

Bulloch County Planning & Zoning Commission

Minutes of the August 11, 2005 Meeting of the Planning & Zoning Commission

The Meeting of the Bulloch County Planning & Zoning Commission was held Thursday, August 11, 2005 at 6:00 P.M. in the County Annex Building in Statesboro, Georgia. Jeanne Anne Marsh called the meeting to order. Invocation was given by Ernest Lee.

Planning & Zoning Commission Present:

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| Commissioner: | Gene Rogers |
| Commissioner: | Andy Hart |
| Commissioner: | Wade Hodges |
| Commissioner: | Jeanne Anne Marsh |
| Commissioner: | Ernest Lee |

Commissioners Not Present: Eugene Brown

Staff Present:

| | |
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| Zoning Administrator: | Cheryl Tatum |
| Zoning Administrative Assistant: | Melissa Sellers |

Staff Not Present: Jeff Akins

The first item on the agenda was the minutes from the July Planning and Zoning Commission meeting. A motion was made by Wade Hodges and seconded by Ernest Lee to accept the minutes from the July 14, 2005 Planning & Zoning Commission meeting as written. The vote was unanimous in favor of the motion.

Public Hearing Item **1**:

Applicant: Roscoe Laircey
Re: Conditional Use Request
Location: Simons Road
Map & Parcel: MS17/38
Present Zone: AG-5

Hayden Horton with National Wireless Construction, as agent for Roscoe Laircey, has filed the application with the Bulloch County Zoning Department requesting a conditional use permit to allow the construction of a 195ft. monopole cellular tower. The property consists of approximately 2.88 acres and is located on Simons Road. Jonathan Yates was present at the meeting to make the presentation. He is a representative of National Wireless Construction. He stated that National Wireless developed this tower for Cingular Wireless. It will be under 200ft. so no lights are required. He also stated that 195ft. is very important to achieve better service. More people are beginning to use cell phones inside their homes. They will be leasing a 200ft. circle from Mr. Laircey. He stated that there is tree cover all the way around. They will be planting Leyland Cypress because it grows very thick and fast. He stated that they have met all the requirements and have gotten approval from the county's tower consultant, David Snavely. Jeanne Anne Marsh asked if the tower was behind William James School. Mr. Yates stated that it was more or less. He stated that with less than 200ft. in height, the tower will not be invisible, but this height is the best they could do with what they had to work with. No one was present at the meeting to speak in opposition.

Motion was made to: Recommend approval of the conditional use
request.

Motion made by: Wade Hodges and seconded by Gene Rogers.

Vote: Unanimous vote in favor of the motion.

This will be heard by the Board of Commissioners on September 6, 2005 at 6
p.m.

Public Hearing Item 2:

Applicant: Franklin Crenshaw
Re: Text Amendment

Franklin Crenshaw has filed the application with the Bulloch County Zoning Department, requesting a text amendment to include a transfer station as a permitted use in a HC (Highway Commercial) zoning district. Skip Evans with Southern Disposal Services was present at the meeting to make the presentation. He stated that he leases the land from Mr. Crenshaw and operates the existing business now. He stated that he only has a problem with one of the staff recommendations about no waste being brought in from another county. He doesn't know what he would do if he had to bring a truck here all of a sudden because of a truck being full and the landfill being closed. He stated that he has no plans to bring in trash from another county. He is trying to lower his waste costs from outside and bringing it into the county would not accomplish that. The commission decided to leave the recommendations as stated and let the Board of Commissioners make that decision. The commission also recommended changing the text amendment to HI (Heavy Industrial) rather than HC (Highway Commercial). Mr. Evans is also asking to rezone the property to Heavy Industrial so they can re-open the transfer station that was there many years ago.

Motion was made to: Recommend approval of the text amendment
with the following conditions:

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- 1) This facility will be for solid waste from inside Bulloch County only. No outside waste shall be disposed of at this facility.
- 2) A buffer that meets the requirements of Section 407 of the Bulloch County Zoning Ordinance shall be installed that is 25 feet wide around all property lines.
- 3) Change the wording to HI instead of HC.

