



Bulloch County Departmental Review

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| Agenda Item: | 5 | Meeting Date: | June 11, 2009 |
| Application #: | CU2009-030 | Application Type: | Conditional Use |
| Request: | Neal Clark submitted an application requesting a conditional use for a cottage industry. The intent of the request is to operate a welding shop. The property consists of 43 acres and is located on Rocky Ford Road. | | |

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| Applicant: | Neal Clark | Acres in Request: | 43 |
| Location: | 4373 Rocky Ford Road | Existing Lots: | 1 |
| Map #: | 039 000039 000 | Current Zoning: | AG-5 |
| Development Name: | | | |
| Future Land Use: | Farmland Preservation | | |
| Directions to Property: | Hwy 25 to Portal Rocky Ford Road, take a right. Go approximately 1 to 1 ¼ miles and property will be on the left. | | |

| Conditional Use Standards | Yes | No | Comment |
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| (1) Is the type of street providing access to the use adequate to serve the proposed conditional use? | X | | |
| (2) Is access into and out of the property adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles? | X | | |
| (3) Are public facilities such as schools, EMS, sheriff and fire protection adequate to serve the conditional use? | X | | |
| (4) Are refuse, service, parking and loading areas on the property located or screened to protect other properties in the area from such adverse effects as noise, light, glare or odor? | X | | |
| (5) Will the hours and manner of operation of the conditional use have no adverse effects on other properties in the area? | X | | |
| (6) Will the height, size, or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties? | X | | |
| (7) Is the proposed conditional use consistent with the purpose and intent of the zoning ordinance? | 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 consistent with the zoning patterns in the nearby area.

Neighborhood Character: There is evidence that the proposed change in use should not injure or detract from existing neighborhoods.

Property Values: adjacent properties should not be affected 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

No impact is expected.

FIRE SERVICE

Fire service is available within 16.6 miles (response time 55 minutes) from the Portal Fire Department. No additional resources are required.

TRAFFIC IMPACT

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

SCHOOL IMPACT

Minimal impact is expected on existing schools.

PARKING, ROAD AND DRAINAGE IMPACT

The proposed use 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.

E-911 AND EMERGENCY MANAGEMENT IMPACT

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



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LAW ENFORCEMENT IMPACT

Response time from Bulloch County Sheriff's Department is approximately 18 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 subject property appears suitable for the proposed development.

The staff recommends approval of the conditional use request.

Staff Reminder

(1) Performance Standards for Cottage Industries Permitted As Appurtenant and Accessory Uses.

- a. The cottage industry shall conform to the development standards in the applicable zoning district, except as provided below.
- b. The cottage industry must be owned and operated by the owner of the property upon which the cottage industry is to be located, or the business owner must have written approval of the owner of the property, if the applicant is a tenant.
- c. The appurtenant and accessory structure used as a cottage industry shall not occupy a total area greater than one thousand two-hundred (1,200) square feet.
- d. All activity related to the conduct of the business or industry, except for activities related to the growing and storing of plants, shall be conducted within an enclosed structure or be sufficiently screened from view of adjacent residences. A buffer may be required by the Zoning Administrator if it is determined that the use needs to be sufficiently screened from view of adjacent residences, using site location, topography, landscaping, fencing, the retention of native vegetation, or a combination thereof.
- e. No cottage industry shall be located on a lot less than 80,000 square feet in size, regardless of whether the lot was a lot of record at the time of the original passage of this ordinance (November 4, 1994).
- f. Except for outside storage of materials or equipment, all business operations, activities, and transactions associated with the cottage industry shall be conducted entirely within the primary dwelling unit and/or in an accessory building located on the same lot. No business operations, activities, or transactions shall be conducted in any portion of the lot not approved for cottage industry use by the county.
- g. Business traffic (either by the business operators or business customers) is permitted only between the hours of 8:00 a.m. and 6:00 p.m. The use shall not generate pedestrian or vehicular traffic beyond that normal in the neighborhood in which it is located. Traffic generated by the cottage industry shall not exceed the level of service adopted for the public roadway which accesses the use, nor generate significant traffic in excess of that normally generated by typical uses found within the particular district.
- h. No business may provide drive-through service.
- i. The use of more than six (6) general purpose and/or heavy duty vehicles and the employment of more than six (6) employees for exclusive use of the business are



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prohibited. In approving the conditional use, the number of vehicles that may be parked on the premises at any time may be limited and vehicles may be required to be kept behind an enclosed fenced or buffered area.

- j. A permitted cottage industry shall maintain a service agreement with a competent waste handler chosen from a list provided by the Hazardous Waste Management Section of the Georgia Environmental Protection Division of the Georgia Department of Natural Resources, for the periodic removal and recycling of any batteries, gasoline, oil, transmission fluid, brake fluid, and other solvents and chemical agents. Interim storage of such materials shall be in a manner satisfactory to the County Health Department. The County Public Safety Director shall verify the use or absence of hazardous materials for the cottage industry upon registration.
- k. There shall be no parking or storage of damaged vehicles except on a temporary basis which is not to exceed 72 hours. Junk parts and junk vehicles shall not be kept outside the building.
- l. No nuisances shall be produced including but not limited to smoke, glare, vibrations, noises, or odors that may be discernable by neighbors proximate to the dwelling unit.
- m. There shall be no structural, electrical or plumbing alterations necessary for the cottage industry which are not customarily found in dwellings or residential accessory structures.
- n. There shall be no outdoor display of merchandise on the premises.
- o. All noise generating operations shall be buffered.
- p. All lights shall be directed on site and shielded to reduce glare to adjacent areas.
- q. Business operations shall not cause any visual or audible interference with radio or television reception.
- r. One sign is permitted advertising the cottage industry, not exceeding two (2) square feet, that is non-moving, and which has illumination, if any, which is non-flashing.
- s. A Cottage Industry shall register for a County Occupational Tax Certificate as may be required by all other businesses subject to such certification.

Participants

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



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