 signatures; some are on this list with separate comments; also on call)
- 12) Mary Stacy, 1948 Bolin, 1-5
- 13) Christine Liner, Knollwood resident, 1-7 (also on call)
- 14) John Mullins, assume Bolin Road, 1-6
- 15) Spencer Cashwell, 1825 Mountside, 1-7
- 16) Josh Farrell, Hammond Hills resident, 1-7
- 17) Bolin Road Petition signatures Organized by the Owens, who will be on the call (15 slips, some appear to have made separate comments)
- 18) Robert Leon Longe, 115 Cascade, 1-7
- 19) Matt Porter, 2107 Vireo, 1-7
- 20) Mark and Julie Lott, 1827 Moutainside, 1-7
- 21) Jerome Porter, Vireo, 1-7
- 22) Unsigned, no address given. In support. 1-7 (assume this is William Kinney)

1. Mary Stacy 1948 Bolin Road

Against proposal. Master naturalist and wildlife. Anything that creates water runoff and disturbance.

Will send email

2. Linda Owens 1/6/2021 @ 9:45

Requested postponing the meeting to give residents longer to respond. Stated most people were out of town during the holidays and did not receive notice letters until recently. Will draft a letter to drop off to the Planning Department.

3. John Zentz 1/7/2021 @12:16

1910 Bolin Rd

As a 30+ year resident, my wife and I are strongly opposed to the rezoning and destruction of one of the last wildlife refuges in our Great City. Aside from lowering the value of my lots, the development will displace wildlife. It is a shame to destroy the habitat for money in a town that used to have abundant charm. The only reason to allow smaller lots to be developed is to increase profit for the developer and City tax revenue; however, this will come at the expense of the current North Augusta residents. Please don't treat my friends and neighbors that way. Thank you.

4. Jeanne Carver 1/7/2021 @ 11:30

I live at 539 Siskin Cir in North Augusta and I'm calling in regard to the development that abuts my property. I have signed a petition but I am also calling to let you know I do not want the land behind me to be developed. I believe it has been sold to a development company. I do not want houses looking into my property. I bought this property because it is butted up against the wood. I hope this is noted. In today's economy, who will buy all those houses? A lot of people are out of work.

5. Willard Joseph Alexander 1/7/2021 @9:30

I live on Vireo in Lynnhurst. I am calling about the rezoning. I would not like that to happen, if possible. This will definitely take away from the value of my house.

6. Hal Hooper, 1821 Mountside. , 1/7/2021 @ 1:35pm

I don't want to see townhomes on the Greeneway. I don't believe that is what the Greeneway is for. I am not in favor.

7. William Kinney, no address. 8 , 1/7/2021. Time not noted. Email also sent.

In favor of the ZV case, there may be a problem with the applicant, Ivey Homes.

From: Bryan Villarreal <

Sent: Monday, January 04, 2021 10:32 AM

To: Hodges, Libby

Subject: Ivey Development townhomes

Hello,

I wanted to express my **strong opposition to building townhomes** in the wooded area behind my home (1950 Bolin Rd.). The wooded area was a huge reason we bought the house 2 years ago. My kids enjoy exploring and learning about nature in the woods there. My wife and I love the view from our sunroom of the Greenway and woods. We are concerned about our home value being affected by the placement of townhomes, the potential for easier access for people with bad intentions to the Greenway, and also from the loss of greenspace. Please take these concerns into account in making your decision about adjusting dimensional standards. This decision will surely devalue the allure and draw of the North Augusta Greenway and the countless visitors that come to enjoy it and spend time and money in North Augusta. Thank you for your time.

Bryan Villarreal 1950 Bolin Rd N. Augusta, SC 29841

From: Spencer Cashwell

Sent: Thursday, January 07, 2021 9:32 AM

To: Hodges, Libby

Cc: ESCASHWELL@gmail.com

Subject: Public Hearing Notice BZA RM 1-7-21

Good Morning North Augusta Planning & Development,

I am writing today to express my distaste for the ZV20-008 McKie Property Townhomes project. I have been a North Augusta resident for 4 years, with the majority of that time being spent at Mountside Drive, adjacent to the McKie property in question. In those 4 years I have spent countless hours running, cycling, and walking on the Greenway, enjoying the sounds and wildlife of the wetlands that is the McKie property. I am familiar with the area.

It seems that the question here is not whether or not to develop the property, but whether or not to permit a shoddy townhome development in lieu of single family homes, and to that, my wife and I would like to object.

If that property is to be developed, I would greatly like to see it developed with lot sizes similar to those that exist in adjacent neighborhoods, with a same quality build, and great attention paid to preserving wetlands, and water runoff from surrounding areas.

