



# Bulloch County Planning and Zoning Commission

## Minutes of the January 14, 2010 Meeting

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The meeting of the Bulloch County Planning and Zoning Commission was held January 14, 2010 at 6:00 P.M. in the County Annex Building in Statesboro. Jeanne Anne Marsh called the meeting to order. Charles Chandler gave the invocation.

Planning and Zoning Commission members present:

Chairman: Jeanne Anne Marsh  
Vice-Chairman: Ray Mosley  
Secretary: Yolanda Tremble  
Commissioner: Ann Henderson  
Commissioner: Charles Chandler  
Commissioner: Derek Duke  
Commissioner: Larry Jones

Staff members present:

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

Not Present:

County Manager: Tom Couch

The first item on the agenda was approval of the minutes from the December 10, 2009 Planning and Zoning Commission meeting. A motion was made by Ray Mosley and seconded by Larry Jones to approve the minutes as written amending Charles Chandler from being present to not being present. The vote was unanimous in favor of the motion.

## **Agenda Item # 1**

Applicant: Mary A. Joiner  
Re: Rezone Request  
Location: Langston Chapel/Old Register Road  
Map/Parcel: 077/43  
Present Zoning: PUD

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The Mary Joiner Estate submitted an application requesting a rezone from PUD (Planned Unit Development) to GC (General Commercial) to build a gas station with a convenience store on approximately .99 acres out of a 3.71 acre tract. The property is located at the intersection of Langston Chapel and Old Register Road. Mr. Wesley Parker is acting as agent.

Mr. Parker stated that the building would be built by Scott Joyner. It will be approximately 3,200 square feet with three filling stations that have three pumps each. Mrs. Marsh stated that the adjacent property was approved for a rezone for the same intentions a few months ago and was hesitant that an additional one would generate too much traffic in the area. Mr. Chandler stated he was concerned with foot traffic coming back and forth from the Manufactured Home Parks.

Mr. James Cooper was present to speak in opposition to the request. He stated his property across the street was rezoned to commercial a few months ago but that he had objections to this rezone because of the location and impact the store would have on his property. His primary concerns regarded the lighting and noise at the station. He submitted pictures showing the views from his house to the property.

Mr. Scott Joyner stated he does not agree that one corner of the property is suitable for a convenient store and the other corner is not. Mrs. Henderson asked for clarification if Mr. Joyner or the owner of the store had been associated with the Cooper property at anytime. Mr. Joyner stated there was never a contract or agreement for them to build on the property but that they had discussed prices. Mr. Joyner stated the proposed property is better suitable to build on than the Cooper property. Mr. Joyner did state he wanted to be clear that he is only the builder of the project and not the owner. Mr. Jones stated he was concerned with the additional traffic it would bring to the intersection. After additional discussion on the request, a motion was made.

### Motion

Recommended approval of the request with the following conditions:

### **Use**

The use shall be limited to Gasoline Station with a Convenience Store. Any change in use would need to be approved by the County Commissioners.

### **Conceptual Site Plan**

- A conceptual site plan *showing the proposed design features illustrated in this schedule of zoning conditions along with any required intersection and pedestrian*

*improvements* will be required to be submitted to Planning and Zoning Commission for review and approval prior to the issuance of a land disturbing permit.

### **Architectural Requirements**

- The height and color of all buildings and structures shall be uniform in appearance.
- Earth tone colors complimentary to building design shall be required.
- The site shall be designed so that no mechanical equipment (HVAC units, etc.) is visible from the adjoining properties or public right-of-way.
- Building facades visible from the street or adjoining properties (except for trim, windows and doors) shall consist of primarily brick or decorative masonry compatible with the character of the proximate residential neighborhoods.
- No merchandise for sale shall be allowed outside of the building except for newspapers, ice machines, propane gas or similar goods customary to convenience store sales. All such goods shall be attached to or contiguous to the building.
- No Automated Teller Machines shall be permitted outside the building.

### **Signage**

- One (1) freestanding landscaped monument sign will be permitted with a height limit twelve (12) feet from normal grade, and shall consist of materials consistent with the primary building façade identifying the property.
- The color of the canopy sign should be compatible with the color or trim of the building façade.
- All other signage must meet county code compliance.
- No billboards will be permitted.

### **Entrances**

- All driveway entrances and parking islands shall be attractively landscaped.

### **Access**

- All access, driveway and parking areas serving the general public shall be paved and with the driveway meeting county commercial driveway standards as determined by the County Engineer.
- *All driveways curb-cuts must be a minimum of 200' from the vertex of the intersection perpendicular to the curb radius upon approved final design.*
- *Any driveway access along Langston Chapel Road shall have a right-in/right-out concrete median built according to GDOT standards.*

### **Commercial Solid Waste Receptacles**

- Such receptacles permitted shall be placed on a concrete foundation and screened from view from the street and adjacent parcels by an opaque fence at a height that is no less than the height of the receptacle.

