



**October 18, 2016 5:30 pm**

1. Call to Order by Mayor Jan J. Moore
2. Invocation and Pledge of Allegiance by Phil Boyum
3. Public Comments (Agenda Item):
4. Consideration of a Motion to Approve the Consent Agenda
  - A) Approval of Minutes
    - a) 09-28-2016 Called Council Minutes
    - b) 10-04-2016 Council Minutes
5. Public Hearing and Consideration of a Motion to Approve Alcohol License Applications:
  - A) Eagle Creek Brewing Company LLC  
John Franklin Dismuke  
106 Savannah Avenue  
Statesboro, Ga.
  - B) Shenanigans  
James Peery (New Owner)  
1 University Plaza  
Statesboro, Ga.
6. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # DSDA 16-09-001**: First Baptist Church of Statesboro requests the demolition of a structure located at 24 East Olliff Street, a property located within the boundaries of the Downtown District. Article XXX Section 3003 of the Statesboro Zoning Ordinance requires a finding of necessity for the demolition of structures deemed worthy of preservation by City Council (Tax Parcel # S27 000045 000).
7. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # DSDA 16-09-002**: First Baptist Church of Statesboro requests the demolition of a structure located at 206 Oak Street, a property located within the boundaries of the Downtown District. Article XXX Section 3003 of the Statesboro Zoning Ordinance requires a finding of necessity for the demolition of structures deemed worthy of preservation by City Council (Tax Parcel # S28 000001 000).
8. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # DSDA 16-09-003**: The Downtown Statesboro Development Authority requests the demolition of a structure located at 9 West Inman Street (listed as 11 West Inman Street), a property located within the boundaries of the Downtown District. Article XXX Section 3003 of the Statesboro Zoning Ordinance requires a finding of necessity for the demolition of

structures deemed worthy of preservation by City Council (Tax Parcel # S19 000040 000).

9. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # CUV 16-08-01**: Justine Taylor requests a conditional use variance from Article V of the Statesboro Zoning Ordinance for .34 acres of property located at 18 Carmel Drive to utilize the property as a community living arrangement facility (Tax Parcel # S51 000064A 000).
10. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # V 16-08-02**: John Ray Hendley requests a variance from Article XV (Signs) Section 1509(C) Table 3 of the Statesboro Zoning Ordinance regarding the minimum 5' setback requirement for a sign located at 30 West Inman Street (Tax Parcel # S19 000050 000).
11. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # SUB 16-09-01**: RDJ, LLC requests preliminary plat approval for an 83-lot subdivision for phases II and III of the Whispering Pines subdivision (Tax Parcel # MS42 000008 000).
12. Consideration of a Motion to Approve **ORDINANCE 2016-09**; An Ordinance regarding water and sewer billing, termination of service for nonpayment, and billing adjustments. (Fee Credit for elderly/low income)
13. Consideration of a Motion to Approve **ORDINANCE 2016-10**: An Ordinance Amending Chapter 66 of the Statesboro Code of Ordinances (Solid Waste) (Fee Credit for elderly/low income)
14. Consideration of a Motion to Approve **Ordinance 2016-11**: An Ordinance Amending Article 2 (Authorities, Boards and Commissions) of Chapter 2 (Administration) of the Statesboro Code of Ordinances. (Keep Statesboro-Bulloch Beautiful Advisory Board)
15. Consideration of a Motion to Approve an Intergovernmental Agreement between the City and the DSDA for the use of a city vehicle.
16. Other Business from City Council
17. City Managers Comments
18. Public Comments (General)
19. Consideration of a Motion to Adjourn





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**CITY OF STATESBORO  
Called Council Minutes  
September 28, 2016**

A Called meeting of the Statesboro City Council was held on September 28<sup>th</sup>, 2016 at 5:30p.m. in the Council Chambers at City Hall. Present were Mayor Jan J. Moore, Council Members: Phil Boyum, Sam Lee Jones, Jeff Yawn and John Riggs. Also present were City Manager Randy Wetmore, City Clerk Sue Starling and City Attorney Alvin Leaphart. Absent were Councilman Travis Chance and Deputy City Manager Robert Cheshire.

The meeting was called to Order by Mayor Jan Moore

The Invocation was given by Allen Muldrew and the Pledge of Allegiance was led by Councilman John Riggs

**A Public Presentation by City Consultant Retail Strategies Group on their recent study findings**

Mayor Moore introduced Joe Strauss with the Retail Strategies Group. Mr. Strauss gave an overview as he presented statics and charts of how the company searches and recruits new businesses for different areas. He also stated the company serves such areas as Rincon, LaGrange and Downtown Augusta.

Mayor Moore stated the City's expense for this company's services was \$72,000.00 over a 3 year period. The plan started in 2013.

Citizens as well as business owners were present. Nick Propps, Jim Thibodeau, and Per Holtze were also present as they joined in the discussion to ask questions of Mr. Strauss.

**Consideration of a Motion to Adjourn**

Councilman Yawn made a motion, seconded by Councilman Jones to adjourn the meeting. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

The meeting was adjourned at 6:20 pm.



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**CITY OF STATESBORO  
Council Minutes  
October 04, 2016**

A regular meeting of the Statesboro City Council was held on October 4, 2016 at 9:00 am in the Council Chambers at City Hall. Present were Mayor Jan J. Moore, Council Members: Phil Boyum, Sam Lee Jones, Jeff Yawn, John Riggs and Travis Chance. Also Present was City Manager Randy Wetmore, Deputy City Manager Robert Cheshire, City Attorney Alvin Leaphart and City Clerk Sue Starling.

The meeting was called to order by Mayor Jan Moore.

Invocation and Pledge of Allegiance was led by Councilman Travis Chance.

Mayor Moore gave a statement and read from a press release made by the GBI regarding an incident that happened near Georgia Southern early this morning. The incident resulted in the death of an individual. Mayor Moore stated that once it was determined that a fatality had occurred, the involved officer was placed on administrative leave and Deputy Chief Bryan, immediately contacted the GBI who then took over the investigation. This will be the only statement made by the City of Statesboro at this time.

**Recognitions/Public Presentations**

- A) Recognitions of the Statesboro Area SHRM for being named the “2016 Best in Georgia- Chapter of the Year.**

Mayor Moore recognized the Statesboro Area SHRM for being named the “2016 Best in Georgia Chapter of the year”. President Curtis Woody and President Elect Charlene Powell representing SHRM, as well as City of Statesboro Human Resource Director Jeff Grant, who was past President of SHRM was present for the recognition.

- B) Proclamation presented to Channie Frazier for winner of the Georgia Pre-K Teacher of the Year Award**

Mayor Moore stated this presentation will be done at a later Council Meeting.

- C) Recognition of Alex Smith, County Coordinator for Concerted Services, Inc., with an update on the utility discount program.**

Alex Smith gave an update on the utility discount program. He asked Council if they would consider increasing the percentage of the Federal poverty guideline from 100 percent to 125 percent. He explained, in doing so, we would be able to help more individuals who would not otherwise get the discount and it would be in line with our other assistance programs. Mayor Moore asked City Attorney Alvin Leaphart to prepare the required documents for the next Council meeting

**Public Comments (Agenda Item):** None

**Consideration of a Motion to approve the Consent agenda:**

- A) **Approval of Minutes**
  - a) **09-20-2016 Council Minutes**
- B) **Consideration of a Motion to approve and to authorize the Mayor to sign Fiscal Year 2016 Homeland Security Grant Program/State Homeland Security Program Agreement between the State of Georgia Emergency Management and Homeland Security Agency and City of Statesboro Fire Department; Grant No: SH16-044.**

Councilman Yawn made a motion seconded by Councilman Riggs to approve the Consent Agenda in its entirety. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried with a 5-0 vote.

**Consideration of a Motion to approve the Professional Services Agreement and Task Order 1 with Ecological Planning Group, LLC in the amount of \$72,040.00 to assist the City with Storm Water Master planning.**

Councilman Boyum made a motion seconded by Councilman Yawn to approve the Professional Services Agreement and Task Order 1 with Ecological Planning Group, LLC in the amount of \$72,040.00 to assist the City with Storm Water Master planning. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried with a 5-0 vote.

**Consideration of a Motion to authorize the Mayor to enter into appropriate contracts or agreements to form sister-city relationships with Grottaferrata and Monte Compatri Italy with the caveat that such agreements or contracts shall not impose more than \$1500.00 of costs on the City of Statesboro.**

Councilman Jones seconded by Councilman Riggs to authorize the Mayor to enter into appropriate contracts or agreements to form sister-city relationships with Grottaferrata and Monte Compatri Italy with the caveat that such agreements or contracts shall not impose more than \$1500.00 of costs on the City of Statesboro. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried with a 5-0 vote.

**Other Business from City Council:** None

**City Managers Comments:**

- A) **Update from Director of Human Resources Jeff Grant regarding the City of Statesboro Workers Comp and Safety Program**

City Manager Randy Wetmore stated Director of Human Resources Jeff Grant has a presentation on the City of Statesboro Workers Comp and Safety Program.

Director of Human Resources Jeff Grant gave a slide presentation regarding the past three years of the City of Statesboro Worker Comp claims and costs. Mr. Grant stated we have been working to reduce the amount of claims. In order to make this a joint effort, a safety advisory

committee was formed, which is made up of individuals from all departments to get suggestions and ideas to ensure a safe working environment.

**Public Comments (General)**

**A) Bill Thomas request to speak with Council**

Mr. Thomas was not at the meeting to speak.

**Consideration of a Motion to Adjourn**

Councilman Chance made a motion seconded by Councilman Riggs to adjourn the meeting. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried with a 5-0 vote.

The meeting was adjourned at 10:00 am.

PLEASE BE ADVISED THAT KNOWINGLY PROVIDING FALSE OR MISLEADING INFORMATION ON THIS DOCUMENT IS A FELONY PURSUANT TO O.C.G.A. §16-10-20 WHICH STATES:

A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

APPLICATION FOR LICENSE TO SELL ALCOHOLIC BEVERAGES  
CITY OF STATESBORO, GEORGIA

The undersigned applicant hereby applies to the City of Statesboro, Georgia for a license to sell alcoholic beverages within the corporate limits of the City of Statesboro. A non-refundable TWO HUNDRED dollar (\$200.00) application fee must be tendered with the application. (cash, credit card, certified check, or money order, checks should be made payable to the City of Statesboro.)

1. BUSINESS TRADE NAME: Eagle Creek Brewing Company, LLC  
D/B/A Name

2. APPLICANT'S NAME: Eagle Creek Brewing Company, LLC  
(Name of partnership, llc, corporation, or individual)

3. BUSINESS LOCATION ADDRESS: 106 SAVANNAH AVE. STE# B

4. BUSINESS MAIL ADDRESS: \_\_\_\_\_

CITY: Statesboro STATE: GA ZIP CODE: 30458

5. LOCAL BUSINESS TELEPHONE NUMBER: (912) 489-2339

CORPORATE OFFICE TELEPHONE NUMBER: \_\_\_\_\_

6. CONTACT NAME FOR BUSINESS: John Franklin Dismuke

TELEPHONE NUMBER FOR CONTACT PERSON: 912-678-1738

7. NAME OF MANAGER: John Franklin Dismuke  
(Person responsible for Alcohol Licensing issues)

8. PURPOSE OF APPLICATION IS: (CHECK ALL THAT APPLY)

NEW MANAGER \_\_\_\_\_ NEW BUSINESS:  NEW OWNER: \_\_\_\_\_

PREVIOUS OWNER'S NAME: \_\_\_\_\_

BUSINESS NAME CHANGE: \_\_\_\_\_ PREVIOUS BUSINESS NAME: \_\_\_\_\_

ADDRESS CHANGE: \_\_\_\_\_ PREVIOUS ADDRESS: \_\_\_\_\_

LICENSE CLASS CHANGE: BEER  WINE  LIQUOR  OTHER \_\_\_\_\_

9. INDICATE WHERE BUSINESS WILL BE LOCATED:

Above Ground       Street or Ground Floor Level

SEC. 6-10(D) ANY PERSON WITHIN THE CITY OF STATESBORO WHO WORKS AS A BOUNCER, EITHER AS AN EMPLOYEE, AGENT, OR SUBCONTRACTOR WHOSE RESPONSIBILITIES IN AN ESTABLISHMENT THAT IS LICENSED TO SELL ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION SHALL HAVE THEIR ALCOHOLIC BEVERAGE SECURITY PERMIT ON THEIR PERSON AT ALL TIMES WHILE ACTING AS AN EMPLOYEE, AGENT OR SUBCONTRACTOR OF THE LICENSEE. AN ALCOHOLIC BEVERAGE SECURITY PERMIT SHALL BE READILY AVAILABLE FOR INSPECTION UPON THE REQUEST OF ANY STATESBORO POLICE DEPARTMENT OFFICER, CITY CODE ENFORCEMENT OFFICER, OR THE CITY MANAGER OR HIS DESIGNEE.

DOES ANY EMPLOYEE DESCRIBED IN THE ABOVE PARAGRAPH HAVE AN ALCOHOLIC BEVERAGE SECURITY PERMIT?  YES  NO (PERMIT SHALL BE OBTAINED FROM THE STATESBORO POLICE DEPARTMENT)

**CALCULATION OF BASIC LICENSE FEE:**      **FOR CALENDAR YEAR**      2016

<u>CLASSIFICATION</u>	<u>(Mark All That Apply)</u>	<u>LICENSE FEE</u>
Class B, Retail Beer Package	<u>     </u>	875.00
Class C, Retail Wine Package	<u>      </u>	875.00
Class D, Retail Liquor by the Drink	<u>     </u>	1,425.00
Class E, Retail Beer by the Drink	<u>     </u>	1,425.00
Class F, Retail Wine by the Drink	<u>     </u>	1,425.00
Class G, Wholesale Liquor	<u>      </u>	1,500.00
Class H, Wholesale Beer	<u>      </u>	1,500.00
Class I, Wholesale Wine	<u>      </u>	1,500.00
Class J, Licensed Alcoholic Beverage Caterer	<u>      </u>	200.00
Class K, Brewer, Manufacturer of Malt Beverages Only	<u>     </u>	1,750.00
Class L, Broker	<u>      </u>	1,750.00
Class M, Importer	<u>      </u>	1,750.00
Class O, Manufacture on Wine Only	<u>      </u>	1,750.00
Sunday Sales Permit	<u>     </u>	300.00
In Room Service Permit	<u>      </u>	150.00

Georgia Law (O.C.G.A. Section 3-3-7) states: "The sale of alcoholic beverages is lawful for consumption on the premises on Sundays from 12:30 p.m. until 12:00 midnight in any licensed establishment which derives at least 50 percent of its total annual gross sales from the sale of prepared meals or food in all of the combined retail outlets of the individual establishment where food is served and in any licensed establishment which derives at least 50 percent of its total annual gross income from the rental of rooms for overnight lodging."

Sunday sales permit holders are subject to audit for compliance with State Law. Each establishment is required to maintain Financial Records on food sales and alcohol sales by separate business location to demonstrate compliance with State and Local Law.

TOTAL ANNUAL LICENSE FEE:      \$ \_\_\_\_\_

PARTIAL YEAR CALCULATION IF APPLICABLE: \$ \_\_\_\_\_



Special Event Permit 50.00  
 Distance Waiver Application Fee 150.00  
 Alcohol Beverage Control Security Permit(Permit Shall Be Obtained From The Statesboro Police Department) 50.00

10. TYPE OF BUSINESS: (CHECK ONE)  Individual  Corporation  Partnership  LLC

**(COMPLETE EITHER NUMBERS 11, 12 AND 13, AND/OR 14, 15 AND 16 IN THE SECTION BELOW)**

11. IF APPLICANT IS AN INDIVIDUAL: Attach copy of trade name affidavit.

FULL LEGAL NAME: \_\_\_\_\_ PHONE# \_\_\_\_\_  
 HOME ADDRESS: \_\_\_\_\_  
 CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_  
 RACE: \_\_\_\_\_ SEX: \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_ SOCIAL SECURITY NO: \_\_\_\_\_  
 HAVE YOU COMPLETED THE FINANCIAL AFFIDAVIT ATTACHED TO THIS APPLICATION? \_\_\_\_\_

12. IF APPLICANT IS A PARTNERSHIP, L.L.C., or L.L.P.: Attach trade name affidavit, if an LLC or LLP, attach a copy of certificate of LLC or LLP as filed with the Clerk of Superior Court and trade name affidavit, a copy of your operating agreement and/or partnership agreement as well as other documents listed below that establish ownership rights of members or partners.

NAME AND ADDRESS OF PARTNERSHIP, LLC, or LLP: Eagle Creek Brewing Company, LLC

DO YOU HAVE AN OPERATING AGREEMENT OR PARTNERSHIP AGREEMENT FOR THE LLC, LLP OR PARTNERSHIP? yes  
 IF NOT, WHAT DOCUMENTS ESTABLISH THE OWNERSHIP RIGHTS OF THE MEMBERS OR PARTNERS? \_\_\_\_\_

13. MEMBERS OF L.L.C. and/or PARTNERS:

FULL LEGAL NAME: John Franklin Dismake PHONE# 912-678-1738  
 FULL LEGAL NAME: \_\_\_\_\_ PHONE# \_\_\_\_\_  
 HOME ADDRESS: \_\_\_\_\_  
 CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_  
 RACE: \_\_\_\_\_ SEX: \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_ SOCIAL SECURITY NO: \_\_\_\_\_  
 FULL LEGAL NAME: \_\_\_\_\_ PHONE# \_\_\_\_\_  
 HOME ADDRESS: \_\_\_\_\_  
 CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_  
 RACE: \_\_\_\_\_ SEX: \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_ SOCIAL SECURITY NO: \_\_\_\_\_

17. If there is any individual or officer, who has resided at his current address less than five (5) years, complete information below.

NAME: \_\_\_\_\_ PHONE# \_\_\_\_\_

PREVIOUS ADDRESS: \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_

PREVIOUS ADDRESS: \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_

PREVIOUS ADDRESS: \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_

FULL NAME: \_\_\_\_\_ PHONE# \_\_\_\_\_

PREVIOUS ADDRESS: \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_

PREVIOUS ADDRESS: \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_

PREVIOUS ADDRESS: \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_

(ATTACH ADDITIONAL PAGES IF NECESSARY)

18. State name and address of owner of the property (Land and Building) where the business will be located.

Gas Light Crossing LLC  
913 Monarch Cir Statesboro, GA 30458

19. Is the commercial space where the business is to be located rented or leased?

Answer: YES  NO \_\_\_\_\_ If yes, state name of lessor or landlord and address, and provide a copy of the lease with this application.

Gas Light Crossing, LLC (John Franklin)  
Dismuke

20. Does any person or firm have any interest in the proposed business as a silent, undisclosed partner or joint venture; or has anyone agreed to split the profits or receipts from the proposed business with any persons, firm, company, corporation, or other entity.

Answer: YES \_\_\_\_\_ NO  If yes, give name of person or firm and address and amount of percentage of profits or receipts to be split.

\_\_\_\_\_  
\_\_\_\_\_

21. Is there anyone connected with this business that is not a legal resident of the United States and at least twenty-one (21) years of age?

Answer: YES \_\_\_\_\_ NO  If yes, give full details on separate sheet.

If anyone connected with this business is not a U.S. Citizen, can they legally be employed in the United States.

Answer: YES \_\_\_\_\_ NO \_\_\_\_\_ N/A  If yes, explain on a separate sheet and submit copies of eligibility.

22. Is there anyone connected with this business that has applied for a beer, wine, and/or liquor license from the City of Statesboro or other City or County in the State of Georgia, or other state or political subdivision and been denied such?

Answer: YES \_\_\_\_\_ NO  If yes, give full details on separate sheet.



23. Is there anyone connected with this business who holds another alcohol license in any retail category or any license under any wholesale category?

Answer: YES \_\_\_\_\_ NO X If yes, give full details on separate sheet

24. Is there anyone connected with this business that has been convicted within fifteen years immediately prior to the filing of this application with any felony or for whom outstanding indictments, accusations or criminal charges exist charging such individual with any of such offenses and for which no final disposition has occurred?

Answer: YES \_\_\_\_\_ NO X If yes, give full details on separate sheet, including dates, charges and disposition.

25. Is there anyone connected with this business that has been convicted within five years immediately prior to the filing of this application of the violation ( i ) of any state, federal or local ordinance pertaining to the manufacture, possession, transportation or sale of malt beverages, wine, or intoxicating liquors, or the taxability thereof; ( ii ) of a crime involving moral turpitude; or ( iii ) of a crime involving soliciting for prostitution, pandering, gambling, letting premises for prostitution, keeping a disorderly place, the traffic offense of hit and run or leaving the scene of an accident, or any misdemeanor serious traffic offense?

Answer: YES \_\_\_\_\_ NO X If yes, give full details on separate sheet, including dates, charges and disposition.

26. Is there anyone connected with this business that has been convicted for selling alcohol to an under-age person within the last three (3) year period?

Answer: YES \_\_\_\_\_ NO X If yes, give full details on separate sheet.

27. Is there anyone connected with this business that is an official or public employee of the City of Statesboro, any State or Federal Agency, or whose duties include the regulation or policing of alcoholic beverages or licenses, or any tax collecting activity ?

Answer: YES \_\_\_\_\_ NO X If yes, give full details on separate sheet.

28. Have you or the applicant had any vehicles, trailers, or property belonging to you or the company in which you or any of such persons have or had an interest in ever been seized, condemned or forfeited as contraband by the State of Georgia or United States for the reason the same was being used or intended for use in criminal activities.

Answer: YES \_\_\_\_\_ NO X If yes, give full details on separate sheet.

29. Will live nude performances or adult entertainment be a part of this business' operations?

Answer: YES \_\_\_\_\_ NO X If yes, the City of Statesboro Ordinance 6-164 prohibits alcohol in an establishment having adult entertainment.

I, John Franklin Dismack, solemnly swear, subject to the penalties O.C.G.A. §16-10-20 as provided above which I have read and understood, that all information required in this APPLICATION FOR LICENSE TO SELL ALCOHOLIC BEVERAGES and supporting documents is true and correct to the best of my knowledge and I fully understand that any false information will cause the denial or revocation of any alcohol license issued by the City of Statesboro license. I also fully understand that knowingly providing false information under oath in this affidavit will subject me to criminal prosecution and possible imprisonment.

John Franklin Dismack  
Print Full Name As Signed Below

[Signature] Title member Date 8/18/16  
Signature of Applicant



SWORN TO AND SUBSCRIBED BEFORE ME THIS  
18<sup>th</sup> DAY OF August 20 16  
[Signature]  
NOTARY PUBLIC (SEAL)  
My Commission Expires: 5/1/18

PLEASE BE ADVISED THAT KNOWINGLY PROVIDING FALSE OR MISLEADING INFORMATION ON THIS DOCUMENT IS A FELONY PURSUANT TO O.C.G.A. §16-10-20 WHICH STATES:

A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

### FINANCIAL AFFIDAVIT

This form must be completed by individuals with ownership and/or investment interest in the business whether direct or indirect. This form may be required of others at the discretion of the City Clerk. Each question must be fully answered. If additional space is required, attach and additional sheet of paper.

1. Dismuke John F [REDACTED]  
LAST NAME FIRST NAME MI SOCIAL SECURITY NO.

2. [REDACTED]  
HOME ADDRESS (Actual Physical Location of Residence; Do not use P.O. Box)  
Starkboro GA 5045B 912-678-1738  
CITY STATE ZIP + 4 DAY CONTACT NUMBER

3. John Frankie Dismuke  
LEGAL NAME OF BUSINESS OWNER TRADE NAME/DBA NAME

4. MY PERCENTAGE OF OWNERSHIP INTEREST IN THIS BUSINESS IS 100%

#### SOURCE OF INVESTMENT FUNDING

(You may be requested to provide a detailed accounting for all monies invested and attach appropriate documentation from each source.)

5. THE TOTAL AMOUNT OF MONEY I HAVE INVESTED IN THIS BUSINESS IS VALUED \$ 1,500,000

6. THE SOURCE OF THE TOTAL AMOUNT OF MONEY I HAVE INVESTED IN THIS BUSINESS IS AS FOLLOWS:  
I HAVE RECEIVED A LOAN IN THE AMOUNT OF \$ 360,000 FROM SPINNY BANK AND DO/DO NOT HAVE WRITTEN DOCUMENTATION OF THE TERMS OF SAID LOAN.

(If you have additional funds or property of any kind from additional sources please list those on a separate sheet of paper and attach to this affidavit.)

I HAVE INVESTED MY OWN PERSONAL FUNDS IN THE AMOUNT OF 640,000 WHICH I DO HAVE WRITTEN DOCUMENTATION AS TO THE SOURCE OF SAID PERSONAL FUNDS.

I HAVE INVESTED MY OWN PERSONAL FUNDS AND PROPERTY IN THE AMOUNT OF N/A WHICH I DO NOT HAVE WRITTEN DOCUMENTATION AS TO THE SOURCE OF SAID PERSONAL FUNDS.

I HAVE INVESTED FUNDS WHICH ARE NOT MY PERSONAL FUNDS IN THE AMOUNT OF N/A WHICH I DO HAVE WRITTEN DOCUMENTATION AS TO THE SOURCE OF SAID FUNDS. THE SOURCE OF THESE FUNDS IS/ARE

I HAVE INVESTED FUNDS WHICH ARE NOT MY PERSONAL FUNDS IN THE AMOUNT OF N/A WHICH I DO NOT HAVE WRITTEN DOCUMENTATION AS TO THE SOURCE OF SAID PERSONAL FUNDS. THE SOURCE OF THESE FUNDS IS/ARE N/A

Please attach additional pages if necessary to disclose all sources of money and other capital invested in this business.



I, John Franklin Dismore solemnly swear, subject to the penalties O.C.G.A. §16-10-20 provided above which I have read and understand, that all information required in this FINANCIAL AFFIDAVIT and supporting documents is true and correct to the best of my knowledge and I fully understand that any false information will cause the denial or revocation of any alcohol license issued by the City of Statesboro license. I also fully understand that knowingly providing false information under oath in this affidavit will subject me to criminal prosecution and possible imprisonment.

John Franklin Dismore  
Print Full Name As Signed Below

[Signature]  
Signature of Applicant

member  
Title

8/18/16  
Date



SWORN TO AND SUBSCRIBED BEFORE ME THIS  
18<sup>th</sup> DAY OF August 2016

[Signature]  
NOTARY PUBLIC (SEAL)  
My Commission Expires: 5/1/18

RECEIVED  
9-15-16

PLEASE BE ADVISED THAT KNOWINGLY PROVIDING FALSE OR MISLEADING INFORMATION ON THIS DOCUMENT IS A FELONY PURSUANT TO O.C.G.A. §16-10-20 WHICH STATES:

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APPLICATION FOR LICENSE TO SELL ALCOHOLIC BEVERAGES  
CITY OF STATESBORO, GEORGIA

The undersigned applicant hereby applies to the City of Statesboro, Georgia for a license to sell alcoholic beverages within the corporate limits of the City of Statesboro. A non-refundable TWO HUNDRED dollar (\$200.00) application fee must be tendered with the application. (cash, credit card, certified check, or money order, checks should be made payable to the City of Statesboro.)

