



# Bulloch County Planning and Zoning Commission

## Minutes of the September 11, 2008 Meeting

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The meeting of the Bulloch County Planning and Zoning Commission was held September 11, 2008 at 6:00 P.M. in the County Annex Building in Statesboro. Wade Hodges called the meeting to order. Ray Mosley gave the invocation.

Planning and Zoning Commission members present:

Commissioner: Ann Henderson  
Commissioner: Wade Hodges  
Commissioner: Ernest Lee  
Commissioner: Ray Mosley

Commission not present:

Commissioner: Andy Hart  
Commissioner: Jeanne Anne Marsh  
Commissioner: Gene Rogers

Staff members present:

Zoning Administrator Randy Newman  
Zoning Administrator Assistant: Christy Strickland  
County Planner: Andy Welch

Staff members not present:

County Staff Attorney: Jeff Akins  
County Manager: Tom Couch

The first item on the agenda was approval of the minutes from the August 14, 2008 Planning and Zoning Commission meeting. A motion was made by Ernest Lee and seconded by Ray Mosley to approve the minutes as written. The vote was unanimous in favor of the motion.

**Agenda Item # 1**

Applicant: John J & Desmarie Hatem  
Re: Conditional Use Request  
Location: North Jackson Street  
Map/Parcel: MS67/57  
Present Zoning: R-25

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John J & Desmarie S. Hatem submitted an application requesting a conditional use to operate a personal care home. The property consists of 0.77 acres and is located on North Jackson Road in Grove Lakes Subdivision.

Mrs. Strickland stated the applicant had contacted the zoning office earlier in the day. She stated Ms. Hatem said she could not make it to the meeting and decided not to operate a personal care home. Mrs. Strickland stated the applicant had not submitted anything any writing. Mr. Newman suggested to the board they recommend denial of the request and give the applicant time to withdraw before the Board of Commissioners meeting.

Motion

Recommended denial of the request.

Motion by

Ann Henderson; seconded by Ray Mosley.

Vote

Unanimous in favor of the motion.

This item will be heard by the Board of Commissioners on October 6, 2008 at 6:30 P.M.

**Agenda Item # 2**

Applicant: Andrew & Rhonda Rushing  
Re: Conditional Use Request  
Location: Highway 67  
Map/Parcel: 110/02/06  
Present Zoning: AG-5

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Melvin Andrew & Rhonda S Rushing submitted an application requesting a conditional use to operate a day care facility on the property. The property consists of .56 acres and is located on Highway 67.

Mrs. Rushing was present and stated their current day care is filled to capacity and needed to build another day care behind the current one for their daughter. She stated they agreed with the conditions, but needed clarification concerning the condition regarding the placement of a sign on the property. She stated they do not have a sign on the current day care and wanted to know if they were required to install one. Mr. Newman stated that did not have to install a sign.

Motion

Recommended approval of the request.

Motion by

Ann Henderson; seconded by Ray Mosley.

Vote

Unanimous in favor of the motion.

This item will be heard by the Board of Commissioners on October 6, 2008 at 6:30 P.M.

### **Agenda Item # 3**

Applicant: Tamara Nichols  
Re: Conditional Use Request  
Location: Dean Nichols Road  
Map/Parcel: 016/24  
Present Zoning: AG-5

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Tamara Nichols submitted an application for a conditional use request. The intent is to be able to operate a private airport on the property. The property consists of 208 acres and is located on Dean Nichols Road. Mr. Swain Nichols is acting as agent.

Mr. Nichols stated he was approved for a conditional use for a private airstrip at the end of 2006 and his intentions were to come back and forth from Columbia, S.C. to maintain the farm his father left to him. He stated his plans changed and he never moved. He stated due to the debt his dad had left on the farm he needed extra income and is requesting a private airstrip for recreational purposes only. He stated he would have approximately 20 hangars on 40x40 parcels. Mr. Nichols stated major repairs on airplanes on the property would be prohibited in the lessee's covenants. He stated he had spoken with several of the adjacent property owners and that none opposed the request. He stated he had submitted all of the necessary forms to the FAA and should have the official paperwork back within 60-90 days. Ms. Henderson asked how many landings/takeoffs he thought there would be. Mr. Nichols stated approximately 40 per month and it would only be in the daylight hours. The property would not be designed for nighttime landings. Mr. John Dotson with Maxwell Engineering was present. He stated he had drawn the plans and had a concerns on condition # 12 (Before any building permits are approved, a twenty-five (25') foot wide screening buffer shall be required having dense natural plantings approved by the Zoning Administrator with minimum installation height of six (6') feet along the Brack and Haggins side yard lot lines) of the staff reviews. He asked the board if the condition could be removed or reduced concerning the width of the buffer. After additional discussion on the buffer a motion was made.