### **Lighting**

- All lighting fixtures except for any façade signage must be downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- Canopy lighting must be recessed into its ceiling.

### **Loading**

- All loading spaces (except for gasoline pumps), shall be at the side of the buildings to enhance internal circulation.

### **Stormwater Management**

- *Upon submitting an application for a conceptual site plan*, a hydrology study and stormwater management plan prepared by a professional licensed engineer showing necessary mitigation measures following the Georgia Stormwater Management Manual shall be submitted and approved by the County Engineer.

### **Buffers and Landscaping**

- *Upon submitting an application for a conceptual site plan*, a landscape plan drawn to scale by a qualified landscape designer shall be submitted to the Zoning Administrator and reviewed and approved by the staff development review committee to meet conformance of these conditions.
- A 25-foot wide buffer and visual screening *acting within the spirit and intent of* Sections 405 and 407 of the zoning ordinance along the eastern and northern boundaries shall be required.
- There shall be a landscaped strip established along the perimeter frontage of the property to include a mix of ornamental trees (forming a streetscape), massed low to medium height shrubbery, and sodded area to soften the visual effect of the parking and fuel pump areas.
- *Prior to a certificate of occupancy being issued*, all landscaping shall be installed

### **Extended Requirements**

- *Upon submitting an application for a conceptual site plan*, the developer at their own expense, shall conduct a traffic impact study (for this project in and conjunction with the contiguous R-2 zoning petition by the applicant, if approved) to aid in determining right-of-way dedication requirements and intersection and pedestrian improvements that will be required as traffic mitigation measures by the developer. The basis for such improvements shall follow the conceptual street hierarchy elements of the County Transportation Plan.
- All costs for mitigation measures recommended by the analysis or otherwise required and approved by the county shall be borne by the developer.

### **Sidewalks**

- *Prior to receiving a certificate of occupancy*, the extension of the pedestrian sidewalk system shall be required to the property line of the parcel along old Register Road and be ADA compliant.

Motion by

Charles Chandler; seconded by Ray Mosley

Vote

5-1 vote with Ann Henderson opposing the motion.

This item will be heard by the Board of Commissioners on February 2, 2010 at 6:30 P.M.

## **Agenda Item # 2**

Applicant: Mary A. Joiner  
Re: Rezone Request  
Location: Langston Chapel/Old Register Road  
Map/Parcel: 077/43  
Present Zoning: PUD

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The Mary Joiner Estate submitted an application requesting a rezone from PUD (Planned Unit Development) to R-2 (Multi-family) to construct multi-family dwellings on approximately 2.72 acres out of a 3.71 tract. The property is located at the intersection of Langston Chapel and Old Register Road. Mr. Wesley Parker is acting as agent.

Mr. Parker stated that the plan for the multi-family dwellings is to have two buildings with four units. He stated they are in agreement with conditions and will be using the same access as the proposed convenience store if the request is approved.

### Motion

Recommended approval of the request with the following conditions:

#### **Use**

- The use shall be limited to duplexes

#### **Conceptual Site Plan**

- A conceptual site plan *showing the proposed design features illustrated in this schedule of zoning conditions along with any required intersection and pedestrian improvements* will be required to be submitted to Planning and Zoning Commission for review and approval prior to the issuance of a land disturbing permit.

#### **Architectural and Platting Requirements**

- The height and color of all buildings and structures shall be uniform in appearance.
- Building facades visible from the street or adjoining properties (except for trim, windows and doors) shall consist of primarily brick or decorative masonry compatible with the character of the proximate residential neighborhoods.
- If units are to be sold independent of the attached unit then there must be a minimum of 15,000 square foot lot for each half of the unit.

#### **Access**

- All access, driveway and parking areas serving the development shall be paved with the driveway access meeting county commercial driveway standards as determined by the County Engineer.

- Any driveway access along Langston Chapel Road shall have a right-in/right-out concrete median built according to GDOT standards if such access shall be shared with the convenience store.

### **Commercial Solid Waste Receptacles**

- If used such receptacles permitted shall be placed on a concrete foundation and screened from view from the street and adjacent parcels by an opaque fence at a height that is no less than the height of the receptacle.

### **Stormwater Management**

- *Upon submitting an application for a conceptual site plan or sketch plan*, a hydrology study and stormwater management plan prepared by a professional licensed engineer showing necessary mitigation measures following the Georgia Stormwater Management Manual shall be submitted and approved by the County Engineer.

