



# Bulloch County Departmental Review

<b>Agenda Item:</b>	5	<b>Meeting Date:</b>	May 14, 2009
<b>Application #:</b>	RZ2009-15	<b>Application Type:</b>	Rezoning
<b>Request:</b>	Christian Bennett submitted an application requesting a rezone from AG-5 to R-80 (residential 80,000 square feet). The purpose of the rezone is to build three (3) single family residences. The property consists of 6 acres and is located on Mill Creek Road. Mr. Don Marsh is acting as agent.		

<b>Applicant:</b>	Christian Bennett	<b>Acres in Request:</b>	6
<b>Location:</b>	Mill Creek Road	<b>Existing Lots:</b>	1
<b>Map #:</b>	120 000016 002	<b>Requested Lots:</b>	3
<b>Development Name:</b>		<b>Current Zoning:</b>	AG-5
<b>Future Land Use:</b>	Farmland Preservation	<b>Requested Zoning:</b>	R-80
<b>Directions to Property:</b>	Take Hwy 301 North, turn right on Mill Creek Road. Go to four-way stop and turn right. Property will be on the right.		

Rezone Standards	Yes	No	Comment
(1) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?	X		
(2) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?		X	
(3) Are there substantial reasons why the property cannot or should not be used as currently zoned?		X	
(4) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, EMS, sheriff or fire protection?		X	
(5) Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?	X		
(6) Will the use be consistent with the purpose and intent of the proposed zoning district?		X	Per Bulloch County Health Department none of the lots have enough useable space for well and septic systems.
(7) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan?		X	
(8) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?		X	



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## LAND USE PLANNING IMPACT

**Future Land Use Map:** The Bulloch County Joint Comprehensive Plan indicates that the property would be appropriate for farmland preservation.

**Existing Land Use Pattern:** There are primarily rural residential and agricultural uses at adjacent and nearby properties.

**Zoning Patterns and Consistency:** The proposed change appears to be inconsistent with the zoning patterns in the nearby area.

**Neighborhood Character:** There is no evidence that the proposed change in use will injure or detract from existing neighborhoods.

**Property Values:** for adjacent properties may be enhanced by the proposed development provided aesthetics restrictions are placed in private deed covenants, and, if enforcement of County land use and property maintenance regulations is applied. However, failure to enforce any property standards is likely result in stagnant or lower property values.

## WATER / SEWER IMPACT

All properties are subject to on-site septic tank installation and a community water system approval as required by the County Health Department. Soil types and proposed lot sizes are compatible and adequate for septic tank installation.

## SOLID WASTE IMPACT

None expected.

## ENVIRONMENTAL IMPACT

The Bulloch County Health Department requires a minimum of one acre of useable soil for lots with septic tanks and individual wells. The sketch submitted does not meet these requirements. Delineation of wetlands may provide the additional useable soil, however, a wetland delineation has not been performed by the applicant at this time. Therefore based on the available information there is only enough useable soil for two lots instead of the requested three lots.

## FIRE SERVICE

Fire service is available within 4.5 miles (response time 15 minutes) from the Clito Fire Department. No additional resources are required.

## TRAFFIC IMPACT

The capacity and general condition of the roads accessing the proposed development is good. Mill Creek Road is a county maintained paved road.

## SCHOOL IMPACT

Minimal impact is expected on existing schools.

## PARKING, ROAD AND DRAINAGE IMPACT

The sketch plan in consideration of the scale of the development should not create a significant traffic impact. Currently, all drainage is natural with no known man-made improvements to the existing development other than roadside drainage ditches and culverts. The accessways/driveways to the site should have proper roadside drainage measures.



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## E-911 AND EMERGENCY MANAGEMENT IMPACT

Street addresses can be easily assigned. The County Emergency Management Director should be contacted prior to construction.

## LAW ENFORCEMENT IMPACT

Response time from Bulloch County Sheriff's Department is approximately 5 minutes. However, depending on patrolling patterns and the location of deputies at a given time, this response may be greater or lesser.

## FINAL STAFF RECOMMENDATION

The application for a rezone is not consistent with the Land Use Plan nor does it meet Health Department requirements.

**The staff recommends denial of the rezone request due to the fact that the three lots do not have enough useable land for septic systems and wells per the Bulloch County Health Department.**

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### Staff Reminder

- 1) Base flood elevation must be determined.
- 2) Wetland delineation must be approved by the Army Corp of Engineers.

### Participants

Tom Couch, County Manager; Andy Welch, County Planner; and Kirk Tatum, County Engineer; Randy Newman, Zoning Administrator.



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