



Bulloch County Planning and Zoning Commission

Minutes of the March 13, 2008 Meeting

The meeting of the Bulloch County Planning and Zoning Commission was held March 13, 2008 at 6:00 P.M. in the County Annex Building in Statesboro. Wade Hodges called the meeting to order. Ray Mosley gave the invocation.

Planning and Zoning Commission members present:

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

Members not present:

Commissioner: Andy Hart
Commissioner: Jeanne Anne Marsh

Staff members present:

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

Staff members not present:

County Manager: Tom Couch

The first item on the agenda was approval of the minutes from the February 14, 2008 Planning and Zoning Commission meeting. A motion was made by Ray Mosley and seconded by Ernest Lee to approve the minutes as written. The vote was unanimous in favor of the motion.

Agenda Item # 1

Applicant: RE Stubbs
Re: Rezone & Conditional Use Request
Location: Highway 301 South
Map/Parcel: MS34/03
Present Zoning: R-80

RE Stubbs submitted an application requesting to rezone 3 acres out of a 23.75 from R-80 (residential 80,000 square feet) to HC (Highway Commercial). The applicant is also requesting a conditional use to operate a wood yard. The property is located on Highway 301 South. Jeff Stubbs & Billy Olaf are acting as agents.

Mr. Stubbs and Mr. Olaf stated the purpose of the request is to have a holding area for wood which eventually would be chipped up and removed from the property. They stated they would have the same procedures as the county landfill.

Motion

Recommended approval of the request with the following conditions:

1. Grinding operations shall only be conducted Monday thru Saturday, from 8:00 AM to 6:00 PM.
2. Ingress and egress to the wood yard from Highway 301 shall be properly maintained and free of obstacles.

Motion by

Ray Mosley; seconded by Ernest Lee

Vote

Unanimous in favor of the motion

This item will be heard by the Board of Commissioners on April 1, 2008 at 6:30 P.M.

Agenda Item # 2

Applicant: Jason Lanier
Re: Conditional Use Request
Location: Summerwinds Place
Map/Parcel: 148/05/17
Present Zoning: R-80

Jason Lanier filed an application requesting a conditional use to operate a home occupation within an accessory building. The current landscaping business has been in operation on the property since November 2005. The property consists of 1.84 acres and is located on Summerwinds Place.

Mr. Lanier stated he has a landscaping business with two trucks and his personal truck. He stated they depart at 8:00 A.M. and return around 5:00 P.M. Mr. Lanier stated he agreed with the staff recommendations. Mrs. Henderson asked Mr. Lanier how many employees he currently has and do they park their personal vehicles on his property. Mr. Lanier stated he has five employees of which only 2 park their cars at the rear of the property.

Mr. Tom Atkins was present speaking in opposition of the request. He stated the community has concerns with the business and opposes the request. He stated Mr. Lanier did not meet all the guidelines of the home occupation. He stated the staff review stated Summerwinds Place is a county maintained road but provided a letter from the county tax assessors stating it is a privately maintained road. Mr. Atkins stated Mr. Lanier has more than two employees, there is heavy traffic and the materials from the business are visible from the street. He stated there are uniform and delivery trucks which deliver to the residence. Mr. Atkins stated he is concerned if the board approves the request others will ask for the same request.

Mrs. Henderson asked Mr. Lanier how often the uniform trucks deliver. Mr. Lanier stated once a week but the gentleman who delivers them is a personal friend and visits his home often.

Mr. John Keene stated he is opposed to the business being in the neighborhood and feels it would be in the best interest of the neighborhood if Mr. Lanier would relocate the business.

Mr. Vince Guadago stated he is opposed to the request and agrees with everything that has been stated. He stated the covenants of the subdivision stated there are not any commercial uses allowed within the subdivision.

Mr. Marvin Murphy stated his property is located across the street from the proposed request and stated he has young children and the employees drive at a high rates of speed. He stated he agrees with everything that has been stated.

Mr. Ken Scott stated he is opposed to the request and is concerned with the property values being decreased.

Ms. Samantha Barrera stated she owns the property on the right side of Mr. Lanier's and the business has been in existence since she has resided there and she does not have any problem with it remaining on the property.

Ms. Debra Collins stated she resides on Leefield Station road but is closest to the property on the rear side and supports the request.

Jamie Diogiovanni was present and stated she lives on the other side of the road approximately five lots down. She stated she supports the request.