1. BUSINESS TRADE NAME: Shenanigans D/B/A Name

2. APPLICANT'S NAME: Terrain GA, LLC  
(Name of partnership, llc, corporation, or individual)

3. BUSINESS LOCATION ADDRESS: 1 University Plaza STE# \_\_\_\_\_

4. BUSINESS MAIL ADDRESS: 1 University Plaza  
CITY: Statesboro STATE: GA ZIP CODE: 30458

5. LOCAL BUSINESS TELEPHONE NUMBER: (912) 681-2444

CORPORATE OFFICE TELEPHONE NUMBER: (912) 282-2854

6. CONTACT NAME FOR BUSINESS: James Peery

TELEPHONE NUMBER FOR CONTACT PERSON: 912-282-2854

7. NAME OF MANAGER: James Peery  
(Person responsible for Alcohol Licensing issues)

8. PURPOSE OF APPLICATION IS: (CHECK ALL THAT APPLY)  
NEW MANAGER \_\_\_\_\_ NEW BUSINESS: \_\_\_\_\_ NEW OWNER:

PREVIOUS OWNER'S NAME: Jason Franklin

BUSINESS NAME CHANGE: \_\_\_\_\_ PREVIOUS BUSINESS NAME: \_\_\_\_\_

ADDRESS CHANGE: \_\_\_\_\_ PREVIOUS ADDRESS: \_\_\_\_\_

LICENSE CLASS CHANGE: BEER \_\_\_\_\_ WINE \_\_\_\_\_ LIQUOR \_\_\_\_\_ OTHER \_\_\_\_\_

9. INDICATE WHERE BUSINESS WILL BE LOCATED:

Above Ground  Street or Ground Floor Level

SEC. 6-10(D) ANY PERSON WITHIN THE CITY OF STATESBORO WHO WORKS AS A BOUNCER, EITHER AS AN EMPLOYEE, AGENT, OR SUBCONTRACTOR WHOSE RESPONSIBILITIES IN AN ESTABLISHMENT THAT IS LICENSED TO SELL ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION SHALL HAVE THEIR ALCOHOLIC BEVERAGE SECURITY PERMIT ON THEIR PERSON AT ALL TIMES WHILE ACTING AS AN EMPLOYEE, AGENT OR SUBCONTRACTOR OF THE LICENSEE. AN ALCOHOLIC BEVERAGE SECURITY PERMIT SHALL BE READILY AVAILABLE FOR INSPECTION UPON THE REQUEST OF ANY STATESBORO POLICE DEPARTMENT OFFICER, CITY CODE ENFORCEMENT OFFICER, OR THE CITY MANAGER OR HIS DESIGNEE.

DOES ANY EMPLOYEE DESCRIBED IN THE ABOVE PARAGRAPH HAVE AN ALCOHOLIC BEVERAGE SECURITY PERMIT?  YES  NO (PERMIT SHALL BE OBTAINED FROM THE STATESBORO POLICE DEPARTMENT)

**CALCULATION OF BASIC LICENSE FEE:** FOR CALENDAR YEAR 2016

<u>CLASSIFICATION</u>	(Mark All That Apply)	<u>LICENSE FEE</u>
Class B, Retail Beer Package	<input type="checkbox"/>	875.00
Class C, Retail Wine Package	<input type="checkbox"/>	875.00
Class D, Retail Liquor by the Drink	<input checked="" type="checkbox"/>	1,425.00
Class E, Retail Beer by the Drink	<input checked="" type="checkbox"/>	1,425.00
Class F, Retail Wine by the Drink	<input checked="" type="checkbox"/>	1,425.00
Class G, Wholesale Liquor	<input type="checkbox"/>	1,500.00
Class H, Wholesale Beer	<input type="checkbox"/>	1,500.00
Class I, Wholesale Wine	<input type="checkbox"/>	1,500.00
Class J, Licensed Alcoholic Beverage Caterer	<input type="checkbox"/>	200.00
Class K, Brewer, Manufacturer of Malt Beverages Only	<input type="checkbox"/>	1,750.00
Class L, Broker	<input type="checkbox"/>	1,750.00
Class M, Importer	<input type="checkbox"/>	1,750.00
Class O, Manufacture on Wine Only	<input type="checkbox"/>	1,750.00
Sunday Sales Permit	<input type="checkbox"/>	300.00
In Room Service Permit	<input type="checkbox"/>	150.00

Georgia Law (O.C.G.A. Section 3-3-7) states: "The sale of alcoholic beverages is lawful for consumption on the premises on Sundays from 12:30 p.m. until 12:00 midnight in any licensed establishment which derives at least 50 percent of its total annual gross sales from the sale of prepared meals or food in all of the combined retail outlets of the individual establishment where food is served and in any licensed establishment which derives at least 50 percent of its total annual gross income from the rental of rooms for overnight lodging."

Sunday sales permit holders are subject to audit for compliance with State Law. Each establishment is required to maintain Financial Records on food sales and alcohol sales by separate business location to demonstrate compliance with State and Local Law.

TOTAL ANNUAL LICENSE FEE: \$ 4,275.00

PARTIAL YEAR CALCULATION IF APPLICABLE: \$ \_\_\_\_\_



Special Event Permit 50.00  
 Distance Waiver Application Fee 150.00  
 Alcohol Beverage Control Security Permit(Permit Shall Be Obtained From The Statesboro Police Department) 50.00

10. TYPE OF BUSINESS: (CHECK ONE)     Individual     Corporation     Partnership     LLC

**(COMPLETE EITHER NUMBERS 11, 12 AND 13, AND/OR 14, 15 AND 16 IN THE SECTION BELOW)**

11. IF APPLICANT IS AN INDIVIDUAL: Attach copy of trade name affidavit.

FULL LEGAL NAME: \_\_\_\_\_ PHONE# \_\_\_\_\_

HOME ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

RACE: \_\_\_\_\_ SEX: \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_ SOCIAL SECURITY NO: \_\_\_\_\_

HAVE YOU COMPLETED THE FINANCIAL AFFIDAVIT ATTACHED TO THIS APPLICATION? \_\_\_\_\_

12. IF APPLICANT IS A PARTNERSHIP, L.L.C., or L.L.P.: Attach trade name affidavit, if an LLC or LLP, attach a copy of certificate of LLC or LLP as filed with the Clerk of Superior Court and trade name affidavit, a copy of your operating agreement and/or partnership agreement as well as other documents listed below that establish ownership rights of members or partners.

NAME AND ADDRESS OF PARTNERSHIP, LLC, or LLP: Terrain GA LLC

430 Bohler Rimes Rd. Statesboro GA 30458

DO YOU HAVE AN OPERATING AGREEMENT OR PARTNERSHIP AGREEMENT FOR THE LLC, LLP OR PARTNERSHIP? \_\_\_\_\_

IF NOT, WHAT DOCUMENTS ESTABLISH THE OWNERSHIP RIGHTS OF THE MEMBERS OR PARTNERS? \_\_\_\_\_

13. MEMBERS OF L.L.C. and/or PARTNERS:

FULL LEGAL NAME: James Lance Peery PHONE# 912-282-2854

FULL LEGAL NAME: \_\_\_\_\_ PHONE# \_\_\_\_\_

HOME ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

RACE: \_\_\_\_\_ SEX: \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_ SOCIAL SECURITY NO: \_\_\_\_\_

FULL LEGAL NAME: \_\_\_\_\_ PHONE# \_\_\_\_\_

HOME ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

RACE: \_\_\_\_\_ SEX: \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_ SOCIAL SECURITY NO: \_\_\_\_\_

17. If there is any individual or officer, who has resided at his current address less than five (5) years, complete information below.

NAME: \_\_\_\_\_ PHONE# \_\_\_\_\_

PREVIOUS ADDRESS: \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_

PREVIOUS ADDRESS: \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_

PREVIOUS ADDRESS: \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_

FULL NAME: \_\_\_\_\_ PHONE# \_\_\_\_\_

PREVIOUS ADDRESS: \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_

PREVIOUS ADDRESS: \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_

PREVIOUS ADDRESS: \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_

(ATTACH ADDITIONAL PAGES IF NECESSARY)

18. State name and address of owner of the property (Land and Building) where the business will be located.

Holmes Ramsey  
PO Box 1157 Statesboro GA 30459

19. Is the commercial space where the business is to be located rented or leased?

Answer: YES  NO  If yes, state name of lessor or landlord and address, and provide a copy of the lease with this application.

same as above

20. Does any person or firm have any interest in the proposed business as a silent, undisclosed partner or joint venture; or has anyone agreed to split the profits or receipts from the proposed business with any persons, firm, company, corporation, or other entity.

Answer: YES  NO  If yes, give name of person or firm and address and amount of percentage of profits or receipts to be split.

\_\_\_\_\_

\_\_\_\_\_

21. Is there anyone connected with this business that is not a legal resident of the United States and at least twenty-one (21) years of age?

Answer: YES  NO  If yes, give full details on separate sheet.

If anyone connected with this business is not a U.S. Citizen, can they legally be employed in the United States.

Answer: YES  NO  N/A  If yes, explain on a separate sheet and submit copies of eligibility.

22. Is there anyone connected with this business that has applied for a beer, wine, and/or liquor license from the City of Statesboro or other City or County in the State of Georgia, or other state or political subdivision and been denied such?

Answer: YES  NO  If yes, give full details on separate sheet.

23. Is there anyone connected with this business who holds another alcohol license in any retail category or any license under any wholesale category?  
 Answer: YES \_\_\_\_\_ NO  If yes, give full details on separate sheet
24. Is there anyone connected with this business that has been convicted within fifteen years immediately prior to the filing of this application with any felony or for whom outstanding indictments, accusations or criminal charges exist charging such individual with any of such offenses and for which no final disposition has occurred?  
 Answer: YES \_\_\_\_\_ NO  If yes, give full details on separate sheet, including dates, charges and disposition.
25. Is there anyone connected with this business that has been convicted within five years immediately prior to the filing of this application of the violation ( i ) of any state, federal or local ordinance pertaining to the manufacture, possession, transportation or sale of malt beverages, wine, or intoxicating liquors, or the taxability thereof; ( ii ) of a crime involving moral turpitude; or ( iii ) of a crime involving soliciting for prostitution, pandering, gambling, letting premises for prostitution, keeping a disorderly place, the traffic offense of hit and run or leaving the scene of an accident, or any misdemeanor or serious traffic offense?  
 Answer: YES \_\_\_\_\_ NO  If yes, give full details on separate sheet, including dates, charges and disposition.
26. Is there anyone connected with this business that has been convicted for selling alcohol to an under-age person within the last three (3) year period?  
 Answer: YES \_\_\_\_\_ NO  If yes, give full details on separate sheet.
27. Is there anyone connected with this business that is an official or public employee of the City of Statesboro, any State or Federal Agency, or whose duties include the regulation or policing of alcoholic beverages or licenses, or any tax collecting activity ?  
 Answer: YES \_\_\_\_\_ NO  If yes, give full details on separate sheet.
28. Have you or the applicant had any vehicles, trailers, or property belonging to you or the company in which you or any of such persons have or had an interest in ever been seized, condemned or forfeited as contraband by the State of Georgia or United States for the reason the same was being used or intended for use in criminal activities.  
 Answer: YES \_\_\_\_\_ NO  If yes, give full details on separate sheet.
29. Will live nude performances or adult entertainment be a part of this business' operations?  
 Answer: YES \_\_\_\_\_ NO  If yes, the City of Statesboro Ordinance 6-164 prohibits alcohol in an establishment having adult entertainment.

I, James Peery, solemnly swear, subject to the penalties O.C.G.A. §16-10-20 as provided above which I have read and understood, that all information required in this APPLICATION FOR LICENSE TO SELL ALCOHOLIC BEVERAGES and supporting documents is true and correct to the best of my knowledge and I fully understand that any false information will cause the denial or revocation of any alcohol license issued by the City of Statesboro license. I also fully understand that knowingly providing false information under oath in this affidavit will subject me to criminal prosecution and possible imprisonment.

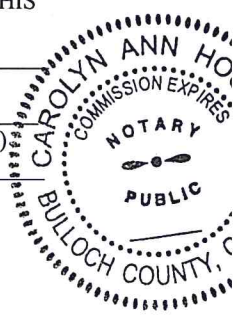
James L Peery  
 Print Full Name As Signed Below

[Signature] Owner  
 Signature of Applicant Title

9/15/16  
 Date

SWORN TO AND SUBSCRIBED BEFORE ME THIS

15<sup>th</sup> DAY OF September 2016  
[Signature]  
 NOTARY PUBLIC (SEAL)  
 My Commission Expires: 12-29-18





PLEASE BE ADVISED THAT KNOWINGLY PROVIDING FALSE OR MISLEADING INFORMATION ON THIS DOCUMENT IS A FELONY PURSUANT TO O.C.G.A. §16-10-20 WHICH STATES:

A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

FINANCIAL AFFIDAVIT

This form must be completed by individuals with ownership and/or investment interest in the business whether direct or indirect. This form may be required of others at the discretion of the City Clerk. Each question must be fully answered. If additional space is required, attach and additional sheet of paper.

1. Peery James L [REDACTED]  
LAST NAME FIRST NAME MI SOCIAL SECURITY NO.

2. [REDACTED]  
HOME ADDRESS (Actual Physical Location of Residence; Do not use P.O. Box)

St. Petersburg GA 30458 912-282-2854  
CITY STATE ZIP + 4 DAY CONTACT NUMBER

3. James Lance Peery Jerrain GA, LLC  
LEGAL NAME OF BUSINESS OWNER TRADE NAME/DBA NAME

4. MY PERCENTAGE OF OWNERSHIP INTEREST IN THIS BUSINESS IS 100%

SOURCE OF INVESTMENT FUNDING

(You may be requested to provide a detailed accounting for all monies invested and attach appropriate documentation from each source.)

5. THE TOTAL AMOUNT OF MONEY I HAVE INVESTED IN THIS BUSINESS IS VALUED \$ 150,000

6. THE SOURCE OF THE TOTAL AMOUNT OF MONEY I HAVE INVESTED IN THIS BUSINESS IS AS FOLLOWS:

I HAVE RECEIVED A LOAN IN THE AMOUNT OF \$ 150,000 FROM John & Donnie Peery AND  DO NOT HAVE WRITTEN DOCUMENTATION OF THE TERMS OF SAID LOAN.

(If you have additional funds or property of any kind from additional sources please list those on a separate sheet of paper and attach to this affidavit.)

I HAVE INVESTED MY OWN PERSONAL FUNDS IN THE AMOUNT OF 0 WHICH I DO HAVE WRITTEN DOCUMENTATION AS TO THE SOURCE OF SAID PERSONAL FUNDS.

I HAVE INVESTED MY OWN PERSONAL FUNDS AND PROPERTY IN THE AMOUNT OF 0 WHICH I DO NOT HAVE WRITTEN DOCUMENTATION AS TO THE SOURCE OF SAID PERSONAL FUNDS.

I HAVE INVESTED FUNDS WHICH ARE NOT MY PERSONAL FUNDS IN THE AMOUNT OF 0 WHICH I DO HAVE WRITTEN DOCUMENTATION AS TO THE SOURCE OF SAID FUNDS. THE SOURCE OF THESE FUNDS IS/ARE \_\_\_\_\_

I HAVE INVESTED FUNDS WHICH ARE NOT MY PERSONAL FUNDS IN THE AMOUNT OF 0 WHICH I DO NOT HAVE WRITTEN DOCUMENTATION AS TO THE SOURCE OF SAID PERSONAL FUNDS. THE SOURCE OF THESE FUNDS IS/ARE \_\_\_\_\_

Please attach additional pages if necessary to disclose all sources of money and other capital invested in this business.

I, James L Peery, solemnly swear, subject to the penalties O.C.G.A. §16-10-20 provided above which I have read and understand, that all information required in this FINANCIAL AFFIDAVIT and supporting documents is true and correct to the best of my knowledge and I fully understand that any false information will cause the denial or revocation of any alcohol license issued by the City of Statesboro license. I also fully understand that knowingly providing false information under oath in this affidavit will subject me to criminal prosecution and possible imprisonment.

James L Peery  
Print Full Name As Signed Below

[Signature]  
Signature of Applicant

Owner  
Title

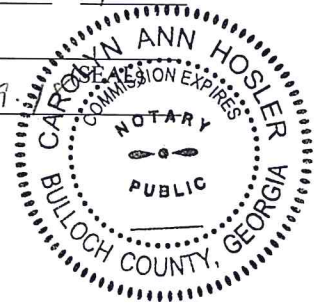
9/15/16  
Date

SWORN TO AND SUBSCRIBED BEFORE ME THIS

15th DAY OF September 20 16

[Signature]  
NOTARY PUBLIC

My Commission Expires: 10.29







*City of Statesboro-Department of Planning and Development*  
**DEVELOPMENT SERVICES REPORT**

*P.O. Box 348  
 Statesboro, Georgia 30458*

*(912) 764-0630  
 (912) 764-0664 (Fax)*

**DSDA DEMO – 16-09-001  
 DEMOLITION REQUEST  
 24 East Olliff Street**

**LOCATION:** 24 East Olliff Street

**REQUEST:** Request for a finding of necessity for the demolition of one structure located in the R4 (High Density Residential District) within the DSDA Design Standards District.

**APPLICANT:** First Baptist Church

**OWNER(S):** First Baptist Church

**ACRES:** .38 acres

**PARCEL TAX MAP #:** S27 000045 000

**COUNCIL DISTRICT:** 1 (Boyum)



**PROPOSAL:**

The subject site located at 24 East Olliff Street contains one (1) single-family structure and is currently zoned R4 (High Density Residential District). The property lies within the boundaries of the Downtown Statesboro Development Authority, and in September 2015, City Council adopted Article XXX: Design Standards: Downtown District of the *Statesboro Zoning Ordinance*, which requires a finding of necessity for proposed demolitions where the structure does not exceed 35 percent in structural damage and meets one of the criteria contained in Section 3003(D). (See **Exhibit A – Location Map**, **Exhibit B – Photos of Subject Site**)

**SURROUNDING ZONING/LAND USES:**

	<b>ZONING:</b>	<b>LAND USE:</b>
<b>NORTH:</b>	HOC (Highway Oriented Commercial)	Miscellaneous Sales and Single-Family Residential
<b>SOUTH:</b>	R4 (High Density Residential District)	Single-Family Residential
<b>EAST:</b>	R4 (High Density Residential District)	Single-Family Residential
<b>WEST:</b>	R4 (High Density Residential District)	Single-Family Residential

The subject site is located one (1) block south of Northside Drive East. Properties to the north are predominantly miscellaneous sales, including Tillman Brannen & Minick Farm Supply, Inc.; Tillman and Deal AG Services and Farmers Home Furniture. There are several single-family residential and food service facilities in the vicinity.

**COMPREHENSIVE PLAN:**

The subject site lies within the "Urban Core/Downtown" character area as identified by the City of Statesboro 2014 Future Development Map (See **EXHIBIT C—2014 Future Development Map**) within the *City of Statesboro Updated 2014 Comprehensive Plan*—which calls for the protection of "historic buildings from demolition or inappropriate restoration" while encouraging the construction of multi-family residential uses in the area. In addition, the property



lies on the boundary of the Commercial Redevelopment Area #1 to the east and Commercial Redevelopment Area #3 to the west.

*Vision:*

Downtown is the historic core of the city and should remain the activity and cultural hub of the region. In the Urban Core, traditional development patterns of buildings along the sidewalk and a lively streetscape should be respected and promoted. Historic buildings should be protected from demolition or inappropriate restoration which can degrade the architectural details of the structures. Additional residential opportunities, especially in the form of lofts or other residential over retail, should be promoted. Street-level uses should be reserved for retail, entertainment, or similar high activity uses.

*Appropriate Land Uses*

- Neighborhood-scale retail and commercial, especially niche market stores which serve as a destination
- Arts and entertainment venues
- Civic uses
- Office
- Neighborhood services
- Range of housing styles & price points
- Multifamily Residential
- Loft, mixed use, and urban residential, including small lot single-family residential along secondary streets
- Multi-story buildings with retail on the street and office/residential above
- Government offices & services

*Suggested Development & Implementation Strategies*

- Historic structures should be preserved or adaptively reused wherever possible.
- Create local historic districts.
- Economic development strategies should continue to nurture thriving commercial activity.
- New development should respect historic context of building mass, height and setbacks.
- New developments that contain a mix of residential, commercial and/or community facilities at small enough scale and proximity to encourage walking between destinations should be encouraged.
- Encourage mixed-use infill and redevelopment. Uses should typically transition across the rear of properties instead of across the street to soften the transition and maintain appropriate streetscapes.

*Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 14.*

**TAX ALLOCATION DISTRICT REDEVELOPMENT PLAN:**

The 2014 Tax Allocation District Redevelopment Plan (TAD) seeks to “encourage the private redevelopment of outmoded, highway-oriented commercial development into pedestrian friendly, mixed-use centers” to achieve the vision set forth in the 2011 Statesboro Downtown Master Plan and the 2009 and 2014 Comprehensive Plans. The plan does not set forth specific suggestions for this subject site. The parcel in this request is listed in the TAD under Appendix B (page 50) (See **Exhibit D**—List of Parcels Included in the TAD). The parcel had an appraised value of \$41,410, an assessed value of \$16,564 and a tax value of \$0 at the time of the Tax Allocation Redevelopment Plan’s publication.

**STATESBORO DOWNTOWN MASTER PLAN:**

The 2011 Statesboro Downtown Master Plan Redevelopment Initiatives Locational Guidance land use map places the parcel in Zone 11: Residential, Mixed Use and Commercial. The plan calls for targeted redevelopment with a focus on non-university related residential uses and the continuance of industrial and commercial uses that produce minimal conflict. Additionally, the Plan encourages infill and medium-density housing in the area and the preservation of historic resources within the District. (See **Exhibit E**—Locational Guidance/Zone Implementation Table).

**COMMUNITY FACILITIES AND TRANSPORTATION:**

The subject properties are currently serviced by city utilities, sanitation, and public safety. No significant impact is expected on community facilities or services as a result of this request.

**ENVIRONMENTAL:**

The subject properties do not contain wetlands and are not located in a special flood hazard area. There is no expected environmental impact associated with this request. Any environmental issues associated with the proper demolition of the structures and/or removal and disposal of debris are the responsibility of the applicant.

## ANALYSIS:

Given that Bulloch County Tax Records indicate that the structures are greater than fifty (50) years in age, staff is not authorized to administratively approve a demolition permit. Rather, council must determine whether the structures are considered to be a "Historical Building" as defined by Article XXX of the *Statesboro Zoning Ordinance*, and if so, may authorize a demolition only upon a showing of necessity. In order to designate the structure as a "Historical Building" meriting preservation, Council must find the building to be greater than fifty years in age and that at least one of the following criteria or the criteria of the National Register of Historic Places are met. Ordinance considerations, and relevant known factors, are as follows:

The structure is 1,578 square feet and is at least seventy-one (71) years of age, according to the Bulloch County Tax Assessor's website (See **Exhibit F**—Bulloch County Tax Assessor Parcel Information Card). After a review of the Sanborn Map Company's Fire Insurance maps, there was no evidence of the structure in existence in 1922, one of the earliest reference points for Statesboro offered by Sanborn.

**(1) The structure is an outstanding example representative of its era:**

- a. The structure appears to closely resemble the minimal traditional style, which arose during the 1930s. This house style generally has a small entry porch, simple pillars or columns at entry and a gabled roof often with no eaves. Sufficient time was not allowed to review the structure's floorplan, which would provide information on the type of house. While this was a common style of house in Georgia, this building, in its current state, is likely not an "outstanding" example of a structure representative of its era

**(2) The structure is one of few remaining examples of a past architectural style:**

There is no indication that the structure is one of few remaining examples of a past architectural style.

**(3) The property or structure place or structure is associated with an event or person of historic or cultural significance to the City of Statesboro, Bulloch County, the State of Georgia, or the region:**

No evidence of association with an event or person of historic or cultural significance to the City of Statesboro, Bulloch County, Georgia or the region was found.

**(4) The property or structure is a site of natural or aesthetic interest that is continuing to contribute to the cultural or historical development and heritage of the City of Statesboro, Bulloch County, the State of Georgia, or the region;**

The subject property is not a site of natural or aesthetic interest that contributes to the cultural or historical development of the City of Statesboro.

**(5) It is within an existing historic district or is listed with the National Register of Historic Places; or**

The parcel does not lie within, or adjacent to, the boundaries of a NRHP district (See **Exhibit G**—Historic Resources of Statesboro).

Generally, the Department of Interior evaluates the following criteria in consideration of whether a structure is historical in significance and therefore deemed worthy of preservation:

**(1) Age**

The structure exceeds fifty years of age.

**(2) Integrity**

An inspection performed on September 14, 2016 by the Director of Planning and Development revealed the structural integrity of the single-family structure remains intact, with less than 35 percent structural damage. Structural damage is assessed by evaluating the building's walls, floors, roof, windows and external structure and structural members. In addition, it is unlikely the single-family building has undergone extensive renovations that changed the building's original design or floor plan, which demonstrates design integrity, one of the NRHP's requirements.

## PLANNING COMMISSION RECOMMENDATION:

At its regularly scheduled meeting on October 4, 2016, the Planning Commission voted 5 to 0 to recommend approval of the demolition requested by this application.



