

Bulloch County Planning & Zoning Commission

Minutes of the January 8, 2004 Meeting of the Planning & Zoning Commission

The Meeting of the Bulloch County Planning & Zoning Commission was held Thursday, January 8, 2004 at 6:00 P.M. in the County Annex Building in Statesboro, Georgia. Eugene Brown called the meeting to order. Invocation was given by Ernest Lee.

Planning & Zoning Commission Present:

Commissioner:	Ernest Lee
Commissioner:	Eugene Brown
Commissioner:	Wade Hodges
Commissioner:	Gene Rogers

Planning & Zoning Commission Not Present:

Commissioner:	Jeanne Anne Marsh
Commissioner:	Charles Deal

Staff Present:

County Staff Attorney:	Jeff Akins
Zoning Administrator:	Cheryl Tatum
Zoning Administrative Assistant:	Melissa Sellers

The first item on the agenda was the minutes from the December Planning and Zoning Commission meeting. A motion was made by Ernest Lee and seconded by Gene Rogers to accept the minutes from the December 11, 2003 Planning & Zoning Commission meeting. The vote was unanimous in favor of the motion.

Public Hearing Item **2**:

Applicant: Sanders Properties
Re: Conditional Use Request
Location: Parker Road (Hwy. 301 North)
Map & Parcel: MS69/3-005
Present Zone: HC

John Dotson, as agent for Sanders Properties, has filed the application with the Bulloch County Zoning Department requesting a conditional use permit to allow multiple uses on one parcel. The property consists of approximately 1.316 acres. The property is located on Parker Road and Hwy. 301 North. This item was postponed from last month's P&Z meeting.

John Dotson was present at the meeting to make the presentation. He stated that the uses are consistent with Highway Commercial zoning. Ronald Love was present to speak in opposition. He stated that he attended that last meeting and his main concern is the blockage of heavy traffic coming through Parker Road. It raises a lot of safety issues with the kids in the neighborhood. He stated that he understands that Ms. Mable Sanders has stated that she would close Parker Road to thru traffic but nothing is in writing. He is concerned with crime increase and traffic increase. If the closing of Parker Road is in writing, he would be okay with the conditional use request. Eugene Brown stated that if the road was the only concern of the property owners, the zoning board could remedy that situation and put a condition on the approval of the request. Michelle Faircloth was present to speak also. She stated that she feels that same as Mr. Love and if the road is closed, she would not have a problem. Terry Marsh stated he feels

the same way. Tim Faircloth stated that if the road is closed, he would not be opposed. Marlo Arnette stated that as a new mother, she would feel so much better if Parker Road would be closed to thru traffic. John Dotson stated that they could take part of the road out but leave Parker Road still there and just have a dead end. Cheryl Tatum stated that the county would probably require a cul-de-sac for residential traffic. Mable Sanders stated closing the road would be good for the subdivision and she had no problem with the planning commission putting a condition on her request. Marlo Arnette requested that a time limit also be put on the closing of the road. Cheryl Tatum stated that before a building permit could be issued for the commercial building, the road would have to be closed if that was a condition of the rezone.

Motion was made to: Recommend approval of the conditional use request with the condition that no access or thru traffic be allowed on Parker Road.

Motion made by: Ernest Lee and seconded by Wade Hodges.

Vote: Unanimous vote in favor of the motion.

This will be heard by the Board of Commissioners on February 5, 2004 at 6 p.m.

Public Hearing Item **3**:

Applicant: Timmy Rushing
Re: Variance Request
Location: Cypress Lake Road
Map & Parcel: 47/33-033
Present Zone: AG-5

Timmy Rushing has filed the application with the Bulloch County Zoning Department requesting a variance to the setback requirements. He is requesting to be 40ft. from the front property line instead of the required 100 ft. The property is located on Cypress Lake Road. Timmy Rushing was present at the meeting to make the presentation. He stated that he will eventually have to pave Wolf Pen which is the main entrance to his mobile home park. The road is pretty straight right now and he needs the setback variance approved to keep the road straight or he will have to put a crook in the road in order to place the mobile home. Eugene Brown asked if he were just fitting in with what's already in the area. Mr. Rushing stated that he was. James Wise was present to speak in opposition. He stated that he lives less than 100 yards from the site in a brick home. He would like to sell but he feels no one will buy because of all the mobile homes around. He doesn't feel Mr. Rushing should be allowed to add to the "ghetto" that's already there. Mr. Rushing then stated that he does not own or have any control over the property that Mr. Wise is referring to. Bobby Rushing and Grady Wayne Hall own that property which is Dry Branch Village.