Thank you, Spencer and Emily Cashwell 1825 Mountside Dr, North Augusta, SC 29841

From: Debbie Larkin

Sent: Monday, January 04, 2021 4:37 PM

To: Hodges, Libby

Subject: Question about Ivey Development requesting smaller lot widths

Follow Up Flag: Follow up Flag Status: Flagged

Thank you for taking questions.

I'm Debbie Larkin, residing at 437 Dove Ave, located at the road end NE of these parcels referred to in the variance request. Since I live in the Lynnhurst subdivision and these parcels have 3 terminus points from the Knollwood subdivision, I'm curious as to whether or not there would be a through access made from Dove Ave or Vireo Ave. I realize that this is a question for later, so I'm just mentioning it before making comment about this variance request.

Knollwood subdivision has some homes with larger lots than Lynnhurst, and these are also homes of higher value. To decrease the lot sizes for the construction of townhomes and other single-family homes would cause a decrease in the property values of the existing homes. *Hmm, would anyone like their home's value to decrease?*

The amount of acreage (89.64 acres) which is in the project area has room for plenty of standard sized lots. I ask that the developers would be considerate of current nearby property owners and <u>not</u> pursue this variance for smaller lot sizes.

The traffic concerns will be change enough for <u>all</u> the residents, as we know that Knollwood has long streets already and construction vehicles are noisy, dirty, and hard on asphalt. We can envision the frequent travel back and forth of construction vehicles along with the usual residential traffic on Green Forest St. Remember the detours necessary for the placement of new water pipes on Bunting Rd this past year? Where else would these construction vehicles access these undeveloped parcels? This is another concern about decreasing the property values of the existing homes.

Again I ask, would anyone like their home's value to decrease?

"Love your neighbor as yourself."

Thank you for your consideration.

--

Debbie Larkin

"May the grace of our Lord Jesus Christ be with you all!" Revelation 22:21

From:

Sent: Sunday, January 03, 2021 4:54 PM

To: Hodges, Libby

Subject: Public Hearing Notice BZARM17 - Public Comment on Application

Follow Up Flag: Flag for follow up

Flag Status: Flagged

My name is Doug Melton. I live at 104 Cascade Drive in Knollwood neighborhood along with my wife, Cheryl. This zoning variance will have a negative and detrimental impact to the our safety and well-being.

I am asking the Board of Zoning Appeals to deny the ZV20-008 application for zoning variance.

The ZV20-008 application does not meet the requirements for zoning variance. According to SC Law 6-29-800, a variance can only be granted in case of unnecessary hardship based on the following findings:

- a) there are extraordinary and exceptional conditions pertaining to the particular piece of property;
- b) these conditions do not generally apply to other property in the vicinity;
- c) because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- d) the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

The law also states "the fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance.".

The following shows the findings in SC Law are not meet by the application and therefore, a hardship does not exist and a variance cannot be granted.

- a) There are no extraordinary or exceptional conditions pertaining to the piece of property.
- b) The conditions of steep topography and wetlands are found on in other properties in the vicinity. There are steep topographies and wetland areas in other parts of Knollwood subdivision. The properties on other side of the Greenway along Mountside Drive have steep topographies.
- c) Meeting the requirements of R-7 zoning district does not prohibit or unreasonably restrict utilization of the property. I attended a Planning Commission meeting sometime around 2003 (give or take) where extending the Knollwood development to what is now W. Hugh Street and Bobbye Drive was discussed. During this meeting, a traffic study report and future development plan for ~90 acres (in ZV20-008 application) was presented. This development plan provided at this meeting showed lots of similar size to existing property in Knollwood neighborhood throughout the 90 acres providing evidence that the R-7 zoning requirements do not prohibit or unreasonably restrict utilization of the property.
- d) The authorization of this variance will have substantial detriment to the adjacent properties in Knollwood neighbor and will harm the public good and character of the neighborhood. The variance would more than double the permitted dwells in this future development versus current R7 zoning minimum widths. The traffic issues in entering and exiting the Knollwood neighborhood is already a problem associated with Paul Knox Middle School and NA High School traffic. A traffic study of the Knollwood neighborhood was commission by the City of North August associated with the development of what is now W Hugh Street and Bobbye Drive. This

traffic study was performed by an outside traffic engineer/consultant and the results presented in a Planning Commission Meeting that is mentioned in the paragraph above. The traffic study report demonstrates the significant traffic issues associated with the future expansion of the Knollwood subdivision with only having two entrance (Greenforest/5-Notch, Knollwood Blvd/Pisgah). The information provided in the traffic study report provides direct evidence that the proposed zoning variance, which has the potential to more than doubles the density of homes in the future development, will have a significant, detrimental impact to the safety and well-being of the existing Knollwood residences.

