



Bulloch County Planning and Zoning Commission

Minutes of the August 14, 2008 Meeting

The meeting of the Bulloch County Planning and Zoning Commission was held on August 14, 2008 at 6:00 P.M. in the County Annex Building in Statesboro. Andy Hart called the meeting to order. Ernest Lee 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
County Manager: Tom Couch
County Planner: Andy Welch

The first item on the agenda was approval of the minutes from the July 10, 2008 Planning and Zoning Commission meeting. A motion was made by Ray Mosley and seconded by Wade Hodges to approve the minutes as written. The vote was unanimous in favor of the motion.

Agenda Item # 1

Applicant: W.H. III and Annette Smith
Re: Rezone Request
Location: Highway 46
Map/Parcel: 166/39 & 166/45
Present Zoning: AG-5

W.H. III and Annette Smith submitted an application requesting a rezone from AG-5 to R-25 (residential 25,000 square feet). The intent is to divide the property into 124 parcels. The property consists of two parcels totaling 125.26 acres and is located on Highway 46. Mr. Don Marsh is acting as agent.

Mr. Don Marsh discussed where the property is located and the acreage of the lots. He explained due to the wetlands on the property they did not think they would be able to get 124 lots and some of the lots would be three to four acre lots and some would be half acre lots. He stated there would not be any access to the homes from Lanier Road only from the interior lots located in the subdivision. Mr. Marsh stated they would only be traditional site built homes with a private water system and individual septic systems. He stated they were in agreement with the conditions. Mrs. Jeanne Anne Marsh asked Mr. Don Marsh what effect the proposed subdivision would have on surrounding property owners. Mr. Marsh stated their property values would increase. Mrs. Henderson stated she had received several calls from citizens in the area stating they were concerned a manufactured home park was being developed. Mr. Marsh stated the subdivision would be site built homes only.

Mrs. Laura Marsh, with the law firm of Franklin Taulbee Rushing Snipes and Marsh, was present to speak in behalf of the applicants. Mrs. Marsh explained the property had been in Annette Smith's family for 75+ years and has had pine trees on it for the last 15+ years. She stated the property has good soil. She handed the planning commission a brochure of the zoning in the county. She stated that the request is located in the area designated as rural development by the county's land use plan and that the property does not include any flood plains. She stated the development would have restricted covenants' and would enhance property values in the area. Ms. Henderson asked Mrs. Marsh if the property is currently being farmed and Mrs. Marsh replied that the property is not used for farming.

Mr. Bill Smith stated they are proud of their property but as they are getting older they wanted to start making plans for the property and ensured the board the property would be used for a development the community would be proud of. He stated they had deeded property to the county for a fire station.

Mr. Conrad Coolidge was present to speak in opposition to the request and represented some of the community in the area. He stated they do not want to see density in the area. He stated he and the surrounding property owners had purchased the property because it was a private area and wanted it to stay that way. He said adding density to

the area would have a negative impact on the sheriff's department and schools and does not feel the community is prepared to have additional density in the area. He stated the flood map shows the property has flood areas on it. He stated they are not opposed to dividing the property into five acres lot but does not want to see a subdivision.

Mr. Gary Hadden was present opposing the request and stated he is also representing the community. He stated he agreed with everything Mr. Coolidge had previously stated. He asked for an explanation of the increase burden on the schools system. He also stated any additional density to the area could create hazardous traffic problems. He stated they enjoy the privacy in the area and would request the property to remain AG-5.

Matthew Wise was present to speak in opposition to the request. He stated he resides and runs a business (Wise Nurseries) on the backside of the proposed development. He presented pictures of the area and where it floods when there is heavy rainfall. He stated he is concerned with the trees being removed and leaving no shade for the area and the additional flooding it would bring to the surrounding properties. He discussed the problem of trash removal because they do not have private disposal services in the area.

Mrs. Henderson explained that if the applicants wanted to cut down all the trees that they do not need the board's approval.

Mr. Ralph Sparks stated he is opposed to the request and understands no approval is needed to cut down the trees but would like them to remain to help with runoff.

Mrs. Laura Marsh addressed some of the opposing citizens concerns. She stated the school impact is an estimate divided over three schools and that the concerns with the wetlands would be addressed by having a soil scientist delineate them. She stated that they would be willing to assist with and research getting a private disposal company to come to the development at least once a week to dispose of trash. Mrs. Jeanne Anne Marsh asks Mr. Don Marsh if he thought they would be able to get 124 lots on the property. Mr. Marsh stated he did not believe they would.