Motion was made to: Approve the variance request.

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

Vote: Unanimous vote in favor of the motion.

Public Hearing Item 4:

Applicant: Louise Williams
Re: Rezone Request
Location: Mud Road
Map & Parcel: 152/1B
Present Zone: AG-5

Louise Williams has filed the application with the Bulloch County Zoning Department requesting a rezone from AG-5 (Agricultural 5 acre lots) to R-80 (Residential 80,000 sq.ft. lots) on approximately 5.0 acres. The intent of the rezone is to divide the property into two separate parcels to allow her sister to move onto the property. The property is located on Mud Road. Louise Williams was present at the meeting to make the presentation. She stated that her father currently lives on the property under a medical hardship. Her sister is widowed and has no where to go. She would like her sister to move a mobile home on the property so she will have somewhere to live and she would be able to help with her father. She stated that her sister has a daughter and she doesn't want to see them move away. Freddie Shafer was present to speak in opposition. He lives 30 or 40 feet from the site. He stated that he moved to that area because it was located in an AG-5 zone and dwellings wouldn't be right on top of each other. He doesn't feel that changing to R-80 is fair. If one gets approved, then other would follow. Nanette Johnson stated that she lives at the end of Cash Road. She understands the situation but she also feels that if this property is rezoned, then others would want theirs rezoned also. Eugene Brown stated that the property in question does not qualify for R-80 zoning. The lot width

requirement for R-80 is 125ft. Ms. Williams's lot size is 180 ft. Ms. Williams asked if there were any kind of variance that she could be granted. Mr. Brown stated that he didn't know of any variance that would fit this situation. Jeff Akins stated that most variances are limited to medical hardships.

Motion was made to: Recommend denial of the rezone request.
Motion made by: Gene Rogers and seconded by Ernest Lee.
Vote: Unanimous vote in favor of the motion.

This will be heard by the Board of Commissioners on February 5, 2004 at 6 p.m.

Public Hearing Item 5:

Applicant: Clifford & Ola Mae Bragg
Re: Variance Request
Location: Old River Road South
Map & Parcel: 182/4
Present Zone: AG-5

Clifford and Ola Mae Bragg have filed the application with the Bulloch County Zoning Department requesting a medical hardship variance. They would like to place a mobile home on their property for their mother to live in. The property is located on Old River Road South and consists of 3.29 acres. A letter from the doctor has been received. Clifford Bragg was present at the meeting to make the presentation. He stated that he has spoken with all of his neighbors and they all agree that his mother needs nearby care. His mother is 85 years old. He stated that this variance would only be temporary until his mother passes or is admitted to a nursing home. He also stated that he is aware that he would have to move the mobile home off of the property when the variance is void. No one was present at the meeting to speak in opposition.

Motion was made to: Approve the variance request.

Motion made by: Ernest Lee and seconded by Wade Hodges.

Vote: Unanimous vote in favor of the motion.

This will be reviewed again in January 2005.

Public Hearing Item **6**:

Applicant: James S. Lanier
Re: Rezone Request
Location: Doy Lanier Road
Map & Parcel: MS28/6-001
Present Zone: LI

Rod Newman, as agent for James S. Lanier, has filed the application with the Bulloch County Zoning Department requesting a rezone from LI (Light Industrial) to R-40 (Residential 40,000 sq.ft. lots) on approximately 0.922 acres. He is also asking for a conditional use request. The intent of the rezone and the conditional use request is to allow the building of a church on the property. The property is located on Doy Lanier Road. Rod Newman was present at the meeting to make the presentation. He stated that they would like to change the zoning back to the way it was (R-40) so they could ask for a conditional use to build a church on the property. Eugene Brown asked if they wanted to rezone the entire piece. Mr. Newman stated that they wanted to rezone just the part that was LI. The other part is already zoned R-40.