EXHIBIT A: LOCATION MAP





**EXHIBIT B: PHOTOS OF SUBJECT SITE**



**Picture 1 Subject Site Facing South**



**Picture 2 Front of House Facing South**



**EXHIBIT B: PHOTOS OF SUBJECT SITE (CONT)**



**Picture 3 Rear of Subject Site**



**Picture 4 Rear of Subject Site**



EXHIBIT B: PHOTOS OF SUBJECT SITE (CONT)



Picture 5 Rear of Subject Site



Picture 6 Rear of Subject Site



EXHIBIT B: PHOTOS OF SUBJECT SITE (CONT)



Picture 7 Rear of Subject Site

**EXHIBIT B: INTERIOR PHOTOS OF SUBJECT SITE**

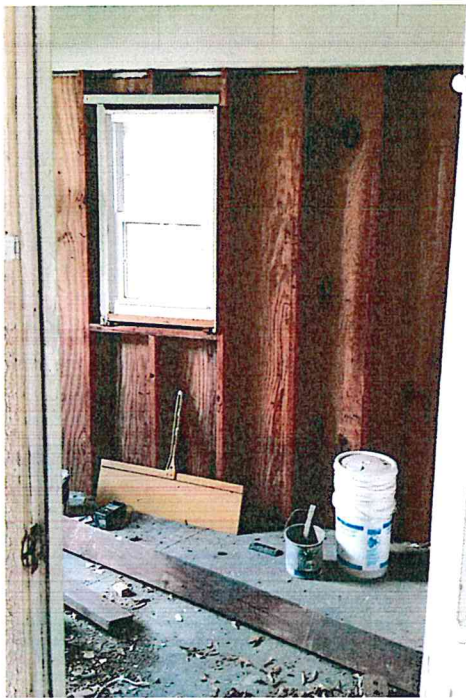




EXHIBIT B: INTERIOR PHOTOS OF SUBJECT SITE (CONT)

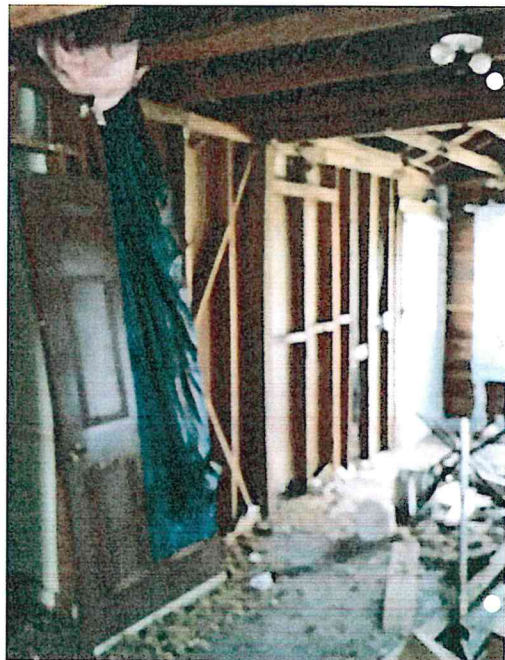
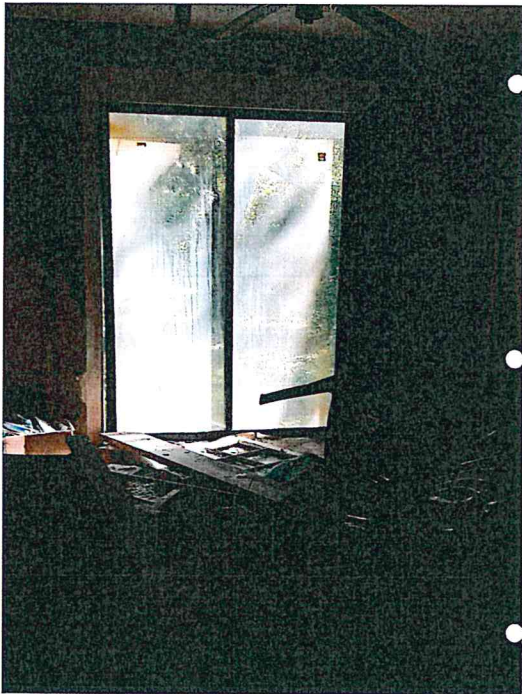
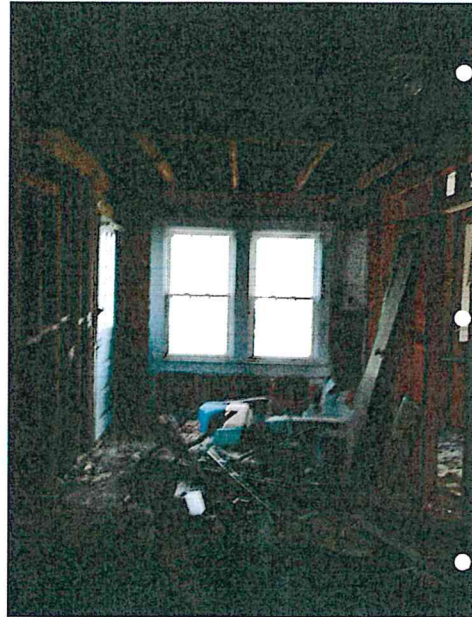


EXHIBIT B: INTERIOR PHOTOS OF SUBJECT SITE (CONT)

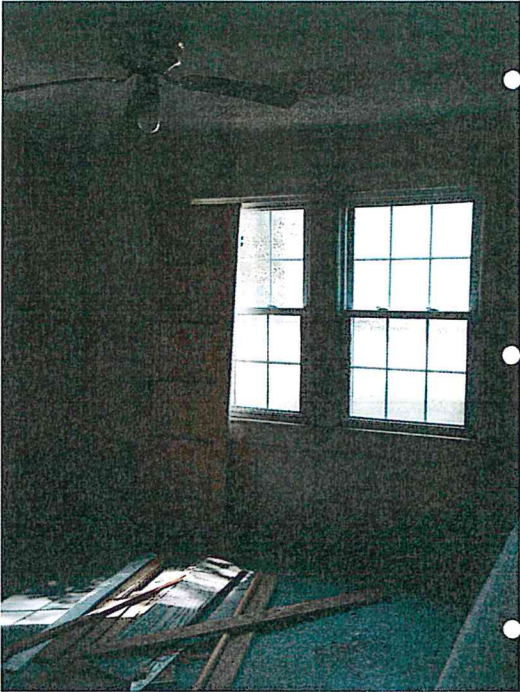




EXHIBIT C: CITY OF STATESBORO 2014 FUTURE DEVELOPMENT MAP

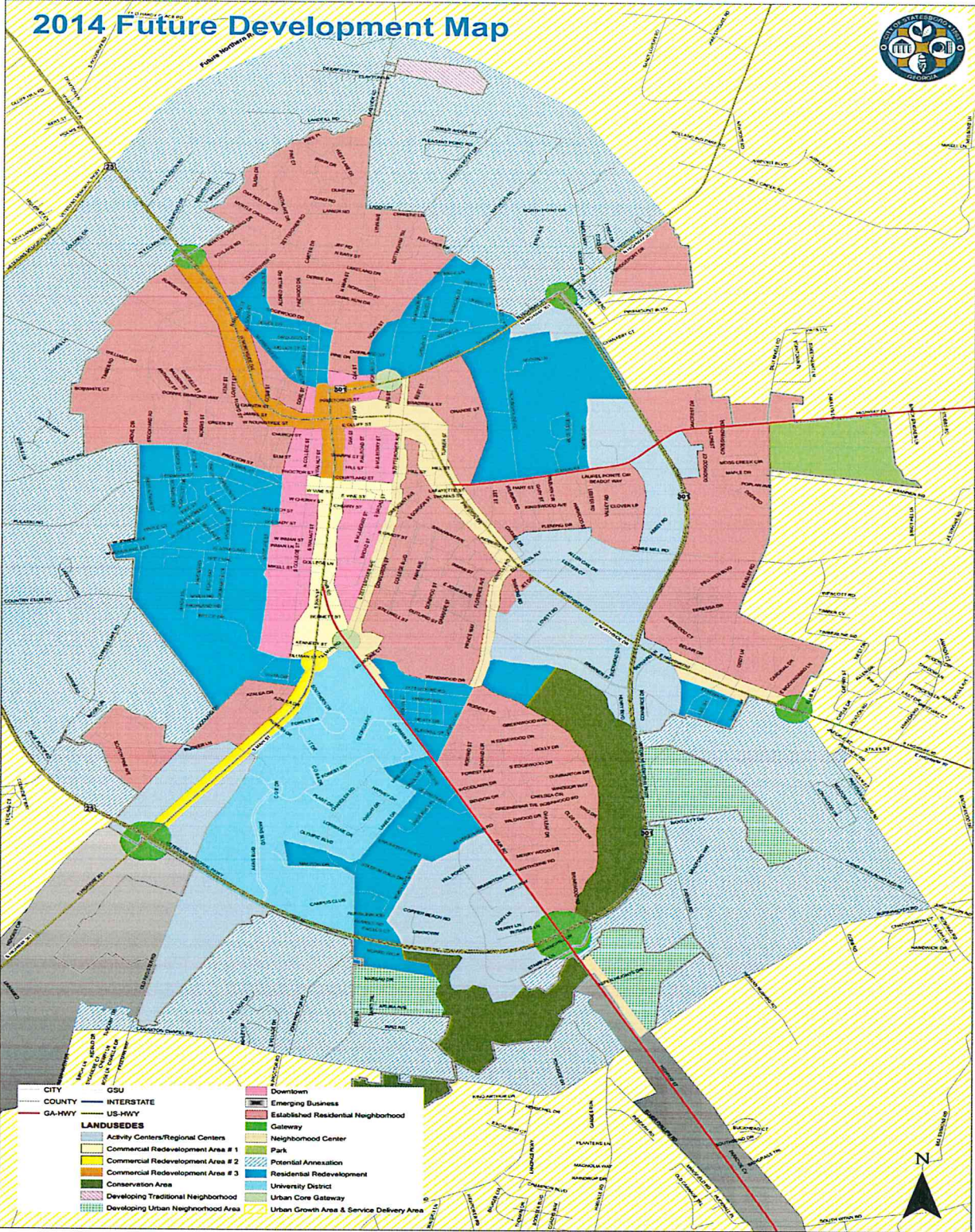




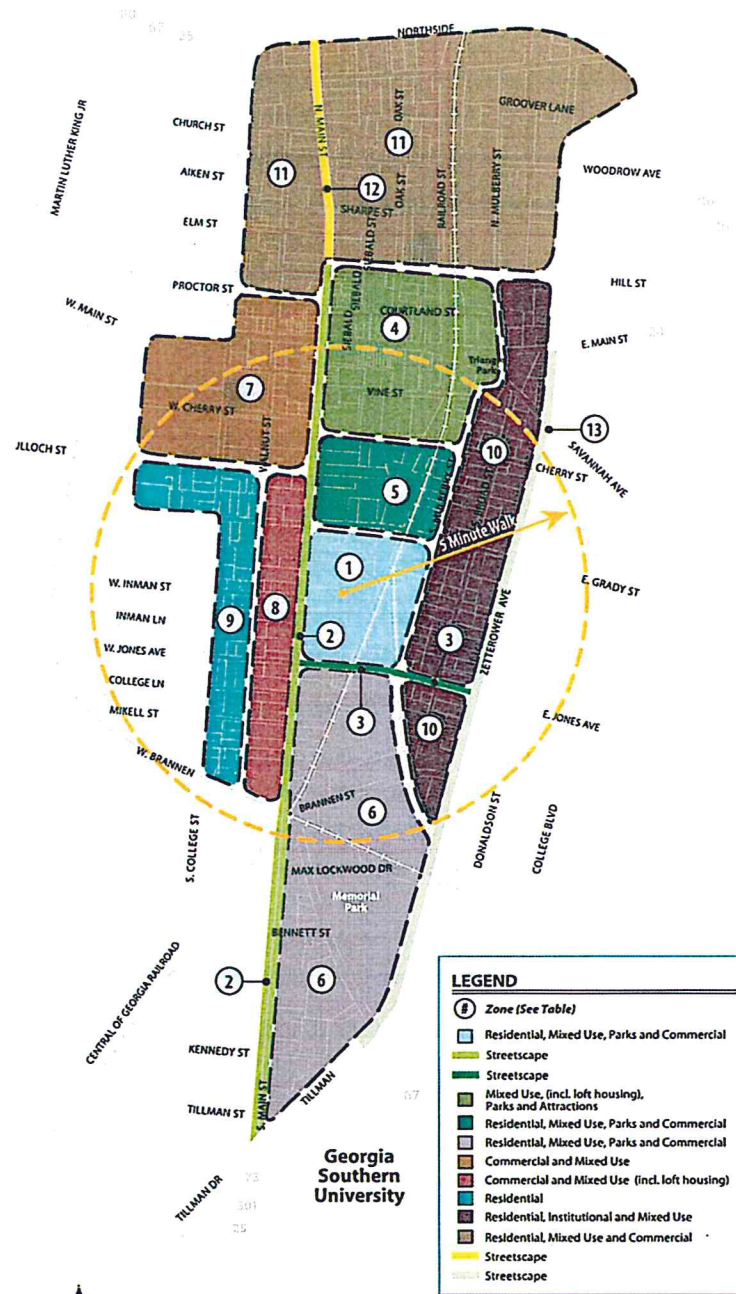
EXHIBIT D: LIST OF PARCELS INCLUDED IN THE TAD

City of Statesboro Tax Allocation District #1: South Main Redevelopment Plan

2014

GEORIN	PARCEL_NO	Legal Description	DIG CLASS	TAXD ISTRIC	Appraised Vaue	Assessed Value	Tax Value
7879-51-3624	S28 000121 000	R/R ST	E	1	45,081	18,032	0
7879-51-5005	S28 000098 000	E MAIN WHSE/MADRAY	C	1	161,600	64,640	64,640
7879-51-5354	S28 000094 000	CITY/PUBLIC WORKS	E	1	179,600	71,840	0
7879-51-5679	S28 000122 000	HILL STREET	E	1	247,733	99,093	0
7879-51-5970	S28 000123 000	PARCEL 3 / N MULBERRY ST	C	1	53,865	21,546	21,546
7879-51-6018	S28 000096 000	N MULBERRY ST	C	1	75,530	30,212	30,212
7879-51-6116	S28 000095 000	11 N MULBERRY ST	C	1	64,736	25,894	25,894
7879-51-7190	S28 000091 000	8 N MULBERRY	R	1	55,370	22,148	22,148
7879-51-8330	S28 000092 000	HILL ST 20,21,22,23,24	C	1	168,728	67,491	67,491
7879-51-9130	S39 000007 001	N ZETTEROWER AVE	C	1	186,200	74,480	74,480
7879-52-0648	S27 000070 000	208 OAK ST	R	1	33,535	13,414	13,414
7879-52-0739	S27 000071 000	210 OAK ST	R	1	65,052	26,021	26,021
7879-52-0839	S27 000043 000	20 E OLLIFF ST	R	1	16,259	6,504	6,504
7879-52-1687	S27 000061 000	107 RAILROAD ST	R	1	58,915	23,566	23,566
7879-52-1814	S27 000044 000	22 E OLLIFF ST	R	1	56,328	22,531	22,531
7879-52-1883	S27 000045 000	24 E OLLIFF ST	E	1	41,410	16,564	0
7879-52-2848	S27 000046 000	26 E OLLIFF ST	R	1	39,504	15,802	15,802
7879-52-5273	S27 000057 000	W/S N MULBERRY RAILROAD ST	C	1	460,245	184,098	184,098
7879-52-5613	S27 000060 000	1/2 LT 41-42/RAILROAD ST	R	1	19,200	7,680	7,680
7879-52-5884	S27 000047 000	EAST OLLIFF STREET LOT17	R	1	41,600	16,640	16,640
7879-52-6548	S27 000058 000	PT LT 41/125 N MULBERRY ST	R	1	7,600	3,040	3,040
7879-52-6645	S27 000059 001	N MULBERRY ST	R	1	4,600	1,840	1,840
7879-52-6648	S27 000059 000	127 N MULBERRY ST	R	1	5,500	2,200	2,200
7879-60-0947	S39 000011 000	LT 127/E MAIN & ZETT	C	1	146,603	58,641	58,641
7879-61-0265	S39 000007 000	PAR D/13 N ZETTEROWER	C	1	651,700	260,680	260,680
7879-61-0377	S39 000006 000	15 N ZETTEROWER	R	1	90,107	36,043	36,043

EXHIBIT E: LOCATIONAL GUIDANCE/ZONING IMPLEMENTATION MAP AND TABLE



Locational / Zone Implementation



EXHIBIT E: LOCATIONAL GUIDANCE/ZONING IMPLEMENTATION MAP AND TABLE (CONT)

Locational / Zone Implementation Table – continued





Zones	Targeted Use/Enhancement	Importance Level	Discussion
 10	Residential, Institutional and Mixed Use	Secondary, this area operates as a supportive element to downtown, but could potentially include some additional enhancement	<ul style="list-style-type: none"> <li>Targeted redevelopment in this area which is consistent with the emerging development pattern is an appropriate approach in this zone</li> <li>Identify redevelopment opportunities through land assemblage and enhancement</li> <li>Ensure residential and office uses continue with minimal conflict and promote the development of an emerging mixed use corridor</li> <li>Implement neighborhood residential revitalization and stabilization programs to improve and maintain housing stock</li> </ul>
 11	Residential, Mixed Use and Commercial	Secondary, an important area to the master plan and the continued success and redevelopment of the area	<ul style="list-style-type: none"> <li>Targeted redevelopment in this area is an appropriate approach</li> <li>Focus on residential redevelopment opportunities associated with non-university related housing and commercial uses serving the community</li> <li>Ensure industrial and commercial uses continue with minimal conflict and promote newer compatible development</li> </ul>
 12	Streetscape	Secondary, the North Main Street corridor requires enhancement to foster pedestrian circulation and to provide aesthetic improvements	<ul style="list-style-type: none"> <li>Targeted approach to streetscape projects should coincide with redevelopment opportunities in Zone 11</li> <li>New project must consider potential for land use conflicts with adjacent uses</li> </ul>
 13	Streetscape	Secondary, Zetterower Avenue is major thoroughfare and offers an alternative opportunity to access the downtown core which is transitioning to commercial, predominantly office uses	<ul style="list-style-type: none"> <li>Focus on improvements that enhance pedestrian connectivity and traffic calming</li> </ul>



EXHIBIT F: BULLOCH COUNTY TAX ASSESSOR PARCEL INFORMATION CARD

9/21/2016

qpublic7.qpublic.net/ga\_display.php?county=ga\_bulloch&KEY=S27 000045 000



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**Owner and Parcel Information**

Owner Name	FIRST BAPTIST CHURCH OF STATESBORO INC	Today's Date	September 21, 2016
Mailing Address	108 N MAIN ST STATESBORO, GA 30458	Parcel Number	S27 000045 000
Location Address	24 EAST OLLIFF ST	Tax District	Statesboro TAD 29.046 (District 08)
Legal Description	24 E OLLIFF ST	2015 Millage Rate	
Property Class (NOTE: Not Zoning Info)	E2-Exempt	Acres	0.38
Zoning	R4	Neighborhood	000024
ACC/DES	0 /	Homestead Exemption	No (S0)
		GMD	1209
		Parcel Map	<a href="#">Show Parcel Map</a>

**2016 Tax Year Value Information**

Land Value	Improvement Value	Accessory Value	Total Value	Assessed Value
\$ 13,202	\$ 29,928	\$ 0	\$ 43,130	\$ 17,252

**Land Information**

Type	Description	Calculation Method	Frontage	Depth	Acres	Photo
RES	0024 - REGULAR - 1	Front Feet	60	190	0.1	NA
RES	0024 - REGULAR - 1	Front Feet	65	190	0.28	NA

**Improvement Information**

Style	Heated Sq Ft	Interior Walls	Exterior Walls	Attic Area Sq Ft	Basement Area Sq Ft	Year Built	Photo
Other	1,578	Other	Asbestos	0	0	1945	<a href="#">Building Images</a>
Roof Type	Flooring Type	Heating Type	Rooms Bedrooms/Bathrooms/Extra Plumbing	Value	Cond	Number Fire Pl	Sketch
Other	Other	NONE -NONE-NONE	8/3/2.0/5	\$ 29,928	Fair	1	<a href="#">Sketch Building 1</a>

**Accessory Information**

Description	Year Built	Dimensions/Units	Value
No accessory information associated with this parcel.			

**Sale Information**

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
No sales information associated with this parcel.						

**Historical Sales Information**

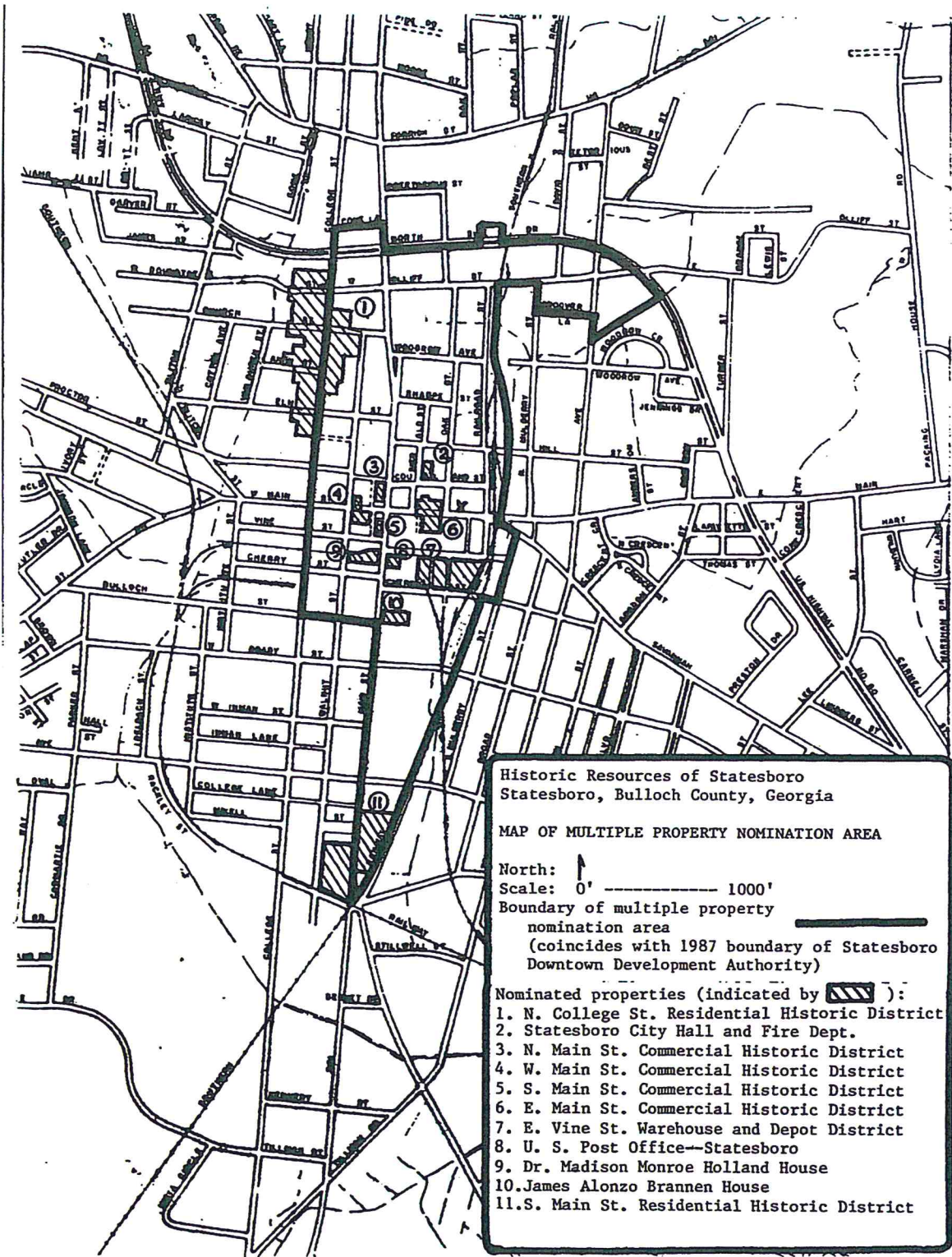
Date	Book/Page	Price	Type	Source	Valid	Grantor
09/29/2008	1882/1	\$ 41,000	LAND & BUILDING	OTHER	0	NEVILLE WILLIAM G

http://qpublic7.qpublic.net/ga\_display.php?county=ga\_bulloch&KEY=S27%20000045%20000

1/2




EXHIBIT G: HISTORIC RESOURCES OF STATESBORO MAP




Historic Resources of Statesboro  
 Statesboro, Bulloch County, Georgia

MAP OF MULTIPLE PROPERTY NOMINATION AREA

North: ↑  
 Scale: 0' ----- 1000'

Boundary of multiple property nomination area   
 (coincides with 1987 boundary of Statesboro Downtown Development Authority)

Nominated properties (indicated by ):

1. N. College St. Residential Historic District
2. Statesboro City Hall and Fire Dept.
3. N. Main St. Commercial Historic District
4. W. Main St. Commercial Historic District
5. S. Main St. Commercial Historic District
6. E. Main St. Commercial Historic District
7. E. Vine St. Warehouse and Depot District
8. U. S. Post Office--Statesboro
9. Dr. Madison Monroe Holland House
10. James Alonzo Brannen House
11. S. Main St. Residential Historic District





*City of Statesboro-Department of Planning and Development*  
**DEVELOPMENT SERVICES REPORT**

P.O. Box 348  
 Statesboro, Georgia 30458

(912) 764-0630  
 (912) 764-0664 (Fax)

**DSDA 16-09-002**  
**DEMOLITION REQUEST**  
**206 Oak Street**

**LOCATION:** 206 Oak Street

**REQUEST:** Request for a finding of necessity for the demolition of one structure zoned LI (Light Industrial) within the DSDA Design Standards District.

**APPLICANT:** First Baptist Church

**OWNER(S):** First Baptist Church

**ACRES:** 10.2 acres (parcel combined total)

**PARCEL TAX MAP #:** S28 000001 000

**COUNCIL DISTRICT:** 1 (Boyum)



**PROPOSAL:**

The subject site is located at 206 Oak Street, contains one (1) single-family structure and is currently zoned LI (Light Industrial Districts). The property lies within the boundaries of the Downtown Statesboro Development Authority, and in September 2015, City Council adopted Article XXX: Design Standards: Downtown District of the Statesboro Zoning Ordinance, which requires a finding of necessity for proposed demolitions where the structure does not exceed 35 percent in structural damage and meets one of the criteria contained in Section 3003(D) (See **Exhibit A**–Location Map, **Exhibit B**–Photos of Subject Site and **Exhibit C**–Photos of Interior of Subject Site). First Baptist Church of Statesboro owns the property, which is located within one combined parcel addressed 108 North Main Street (Tax Parcel S28 000001 000) and split zoned R4 (High Density Residential District), O (Office and Business Office District), CBD (Central Business District) and LI (Light Industrial Districts).

**SURROUNDING ZONING/LAND USES:**

ZONING:		LAND USE:
<b>NORTH:</b>	R4 (High Density Residential District) and O (Office and Business Office District)	Single-Family Residential
<b>SOUTH:</b>	LI (Light Industrial Districts)	Single-Family Residential
<b>EAST:</b>	LI (Light Industrial Districts)	Municipal, county, state or federal use
<b>WEST:</b>	CBD (Central Business District)	Church

The subject site is located east of First Baptist Church of Statesboro. Properties to the north and south are predominantly single-family residential. The Bulloch County Probation Department and Municipal Court lie east. (See **EXHIBIT B**–Photos of the Subject Site).

## COMPREHENSIVE PLAN:

The subject site lies within the "Urban Core/Downtown" character area as identified by the City of Statesboro 2014 Future Development Map (See **EXHIBIT D**—2014 Future Development Map) within the *City of Statesboro Updated 2014 Comprehensive Plan* – which calls for the protection of "historic buildings from demolition or inappropriate restoration" while encouraging the construction of multi-family residential uses in the area.

### *Vision:*

Downtown is the historic core of the city and should remain the activity and cultural hub of the region. In the Urban Core, traditional development patterns of buildings along the sidewalk and a lively streetscape should be respected and promoted. Historic buildings should be protected from demolition or inappropriate restoration which can degrade the architectural details of the structures. Additional residential opportunities, especially in the form of lofts or other residential over retail, should be promoted. Street-level uses should be reserved for retail, entertainment, or similar high activity uses.

### *Appropriate Land Uses*

- Neighborhood-scale retail and commercial, especially niche market stores which serve as a destination
- Arts and entertainment venues
- Civic uses
- Office
- Neighborhood services
- Range of housing styles & price points
- Multifamily Residential
- Loft, mixed use, and urban residential, including small lot single-family residential along secondary streets
- Multi-story buildings with retail on the street and office/residential above
- Government offices & services

### *Suggested Development & Implementation Strategies*

- Historic structures should be preserved or adaptively reused wherever possible.
- Create local historic districts.
- Economic development strategies should continue to nurture thriving commercial activity.
- New development should respect historic context of building mass, height and setbacks.
- New developments that contain a mix of residential, commercial and/or community facilities at small enough scale and proximity to encourage walking between destinations should be encouraged.
- Encourage mixed-use infill and redevelopment. Uses should typically transition across the rear of properties instead of across the street to soften the transition and maintain appropriate streetscapes.

*Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 14.*

## TAX ALLOCATION DISTRICT REDEVELOPMENT PLAN:

The 2014 Tax Allocation District Redevelopment Plan (TAD) seeks to "encourage the private redevelopment of outmoded, highway-oriented commercial development into pedestrian friendly, mixed-use centers" to achieve the vision set forth in the 2011 Statesboro Downtown Master Plan and the 2009 and 2014 Comprehensive Plans. The plan does not set forth specific suggestions for this subject site. The parcel in this request is listed in the TAD under Appendix B (page 35); however, the TAD only values the church (See **Exhibit E**—List of Parcels Included in the TAD). The combined parcel had an appraised value of \$9,532,207, an assessed value of \$3,812,883 and a tax value of \$0, at the time the Tax Allocation Redevelopment Plan was written.

## STATESBORO DOWNTOWN MASTER PLAN:

The 2011 Statesboro Downtown Master Plan Redevelopment Initiatives Locational Guidance land use map places the parcel in Zone 11: Residential, Mixed Use and Commercial. The plan calls for targeted redevelopment with a focus on non-university related residential uses and the continuance of industrial and commercial uses that produce minimal conflict. Additionally, the Plan encourages infill and medium-density housing in the area and the preservation of historic resources within the District. (See **Exhibit F**—Locational Guidance/Zone Implementation Table).



## COMMUNITY FACILITIES AND TRANSPORTATION:

The subject properties are currently serviced by city utilities, sanitation, and public safety. No significant impact is expected on community facilities or services as a result of this request.

## ENVIRONMENTAL:

The subject properties do not contain wetlands and are not located in a special flood hazard area. There is no expected environmental impact associated with this request. Any environmental issues associated with the proper demolition of the structures and/or removal and disposal of debris are the responsibility of the applicant.

## ANALYSIS:

Given that Bulloch County Tax Records do not necessarily indicate the structure's age, staff is not authorized to administratively approve a demolition permit (See **Exhibit H**—Bulloch County Tax Assessor Parcel Information Card). Rather, Council must determine whether the structure is considered a "Historical Building" as defined by Article XXX of the *Statesboro Zoning Ordinance*, and if so, may authorize a demolition only upon a showing of necessity. In order to designate the structure a "Historical Building" meriting preservation, Council must find the building to be greater than fifty (50) years in age and that at least one of the following criteria or the criteria of the National Register of Historic Places are met. Ordinance considerations and relevant known factors are as follows:

**(1) The structure is an outstanding example representative of its era:**

a. See **EXHIBIT B**—Photos of Subject Site

**(2) The structure is one of few remaining examples of a past architectural style:**

There is no indication that the structure is one of few remaining examples of a past architectural style.

**(3) The property or structure place or structure is associated with an event or person of historic or cultural significance to the City of Statesboro, Bulloch County, the State of Georgia, or the region:**

No evidence of association with an event or person of historic or cultural significance to the City of Statesboro, Bulloch County, Georgia or the region was found.

**(4) The property or structure is a site of natural or aesthetic interest that is continuing to contribute to the cultural or historical development and heritage of the City of Statesboro, Bulloch County, the State of Georgia, or the region;**

The subject property is not a site of natural or aesthetic interest that contributes to the cultural or historical development of the City of Statesboro.

**(5) It is within an existing historic district or is listed with the National Register of Historic Places; or**

The parcel does not lie within, or adjacent to, the boundaries of a NRHP district (See **Exhibit I**—Historic Resources of Statesboro).

Generally, the Department of Interior evaluates the following criteria in consideration of whether a structure is historical in significance and therefore deemed worthy of preservation:

**(1) Age**

The structure most likely exceeds fifty years of age, but due to the limited amount of identifying information in the Tax Assessor's website, a determination cannot be made about age without time for further research or construction documents.

**(2) Integrity**

An inspection performed on September 14, 2016 by the Director of Planning and Development revealed the structural integrity of the single-family structure remains intact, with less than 35 percent structural damage. Structural damage is assessed by evaluating the building's walls, floors, roof, windows and external structure and structural members. In addition, it is unlikely the single-family building has undergone extensive renovations that changed the building's original design or floor plan, which demonstrates design integrity, one of the NRHP's requirements.

## PLANNING COMMISSION RECOMMENDATION:

At its regularly scheduled meeting on October 4, 2016, the Planning Commission voted 5 to 0 to recommend approval of the demolition requested by this application.



EXHIBIT A: LOCATION MAP





**EXHIBIT B: PHOTOS OF SUBJECT SITE**



**Picture 1 Subject Site Facing South**



**Picture 2 Front of House Facing South**



EXHIBIT B: PHOTOS OF SUBJECT SITE (CONT)



Picture 3 Rear of Subject Site



Picture 4 Rear of Subject Site



EXHIBIT B: PHOTOS OF SUBJECT SITE (CONT)

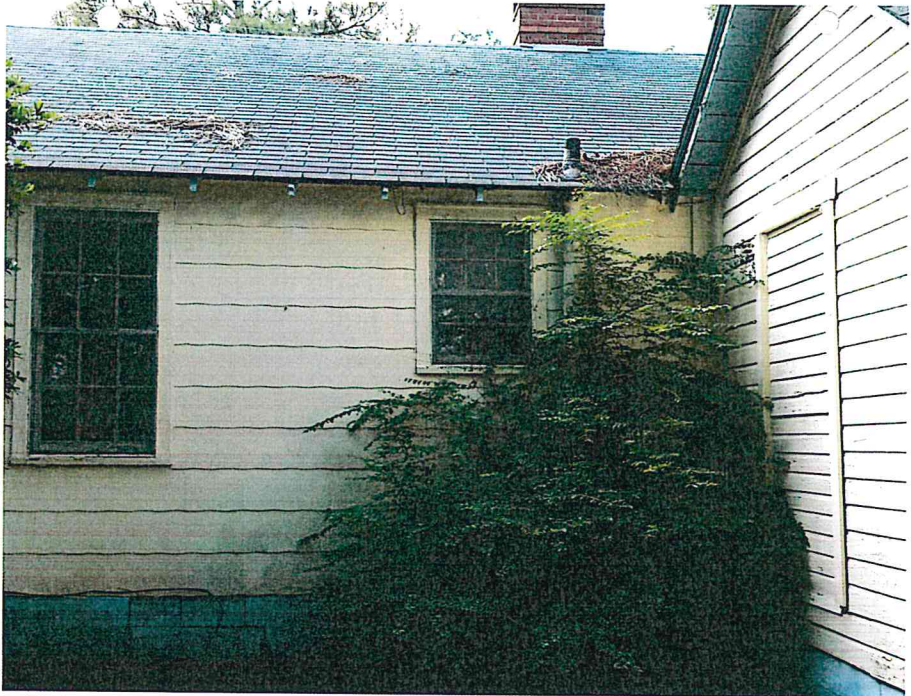


EXHIBIT C: PHOTOS OF SUBJECT SITE INTERIOR





EXHIBIT C: PHOTOS OF SUBJECT SITE INTERIOR



EXHIBIT C: PHOTOS OF SUBJECT SITE INTERIOR

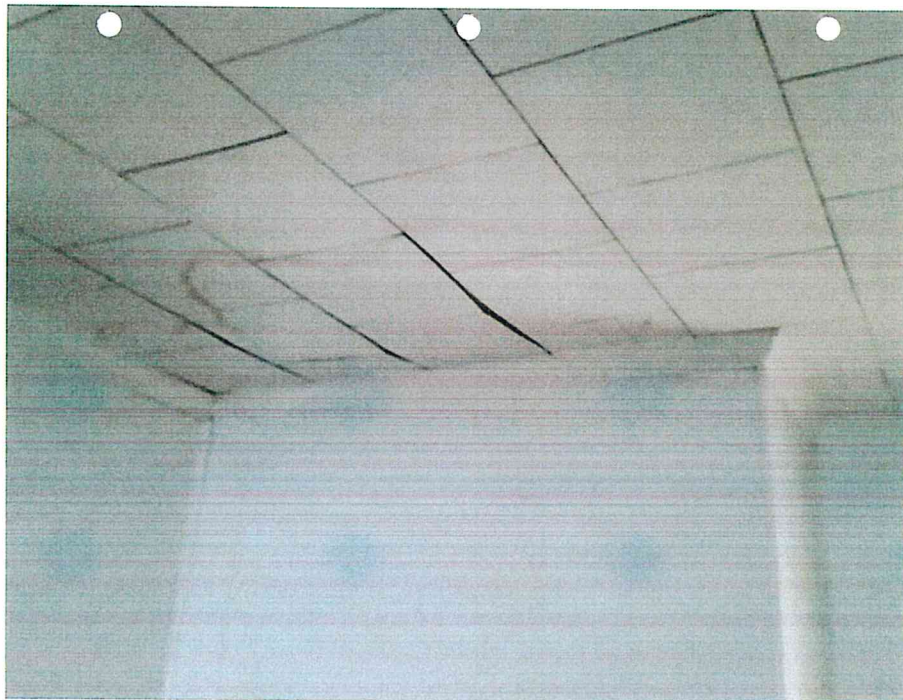




EXHIBIT D: CITY OF STATESBORO 2014 FUTURE DEVELOPMENT MAP

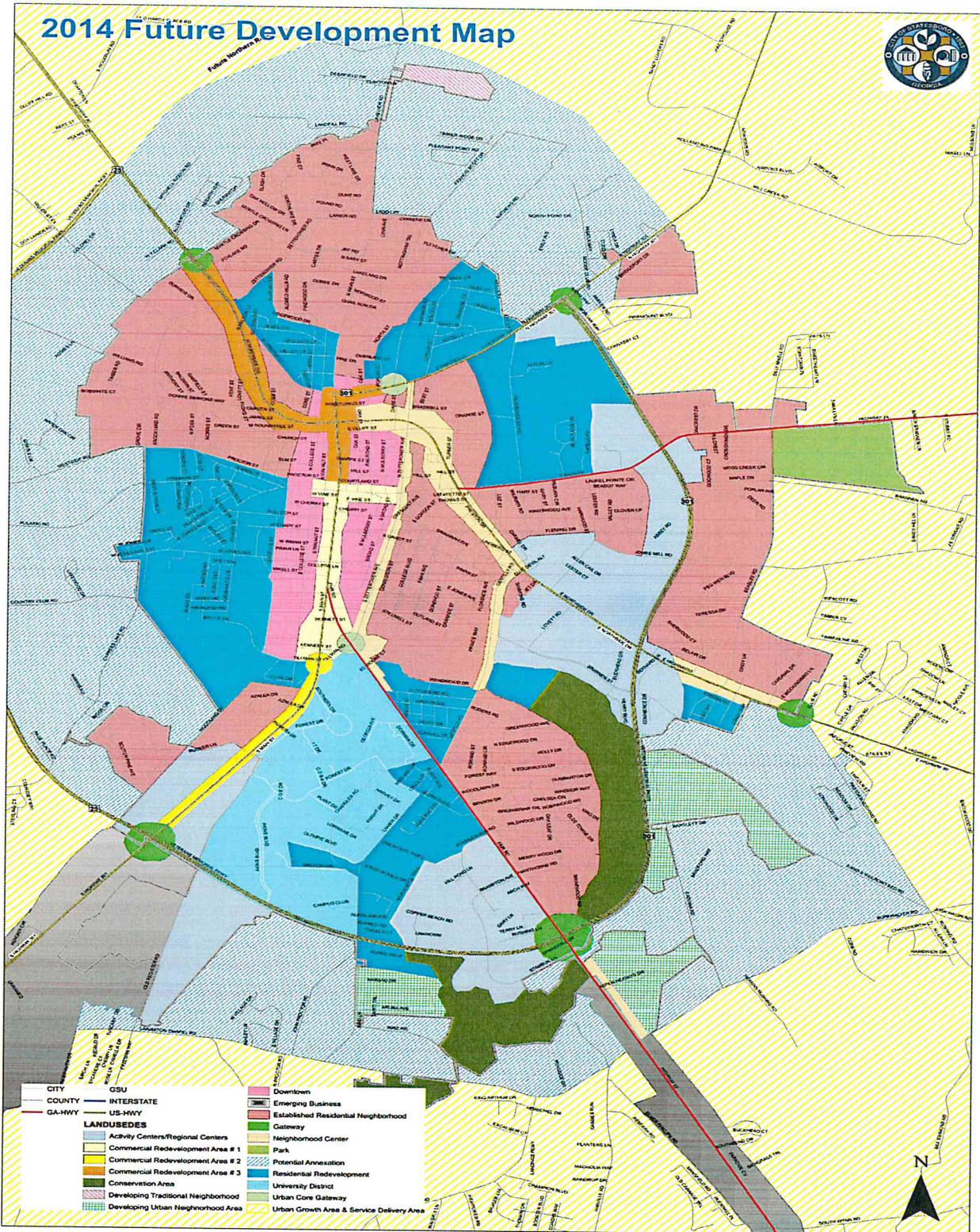




EXHIBIT E: LIST OF PARCELS INCLUDED IN THE TAD

City of Statesboro Tax Allocation District #1: South Main Redevelopment Plan

2014

Appendix B: List of Parcels to be Included in Bulloch County Tax Allocation District #1: South Main

GEOPIN	PARCEL_NO	Legal Description	DIG CLASS	TAXD ISTRIC	Appraised Value	Assessed Value	Tax Value
7879-42-4450	S27 000079 000	124 N MAIN ST	C	1	154,649	61,860	61,860
7879-42-5471	S27 000078 000	7 WOODROW AVE	R	1	79,930	31,972	31,972
7879-42-5542	S27 000081 000	128 N MAIN ST	C	1	62,503	25,001	25,001
7879-42-5632	S27 000082 000	130 N MAIN ST	R	1	39,100	15,640	15,640
7879-42-7045	S28 000001 000	108 NORTH MAIN/CHURCH	E	1	9,532,207	3,812,883	0
7879-52-0424	S27 000067 000	202 OAK ST/HOME	R	1	40,859	16,344	16,344
7879-52-1450	S27 000064 000	23 WOODROW AVE	R	1	49,356	19,742	19,742
7879-60-8404	S39 000067 000	2 LOTT ST	R	1	13,300	5,320	5,320
7879-60-8523	S39 000068 000	4 LOTT ST(N.CRESCENT ST)	R	1	46,850	18,740	18,740
7879-60-8629	S39 000069 000	LT 25 PT 26/CRESCENT	R	1	30,615	12,246	12,246
7879-60-9014	S40 000082 000	GORDON STREET/ LOT 1	R	1	56,131	22,452	22,452
7879-60-9458	S39 000083 000	GORDON ST	R	1	98,823	39,529	39,529
7879-70-0378	S40 000084 000	20 GORDON ST/PARK	R	1	11,800	4,720	4,720
7879-70-0638	S39 000082 000	LTS 5-6 & 7 GORDON ST	R	1	113,052	45,221	45,221
7879-70-1188	S40 000083 000	GORDON STREET	R	1	52,500	21,000	21,000
7879-70-1598	S39 000084 000	LT 38/GORDON ST	R	1	34,538	13,815	13,815
7879-70-2611	S39 000085 000	14 GORDON ST/LIFE EST	R	1	3,000	1,200	1,200
7879-70-2626	S39 000086 000	12 GORDON ST LTS 23&24	R	1	7,600	3,040	3,040
7879-70-3495	S39 000095 000	HWY 80 E/THOMAS ST	C	1	305,617	122,247	122,247
7879-70-4602	S39 000094 000	10 LAF ST/LT25-27,39-42/12HSES	R	1	51,960	20,784	20,784
7878-48-3567	S30 000001 000	248 S MAIN ST/STORE #226	C	1	552,917	221,167	221,167
7878-48-3959	S29 000031 000	S MAIN TACO BEL/SBO/ 0.86 AC	C	1	320,255	128,102	128,102
7878-48-5575	S30 000002 000	0.21 AC/11 EAST JONES STREET	C	1	38,528	15,411	15,411
7878-48-5855	S29 000030 000	QUALITY INN/MANNYS	C	1	3,442,410	1,376,964	1,376,964
7878-49-3188	S29 000032 000	SHONEY'S/1.04 AC	C	1	501,021	200,408	200,408
7878-49-5087	S29 000030 001	1.438 AC / PAR B	C	1	64,130	25,652	25,652
7878-49-7108	S29 000044 000	LOTS 7 & 8 SOUTH MAIN ST	E	1	26,500	10,600	0
7878-38-8175	S20 000085 000	7 MIKELL/8-APT/ALLEN	C	1	167,042	66,817	66,817
7878-38-8284	S20 000093 000	LT 2/ 0.526 AC/S MAIN ST	C	1	139,900	55,960	55,960
7878-38-8495	S20 000092 000	12 W JONES AVE	R	1	49,822	19,929	19,929
7878-38-9385	S20 000089 000	305 S MAIN ST	C	1	463,836	185,534	185,534
7878-38-9600	S19 000019 000	W JONES AVE/LT 4/MCDONALD'S	C	1	38,120	15,248	15,248
7878-38-9726	S19 000020 000	232 S WALNUT STREET	R	1	103,090	41,236	41,236
7878-38-9834	S19 000021 000	128 S WALNUT ST	C	1	80,701	32,280	32,280
7878-38-9933	S19 000022 000	10 W INMAN/LANIER	R	1	91,302	36,521	36,521
7878-48-0110	S20 000086 000	317 S MAIN ST	C	1	249,931	99,972	99,972





EXHIBIT G: LOCATIONAL GUIDANCE/ZONING IMPLEMENTATION MAP AND TABLE (CONT)

IMPLEMENTATION STRATEGY

Locational / Zone Implementation Table – continued





Zones	Targeted Use/Enhancement	Importance Level	Discussion
 10	Residential, Institutional and Mixed Use	Secondary, this area operates as a supportive element to downtown, but could potentially include some additional enhancement	<ul style="list-style-type: none"> <li>Targeted redevelopment in this area which is consistent with the emerging development pattern is an appropriate approach in this zone</li> <li>Identify redevelopment opportunities through land assemblage and enhancement</li> <li>Ensure residential and office uses continue with minimal conflict and promote the development of an emerging mixed use corridor</li> <li>Implement neighborhood residential revitalization and stabilization programs to improve and maintain housing stock</li> </ul>
 11	Residential, Mixed Use and Commercial	Secondary, an important area to the master plan and the continued success and redevelopment of the area	<ul style="list-style-type: none"> <li>Targeted redevelopment in this area is an appropriate approach</li> <li>Focus on residential redevelopment opportunities associated with non-university related housing and commercial uses serving the community</li> <li>Ensure industrial and commercial uses continue with minimal conflict and promote newer compatible development</li> </ul>
 12	Streetscape	Secondary, the North Main Street corridor requires enhancement to foster pedestrian circulation and to provide aesthetic improvements	<ul style="list-style-type: none"> <li>Targeted approach to streetscape projects should coincide with redevelopment opportunities in Zone 11</li> <li>New project must consider potential for land use conflicts with adjacent uses</li> </ul>
 13	Streetscape	Secondary, Zetterower Avenue is major thoroughfare and offers an alternative opportunity to access the downtown core which is transitioning to commercial, predominantly office uses	<ul style="list-style-type: none"> <li>Focus on improvements that enhance pedestrian connectivity and traffic calming</li> </ul>





EXHIBIT H: BULLOCH COUNTY TAX ASSESSOR PARCEL INFORMATION CARD

9/21/2016

qpublic7.qpublic.net/ga\_display.php?county=ga\_bulloch&KEY=S28 000001 000



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 [Recent Sales in Area](#) | 
 [Previous Parcel](#) | 
 [Next Parcel](#) | 
 [Field Definitions](#) | 
 [Return to Main Search Page](#) | 
 [Bulloch Home](#)

**Owner and Parcel Information**

Owner Name	FIRST BAPTIST CHURCH OF	Today's Date	September 21, 2016
Mailing Address	STATESBORO INC 108 NORTH MAIN STREET STATESBORO, GA 30458	Parcel Number	S28 000001 000
Location Address	108 NORTH MAIN ST	Tax District	Statesboro TAD 29.046 (District 08)
Legal Description	108 NORTH MAIN/CHURCH	2015 Millage Rate	
Property Class(NOTE: Not Zoning Info)	E2-Exempt	Acres	10.2
Zoning	CBD	Neighborhood	000036
ACC/DES	0 /	Homestead Exemption	No (S0)
		GMD	1209
		Parcel Map	<a href="#">Show Parcel Map</a>

**2016 Tax Year Value Information**

Land Value	Improvement Value	Accessory Value	Total Value	Assessed Value
\$ 892,800	\$ 124,979	\$ 8,517,956	\$ 9,535,735	\$ 3,814,294

**Land Information**

Type	Description	Calculation Method	Acres	Photo
RES	0036 - PRIMARY - 2	Acres	10.2	NA

**Improvement Information**

Style	Heated Sq Ft	Interior Walls	Exterior Walls	Attic Area Sq Ft	Basement Area Sq Ft	Year Built	Photo
Duplex	1,701	Other	Brick	0	0	1955	NA
Roof Type	Flooring Type	Heating Type	Rooms Bedrooms/Bathrooms/Extra Plumbing	Value	Cond	Number Fire PI	Sketch
Other	Other	NONE -NONE-NONE	4/4/2.0/5	\$ 53,322	Average	0	<a href="#">Sketch Building 1</a>
Style	Heated Sq Ft	Interior Walls	Exterior Walls	Attic Area Sq Ft	Basement Area Sq Ft	Year Built	Photo
Other	1,208	Other	Asbestos	0	0	1954	NA
Roof Type	Flooring Type	Heating Type	Rooms Bedrooms/Bathrooms/Extra Plumbing	Value	Cond	Number Fire PI	Sketch
Other	Other	BASIC -GAS -WARM AIR	6/3/1.5/2	\$ 36,018	Average	1	<a href="#">Sketch Building 2</a>
Style	Heated Sq Ft	Interior Walls	Exterior Walls	Attic Area Sq Ft	Basement Area Sq Ft	Year Built	Photo
Other	1,196	Other	Asbestos	0	0	1952	NA
Roof Type	Flooring Type	Heating Type	Rooms Bedrooms/Bathrooms/Extra Plumbing	Value	Cond	Number Fire PI	Sketch
Other	Other	CENT AIR-ELEC-WARM	6/2/1.0/0	\$	Average	0	

http://qpublic7.qpublic.net/ga\_display.php?county=ga\_bulloch&KEY=S28%20000001%20000

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EXHIBIT H: BULLOCH COUNTY TAX ASSESSOR PARCEL INFORMATION CARD (CONT)

9/21/2016

qpublic7.qpublic.net/ga\_display.php?county=ga\_bulloch&KEY=S28 000001 000

AIR	35,639	Sketch Building 3
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Accessory Information			
Description	Year Built	Dimensions/Units	Value
GROSS BLDG	2011	1x1 0	\$ 1
Pre-fab Metal bldg (above ave)	2010	20x60 0	\$ 14,956
Utility Shed, Metal	1995	12x20 0	\$ 619
Utility Shed, Metal	1980	10x10 0	\$ 191
Utility Shed, Frame	1980	8x12 0	\$ 273
Utility Shed, Frame	1980	10x10 0	\$ 284
Utility Shed, Metal	1978	10x16 0	\$ 1,224
Canopy	1965	18x24 0	\$ 408
GROSS BLDG	1900	0x0 0	\$ 8,500,000

Sale Information						
Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
No sales information associated with this parcel.						

Historical Sales Information						
Date	Book/Page	Price	Type	Source	Valid	Grantor

Permit Information			
Permit Date	Permit Number	Type	Description
08-04-2010	8446	CHURCH BLDG	
04-22-2010	8389	REROOF	
04-22-2008	7181	DEMOLITION	
03-18-2008	7159	DEMOLITION	
09-11-2007	7063	DEMOLITION	
04-26-2006	6603	RE-ROOF	
05-24-2005	6318	MOVE HOUSE	
11-11-2002	0000	DEMOLISH HOUSE	
02-05-2002	0000	FELLOWSHIP HALL	
10-01-1995	4017	ENC PORCH	

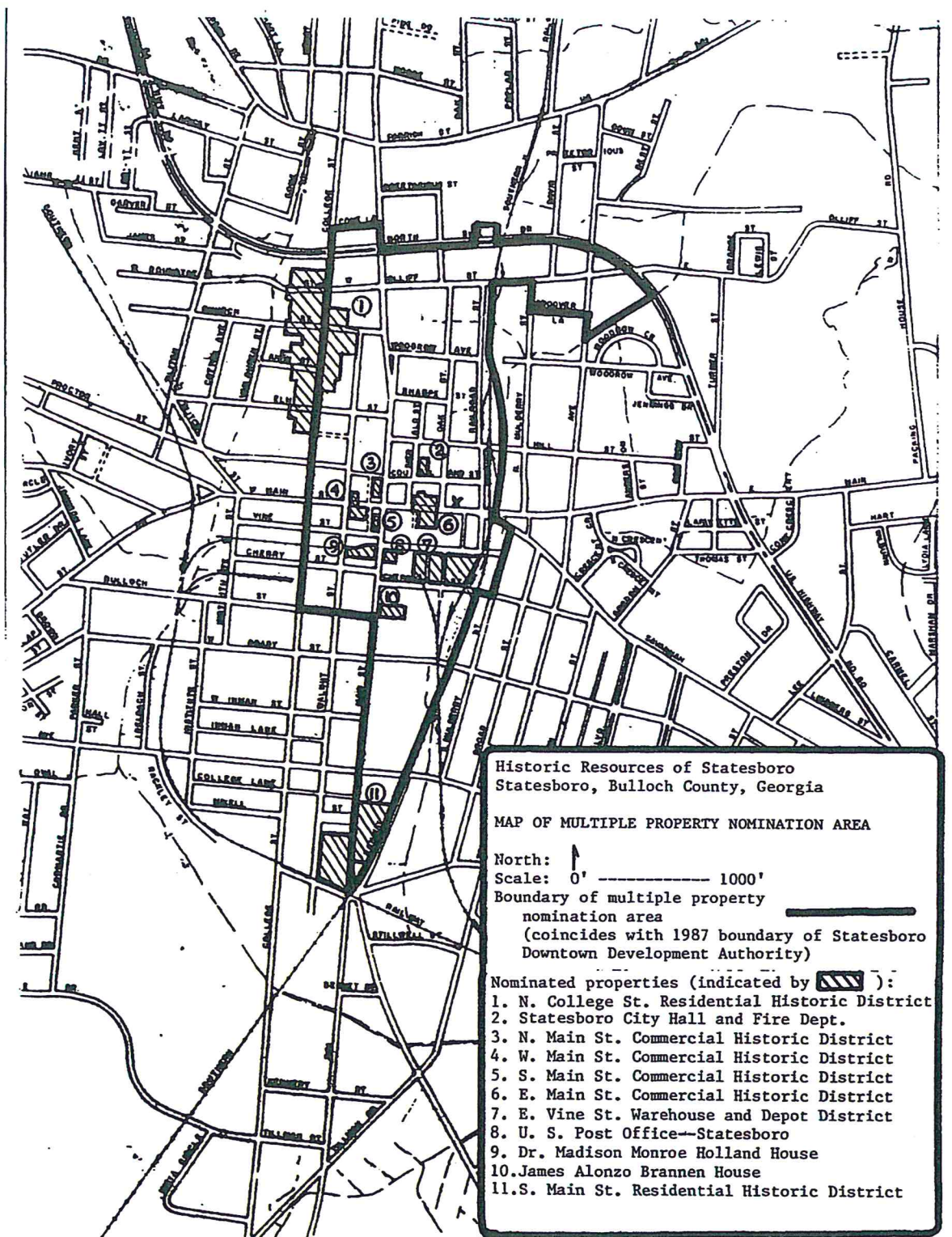
[Recent Sales in Neighborhood](#) | 
 [Recent Sales in Area](#) | 
 [Previous Parcel](#) | 
 [Next Parcel](#) | 
 [Field Definitions](#) | 
 [Return to Main Search Page](#) | 
 [Bulloch Home](#)

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EXHIBIT I: HISTORIC RESOURCES OF STATESBORO MAP







*City of Statesboro-Department of Planning and Development*  
**DEVELOPMENT SERVICES REPORT**

P.O. Box 348  
 Statesboro, Georgia 30458

(912) 764-0630  
 (912) 764-0664 (Fax)

**DSDA 16-09-003**  
**DEMOLITION REQUEST**  
**9 West Inman Street**

**LOCATION:** 9 West Inman Street

**REQUEST:** Request for a finding of necessity for the demolition of one structure zoned HOC (Highway Oriented Commercial) within the DSDA Design Standards District.

