



Bulloch County Departmental Review Board of Commissioners

Meeting Date: Thursday, July 06, 2006

App. #: RZ2006-066

Item #: 8

Re-Zoning

| | | | |
|-----------------------------|----------------------|---------------------------------|--------------------------------|
| Applicant: | Burnice Johnson | Current Zoning: | AG-5 |
| Application Type: | Re-Zoning | Requested Zoning: | R-80 |
| Location: | 1902 OLD GROVELAND R | Current Use: | Single Family Dwelling |
| Map and Lot #: | 8098 000030 000 | Requested Use: | |
| Development Name: | | Adjacent Use: | Agricultural; residential |
| Acres in Request: | 10.00 | Futures Land Use: | Agricultural; scattered houses |
| # of Existing Lots: | | Fire District\Distance: | Nevlis; 3 miles |
| # of Potential Lots: | | EMS Distance: | 17 Miles |
| Adjacent Zoning: | AG-5 | Elem\Middle\High School: | Nevlis; SEB; SEB |

Purpose of Zoning Application:

Hayward Fields, as agent for Burnice Johnson, has submitted an application to the Bulloch County Zoning Department requesting a rezone from AG-5 to R-80 (residential 80,000 square feet). The intent is to divide the property. They have also submitted a conditional use to operate a church. The property consists of 10 acres and is located on Old Groveland Road.

Directions to Property:

1902 Old Groveland Road-Take Highway 67 toward I-16; go over the by-pass and take the 1st road to the right; Go approximantley 5 miles on Old Groveland Road and property is on left.

| <u>Standard</u> | <u>Additional Information</u> |
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| 1. The existing uses and zoning of nearby property. | The existing uses are agricultural, scattered houses and light industrial. |
| 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 are 2 homes that have been there prior to zoning. |
| 4. The extent to which the value of the property is diminished by the present zoning. | The property value is not diminished by present zoning. |
| 5. The balance between the hardship on the property owner and the benefit to the public in not rezoning. | There should not be any hardship. |
| 6. The effect the proposed rezoning would have on the population density pattern, public service and facilities. | There should be minimal impact. |
| 7. The extent to which the zoning decision is consistent with the comprehensive land use plan of the county. | The property is inconsistent with 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 have any affect on the adjacent uses of the properties. |
| 9. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning. | The property has 2 houses and a church. |
| 10. Whether the change suggested is out of scale with the needs of the neighborhood or the county. | The change is not out of scales with the needs of the neighborhood or county. |
| 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: Burnice Johnson

PLANNING COMMENTS

Property values for adjacent properties may not be enhanced by the proposed development even if aesthetics restrictions are placed in private deed covenants, and, if enforcement of County land use and property maintenance regulations is applied. Failure to enforce any property standards is likely result in stagnant or lower property values.

The change appears to be **inconsistent 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. Old Groveland Road is a county paved road.

SCHOOL IMPACT

No impact is expected on existing schools.

PARKING, ROAD AND DRAINAGE IMPACT

The land contours are favorable to roads and positive drainage. There is not an estimated impervious surface calculation to lend itself to the need for drainage retention or storage on or off-site. There will not be drainage easements required either on-site or off-site. There is not any paving or resurfacing needed on connecting roads to sustain capacity at the current time.

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 fifteen (15) minutes or greater. 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 on public services.

FINAL STAFF RECOMMENDATIONS

The subject property may be suitable for a proposed change to allow for division of property. The property provides a reasonable economic use as currently zoned, and is expected to continue providing a reasonable economic use if rezoned. An overload or major change is expected on road capacity should a rezone/conditional use approval .

The **staff recommends approval** of the rezone and conditional use request.

Participants:

Tom Couch, County Manager; Andy Welch, County Planner; Cheryl Tatum, Zoning Administrator; Kirk Tatum, Public Works Director; Ted Wynn, Public Safety Director and Bob Smith, Environmental Manager

PLANNING AND ZONING COMMISSION

MOTION

Recommended approval of the rezone and conditional use request.