Motion was made to: Recommend approval of the rezone and
conditional use request.

Motion made by: Wade Hodges and seconded by Ernest Lee.

Vote: Unanimous vote in favor of the motion.

This will be heard by the Board of Commissioners on February 5, 2004 at 6 p.m.

Public Hearing Item 7:

Applicant: Sandra McCorkle
Re: Rezone Request
Location: Highway 67 South
Map & Parcel: 111/10 & 111/011
Present Zone: AG-5

Dan McCorkle, as agent for Sandra McCorkle, has filed the application with the Bulloch County Zoning Department requesting a rezone from AG-5 (Agricultural 5 acre lots) to HC (Highway Commercial) on approximately 5.0 acres. The intent of the rezone is to allow model homes for sale. The property is located on Highway 67 South. Steve Rushing was present at the meeting to make the presentation. He stated that the business is called Budget Builders and they would like to place 2-4 model homes on the property. The McCorkles have spoken to all the adjacent property owners and no one is opposed. The concrete building on the property will currently be used as storage for materials and then will be used as the office for the business. Mr. Rushing stated that the property has been previously used as a mobile home park since zoning came in effect but it is zoned AG-5. The McCorkles feel there is a great need for reasonably priced stick built homes in Bulloch County. Cheryl Tatum stated that G.W. Oliver Road is a county dirt road and recommended to the commission that no access be given from that dirt road. Eugene Brown asked if all the homes were going to be stick built and not modular. Mr. Rushing stated that all homes will be stick built and constructed on site. Mr. Brown asked what would happen to the homes if the business were sold. Mr. Rushing stated that the homes can be moved and they would not be left there on the property to go to waste. Sandra McCorkle

stated that the homes will not be hooked up to electricity. Mr. Brown asked if any other businesses were considered for this property. Mrs. McCorkle stated that other than the modular homes, they would like to set up model garages on the property and sell them also. No one was present at the meeting to speak in opposition.

Motion was made to: Recommend approval of the rezone request with the condition that no access be allowed on G.W. Oliver Road and all homes are to be constructed on site and not used for any warehousing purposes.

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

Vote: Unanimous vote in favor of the motion.

This will be heard by the Board of Commissioners on February 5, 2004 at 6 p.m.

Public Hearing Item **8**:

Applicant: Dorothy Anderson
Re: Variance Request
Location: Cassie Ree Road and Cypress Lake Road
Map & Parcel: 61/7-002 & 61/7-004
Present Zone: R-80

Don Marsh, as agent for Dorothy Anderson, has filed the application with the Bulloch County Zoning Department requesting a variance to allow a flag lot to be created on a parcel with less than 500 feet of road frontage. The property consists of approximately 7.401 acres and is located on Cassie Ree Road and Cypress Lake Road. Don Marsh was present at the meeting to make the presentation. He stated that the property is shaped like a "T". The problem was trying to access the property with less than 500ft. of road frontage. Power lines run right through the property. He stated that there is enough room on parcel #2 for a house. No one was present to speak in opposition.

Motion was made to: Approve the variance request.
Motion made by: Ernest Lee and seconded by Wade Hodges.
Vote: Unanimous vote in favor of the motion.

Public Hearing Item **9**:

Applicant: RoseAnna Bunton
Re: Rezone Request
Location: Pulaski Hwy.
Map & Parcel: 32/22-001
Present Zone: AG-5

Nelson Burnsed, as agent for RoseAnna Bunton, has filed the application with the Bulloch County Zoning Department requesting a rezone from AG-5 (Agricultural 5 acre lots) to R-2 (Two Family Residential) on approximately 16.03 acres. The intent of the rezone is to subdivide the property into 20 lots for the development of duplex apartments. The property is located on Pulaski Highway. Nelson Burnsed submitted a withdrawal letter to the Planning Commission prior to the start of the meeting. The planning commission voted on the request.

Motion was made to: Approve the withdrawal request.

Motion made by: Ernest Lee and seconded by Wade Hodges.

Vote: Unanimous vote in favor of the motion.

