

**Bulloch County Planning & Zoning Commission
Minutes of the May 11, 2006 Meeting of the
Planning & Zoning Commission**

The Meeting of the Bulloch County Planning & Zoning Commission was held Thursday, May 11, 2006 at 6:00 P.M. in the County Annex Building in Statesboro, Georgia. Andy Hart called the meeting to order. Invocation was given by Mr. Ray Mosley.

Planning & Zoning Commission Present:

Commissioner:	Andy Hart
Commissioner:	Gene Rogers
Commissioner:	Jeanne Anne Marsh
Commissioner:	Wade Hodges
Commissioner:	Ernest Lee
Commissioner:	Ray Mosley
Commissioner:	Ann Henderson

Staff Present:

Zoning Administrator:	Cheryl Tatum
Zoning Administrative Assistant:	Christy Strickland
County Planner:	Andy Welch
County Staff Attorney:	Jeff Akins

The first item on the agenda was the minutes from the April Planning and Zoning Commission meeting. A motion was made by Wade Hodges and seconded by Jeanne Anne Marsh to accept the minutes from the April 13, 2006 Planning & Zoning Commission meeting as written. The vote was unanimous in favor of the motion.

Public Hearing Item #1

Applicant: Christine Thackston

Re: Conditional Use Request

Location: Clito Road

Map & Parcel: 104/04

Present Zoning: HI

Skip Evans, as agent for Christine Thackston, has submitted an application to the Bulloch County Zoning department for a conditional use request for a transfer station (a facility used to transfer solid waste from one transportation vehicle to another to a disposal facility or processing operation). The property consists of 171.81 acres and is located on Clito Road.

Skip Evans was present and stated the company is Southern Disposal and they are currently located on Highway 301. Mr. Evans stated that in order to operate a transfer station they need to be in a Heavy Industrial area. Mr. Evans stated that the station will not be an eyesore and that the building will have 3 walls and a roof. The station would be back on the property and the woods and wetland would be used as a buffers. Mr. Evans stated that the transfer station will be a clean operation and that their plans are to have the whole operation moved out to the proposed property in approximately 2 years. Mr. Evans stated that the main entrance and exit would be Highway 301 and Clito Road. Mr. Evans stated that there would be approximately 25-30 hauls a day and commercial hauls a day. Mr. Evans stated that operation hours would be Monday thru Saturday 6:00 A.M. to 7:00 P.M. Mr. Evans stated that they are willing to do a Level III traffic study and have the septic systems checked. Mrs. Tatum asked Mr. Evans the length of time a roll-off would be on the property. Mr. Evans stated approximately ½ day.

Mr. Mike Olvey spoke in opposition. Mr. Olvey stated that he lives at Brooks Pond House and that the run off from the property accumulates in his pond now. Mr. Olvey stated that he called has the EPD (Environmental Protection Department) because of the sediment in the creek. Mr. Olvey stated that he was opposed to any type of landfill.

Mr. Buford White also spoke opposing the conditional use request. Mr. White stated that there are approximately 5 churches in the Clito area and a volunteer fire station. Mr. White stated that he went to the transfer station on Highway 301 South and he observed garbage containers sitting around and there was a lot of noise. Mr. White stated that Bulloch County had a Recycling center in the Clito area and he didn't feel this would benefit their area. Mr. White also stated that Clito Road was maintained by the citizens and Highway 301 South was maintained by the state. Mr. White stated that he is concerned about the rodents the transfer station would attract and he is very opposed to the request.

Mrs. Mattie White stated that she was speaking for the farmers who were not able to be present for the meeting but they were all opposed to the transfer station and requested that the board deny the conditional use request.

Mr. Bill Spradley stated that he opposed the proposed request. Mr. Spradley stated that he is concerned with poisons and the toxic situation on his property and his 25 acre pond is down stream from the proposed site.

Jessie Bragg stated that he is not opposed to the landfill just where they want to locate it.

Reverend J.D. Turner stated that he has 150 members in the Clito Baptist Church and they are worried that this discourages new members. Reverend Turner also stated that the church has future plans of new buildings and is concerned this may have an effect on these plans.

Mr. Evans stated that there would be a drain in the middle of the station and that anything toxic would drain into the septic tank.

Motion made to: Recommend denial of the conditional use request.

Motion made by: Jeanne Anne Marsh, seconded by Ann Henderson.

Vote: 6 in favor of the motion with Wade Hodges abstaining.