Motion made by: Wade Hodges and seconded by Ernest Lee.

Vote: Unanimous vote in favor of the motion.

(See Exhibit 81105-2)

Motion was made to: Recommend approval of the rezone request to HI (Heavy Industrial) with the following conditions:

- 1) This facility will be for solid waste from inside Bulloch County only. No outside waste shall be disposed of at this facility.
- 2) A buffer that meets the requirements of Section 407 of the Bulloch County Zoning Ordinance shall be installed that is 25 feet wide around all property lines.

Motion made by: Wade Hodges and seconded by Gene Rogers.

Vote: Unanimous vote in favor of the motion.

This will be heard by the Board of Commissioners on September 6, 2005 at 6 p.m.

Public Hearing Item **3**:

Applicant: Delta Building Systems
Re: Rezone Request
Location: Blankenbaker Road & Pulaski Hwy.
Map & Parcel: 45/33
Present Zone: AG-5

Dennis Driggers, as agent for Delta Building Systems, has filed the application with the Bulloch County Zoning Department requesting a rezone from AG-5 (Agricultural 5 acre lots) to R-80 (Residential 80,000 sq.ft. lots). The intent of the rezone is to develop two residential lots. The property is located on Blankenbaker Road and Pulaski Highway and consists of approximately 5 acres. Dennis Driggers was present at the meeting to make the presentation. Jeanne Anne Marsh asked if the property faced Pulaski Highway or Blankenbaker Road. Mr. Driggers stated that it faces Pulaski Highway and is across the road from the existing steel business. No one was present to speak in opposition.

Motion was made to: Recommend approval of the rezone request
with the condition that all houses will be site
built.

Motion made by: Gene Rogers and seconded by Ernest Lee.

Vote: Unanimous vote in favor of the motion.

This will be heard by the Board of Commissioners on September 6, 2005 at 6
p.m.

Public Hearing Item 4:

Applicant: Heritage Park
Re: Conditional Use Request
Location: Hwy. 24
Map & Parcel: MS89/01
Present Zone: HC

Haydon Horton with National Wireless, as agent for Heritage Park, has filed the application with the Bulloch County Zoning department requesting a conditional use permit to allow a 140' cellular tower to be placed on the property. The property is located on Hwy. 24 and consists of approximately 1.62 acres. Jonathan Yates was present at the meeting to make the presentation. He stated that there is a coverage deficit along Hwy. 24 and in the water park. They would be leasing 150ft. radius from Mr. Barnes for Cingular Wireless and be 1100ft. off of Hwy. 24. They are also 760ft. away from the closest residence. He stated that the site meets all the criteria. He also stated that he had read the recommendations from Mr. Snavelly about possibly using the site in the Mill Creek Park. Mr. Yates stated that the Mill Creek site will not work for them. It's only 90ft. high and it is out of their search area. Mr. Barnes' property is exactly in the middle of the search area. They would not achieve their goals with that site. This tower will be 140ft. monopole without lights. Gary Barnes was present at the meeting to speak in favor of the motion. He stated that he is all for the request. Having National Wireless lease the property from him will help him to pay 1/3 of his property taxes each year. He asked the board to not table the request.

Motion was made to: Recommend approval of the conditional use
request.

Motion made by: Wade Hodges and seconded by Andy Hart.

Vote: Unanimous vote in favor of the motion.

This will be heard by the Board of Commissioners on September 6, 2005 at 6
p.m.

Public Hearing Item 5:

Applicant: Elisa Spratlin
Re: Conditional Use Request
Location: Burkhalter Road
Map & Parcel: 122/36B-001
Present Zone: R-80

