



Bulloch County Departmental Review Planning and Zoning Commission

Meeting Date: Thursday, May 11, 2006

App. #: VR2006-053

Item #: 6

Variance

Applicant:	James & Debroah M Walker	Current Zoning:	R-25
Application Type:	Variance	Requested Zoning:	
Location:	AMANDA DRIVE	Current Use:	Agriculture
Map and Lot #:	107 000023 015	Requested Use:	Single Family Dwelling
Development Name:		Adjacent Use:	Commercial; Residential; AG
Acres in Request:	30.86	Futures Land Use:	Commercial & Residential
# of Existing Lots:		Fire District\Distance:	Fair; 4 miles
# of Potential Lots:		EMS Distance:	4 miles
Adjacent Zoning:	R-25; HC	Elem\Middle\High School:	SZ; LC; SHS

Purpose of Zoning Application:

James L. and Deborah M. Walker have filed an application with the Bulloch County Planning and Zoning Department for a variance to be allowed to use a well for their new residence instead of tapping into a non-existent water system. The property consists of 30.86 acres and is located on Amanda Drive.

Directions to Property:

Take Hwy 80 East; Go to Taylor's Tanning salon and take a left on Amanda Drive; Property is on the right; go approximatley 600 feet from the Hwy.

<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.	The hardship is self inflicted. This property was purchased at an auction with more than 10 lots of the original tract.
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.	This property was purchased at an auction with more than 10 lots being sold out of the original tract. The subdivision ordinance requires water system with property more than 10 lots.
4. Does not cause substantial detriment to the public good or impair the purposes of this ordinance.	This could possibly cause substantial detriment if there were a fire due to the amount of development on the original parcel.
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 spirit of the ordinance would not be observed if the variance was requested.
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 is owner of the property.
7. Applicant is not in violation of the zoning ordinance.	Applicant is not in zoning ordinance violations.

PLANNING COMMENTS:

Property values for adjacent properties may not be enhanced by the proposed development even if aesthetics restrictions are placed in private deed covenants, and, if enforcement of County land use and property maintenance regulations is applied.

The change appears **that the spirit of the ordinance would not be observed if the variance was requested.**

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 good. Amanda Drive is a county paved road.

SCHOOL IMPACT:

No significant 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 would be adequate. Response time from Bulloch County Sheriff's Department is ten (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.

SOLID WASTE IMPACT:

None expected.

FINAL STAFF RECOMMENDATIONS:

The subject property does appear suitable for the proposed change to allow for residential development 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 variance 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.

The staff recommends denial of the variance request.

Participants:

Tom Couch, County Manager; Andy Welch, County Planner; Cheryl Tatum, Zoning Administrator.

Planning and Zoning Commission	
Vote	For Against:
Conditions	
Issues	
Opposition	

JAMES & DEBORAH WALKER

Legend	
	Road
	Wetland
	Wetland C
	Wetland area
	Flood
	Road Core No Flood
	Road Core Flood Area
	Zoning Code C
	AG-5
	CP
	CC
	CC WITH CONDITIONS
	HC
	HC WITH CONDITIONS
	HI
	HI WITH CONDITIONS
	LI
	LI WITH CONDITIONS
	MHP
	NC
	NC WITH CONDITIONS
	RDR
	R-15
	R-2
	R-2 WITH CONDITIONS
	R-25
	R-25 WITH CONDITIONS
	R-3
	R-3 WITH CONDITIONS
	R-4
	R-4 WITH CONDITIONS
	R-30
	R-30 WITH CONDITIONS
	UNK

