



# Bulloch County Planning and Zoning Commission

## Minutes of the February 14, 2008 Meeting

---

The meeting of the Bulloch County Planning and Zoning Commission was held February 14, 2008 at 6:00 P.M. in the County Annex Building in Statesboro. Jeanne Anne Marsh called the meeting to order. Ernest Lee gave the invocation.

Planning and Zoning Commission members present:

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

Planning and Zoning members not present:

Commissioner: Andy Hart

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 January 10, 2008 Planning and Zoning Commission meeting. A motion was made by Wade Hodges and seconded by Gene Rogers to approve the minutes as written. The vote was unanimous in favor of the motion.

**Agenda Item # 1**

Applicant: Harold Finch  
Re: Rezone Request  
Location: Rocky Ford Road  
Map/Parcel: 039/44  
Present Zoning: AG-5

---

Harold Finch submitted an application requesting a rezone from Ag-5 to R-40 (residential 40,000 square feet). The intent is to be able to divide a 5.15 acre tract into two parcels to sale the residence on the property. The property is located on Rocky Ford Road.

Mr. Finch stated the 5.15 acres was deeded to him by his mother in the 1970's. He stated it has never been used for agricultural purposes only residential. He stated he has no intentions of selling the other tract.

There was no one signed up to speak in opposition of the request.

**Motion**

Recommended approval of the request.

**Motion by**

Ray Mosley; seconded by Wade Hodges

**Vote**

Unanimous in favor of the motion.

This item will be heard by the Board of Commissioners on March 4, 2008 at 6:30 P.M.

## **Agenda Item # 2**

Applicant: Lisa P. Hodges  
Re: Rezone Request  
Location: Highway 67  
Map/Parcel: 108/22  
Present Zoning: R-2

---

Lisa Hodges submitted an application requesting a rezone from R-2 to R-3. The intent of the rezone is to be able to divide the multi-family dwellings for sale. The property consists of 20.5 acres and is located on Highway 67. Mr. John Dotson is acting as agent.

Mr. Dotson stated the intention of the rezone is to be able to sale units individually. He stated for health department reasons he has to have an R-3 zoning for the central sewage system. He stated the utilities and water system have already been installed and the roads have been paved. He stated they agreed with the conditions on the staff recommendations except for #3 and #4 which do not apply. He stated the decel lane has already been installed.

See Exhibit # 2008-009

### Motion

Recommended approval of the request with the conditions and striking conditions # 3 & #4:

- 1) 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 Highway 67.
- 2) 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.
- ~~3) All well structures shall have a visual landscape or wall/fence buffer equal to the height of the roof line.~~
- ~~4) All water system lines shall be set on the back slope of the ditch where rural ditches are used.~~

### Condition(s) Prior to Sketch Plan Submission

- 5) 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 Level II traffic impact study as recommended in the Bulloch County Transportation Plan (with sufficient narratives, maps and exhibits) which shall be certified by a qualified and registered professional engineer, that at a minimum, includes the following:

- a) Trip Generation Analysis: An estimate of AM (7:30-8:30) and PM (5:00-6:00) peak hour trips generated **under existing conditions after and project build-out.**
- b) Trip Distribution Analysis: A 24 hour directional traffic counts and peak period intersection turn movement counts on a typical week day **under existing conditions and after project build-out.**
- c) Intersection and Roadway Segment Analysis: Assess the need and provide cost estimates for any further network or safety improvements for arterial and collector roads in the study area resulting from the impacts created by the proposed development of the subject property, including but not limited to, accel-decel lanes, turn lanes, shoulder widening, signage, signalization or intersection alignments. The cost of any such proposed improvements attributable specifically to the development of the subject property that is not listed in the County's Five-Year Surface Transportation Improvement Program or Plan shall be partially or wholly borne by the developer.

**Condition(s) for Preliminary Plat Submission**

- 6) The developer shall submit an engineering plan at the time of preliminary plat submission to demonstrate that adequate storm water management practices or structures shall be installed to control on-site and off-site run-off and sediment.