Ms. Jennifer Mobley stated she is opposed to the request and wanted an explanation regarding the number of students staff projected would attend the school system. Mr. Couch stated that an average .12 students are generated per household.

Ms. Phyllis Watson stated she is also opposed to the request and is in agreement with all the concerns previously stated. She stated she is also concerned with the procedure of the county and that if the request is approved how the county could ensure the citizens there would not be in flooding on their properties. Mr. Hart stated they cannot ensure anyone that it will not happen anywhere in the county.

Mr. Bill Smith stated that most of the lots will be over one acre lot. Mr. Hodges stated the development would be close to an R-40 (residential 40,000 square feet) zoning classification with a bonus density. Mr. Don Marsh replied it would be close to that.

Mr. Hart stated closed the public hearing and asked if anyone had any questions. After discussion of the concerns that were discussed a motion was made.

Motion

Recommended approval of the R-25 rezone request with the following conditions:

Bonus Density can be granted for Amenities

- 1) An additional 10% bonus density may be granted, provided at least one of the following amenities shall be installed by the applicant:
 - a) A pedestrian sidewalk system within the development.
 - b) An internal streetscape consisting of native, non-ornamental canopy trees (maple, dogwood, oak, etc.) with a minimum 4" caliper spaced 75' off center. The streetscape may optionally be integrated with amenities a) or c).
 - b) A county maintained street light district.
 - c) A common interest element maintained by a homeowners association or other conduit which may include, but not be limited to, a clubhouse, pool, tennis court(s), improved picnic area or playground, walking trail, or any combination thereof.
 - d) A common interest element maintained by a homeowners association or other conduit which may include, but not be limited to, a passive use recreation area (fishing, boating/dock, picnicking, etc.), conservation easement or greenspace area that is consistent with the goals and objectives of county or state land conservation or preservation programs.

Conditions to be met prior to issuance of Final Permitting as Determined by the Zoning Administrator

- 1) Construction Standards: All dwelling units shall consist of traditional site built construction meeting state building codes. Manufactured housing shall be prohibited.
- 2) Buffers and Landscaping: A permanent screening buffer shall be established along the perimeters of the development consistent with Section 407 of the zoning ordinance to minimize impact on adjoining properties and insulate road noise or impacts along, I-16, Lanier Road and CR 927/Old Highway 46. All well structures shall have a visual landscape or wall/fence buffer equal to the height of the roof line. All subdivision entrances shall have landscaped islands. The buffers and landscaping plans shall be approved by the Zoning Administrator.
- 3) Access Management and Lot Orientation: To enhance access management within the subdivision, all approved residential lots and structures shall access internally to new roads built within the subdivision, with no driveway access permitted on CR 927/Old Highway 46 or Lanier Road.
- 4) Public Road Dedication: If the proposed internal roadway system is proffered by the applicant as being privately owned and maintained by a common interest element, any proposed future public dedication requires that the roads meet county standards at that time. No public funds shall be invested to correct any construction or condition deficiencies to meet such standards, unless a county special assessment tax improvement district is approved by affected property owners.

- 5) Infrastructure: All water system lines shall be set on the back slope of the ditch where rural ditches are used; right-of-way encroachment permits will be required by the County Engineer for any water system installation work on CR 927/Old Highway 46.
- 6) Traffic Impact Study and Access Evaluation: **30 days prior to the submission of a sketch plan to the Planning and Zoning Commission**, the applicant, at their own expense, shall submit a Traffic Impact Study as required by the County Roads Highways and Bridges Administrative Policies (with sufficient narratives, maps and exhibits) which shall be performed by a certified by a qualified and registered professional engineer. Upon acceptance and approval by the County Engineer, the applicant shall be bare the expense of installing any recommended improvements required by the study or the County Engineer.
- 7) Stormwater Management: **With submission of the preliminary plat**, the developer shall submit an engineering plan to demonstrate that adequate storm water management practices or structures as prescribed by the Georgia Stormwater Management Manual to be implemented as necessary to control on-site and off-site run-off and sediment.

Motion by

Ann Henderson; seconded by Ray Mosley

Vote

5-2 vote with Wade Hodges and Andy Hart opposing the motion

This item will be heard by the Board of Commissioners on September 2, 2008 at 6:30 P.M.

