

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

Meeting Date: Thursday, February 08, 2007

App. #: VR2007-001

Item #: 5

Variance

Applicant:	JOHN T FINCH WILLLIAM TILLMAN	Current Zoning:	R-25
Application Type:	Variance	Requested Zoning:	
Location:	BURKHALTER ROAD	Current Use:	Agriculture
Map and Lot #:	093 000004 003	Requested Use:	Single Family Dwelling
Development Name:	Shadowbrook	Adjacent Use:	Residential; agricultural
Acres in Request:	51.06	Futures Land Use:	scattered houses
# of Existing Lots:		Fire District\Distance:	Fair Road; 3 Miles
# of Potential Lots:	56	EMS Distance:	6 miles
Adjacent Zoning:	R-25; R-80	Elem\Middle\High School:	LC; SHS

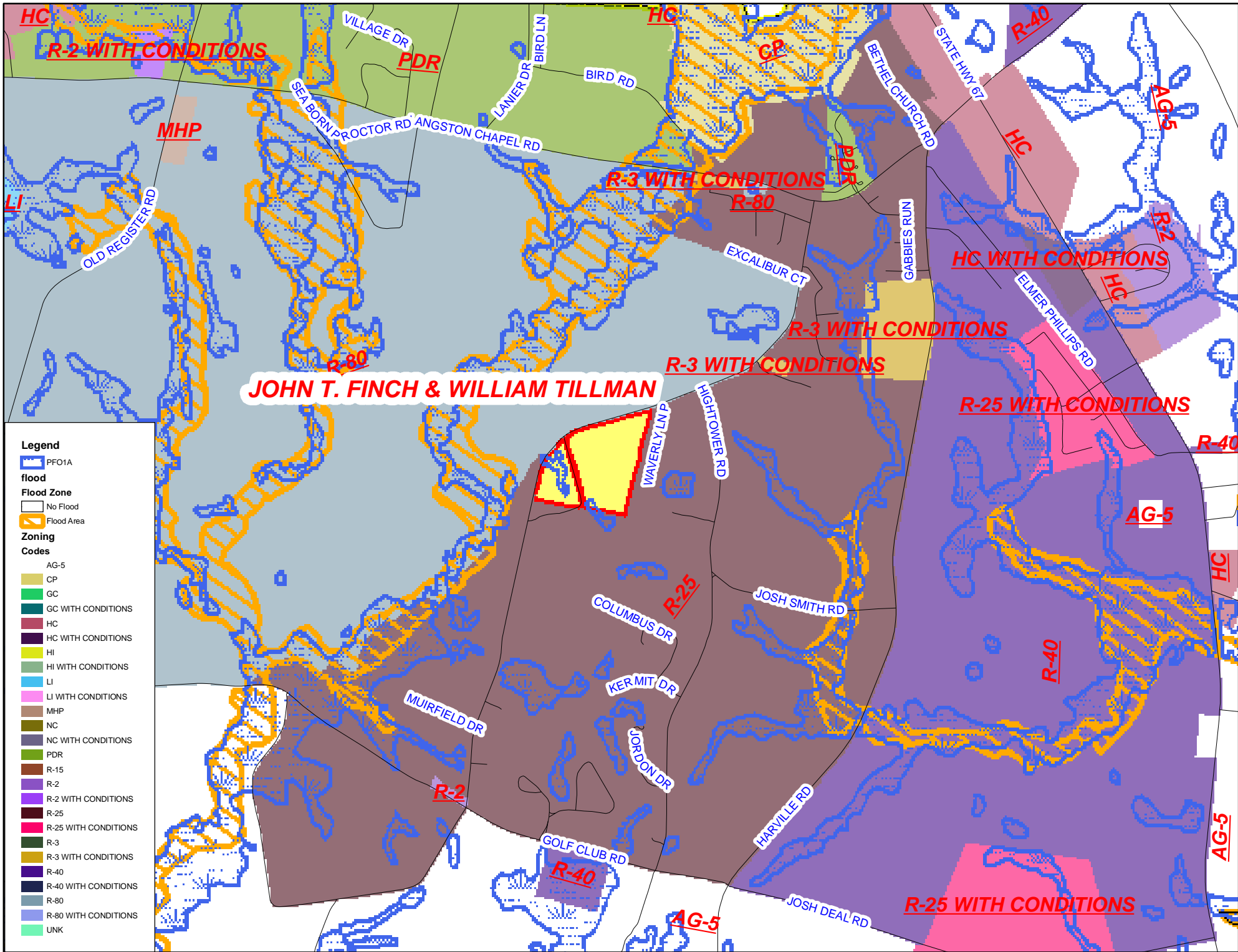
Purpose of Zoning Application:

William Tillman & John T Finch are requesting a lot size variance on multiple lots in Shadowbrook subdivision. The purpose is to provide flexibility in designing the subdivision to accommodate the loss 15 feet of right-of-way along Burkhalter Road. The maximum number of lots in the subdivision may not exceed 56 parcels.

Directions to Property:

On Burkhalter Road; 1.5 miles south of Langston Chapel at Burkhalter Circle.

<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.	There should not be any hardship on the 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.	N/A
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.	The hardship is not self-created.
4. Does not cause substantial detriment to the public good or impair the purposes of this ordinance.	The request does not cause substantial detriment to the public good,
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.	This is in the spirit of the ordinance,
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.	The applicants each own 50% of the property.
7. Applicant is not in violation of the zoning ordinance.	The applicants are not in zoning violations.



Legend

	PF01A
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

STAFF REVIEW

APPLICANT: **John T. Finch & William Tillman**

PLANNING COMMENTS

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

The **existing land use** pattern indicates that there are 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 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 3 miles from the Fair Road Fire Department.

TRAFFIC IMPACT

The capacity and general condition of the roads accessing the proposed development is good. Burkhalter Road is a county paved road. According to the ITE Trip Generation Manual, the mean trip-end generated would be approximately 546 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 6.72 new students

PARKING, ROAD AND DRAINAGE IMPACT

With exception to access issues, the sketch plan in consideration of the scale of the development would not create a negative impact on the present 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 include wetlands and flood zone areas. Base Flood Elevation will have to be determined.

FINAL STAFF RECOMMENDATION

The Board of Commissioners is recommending approval of the variance request upon referral.

STAFF REMINDER

Participants:

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