**APPLICANT:** Downtown Statesboro Development Authority

**OWNER(S):** Downtown Statesboro Development Authority

**ACRES:** .29 acres (parcel combined total)

**PARCEL TAX MAP #:** S19 000040 000

**COUNCIL DISTRICT:** 2 (Jones)



**PROPOSAL:**

The subject site is located at 9 West Inman Street (listed as 11 West Inman Street in the Tax Assessor's website), contains one (1) duplex and is currently zoned HOC (Highway Oriented Commercial). The property lies within the boundaries of the Downtown Statesboro Development Authority, and in September 2015, City Council adopted Article XXX: Design Standards: Downtown District of the Statesboro Zoning Ordinance, which requires a finding of necessity for proposed demolitions where the structure does not exceed 35 percent in structural damage and meets one of the criteria contained in Section 3003(D) (See **Exhibit A**–Location Map and **Exhibit B**–Photos of Subject Site). The Downtown Statesboro Development Authority owns the property, which is located within one parcel addressed 11 West Inman Street (Tax Parcel S19 000040 000) and split zoned R4 (High Density Residential District) and HOC (Highway Oriented Commercial).

**SURROUNDING ZONING/LAND USES:**

	<b>ZONING:</b>	<b>LAND USE:</b>
<b>NORTH:</b>	HOC (Highway Oriented Commercial)	Two-family duplexes
<b>SOUTH:</b>	HOC (Highway Oriented Commercial)	Single-family residential
<b>EAST:</b>	HOC (Highway Oriented Commercial)	Single-family residential and repair shop
<b>WEST</b>	R4 (High Density Residential District)	Single-family residential

The subject site is adjacent to the Downtown Statesboro Development Authority's Homes for Heroes project, located at 11 West Inman Street and part of the same parcel. Properties to the north and south are predominantly residential in nature and include the Walnut Grove development.



## COMPREHENSIVE PLAN:

The subject site lies within the "Urban Core/Downtown" character area as identified by the City of Statesboro 2014 Future Development Map (See EXHIBIT D—2014 Future Development Map) within the *City of Statesboro Updated 2014 Comprehensive Plan* – which calls for the protection of "historic buildings from demolition or inappropriate restoration" while encouraging the construction of multi-family residential uses in the area.

### *Vision:*

Downtown is the historic core of the city and should remain the activity and cultural hub of the region. In the Urban Core, traditional development patterns of buildings along the sidewalk and a lively streetscape should be respected and promoted. Historic buildings should be protected from demolition or inappropriate restoration which can degrade the architectural details of the structures. Additional residential opportunities, especially in the form of lofts or other residential over retail, should be promoted. Street-level uses should be reserved for retail, entertainment, or similar high activity uses.

### *Appropriate Land Uses*

- Neighborhood-scale retail and commercial, especially niche market stores which serve as a destination
- Arts and entertainment venues
- Civic uses
- Office
- Neighborhood services
- Range of housing styles & price points
- Multifamily Residential
- Loft, mixed use, and urban residential, including small lot single-family residential along secondary streets
- Multi-story buildings with retail on the street and office/residential above
- Government offices & services

### *Suggested Development & Implementation Strategies*

- Historic structures should be preserved or adaptively reused wherever possible.
- Create local historic districts.
- Economic development strategies should continue to nurture thriving commercial activity.
- New development should respect historic context of building mass, height and setbacks.
- New developments that contain a mix of residential, commercial and/or community facilities at small enough scale and proximity to encourage walking between destinations should be encouraged.
- Encourage mixed-use infill and redevelopment. Uses should typically transition across the rear of properties instead of across the street to soften the transition and maintain appropriate streetscapes.

*Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 14.*

## TAX ALLOCATION DISTRICT REDEVELOPMENT PLAN:

The 2014 Tax Allocation District Redevelopment Plan (TAD) seeks to "encourage the private redevelopment of outmoded, highway-oriented commercial development into pedestrian friendly, mixed-use centers" to achieve the vision set forth in the 2011 Statesboro Downtown Master Plan and the 2009 and 2014 Comprehensive Plans. The plan does not set forth specific suggestions for this subject site. The parcel in this request is listed in the TAD under Appendix B (page 42); however, the TAD values the entire parcel, which includes another structure under renovation for the Homes for Heroes program (See Exhibit E—List of Parcels Included in the TAD). The combined parcel had an appraised value of \$53,566, an assessed value of \$21,426 and a tax value of \$21,426, at the time the Tax Allocation Redevelopment Plan was written.

## STATESBORO DOWNTOWN MASTER PLAN:

The 2011 Statesboro Downtown Master Plan Redevelopment Initiatives Locational Guidance land use map places the parcel in Zone 9: Residential. The plan establishes this zone of secondary importance and calls for the creation of appropriately scaled residential uses as a key focus. (See Exhibit F—Locational Guidance/Zone Implementation Table).

## COMMUNITY FACILITIES AND TRANSPORTATION:

The subject properties are currently serviced by city utilities, sanitation, and public safety. No significant impact is expected on community facilities or services as a result of this request.

## ENVIRONMENTAL:

The subject properties do not contain wetlands and are not located in a special flood hazard area. There is no expected environmental impact associated with this request. Any environmental issues associated with the proper demolition of the structures and/or removal and disposal of debris are the responsibility of the applicant.

## ANALYSIS:

Given that Bulloch County Tax Records indicate that the structure is greater than fifty (50) years in age, staff is not authorized to administratively approve a demolition permit (See **Exhibit H**—Bulloch County Tax Assessor Parcel Information Card). Rather, council must determine whether the structures are considered to be a “Historical Building” as defined by Article XXX of the Statesboro Zoning Ordinance, and if so, may authorize a demolition only upon a showing of necessity. In order to designate the structure as a “Historical Building” meriting preservation, Council must find the building to be greater than fifty years in age and that at least one of the following criteria or the criteria of the National Register of Historic Places are met. Ordinance considerations, and relevant known factors, are as follows:

**(1) The structure is an outstanding example representative of its era:**

a. See **EXHIBIT B**—Photos of Subject Site

**(2) The structure is one of few remaining examples of a past architectural style:**

There is no indication that the structure is one of few remaining examples of a past architectural style.

**(3) The property or structure place or structure is associated with an event or person of historic or cultural significance to the City of Statesboro, Bulloch County, the State of Georgia, or the region:**

No evidence of association with an event or person of historic or cultural significance to the City of Statesboro, Bulloch County, Georgia or the region was found.

**(4) The property or structure is a site of natural or aesthetic interest that is continuing to contribute to the cultural or historical development and heritage of the City of Statesboro, Bulloch County, the State of Georgia, or the region;**

The subject property is not a site of natural or aesthetic interest that contributes to the cultural or historical development of the City of Statesboro.

**(5) It is within an existing historic district or is listed with the National Register of Historic Places; or**

The parcel does not lie within, or adjacent to, the boundaries of a NRHP district (See **Exhibit I**—Historic Resources of Statesboro).

Generally, the Department of Interior evaluates the following criteria in consideration of whether a structure is historical in significance and therefore deemed worthy of preservation:

**(1) Age**

The structure exceeds 50 years of age (See **Exhibit H**—Bulloch County Tax Assessor Parcel Information Card).

**(2) Integrity**

An inspection performed by the Director of Planning and Development revealed the structural integrity of the single-family structure remains intact, with less than 35 percent structural damage. Structural damage is assessed by evaluating the building's walls, floors, roof, windows and external structure and structural members. In addition, it is unlikely the duplex has undergone extensive renovations that changed the building's original design or floor plan, which demonstrates design integrity, one of the NRHP's requirements.

## PLANNING COMMISSION RECOMMENDATION:

At its regularly scheduled meeting on October 4, 2016, the Planning Commission voted 5 to 0 to recommend approval of the demolition requested by this application.



EXHIBIT A: LOCATION MAP



**STAGIS**  
CITY OF STATESBORO, GA

City of Statesboro Department of Planning and Development

- Legend**
- Roads
  - Zoning Districts

Note: The Boundries Depicted on this map are approximate and should be used for reference only





EXHIBIT B: PHOTOS OF SUBJECT SITE





EXHIBIT B: PHOTOS OF SUBJECT SITE (CONT)





EXHIBIT B: PHOTOS OF SUBJECT SITE (CONT)





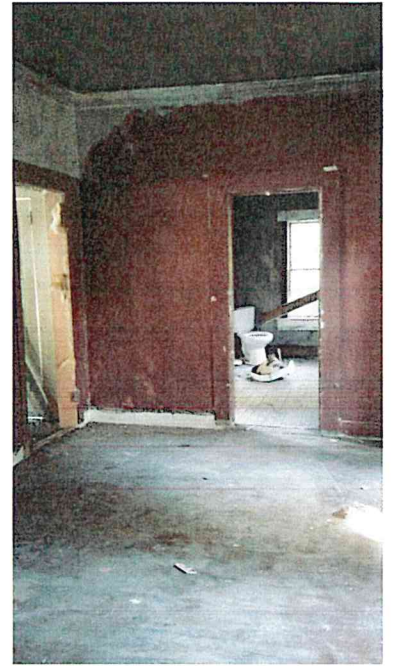




EXHIBIT C: PHOTOS OF SUBJECT SITE INTERIOR









EXHIBIT C: CITY OF STATESBORO 2014 FUTURE DEVELOPMENT MAP

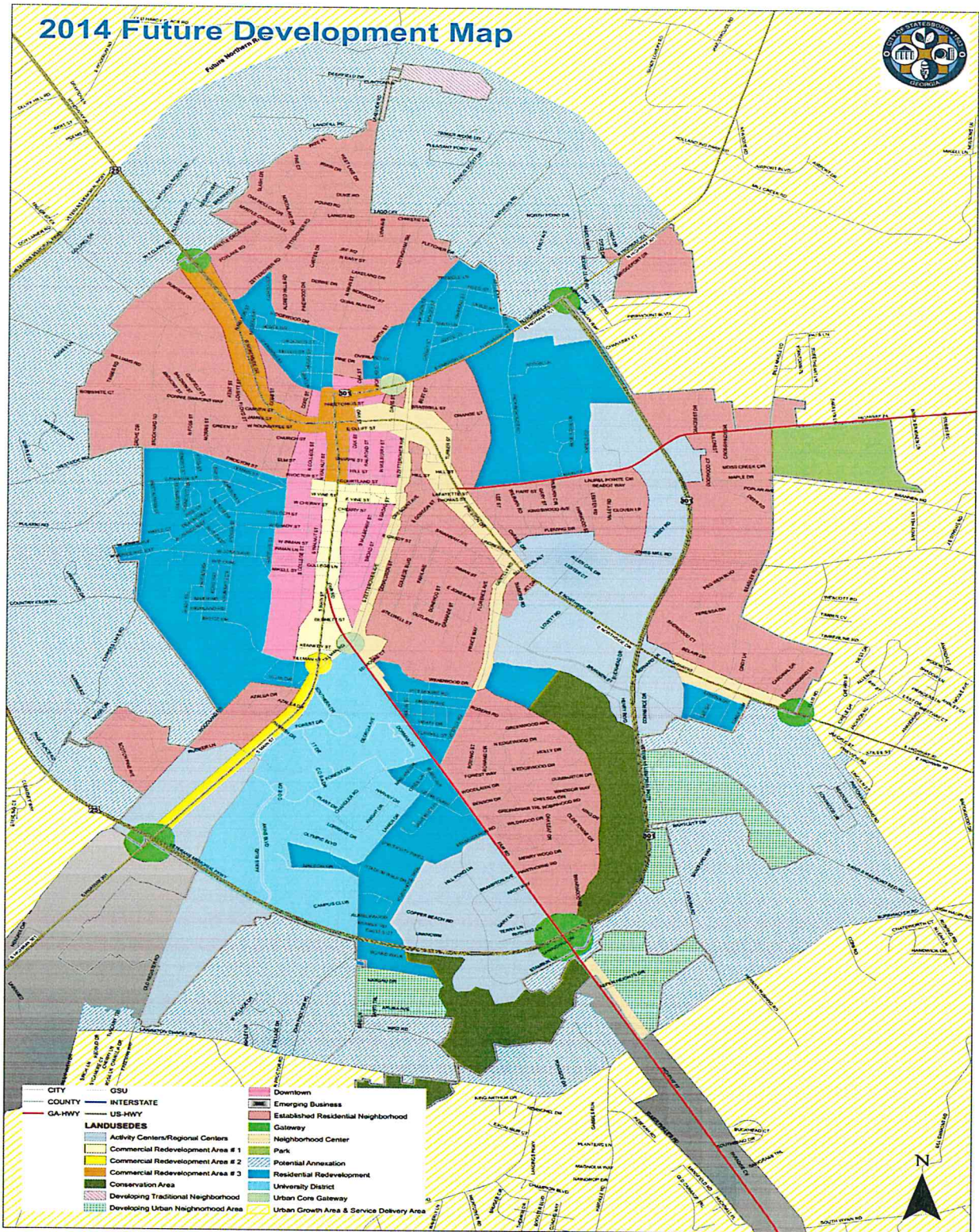




EXHIBIT D: LIST OF PARCELS INCLUDED IN THE TAD

City of Statesboro Tax Allocation District #1: South Main Redevelopment Plan

2014

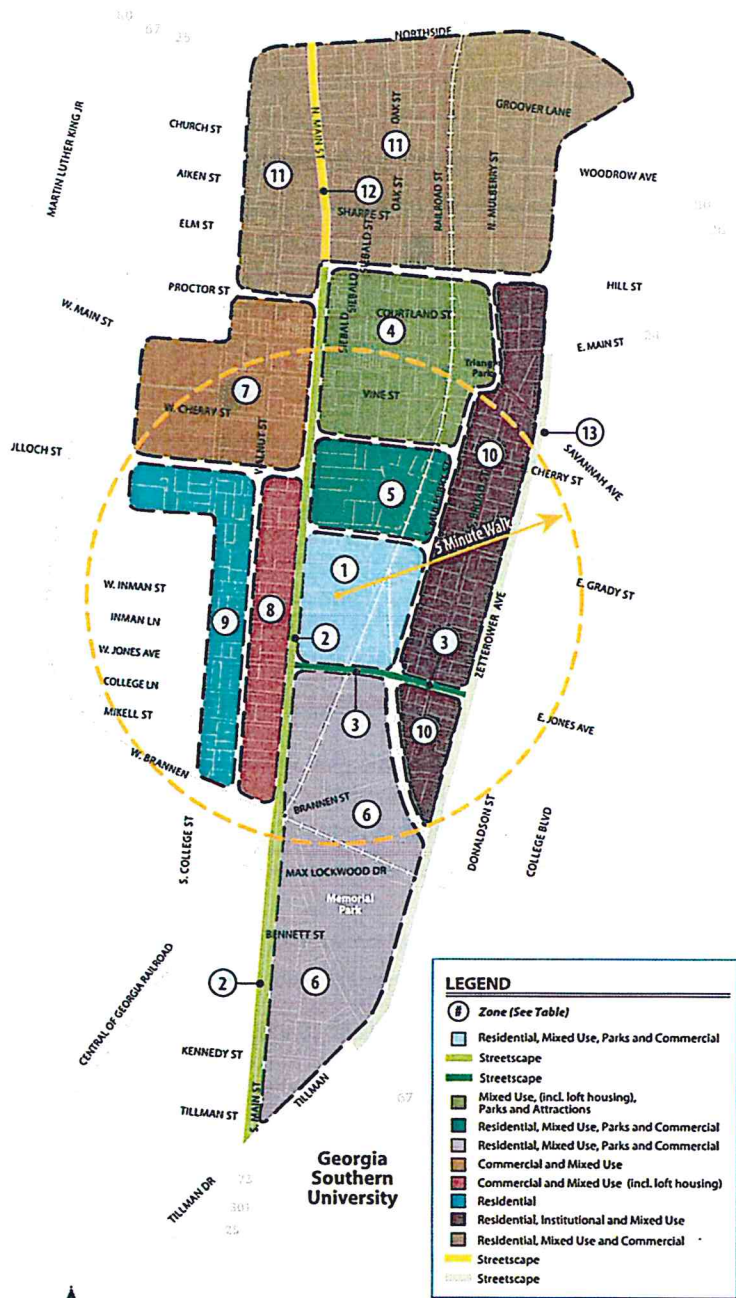
Appendix B: List of Parcels to be Included in Bulloch County Tax Allocation District #1: South Main

GEOPIN	PARCEL_NO	Legal Description	DIG CLASS	TAXD ISTRIC	Appraised Value	Assessed Value	Tax Value
7879-42-4450	S27 000079 000	124 N MAIN ST	C	1	154,649	61,860	61,860
7879-42-5471	S27 000078 000	7 WOODROW AVE	R	1	79,930	31,972	31,972
7879-42-5542	S27 000081 000	128 N MAIN ST	C	1	62,503	25,001	25,001
7879-42-5632	S27 000082 000	130 N MAIN ST	R	1	39,100	15,640	15,640
7879-42-7045	S28 000001 000	108 NORTH MAIN/CHURCH	E	1	9,532,207	3,812,883	0
7879-52-0424	S27 000067 000	202 OAK ST/HOME	R	1	40,859	16,344	16,344
7879-52-1450	S27 000064 000	23 WOODROW AVE	R	1	49,356	19,742	19,742
7879-60-8404	S39 000067 000	2 LOTT ST	R	1	13,300	5,320	5,320
7879-60-8523	S39 000068 000	4 LOTT ST(N.CRESCENT ST)	R	1	46,850	18,740	18,740
7879-60-8629	S39 000069 000	LT 25 PT 26/CRESCENT	R	1	30,615	12,246	12,246
7879-60-9014	S40 000082 000	GORDON STREET/ LOT 1	R	1	56,131	22,452	22,452
7879-60-9458	S39 000083 000	GORDON ST	R	1	98,823	39,529	39,529
7879-70-0378	S40 000084 000	20 GORDON ST/PARK	R	1	11,800	4,720	4,720
7879-70-0638	S39 000082 000	LTS 5-6 & 7 GORDON ST	R	1	113,052	45,221	45,221
7879-70-1188	S40 000083 000	GORDON STREET	R	1	52,500	21,000	21,000
7879-70-1598	S39 000084 000	LT 38/GORDON ST	R	1	34,538	13,815	13,815
7879-70-2611	S39 000085 000	14 GORDON ST/LIFE EST	R	1	3,000	1,200	1,200
7879-70-2626	S39 000086 000	12 GORDON ST LTS 23&24	R	1	7,600	3,040	3,040
7879-70-3495	S39 000095 000	HWY 80 E/THOMAS ST	C	1	305,617	122,247	122,247
7879-70-4602	S39 000094 000	10 LAF ST/LT25-27,39-42/12HSES	R	1	51,960	20,784	20,784
7878-48-3567	S30 000001 000	248 S MAIN ST/STORE #226	C	1	552,917	221,167	221,167
7878-48-3959	S29 000031 000	S MAIN TACO BEL/SBO/ 0.86 AC	C	1	320,255	128,102	128,102
7878-48-5575	S30 000002 000	0.21 AC/11 EAST JONES STREET	C	1	38,528	15,411	15,411
7878-48-5855	S29 000030 000	QUALITY INN/MANNYS	C	1	3,442,410	1,376,964	1,376,964
7878-49-3188	S29 000032 000	SHONEY'S/1.04 AC	C	1	501,021	200,408	200,408
7878-49-5087	S29 000030 001	1.438 AC / PAR B	C	1	64,130	25,652	25,652
7878-49-7108	S29 000044 000	LOTS 7 & 8 SOUTH MAIN ST	E	1	26,500	10,600	0
7878-38-8175	S20 000085 000	7 MIKELL/8-APT/ALLEN	C	1	167,042	66,817	66,817
7878-38-8284	S20 000093 000	LT 2/ 0.526 AC/S MAIN ST	C	1	139,900	55,960	55,960
7878-38-8495	S20 000092 000	12 W JONES AVE	R	1	49,822	19,929	19,929
7878-38-9385	S20 000089 000	305 S MAIN ST	C	1	463,836	185,534	185,534
7878-38-9600	S19 000019 000	W JONES AVE/LT 4/MCDONALD'S	C	1	38,120	15,248	15,248
7878-38-9726	S19 000020 000	232 S WALNUT STREET	R	1	103,090	41,236	41,236
7878-38-9834	S19 000021 000	128 S WALNUT ST	C	1	80,701	32,280	32,280
7878-38-9933	S19 000022 000	10 W INMAN/LANIER	R	1	91,302	36,521	36,521
7878-48-0110	S20 000086 000	317 S MAIN ST	C	1	249,931	99,972	99,972

Appendices

35

EXHIBIT E: LOCATIONAL GUIDANCE/ZONING IMPLEMENTATION MAP AND TABLE



Locational / Zone Implementation





EXHIBIT F: LOCATIONAL GUIDANCE/ZONING IMPLEMENTATION MAP AND TABLE (CONT)

IMPLEMENTATION STRATEGY

Locational / Zone Implementation Table – continued







Zones	Targeted Use/Enhancement	Importance Level	Discussion
 4	Mixed Use (incl. loft housing), Parks and Attractions	Primary, this zone represents the downtown core and is one of the primary redevelopment and infill zones in the master plan	<ul style="list-style-type: none"> <li>Emphasis on catalyst and specialty projects as well as supportive streetscape enhancements (i.e., Vine Street Retail)</li> <li>In terms of timing, this area should be targeted in the initial phases of implementation of the master plan</li> </ul>
 5	Residential, Mixed Use, Parks and Commercial	Secondary, this zone represents the transitional redevelopment zone between downtown core and those identified as a primary targeted redevelopment areas for new residential mixed use and commercial projects	<ul style="list-style-type: none"> <li>A transitional zone that is an extension of the downtown core and the adjacent zone to the south</li> <li>Unless opportunities for acquisition, property assemblage or partnership become available, this area be focused upon secondarily in terms of timing or phasing</li> </ul>
 6	Residential, Mixed Use and Commercial	Secondary, this area is viewed as a business/commercial zone and redevelopment should be focused on support or uses related to the University	<ul style="list-style-type: none"> <li>Potential areas to be targeted may include the closure or redesign of Brannen Street to support contiguous assemblage of parcels</li> <li>Emphasize reduction of pedestrian/ vehicular conflicts</li> <li>Improve connectivity with Memorial Park and enhance amenities</li> </ul>
 7	Commercial and Mixed Use	Primary, as an extension of the downtown core, this area is important to the master plan based on existing/planned projects and the potential for redevelopment opportunities	<ul style="list-style-type: none"> <li>This area is deemed primary due to opportunities available and the potential of assemblage of larger development tracts</li> <li>In the short term exhaust redevelopment opportunities in this areas as appropriate</li> </ul>
 8	Commercial and Mixed Use (incl. loft housing)	Primary, the frontage along South Main is a critical part of the master plan. The creation of a mixed use, pedestrian-oriented corridor should be the primary focus in this area	<ul style="list-style-type: none"> <li>The frontage on the west side of South Main Street is an important supporting element to University and local traffic enhancements</li> <li>Potential redevelopment should foster pedestrian-scaled neighborhood and community commercial uses</li> <li>Commercial, office, residential utilization is appropriate for this area</li> </ul>
 9	Residential	Secondary, deemed a supporting element to the master plan, the improvements in this area should be market driven and a product of activities occurring in areas deemed as primary importance level	<ul style="list-style-type: none"> <li>Assemblage of redevelopment parcels could be challenging in this area</li> <li>The creation of appropriately scaled residential uses is the focus in this zone</li> <li>Implement neighborhood residential revitalization and stabilization programs to improve and maintain housing stock</li> </ul>



EXHIBIT G: BULLOCH COUNTY TAX ASSESSOR PARCEL INFORMATION CARD

10/3/2016

qpublic7.qpublic.net/ga\_display.php?county=ga\_bulloch&KEY=S19 000040 000



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**Owner and Parcel Information**

Owner Name	DOWNTOWN STATESBORO DEVELOPMENT	Today's Date	October 3, 2016
Mailing Address	AUTHORITY	Parcel Number	S19 000040 000
	10 SIEBALD ST STATESBORO, GA 30458	Tax District	Statesboro TAD 29.046 (District 08)
Location Address	11 WEST INMAN ST	2015 Millage Rate	
Legal Description	11 W INMAN ST/ 0.29 AC	Acres	0.29
Property Class(NOTE: Not Zoning Info)	R3-Residential	Neighborhood	000026
Zoning	R4/HOC	Homestead Exemption	No (S0)
ACC/DES	0 /	GMD	1209
		Parcel Map	<a href="#">Show Parcel Map</a>

**2016 Tax Year Value Information**

Land Value	Improvement Value	Accessory Value	Total Value	Assessed Value
\$ 22,200	\$ 30,730	\$ 198	\$ 53,128	\$ 21,251

**Land Information**

Type	Description	Calculation Method	Frontage	Depth	Acres	Photo
RES	0026 - REGULAR - 1	Front Feet	96	77		NA
RES	0026 - REGULAR - 1	Front Feet	60	90		NA

**Improvement Information**

Style	Heated Sq Ft	Interior Walls	Exterior Walls	Attic Area Sq Ft	Basement Area Sq Ft	Year Built	Photo
Other	2,251	Other	Alum/Vinyl	0	0	1940	<a href="#">Building Images</a>
Roof Type	Flooring Type	Heating Type	Rooms Bedrooms/Bathrooms/Extra Plumbing	Value	Cond	Number Fire PI	Sketch
Other	Other	NONE -NONE- NONE	10/4/2.0/5	\$ 18,672	Poor	2	<a href="#">Sketch Building 1</a>
Style	Heated Sq Ft	Interior Walls	Exterior Walls	Attic Area Sq Ft	Basement Area Sq Ft	Year Built	Photo
Other	1,759	Other	Asbestos	0	0	1930	NA
Roof Type	Flooring Type	Heating Type	Rooms Bedrooms/Bathrooms/Extra Plumbing	Value	Cond	Number Fire PI	Sketch
Other	Other	NONE -NONE- NONE	6/3/2.0/3	\$ 12,058	Poor	1	<a href="#">Sketch Building 2</a>

**Accessory Information**

Description	Year Built	Dimensions/Units	Value
Canopy	1950	6x10 0	\$ 54
Canopy	1950	8x20 0	\$ 144

http://qpublic7.qpublic.net/ga\_display.php?county=ga\_bulloch&KEY=S19%20000040%20000