I have provided evidence that the ZV20-008 application does not meet the requirements to grant a zoning variation and therefore, the Zoning Appeals Board must deny the application.

From: Danny Rosario

Sent: Tuesday, January 05, 2021 11:54 AM

To: Hodges, Libby

Subject: ZV20-008 rezoning request

Hello,

I am writing today to urgently ask you not to pass this request. We recently purchased a home at 1946 Bolin rd and one of the main qualities of this home was overlooking all the trees and green way behind us. I feel that allowing a developer to eliminate what we have come to love would be a major disservice to all the homeowners along the greenway. This will also almost certainly affect our homes value. The privacy the area behind our house provides is sought after by many and allowing a new neighborhood to be built directly behind us would most certainly negate that feature. Please , do not pass this request as all of us on Bolin would agree.

Thank you

Danny Rosario 1946 Bolin Rd.

Sent from Danny's iPhone

From: erica villarreal

Sent: Monday, January 04, 2021 10:24 AM

To: Hodges, Libby

Subject: Ivey Development townhomes

Hello,

I wanted to express my strong opposition to building townhomes in the wooded area behind my home (1950 Bolin Rd.). The wooded area was a huge reason we bought the house 2 years ago. My kids enjoy exploring back there. My husband and I love the view from our sunroom of the Greenway and woods. We are concerned about our home value being affected by the placement of townhomes and also from the loss of greenspace. Please take these concerns into account in making your decision about adjusting dimensional standards. Thank you for your time.

Erica Villarreal

1950 Bolin Rd

N. Augusta, SC 29841

From: Josh Farrell <

Sent: Thursday, January 07, 2021 9:43 AM

To: Hodges, Libby
Cc: Spencer Cashwell

Subject: Public Hearing Notice BZA RM 1-7-21

To whom it may concern,

I would simply like to express my objection to this proposal. My primary concern is the devaluation of the surrounding properties based on the lot sizes in this proposal. The largest lots are proposed to be 0.13 acres which is, on average, less than half the lot size of the surrounding residential properties. This seems inconsistent with and inconsiderate of the current North Augusta residents in the area. The unique element to this build is that it interjects into and not next to an existing community. I propose that, unless it can be shown to positively affect the surrounding communities, this project should be rejected or placed on hold for revision.

Thank you,
Josh Farrell
Hammond Hills Resident

From:

Brandi Whidden Monday, January 04, 2021 10:27 AM Sent:

Hodges, Libby To: 1956 Bolin Road Subject:

I object this project!!

Jeremy Whidden 1956 Bolin Road North Augusta SC 29841

Baker, Kuleigh

From: Hodges, Libby

Sent: Monday, December 28, 2020 9:55 AM

To: Larry Hammett

Subject: RE: Knollwood subdivision in relation to the Ivey Development, LLC request for R-7

property

Good morning.

Your comments have been received. At the Chair's discretion, they may be read at the upcoming Board of Zoning Appeals meeting on January 7, 2020, at 7pm.

This hearing will be regarding lot widths, there is no change to the zoning.

The meeting will be virtual and will be broadcast online at the following links: https://www.facebook.com/CityofNorthAugusta/
https://www.youtube.com/channel/UCRLLD cnQ68YRQgUGaE 22Q

Regards,

Libby

Libby Hodges, AICP

Director of Planning and Development

City of North Augusta

100 Georgia Avenue PO Box 6400 North Augusta, SC 29841 Phone: (803) 441-4225 Ihodges@northaugusta.net



From: Larry Hammett

Sent: Sunday, December 27, 2020 1:51 PM

To: Hodges, Libby <LHodges@northaugusta.net>

Subject: Knollwood subdivision in relation to the Ivey Development, LLC request for R-7 property

Libby Hodges of North Augusta Planning and Development,

I received your letter dated December 21, 2020 in reference to a request from Ivey Development. LLC to allow lot widths less than the minimum permitted in R-7 zoning.

I have studied the Ivey Development, LLC properties in other parts of the CSRA. It is my opinion, under no circumstances should Ivey Development, LLC be allowed to build such town home or apartment style communities as seen on their website adjacent to my property. HOME | Iveygroup

Any development shall only build homes equal or higher value to my own home's value. My home is @ 3000 sqft and @ value of \$250k to \$300k of a brick construction. Building of lesser value home in terms of square footage or lesser construction material quality such as vinyl siding will devalue my own property, this is unacceptable.