Agenda Item # 2

Applicant: Mary Coleman
Re: Variance Request
Location: Pleasant Hill Road
Map/Parcel: 014/7B
Present Zoning: AG-5

Mary M. Coleman submitted an application requesting a variance for the front setbacks to be 50 feet instead of the required 100 feet. The property consists of 1.6 acres and is located on Pleasant Hill Road.

Motion

To approve the request

Motion by

Jeanne Ann Marsh; seconded by Wade Hodges

Vote

Unanimous in favor of the motion

Agenda Item # 3

Applicant: Tracy Waters
Re: Rezone Request
Location: Pulaski and Parrish Road
Map/Parcel: MS03/01
Present Zoning: MHP (Mobile Home Park)

Tracy Waters submitted an application requesting a rezone from MHP (Manufactured Home Park) to R-3 (Multi-family dwellings). The intent is to build three duplexes and be able to divide into six parcels for sale. The property consists of 1.6 acres and is located on Pulaski Highway and Skye Drive.

Mr. Garth Long was present to speak on behalf of Mr. Waters. Mr. Long stated they were in agreement with all the conditions except the last sentence of condition # 5 concerning a connection or private drive for public service vehicles to the adjoining development. The applicant stated it would not be feasible to connect the two drives because they did not line up correctly. Mr. Couch recommended only one entrance/exit and that it should be on Skyview and not Pulaski Highway. Mr. Long did not believe condition #6 was necessary because of the minimum impact the development would have on traffic (he estimated about 8 cars).

Motion

Recommended approval of the request with the following conditions striking the last sentence in condition # 5 and striking condition # 6:

Conditions to be met prior to issuance of Final Permitting as Determined by the Zoning Administrator

- 1) Construction Standards: All dwelling units shall have predominantly brick facades on all four sides of the structures (except for trim) with colors compatible to those structures at Pulaski Villas.
- 2) Buffers and Landscaping: A permanent screening buffer shall be established along the rear lot line of the development consistent with Section 407 of the zoning ordinance to minimize impact on adjoining properties. Any well or water system structures other than fire hydrants shall have a visual landscape or wall/fence buffer equal to the height of the roof line. The entrance along Skye Drive shall have landscaped islands. A linear streetscape along Skye Drive and Pulaski Road consisting of native, non-ornamental canopy trees (maple, dogwood, oak, etc.) with a minimum 4" caliper spaced 75' off center; hedges or a hedge/berm combination or decorative fencing up to six feet in height may be substituted for the tree line. The buffers and landscaping plans shall be approved by the Zoning Administrator.
- 3) Access Management and Lot Orientation: To enhance access management, all approved residential lots and structures shall access internally to the proposed private drive, with no driveway access permitted on Pulaski Road.

- 4) Public Road Dedication: If the proposed internal roadway system is proffered by the applicant as being privately owned and maintained by a common interest element, any proposed future public dedication requires that the roads meet county standards at that time. No public funds shall be invested to correct any construction or condition deficiencies to meet such standards, unless a county special assessment tax improvement district is approved by affected property owners.
- 5) Infrastructure: All water system lines shall be set on the back slope of the ditch where rural ditches are used; right-of-way encroachment permits will be required by the County Engineer for any water system installation work on any County Road; ~~A cul-de-sac or connection to the private drive at Pulaski Villas is required to ensure adequate circulation for public service vehicles.~~
- 6) ~~Access Evaluation: **30 days prior to the submission of a sketch plan or conceptual site plan to the Planning and Zoning Commission**, the applicant, at their own expense, shall submit an evaluation as required by the County Roads Highways and Bridges Administrative Policies (with sufficient narratives, maps and exhibits) which shall be performed by a certified by a qualified and registered surveyor or professional engineer. Upon acceptance and approval by the County Engineer, the applicant shall be bare the expense of installing any recommended improvements required by the study or the County Engineer.~~
- 7) Stormwater Management: **With submission of the conceptual site plan**, the developer shall submit an engineering plan to demonstrate that adequate storm water management practices or structures as prescribed by the Georgia Stormwater Management Manual to be implemented as necessary to control on-site and off-site run-off and sediment.

Motion by

Wade Hodges; seconded by Ray Mosley

Vote

Unanimous in favor of the motion

This item will be heard by the Board of Commissioners on September 2, 2008 at 6:30 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

Ray Mosley; seconded by Wade Hodges

Vote

Unanimous in favor of the motion

Andy Hart, Chairman

Wade Hodges, Secretary