Public Hearing Item # 2

Applicant: George Thomas Hendrix

Re: Variance Request

Location: Baygall Road

Map & Parcel: 038/12

Present Zoning: AG-5

George Thomas Hendrix submitted an application to the Bulloch County Zoning Department requesting a medical hardship variance for his uncle, Bill Hendrix. The manufactured home is already located on the property; however, due to unforeseen circumstances all but 5 acres has to be sold. The property is located on Baygall Road and consists of 5 acres.

The commission heard the medical hardship variance as an emergency on April 13, 2006. Mr. Hendrix was not present at the May 11, 2006 meeting. There was no one present opposing the variance.

Motion made to: Approve the medical Hardship Variance

Motion made by: Wade Hodges, seconded by Jeanne Anne Marsh.

Vote: Unanimous vote in favor of the motion.

Public Hearing Item # 3

Applicant: Robert Owen Zetterower

Re: Variance Request

Location: Franklin Road

Map & Parcel: 119/55

Present Zoning: AG-5

Owen Zetterower has submitted an application to the Bulloch County Planning and Zoning Department for a variance to meet front setbacks. He is requesting the front setback be 66 feet from the front of the property line. The property consists of 18.46 acres and is located on Franklin Road.

The Planning and Zoning Commission heard the variance last month. Mr. Zetterower was present and stated that he needed the variance due to a well and an old historic tree. There was no one present to oppose the variance request.

Motion made to: Approve the variance request.

Motion made by: Jeanne Anne Marsh, seconded by Ray Mosley

Vote: Unanimous vote in favor of the motion.

Public Hearing Item # 4

Applicant: William Neville

Re: Rezone Request

Location: Maria Sorrell Road

Map & Parcel: 103/9

Present Zoning: HI

Sam Dipolito, as agent for William G. Neville, submitted an application to the Bulloch County Zoning Department requesting a rezone for HI (Heavy Industrial) to AG-5. The intent of the rezone is to place a residence on the property. The property consists of 21.0 acres and is located on Maria Sorrell Road.

Sam Dipolito was present and stated that Mr. Neville would like to build a residence on his property and due to the current zoning he would not be able to. They are requesting to rezone to AG-5 so Mr. Neville would be able to build a residence. There was no one present opposing the rezone.

Motion made to: Approve the rezone request.

Motion made by: Gene Rodgers, seconded by Ann Henderson.

Vote: Unanimous vote in favor of the motion.

This will be heard by the Board of Commissioners on June 6, 2006 at 6:00 P.M.

Public Hearing Item # 5

Applicant: Deanna Easton

Re: Rezone Request

Location: Deloach Church Connector

Map & Parcel: 098/09/02

Present Zoning: AG-5

Deanna Easton submitted an application to the Bulloch County Zoning department requesting a rezone from AG-5 to R-40 (residential 40,000 square feet). The intent is to build a residence for her father who has several medical conditions and needs assisted living. The property consists of 5.0 acres and is located on Deloach Church Connector.

Mrs. Easton was present and stated that her daughter is living in the house on the property where she is requesting to place her father. Mrs. Easton questioned the board on the staff recommendations being R-80. Mrs. Easton stated that the request for the R-40 was due to the horses, goats and the fence surrounding the residence. Mr. Hodges requested that the request be tabled until next month so that Mrs. Easton could meet with Don Marsh, the surveyor, and see about having the 2 acres cut out.

Aaron Hendrix was present to speak in opposition to the request. Mr. Hendrix stated that he had no problem with Mrs. Easton placing a home on the residence for her father; he is just concerned that if she is approved for an R-40 rezone that there may be several lots cut up. Mr. Hendrix stated that his property is adjacent on the rear side of her property and would to see several of residences placed on the property.

Motion made to: Recommend to table the request until June 8, 2006

Motion made by: Wade Hodges, seconded by Ray Mosley

Vote: Unanimous in favor of the motion.

This will be heard by the Planning and Zoning Commission on June 8, 2006 at 6:00 P.M.

Public Hearing Item # 6

Applicant: James L. and Deborah M. Walker

Re: Variance Request

Location: Amanda Drive

Map & Parcel: 107/23/15

Present Zoning: R-25

James L. and Deborah M. Walker submitted an application to 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.

Mrs. Tatum stated that the original parcel has been cut out more than 10 times and the subdivision ordinance states that you must have a community water system. Mrs. Marsh stated that if there is not an existing water system what would be the alternative. Mrs. Tatum stated that the commission has already approved sketch plans for 2 other subdivisions that Mr. & Mrs. Walker could have the option of connecting to.