Motion by

Ray Mosley; seconded by Gene Rogers

Vote

5-0 vote with Wade Hodges abstaining.

This item will be heard by the Board of Commissioners on March 4, 2008 at 6:30 P.M.

### **Agenda Item # 3**

Applicant: Sumner & Sumner Properties, LLC  
Re: Rezone Request  
Location: Highway 80E & Burkhalter Road  
Map/Parcel: 122/69B  
Present Zoning: AG-5 & HC

---

Sumner & Sumner Properties, LLC submitted an application requesting a rezone from AG-5 & HC to R-3 (multi-family dwellings) on 22.79 acres out of a 33.76 parcel. The intent is to build multi-family dwellings to be sold off individually. The property is located on Highway 80 east and Burkhalter Road. Mr. Charles J. Maxwell is acting as agent.

Mr. Joey Maxwell stated the developers were requesting to develop duplexes with a central sewage system. He stated they agreed with the conditions on the staff recommendations. He stated the traffic study had already been completed. He stated the property owners have dedicated a right of way to the DOT (Department of Transportation). He stated the transition from HC & AG-5 to R-3 is in favor of the area.

Mr. Bill Roberts was present to speak in opposition to the request. He stated his driveway is adjacent to the proposed development. Mr. Roberts stated the Hunicutts own 100+ acres in the area and feels the property needs to remain an agricultural development. He stated the proposed development would reduce the value of his property. He stated he also is concerned with the drainage in the area. He stated he has witnessed Burkhalter Road when it has flooded and when roads in the area have washed out. Mr. Roberts stated the staff reviews stated the economic values, drainage and traffic issues would be detrimental to the area.

Mr. Mike Hatten was present to speak in opposition to the request. He stated he has lived on his property for 22 years and there have been several developments added to the area. He stated there is a drainage problem and feels the county will have to make improvements to the roads. He stated he is also concerned with the additional density to the area.

Mr. Maxwell stated no other development in the area has a storm water detention pond, but the state requires new developments to have one. He stated the existing issues will need to be handled by the county. Ms. Marsh asked Mr. Maxwell if the creek can handle additional water. Mr. Maxwell stated the way the system is designed there will not be any additional water. He stated the wetlands have already been delineated and the DOT stated the developers to do not have to do anything to the intersection at this time and that intersection improvements would be addressed in the future widening of the road.

See Exhibit 2008-010

Motion

Recommended approval of the request with conditions.

Motion by

Wade Hodges; seconded by Ray Mosley

Vote

3-3 vote, there will not be any recommendations sent to the Board of Commissioners.

This item will be heard by the Board of Commissioners on March 4, 2008 at 6:30 P.M.

**Agenda Item # 4**

Applicant: Tim and Virginia Martin  
Re: Variance Request  
Location: Old Happy Lane  
Map/Parcel: 140/03  
Present Zoning: AG-5

---

Tim and Virginia Martin submitted an application requesting a variance. The intent of the request is to allow two (2) flag lots with less than 500 feet of road frontage. The property consists of 28.2 acres and is located on Old Happy Lane. Mr. Marlin Nevil acted as agent.

Mr. Nevil stated the applicant wanted to divide the property into 3 parcels but do not have the required 500 feet of road frontage and were requesting a variance. Mr. Nevil stated the applicants want to sell parcel #3. He stated the property was subdivided in 1987.

See Exhibit # 2008-011

Motion

To approve the request.

Motion by

Wade Hodges; seconded by Ann Henderson

Vote

Unanimous in favor of the motion.

**Agenda Item # 5**

Applicant: James Clint Smith  
Re: Sketch Plan Request  
Location: Highway 46  
Map/Parcel: 079/08  
Present Zoning: R-25

---

James Clint Smith submitted a sketch plan request to divide 10.82 acres into 9 parcels. The property is located on Highway 46. Mr. Wesley Parker is acting as agent.