#### Motion

Recommended approval of the conditional use request with the following conditions and striking the 25 foot buffer from conditions # 12:

1. The airstrip is limited to non-commercial traffic that has the owner's permission to use the airstrip.
2. The project must meet any federal or state aviation laws or regulations as a private landing strip or airport, as applicable.
3. The number of aircraft shall be limited to the number of hangars proposed on the site plans (twenty: 20).
4. All Radio communication towers must be in compliance with the county zoning code.
5. Outside storage of materials or cargo is prohibited.

6. Tenants would be required to bring fuel or refuel planes at a commercial airport; fuel dispensing or storage would be permitted on the property.
7. Occupancy space for management operations of the airport are confined and shall be subject to home occupation standards of the county zoning ordinance.
8. Any structures constructed on the property would require a building permit and would have to be built to current building codes.
9. Airstrip would be for recreational aviation only. No commercial flying (pay per flight) would be permitted.
10. Signage shall be limited to one (1) ground sign with a landscaped base, or a wall sign meeting county code.
11. All commercial solid waste containers shall be placed on a concrete pad and shielded from view with fencing or landscaping equal to the height of the container.
12. Before any building permits are approved, ~~a twenty-five (25') foot wide~~ screening buffer shall be required having dense natural plantings approved by the Zoning Administrator with minimum installation height of six (6') feet along the Brack and Haggins side yard lot lines.

Motion by

Ann Henderson; seconded by Ray Mosley.

Vote

Unanimous in favor of the motion.

This item will be heard by the Board of Commissioners on October 6, 2008 at 6:30 P.M.

**Agenda Item # 4**

Applicant: F. Wendell Brannen Et al  
Re: Sketch Plan Request  
Location: EC Hendrix & Nevils Creek Church Road  
Map/Parcel: 055/26  
Present Zoning: AG-5

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F. Wendell Brannen, Et al. has submitted a sketch plan requesting to divide 82.99 acres into 3 parcels. The property is located at the intersection of EC Hendrix Road and Nevils Creek Church Road. Mr. Don Marsh is acting as agent.

Adam Marsh was present speaking in behalf of Don Marsh and the Brannen Family. He stated the original property had been divided into more than 5 parcels and therefore were asking for approval of the sketch plan. He stated they were in agreement with the condition.

**Motion**

To approve the request with the following condition:

1. The developer shall dedicate 30 feet of right-of-way in favor of Bulloch County along the length of Nevils Creek Church Road to accommodate any future paving of the road.

**Motion by**

Ray Mosley; seconded by Ann Henderson.

**Vote**

Unanimous in favor of the motion.

**Agenda Item # 5**

Applicant: Ag Technologies  
Re: Text Amendment

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*BE IT ORDAINED by the Bulloch County Board of Commissioners that Article 26 – Standards for Towers and Wireless Telecommunications Facilities of Appendix C – Zoning Ordinance of Bulloch County, Georgia is hereby amended as follows:*

**Section 2613. Global Positioning Satellite Service Tower for Agricultural Purposes.**

(a) Towers used solely with Global Positioning Satellites for precision agriculture shall be exempt from the following provisions of this Article:

- (1) Section 2604(a)
- (2) Section 2605(c) – requirement relating to “structural capacity to accommodate at least two other uses.”
- (3) Section 2605(g) – security fencing not required but tower should be made inaccessible to protect public health and safety.
- (4) Section 2605(h)(1)
- (5) Section 2605(h)(2)
- (6) Section 2605(h)(3)
- (7) Section 2605(h)(5)
- (8) Section 2605(h)(6)
- (9) Section 2605(k)
- (10) Section 2606(b)(2)
- (11) Section 2606(b)(3)b.
- (12) Section 2606(b)(3)e.
- (13) Section 2606(b)(6)
- (14) Section 2606(b)(7)
- (15) Section 2606(b)(8)
- (16) Section 2606(b)(9)
- (17) Section 2606(c)(6)

(b) Co-location of cellular services on towers built for global positioning satellite for precision agriculture shall submit an application as a new tower and must meet all requirements of this Article.

County Planner Andy Welch stated he had met with John Brett with Ag Technologies LLC who is interested in placing several precision agricultural towers in the county. Mr. Welch stated the county’s current tower ordinance is more restricted toward cellar towers. He stated he had spoken with David Snavely, the County’s tower consultant, and he agreed that precision agricultural towers would not require the same review as cell towers and recommended the exemptions to the tower ordinance.

John Brett with Ag Technologies LLC made a power point presentation on agricultural towers. He explained the need for the towers and that it is too expensive to co-locate on existing cell towers. After additional discussion on the uses, a motion was made.

Motion

Recommended approval of the request.

Motion by

Ann Henderson; seconded by Ray Mosley.

Vote

Unanimous in favor of the motion.

This item will be heard by the Board of Commissioners on October 6, 2008 at 6:30 P.M.

Wade Hodges asked if there were no other items of business, he would need a motion to adjourn.

Motion

Adjourn the meeting.

Motion by

Ray Mosley; seconded by Ann Henderson.

Vote

Unanimous in favor of the motion.

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Wade Hodges, Chairman

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Attested by, Christy Strickland