



Bulloch County Departmental Review Board of Commissioners

Meeting Date: Thursday, July 06, 2006

App. #: RZ2006-065

Item #: 7

Re-Zoning

<p>Applicant: Robert H. & Carol A. Morris</p> <p>Application Type: Re-Zoning</p> <p>Location: 474 BUSCH ROAD</p> <p>Map and Lot #: 103 000019 000</p> <p>Development Name:</p> <p>Acres in Request: 2.30</p> <p># of Existing Lots:</p> <p># of Potential Lots:</p> <p>Adjacent Zoning: HI; AG-5</p>	<p>Current Zoning: HI</p> <p>Requested Zoning: R-80</p> <p>Current Use: Single Family Dwelling</p> <p>Requested Use: Single Family Dwelling</p> <p>Adjacent Use: AG; Scattered Houses;</p> <p>Futures Land Use: Industrial</p> <p>Fire District\Distance: Clito; 2 miles</p> <p>EMS Distance: 9 miles</p> <p>Elem\Middle\High School: Mattie Livley; William James, SHS</p>
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Purpose of Zoning Application:

Robert H. & Carol A. Morris have submitted an application to the Bulloch County Zoning Department requesting a rezone from HI (Heavy Industrial) to R-80 (Residential 80,000 Sq feet). The intent of the request is for resale purposes. The property consists of 2.30 acres and is located on Busch Road.

Directions to Property:

Go 301 north to Clito Road; turn left; go 3/4 miles to Maria Sorrell Road; Go 1 mile to Busch (there is not a sign); go 1/4 mile back and there is a metal mail box on the property; 474 Busch Road.

<u>Standard</u>	<u>Additional Information</u>
1. The existing uses and zoning of nearby property.	The existing uses are agricultural and residential.
2. The suitability of the property for the proposed purpose or the availability of other land suitable for the proposed area.	The property is suitable for the proposed request.
3. The length of time the property has been vacant as zoned.	There has been a home on the property since 1993.
4. The extent to which the value of the property is diminished by the present zoning.	The property value is not diminished by the present zoning.
5. The balance between the hardship on the property owner and the benefit to the public in not rezoning.	There could be a hardship if the rezone is not approved due to the fact that the property owner is trying to sell a portion of the property and residence.
6. The effect the proposed rezoning would have on the population density pattern, public service and facilities.	No impact is expected.
7. The extent to which the zoning decision is consistent with the comprehensive land use plan of the county.	The request is inconsistent with the future land use plan.
8. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.	The zoning proposal should not affect the adjacent use of the properties.
9. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.	The property is currently being utilized as residential.
10. Whether the change suggested is out of scale with the needs of the neighborhood or the county.	The change is not out of scale for the needs of the neighborhood.
11. Any other factors relevant to balancing the interests in promoting public health, safety, morality, or general welfare against the rights of unrestricted use of property.	None

STAFF REVIEW

APPLICANT: Robert and Carol Morris

PLANNING COMMENTS

Property values for adjacent properties may be enhanced 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.

The change appears to be **consistent with the spirit and intent of the Zoning Ordinance.**

There is no evidence that the proposed change in use will **injure or detract from the neighborhood.**

WATER / SEWER IMPACT

All properties are subject to on-site water supply and septic tank installation approval as required by the County Health Department. Soil types and proposed lot sizes are compatible and adequate for septic tank installation.

TRAFFIC IMPACT

The capacity and general condition of the roads accessing the proposed development is good. Busch Road is a county maintained dirt road.

SCHOOL IMPACT

No impact is expected on existing schools.

PARKING, ROAD AND DRAINAGE IMPACT

Currently all drainage is natural with no known man-made improvements to the existing development other than roadside drainage ditches and culverts. The access way/driveways to the site should have property roadside drainage measures.

E-911 AND EMERGENCY MANAGEMENT IMPACT

The proposed development poses no problems for E-911 communications.

LAW ENFORCEMENT IMPACT

Response time would be inadequate. Response time from Bulloch County Sheriff's Department is twenty (20) minutes or less. However, depending on patrolling patterns and the location of deputies at a given time, this response may be greater or lesser.

SOLID WASTE IMPACT

None expected.

FINAL STAFF RECOMMENDATIONS

The subject property does appear suitable for the proposed change to allow for a rezone to R-80 on the property. The property provides a reasonable economic use as currently zoned, and is expected to continue providing a reasonable economic use if the rezone is approved. No additional structures are anticipated on the property.

No overload or major change is expected on public services, such as schools, as the mere result of a rezone approval for the district/zone boundary.

Provided below is a summary staff analysis of density impact of the proposed development.

Current Comprehensive Plan: Future Land Use Map					
Agriculture-Undeveloped		Maintain existing AG-5 Zoning District: Gross density of 0.2 units per acre			
Proposed Future Land Use Map					
Farmland-Preservation Area		Gross density of 0.2 units per acre			
Residential Development Area		Gross density of 2.0 units per acre			
Density Alternative Analysis					
Zoning	Gross Density: acres (1)	Estimated Net Density: acres (2)	Estimated Lot Yield: Maximum Gross Density	Estimated Lot Yield: Maximum Net Density	Net Lot Yield With Density Bonus 10%
Ag-5	0.2 units per acre	0.2 units per acre	2	2	2
R-80	0.544 units per acre	0.544 units per acre	2	2	2
(1) Gross Density calculates total acreage less the estimated land needed for public dedication. (2) Net Density calculates total acreage less the estimated land needed for public dedication or areas which cannot be developed due to environmental or other constraints.					

The staff recommends approval of an R-80 zoning district.

Participants:

Tom Couch, County Manager; Andy Welch, County Planner; Cheryl Tatum, Zoning Administrator; Kirk Tatum, Public Works Director; Ted Wynn, Public Safety Director; Brad Wiggins, Bulloch County Health Department

PLANNING AND ZONING COMMISSION

MOTION

Recommended approval of the rezone request.

VOTE

In favor of the motion: 6 Opposed to the motion: 0
Ann Henderson was not present at the meeting.

OPPOSITION

No one was present to speak in opposition to the request.

ROBERT & CAROL MORRIS

AG-5

R-40
R-80

R-40

HILTON LN

OLD RIVER RDN

HI

R-40 WITH CONDITIONS

R-40AG-5

R-40

R-80

HI

R-40

FEDERAL HWY 301

BUSCH RD

UNNAMED

MARIA SORRELL RD

BROOK HENDRIX RD

LAUREN LN

CLIPONRIKA RD - R J KENNEDY RD

EUREKA CHURCH RD

Legend

- Wetlands Areas
- flood
- Flood Zone
 - No Flood
 - Flood Area
- Zoning Codes
 - AG-5
 - CP
 - GC
 - GC WITH CONDITIONS
 - HC
 - HC WITH CONDITIONS
 - HI
 - HI WITH CONDITIONS
 - LI
 - LI WITH CONDITIONS
 - MHP
 - NC
 - NC WITH CONDITIONS
 - PDR
 - R-15
 - R-2
 - R-2 WITH CONDITIONS
 - R-25
 - R-25 WITH CONDITIONS
 - R-3
 - R-3 WITH CONDITIONS
 - R-40
 - R-40 WITH CONDITIONS
 - R-80
 - R-80 WITH CONDITIONS
 - UNK

R-25

R-25 WITH CONDITIONS

LI WITH CONDITIONS

R-15

MHP

HC WITH CONDITIONS

HC

HI

BELL RD

KYLE SORRELL RD