

**Bulloch County Departmental Review  
Planning and Zoning Commission**

**Meeting Date: Thursday, September 14, 2006**

App. #: VR2006-124

Item #: 17

Variance

<b>Applicant:</b>	Thomas S. & Molly Sisson	<b>Current Zoning:</b>	AG-5
<b>Application Type:</b>	Variance	<b>Requested Zoning:</b>	
<b>Location:</b>	NESSMITH ROAD	<b>Current Use:</b>	Agriculture
<b>Map and Lot #:</b>	044 000019 006	<b>Requested Use:</b>	Single Family Dwelling
<b>Development Name:</b>		<b>Adjacent Use:</b>	Agricultural; Scattered houses
<b>Acres in Request:</b>	17	<b>Futures Land Use:</b>	
<b># of Existing Lots:</b>		<b>Fire District\Distance:</b>	
<b># of Potential Lots:</b>		<b>EMS Distance:</b>	
<b>Adjacent Zoning:</b>	AG-5	<b>Elem\Middle\High School:</b>	Juila P. Bryant; William James; SHS

**Purpose of Zoning Application:**

Thomas & Molly Sisson submitted an application requesting a variance to have more than 5 parcels on unpaved road. The property consists of 17 acres and is located on Ironhorse Road.

**Directions to Property:**

WEST ON WESTSIDE ROAD, TURN NORTH ON BANKS DAIRY. LEFT ON NESSMITH, RIGHT ON IRONHORSE ROAD. LOT IS ON THE RIGHT DOWN APPROX. 200 YARDS.

<u>Standard</u>	<u>Additional Information</u>
1. A hardship would result if all of the requirements of this ordinance were applied stringently to a particular piece of property.	
2. Medical Hardship: temporary placement of a manufactured home on the same parcel as the original principle dwelling to provide living quarters for a family member or certified / registered assisted living employee to aid in the care of one or more infirmed family members living in the principle residence.	
3. Harship is not self-created such as: a) a lot purchased with knowledge of an existing restriction; b) a claim of hardship in terms of prospective sales; c) an expressed economic need requiring a variance, when such a need can be met in other ways not requiring a variance.	
4. Does not cause substantial detriment to the public good or impair the purposes of this ordinance.	
5. The spirit of the ordinance must be observed and the public safety and welfare secured. Variance is a permitted use in the zoning district in which the property is located.	
6. Developer or owner requesting a variance has at least fifty-one percent ownership of the property or be the duly authorized agent of such a person.	
7. Applicant is not in violation of the zoning ordinance.	

## STAFF REVIEW

APPLICANT: TOMMY & MOLLY SISSON

### PLANNING COMMENTS

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

The **existing land use** pattern indicates that there are agricultural and residential 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 **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.

### FIRE SERVICE

Fire service is available within 5.74 miles from the Statesboro Fire Department.

### TRAFFIC IMPACT

**The capacity and general condition of the roads accessing the proposed development is fair. Nesmith Road is a County maintained dirt road. According to the ITE Trip Generation Manual, the mean trip-end generated would be approximately 9.75 trip ends per day.**

### SCHOOL IMPACT

No significant 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 0.12 new students

### PARKING, ROAD AND DRAINAGE IMPACT

The sketch plan in consideration of the scale of the development could create a minimal 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 to 15 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 includes wetlands areas.

FINAL STAFF RECOMMENDATION

**The subject property appears suitable for the proposed development; however, they are also requesting a variance to the road paving requirement in the subdivision ordinance.** 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 sketch plan and the variance with the following conditions:**

- 1. The road inside the development will only be paved and improved in the future under a petition of the homeowners to create a special tax assessment district.**

STAFF REMINDER

1. If the sketch plan is approved the applicant will have 18 months from Planning and Zoning approval to receive final plat approval.

Participants:

Tom Couch, County Manager; Andy Welch, County Planner; and Ted Wynn, Public Safety Director; Jeff Akins, Staff Attorney.