

# Bulloch County Departmental Review Planning and Zoning Commission

**Meeting Date: Thursday, February 08, 2007**

App. #: RZ2006-160

Item #: 4

Re-Zoning

<b>Applicant:</b>	Teresa Davis	<b>Current Zoning:</b>	AG-5
<b>Application Type:</b>	Re-Zoning	<b>Requested Zoning:</b>	R-40
<b>Location:</b>	3712 W C HODGES ROAD	<b>Current Use:</b>	Manufactured Home
<b>Map and Lot #:</b>	087 000026 002	<b>Requested Use:</b>	Multiple Buildings/Uses on a Single Lot
<b>Development Name:</b>		<b>Adjacent Use:</b>	Agricultural; Scattered houses
<b>Acres in Request:</b>	3	<b>Futures Land Use:</b>	Farmland Preservation
<b># of Existing Lots:</b>		<b>Fire District\Distance:</b>	Clito; 4.5 miles
<b># of Potential Lots:</b>		<b>EMS Distance:</b>	10 miles
<b>Adjacent Zoning:</b>	AG-5	<b>Elem\Middle\High School:</b>	Mattie Livley; William James; SHS

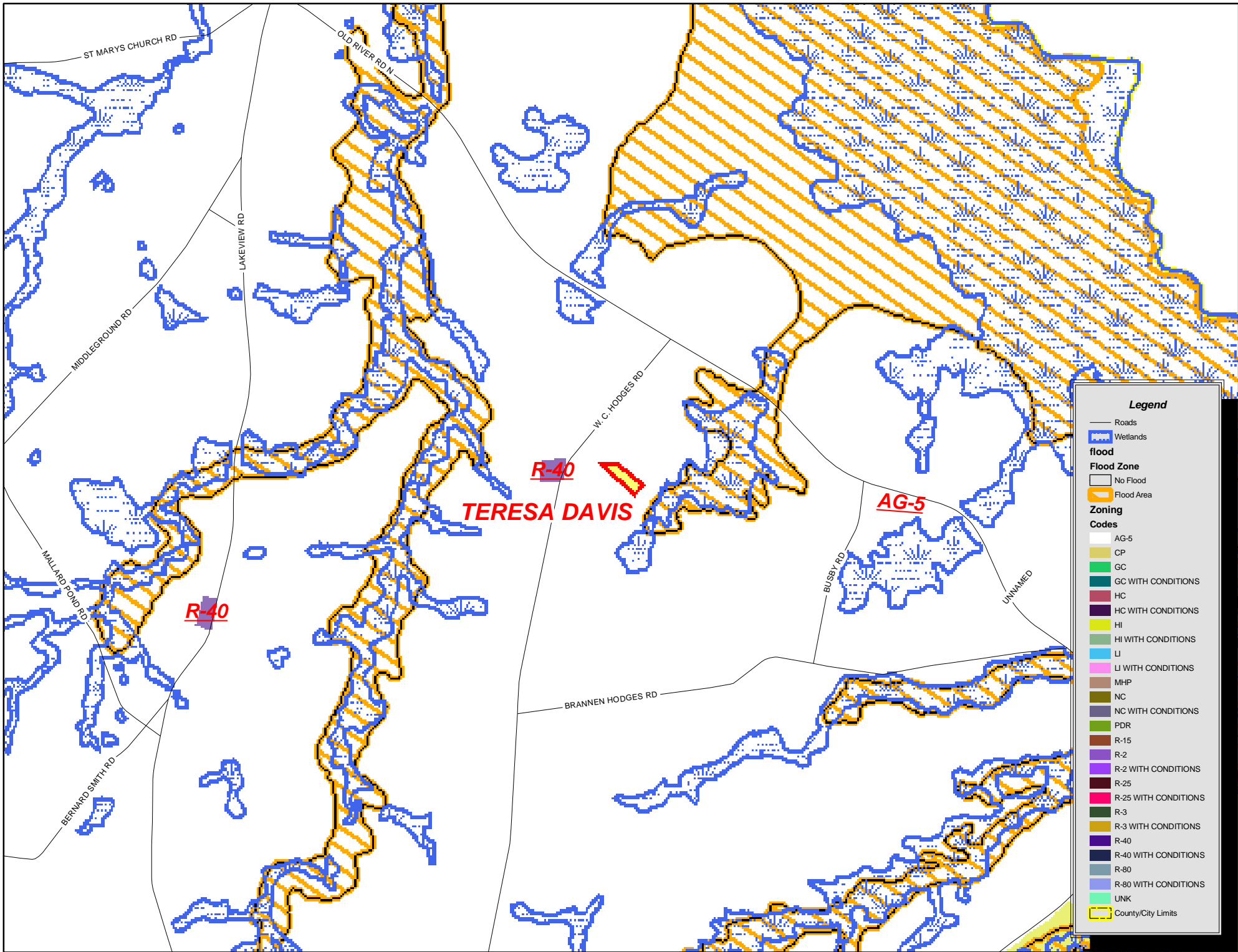
**Purpose of Zoning Application:**

Teresa Davis submitted an application requesting a rezone from AG-5 to R-40 (residential 40,000 square feet). The intent of the request is to divide the property into 3 separate parcels. The applicant is also requesting a variance for less than 500 feet of road frontage for a flag lot. The property consists of 3 acres and is located on WC Hodges Road.

**Directions to Property:**

North on Lakeview; take a right on W.C. Hodges 1 mile south of Old River Road.

<u>Standard</u>	<u>Additional Information</u>
1. The existing uses and zoning of nearby property.	Existing uses of adjacent property are agricultural and single family 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 residential use.
3. The length of time the property has been vacant as zoned.	Parcel was created since zoning under the family provision.
4. The extent to which the value of the property is diminished by the present zoning.	The value of the property 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.	No hardship exists.
6. The effect the proposed rezoning would have on the population density pattern, public service and facilities.	Minimum effect would be expected on the population density pattern.
7. The extent to which the zoning decision is consistent with the comprehensive land use plan of the county.	Request is not consistent with the land use plan.
8. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.	Zoning proposal would not affect existing uses.
9. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.	Property is currently being used.
10. Whether the change suggested is out of scale with the needs of the neighborhood or the county.	Change is 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.	No other factors.



**Legend**

- Roads
- Wetlands
- flood**
  - 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
  - County/City Limits

## STAFF REVIEW

APPLICANT: **Teresa Davis**

