

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

**Meeting Date: Thursday, March 08, 2007**

App. #: VR2007-007

Item #: 2

Variance

|                             |                     |                                 |   |
|-----------------------------|---------------------|---------------------------------|---|
| <b>Applicant:</b>           | Patricia Floyd      | <b>Current Zoning:</b>          | AG-5                                    |
| <b>Application Type:</b>    | Variance            | <b>Requested Zoning:</b>        |   |
| <b>Location:</b>            | 1989 KENDRICKS ROAD | <b>Current Use:</b>             | Single Family Dwelling                  |
| <b>Map and Lot #:</b>       | 187 000036 002      | <b>Requested Use:</b>           | Multiple Buildings/Uses on a Single Lot |
| <b>Development Name:</b>    |                     | <b>Adjacent Use:</b>            | Farming / Residences                    |
| <b>Acres in Request:</b>    | 5                   | <b>Futures Land Use:</b>        | Farmland Preservation                   |
| <b># of Existing Lots:</b>  |                     | <b>Fire District\Distance:</b>  | Stilson; 6 miles                        |
| <b># of Potential Lots:</b> |                     | <b>EMS Distance:</b>            | 24 miles                                |
| <b>Adjacent Zoning:</b>     | AG-5                | <b>Elem\Middle\High School:</b> | SE / SEB / SEB                          |

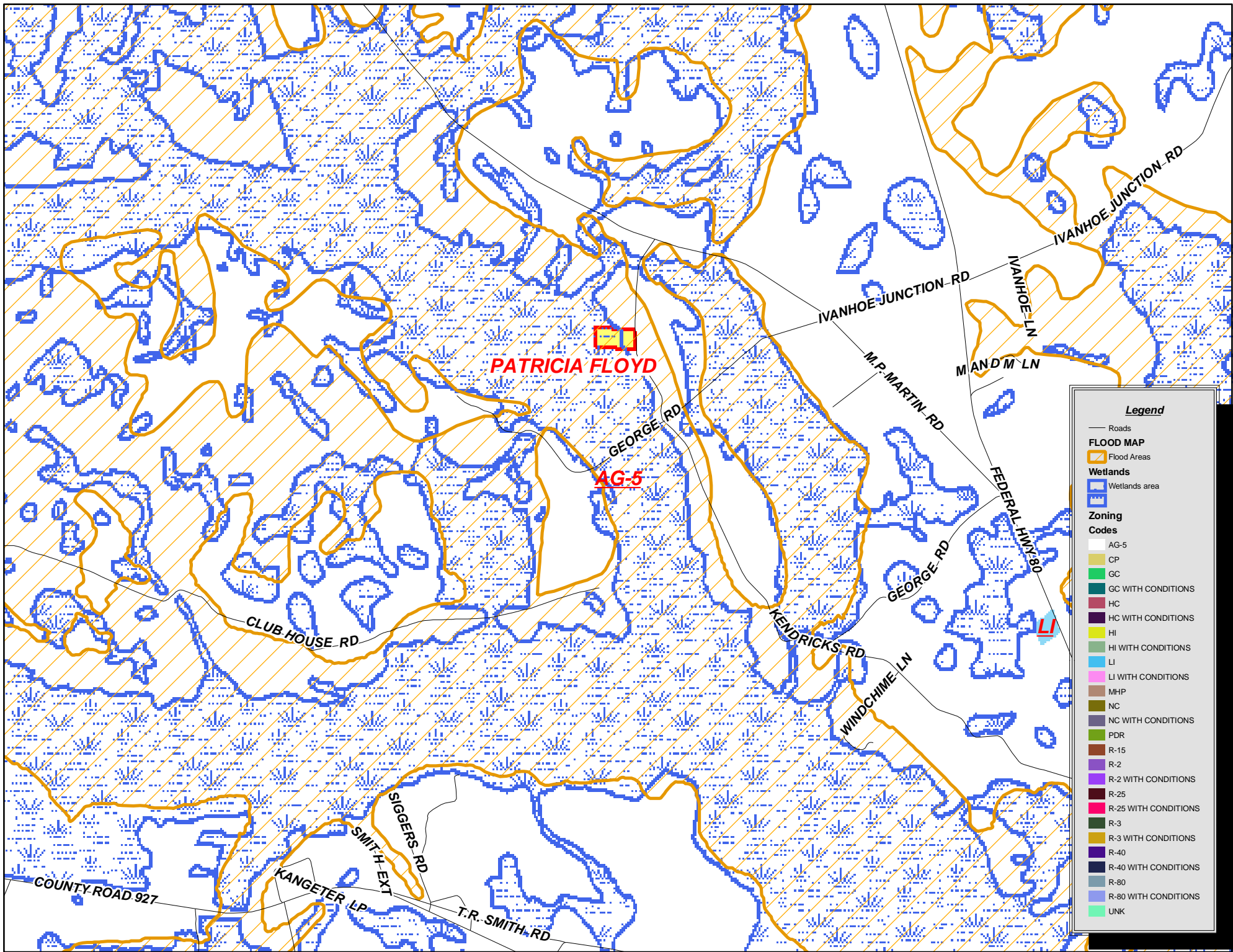
**Purpose of Zoning Application:**

Patricia Floyd submitted an application requesting a medical hardship variance. The intent is to be able to place another residence on the property so her daughter can live close to her due to health reasons. The property consists of 5 acres and is located on Kendricks Road.

**Directions to Property:**

Go to Ivanhoe Road; turn right to MP Martin. Turn Right go to 1989 Kendricks Road.

| <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 could be a hardship if the request is not approved.               |
| 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. | There is a medical harship for the applicant.                           |
| 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 due to the applicants health problems. |
| 4. Does not cause substantial detriment to the public good or impair the purposes of this ordinance.   | There should not be a 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.  | The request is consistent with 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 applicant owns the property.  |
| 7. Applicant is not in violation of the zoning ordinance.  | There are currently no code violations.                                 |



**PATRICIA FLOYD**

**AG-5**

COUNTY ROAD 927

CLUB HOUSE RD

KANGETER LP

SIGGERS RD

T.R. SMITH RD

GEORGE RD

KENDRICKS RD

WINDCHIME LN

GEORGE RD

M.P. MARTIN RD

MAND'M LN

FEDERAL HWY 80

IVANHOE LN

IVANHOE JUNCTION RD

## STAFF REVIEW

APPLICANT: **Patricia Floyd**

### 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 the roads accessing the proposed development is fair. Kendrick Road is a county maintained dirt road.**

### SCHOOL IMPACT

No impact is expected on existing schools.

### 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 20 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.

### FINAL STAFF RECOMMENDATION

The subject property does appear suitable for the proposed change to allow for a residential use on the property. The property provides a reasonable economic use as currently zoned, and is expected to continue providing a reasonable economic use if the rezone is approved.

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 medical hardship variance 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.