Elisa Spratlin has filed the application with the Bulloch County Zoning Department requesting a conditional use permit to allow a child care facility to be constructed on the property. The property consists of approximately 2.0 acres out of a 9.48 acre parcel and is located on Burkhalter Road. Wallace Wright was present at the meeting to make the presentation. He stated that Ms. Spratlin lives on the property adjacent to the parcel on which she would like to build a daycare center. They have read all the staff recommendations and are agreeable to all of them. Ms. Spratlin has contacted the state and was told that a childcare facility was needed in this area. This is a nice community. Mr. Wright stated that the affidavits that the board has received stated that there would be traffic problems if approved. The staff reviewed all of Ms. Spratlin's plans and they say there would not be any adverse impact with traffic. Cheryl Tatum stated that apparently there has been some confusion with the public about this request. Some people seem to think this is a zoning change. It is not a rezone. There will be no change in the zoning district. Ms. Spratlin is only asking for permission to operate this particular use. Barbara Focht stated that she lives in Old Indian Trail and she would like to keep the area quiet. She came from New York to get away from traffic and noise. There is too much traffic on

Zoning Administrator in conjunction with the Public Works Director.

- 4) A six (6) foot landscape fence on the rear property line will be required.

Motion made by: Wade Hodges and seconded by Andy Hart.

Vote: Unanimous vote in favor of the motion.

This will be heard by the Board of Commissioners on September 6, 2005 at 6 p.m.

Public Hearing Item **6**:

Applicant: Roland and William Carnes
Re: Variance Request
Location: Prosser Road
Map & Parcel: 147/24
Present Zone: AG-5

Roland and William Carnes have filed the application with the Bulloch County Zoning Department requesting a variance to allow a 1972 mobile home to be moved on the property. The property is located on Prosser Road and consists of approximately 62 acres. Roland Carnes was present at the meeting to make the presentation. Randy Newman stated that there are actually two cases in Magistrate Court right now. He stated that one mobile home was across the road. He sent a letter to Mr. Carnes about it being abandoned and told him he would have to remove it from the property. Mr. Carnes never did anything about it. They went to court about it. In the meantime, there was another mobile home that he never obtained a permit for when he started doing an addition to it. He stated that when they started doing all the permitting for it, they realized it was a 1972 model. Mr. Carnes stated that he didn't understand why no one mentioned anything about the year model on the home while he was in court. He thought everyone knew it was a 1972. Mr. Newman stated that the year model never came up during court and then the permit was issued accidentally by the new employee in the office. James Gladdin stated that he lives in Rincon but he owns property adjacent to Mr. Carnes. He doesn't want a lot of mobile homes on the property.

Motion was made to: Approve the variance request with the condition that Mr. Carnes obtains a permit and passes inspection within 6 months

Motion made by: Andy Hart and seconded by Ernest Lee.

Vote: Unanimous vote in favor of the motion.

Public Hearing Item **7**:

Applicant: Joe A. Hart Estate
Re: Rezone Request
Location: Hwy. 24 and Franklin Road
Map & Parcel: 120/25
Present Zone: R-25 and HC

Thomas Lewis, as agent for the Joe A. Hart Estate, has filed the application with the Bulloch County Zoning Department requesting a rezone from AG-5 (Agricultural 5 acre lots) to R-25 (Residential 25,000 sq.ft. lots) on approximately 28 acres and from AG-5 to HC (Highway Commercial) on approximately 1.1 acres. The intent of the rezone is to develop a residential subdivision on the 28 acres and to build a convenience store on the 1.1 acres. The property is located on Hwy. 24 and Franklin Road. This item was tabled due to lack of a voting quorum.

Public Hearing Item **8**:

Applicant: Les Claxton
Re: Text Amendment

Les Claxton has filed the application with the Bulloch County Zoning Department, requesting a text amendment to the Zoning ordinance which would allow for property to be sold with each dwelling unit. Steve Rushing was present at the meeting to make the presentation. He stated that there will be 4 units in each building. Buyers want to own a little piece of land with their unit. The land would consist of the front and the back and the common area would still be parking and driveways. Les Claxton stated that it would make the transfer of land much easier for him.

Motion was made to: Recommend approval of the text amendment.

Motion made by: Wade Hodges and seconded by Gene Rogers.

Vote: Unanimous vote in favor of the motion.

(See Exhibit 81105-3)

This will be heard by the Board of Commissioners on September 6, 2005 at 6

p.m.

