



Bulloch County Planning and Zoning Commission

Minutes of the April 12, 2007 Meeting

The meeting of the Bulloch County Planning and Zoning Commission was held April 12, 2007 at 6:00 P.M. in the County Annex Building in Statesboro. Andy Hart called the meeting to order. Ray Mosley gave the invocation.

Planning and Zoning Commission members present:

Commissioner: Andy Hart
Commissioner: Ann Henderson
Commissioner: Wade Hodges
Commissioner: Ernest Lee
Commissioner: Jeanne Anne Marsh
Commissioner: Ray Mosley
Commissioner: Gene Rogers

Staff members present:

Zoning Administrator Randy Newman
Zoning Administrator Assistant: Christy Strickland
County Staff Attorney: Jeff Akins

Staff members not present:

County Manager: Tom Couch
County Planner: Andy Welch

The first item on the agenda was approval of the minutes from the March 8, 2007 Planning and Zoning Commission meeting. A motion was made by Jeanne Anne Marsh and seconded by Ray Mosley to approve the minutes as written. The vote was unanimous in favor of the motion.

Agenda Item # 1

Applicant: Annie Dell Rawls

Re: Rezone Request

Location: Old Happy Road

Map/Parcel: 127/34

Present Zoning: AG-5

Annie Dell Rawls submitted an application requesting a rezone from AG-5 (Agricultural 5 acres) to R-40 (residential 40,000 sq.feet). The intent is to divide the property between 11 siblings. The property consists of 15.4 acres and is located on Old Happy Road. Ms. Cynthia Rawls is acting as agent.

Ms. Cynthia Rawls stated they are requesting to change the request from R-40 to R-80. She stated after speaking with other siblings they are not planning to move back home. Ms. Rawls submitted a new sketch dividing the property into 8 parcels instead of the original 11 parcels. Ms. Rawls stated there is a new residence currently being built on the property and a manufactured home that is partially on the adjacent property which belongs to another owner. She stated the manufactured home will be removed when the house is complete.

Mr. Matthew Crowe was present opposing the request. Mr. Crow stated he owned 10 acres adjacent to the proposed request and does not want a subdivision in the area. He stated he requested the property remain AG-5.

Ms. Thelma Cason was present opposing the request. Ms. Cason stated she had owned the adjacent property for over 10 years. Ms. Cason stated she was concerned the sewage would flow onto her property. She asked the board to deny the request.

Motion

Recommend denial of the R-40 request and approval of R-80 request.

Recommend approval for a variance not to be required to pave the road.

Motion by

Ray Mosley; seconded by Wade Hodges

Vote

Unanimous in favor of the motion.

This item(s) will be heard by the Board of Commissioners on May 1, 2007 at 6:30 P.M.

Agenda Item # 2

Applicant: Sikes Brothers
Re: Conditional Use Request
Location: Old Register Road
Map/Parcel: 063A/13
Present Zoning: AG-5

Sikes Brothers Inc. submitted an application requesting a conditional use to operate a borrow pit. The property consists of 1.5 acres and is located off of Old Register Road. Rachel Edwards is acting as agent.

Ms. Edwards stated the applicants were approved for a conditional use for a borrow pit adjacent to the proposed property and needed additional property. She stated they were in agreement with the condition.

Motion

Recommended approval of the request with the following condition:

1. Install a landscape buffer between the property and cemetery. This can be accomplished by:
 - a) Installing a landscaped berm, an evergreen hedge (leyland cypress, eleganus, hollies, etc.) with a minimum plant spacing of 6-8' feet off-center, or a combination thereof; or,
 - b) Installing non-ornamental canopy trees (maple, dogwood, oak, etc.) with a minimum 4" caliper spaced 75' off center mixed with evergreen hedges capable of growing up to 30' at maturity; or,
 - c) Another similar buffer plan. The actual buffer used shall be approved by the Zoning Administrator prior to installation.

Motion by

Wade Hodges; seconded by Jeanne Anne Marsh

Vote

Unanimous in favor of the motion.

This item will be heard by the Board of Commissioners on May 1, 2007 at 6:30 P.M.

Agenda Item # 3

Applicant: JBS Investments

Re: Variance Request

Location: Langston Chapel Road

Map/Parcel: 077/54

Present Zoning: R-2

JBS Investments, LLC submitted an application requesting a setback variance. The intent of the request is to allow front setbacks to be 26 feet instead of the required 40 feet from the existing residence on the property. The property consists of 8.7 acres and is located on Langston Chapel Road. Maxwell-Reddick is acting as agent.

Mr. Dotson stated the residence already exists and Mr. Newman approved an administrative variance for the side setbacks but the applicants are requesting a variance for the front setbacks due to it being over the 20% the administrator can approve.