Chasity Crabb was present and stated she lives on the same side of the road three lots past Mr. Lanier's property and supports the request. She stated she had spoken with Mr. Lanier about her concern with the traffic and children in the area and he stated he could speak with his sister-in-law about possibly entering and exiting employee traffic through her property.

Mr. Ray Mosley asked if the board could enforce the covenants. Mr. Jeff Akins stated covenants are a private contract between the land owner and the development and the county cannot enforce them.

Motion

Recommended approval of the conditional use request with the following condition and the applicant agreeing to meet the Home Occupation Guidelines:

1. All employee traffic must enter and exit from the rear of the property.

Home Occupation Guidelines

- (1) No home occupation shall employ more than two (2) persons who do not reside in the dwelling located on the premises.
- (2) The home occupation must be incidental and subordinate to the residential use of the dwelling and must not change the residential character of the property.
- (3) No display of products shall be visible from the street.
- (4) The following and similar uses shall be considered home occupations, but are not limited to this list: accountant, addressing service, architect, art instructor, beauty shop (with no more than one operator), drafting, dressmaking, insurance agent, manufacturing agent, music instruction, (students: limited to two (2) students at a time), teacher, notary public, photographer, real estate agent, and tax consultant. The following and similar uses are considered appropriate uses of accessory buildings for home occupations: artist or craftsman's work area, photographic darkroom, clock repair shop, gunsmith shop, laboratory, potters shop, and basket weaver's shop.
- (5) No internal or external alterations shall be permitted which would change the fire rating for the structure.
 - a. If an accessory structure is used for the business, the size of the accessory structure is limited to 25% of the square footage of the residential building. It shall be located behind the residential building with setback requirements of no less than 20 feet from the property line and 30 feet from the side yard.

- b. One (1) non-illuminated name plate, not more than two (2) sq. ft. in area may be attached to the building which shall contain only the name of the occupation conducted on the premises.
 - c. A home occupation shall be operated in such a manner as not to be a nuisance to adjacent residential structures. This shall apply to noise, lighting, traffic, and unsightly outside storage, where applicable.
- (6) No outside storage of materials or supplies used in connection with the home occupation shall be permitted.
 - (7) All parking for the home occupation shall be located on the property and only on the side or rear yards.
 - (8) Only vehicles designed and used primarily as passenger vehicles (including pickup trucks) shall be used in connection with home occupations in residential zoning districts.

Motion by

Ann Henderson; seconded by Ray Mosley

Vote

Unanimous in favor of the motion

This item will be heard by the Board of Commissioners on April 1, 2008 at 6:30 P.M.

Agenda Item # 3

Applicant: Hayward and Jayson Cribb
Re: Rezone Request
Location: GW Oliver & Oak Ridge Point
Map/Parcel: 079/29A/18 & 079/29A/19
Present Zoning: AG-5

Hayward & Jayson Cribb submitted an application request to rezone from AG-5 to R-25 (residential 25,000 square feet). The intent of the rezone is to divide the property into approximately 19 parcels for single family dwellings. The property consists of 2 parcels totaling 18.8 acres and is located on G.W. Oliver Rd and Oak Ridge Point. Mr. Jim Anderson is acting as agent.

Mr. Jim Anderson was present and stated Mr. Jayson Cribb and Mrs. Hayward Cribb were present. He stated the property is located on G.W. Oliver Road and Oak Ridge Point, both paved roads. He stated the property is approximately one-half mile from Meadowlakes and one fourth mile from an R-25 zoned area. He stated they are proposing nineteen lots including the current residence of Jayson Cribbs. Mr. Anderson stated they are proposing to build a minimum of sixteen hundred square foot homes with a community water system. He presented pictures of the proposed homes to be built.

Mr. Anderson stated they would agree with the staff recommendations of rezoning to an R-80 (residential 80,000 square feet). Mr. Anderson submitted a sketch of an R-80 zoning district which has nine parcels. He asked the board to approve the R-80 request and stated it is not inconsistent with the area.

Mr. Ray Saxon was present to speak in opposition to the request. He stated Oak Ridge Subdivision was developed by Bob Bell and there are covenants. He stated he is concerned with additional traffic in the area and does not want an additional community water system in the area. He stated the property is seventy-five percent wetlands and is concerned with the septic systems. He asked the board to deny the request.