Public Hearing Item 9:

Applicant: Clara Brannen Estate
Re: Sketch Plan Request
Location: Hwy. 80 and Amanda Road
Map & Parcel: 107/23
Present Zone: HC & R-25

Lamar Reddick, as agent for the Clara Brannen Estate, has submitted a sketch plan request for her property located on Hwy. 80 and Amanda Road. They are wanting to divide approximately 200 acres into 18 separate parcels. Lamar Reddick was present at the meeting to make the presentation. He stated that there are paved roads around the entire site. There are 18 total lots with 7 lots being HC and the other 11 lots being R-25. Mr. Reddick stated that they are in constant communication with Rob McCall with DOT. He is aware that if approved, they will still have to have approval from DOT concerning the driveways. The property will be sold. He stated that they have a problem with #8 on the Staff Recommendations. Ms. Tatum suggested that the wording be changed so that the purchaser has the option to buy 14, 15 or 16 and combine with lot 18 for second access.

Motion was made to: Approve the sketch plan request with the following conditions:

- 1) Parking for Emergency vehicles shall be provided in front of each business.
- 2) A concrete pad for solid waste disposal shall be provided for each commercial business.

- 3) Must meet all DOT recommendations and regulations.
- 4) A 25 buffer that meets the requirements in Section 407 of the Bulloch County Zoning Ordinance will be required on all commercial lots adjacent to a residential lot and all lots around Bulloch Memorial Gardens.
- 5) All parking shall be paved inside the commercial section.
- 6) A conceptual site plan will be required on all commercial lots.
- 7) Purchaser has the option to buy Lots #14, #15, or #16 and combine with lot #18 to allow adequate space for a second access road to be installed if future subdivision development is contemplated on Lot #18.

Motion made by: Andy Hart and seconded by Wade Hodges.

Vote: Unanimous vote in favor of the motion.

Public Hearing Item **10**:

Applicant: Beatrice Hendrix
Re: Sketch Plan Request
Location: Cypress Lake Road
Map & Parcel: 47/36A
Present Zone: AG-5

Marlin Nevil, as agent for Beatrice Hendrix, has submitted a sketch plan request for her property located on Cypress Lake Road. She is wanting to divide approximately 75 acres into 15 separate parcels. This will be known as "Cypress Lake Farms". Marlin Nevil was present at the meeting to make the presentation. He stated that it meets all the criteria. The property is used for farming and there is no flood or wetlands on the property. He stated that he has one concern about #1 on the Staff Recommendations. He stated that it is very possible that they could re-design Lot 14 so that it could be accessed from Stephens Little Road but he would like to have the option of being able to access it from Cypress Lake Road. Ms. Tatum stated that the reason for that was the curve that is there for safety reasons. The board decided to approve and eliminate condition #1 about accessing Lots 14 and 15 from Stephens Little Road.

Motion was made to: Approve the sketch plan request with the
following conditions:

- 1) Stephens Little Road should be realigned to come into Cypress Lake Road at a 90 degree angle.

- 2) Stephens Little Road shall be paved according to County standards with a 60 foot road from Cypress Lake Road to the end of the development (the end of proposed Lot #9).

Motion made by: Wade Hodges and seconded by Gene Rogers.

Vote: Unanimous vote in favor of the motion.

Public Hearing Item **11**:

Applicant: Johnny & Dale Deal
Re: Sketch Plan Request
Location: Heron's Walk
Map & Parcel: 59/28D
Present Zone: AG-5

Don Marsh, as agent for Johnny & Dale Deal, has submitted a sketch plan request for their property located on Heron's Walk. They are wanting to divide approximately 37.7 acres into 2 separate parcels. Don Marsh was present at the meeting to make the presentation. He stated that the Deals would like to sell the property to a gentleman who would like to build a house that is similar to what is already there.

Motion was made to: Approve the sketch plan request.

Motion made by: Ernest Lee and seconded by Gene Rogers.

Vote: Unanimous vote in favor of the motion.