Furthermore, it is unclear on how access to the R-7 property will be accomplished from your letter. The access to my property with Knollwood has only two entrance and exit points at Knotty Pine from Pisgah and Green Forest from Five Notch. If the project plans to open access to R-7 via Dove from Vireo and/or connecting Cascade to Cascade over the Greenway opens the possibility of higher traffic or higher crime possibility to my property, this is unacceptable. In addition, opening these new access points may also create a situation that Knollwood loses its uniqueness and is considered part of lesser-valued homes in other sections of North Augusta. This will further decrease the value of my home and again is unacceptable.

My stance is the current zoning shall remain intact for the R-7 property and a clear access plan developed with an expectations to maintain or increase property value for established home owners.

If City of North Augusta or Ivey Development, LLC proceeds with a project that devalues my home and my neighbor's homes, compensation for the loss incurred by the project is expected.

Regards,

Larry Hammett – Home Owner

109 Cascade Dr.

North Augusta, SC 29841

Dated: Dec. 27, 2020



From: Keith Liner

Sent: Thursday, January 07, 2021 8:29 AM

To: Hodges, Libby

Subject: Knollwood subdivision BZA meeting

Dear Ms. Libby Hodges,

My name is Christine Liner and our family has been residents of the Knollwood subdivision for thirty years. Mr. Ross Douglas gave us your name regarding the developments pertaining to the Knollwood subdivision by Ivey Construction. We have signed the neighborhood petition and are very concerned with the proposed plans for our neighborhood. On a FB post, Fletcher Dickert stated that there were always plans to develop the vacant property. That is a correct statement, however, we were told a very different pathway for this to be done. We understand Mr. "Bunk" McKie is no longer with us, but we still remember conversations with him on his vision for the property. He was very deliberate on how he added homes for the good of the area; not to try and squeeze as many homes as possible just because there was a vacant lot. He was not motivated by the almighty dollar, but wanted to preserve the small town charm. We remember being told the area behind our house 113 Knotty Pine Drive could never have homes because of the easement behind our property. However, once Mr. Bunk was gone, we not only had "A" house, but now we have an entire road of houses behind Knotty Pine Drive.

- 1. We were told there would be a totally separate entrance/exit area to that portion of the neighborhood and, at a minimum, it would have direct access to Martintown Road.
- 2. We were told there would be a separate entrance which would require some type of bridge, but then were told that was too expensive and no alternative was provided.

The current proposal will add double the units that are in the current neighborhood, with no additional entrance/exit. At one time, they tried to connect Hughes street through Knollwood but that was stopped. That is not the answer because that will only provide additional cut-throughs going to the same two places: Pisgah or Five Notch. The traffic on those two roads is already a safety nightmare because of congestion due to the access to Paul Knox, Mossey Creek and also to Knobcone where the High School is located.

Please ask yourselves these questions before granting this development request:

How will this neighborhood add to the overall well being of North Augusta without negatively impacting those who are here?

How will North Augusta safely integrate the additional population into our city's infrastructure, our roads, our environment and our schools?

We moved to North Augusta because of its small town charm. If we wanted congestion, traffic and overcrowded roads and schools we could have moved to Aiken or across the river into Georgia.

Thank you for listening, Christine and Keith Liner

Baker, Kuleigh

From: Hodges, Libby

Sent: Tuesday, January 05, 2021 10:25 AM

To: Michele Douglas Cc: Baker, Kuleigh

Subject: RE: Knollwood Public Hearing

Good morning.

Your comments have been received. At the Chair's discretion, they may be read at the upcoming Virtual Board of Zoning Appeals meeting on January 7, 2020, at 7pm.

The meeting will be virtual and will be broadcast online at the following links:

https://www.facebook.com/CityofNorthAugusta/

https://www.youtube.com/channel/UCRLLD_cnQ68YRQgUGaE_22Q

Regards,

Libby Hodges

Libby Hodges, AICP

Director of Planning and Development

The Planning Department has an updated fee schedule effective January 1, 2021.

Follow this link or visit www.northaugusta.net for more information.

City of North Augusta

100 Georgia Avenue PO Box 6400 North Augusta, SC 29841 Phone: (803) 441-4225 Ihodges@northaugusta.net



From: Michele Douglas

Sent: Tuesday, January 05, 2021 10:20 AM **To:** Hodges, Libby <LHodges@northaugusta.net>

Subject: Knollwood Public Hearing

Dear Ms. Hodges,

I am a resident of Knollwood neighborhood. I'd like to share my take on connectivity with you since this seems to be the motivation behind opening up our neighborhood for more housing:

Connectivity. What does that mean to you? Who or what is doing the connecting. When we connect one thing, does it require disconnecting from something else? To me, connectivity has to be meaningful, purposeful, thoughtful when it comes to the living things around us.