1/2



EXHIBIT G: BULLOCH COUNTY TAX ASSESSOR PARCEL INFORMATION CARD (CONT)

10/3/2016

qpublic7.qpublic.net/ga\_display.php?county=ga\_bulloch&KEY=S19 000040 000

**Sale Information**

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
09/10/2015	2313/ 748		\$ 55,000	Valid sale - FAIR MKT - IMPROVED	SOUTH GEORGIA REALTY LLC	DOWNTOWN STATESBORO DEVELOPMENT

**Historical Sales Information**

Date	Book/Page	Price	Type	Source	Valid	Grantor
03/23/2005	1530/60	\$ 65,000	LAND & BUILDING	OTHER	0	STREET WALTER J
03/01/2000	1530/58	\$ 70,000	LAND & BUILDING	OTHER	A	STREET WALTER J &

**Permit Information**

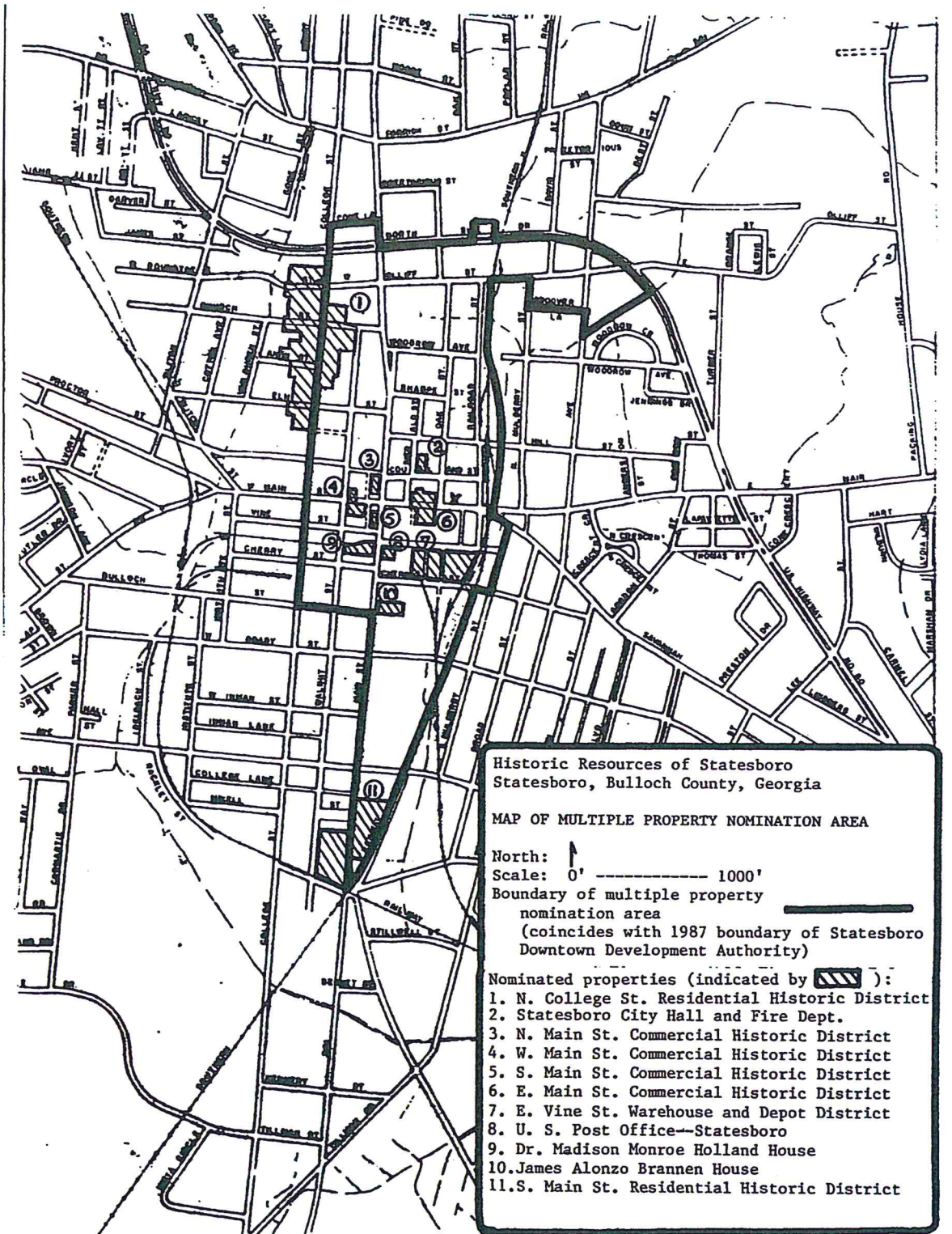
Permit Date	Permit Number	Type	Description
No permit information associated with this parcel.			

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 [Previous Parcel](#)  
 [Next Parcel](#)  
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EXHIBIT H: HISTORIC RESOURCES OF STATESBORO MAP







*City of Statesboro-Department of Planning and Development*  
**DEVELOPMENT SERVICES REPORT**

P.O. Box 348  
 Statesboro, Georgia 30458

(912) 764-0630  
 (912) 764-0664 (Fax)

**CUV 16-08-01**  
**CONDITIONAL USE VARIANCE REQUEST**  
**18 CARMEL DRIVE**

**LOCATION:** 18 Carmel Drive

**REQUEST:** Request for a conditional use variance from Article V of the Statesboro Zoning Ordinance for .34 acres of property located at 18 Carmel Drive to utilize the property as a community living arrangement facility (Tax Parcel # S51 000064A 000).

**APPLICANT:** Justine Taylor

**OWNER(S):** John E. Lavender

**ACRES:** .34 Acres

**PARCEL TAX MAP #:** S51 000064A 000

**COUNCIL DISTRICT:** 5 (Chance)



**PROPOSAL:**

The applicant is requesting a conditional use variance to utilize 18 Carmel Drive (Tax Parcel S51 000064A 000) as a community living arrangement facility for up to three (3) unrelated adults. The subject site is currently zoned R-15 (Single-Family Residential) and the *Statesboro Zoning Ordinance* does not address or define group homes, personal care homes or community living arrangement facilities or designate an appropriate zoning district for such uses (See Exhibit A – Location Map).

**SURROUNDING LAND USES/ZONING:**

	<b>ZONING:</b>	<b>LAND USE:</b>
<b>NORTH:</b>	R15 (Single-Family Residential)	Single-family detached dwelling units
<b>SOUTH:</b>	CR (Commercial Retail) and (R15 (Single-Family Residential)	Personal service facilities
<b>EAST:</b>	R15 (Single-Family Residential)	Single-family detached dwelling units and Statesboro High School
<b>WEST</b>	CR (Commercial Retail)	Personal service facilities

Properties to the north and east are predominantly single-family detached dwelling units. There are several personal service facilities and health care facilities to the south and west, including Statesboro Cardiology, Enterprise Rent-A-Car and Kid's World Learning Center. (See Exhibit B—Photos of Subject Site and Surrounding).

## COMPREHENSIVE PLAN:

The subject site lies within the "Activity Centers/Regional Centers" character area as identified by the City of Statesboro 2014 Future Development Map (See Exhibit C—2014 Future Development Map) within the City of Statesboro Updated 2014 Comprehensive Plan.

### *Vision:*

Currently dominated by auto-oriented design and large surface parking lots, the Activity Centers will evolve into pedestrian-oriented shopping, office, and entertainment places that may also accommodate high-density residential development. Where excess parking is located, infill development can break up large surface lots. Tree plantings and landscaping will be generous to soften the development intensity in these areas. Access to these activity centers will be easily achieved for pedestrians, cyclists, and drivers alike.

Appropriate land uses include:

- Services
- Medical
- Multi-Family

### *Suggested Development & Implementation Strategies*

- Infill and redevelopment in these areas should occur according to a master plan that allows for mixed uses, transportation choices and urban design that mitigates the appearance of auto-dependence (such as screening parking lots or locating parking areas primarily to the sides and rear of buildings).
- Encourage infill, new, and redevelopment to build close to the street.
- Evaluate parking ordinances for appropriate standards, including maximum standards and shared parking
- Focus on redevelopment in areas of disinvestment (such as those that have become or are in danger of becoming greyfields). Development strategy should encourage uses and activities that are suitable for the immediately-surrounding character areas.
- New residential development that reflects traditional neighborhood design principles, such as smaller lots, orientation to street, mix of housing types, pedestrian access to neighborhood commercial centers.
- New developments that contain a mix of residential, commercial uses and community facilities at small enough scale and proximity to encourage walking between destinations.
- Use infrastructure availability to steer development away from areas of natural, cultural, and environmentally sensitive resources.

*Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 25.*

## COMMUNITY FACILITIES AND TRANSPORTATION:

The subject property is currently serviced by city utilities, sanitation, and public safety. No significant impact is expected on community facilities or services as a result of this request.

## ENVIRONMENTAL:

The subject property does not contain wetlands and is not located in a special flood hazard area. There is no expected environmental impact associated with this request. Any potential issues will be brought forth and discussed during standard permitting and review procedures.

## ANALYSIS:

Section 2007 of the *Statesboro Zoning Ordinance* provides eight (8) standards for the Mayor and City Council to consider "in making its determination" regarding a zoning map amendment and "balancing the promotions of the public health, safety, morality (morals), and general welfare against the right of unrestricted use of property." Those standards are numbered below 1-8. Staff findings regarding some of the factors are given for Council's consideration of the application:

- 1.) Existing uses and zoning or [of] property nearby.
- 2.) The extent to which property values are diminished by the particular zoning restrictions.
- 3.) The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.
  - a. The variance is needed in order to provide supportive services to an adult population.



- 4.) The relative gain to the public, as compared to the hardship imposed upon the property owner.
- 5.) The suitability of the subject property for the zoned purposes.
  - a. The subject site is suitable for the proposed use and could still be used as a single-family residence should this use, if granted, cease.
- 6.) The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property.
- 7.) The extent the proposed change would impact the following:
  - a. Population density in the area.
    - i. The request would add three (3) additional persons to the area.
  - b. Community facilities.
  - c. Living conditions in the area.
  - d. Traffic patterns and congestion.
  - e. Environmental aspects.
  - f. Existing and future land use patterns.
  - g. Property values in adjacent areas.
- 8.) Consistency with other governmental land use, transportation and development plans for the community.

In addition to the standards for determination outlined in Section 2007, the Mayor and Council will consider the following factors established by Article XXIV Section 2406 of the *Statesboro Zoning Ordinance*:

- 1.) Adequate provision is made by the applicant to reduce any adverse environmental impact of the proposed use to an acceptable level.
- 2.) Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered.
- 3.) Offstreet parking and loading, and the entrances to and exits from such parking and loading, will be adequate in terms of location, amount, and design to serve the use.
- 4.) Public facilities and utilities are capable of adequately serving the proposed use.
- 5.) The proposed use will not have a significant adverse effect on the level of property values or the general character of the area.
- 6.) Unless otherwise noted, the site plan submitted in support of an approved conditional use shall be considered part of the approval and must be followed.
- 7.) Approval of a proposed use by the mayor and council does not constitute and [an] approval for future expansion of or additions or changes to the initially approved operation. Any future phases or changes that are considered significant by the planning commission and not included in the original approval are subject to the provisions of this section and the review of new detailed plans and reports for said alterations by the governing authority.

**STAFF RECOMMENDATION:**

Staff recommends approval of the request with the following conditions:

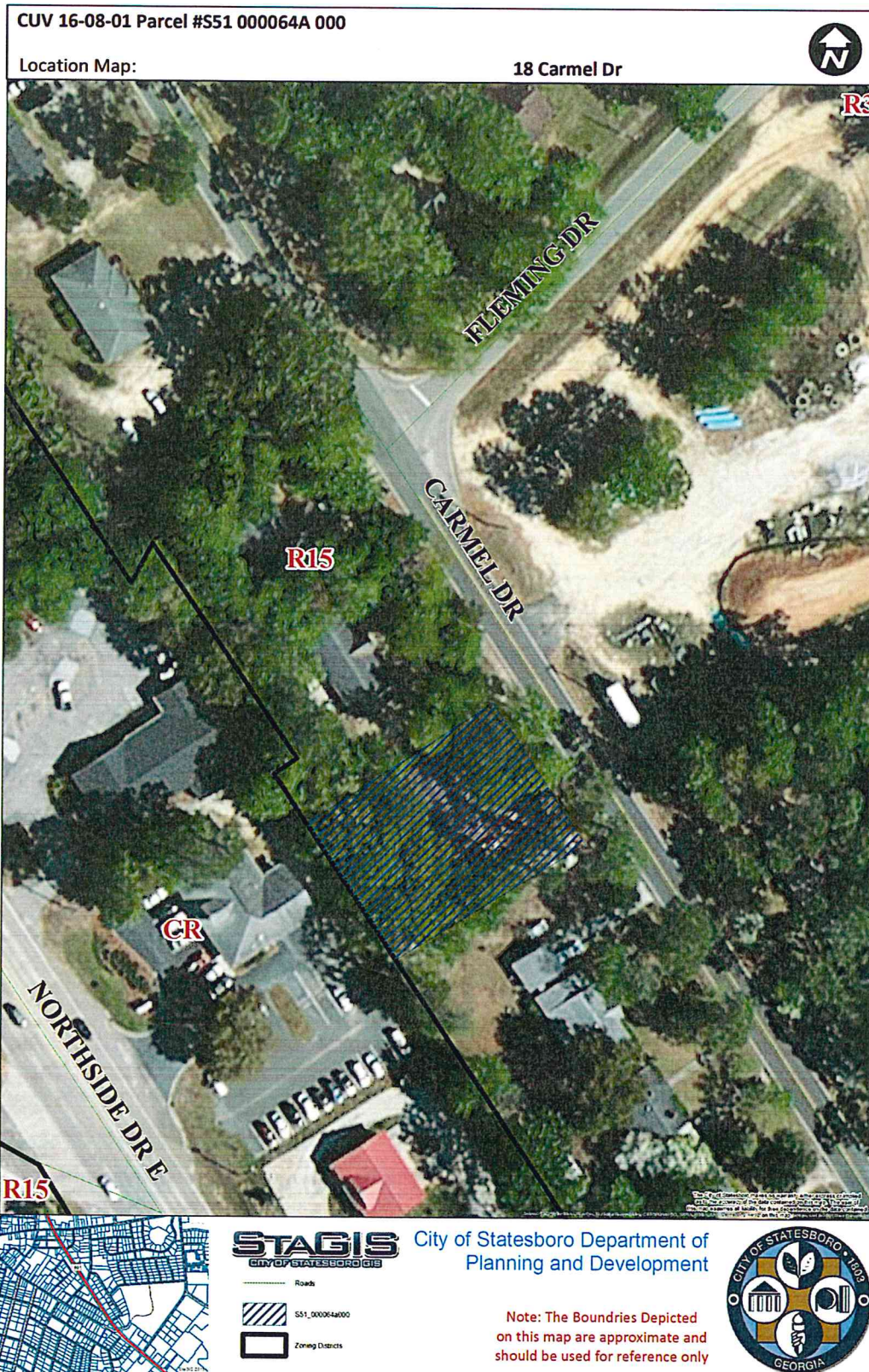
1. The applicant must not exceed reasonable standards for parking and avoid excessive parking at the location.
2. The applicant may not install signage at the location.
3. The applicant must meet the minimum requirements set forth in the Rules of Department of Human Resources Office Of Regulatory Services Chapter 290-9-37 specifically 290-9-37-.08 Minimum Floor Plan Requirements.

**PLANNING COMMISSION RECOMMENDATION:**

At its regularly scheduled meeting on October 4, 2016, the Planning Commission voted 5 to 0 to recommend approval of the conditional use variance requested by this application with staff's above listed conditions.



EXHIBIT A: LOCATION MAP





**EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES**



**Picture 1 Subject Site Facing West**



**Picture 2 Subject Property**



**EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES (CONT)**



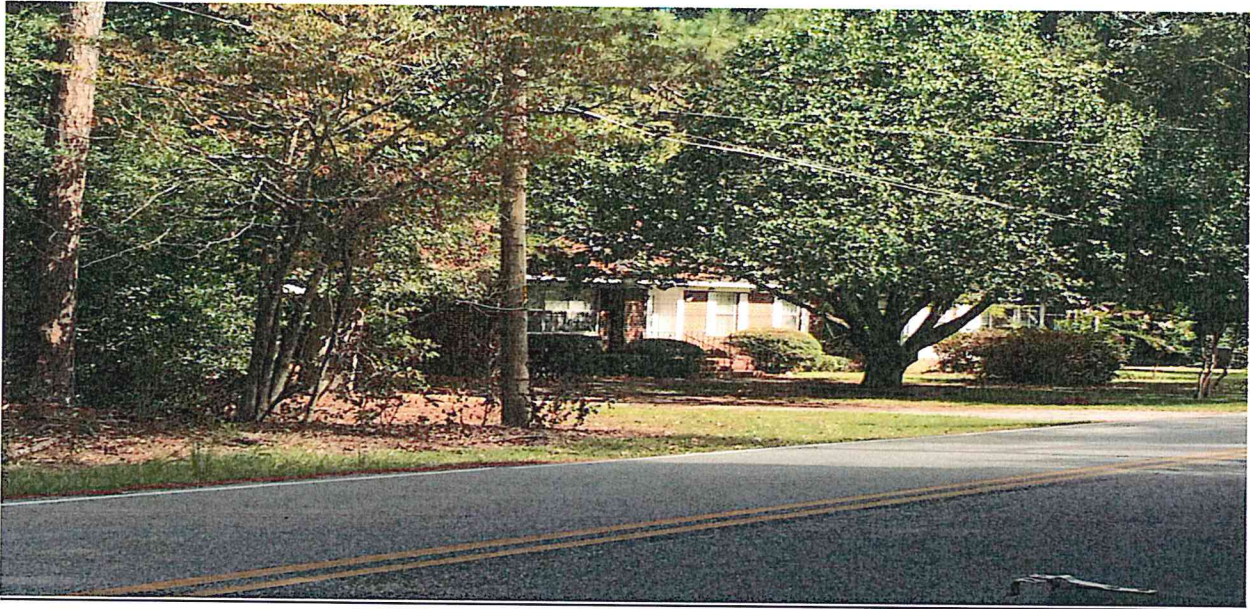
**Picture 3 Adjacent Property Facing Northwest**



**Picture 4 Subject Site, Adjacent Property and Surrounding Area Facing South**



**EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES (CONT)**



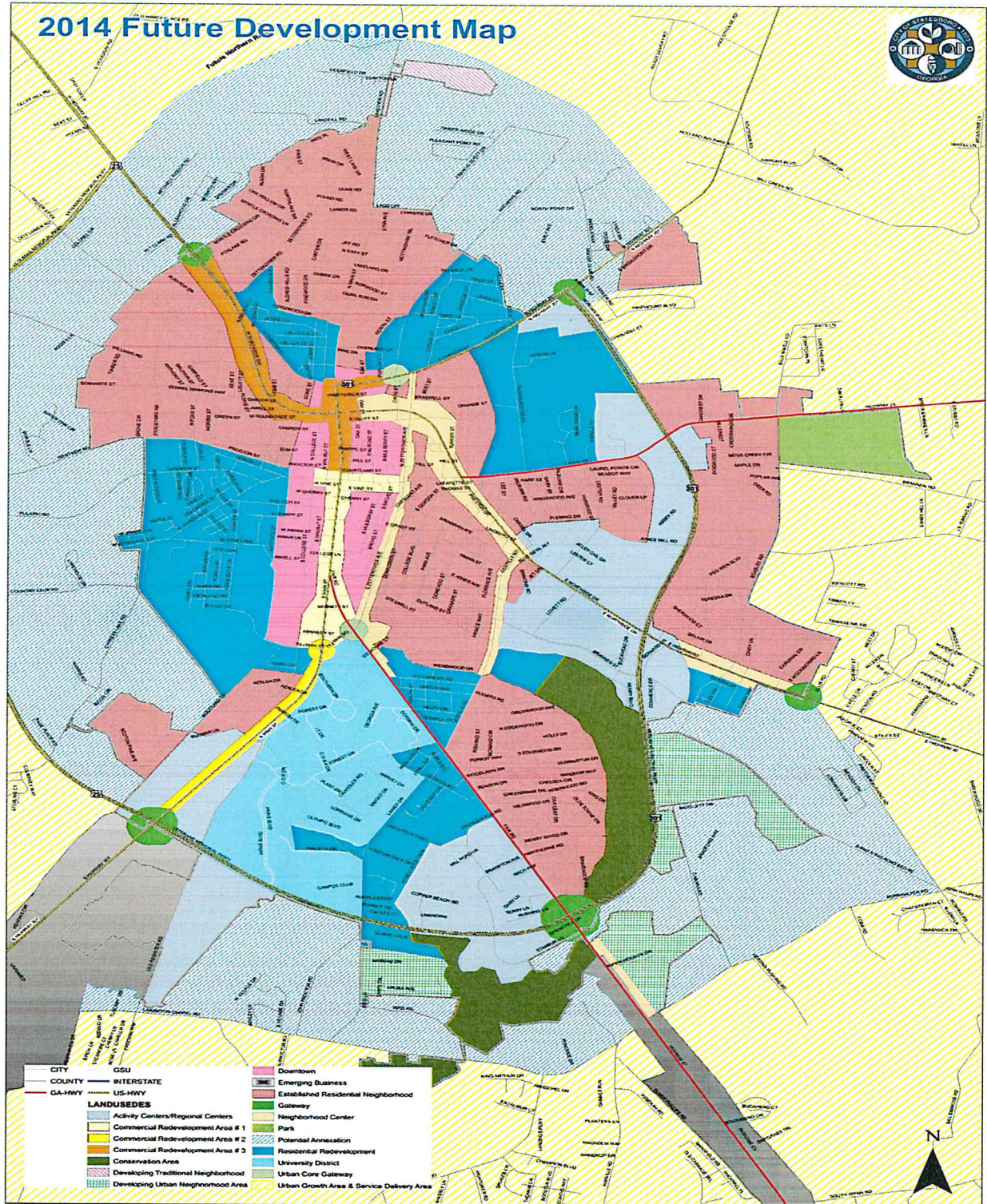
**Picture 5 Adjacent Property Facing Northeast**



**Picture 6 Adjacent Property Facing Northeast Depicting a Portion of Statesboro High School**



EXHIBIT C: 2014 FUTURE DEVELOPMENT MAP







City of Statesboro – Department of Planning and Development  
**DEVELOPMENT SERVICES REPORT**

P.O. Box 348  
 Statesboro, Georgia 30458

» (912) 764-0630  
 » (912) 764-0664 (Fax)

**V 16-08-02**  
**VARIANCE REQUEST**  
**30 WEST INMAN STREET**

**LOCATION:** 30 West Inman Street

**REQUEST:** John Ray Hendley requests a variance from Article XV (Signs) Section 1509(C) Table 3 of the Statesboro Zoning Ordinance regarding the minimum 5' setback requirement for a sign located at 30 West Inman Street (Tax Parcel # S19 000050 000).

**APPLICANT:** John Ray Hendley

**OWNER(S):** Hendley JR Foundation, Inc.

**LAND AREA:** .2 acres

**PARCEL TAX MAP #s:** S19 000050 000

**COUNCIL DISTRICT:** District 2 (Jones)



**PROPOSAL:**

The applicant is requesting a variance from Article XV Section 1509(C) Table 3 of the *Statesboro Zoning Ordinance* to decrease the maximum required setback for a sign from 5' to 4.4' for a .2 acre lot zoned R4 (High Density Residential District) for a sign located at 30 West Inman Street (See **Exhibit A** – Location Map, **Exhibit B** – Pictures of Installed Sign).

**BACKGROUND:**

The subject site was rezoned from CR (Commercial Retail) to R4 (High Density Residential District) pursuant to case number RZ 15-10-02 granted January 9, 2016 by the Statesboro City Council. The applicant's intention was to build four (4) duplexes providing eight (8) one-bedroom units. After the construction project was permitted, the applicant installed a monument sign within the required setbacks regulated by Article XV Section 1509(C) Table 3 of the *Statesboro Zoning Ordinance* without a permit (See **Exhibit C**—Sketch of Sign Location).

**SURROUNDING LAND USES/ZONING:**

ZONING:		LAND USE:
NORTH:	CR (Commercial Retail) and R4 (High Density Residential)	Apartment houses
SOUTH:	CR (Commercial Retail)	Health care facilities and retail establishments
EAST:	R4 (High Density Residential)	Single-family detached dwellings
WEST	CR (Commercial Retail)	Apartment houses

The subject site is located one (1) block west of the South Main Street. Properties to the north are predominantly residential, while properties to the south include health care facilities and retail establishments. There are several personal services facilities, food service facilities, automobile oriented services and a hotel located to the east, including the Meineke Car Care Center, Quality Inn & Suites and the GATE gas station. (See EXHIBIT D—Sign District 1 Dimensional Standards).

#### **COMPREHENSIVE PLAN:**

The subject site lies within the “Urban Core/Downtown” character area as identified by the City of Statesboro 2014 Future Development Map (See EXHIBIT E—2014 Future Development Map) within the City of Statesboro Updated 2014 Comprehensive Plan – which calls for the protection of “historic buildings from demolition or inappropriate restoration” while encouraging the construction of multi-family residential uses in the area.

#### **Vision:**

Downtown is the historic core of the city and should remain the activity and cultural hub of the region. In the Urban Core, traditional development patterns of buildings along the sidewalk and a lively streetscape should be respected and promoted. Historic buildings should be protected from demolition or inappropriate restoration which can degrade the architectural details of the structures. Additional residential opportunities, especially in the form of lofts or other residential over retail, should be promoted. Street-level uses should be reserved for retail, entertainment, or similar high activity uses.

#### **Appropriate Land Uses**

- Neighborhood-scale retail and commercial, especially niche market stores which serve as a destination
- Arts and entertainment venues
- Civic uses
- Office
- Neighborhood services
- Range of housing styles & price points
- Multifamily Residential
- Loft, mixed use, and urban residential, including small lot single-family residential along secondary streets
- Multi-story buildings with retail on the street and office/residential above
- Government offices & services

#### **Suggested Development & Implementation Strategies**

- Historic structures should be preserved or adaptively reused wherever possible.
- Create local historic districts.
- Economic development strategies should continue to nurture thriving commercial activity.
- New development should respect historic context of building mass, height and setbacks.
- New developments that contain a mix of residential, commercial and/or community facilities at small enough scale and proximity to encourage walking between destinations should be encouraged.
- Encourage mixed-use infill and redevelopment. Uses should typically transition across the rear of properties instead of across the street to soften the transition and maintain appropriate streetscapes.

*Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 14.*

#### **STATESBORO DOWNTOWN MASTER PLAN:**

The 2011 Statesboro Downtown Master Plan Redevelopment Initiatives Locational Guidance land use map places the parcels in Zone 9-a Residential with the focus of creating appropriately scaled residential uses and hosting redevelopment efforts which are supportive of commercial, mixed-use and streetscape zones. Additionally, the Plan encourages infill and medium-density housing in the area and the preservation of historic resources within the District.

#### **COMMUNITY FACILITIES AND TRANSPORTATION:**

The subject properties are currently serviced by city utilities, sanitation, and public safety. No significant impact is expected on community facilities or services as a result of this request.



**ENVIRONMENTAL:**

The subject properties do not contain wetlands and are not located in a special flood hazard area. There is no expected environmental impact associated with this request. Any environmental issues associated with the proper demolition of the structures and/or removal and disposal of debris are the responsibility of the applicant.