Public Hearing Item **10**:

Applicant: Kermit and Patricia Newman
Re: Rezone Request
Location: Windy Hill Road
Map & Parcel: 132A/5
Present Zone: AG-5

Don Marsh, as agent for Kermit and Patricia Newman, has filed the application with the Bulloch County Zoning Department requesting a rezone from AG-5 (Agricultural 5 acre lots) to R-80 (Residential 80,000 sq.ft lots) on approximately 7.62 acres. The intent of the rezone is to divide the property into three (3) separate parcels. The property is located on Windy Hill Road. Don Marsh was present at the meeting to make the presentation. He stated that the Newmans have two children and they live on parcels 2 & 3. They cannot use the Family Provision Act because of the location of the existing residences. He stated that both children have 80, 000 square feet and they are not adding anything. They just want their children to own their own land. No one was present at the meeting to make the presentation.

Motion was made to: Recommend approval of the rezone request.

Motion made by: Wade Hodges and seconded by Ernest Lee.

Vote: Unanimous vote in favor of the motion.

This will be heard by the Board of Commissioners on February 5, 2004 at 6 p.m.

Public Hearing Item **11**:

Applicant: The Gail McGlamery Trust
Re: Variance Request
Location: Old River Rd. MHP Lot 6
Map & Parcel: 102/4
Present Zone: AG-5

The Gail McGlamery Trust has filed the application with the Bulloch County Zoning Department requesting a variance to allow a mobile home that is greater than ten (10) model years to be moved onto their property. The property is located on Lot 6 in Old River Road Mobile Home Park on Old River Road. Pam Morgan was present at the meeting to make the presentation. She stated that her tenant bought the mobile home on November 15, 2003. He moved the mobile home to the lot and decided to get his permit after the holidays so he could set it up. When he went to the permit office, he then learned of the new ordinance and therefore, had to apply for a variance before he could get a permit. No one was present to speak in opposition.

Motion was made to: Approve the variance request.

Motion made by: Wade Hodges and seconded by Ernest Lee.

Vote: Unanimous vote in favor of the motion.

Public Hearing Item **12**:

Applicant: Donald Brown
Re: Sketch Plan Request
Location: Railroad Bed Road & Buie Driggers Road
Map & Parcel: 174/21
Present Zone: AG-5

Marlin Nevil, as agent for Donald Brown, has submitted a sketch plan request for his property located on Railroad Bed Road & Buie Driggers Road. The property consists of approximately 437 acres that he is wanting to divide into 6 lots. There are some wetlands and flood zone on the property. Marlin Nevil was present at the meeting to make the presentation. He stated that the 437 acres have been around for years and 2 parcels were previously deeded off prior to zoning. Last year, Mr. Brown decided to split the property and give his grandson four (4) acres. He is using the family provision for the one (1) acre. No one was present at the meeting to speak in opposition.

Motion was made to: Approve the sketch plan request.

Motion made by: Gene Rogers and seconded by Ernest Lee.

Vote: Unanimous vote in favor of the motion.

They will have 18 months in which to obtain final plat approval.

Public Hearing Item **13**:

Applicant: James Jernigan
Re: Sketch Plan Request
Location: Adabelle Road
Map & Parcel: 23/21
Present Zone: AG-5

Don Marsh, as agent for James Jernigan, has submitted a sketch plan request for his property located on Adabelle Road. The property consists of approximately 136.8 acres that he is wanting to divide into 12 lots. There are some wetlands and flood zone on the property. Don Marsh was present at the meeting to make the presentation. He stated that there are pines and food plots on the property. The land is very well manicured. Mr. Jernigan lives on parcel #6. He is not selling. When he dies, he would like something to be done with the property. Cheryl Tatum asked about the setbacks on lot #2 because of the existing building looking like it was really close to the property line. Mr. Marsh stated that he did not know the exact footage but if they had to, they could shift the lines over a little. No one was present to speak in opposition.

Motion was made to: Approve the sketch plan request.

Motion made by: Wade Hodges and seconded by Ernest Lee.

Vote: Unanimous vote in favor of the motion.

They will have 18 months in which to obtain final plat approval.