Mrs. Walker was present and passed out a map of the parcel. Mrs. Walker stated that there were wetlands on the property and that it would not be feasible for them to connect to a water system. Mrs. Walker stated that they were aware when the land was purchased that it was zoned R-25, but that they do not have any intentions of developing. Mr. Walker wanted a lot of land and she wanted to be close as possible to the city limits and this property met both of these requirements. There was no one to speak in opposition to the variance.

Motion made to: Recommend approval of the variance request.

Motion made by: Jeanne Anne Marsh, seconded by Ray Mosley.

Vote: Unanimous vote in favor of the motion.

This will be heard by the Board of Commissioners June 6, 2006 at 6:00 P.M.

Public Hearing Item # 6

Applicant: James and Deborah M. Walker

Re: Sketch Plan Request

Location: Amanda Drive

Map & Parcel: 107/23/15

Present Zoning: R-25

James L. and Deborah M. Walker submitted a sketch plan to the Bulloch County Zoning Department. The intent is to cut 5 acres out of 30.86 for financing. The property is located on Amanda Drive.

Mrs. Walker was present and stated that the bank would not accept the entire acreage.

Motion made to: Approve the sketch plan.

Motion made by: Wade Hodges, seconded by Jeanne Anne Marsh.

Vote: Unanimous in favor of the motion

Public Hearing Item # 7

Applicant: John and Kelli Kenan

Re: Variance Request

Location: McElveen Road

Map/Parcel: 075/035/02

Present Zoning: AG-5

John and Kelli Kenan submitted an application to the Bulloch County Planning and Zoning department requesting a variance to be able to place a shop on the front of their property. The property consists of 2.49 acres and is located on McElveen Road.

Mr. Kenan was present and stated that there are oak trees in the center of the property that he doesn't want to remove them and with the ditch that runs on the back of the property there is not enough space to put his personal shop. Mr. Kenan stated that the shop will be 40x50 (30x40 enclosed).

Motion made to: Approve the variance request.

Motion made by: Jeanne Anne Marsh, seconded by Andy Hart.

Vote: 6-1 with Ann Henderson opposing the motion.

Public Hearing Item # 8

Applicant: Dessie L. Tankersley

Re: Rezone Request

Location: Two Chop Road

Map/Parcel: 040/036

Present Zoning: AG-5

Joseph L. Woodcock, as agent for D.L. Tankersley submitted an application to the Bulloch County Planning and Zoning department requesting a rezone from AG-5 to R-80 (residential 80,000 square feet). The intent is to be able to deed 1.49 acres to his grandchildren. The property consists of 5.0 acres and is located on Two Chop Road.

Mr. Woodcock was present and stated that Mr. Tankersley wanted to deed land so that he would have road frontage. Mr. Woodcock stated that this would leave Mr. Tankersley with 3.51 acres so they are requesting the rezone.

Motion made to: Recommend approval of the rezone request.

Motion made by: Wade Hodges, seconded by Gene Rodgers

Vote: Unanimous in favor of the motion.

This will be heard by the Board of Commissioners on June 6, 2006 at 6:00 P.M.

Public Hearing Item # 9

Applicant: Snella Enterprises

Re: Rezone Request

Location: Burkhalter Road

Map & Parcel: 134/30/19/20/21

Present Zoning: R-80

John Dotson, as agent for Snella Enterprises, submitted an application to the Bulloch County Planning and Zoning Department to rezone the property from R-80 (residential 80,000 sq feet) to R-40 (residential 40,000 sq.feet). The intent is to divide 36.2 acres into 17 lots to create a residential subdivision. The property is located off of Hwy 80 on Burkhalter Road.

Mr. Dotson was present and stated that the property has two ponds that will not be part of the proposed property. Mr. Dotson stated that the proposed subdivision would have one road entering and exiting; the cul-de-sac would back up to lots #1-9 of Lee Acres subdivision. Mr. Dotson stated that the proposed subdivision would have their own community water system, the roads would be paved and the wetlands would not be disturbed.

Mrs. Kim Thompson was present to speak opposing the rezone request. Mrs. Thompson stated that all the surrounding properties are R-80 (residential 80,000 square feet). Mrs. Thompson stated that there had been several other surrounding properties that had developed at R-80 without any problems. Mrs. Thompson stated every property owner signed a petition requesting the rezone be denied. The residents are concerned that the proposed subdivision would create additional traffic.