**ANALYSIS:**

The subject site, currently zoned R4 (High Density Residential District), consists of three (3) separate lots located at the corner of South College Street and West Inman Street. The applicant recently completed construction of four (4) duplexes with eight (8) one-bedroom units known as Inman Oaks. Article XV (Signs) Section 1509(C) Table 3 of the *Statesboro Zoning Ordinance* regulates the dimensional standards of signage located in Sign District 1. Table 3: Sign District 1 Dimensional Standards requires a five (5) foot setback from the property line. The applicant is requesting the reduction of the required 5' setback to 4.4' (See **Exhibit C—Sketch of Sign Location**).

In addition, Section 1801 of the *Statesboro Zoning Ordinance* lists the following four (4) factors that the Mayor and Council [could] consider to be true in its consideration of a variance request:

- There are special conditions pertaining to the land or structure in question because of its size, shape, topography, or other physical characteristic and that condition is not common to other land or buildings in the general vicinity or in the same zoning district;
  - There are no special conditions due to size, shape, topography or other physical characteristics that are not common to other land or buildings in the general vicinity or in the same zoning district.
- The special conditions and circumstances do not result from the actions of the applicant;
  - There are no special conditions or circumstances.
- The application of the ordinance to this particular piece of property would create an unnecessary hardship; and
  - The application of the ordinance to this particular piece of property would not cause unnecessary hardship.
- Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.
  - This request, if granted, would not cause substantial detriment to the public good.

**PLANNING COMMISSION RECOMMENDATION:**

At its regularly scheduled meeting on October 4, 2016, the Planning Commission voted 5 to 0 to recommend approval of the variance requested by this application.

EXHIBIT A: LOCATION MAP





**EXHIBIT B: PICTURES OF INSTALLED SIGN**



**Picture 1 Front View of Installed Sign**



**Picture 2 Left View of Installed Sign**



EXHIBIT B: PICTURES OF INSTALLED SIGN (CONT)



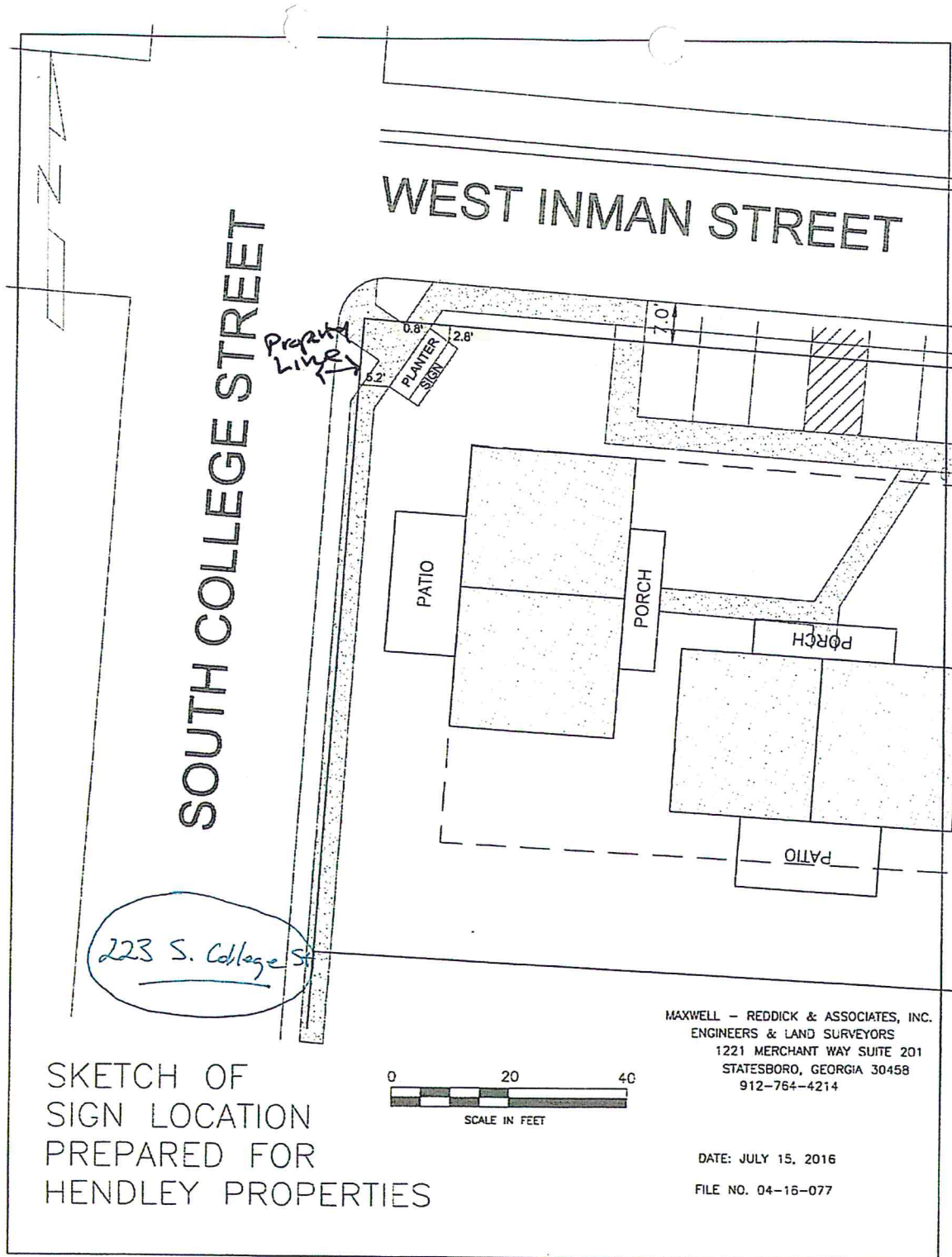
Picture 3 Right View of Installed Sign



Picture 4 Installation 8" up to Property Line on Left Side of Sign (Upper Corner of Picture)



EXHIBIT C: SKETCH OF SIGN LOCATION



MAXWELL - REDDICK & ASSOCIATES, INC.  
ENGINEERS & LAND SURVEYORS  
1221 MERCHANT WAY SUITE 201  
STATESBORO, GEORGIA 30458  
912-764-4214

DATE: JULY 15, 2016  
FILE NO. 04-16-077

SKETCH OF  
SIGN LOCATION  
PREPARED FOR  
HENDLEY PROPERTIES

EXHIBIT D: SIGN DISTRICT 1 DIMENSIONAL STANDARDS

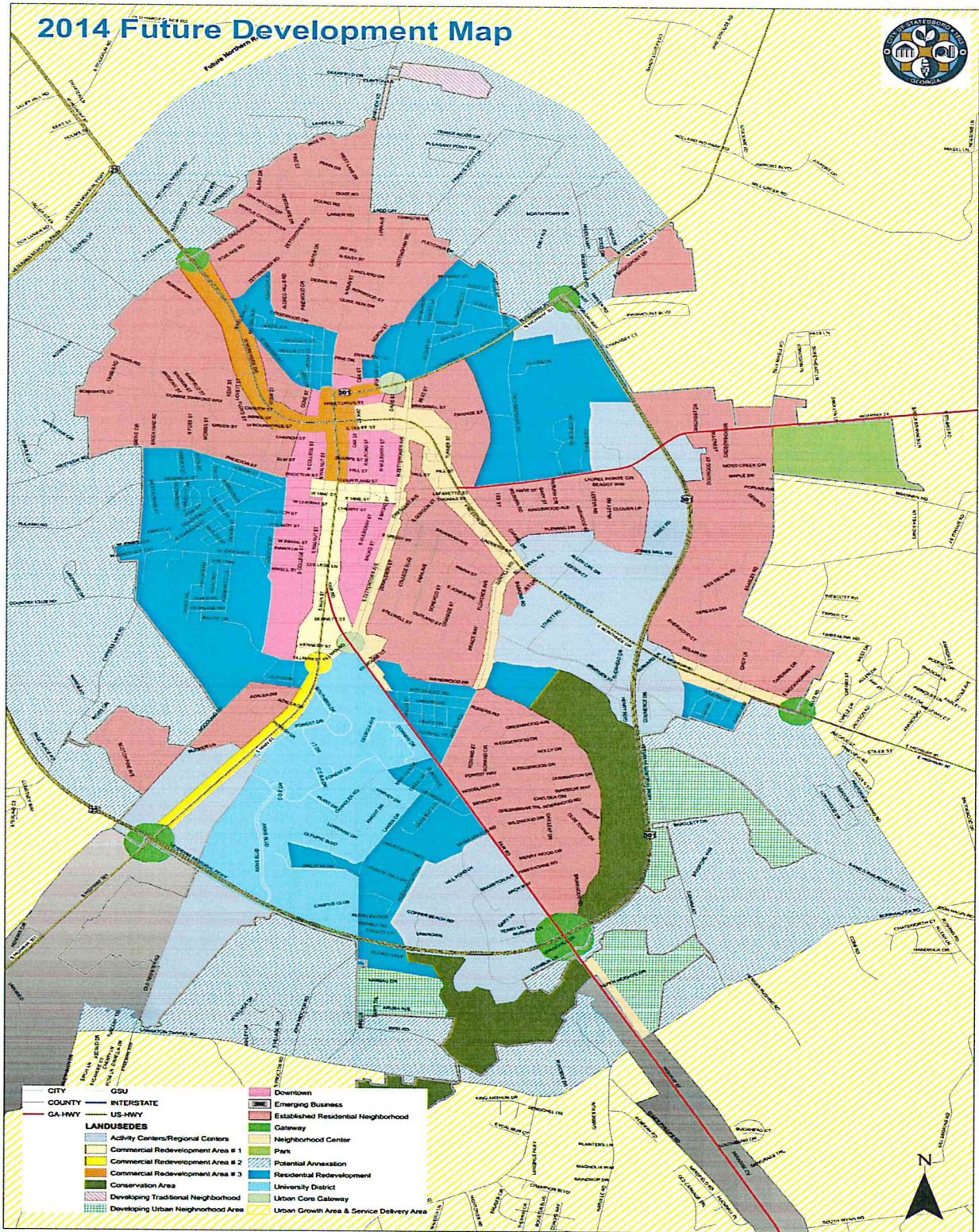
Table 3. Sign District 1 Dimensional Standards

TABLE INSET:

SIGN DISTRICT 1 (As defined in subsection 1509[A.1])	RESIDENCE ON AN INDIVIDUAL LOT*	RESIDENTIAL DEVELOPMENT OR SUBDIVISION**	NONRESIDENTIAL USE
<b>AGGREGATE SIGN AREA***:</b>			
1. Maximum Number of Total Square Feet (SF)*	12 square feet	Varies (All signs within a residential development or subdivision must be constructed of brick, stone, masonry, wood, or equal architectural material)	80 square feet including freestanding and building signs.
<b>FREESTANDING SIGNS****:</b>			
2. Freestanding Sign Maximum Square Feet	4 ½ square feet	40 square feet (Per development entrance sign) 18 square feet (Per sign identifying a development common area or facility)	40 square feet
3. Maximum Height	3 feet	6 feet	8 feet
4. Setback Requirements	5 feet	5 feet*****	5 feet
5. Number of Signs Allowed	One	Two (2) sign structures per entrance to the development or subdivision.*****	One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two (2) such signs
<b>BUILDING SIGNS:</b>			
1. Maximum Number of Total Square Feet	N/A	18 square feet	40 square feet
2. Maximum Height	N/A (Window signs only)	Building Elevation	Building Elevation
3. Number of Building Signs Allowed	N/A	One per building serving as the principal structure in a common area or facility. \$\$\$	One per building elevation with street frontage. \$\$\$
<p>*Per the purposes of this article, "residences on an individual lot" refers to any individual lot principally serving as a single-family residential dwelling [attached, detached, townhouse, etc.] or a duplex.</p> <p>**Per the purposes of this article signage related to a "residential development or subdivision" includes all common entry signage into the development, and all signage related to common areas and facilities.</p> <p>***As provided in Section 1501 and Table 2 herein, "aggregate sign area" includes all freestanding or building signs regardless of whether or not a permit for a particular type of sign is required.</p> <p>****Limited to monument and standard informational signs where permitted by Table 2. Billboards and stanchion signs prohibited as provided in Table 2 herein.</p> <p>*****Unless incorporated into the street right-of-way as part of landscaped entryway feature – in which case only one (1) sign structure may be located at the entrance, and such sign placement, and maintenance agreements, shall have been approved as part of the major subdivision approval process established in Appendix B of the Statesboro Code of Ordinances (Statesboro Subdivision Regulations).</p> <p>\$\$\$ Two (2) per building elevation where one (1) sign is in the form of a canopy/awning, and where the cumulative square footage of both does not exceed the "maximum number of total square feet" for building signs.</p> <p>(NOTE: Illumination of building or freestanding signs is prohibited on any individual lot principally serving as single-family residential dwelling [attached, detached, townhouse, etc.] or a duplex. Land uses within Sign District 1 which may otherwise utilize illumination, shall not incorporate internal illumination.)</p>			



EXHIBIT E: CITY OF STATESBORO 2014 FUTURE DEVELOPMENT MAP







City of Statesboro – Department of Planning & Development  
**DEVELOPMENT SERVICES REPORT**

P.O. Box 348  
Statesboro, Georgia 30458

(912) 764-0630  
(912) 764-0664 (Fax)

**SUB 16-09-01**  
**Major Subdivision Preliminary Plat**  
**Whispering Pines Subdivision Phases II & III**

**LOCATION:** Whispering Pines Subdivision

**REQUEST:** Phase II & Phase III Preliminary Plat

**APPLICANT:** RDJ, LLC

**OWNER(S):** Ronnie J Pope, Jeff Pope & Don Lanier

**LAND AREA:** 36.77 Acres

**PARCEL TAX MAP #s:** MS42000008 000

**COUNCIL DISTRICT:** District 2 (Sam Jones)



**PROPOSAL:**

The applicant is requesting approval of the proposed Preliminary Subdivision Plat of Phases II & III of Whispering Pines Subdivision. As shown in the Preliminary Subdivision Plat (See Exhibit B) the proposed phases II & II will allow for development of the remaining vacant inner parcel of the existing subdivision to be divided into 83 individual single family lots. The proposed lots will be regulated by the R-10 zoning district allowing a total minimum lot size of 10,000 square feet and 70' lot width for each lot. Phases II & III will contain .71 miles of streets as proposed which will consist of .39 miles of White Pine and .32 miles of Virginia Pine.

**BACKGROUND:**

In 2004, Phases I & IV of Whispering Pines Subdivision was approved by City Council. At this time the Developer/Owner was Jerry Jennings. The subdivision has since been developed with single family residences regulated by the R-10 zoning district and currently contains 138 developed lots. In January of 2005, the Declaration of Restrictive Covenants for Phase I was recorded in the Bulloch County Clerk of Superior Court's Office and in June of 2006 an Extension of the Declaration of Restrictive Covenants for Phase IV was recorded. The developer requested in January of 2007 that the City accept .97 miles of streets located within Phase I of the subdivision. Also in 2007, City records indicate the preliminary plat review process began for phases II & III, but no indication of approval was found.

In 2010 the development was purchased by the current owners, Ronnie Pope, Jeff Pope and Don Lanier. As of April 2010 per file notes, after the new owners repaired and finished the streets, the City accepted 1.531 miles of streets located within Phase I and IV as follows: Scotch Pine .56 miles, Whispering Pines .8 miles, White Pine .07 miles, .081 miles of Ponderosa Pine and Virginia Pine .02 miles.



**COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):**

The subject site is currently served by city services including water, sewer, sanitation, and public safety.

**ENVIRONMENTAL:**

The subject property does not contain wetlands and is not located in a special flood hazard area. There is no expected environmental impact associated with this request. Any potential issues will be brought forth and discussed during standard permitting and review procedures.

**STAFF RECOMMENDATION:**

Staff recommends the approval of the proposed preliminary subdivision plat with the following conditions to be met during the site construction and final plat processes:

1. The detention ponds must be cleaned and/or repaired and returned to the original state of design as approved in Phase I & IV site plans. An Engineer's Certificate – As-Built Detention Facility - must be submitted stating the detention ponds are functioning as designed.
2. All streets (Phases II, III) will have to be built and/or repaired and inspected according to City standards.
3. All street lighting must meet City standards and be approved by the City.
4. The proper bonds must be obtained by the developer as required in Article 3 of the *City of Statesboro Zoning Ordinances* and/or seen necessary by the City of Statesboro Engineering Department.
5. A copy of the recorded updated and certified covenants and restrictions for Phases I, II, III & IV must be submitted.
6. Two (2) blue prints and one (1) digital copy of the As-Built Plans along with the Contractor's Guarantee & Contractor's Release must be submitted.
7. Utility easements including but not limited to ROW, water, sewer, gas, etc. must be granted to the City as deemed necessary by the Department of Engineering.
8. The final plat must meet all requirements of Article 3 of the *City of Statesboro Zoning Ordinances* before being presented to the City for approval and before a certificate of occupancy will be issued for the subdivision master site plan.
9. No other building permits will be issued until the certificate of occupancy is issued for the master site plan building permit.

**NOTE:**

At the Planning Commission meeting, the Fire Department submitted a letter (See Exhibit D) regarding access and their requirement. The Planning Commission did not make this a requirement as part of their approval.

**PLANNING COMMISSION RECOMMENDATION:**

At its regular scheduled meeting on October 4, 2016, the City of Statesboro Planning Commission voted to approve with the staff recommended conditions the proposed preliminary plat of phases II and III of Whispering Pines Subdivision excluding the Fire Department's recommendation (See Exhibit D) to require a second means of access. Commissioner Cartee made the motion, Commissioner Sullivan seconded the motion and it carried 3 to 2, with Commissioner Byrd approving and Commissioners McKay and McLendon opposing. The staff recommended conditions are as follows:

**CONDITIONS:**

1. The detention ponds must be cleaned and/or repaired and returned to the original state of design as approved in Phase I & IV site plans. An Engineer's Certificate – As-Built Detention Facility - must be submitted stating the detention ponds are functioning as designed.
2. All streets (Phases II, III) will have to be built and/or repaired and inspected according to City standards.
3. All street lighting must meet City standards and be approved by the City.
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7. Utility easements including but not limited to ROW, water, sewer, gas, etc. must be granted to the City as deemed necessary by the Department of Engineering.
8. The final plat must meet all requirements of Article 3 of the *City of Stateboro Zoning Ordinances* before being presented to the City for approval and before a certificate of occupancy will be issued for the subdivision master site plan.
9. No other building permits will be issued until the certificate of occupancy is issued for the master site plan building permit.

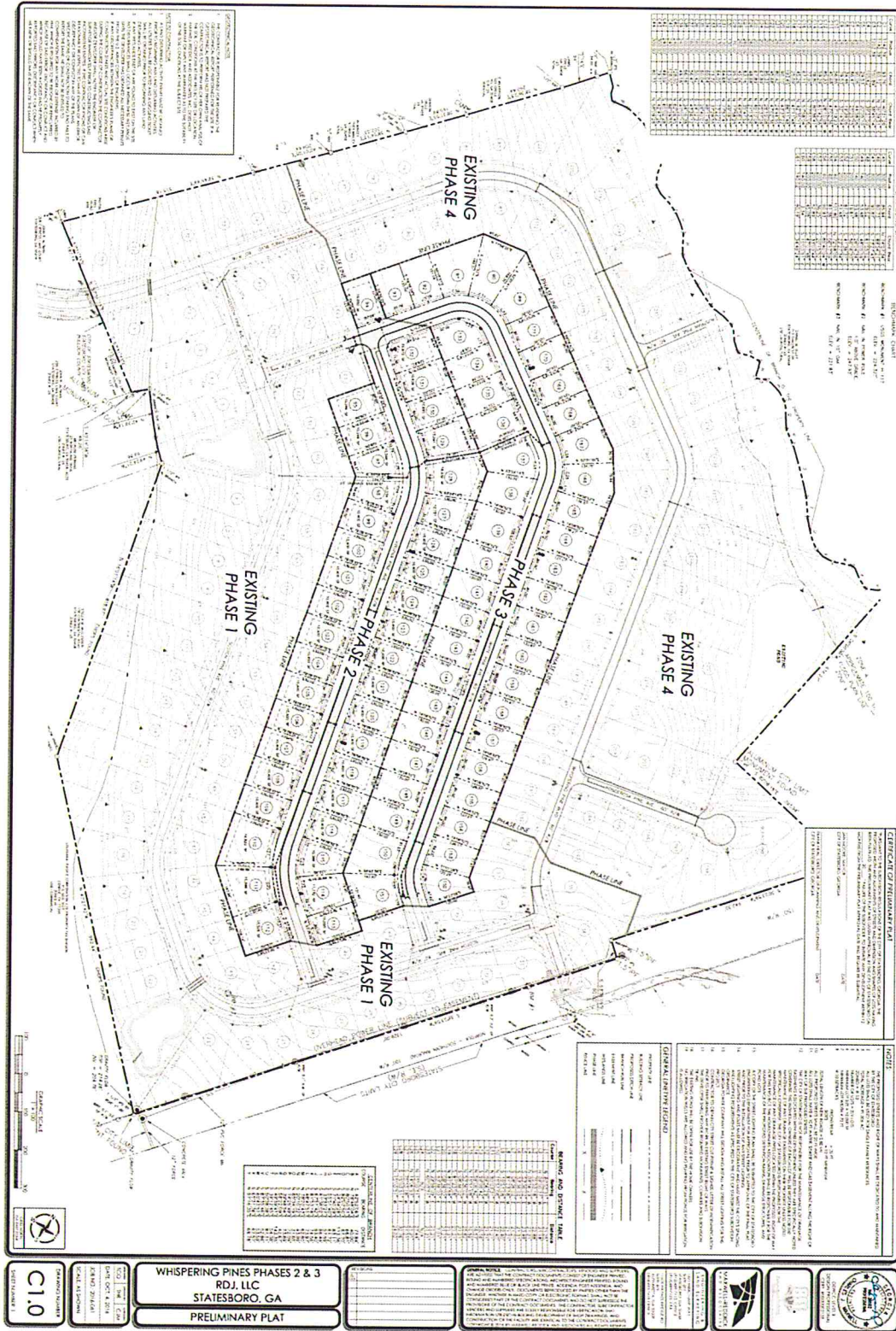


EXHIBIT A: LOCATION MAP





EXHIBIT B: PRELIMINARY SUBDIVISION PLAT





**EXHIBIT C: PHOTOS**

**Subdivision Entrance from Cypress Lake Road**



**Drainage Ditch to Branch above Entrance before Scotch Pine Ave at rear of Lot 2**





**EXHIBIT C: PHOTOS CONT'D**

**Detention Pond & Drainage located on Scotch Pine Ave between Lots 22 & 23**



**Detention Pond & Drainage/Whispering Pine Blvd between existing Lots 217 & 218**





**EXHIBIT C: PHOTOS CONT'D**

**Detention Pond between Existing Lots 5 & 6**



**Drainage that runs along rear of Existing Lots 59- 47 & Proposed Lots 98 -110, Ph II**





**EXHIBIT C: PHOTOS CONT'D**

**Rear of Existing Lots 192-181 & Proposed Lots 155-166, Ph III**



**Subject Site from North**





**EXHIBIT C: PHOTOS CONT'D**

**Subject Site from the South**



**Existing Homes on White Pine & Scotch Pine Ave.**



EXHIBIT D: Fire Department Letter of Recommendation presented at the Planning Commission Meeting.



## Statesboro Fire Department

*Proudly serving the City of Statesboro and  
surrounding communities since 1905.*



10/04/2016

To: Frank Neal  
Planning Director  
City of Statesboro

From: Ronnie Shaw  
Deputy Fire Chief  
Statesboro Fire Department

RE: Whispering Pines Access

Frank,

This is in response to our meeting and conversation this afternoon. It is our concern that the project will be adding over 100 lots and eventually homes in phase 2 and 3. The development does not have the required second emergency vehicle access point in the event the main access becomes impassable for whatever reason.

It is my understanding that because the property is land locked by the railroad and undeveloped property a separate means of access in all but impossible. It is the Fire Departments recommendation that the current access be widened by 10' to reduce the likelihood of it becoming blocked by an accident or incapacitated vehicle by at least 50% until such time as the adjacent property is developed. We also feel this will provide the closest possible solution to the access requirement.

If you have any questions or concerns please contact me.



Ronnie Shaw  
Deputy Fire Chief.

---

24 West Grady Street | Statesboro, GA 30458  
Phone: (912) 764-3473 | Fax: (912) 681-7205



ORDINANCE 2016-09  
REGARDING  
WATER AND SEWER BILLING, TERMINATION OF SERVICE FOR NONPAYMENT,  
AND BILLING ADJUSTMENTS

WHEREAS, the Mayor and City Council have previously adopted an ordinance governing water and sewer billing and termination of service for nonpayment;

WHEREAS, the Mayor and City Council has determined there is sufficient reason and need to amend section 82-70 of the Code of Ordinances, City of Statesboro, Georgia;

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Statesboro, Georgia, in regular session assembled as follows:

Section 1. Section 82-70 (Billing; termination of water service for nonpayment of charges) of the Code of Ordinances, City of Statesboro, Georgia is hereby amended by replacing it in full, and shall read as follows:

Sec. 82-70. Billing; termination of water service for nonpayment of charges, billing adjustments, and elderly low income credit.

(a) *Billing.* All fees shall be billed monthly as part of a combined utility bill, unless the user does not have another utility service. In that case, single bills shall be sent. All bills shall be sent out using the billing cycle and schedule for payment as determined by the mayor and city council.

(b) *Non-payment and termination of service.* All bills not paid by the due date are subject to the late payment charge, and then immediate cut-off on the date printed on the bill, unless other arrangements are made pursuant to the water and sewer billing procedures referenced below in subsection (d).

(c) *New deposit required.* In the event of non-payment and service cut-off, the customer must pay the bill in full, the late payment charge, a cut-off charge if applicable, and pay a deposit if it was either waived, previously refunded, or was used to make the payment, late payment charge, and/or the cut-off charge.

(d) *Adjustments.* Except for adjustments made pursuant to below subparts (e) through (h), all adjustments to water and sewer bills shall be governed by the water and sewer billing procedures attached to Ordinance 2015-04 as Attachment A which may be amended from time to time by resolution of the Mayor and City Council. A copy of these water and sewer billing procedures contained in Attachment A and any subsequent resolutions amending these procedures shall be kept on file with the City Clerk for review by the public during the regular business hours of City Hall. A copy of these water and sewer billing procedures contained in Attachment A and any amendments can be obtained through an open records request. The water and sewer billing procedures shall be administrated by the city clerk or her designee.

(e) *Establishment of elderly/low income credit.* There shall be established an elderly/low income credit (billing reduction) in an amount approved in the schedule of fees and charges approved by the Mayor and City Council.

(f) *Qualification.* The elderly/low income credit shall be available to qualifying heads of households in whose name a residential water and/or sewer account is listed. This elderly/low income credit shall not be available for residential accounts with a separate metered account for water used solely for irrigation purposes. Qualifying heads of household must have an attained age of 65 years and must have a total household income not exceeding ONE HUNDRED AND TWENTY FIVE PERCENT (125%) of the poverty levels for the number of occupants in the household as derived from the guidelines of the State of Georgia Division of Aging Services. Eligibility for the elderly/low income credit shall be determined under City contract with a non-profit community organization capable of screening applicants according to the established criteria and reporting eligibility to the Revenue Department.