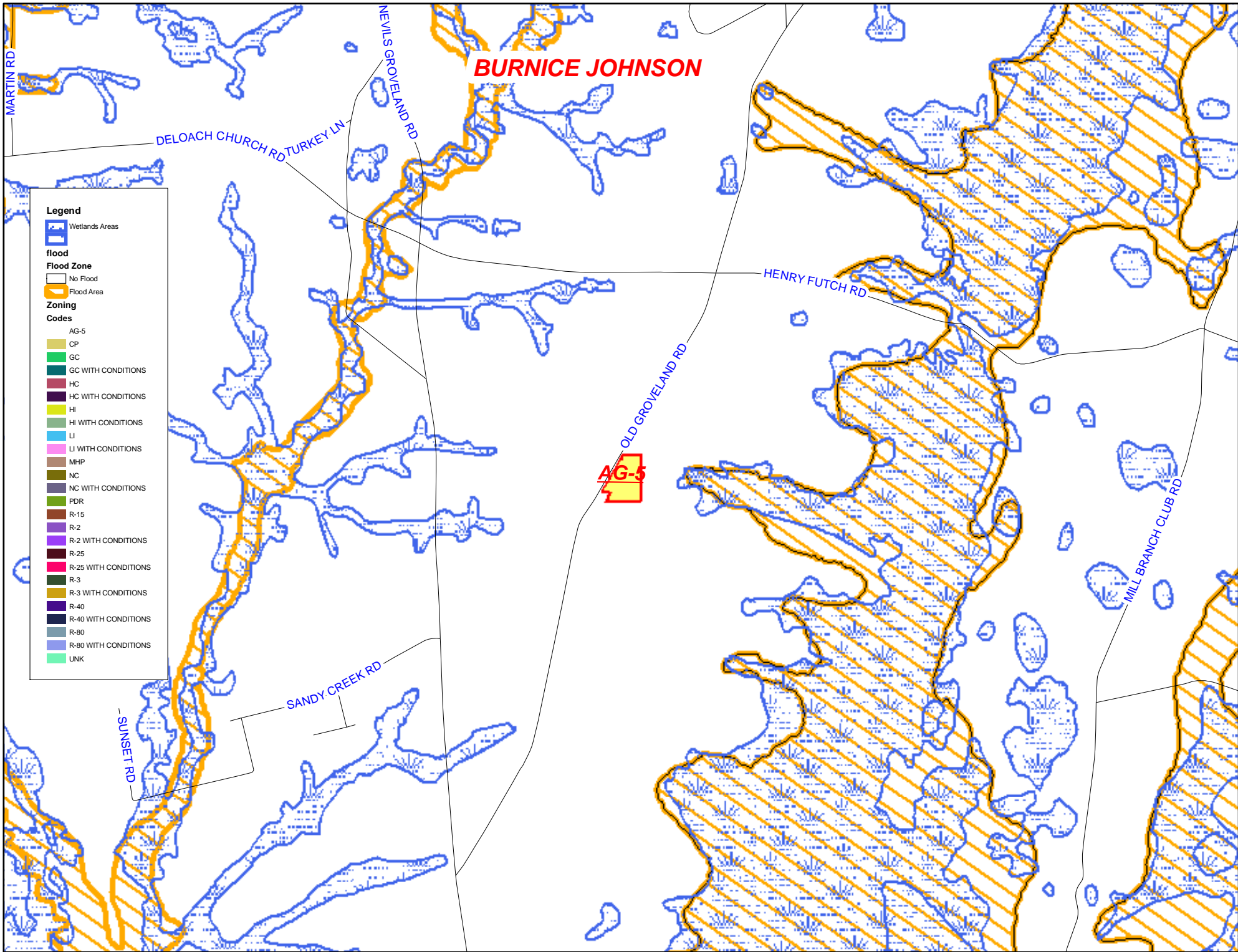
VOTE

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.

BURNICE JOHNSON



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