Public Hearing Item **12**:

Applicant: T.J. Williams Estate
Re: Sketch Plan Request
Location: Twin Forks Road
Map & Parcel: 82/36-005, 007 & 008
Present Zone: AG-5

Don Marsh, as agent for the T.J. Williams Estate, has submitted a sketch plan request for their property located on Twin Forks Road. They are wanting to divide approximately 112 acres into 12 separate parcels. Don Marsh was present at the meeting to make the presentation. He stated that on one of the conditions by staff, it talks about requiring a 40ft. easement. Mr. Marsh stated that if he would have drawn the map correctly in the first place, that wouldn't even have been a condition. That was a mistake on his part. They will definitely have a 40ft. easement. Everything else meets all the requirements.

Motion was made to: Approve the sketch plan request with the following conditions:

- 1) Reserve a 40 foot easement to Bulloch County for the length of the development in contemplation of future road paving.

Motion made by: Jeanne Anne Marsh and seconded by Wade Hodges.

Vote: Unanimous vote in favor of the motion.

Public Hearing Item **13**:

Applicant: John & Paula McCormick
Re: Sketch Plan Request
Location: Shaw Road and Beulah Road
Map & Parcel: 124/27
Present Zone: AG-5

Joey Maxwell, as agent for John and Paula McCormick, has submitted a sketch plan request for their property located on Shaw Road and Beulah Road. They are wanting to divide 74 acres into 12 separate parcels. This will be known as "Beulah Lane Subdivision". Joey Maxwell was present at the meeting to make the presentation. He stated that they agree with all the conditions by staff except for #3. They are planning on doing a detention basin so he doesn't see where they would need an easement from the Cromleys. He would like to see the condition re-worded if possible. Ms. Tatum stated that the detention pond was not shown on the sketch and recommended the board delete #3.

Motion was made to: Approve the sketch plan request with the following conditions:

- 1) The road inside the development must be paved.
- 2) A detention pond will need to be constructed on site to help with the run off.
- 3) The developer shall provide a 40' easement to Bulloch County for the length of the development along Shaw Road.
- 4) The developer shall reserve a 60' easement to Bulloch County for the length of the property on both sides of Beulah Road in contemplation of future road paving.

Motion made by: Wade Hodges and seconded by Andy Hart.

Vote: Unanimous vote in favor of the motion.

Public Hearing Item **14**:

Applicant: Robert Benson
Re: Conceptual Site Plan Request
Location: Country Club Road
Map & Parcel: MS31/38
Present Zone: NC

Joey Maxwell, as agent for Robert Benson, has submitted a conceptual site plan request for his property located on Country Club Road. The property consists of approximately 3.98 acres that he is wanting to develop into office and retail space. Ms. Tatum stated that there was an error on the first page of the review. It is actually 6 buildings with 16 uses that he was approved for previously and not just five. Also, Kirk Tatum suggested that condition #2 and condition #6 be deleted. Hal Roach was present at the meeting to make the presentation. He confirmed that the condition requiring a buffer meant to have a buffer between this property and any residential property. Ms. Tatum stated that that was correct. There should be a buffer between commercial property and any residential zoned or residential used property of 25ft. Mr. Roach asked what exactly was needed for a buffer. Could a fence OR hedge be used? Ms. Tatum stated that it meant a fence AND a hedge. Mr. Roach wanted to know if there could be any flexibility in that condition. He and the owner feel that having both would diminish the attractiveness of the property. Ms. Tatum stated that the Board could allow the Zoning Administrator to work with the developer on that issue to approve the buffer requirements.

Motion was made to: Approve the conceptual site plan request with
the following conditions:

- 1) A concrete pad with a visual blind shall be provided for solid waste collections.
- 2) Access is needed to each building for emergency services such as a fire lane. This should be addressed with the Public Safety Director.
- 3) A buffer needs to be provided around the development that is approved by the Zoning Administrator.
- 4) Parking located in the setback area needs to be approved by the Planning & Zoning Staff.

Motion made by: Wade Hodges and seconded by Ernest Lee.

Vote: Unanimous vote in favor of the motion.