### **Buffers and Landscaping**

- *Upon submitting an application for a conceptual site plan or sketch plan*, a landscape plan drawn to scale by a qualified landscape designer shall be submitted to the Zoning Administrator and reviewed and approved by the staff development review committee to meet conformance of these conditions.
- There shall be a landscaped strip established along the perimeter frontage of the property along Langston Chapel Road to include a mix of ornamental trees (forming a streetscape), massed low to medium height shrubbery, and sod to soften the visual effect and form a privacy and noise barrier.
- All driveway entrances and parking islands shall be attractively landscaped.
- If desired, one (1) subdivision style entrance sign shall be permitted outside of the right-of-way provided the sign is of compatible architectural style to the building, and is landscaped at the base.
- Approved structures shall have foundation plantings.
- *Prior to a certificate of occupancy being issued*, all landscaping shall be installed

### **Extended Requirements**

- *Upon submitting an application for a conceptual site plan or sketch plan*, the developer at their own expense, shall conduct a traffic impact study (for this project in and conjunction with the contiguous CG zoning petition by the applicant, if approved) to aid in determining right-of-way dedication requirements and intersection and pedestrian improvements that will be required as traffic mitigation measures by the developer. The basis for such improvements shall follow the conceptual street hierarchy elements of the County Transportation Plan for both Langston Chapel Road and Old Register Road.
- All costs for mitigation measures recommended by the analysis or otherwise required and approved by the county shall be borne by the developer.

### **Sidewalks**

- *Prior to receiving a certificate of occupancy*, the extension of the pedestrian sidewalk system shall be required along the front property line of the parcel along Old Register Road contiguous to the road, in addition to any road lane improvements that may be required, and be ADA compliant. If a driveway curb-cut is contemplated for access from Old Register Road in the future it should be designed at a minimum of 200' feet away from the approved convenience store driveway, or illustrate inter-parcel access in-lieu of a curb-cut.

Motion by

Ray Mosley; seconded by Charles Chandler

Vote

Unanimous in favor of the motion

This item will be heard by the Board of Commissioners on February 2, 2010 at 6:30 P.M.

### **Agenda Item # 3**

Applicant: Mike Henderson & Mary Foreman  
Re: Conditional Use  
Location: Old Riggs Mill & Cypress Lake Road  
Map/Parcel: 047B/19  
Present Zoning: HC

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Mary Foreman & Mike Henderson submitted a request for a conditional use to allow multiple uses/buildings on one parcel of land. The intent is to allow a gas station with a convenience store, general business, mini storage warehouses, day care facility, and used merchandise on 3.73 acres of a 17.2 acre tract. The property is located at the intersection of Old Riggs Mill and Cypress Lake Road. Mr. John Dotson is acting as agent.

Mr. Dotson was present and stated the Board of Commissioners approved a rezone to Highway Commercial (HC) in 2006 and now are having to ask for a conditional use for all the uses the applicant wanted to put on the property. He stated it would have private water and septic systems. Mr. Dotson stated he needed some clarifications from the staff on the recommended conditions but due to time he would meet with them before the Board of Commissioners public hearing on the request.

Mrs. Cathy Dixon was present to speak opposing the request. She said she was speaking on behalf of herself and the adjacent property owners. She stated she understood that there were going to be older manufactured homes used for the buildings on the property and did not feel this would enhance the area. She also stated Cypress Lake Road was already a busy road and she is concerned with additional traffic that these uses would generate.

Mr. Dotson stated he would go ahead and address some of the conditions to help the opposition with some of their concerns but would still meet with staff before the BOC meeting. He stated one of the conditions was that the façade of the buildings could only be primarily brick or decorative masonry compatible but would like to be able to have Hardy-Plank added to the condition as it was in the original rezone approval in 2006. He also stated that the conditions concerning buffers and landscaping recommended to have one landscaped parking island per ten parking spots with a two inch caliper trees and mulch to be installed. Mr. Dotson stated they would like to have it revised to only as needed and not be required to do it at every ten spaces.

Mrs. Henderson stated that the request was inconsistent and is just too many uses for the area. Mr. Jones stated that there were too many convenience stores in the area. After additional discussion, a motion was made.

#### Motion

Recommended denial of the request

Motion by

Ann Henderson; seconded by Larry Jones

Vote

Unanimous in favor of the motion

This item will be heard by the Board of Commissioners on February 2, 2010 at 6:30 P.M.

**Agenda Item # 4**

Applicant: Naomi Neville  
Re: Rezone Request  
Location: Neville Dairy Road  
Map/Parcel: 064/01  
Present Zoning: AG-5

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Naomi Neville submitted an application for a rezone from AG-5 (Agricultural 5 Acres) to GC (General Commercial). The intent is to have a Used Automotive Parts Business in the existing building on the property. The property is located on Neville Dairy Road. Mr. Sam Neville Jr. is acting as agent.