Early this morning while the sun was still hidden behind the houses and trees, my dog and I took a walk in the woods behind our house. Despite the sound of cars rushing along the highway off in the distance, I connected with nature.

Bo and I crunched and rustled our clumsy way down a gradual hill over the brittle fallen leaves and twigs; meandering around bare trees and out-stretched branches. Many paths had been made by rainwater drainage from the streets above in the surrounding neighborhoods. We crossed one of the deep gashes in the landscape where dirt and debris had long been washed away and exposed roots and walked toward the rising sun. We came across Empty beer, soda and water bottles, a discarded tire here and there. We went as far as we could until we saw houses from another neighborhood and I turned us around.

There's a wide path that leads down to a sewage line and low-lying ground where the water collects in swampy streamlets. We walked along it. A Small herd of deer came prancing toward us. I froze and watched. They came so close, I thought they would collide into us. But they caught our scent about twenty feet off and quickly scattered in different directions. One brave one, the biggest one, doubled back and cautiously walked toward us. He camouflaged himself behind some dense wood and branches, but I could still make out part of his silhouette. We stood and stared at each other for a long time – it seemed – trying to make out what the other would do. Another curious male slowly made his way back too, but swiftly decided he did not want to take any risks. His white tail bounced away and disappeared. But our brave fellow stood fast. After a few more moments of this stare down of sorts, he decided he was done. He gave a loud snort and leapt off to catch up with the others. I didn't dare reach into my pocket at any moment to grab my phone in hopes of taking a picture. Rather, I enjoyed the moment, and tried my best to keep the dog still while remaining still myself.

I looked eastward and the sun was rising higher in the sky turning the greys and browns into greens and golden browns. Twigs and stray leftover silk strands glistened in the soft breeze. I came out of my reverie and Bo and I trekked on. We travelled alongside the swampy area following a sewage line marked with an occasional concrete manhole protruding up from the forest floor like some relics of old statues. A small grassy clearing came into view and the end of my street feeds into that. Out of the woods we walked and up our paved road, the sun in my eyes and the cool morning air glowed warm around us.

So when you speak of connectivity, is this what you mean? When people put down their phones, walk away
from their computers, and go out into a small patch of wilderness that they are still privileged to enjoy - that is
what I think of when I think of connectivity. Thank you for your time.

Sincerely,

Michele Douglas

From: Mary Stacy

Sent: Tuesday, January 05, 2021 5:57 PM

To: Hodges, Libby

Subject: ZV20-008 Response from Mary Stacy

Attachments: North Augusta SC Board of Zoning Appeals- Mary Stacy Response 1948 Bolin Rd.docx

Follow Up Flag: Flag for follow up

Flag Status: Flagged

Hello.

Please see my attached response related to not supporting the above referenced subject.

Thank you for your careful consideration.

Mary Stacy

January 5, 2021

To: North Augusta Board of Zoning Appeals

Reference: ZV20-008

I chose North Augusta as a hometown for myself and family because I loved everything about it. Seventeen years ago, we purchased a home directly off the Greeneway due to the beautiful, canopied trail being such an amenity for our lifestyle and our love of nature.

Living directly off the Greenway is a true gift of nature and as a Master Naturalist; I do not take it or these experiences for granted. Every day, I have a front row seat to observe wildlife thriving in the trees, air and on the ground. I witness our families, residents and visitors enjoying themselves while catching some solitude time, exercising or just being one with our unique and green canopied space. The children are sharing quality time with their families and learning about nature through all the sights and sounds that currently exist. These experiences are quite valuable to us as humans and positively affect our mental, spiritual and physical health.

Balanced and thriving communities truly need its leaders to carefully consider all aspects when it comes to making decisions that will affect the current and future health of our community. Nature is a gift that we need to share with our children, families and visitors and we have that gift, currently. However, if we cut down our trees which limits the wildlife habitat that once thrived, we decrease our sights, sounds and valuable learning experiences along the Greenway for all of us. If you've never observed or heard the Barred Owls along our North Augusta Greenway, you're truly missing a treat!

The request of Ivey Development is strongly opposed by me and my family. We do not support ZV20-008 for lot width reduction for the R-7 residential zoning area.

Thank you for your careful consideration for the future of our families, community and wildlife along our beautiful North Augusta Greenway.