Motion

Approve the variance request.

Motion by

Jeanne Anne Marsh; seconded by Ray Mosley

Vote

Unanimous in favor of the motion.

Agenda Item # 4

Applicant: Sandra McCorkle
Re: Conditional Use Request
Location: Highway 67
Map/Parcel: 111/11
Present Zoning: HC

Sandra McCorkle has submitted an application requesting a conditional use. The intent of the request is to have more than one principal use on a single lot. There is currently an office on the property and the applicant is requesting to operate an automobile sales establishment. The property consists of 5 acres and is located on Highway 67. Dan McCorkle is acting as agent.

Mr. Dan McCorkle stated he did not intend to have more than 3 vehicles on the lot at one time. He requested to have the condition stating billboards are prohibited be removed. Mr. McCorkle stated billboards are permitted in a highway commercial zoning district and felt it should not be a condition placed on the property. Mr. McCorkle also stated he was not clear on condition # 1 where no industrial type vehicles could be displayed. Ms. Strickland stated Mr. Couch placed the condition on the request and no one was clear on the definition without him present. She stated she would get a clear definition and contact Mr. McCorkle before the Board of Commissioners meeting. Mr. McCorkle stated he agreed with the remaining conditions.

Ms. Jeanne Anne Marsh stated before the Board of Commissioners she suggested a site plan be submitted showing current and future structures on the property.

Motion

Recommended approval of the request with the following conditions omitting the condition on # 6 stating Billboards are prohibited and applicant to submit site plan before the Board of Commissioners meeting on May 1, 2007.

- 1) No more than 3 general purpose automobiles and pick-up trucks may be on the sales lot at a given time and they shall be displayed in an orderly pattern and fashion in organized rows. No Boats, RV's or industrial type vehicles may be displayed.**
- 2) All automobiles displayed shall be in operable condition and be in compliance with the Junk Vehicle Ordinance.**
- 3) Servicing of vehicles shall be prohibited.**
- 4) Parking and display areas shall be at existing office parking lot.**
- 5) No access or driveway shall be permitted on U.S. 67 without DOT approval.**
- 6) One (1) unified freestanding sign for advertising for both businesses will be allowed pursuant to the Bulloch County Sign Ordinance and shall have a landscaped base and be setback at least ten (10) feet from the right-of-way.**

- 7) **All solid waste commercial containers shall be placed on a concrete pad and be shielded in view from the street.**
- 8) **Any outdoor lighting for parking or security shall be shielded and downcast to avoid illuminating adjacent properties.**

Motion by

Jeanne Anne Marsh; seconded by Wade Hodges

Vote

Unanimous in favor of the motion.

This item will be heard by the Board of Commissioners on May 1, 2007 at 6:30 P.M.

Agenda Item # 5

Applicant: Greg & Bryan Howze and Alan K. Johnson

Re: Rezone Request

Location: Zettwell and Five Chop

Map/Parcel: 134/9C & 134/9C/01

Present Zoning: R-80

Greg Howze, Bryan Howze and Alan K. Johnson submitted an application requesting a rezone from R-80 (residential 80,000 square feet) to R-40 (residential 40,000 square feet). The intent is to divide the property into 169 parcels. The property consists of 2 parcels totaling 214 acres and is located at the corner of Zettwell and Five Chop Roads. Mr. Hal Sharpe is acting as agent.

Mr. Joey Maxwell stated he was speaking on behalf of the applicants. Mr. Maxwell stated the commission had approved a sketch plan for 89 lots on the property. He stated due to economic cost the applicants needed additional lots to offset cost. Mr. Maxwell stated they agreed with the conditions and would also agree if the board decided to deny the rezone to R-40 and give the applicants an R-80 with a 25% bonus density and they would add 2 amenities.

Mr. John Denmark stated he was opposing the request. Mr. Denmark stated he resides on a corner lot and with Plantation Pointe and East Hampton subdivisions the traffic is heavy and rarely sees law enforcement in the area.

Ms. Carol Simmons stated she is opposing the request. She stated 2 requests have already been denied in the area. She stated she did not agree with the staff comments that it would only increase the schools by 20 students and she said if the request was approved it would increase additional students to an already overpopulated school system. Ms. Simmons stated she agreed with Mr. Denmark that law enforcement is rarely in the area. Ms. Simmons asked the board to deny the request.

Ms. Jessica Keely stated she is opposing the request. Ms. Keely stated she resides in Plantation Pointe. She stated the roads, schools and traffic is currently over capacitated.