Mrs. Tammy Wilson was present to speak in opposition to the request. She stated she resides directly across from Jayson and did not know of his intentions until she received a certified letter in the mail.

Mr. Johnnie Hill was present to speak in opposition to the request. He stated he owns the property on the left hand side of the request. He stated he does not feel Mr. Cribbs was concerned about his neighbors and never mentioned applying for the request.

Ms. Shelia Gordon stated she is opposed to the request. She stated she has the same concerns as her neighbors and also is concerned her property values would decrease.

Ms. Lisa Deloach stated she is opposed to the request. She has lived in the area for twelve years. She stated she also has the same concerns as her neighbors. She does not want to see an increase in traffic and density and is concerned about the safety of the children in the area.

Mrs. Henderson stated the staff recommended denial of the request because it is out of the county's land use plan.

See Exhibit #2008-016

See Exhibit # 2008-017

Motion

Recommended denial of the request

Motion by

Ray Mosley; seconded by Ernest Lee

Vote

Unanimous in favor of the motion

This item will be heard by the Board of Commissioners on April 1, 2008 at 6:30 P.M.

Agenda Item # 4

Applicant: Harry Jr. & Doris McCollum
Re: Sketch Plan Request
Location: Owens Road
Map/Parcel: 149/29/02
Present Zoning: AG-5

Harry Jr. & Doris McCollum submitted a sketch plan to cut 1 acre out of a 5 acre tract under the family provision. The property is located on Owens Road. Mr. Marlin Nevil is acting as agent.

Mr. Nevil was present if the board had any questions or concerns.

See Exhibit # 2008-018

Motion

To approve the request.

Motion by

Ray Mosley; seconded by Ann Henderson.

Vote

Unanimous in favor of the motion.

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

Agenda Item # 5

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

Clint Smith submitted a sketch plan to divide 103 acres into 123 parcels for single family dwellings. The property is located on Highway 46. Mr. Wesley Parker is acting as agent.

Mr. Parker stated the property was approved for a rezone several of months ago. He stated this is Phase II of Smithcreek Subdivision.

See Exhibit # 2008-019

Motion

To approve the request.

Motion by

Gene Rogers; 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: Chris Dye Properties
Re: Sketch Plan Request
Location: Burkhalter and Langston Chapel Road
Map/Parcel: 093/37/08 and 093/37/09
Present Zoning: R-3

Chris Dye Properties submitted a sketch plan requesting to divide 20.2 acres into 52 parcels for multi-family dwellings. The property is located on the corner of Langston Chapel and Burkhalter Roads. Mr. John Dotson is acting as agent.

Mr. Dotson stated the property was rezoned in January of 2008 by the Board of Commissioners. He stated the roads have already been installed and a central sewer system is required to be approved by the Environmental Protection Division.

See Exhibit # 2008-020

Motion

To approve the request.

Motion by

Ray Mosley; 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 # 7

Applicant: Darnell Owens
Re: Sketch Plan Request
Location: Burkhalter Road
Map/Parcel: 122/33/06
Present Zoning: R-80

Darnell Owens submitted a sketch plan requesting to divide 12 acres into 3 parcels. The property is located on the Southside of Burkhalter Road. Mr. Don Marsh is acting as agent.

Mr. Marsh stated the property has been divided up since zoning was adopted in November 1994 and needs approval from the board.

See Exhibit # 2008-021

Motion

To approve the request.

Motion by

Ray Mosley; seconded by Ernest Lee.

Vote

Unanimous in favor of the motion.

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

Agenda Item # 8

Applicant: Anthony R. Ferguson
Re: Sketch Plan Request
Location: Driggers Road
Map/Parcel: 179/19/03
Present Zoning: AG-5

Anthony R. Ferguson submitted a sketch plan requesting to divide 121.5 acres into 7th and 8th parcel. The property is located on Driggers Road. Mr. Don Marsh is acting as agent.

Mr. Marsh stated it is only the 8th parcel in which is being cut out. He stated parcels one thru seven were previously divided.

See Exhibit # 2008-023

Motion

To approve the request.

Motion by

Ann Henderson; seconded by Ray Mosley.

Vote

Unanimous in favor of the motion.

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

Wade Hodges asked if there were no other items of business, he would need a motion to adjourn.

Motion

Adjourn the meeting.

Motion by

Ann Henderson; seconded by Ray Mosley

Vote

Unanimous in favor of the motion

Wade Hodges, Secretary

Attested by: Ann Henderson