Mary Stacy

1948 Bolin Rd. North Augusta, SC 29841

Cell

From:

Sent: Wednesday, January 06, 2021 5:29 PM

To: Hodges, Libby

Subject: Ivey Development, LLC

Follow Up Flag: Flag for follow up

Flag Status: Flagged

I am against the above referenced proposed development by Ivey Development LLC. I live on the Greeneway. My property is directly across the Greeneway from this proposed development. I have lived in this house since 1980. I believe this development would hurt the beauty of the Greeneway. The Greeneway is a valuable resource to the citizens of North Augusta. People come from miles around to walk and ride bikes here. I also believe that a project of this size would increase the amount of traffic that would be using the roads and streets of current housing developments that are connecting to the project. Please say no to this project. Thank you, John Mullins

Petition to Stop ZV20.008 Rezoning Request

By sighing below I oppose Ivey Development LLC request to change North Augusta's existing

R-7 Small Single Family Lot size to an even smaller lot. In addition I am against any TownHome's

being built on this property. Not only would it be extremely unsightly but it would adversely effect

property values of existing homes around this property.

Name Address
Address
1916 Bolish RD.

Phone or Email

From: Perry Holcomb

Sent: Tuesday, January 05, 2021 11:43 PM

To: Hodges, Libby

Cc: Dione Carroll; Pettit, Robert; Clifford, Jim; Kelly Zier 2 kzier@zierlawfirm.com; Lamar,

Sharon; Kevin Toole; Fletcher Dickert; Bob Brooks; Pat Carpenter; David McGhee; Eric

Presnell; Stetson Corbitt; Wsummers;

MSN

Subject: Comments/Suggestions About The Agenda For the City's Planning Commission

Meeting This Thursday

Attachments: 1 3 21email To Ross.docx

Dear Director Hodges,

This email and attachment are sent to you as the sole addressee because the City has considered my email with CC to its leadership, you included first, as perhaps legally callow by including them as CCs and not direct addressees for its contents.

I cannot predict how other City Officials will treat this email because they are again being CCed. If none of them mention its receipt by you, please let me know, and I'll send a personal copy addressed to each and every one of them CCed before.

Mr. Douglas's request to send my original email just to you has made my day. I've been chuckling ever since, especially because I was not addressed or copied on his email from the City!

The City is not obeying its own expressed order of procedure for I am doing this at Mr. Douglas's request (i.e. private email from him to me) and not at the City's request! Perhaps my use of "callow" as an adjective in my first sentence was much too tepid!

I shall not stoop to the imbecility of asking the City to request that email. A copy (again) of that same initial email from me to Mr. Ross is attached. Please be aware that I am sending it to you as the appointed Director of the City's Planning & Development Department, and not to you, yourself, as just "Libby." I hope that's now clear.

My original email was important to all named because I did not wish for two members of the Planning Commission to put themselves in jeopardy of violating the SC Code of Laws, specifically portions of Chapter 13, Title 8, at Thursday's meeting. To knowingly not do that would be discreditable, disgraceful, and disreputable on my part.

As the very Honorable Associate Chief Justice of the SC Supreme Court, His Honor John W. Kittredge, said in Donohue v. City of North Augusta on May 5, 2015:

"The question is not about how business is done in North Augusta, the question is that business consistent with what state law requires."

Counselor Zier heard those exact words because he was present in the courtroom.

Need I remind him and you that oaths of office taken by city officials are part of the Law and the Constitution of the State of SC? They are to be obeyed, although I submit that "...to the best of my ability..." is often insufficient, and on behalf of our Citizens, I state very much so lately by some officials giving far from their "best."

Again, I was only trying to be of help to the City I've occupied for 60 years by also warning it of the possibility of conflict of interest by two members of the Planning Commission in this Thursday's meeting.

I appreciate your interest and efforts, those of Counselor Zier, and others because I realize we are all human and as such are, at times, prone to ludicrous decisions and directions if not wholeheartedly laughable ones. At least, I do admit mine of which have been many.

Always for a better North Augusta for everyone,

Perry

H. Perry Holcomb, Ph.D. 1891 Green Forest Drive North Augusta, SC 29841 From: Perry Holcomb

To: Ross Douglas

Cc: Hodges Libby < lhodges@northaugusta.net>; Pettit Robert < rpettit@northaugusta.net>; Bob Brooks < orangepaw73@yahoo.com>; Jim Clifford < jclifford@northaugusta.net>; Kelly Zier 2 kzier@zierlawfirm.com < kzier@zierlawfirm.com>; Wsummers < wsummers@bellsouth.net>; Dione

Carroll MSN Richard Fletcher

Sent: Sunday, January 3, 2021, 02:35:55 AM EST

Subject: Re: Informational layout - McKie Property Adjacent to the Knollwood Subdivision

Hey Ross,

Interesting and informative info. Appreciate your sending it along.

From the material you provided me, I see very little reason **not** to consider having an arterial connection from the McKie property itself to a street, Vireo Drive for one, located somewhere eastward from the planned property development towards Georgia Avenue.