Mr. Ronald Smith stated he is opposing the request. Mr. Smith stated his residence is in Plantation Pointe and he is also concerned with the same issues as his neighbors but is also concerned with the drainage. Mr. Smith stated he currently gets over 50% of the drainage from his neighbors and feels the increase in density would be detrimental to his property.

Mr. Jimmy Mooney stated he is opposing the request. Mr. Mooney stated he agrees with the neighbors and their issues and feels the community should not suffer for poor planning from the developers.

Ms. Melissa Gay stated she is opposing the request. Ms. Gay stated the board had denied requests in the past for the area. Ms. Gay stated she was concerned for

children in the community if additional density was added to the area. She stated she owns 19+ acres and does not want to see additional density to the area.

Mr. Joey Maxwell stated the applicants did not need the 169 lots but the plan showed as many as they could get in a R-40 zoning district. Mr. Maxwell stated the county currently does not require stormwater management systems. Mr. Maxwell stated all water systems are required to meet fire flow and the applicants would be in an agreement to donate 1 acre for a Fire Department to be in the area. Mr. Maxwell stated the applicants were just needing additional lots for economic reasons.

Mr. Jeff Akins stated it was questionable whether the board could recommend approval for R-80 with a 25% bonus density on property that is currently zoned R-80. He stated that another alternative to achieve the same result with regard to density would be to rezone the property to R-40 with a limit on the number of lots.

Motion

Recommend denial of the request.

Motion by

Jeanne Anne Marsh; seconded by Ann Henderson.

Vote

6-1 with Wade Hodges opposing the motion.

This item will be heard by the Board of Commissioners on May 1, 2007 at 6:30 P.M.

Agenda Item # 6

Applicant: Kevin Zetterower
Re: Sketch Plan Request
Location: Clito Road
Map/Parcel: 119/52/01
Present Zoning: R-25

Kevin Zetterower submitted a sketch plan to divide 10.3 acres into 10 parcels. The intent is to build single family residences on the property. The property is located off of Clito Road just past Franklin Road. Jim Anderson is acting as agent.

Mr. Anderson stated the name of the subdivision is Briarose. He stated the applicant originally requested 10.2 acres but he and his sister are dividing the property. Mr. Zetterower is obtaining the front of the property which will decrease his lots from 10 to 7. Mr. Anderson stated on lots # 2, 3, 6 & 7 they would share driveways but they may have to add one more driveway to access lot #1. Mr. Anderson stated there is an existing well and several septic tanks on the property which is shown on the revised plans. Ms. Henderson asked Mr. Anderson the future plans for the remaining 3 acres Mr. Zetterower's sister is keeping. Mr. Anderson stated it is farmland with a residence and several barns on the property.

Motion

Approval of the sketch plan request.

Motion by

Wade Hodges; seconded by Jeanne Anne Marsh

Vote

Unanimous in favor of the motion.

They will have 18 months to obtain preliminary/final plat approval.

Agenda Item # 7

Applicant: Lucille Zetterower

Re: Sketch Plan Request

Location: Clito Road

Map/Parcel: 104/37/01& 104/37/03

Present Zoning: AG-5

Lucille Zetterower submitted a sketch plan requesting to divide 52 acres into 7 parcels. The property is located on Clito Road. Mr. Don Marsh is acting as agent.

Mr. Don Marsh stated the property was nearby the property Mr. Anderson presented for Kevin Zetterower. Mr. Marsh stated they are requesting 7 lots which are 5+ acres and they meet county requirements.

Motion

Approve the sketch plan request.

Motion by

Wade Hodges; seconded by Ann Henderson.

Vote

Unanimous in favor of the motion.

They will have 18 months to obtain preliminary/final plat approval.

Agenda Item # 8

Applicant: Raymond Waters

Re: Emergency Variance Request

Location: Clevy Deloach Road/ Highway 46

Map/Parcel: 127/05

Present Zoning: AG-5

Raymond Waters submitted an application requesting an emergency variance for setbacks on a pole barn. The property fronts 2 roads, Clevy Deloach and Highway 46. The applicants are requesting to be 40 feet from Clevy Deloach Road instead of the required 100 feet.

Mr. Waters stated he was unaware of the double setbacks until he had his footings approved. He stated they needed to pour concrete and requested the emergency variance.

Motion

Approval of the emergency variance request.

Motion by

Wade Hodges; seconded by Jeanne Anne Marsh

Vote

Unanimous in favor of the motion.

This item will be heard by the Planning and Zoning Commission on May 10, 2007 at 6:00 P.M.

Andy Hart asked if there were no other items of business, he would need a motion to adjourn.

Motion

Adjourn the meeting.

Motion by

Jeanne Anne Marsh; seconded by Ray Mosley.

Vote

Unanimous in favor of the motion.

Andy Hart, Chairman

Wade Hodges, Secretary