Mr. Chester Scoggins stated that he was also opposed to the rezone request. Mr. Scoggins stated his property is located in Lee Acres on Lot # 9 and the proposed

development would be in the rear of his property and he believes this development would not be compatible.

Mr. Dotson stated that Stanford subdivision is zoned R-80 but the lots are less than R-80 standards.

Mr. Billy Allen stated he wanted to assure the board that the homes would be similar to the surrounding residences and that the county has already corrected the overflowing from the creek.

Mrs. Kim Thompson stated that the creek was still overflowing and didn't feel that county had resolved the problem.

Motion made to: Recommend denial of the rezone request.

Motion made by: Ann Henderson, seconded by Wade Hodges.

Vote: 6-1; Ernest Lee opposing the motion.

This will be heard at the Board of Commissioners on June 6, 2006 at 6:00 P.M

Public Hearing Item # 10

Applicant: John Smith
Re: Conditional Use Request
Location: Isaac Akins Road
Map & Parcel: 043/40
Present Zoning: AG-5

Michael C. Dryden, as agent for John W. Smith submitted an application to the Bulloch County Planning and Zoning Department for a conditional use to permit the removal and sale of dirt from the property and the establishment of an inert land fill. The property consists of approximately 55 acres and is located on Isaac Akins Road.

Mr. Hal Roach was present and spoke on behalf of the applicants. Mr. Roach stated that the applicant is requesting the conditional use to be able to remove dirt and fill the pit back up with an inert landfill. Mr. Roach stated a natural buffer would be used on the sides, the rear would be open, and two rows of trees would be placed in the front to limit visibility. Mr. Roach stated that the applicants are willing to wrap a 4' berm to help with visibility.

Mr. Lee Deloach spoke in opposition to the conditional use request. Mr. Deloach stated that the residents surrounding the proposed property are concerned with the traffic, the view and the trash from the landfill. Mr. Deloach stated that they feel the natural buffers would take too long to grow. Mr. Deloach presented a narrative report from Marion Hulseley and Danny Clifton stating that the inert landfill would decrease their property values.

Debbie Roberts stated that she is also opposed to the request. Mrs. Roberts stated her backyard is adjacent to the proposed property and feels her backyard would become a dump.

Mr. Fionn Thomas stated that he moved from Augusta and his residence is located across the street from the proposed property. Mr. Thomas stated that he feels they would lose a lot of assets if this request is approved.

Mr. Blaine Homestead stated that he is opposed to the request. Mr. Homestead stated that he can see the proposed site from his property and feels that the landfill would not be safe. He stated that the applicants cannot assure the residences that there would not be anything toxic that would come from the landfill. Mr. Homestead stated that the road is not built up for the traffic and that Isaac Akins Road has already been patched in 29-30 areas.

Joy Sawyer stated that she opposes the landfill because the County already has one established in the area.

Mr. Hart asked the applicants if there is a time line that the landfill would be open before it would be filled back in. Michael Dryden stated that it would take approximately 3-5 years.

Motion made to: Recommend denial of the conditional use request.

Motion made by: Ann Henderson, seconded by Ernest Lee.

Vote: Unanimous in favor of the motion.

The applicants withdrew the application on May 12, 2006.

Public Hearing Item # 11

Applicant: David Rushing

Re: Rezone Request

Location: Langston Chapel Road

Map & Parcel: 092/9

Present Zoning: R-80

Chris A. Dye, as agent for David Rushing, submitted an application to the Bulloch County Zoning department requesting to rezone from R-80 (residential 80, 000 square feet) to R-3 (Multi-Family Residence 15,000 square feet). The property consists of 2.58 acres and is located on Langston Chapel Road.

Mr. John Dotson stated that the intent of the rezone is to place two-story townhouses on the property. There would be twelve units per acre. The homes would have a community water system. Mr., Steve Rushing stated that he agreed with the staff recommendations. Mr. Rushing stated that the proposed development is .26 miles from the curve adjacent to On-the-Pond subdivision. Mr. Rushing stated that he met with Mr. Kirk Tatum and Mr. Tatum did not foresee any problems. Mr. Rushing stated that there are two dilapidated manufactured homes on the property that would be removed.

Motion made to: Recommend approval of the rezone request.

Motion made by: Wade Hodges, seconded by Jeanne Anne Marsh.

Vote: Unanimous in favor of the motion.