Mr. Sam Neville was present and stated the intentions are to have a big operation where it is good on the local economy. He stated it should create at least six jobs. He stated they are in agreement with the conditions and will go over and beyond to make the operation successful. He stated that the water, power and septic is already there due to the fact the building use to be a dairy farm. Mr. Neville stated there would be a fence erected around the property due to the older automobiles parked on the property and for security. He stated that he has spoken with the adjacent property owners and no one had any objections to the request. He stated the operation would not be a junkyard that all the vehicles on the property would be documented. After some discussion on the request and finding out that there were going to be parked cars on the property, it was decided that this does not fall under just the Used Automotive Parts Business but also under the definition of a Salvage Yard. It was recommended that the request be tabled to give staff additional time to give the applicant time to come and meet with staff again to make sure the correct zoning is requested for the intent on the property.

**Motion**

To table the request until the February 11, 2010 Meeting.

**Motion by**

Charles Chandler; seconded by Ray Mosley

**Vote**

Unanimous in favor of the motion

## Agenda Item # 5

Applicant: Scott B. Martin  
Re: Rezone & Conditional Use Request  
Location: Highway 80 West  
Map/Parcel: MS27/08 & MS27/08/01  
Present Zoning: HC (Highway Commercial)

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Scott B. Martin submitted an application requesting a rezone from HC (Highway Commercial) to HI (Heavy Industrial). The applicant is also requesting a conditional use for Heavy Manufacturing to have a concrete manufacturing business. The property consists of two parcels totaling 3.35 acres and is located on Highway 80 West.

Mr. Martin stated he is in agreement with all the conditions recommended by the staff. Mrs. Ann Henderson asked what was operating now. Mr. Martin stated there are not any current operations on the property. There was discussion on operating hours of the concrete business and adding a condition to have the operating hours from 7:30 A.M. to 6:00 P.M. to help with traffic control of the commercial trucks exiting and entering onto Highway 80. After further discussion, a motion was made.

### Motion

Recommended approval of the request with the following conditions:

- 1) The use shall be limited to a concrete manufacturing business. The conditional use for multiple uses approved for the existing HC zoning on March 6, 2007 shall be null and void.
- 2) All security lighting shall face internally to the lot and not create a nuisance or glare to traffic on US 80` or nearby residential neighborhoods.
- 3) All heavy equipment and trucks shall be stored inside the fenced area.
- 4) A continuous 10' landscape buffer separating the right-of-way from the parking and circulation area consisting of low-lying shrubs is required.
- 5) The fenced line at the running with the approximate rear of the building shall be screened and landscaped to soften the visual effect of the concrete mixing and dispensing operations. The plant material shall consist of Leyland Cypress at least 8' feet in height at the time of installation.
- 6) All signage shall comply with Bulloch County codes.
- 7) The Zoning Administrator shall approve the landscape materials and spacing used.
- 8) Hours of Operation will be from 7:30 A.M. to 6:00 P.M.

### Motion by

Ray Mosley; seconded by Charles Chandler

### Vote

Unanimous in favor of the motion

This item will be heard by the Board of Commissioners on February 2, 2010 at 6:30 P.M.

**Agenda Item # 6**

Applicant: KGB Investors  
Re: Sketch Plan  
Location: Zetwell and Five Chop Road  
Map/Parcel: 134/9C/01  
Present Zoning: R-40

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KGB Investors submitted a sketch plan to divide 107 acres into 78 parcels. The property is located at the intersection of Zetwell and Five Chop Road. Mr. John Dotson is acting as agent.

Mr. Dotson stated the rezone was approved by the Board of Commissioners in December of 2009 and this was the sketch reflecting the conditions that were approved.

**Motion**

To approve the request

**Motion by**

Ray Mosley; seconded by Charles Chandler

**Vote**

5-1 vote with Larry Jones opposing the motion

**Agenda Item # 7**

Applicant: Sea Island Bank  
Re: Sketch Plan Request  
Location: Burkhalter Road  
Map/Parcel: 093/04 & 093/04/01  
Present Zoning: R-80

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Sea Island Bank submitted a sketch plan to divide 2 parcels that consists of approximately 715 acres into 20 parcels. The property is located on Burkhalter Road. Mr. Jim Anderson is acting as agent.

Mr. Anderson stated the property was originally owned by Georgia Coastal Land and has been foreclosed on and needed to be divided into 20 parcels so it can be auctioned. He stated the smallest lot consists of five acres and the largest is over 187 acres.

**Motion**

To approve the request

**Motion by**

Charles Chandler; seconded by Yolanda Tremble

**Vote**

Unanimous in favor of the request

Mr. Newman stated 2010 Officers needed to be nominated and voted on. Ann Henderson made a motion for Jeanne Anne Marsh for President, Ray Mosley for Vice-President and Yolanda Tremble for Secretary. Charles Chandler seconded and the motion carried unanimously.

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

Yolanda Tremble; seconded by Charles Chandler

Vote

Unanimous in favor of the motion

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Jeanne Anne Marsh, Chairman

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Yolanda Tremble, Secretary