Just **why** does the planned, single entry/exit corridor from the McKie property have to go via the heavily populated area on Green Forest Drive, which, with only a "stop" sign, butts into already heavily traveled Five Notch Road?

Also, any vehicle parked on Green Forest reduces traffic to essentially one lane for the sake of safety. Five Notch has two lanes with shoulders. Green Forest has **no** sidewalks or shoulders, just curbing. Pedestrians of any age are forced to walk in the street. As measured by my vehicle's odometer, it is 0.8 mile via Green Forest from Five Notch to the current barricade to the McKie property.

If Green Forest should receive the City's blessings for a planned single entrance/exit to Five Notch from the McKie property, then the traffic on Green Forest Drive will become an even larger hazard to pedestrians and traffic alike. The intersection of Green Forest with Five Notch then could become an excellent candidate for the most dangerous in our City.

Five Notch Road at Georgia Ave. has been a traffic mess for years. Will overloading the traffic on Five Notch, as produced by adding those to be living on the McKie property, improve **anything** at that intersection?

That is exactly why any connection to the McKie property development should be eastward from it, itself, and not via Green Forest Drive.

When "Bunk" McKie was alive and still developing Knollwood, I asked him why he didn't consider Cascade Dr. to be used in further development to the south. His reply, "The City wants me to build and pay for a bridge over the wetlands there. I'll be damned if I'm gonna do that!" I believe Forest can back up his dad's statement.

Thus:

1. A detailed traffic study and a risk analysis **must** be conducted and reported to the public before **any** further decision is made as to rezoning or any other McKie property business to proceed between the City, the Developer, and/or the NA Planning Commission. These documents should be produced as Green Forest is currently occupied v. the situation proposed to exist after the proposed development of the McKie property.

- 2. A public meeting must be held to announce the findings of the study and analysis before any further potentially "bad planning" is contrived by the City and/or the developer. Those documents must be made public at least a week prior to any public meeting.
- 3. JoAnn McKie, wife of Forest McKie, is a member of the NA Planning Commission. Since Forest is an heir to the property in question, then his wife should recuse herself from participating in any discussion or voting decision by the NA Planning Commission regarding the McKie Property, including the Jan. 7th meeting.
- 4. Briton Williams is now chair of the NA Planning Commission. He is also an announced candidate for Mayor of this City. Because the latter, as presiding officer of City Council, votes on recommendations from the former, he would be involved in a very serious conflict of interest if elected. He must resign from the Commission ASAP if he plans to continue his political goal of mayorship. Has the SC State Ethics Commission been notified of this particular and possible conflict of Mr. Williams being the chair of the City's Planning Commission as well as a candidate for Mayor?

The Mayor, City Administrator, and Ms. Hodges must not allow any such conflict to continue and act accordingly and promptly so.

Mr. Williams, under the conditions stated, must recuse himself and refrain from presiding and commenting at the Jan. 7th meeting of the Planning Commission when the McKie property is addressed.

I am assuming what I read on the City of North Augusta's website is the current personnel situation. I have not heard or read anything to change what I've stated above.

If we need legal assistance, I have a very erudite and experienced attorney, Dionè C. Carroll, Esq., in Aiken. I highly recommend her. I am certain she would be interested in further and proper protection of the rights of North Augusta citizens for the City to adopt a safer and a better-planned development of the McKie property for its **present** citizens.

That is the reason for my demand of a traffic study on Green Forest and Five Notch plus a risk analysis to quantify the danger this projected project shall have on us **who already live here**.

I am bringing Ms. Carroll on board via CC of this email to inform her regarding the development of the McKie property, so she can be knowledgeable about the current issues involved and what's "on deck."

I shall make every effort to attend the Jan. 7th meeting of the Planning Commission. Presently, I do not see any hindrance.

Best reg	ards,
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Perry

From: Ross Douglas

Sent: Tuesday, January 05, 2021 9:35 PM

To: Hodges, Libby

Cc: Baker, Kuleigh; Clifford, Jim

Subject: Knollwood Letter for the BZA meeting..

Attachments: Knollwood.pdf

Ms. Hodges, I hope this note finds you doing well. Please see the attached letter to be presented for the BZA meeting from the residents of Knollwood subdivision. If for some reason you can't open the file, please let me know and I'll personally bring you the originals.

Have a great Wednesday..