This will be heard by the Board of Commissioners on June 6, 2006 at 6:00 P.M.

Public Hearing Item #12

Applicant: GB Lanier
Re: Variance Request
Location: Westside Road
Map & Parcel: MS3/27/02
Present Zoning: R-40

John Dotson, as agent for GB Lanier LLC, submitted an application to the Bulloch County Zoning department requesting a variance. The purpose of the request is to allow a water system on 10 lots that does not have to meet fire flow. The property is located on Westside Road is consists of 11.0 acres.

Mr. Dotson was present and stated that and that this was tabled from last month so that he could file the application for the variance. Mr. Dotson stated they only have 10 lots and 2 other parcels that will have their own private well and are not considered as part of the parcel. Mr. Dotson stated that they are requesting not to be required to have a water system that meets fire flow. There was no one present in opposition of the variance.

Motion made to: Recommend approval of the variance request.

Motion made by: Jeanne Anne Marsh, seconded by Ray Mosley.

Vote: Unanimous in favor of the motion.

This will be heard by the Board of Commissioners on June 6, 2006 at 6:00 P.M.

Public Hearing Item #13

Applicant: GB Lanier
Location: Westside Road
Re: Sketch Plan
Map & Parcel: MS3/27
Present Zoning: R-40

GB Lanier submitted a sketch plan to the Bulloch County Zoning Department for his property on Westside Road. He has eleven (11) acres; he would like to divide them into ten (10) lots. Mr. John Dotson was present and stated that this was tabled due to the fact they needed to file the application for the variance for the water system.

Motion made to: Approve the sketch plan request.

Motion made by: Jeanne Anne Marsh, seconded by Wade Hodges.

Vote: Unanimous in favor of the motion.

Public Hearing Item # 14

Applicant: Richardson K and Randall C Parker

Re: Sketch Plan Request

Location: Stuckey Lane

Map/Parcel: 087/16A

Present Zoning: AG-5

John Dotson, as agent for Richardson K. and Randall C. Parker, submitted a sketch plan to the Bulloch County Planning and Zoning department. The intent is to divide the existing lot into 2 parcels. The property is located on Stuckey Lane and consists of 10.4 acres.

Mr. Dotson was present and stated that there are 2 parcels; Parcel # 1 is 1 acre and Parcel #2 is 9 acres. Mr. Dotson stated that they are requesting to change this to 2 parcels consisting of 5 acres. Mr. Dotson stated there would be one house on each parcel with one drive.

Motion made to: Approve the sketch plan request.

Motion made by: Wade Hodges, seconded by Jeanne Anne Marsh.

Vote Unanimous in favor of the motion.

Public Hearing Item # 14

Applicant: Cannon and Stephanie Deloach

Re: Sketch Plan Request

Location: Kennedy Bridge Road

Map/Parcel: 011/03/14

Present Zoning: AG-5

Cannon and Stephanie Deloach submitted a sketch plan to the Bulloch County Zoning department. The intent is cut out 5 acres of the 90.8 parcel for financing. The property is located on Kennedy Bridge Road.

Mrs. Tatum stated that this was originally 500+ acres and has been divided off.

Mr. & Mrs. Deloach bought approximately 90+ acres and due to financing reasons, they need to cut out 5 acres. Mr. & Mrs. Deloach were present at the meeting.

Motion made to: Approve the sketch plan request

Motion made by: Wade Hodges, seconded by Jeanne Anne Marsh

Vote: Unanimous in favor of the motion.

They will have 18 months to obtain final plat approval.

Public Hearing Item # 15

Re: Text Amendment

STATE OF GEORGIA
COUNTY OF BULLOCH

AMENDMENT TO THE CODE OF ORDINANCES OF
BULLOCH COUNTY, GEORGIA

BE IT ORDAINED by the Bulloch County Board of Commissioners that the Residential Use titled "Cottage Industry" and its accompanying footnote in Article 6, Section 602 of Appendix C – Zoning Ordinance of Bulloch County, Georgia is hereby deleted.

Motion made to: Recommend denial of the text amendment.

Motion made by: Jeanne Anne Marsh, seconded by Wade Hodges.

Vote: Unanimous in favor of the motion.

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

Motion was made to: Adjourn the May 11, 2006 meeting of the Planning and Zoning Commission.

Motion made by: Gene Rogers and seconded by Wade Hodges.

Vote: Unanimous vote in favor of the motion.

Andy Hart, Chairman

Jeanne Anne Marsh, Vice-Chairman