

Bulloch County Departmental Review Planning and Zoning Commission

Meeting Date: Thursday, March 08, 2007

App. #: RZ2007-010

Item #: 5

Re-Zoning

Applicant:	Christopher Akins	Current Zoning:	AG-5
Application Type:	Re-Zoning	Requested Zoning:	HC
Location:	NEVILLE DAIRY ROAD	Current Use:	Agriculture
Map and Lot #:	050 000037 002	Requested Use:	
Development Name:		Adjacent Use:	Farmland
Acres in Request:	172	Futures Land Use:	Industrial
# of Existing Lots:		Fire District\Distance:	Register; 6 miles
# of Potential Lots:		EMS Distance:	13 miles
Adjacent Zoning:	AG-5; HC	Elem\Middle\High School:	Nevils; SEB

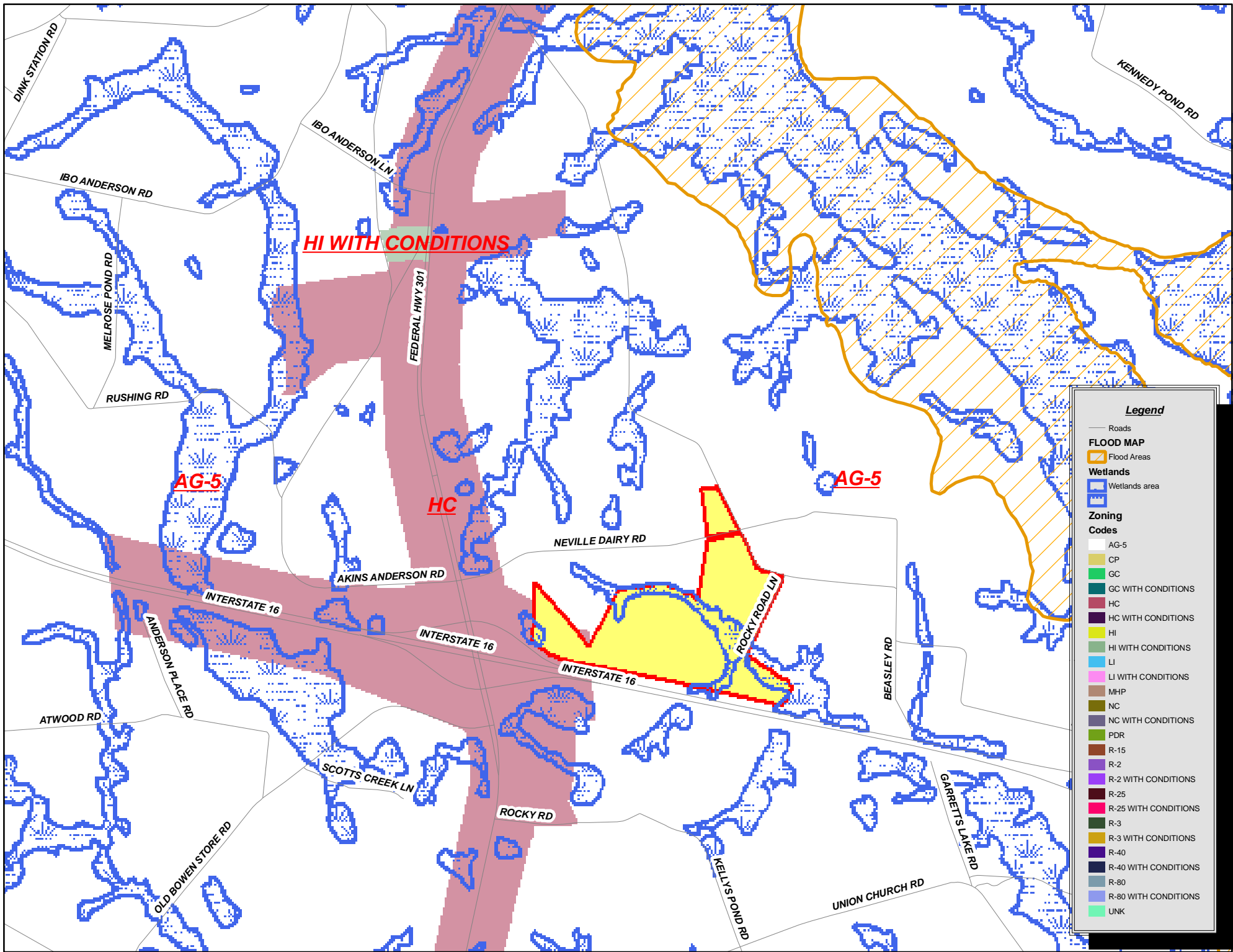
Purpose of Zoning Application:

Christopher Akins submitted an application requesting to rezone from AG-5 to Highway Commercial along the right-of-way on I-16 to allow for billboards. The requested rezone is on 55 acres of a 172.3 acre tract and is located on Neville Dairy Road. Mr. Marlin Nevil is acting as agent.

Directions to Property:

The property is located off of Neville Dairy Road, fronting south on I-16 near the U.S. Highway 301 & I-16 Intersection.

<u>Standard</u>	<u>Additional Information</u>
1. The existing uses and zoning of nearby property.	The existing uses and zoning are highway commercial and agricultural.
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 zoning to highway commercial.
3. The length of time the property has been vacant as zoned.	The property has been vacant since zoning in 1994.
4. The extent to which the value of the property is diminished by the present zoning.	The property 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 property is not rezoned due to the fact of the intent in which the applicant plans to do with the property.
6. The effect the proposed rezoning would have on the population density pattern, public service and facilities.	There should not be any effect the proposed rezoning would have to the surrounding areas.
7. The extent to which the zoning decision is consistent with the comprehensive land use plan of the county.	The zoning is consistent with the land use plan of the county.
8. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.	There should not be any adverse affect of the nearby properties.
9. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.	The property could be used as currently zoned but not in the intent of the applicants request.
10. Whether the change suggested is out of scale with the needs of the neighborhood or the county.	The changes is not out of scale with 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.	There is not any factor that are relevant.



HI WITH CONDITIONS

AG-5

HC

AG-5

NEVILLE DAIRY RD

ROCKY ROAD LN

INTERSTATE 16

INTERSTATE 16

INTERSTATE 16

BEASLEY RD

GARRETT'S LANE RD

UNION CHURCH RD

KELLY'S POND RD

ROCKY RD

SCOTT'S CREEK LN

OLD BOWEN STORE RD

ANDERSON PLACE RD

ATWOOD RD

AKINS ANDERSON RD

RUSHING RD

MELROSE POND RD

IBO ANDERSON RD

IBO ANDERSON LN

FEDERAL HWY 301

DINK STATION RD

KENNEDY POND RD

STAFF REVIEW

APPLICANT: **Christopher Akins**

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 Neville Dairy Road is good. I-16 is a state maintained paved road.

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 from Bulloch County Sheriff's Department is approximately 15 minutes. However, depending on patrolling patterns and the location of deputies at a given time, this response may be greater or lesser.

FINAL STAFF RECOMMENDATION

The subject property does appear suitable for the proposed change to allow for a commercial use on the property. The property provides a reasonable economic use as currently zoned. 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.

Staff recommends approval of the rezone request.

Participants:

Tom Couch, County Manager; Andy Welch, County Planner; Randy Newman, Zoning Administrator; Kirk Tatum, Public Works Director; and Ted Wynn, Public Safety Director; Jeff Akins, Staff Attorney; Bob Smith, Environmental Manager; Mike Rollins, Parks & Recreational Director.