Mr. Parker stated the property was recently rezoned and there have not been any changes since it was approved.

See Exhibit # 2008-012

**Motion**

To approve the request.

**Motion by**

Wade Hodges; seconded by Ray Mosley

**Vote**

Unanimous in favor of the motion.

The applicant will have 18 months to submit preliminary plat for approval.

**Agenda Item # 6**

Applicant: Gabriel Knight & Amanda Jones  
Re: Sketch Plan Request  
Location: Southwell Lane  
Map/Parcel: 109/32/06  
Present Zoning: AG-5

---

Gabriel Knight and Amanda Jones submitted a sketch plan to divide 9.05 acres into 2 parcels. The property is located on Southwell Lane. Mr. Marlin Nevil is acting as agent.

Mr. Nevil stated he is representing the potential purchaser of the property. He stated the purchaser is going to deed a portion of the property under the family provision to his brother.

See Exhibit # 2008-013

Motion

To approve the request.

Motion by

Ann Henderson; seconded by Gene Rogers.

Vote

Unanimous in favor of the motion.

The applicant will have 18 months to submit final plat for approval.

**Agenda Item # 7**

Applicant: M&M Investments  
Re: Sketch Plan Request  
Location: Cypress Lake Road  
Map/Parcel: 047B/17, 047B/19, 047/03/05, 047/03/16, 047/03/17  
Present Zoning: R-25

---

M&M Investments submitted a sketch plan to divide 50 acres into 43 parcels. The property is located on Cypress Lake Road. Mr. John Dotson is acting as agent.

Mr. John Dotson stated the property was rezoned last year. He stated the wetlands have been delineated by the Army Corp of Engineers.

See Exhibit # 2008-014

**Motion**

To approve the request.

**Motion by**

Wade Hodges; seconded by Ernest Lee.

**Vote**

Unanimous in favor of the motion.

The applicant will have 18 months to submit preliminary plat for approval.

**Agenda Item # 8**

Applicant: Donny and Neva Collins  
Re: Sketch Plan Request  
Location: Josh Hagin Road  
Map/Parcel: 108/31E/12  
Present Zoning: AG-5

---

Donny and Neva Collins submitted a sketch plan requesting to cut 5 acres out of a 10.46 acre tract. The property is located on Josh Hagin Road.

Mr. Collins stated they were requesting to divide the property so if they needed to refinance the house in the future they would not have to do all 10.46 acres. He stated they currently do not have any plans for the empty lot.

Mr. Scott Brookins was present to speak in opposition to the request. He stated he is opposed to a flag lot and ask the board if they approved the request to place a condition to only allow stick built homes on the property.

Mr. Jeff Akins stated he would need to research it but does not think the board can put a condition on the sketch plan.

Wade Hodges made the motion to approve the sketch plan but then retracted for more discussion.

Mrs. Henderson asked why the property is a flag lot. Mr. Newman stated Pretoria Lane is a private road and according to the sketch the applicants do not have 500' of road frontage on Josh Hagin Road. Mr. Newman asked Mr. Collins where the access to Pretoria Lane is. Mr. Collins stated they do not have access to Pretoria Lane, their only access is on Josh Hagin.

Mr. Akins stated to the board he recommends they defer the request so the staff can meet with the applicants to determine if a variance will need to be requested.

See Exhibit # 2008-015

Motion

To defer the request until the March 13, 2008, Planning and Zoning meeting to give county staff time to meet with applicants to determine if a variance is needed.

Motion by

Wade Hodges; seconded by Ray Mosley

Vote

Unanimous in favor of the motion.

Jeanne Anne Marsh asked if there were no other items of business, she would need a motion to adjourn.

Motion

Adjourn the meeting.

Motion by

Ann Henderson; seconded by Ernest Lee.

Vote

Unanimous in favor of the motion.

---

Jeanne Anne Marsh, Vice- Chairman

---

Wade Hodges, Secretary