Ross Douglas

Knollwood Subdivision Residents Green Forest Drive North Augusta, SC 29841 December 28, 2020

North Augusta Zoning and Planning Commission 100 Georgia Avenue North Augusta, SC 29841

To the North Augusta Zoning and Planning Commission,

We, residents of the Knollwood Subdivision, recently received notice of a zoning change to the land at the end of Green Forest Drive which is behind the Knollwood neighborhood. We, the undersigned residents of Knollwood, strongly oppose granting Ivey Construction's request to have lot widths less than what is permitted in R-7 zoning due to safety concerns. By granting this change, Ivey Construction will be permitted to put more townhomes on the current lots, which will pose immediate safety concerns for residents of Knollwood. One safety concern includes, but is not limited to, the increase of traffic flow and road congestion due to the narrow street width, no sidewalks and limited avenues for entrance and exit to the neighborhood. Another safety concern is an increase in population which impacts infrastructure and environmental issues regarding sewer, runoff, trash, and school crowding.

We, the residents of Knollwood, are very concerned about this change and how the overall development will adversely affect our neighborhood's safety, property values, school capacity and the current small town lifestyle we have all sought. Knollwood is a well-established neighborhood that many of us moved to because of its safety, quiet streets, small town family feel, and access to fine schools, which are currently over crowded even before this suggested change. By granting this exception to the zoning laws, there is the implication that the zoning commission is encouraging less safety and more traffic in an already congested area.

In the past, Knollwood residents fought and stopped the opening of our neighborhood to avoid being a hazardous "cut-through." We have fought and had a stop sign added to the intersection of Green Forest and Springwood Court to reduce speeding in the neighborhood. Speed bumps have been added to the area where the Greeneway intersects Knotty Pine Drive for the safety of all who enjoy the Greeneway. By granting this re-zoning exception, children who walk to school and families who walk the neighborhood or the Greeneway will be in jeopardy. This change will not benefit Knollwood or the surrounding neighborhoods, but will only benefit the financial bottom line of the developer who appears to only be concerned only about building more units per lot to increase their profit with this development.

We, the undersigned residents of Knollwood, ask the commission, to please look out for the safety of Knollwood and turn down the request for a zoning change.

Sincerely yours, Knollwood residents (see attached)

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By sighing below I oppose Ivey Development LLC request to change North Augusta's existing
R-7 Small Single Family Lot size to an even smaller lot. In addition I am against any TownHome's
being built on this property. Not only would it be extremely unsightly but it would adversely effect
property values of existing homes around this property.

Name Address Bryan + Erica Villav pal 1950 Bolin Ro Phone or Email

Petition to Stop ZV20.008 Rezoning Request

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Name Address
Charles Jenkins 1919 Bolin Ro

Phone or Email

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The STOCK CIRCLE

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Name M. Carver 539 Siskin Circle
Teanne M. Carver

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Name

Address

Phone or Email

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537 SISRIN CINCLE

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Address Phone or Email

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Neveny Unidden 1954 Bolin Pd

N Augusta SC 29841

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Mary Stay 1948 Bolin Rd North Augusta, SC

Phone or Email

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being built on this property.

TRAFFIC PRODLEMS

Name

Address

Phone or Email

Address

Phone or Email

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(hinds Sheary Norm Augusta, SC2984)

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Name Address Phone or Email

Jack Bruch halter 531 Sisiker Crl.

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Date: January 7, 2021

To: Ms. Libby Hodge,

Subject: Ivey Development R7 Rezoning Variance

Regarding the variance of the request by Ivey Development, I have studied the reduction of lot width. I am opposed to the request for these reasons.

- Impact on the Knollwood neighborhood character. The attraction of Knollwood subdivision is that existing homes complement each other. To reduce lot frontage will create an "unattractive" impact on the neighborhood and lessen the property value of existing and new homes.
- 2. It will violate existing Knollwood subdivision "restriction covenants". Our neighborhood has the covenant governing the quality of the properties to insure "hereby to set up, establish, promulgate, and declare the person owing said lots or any of them hereafter". The protective covenant is of a contract nature between existing homeowners. Therefore, to grant the variance will greatly impact the Knollwood subdivision.
- 3. Economic impact on the Knollwood subdivision: Smaller lots will detract from the "overall appeal" of future home buyers. Compared to established homes, the variance requested will affect the property value of Knollwood subdivision.

In addition, to these issues the overall projection negatively addresses:

- 1. Environmental impact of the wetlands on the property and overall neighborhood will be devastated.
- 2. Increase traffic load on public safety; without sidewalks, the children and families must walk on the street and there is a concern.
- 3. Proposed "packing" of homes on small lots. Compared to existing lots in Knollwood, this proposal allows for more single-family dwelling to be built. The reason is to compress the lot to maximize economic return at the expense of Knollwood existing homeowners.

Respectfully,

Robert Leon Longe 115 Cascade Drive

North Augusta, SC 29841