Public Hearing Item **15**:

Applicant: Jerry Jennings
Re: Conceptual Site Plan Request
Location: Hwy. 301 South
Map & Parcel: 77/10-001
Present Zone: HC

Joey Maxwell, as agent for Jerry Jennings, has submitted a conceptual site plan request for his property located on Hwy. 301 South. He is also requesting a variance to Section 6.2 of the Subdivision ordinance which requires a community water system to meet fire flow requirements. The property consists of approximately 3.0 acres that he is wanting to develop into retail space. Joey Maxwell was present at the meeting to make the presentation. Ms. Tatum stated that Mr. Jennings has now obtained his LDA permit for this property. She also stated that normally the Planning & Zoning board denies variances to the water system requirements but this case is a little different. His property is so close to the city limits and within 18 months, the drain lines will be extended to his property and he will be able to tie into them. Mr. Jennings stated that there is a fire hydrant within 500 ft. of the property. Ms. Tatum asked Mr. Jennings how many businesses he is planning on having. Mr. Jennings stated that the maximum number would be 20 but it is very hard to say. Wade Hodges asked where he would be getting water from until he could tie into the city. Mr. Jennings stated that he would be drilling a well.

Motion was made to: Approve the conceptual site plan request with
the following conditions:

- 1) A concrete pad with a visual blind shall be provided for solid waste collections. A minimum of two (2) 8 cubic yard containers will be required.
- 2) DOT approval is required for driveways access and traffic light modifications with cost to be borne by the developer. The driveway shall line up with Langston Chapel Road and meet all the requirements set forth by the GADOT and the Bulloch County Public Works Director.
- 3) All driveway aprons, service areas, and primary parking shall be paved.
- 4) If approved, off-street loading areas shall be located in the rear of the building and be installed so that it does not reduce the amount of parking spaces required by the ordinance and any such area laying within 100 feet of a public street shall be screened as specified by County Code Section 407 of the Bulloch County Zoning Ordinance.
- 5) Fire lanes are required in the front of the building.
- 6) A curb cut at a 180 degree angle with Langston Chapel Road would be required.
- 7) For aesthetics purposes all front and sides shall be brick, stucco or masonry.
- 8) There shall be one freestanding sign to identify the name of the shopping center and the businesses shall be in uniform construction quality of the building facades. All wall and canopy signs shall be consistent with the scale and design of the building.

- 9) Contact the County Emergency Management Director prior to construction to verify storage of hazardous wastes, if any.
- 10) During and after construction, the driveway entrance and exit must be stabilized with either gravel or pavement.
- 11) Prior to construction the County Road Department should be consulted about proper safety signage along right-of-ways approaching the property.
- 12) All screening required shall meet the requirements of Section 407 of the Bulloch County Zoning Ordinance
- 13) There shall be one parking space for each 200 square feet of gross floor area.
- 14) Given the level of proposed impervious surfaces, if approved, the developer shall submit drawings and data by a certified engineer showing the proposed storm drainage system to be used for the site including outlets structure and detention areas.

Motion made by: Gene Rogers and seconded by Wade Hodges.

Vote: Unanimous vote in favor of the motion.

Motion was made to: Approve the variance request to the fire flow requirements.

Motion made by: Gene Rogers and seconded by Ernest Lee.

Vote: Unanimous vote in favor of the motion.

Public Hearing Item **16**:

Text Amendment

RE: Amendment to the definition of *Manufactured home* in Article 2, Section 203 of Appendix C – Zoning Ordinance of Bulloch County, Georgia is hereby added to as follows.

- (4) One parcel or contiguous parcels of land under single ownership which has been planned and improved for the placement of five or more manufactured homes for residential occupancy shall be considered a Manufactured Home Park and placed in a Manufactured Home Park zoning district.

Ms. Tatum stated that this was inadvertently left out of the ordinance so there are no changes.

Motion was made to: Recommend approval of the text amendment.

Motion made by: Wade Hodges and seconded by Ernest Lee.

Vote: Unanimous vote in favor of the motion.

(See Exhibit 81105-1)

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

Motion was made to: Adjourn the August 11, 2005 meeting of the Planning and Zoning Commission.

Motion made by: Wade Hodges and seconded by Ernest Lee.

Vote: Unanimous vote in favor of the motion.

Eugene Brown, Chairman
(Not present to be able to sign)

Dick Hilde, Vice-Chairman
(Not present to be able to sign)

Jeanne Anne Marsh, Secretary