### PLANNING COMMENTS

The **future land use map** contained in the Bulloch County Joint Comprehensive Plan indicates that the **property would be appropriate for farmland and conservation.**

The **existing land use** pattern indicates that there are residential and agricultural uses at adjacent and nearby properties.

**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 **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.

### FIRE SERVICE

Fire service is available within 4 ½ miles from the Clito Road Fire Department.

### TRAFFIC IMPACT

**The capacity and general condition of the roads accessing the proposed development is fair. W C Hodges Road is a county maintained paved road. According TO The ITE Trip Generation Manual, this development would generate 9.75 trips per day, per dwelling, or 29.25 trips per day. The property is located on a 30' dirt access easement.**

### SCHOOL IMPACT

Minimum impact is expected on existing schools. At the present ration of 0.12 students per dwelling unit in the Bulloch County school system, the development would produce a minimum of 0.24 new students

### PARKING, ROAD AND DRAINAGE IMPACT

The rezone request, in consideration of the scale of the development, would not create an impact on roads and drainage.

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 proper roadside drainage measures.

### E-911 AND EMERGENCY MANAGEMENT IMPACT

Street addresses can be easily assigned. The County Emergency Management Director should be contacted prior to construction.

LAW ENFORCEMENT IMPACT

Response time from Bulloch County Sheriff's Department is approximately 10 minutes. 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.

ENVIRONMENTAL IMPACT

Development does not include wetland areas and flood zone areas.

FINAL STAFF RECOMMENDATION

**The subject property does not appear suitable for the proposed development.** The property provides a reasonable economic use as currently zoned.

No overload or major change is expected on public services as the mere result of the development. Prior to approval of construction permits, a site development plan addressing the issues in this report should be submitted to the Zoning Administrator.

**The staff recommends approval of the R-40 (residential 40,000 square feet) rezone but denial of the variance request. The zoning ordinance would allow a 60 foot unpaved private road with a cul-de-sac to facilitate turn around for emergency service vehicles.**

STAFF REMINDER

1. This property was created under the family provision of the AG-5 zoning district.

Participants:

Tom Couch, County Manager; Andy Welch, County Planner; and Kirk Tatum, County Engineer; Christy Strickland, Zoning Administrative Assistant; Jeff Akins, County Attorney; Bob Smith, Solid Waste Director; Mike Rollins, Parks & Recreation.