

Bulloch County Departmental Review Planning and Zoning Commission

Meeting Date: Thursday, June 14, 2007

App. #: RZ2007-050

Item #: 12

Re-Zoning

Applicant:	Thomkin Enterprises	Current Zoning:	R-25
Application Type:	Re-Zoning	Requested Zoning:	R-80
Location:	271 JOSH SMITH ROAD	Current Use:	Agriculture
Map and Lot #:	093 000029 000	Requested Use:	Single Family Dwelling
Development Name:	Burkhalter Plantation Phase 4	Adjacent Use:	Residential
Acres in Request:	22.99	Futures Land Use:	Residential Development
# of Existing Lots:	1	Fire District\Distance:	Fair Road/3 miles
# of Potential Lots:	6	EMS Distance:	6 miles
Adjacent Zoning:	AG-5 & R-80	Elem\Middle\High School:	LC/LC/SHS

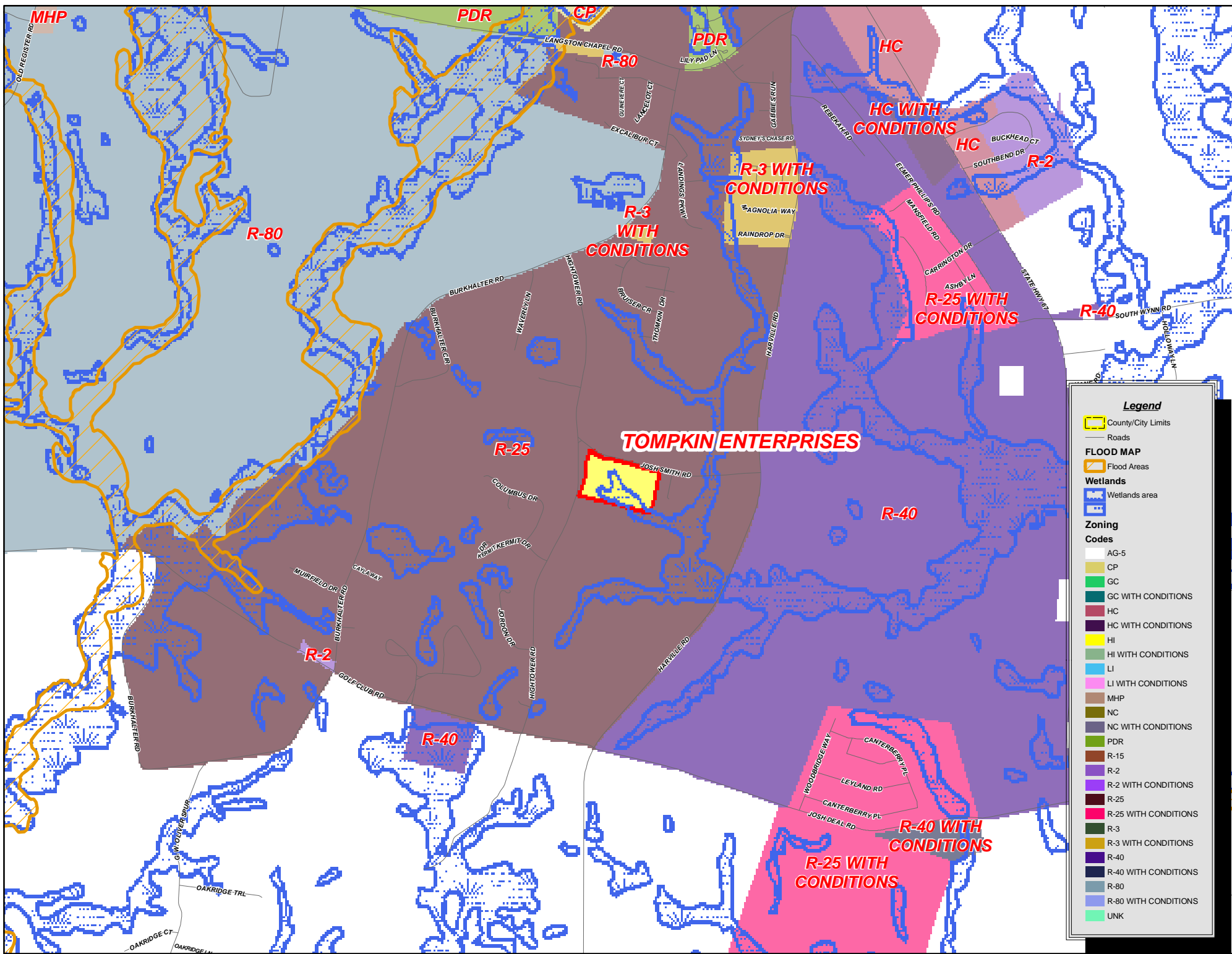
Purpose of Zoning Application:

Thomkin Enterprises submitted an application requesting a rezone from R-25 (residential 25,000 sq.ft) to R-80 (residential 80,000 sq.ft). The intent is to build single family residences on 2 acre lots. The property consists of 22.99 acres and is located on Josh Smith Road. Mr. Jim Anderson is acting as agent.

Directions to Property:

Langston Chapel; turn on Burkhalter Road and property is on the left. It is a portion of Burkhalter Plantation.

<u>Standard</u>	<u>Additional Information</u>
1. The existing uses and zoning of nearby property.	The existing use is residential and the zoning of the nearby property is R-25.
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.	The property has been zoned since November 4, 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 would not be a hardship on the property owner if the request is not approved, however the smaller density is recommended for the area.
6. The effect the proposed rezoning would have on the population density pattern, public service and facilities.	The proposed rezone would have less density to the area.
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 to the existing use or nearby properties.
9. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.	The property can be built upon as currently zoned.
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 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 are currently no factors relevant to balancing the interest.



Legend

- County/City Limits
- Roads
- FLOOD MAP**
- Flood Areas
- Wetlands**
- Wetlands 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

STAFF REVIEW

APPLICANT: **Thomkin Enterprises**

PLANNING COMMENTS

Property values for adjacent properties may be enhanced by the proposed development 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 **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.**

The **future land use plan designates the area as residential.**

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 3 miles from the Statesboro Fair Road Fire Department.

TRAFFIC IMPACT

The capacity and general condition of the road accessing the proposed development is fair. Josh Smith Road is a County maintained dirt road.

SCHOOL IMPACT

No significant 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 adequate. Response time from Bulloch County Sheriff's Department is 10 minutes or less. However, depending on patrolling patterns and the location of deputies at a given time, this response may be greater or lesser.

ENVIRONMENTAL IMPACT

Development does not include wetland areas or flood zone areas.

SOLID WASTE IMPACT

None expected on public services.

FINAL STAFF RECOMMENDATIONS

The subject property may be suitable for a proposed change to allow for the use. 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 rezoned use be approved.

The staff recommends approval of the R-80 rezone request with the following conditions:

- 1) The applicant shall dedicate in favor of Bulloch County an 80' foot right-of way along the length of Josh Smith Road contiguous to Phase III and Phase IV of Burkhalter Plantation.
- 2) The applicant shall reserve in favor of Bulloch County a 40 foot easement for future road paving along the length for Josh Smith Road contiguous to Phase III of Burkhalter Plantation, east of Phase IV to the Phase III boundary.
- 3) The applicant shall be relieved of a prior sketch plan condition to pave Josh Smith Road from the western boundary of Burkhalter Plantation to Harville Road.
- 4) In-lieu of the installation of two access ways for Phases I, II and III to Burkhalter Road, the developer shall enter into an agreement with Bulloch County whereby the developer shall donate \$50,000 for road improvements on the Burkhalter Road corridor to be used at the discretion of Bulloch County.
- 5) Any water utilities installed requiring right-of-way encroachment along Josh Smith Road shall require a right-of-way permit, subject to any requirements by the County Engineer.

PARTICIPANTS

Tom Couch, County Manager; Andy Welch, County Planner; Randy Newman, Zoning Administrator; Bob Smith, Environmental Manager; Ted Wynn, Public Safety Director, Mike Rollins, Parks & Recreation Director; Kirk Tatum, Public Work Director.