(g) *Commencement.* The elderly/low income credit shall be effective upon receipt and approval of all required information as identified in the application. Said credit shall be applied to the following month of collection service.

(h) *Term.* The term of the elderly/low income credit shall be three years from approval and commencement of credit. Continued eligibility shall be reestablished by application from the head of household.

Section 2: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3: This ordinance shall become effective immediately upon its adoption by the City Council.

SO ORDAINED, this \_\_\_ day of \_\_\_\_\_ 2016 in Statesboro, Georgia.

Reading: October 18, 2016

\_\_\_\_\_  
Jan J. Moore, in her capacity as Mayor of  
Statesboro, Georgia.

ATTEST:

\_\_\_\_\_  
Sue Starling, in her capacity as City Clerk of  
Statesboro, Georgia.



**Ordinance #2016-10:  
An Ordinance Amending Chapter 66 of the Statesboro Code of Ordinances  
(Solid Waste)**

WHEREAS, the City has previously adopted an ordinance regulating solid waste; and

WHEREAS, the Mayor and City Council has determined there is sufficient reason and need to amend Chapter 66 (Solid Waste) of the Code of Ordinances, City of Statesboro, Georgia to ensure efficient and responsive delivery of services:

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Statesboro, Georgia, in regular session assembled as follows:

Section 1. Chapter 66 (Solid Waste) of the Code of Ordinances, City of Statesboro, Georgia is hereby amended by replacing it in full, and shall read as follows:

**Article I. – IN GENERAL**

**Sec. 66-1. – Definitions**

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meaning indicated herein.

*Ashes* means the residue from the burning of wood, coal, coke or other combustible materials.

*Building material* means any material including but not limited to materials such as lumber, roofing material, brick, concrete, plaster, flooring, plumbing materials, cabinets, doors, windows, gutters, sand, gravel or other substances used in repairs or alteration of existing buildings, construction of new buildings, or demolition of existing structures.

*Bulk waste container* means a metal container larger than eight cubic yards with an open top constructed so that it can be emptied mechanically by specially equipped trucks.

*Cart* means a container not larger than 96 gallons, water tight with a lid opening on top and constructed so that it can be emptied mechanically by specially equipped trucks.

*Collection area* means an area designated by the city to be used for the placement and collection of refuse receptacles, collection containers or trash accumulations.

*Collection container* means a container provided by the city or approved by the director, or his/her representative, to be used for the collection and disposal of garbage.

*Commercial garbage* means garbage produced by any nonresidential unit or facility or non-industrial facility including stores, offices, restaurants, warehouses, and other similar uses.

*Commercial solid waste* means all garbage and other waste byproducts, including cinders and ashes from commercial boilers, cardboard and wooden boxes, crates and barrels, or other waste byproduct(s), generated by commercial or manufacturing establishments.

*Composting* means the controlled biological decomposition of organic matter into a stable, odor-free humus.

*Dead animals* means the carcasses or remains of cats, dogs, small household pets, and small farm animals.

*Director* shall mean the Public Works Director.

*Disposal site* means an area, location, tract of land or a facility used or intended to be used for the disposal of solid waste, decaying waste, hazardous waste or other waste, except it shall not include the land or facility used for the disposal of solid waste or other waste from a single-family dwelling in which the owner, occupant, or lessee of such land or facility resides.

*Dumpster* means a metal container of not less than two cubic yards and not larger than eight cubic yards, water tight with a lid or lids opening on top and constructed so that it can be emptied mechanically by specially equipped trucks.

*Garbage, household garbage or refuse* means the by-product of animal or vegetable food resulting from the handling, preparation, cooking and consumption of food or other matter which is subject to decomposition, decay, putrefaction or the generation of noxious or offensive gases or odors, or which during or after decay may serve as breeding areas or feeding materials for flies, insects or animals.

*Hazardous waste* means materials including but not limited to materials such as poison, acids, caustic matter or solutions, chemical, infected materials, infectious carcass, fecal matter, explosives, sewage sludge, radioactive materials and highly flammable substances, oils, P.C.B., antifreeze, paints, solvents and cleaning fluids, dry cleaners, fuel tanks, biomedical waste, grease traps, batteries, oxidizers, and Freon/refrigerants or any other substance that has been defined by federal or state law as being hazardous refuse or material or which poses a similar and immediate danger or hazard to the public health, safety and welfare as the substances described herein.

*Household Trash* means materials including waste accumulation of paper, sweepings, dust, rags, bottles, cans or other matter of any kind, other than garbage, which is usually attendant to housekeeping.

*Industrial waste* means all waste including solids, semi-solids, sludge and liquids, created by factories, processing plants or other manufacturing enterprises.

*Junked vehicles* means any discarded, dismantled, wrecked, scrapped, ruined, junked or inoperable automobile, truck or other vehicle, or vehicle which does not bear a current license plate or a current inspection sticker.

*Litter* means all garbage, refuse, waste material, sand, gravel, slag, brickbats, rubbish, tin cans, trash, debris, dead animals or any other discarded, used or unconsumed substance, which is not handled in accordance with the provisions of this article.



*Loading and unloading area* means a space or area used by any moving vehicle for the purpose of receiving, shipping, and transporting goods, wares, commodities and persons.

*Reclamation* means a controlled method of sorting solid waste for future use in accordance with a procedure approved by the director.

*Recyclable materials* means materials which otherwise would be garbage, commercial refuse, industrial refuse or rubbish but for the fact that it is usable and has commercial value.

*Recycling* means the process by which reclaimed materials are collected, separated or processed, and transformed into raw materials or products.

*Residential garbage* means garbage produced by any residential unit.

*Refuse receptacle* means a cart or poly-cart used for the automated collection of garbage.

*Rubbish* means waste including but not limited to materials such as waste paper, cartons, boxes, cans, glass, packing material, and material which is discarded, unusable or not being actively used or stored or allowed to be accumulated in an unsightly manner.

*Scavenge or scavenging* shall mean unauthorized or uncontrolled retrieval of discarded refuse materials.

*Solid Waste* means any waste including commercial garbage, residential garbage, rubbish, tree and shrubbery trimmings, and trash but does not include hazardous waste, industrial waste, or waste from mining, agricultural, or silvicultural operations.

*Trash* means appliances, metals, furniture, yard trash, or tree and shrubbery trimmings.

*Tree and shrubbery trimmings* shall mean waste accumulation of tree limbs, parts of trees, bushes, or shrubbery cuttings or clippings.

*Yard trimmings or yard trash* means grass, straw, leaves, shrubs, hedges, tree and shrubbery trimmings, or other natural waste.

## **Sec. 66-2. – Collections by city.**

- (a) *Generally.* All solid waste and recyclable materials accumulated in the city shall be collected, conveyed, and disposed of by the city, except as otherwise expressly authorized herein or approved by the mayor and city council. No person shall collect, convey over any streets or alleys of the city or dispose of any solid waste or recyclable materials accumulated in the city, except as expressly authorized herein or as allowed by pertinent and appropriate actions of the mayor and city council.
- (b) *Supervision.* All solid waste accumulated in the city shall be collected, conveyed, and disposed of by the city under the supervision of the director, who shall prescribe the days and times of collection, and other such matters pertaining to the storage location, conveyance and disposal as is necessary.
- (c) *Fees.* Fees, rates and charges for the collection services outlined in this article shall be as determined by the mayor and city council and on file in the office of the city clerk. Every residence, dwelling, business establishment or service agency within the limits of

the city and to which garbage and solid waste collection and disposal services are available shall pay a fee for the availability of such service, regardless of whether the residence, business or agency used the service, and based upon a fee schedule approved by the mayor and city council.

- (d) *Night collection.* Should the best interest of the public be served by collection of refuse from certain areas in the city at night, the city shall make such collections. The occupants of all residences or places of business within the designated area shall be notified or may inquire as to the hours of such collection. All persons so notified shall comply with such order and shall place the containers as designated within such hours.
- (e) *Landlord's responsibility.* All garbage collection charges to a complex of apartments, houses, mobile homes or businesses will be billed to the landlord of the property, and the landlord shall be responsible to the city for payment of assessed charges.

### **Sec. 66-3. – Private collection.**

No person or entity shall engage in the business of and receive compensation for the collection or disposal of garbage, solid waste, or recyclable materials of any kind within the city, unless otherwise explicitly stated herein.

### **Sec. 66-4. – Refuse receptacles and collection containers required.**

Every person or entity in possession, charge or control of any building from which garbage, trash, or other waste is accumulated or produced shall be required by this article to provide and keep in a suitable place, readily accessible to the city crews, refuse receptacles and collection containers suitable for the storage of all such waste materials which will normally accumulate between the established collection dates. The director shall determine the quantity and location of such receptacles and shall determine whether such receptacles and containers are in a serviceable condition.

### **Sec. 66-5. – Refuse receptacles and collection containers to be safe.**

All refuse receptacles and collection containers, as required by this article, shall be of safe construction and design and shall be maintained in good, orderly and serviceable condition at all times. Any receptacle or container which does not conform to the requirements of this article or which has ragged or sharp edges, or any other defects likely to hamper or injure the person collecting the contents therefrom or the public generally, shall be promptly replaced by the user thereof where such receptacles and containers are not provided by the city. If such container, after appropriate notice, has not been replaced, the director shall have the right to suspend further collection of such waste material until such time as the container is brought into compliance with this article. Where receptacles or containers are provided by the city the user shall promptly notify the director or sanitation superintendent of such sharp edges, defects, or other nonconformities.

### **Sec. 66-6. – Fee schedule, billing, deposits and termination of service.**

- (a) The fees and charges for the collection of trash, residential garbage, and commercial garbage; and the fees and charges for the disposal of solid waste through the transfer station and similar operations shall be established by resolution of the mayor and city council.



- (b) All fees shall be billed monthly as part of a combined utility bill, unless the user does not have another utility service. In that case, single bills shall be sent.
- (c) There shall be a deposit equal to two months' bills for any new collection customers or new solid waste disposal customers who open a monthly account with the city. If the amount is unknown when service first begins, the first three months' usage shall be averaged to determine the amount of the deposit required, and the deposit shall be added to the bill once it is determined. The deposit may be waived if the customer can present a letter from a similar solid waste collection or disposal company, city, or other provider that indicates that the customer has paid its bills from such providers in a timely manner for at least the last 12 months of such similar service. If a deposit is required it shall be refunded without interest upon termination of service by the customer and following payment in full of all outstanding charges.
- (d) All bills shall be sent out using the billing cycle and schedule for payments as determined by the mayor and city council.
- (e) All bills not paid by the due date are subject to the late payment charge, and then immediate cut-off on the date printed on the bill.
- (f) In the event of non-payment and service cut-off, the customer must pay the bill in full, the late payment charge, a cut-off charge if applicable, and pay a deposit if it was either waived, previously refunded, or was used to make the payment, late payment charge, and/or the cut-off charge. The city manager is authorized to work out a payment plan for customers that demonstrate the ability to pay, but in no event shall such payment plan exceed 90 days before the customer's account is totally current. Such a payment plan can only be entered into once in a 12-month period. Failure to meet any payment date of a payment plan shall terminate the payment plan, and the services shall be discontinued.

**Sec. 66-7. – Fee Credits.**

- (a) *Established.* There shall be established an elderly/low income credit (billing reduction) in an amount approved in the schedule of fees and charges approved by the Mayor and City Council.
- (b) *Qualification.* The elderly/low income credit shall be available to qualifying heads of households in whose name a residential inside-City garbage collection account is listed. Qualifying heads of household must have an attained age of 65 years and must have a total household income not exceeding ONE HUNDRED TWENTY FIVE PERCENT (125%) of the poverty levels for the number of occupants in the household as derived from the guidelines of the State of Georgia Division of Aging Services. Eligibility for the elderly/low income credit shall be determined under City contract with a non-profit community organization capable of screening applicants according to the established criteria and reporting eligibility to the Revenue Department.
- (c) *Commencement.* The elderly/low income credit shall be effective upon receipt and approval of all required information as identified in the application. Said credit shall be applied to the following month of collection service.
- (d) *Term.* The term of the elderly/low income credit shall be three years from approval and commencement of credit. Continued eligibility shall be reestablished by application from the head of household.

**Sec. 66-8--- 66-20. – Reserved.**

## **Article II. – ENFORCEMENT**

### **Sec. 66-21. –Responsible agency.**

The Director, city engineer, landfill superintendent, sanitation superintendent, street superintendent, or code compliance officers shall investigate complaints or violations of any provisions of this article, and, upon finding sufficient evidence that a violation has occurred, are authorized to issue warnings that state the particular conditions that must be remedied to be in compliance with this Chapter, and, further, may recommend to the City Manager and City Attorney the initiation of any available legal or equitable remedy. The Director may suspend any service provided under this Chapter as provided in Section 66-23.

### **Sec. 66-22. – Summons, Citation, and Penalties for Violations**

(a) In addition to or in lieu of any civil remedy provided for above, it shall be unlawful for any person to violate the provisions of this Chapter. Upon conviction for the violation thereof each person shall be subject to the punishments allowed under Section 5-3 of the Charter of the City of Statesboro, after hearing before the judge of municipal court.

(b) The code compliance officer is authorized to issue a summons and citations to appear in the Municipal Court of Statesboro to any person or entity believed to be in violation of any provision of this Chapter.

(c) Unless otherwise provided for in the Schedule of Fees adopted, and from time to time amended, by the Mayor and City Council of Statesboro the fine for a first violation of the Chapter shall not be less than \$110.00 nor more than \$550.00. For a second or subsequent violation in any twenty-four (24) month period as measured from the dates of the offenses, the fine shall not be less than \$250.00 nor more than maximum allowed under Section 5-3 of the Charter of the City of Statesboro

### **Sec. 66-23. – Suspension of service.**

(a) The Director is authorized to suspend any service provided under this Chapter if a person or entity in possession, charge, or control of any building from which garbage, trash or other solid waste is accumulated or produced was issued a warning pursuant to Section 66-21 and the person or entity does not remedy the particular conditions stated in the warning within (10) days of the issuance of the warning.

(b) The Director is authorized to suspend any service provided under this Chapter if a person or entity in possession, charge, or control of any building from which garbage, trash or other solid waste is accumulated or produced is issued a summons and citation to appear in the Municipal Court for violations of this Chapter if the person or entity does not remedy the cited violations within (10) days of the issuance of the citation and summons.

(c) Ten (10) days prior to the suspension of service the Director shall send written notice via certified mail return/receipt requested to the address on file with the City for the person or entity in possession, charge, or control of any building from which garbage, trash or other solid waste is accumulated or produced that all services provided under this Chapter are being suspended until either the conditions stated in the warning are remedied, until the cited



violations in the citation and summons are remedied, or until final adjudication of the citation in Municipal Court.

(d) Upon receipt of the notice of suspension from the Director, the person or entity in possession, charge, or control of any building from which garbage, trash or other solid waste is accumulated or produced shall have five (5) days to file a written notice of appeal of the suspension of services under this Chapter with the City Clerk.

(e) Upon filing of the notice of appeal a hearing before the City Manager shall be scheduled as soon as reasonably possible but not later than five (5) days from the filing of the notice of appeal. The hearing shall be informal, and the City Manager shall hear all evidence deemed relevant by the City Manager. The City Manager is authorized to uphold, reverse, or modify any action taken by the Director.

**Sec. 66-24 – 66-40. – Reserved.**

**Article III. – PRE-COLLECTION PRACTICES**

**Sec. 66-41. – Generally.**

The practices and procedures specified in this article shall be employed by persons in the city in order to facilitate the collection of solid wastes.

**Sec. 66-42. – Refuse and garbage.**

All refuse shall be placed and maintained in containers as specified in this article. All containers shall be maintained at all times with tight-fitting lids or covers. All garbage placed in containers for collection shall first be drained of all liquids, and shall be wrapped, bagged, or enclosed in paper or plastic material.

**Sec. 66-43. – Household trash.**

All household trash shall be drained of all liquids prior to its being placed in refuse receptacles. Household trash may be combined with garbage.

**Sec. 66-44. – Injurious waste items.**

All waste materials of an injurious nature, such as broken glass, light bulbs, sharp pieces of metal, fluorescent tubes and television tubes shall be securely packaged or wrapped (used needles shall be placed in hard plastic container with lid and sealed) for the purpose of preventing injury to the collection crews or other third parties.

**Sec. 66-45. – Hazardous waste and building materials.**

No hazardous waste or building materials shall be placed in any receptacle at any time. The city shall not be required to collect any hazardous waste or building material. All hazardous waste shall be secured against the possibility of causing injury to any person and shall not be placed on public property or private property without the written consent of the owner thereof.

**Sec. 66-46. – Collection limits.**

No residence or business shall place for collection at one time a trash accumulation, other than yard trash, with dimensions in excess of four feet in width by eight feet in length by 4 feet in height (4'x8'x4') or 400 pounds total. If the residence or business establishment places trash for collection which exceeds these limits, the residence or business shall be assessed an additional fee in an amount based on the actual cost of equipment, labor, transport or hauling and tippage fees needed for collection and disposal. Yard trash is exempt from the provisions of this section.

**Sec. 66-47. – Accessible placement.**

Trash shall be placed in a manner adjacent to a public street or alley easily accessible to city sanitation trucks.

**Sec. 66-48. – Cardboard box collection.**

All persons, firms, businesses, institutions or corporations shall be required to break down any and all cardboard boxes before placing the boxes into collection bins, receptacles, or other designated and approved collection points. To break down a cardboard box, it shall be rendered into a flat shape by whatever means necessary so that it no longer retains its three-dimensional shape and utilizes as little space as possible. Failure to break down boxes shall result in a misdemeanor, refusal by city sanitation officials to remove the garbage, or both.

**Sec. 66-49. – Yard trash, tree and shrubbery trimmings.**

Yard trash, tree and shrubbery trimmings separated from other debris shall be neatly stacked adjacent to the public street or alley used for road purposes which is nearest the property from which removed. No tree trunks, branches, limbs, or shrubbery larger than six inches in diameter, longer than six feet in length, or heavier than 60 pounds shall be collected by the city. Yard trash mixed with other debris will not be picked up. Trash other than yard trash must be in a separate stack. If a residence or business establishment places trash for collection which exceeds these limits, the residence or business shall be in violation of this section and shall be assessed an additional fee in the amount based on the actual cost of equipment, labor and tippage fees needed for collection or as otherwise provided herein.

**Sec. 66-50. – Felled trees.**

The owner of property on which trees are cut down, whether by the owner or another, is required to remove promptly following the cutting at the owner's expense all tree trunks, logs, limbs, tops or other debris resulting therefrom, when such materials are clearly visible from any public street, alley, sidewalk, lane or path from the property of another that adjoins the property on which the materials are located. Such materials shall not be destroyed or removed by burning. All individuals, firms, businesses, partnerships, proprietorships or corporations engaged in the business of trimming or removing trees, shrubbery, or similar growth, who shall contract with the property owner, the owner's agent or occupant to perform services on the property shall remove from the property all sawdust, branches, stumps and all portions of the byproducts of the services performed, as well as all rubbish associated therewith.

**Sec. 66-51. – Trees, shrubbery, branches, etc.**



All individuals, firms, businesses, partnerships, proprietorships or corporations engaged in the business of yard maintenance, landscaping, or nursery operation who shall contract with the property owner, the owner's agent or occupant to perform services on the property shall remove from the property the byproducts of the services performed which is in excess of the provisions of Section 66-49.

**Sec. 66-52. – Removal for compensation.**

It shall be unlawful for any individual, firm, partnership, proprietorship or corporation to fell or trim trees within the city unless the byproduct from those services is immediately removed from the premises and placed or deposited by the contractor in the city designated landfill or hauling station. Compensation shall be interpreted to include receiving as compensation the wood, limbs and other residue from such trimming and cutting. Any form of compensation shall place the burden of disposal directly upon the individual or contractor performing the task.

**Sec. 66-53. – Leaves.**

Leaves shall be neatly piled free of other debris and placed adjacent to the public street or alley used for road purposes which is nearest the property from which removed.

**Sec. 66-54. – Household furniture and appliances.**

Upon request, the city shall collect normal and intact household furniture and appliances, including sofas, chairs, beds, refrigerators, washers, dryers, hot water heaters and similar items, but not including furnaces, from single-family and duplex (two-family) residential structures only. Persons requesting this service shall notify the office of the director or his/her designee to arrange for collection prior to placement near the road. The city shall have the right to set and collect a fee for this service.

**Sec. 66-55. – Prohibited activities.**

The following activities are hereby declared to be unlawful and in violation of this chapter:

- 1) *Public streets and private property.* No person shall place any accumulations of refuse, trash or other waste in any street, median strip, alley or other public place of travel, nor upon any private property, except with the written consent thereof and then only in accordance with the provisions of this article.
- 2) *Blockage of drainage.* At no time shall trash be placed in a manner as to obstruct drains, utility meters, walkways or streets. It shall be unlawful to use brooms, rakes, blowers or other sweeping, raking or debris removal tools or equipment so as to sweep, rake, blow or otherwise sediment or debris of any kind in or on city streets, walkways, drains, pipes or gutters. It shall be unlawful to place, accumulate or otherwise deposit any type of the aforementioned debris or material into a city drain, pipe, gutter or other draining conduit or receptacle.
- 3) *Impairment of sight distance.* At no time shall trash be placed in a manner as to obstruct or impair the sight distance of a driver or operator of a vehicle.
- 4) *Unauthorized storage.* Any accumulation of refuse or trash items on any lot, property, premises, public streets, alley or other public or private place not permitted by this article, is hereby declared to be a nuisance. Failure of owner or occupant to remove and

correct any such accumulation of refuse after appropriate notice from the director shall raise the presumption that such person intended to violate this article.

- 5) *Junk*. It shall be unlawful for any person to place or leave outside any building or dwelling, except as specified in section 66-24, any dilapidated furniture, appliance, machinery equipment, building material, junked motor vehicle, tires or other items which are either in a partially used, wrecked, junked, dismantled or inoperative condition, and which are not completely enclosed within a building or dwelling.
- 6) *Sweeping and blowing*. It shall be unlawful to sweep or blow with a blower or other machinery, grass clippings, leaves and other debris onto a city sidewalk, street, or gutter.
- 7) *Dumping*. It shall be unlawful and in violation of this section to dump, place or leave bricks, blocks, rocks, lumber, asphalt, cement, concrete, concrete products or waste, roofing, sheetrock, leaves, limbs, bushes, trees, roots, dead animals, appliances, equipment, bedding, mattresses, furniture, fixtures, clothing, motors, engines' chemical wastes, industrial or commercial waste or rubbish, scrap metal, fence wire, vehicles or parts thereof, tires, building materials or supplies, and inorganic solid material of any type or kind except as authorized herein.
- 8) *Fires*. It shall be unlawful and in violation of this chapter to set any fire, to allow a fire to burn, or in any other way attempt to damage or destroy a refuse receptacle or collection containers provided by the city.
- 9) *Container of another*. It shall be unlawful and in violation of this chapter for any person to dump, place or leave any item at a garbage and/or solid waste collection area or in any collection container unless such person has permission of the owner and/or occupant of the premises on which the area or container is located.
- 10) *Billboards*.
  - a. It shall be unlawful for owners to fail to maintain billboards in a manner that prevents loose paper, bills and other litter and debris resulting from the use of such signs and billboards. Any such debris, loose papers, bills and other litter shall be removed by the owners or their agents immediately upon accumulation.
  - b. Any such item or items which remain on the property of the occupant for a period of 30 days after notice of violation of this article shall be presumed to be abandoned and subject to being removed from the property by the city without further notice. The city may charge the owner or occupant a fee for the cost of removing such item or items. This section shall not apply to licensed junk dealers or currently licensed establishments engaged in the repair, rebuilding, reconditioning, or salvaging of equipment or furniture.
- 11) *Scavenging*. No person other than the owner thereof or an agent or employee of the director shall disturb or interfere with any container used for the purpose of storing refuse pending its collection, remove any contents therefrom, or remove such container from its collection.
- 12) *Blocked Dumpster*. It shall be unlawful and in violation of this chapter for any person to block or impair access to a dumpster or commercial collection container.
- 13) *Building Materials*. It shall be unlawful and in violation of this chapter for any person to place building materials in the city right of way.

### **Sec. 66-56. – Abandonment.**

Any such item or items which remain on the property of the occupant for a period of 30 days after notice of violation of this article shall be presumed to be abandoned and subject to being removed from the property by the city without further notice. The city may charge the owner or occupant of the premises; any unpaid charge for removal may be collected by the city



clerk in the same manner as delinquent taxes. This section shall not apply to licensed junk dealers or currently licensed establishments engaged in the repair, rebuilding, reconditioning, or salvaging of equipment or furniture.

**Sec. 66-57--- 66-70. – Reserved.**

**Article IV. – COMMERCIAL ESTABLISHMENTS**

**Sec. 66-71. – Generally.**

All commercial establishments shall store their refuse in containers, as specified in this article, so as to eliminate wind-driven debris and unsightly litter in and about their establishments. Approved methods of containerization shall include refuse receptacles, bulk containers and detachable containers. Any spillage or overflow shall be immediately cleaned up by such establishment.

**Sec. 66-72. – Loading and unloading areas.**

All loading and unloading areas shall be provided with refuse receptacles for loose debris, paper, packaging materials and other trash. The owner or occupant of the commercial establishment shall place a sufficient number of containers in such area to maintain a clean, neat and sanitary condition at all times. The number of such containers to be placed in service for a particular establishment shall be set by the director or his/her designated representative. The number of such containers to be placed in service for a particular occupant of the premise shall insure that all litter is placed in the proper container and the area is kept clean. If the occupant violates this section, collection service may be suspended by the director until such time as the owner or occupant of the premises brings such premises into full compliance with the provisions of this chapter.

**Sec. 66-73. – Construction sites and demolition sites.**

All construction and demolition contractors shall use on-site refuse receptacles, bulk waste containers, or detachable containers for loose debris, paper, building material waste, scrap building materials and other trash (no hazardous waste shall be deposited in the containers) produced by those working at the construction site. The site shall be kept in a litter-free condition. The number of refuse receptacles, bulk containers, or detachable containers (not to exceed four (4) total per site) shall be determined by the size of the job. Receptacles and containers must be promptly collected when maximum capacity has been reached. All construction receptacles and containers must be promptly removed upon completion of construction. Dirt, mud, construction materials or other debris deposited upon any public or private property belonging to a person other than the owner of the construction site shall be promptly removed by the owner or contractor.

**Sec. 66-74--- 66-90. – Reserved.**

**Article V. – COLLECTION PRACTICES**

## **Sec. 66-91. – Residential garbage collection.**

- (a) Garbage and solid waste at residences within the city shall be collected only by departments and employees of the city, or pursuant to a contract or franchise issued by the city. Removal by persons for hire or compensation is prohibited.
- (b) Collections from residential premises with a refuse receptacle shall be made once weekly, with the exception of holidays or in times when such collection is impossible, such as in the event of natural disasters.
- (c) (1) Resident(s) shall place garbage for curbside pickup in carts provided by the city. On the evening before each day assigned by the city sanitation superintendent for collection in the resident's area, the cart shall be placed at a curbside point designated by city sanitation officials no earlier than 6:00 p.m. for pick up the next day. The cart shall be removed from the curbside point by the resident no later than 8:00 a.m. on the day after the assigned collection date. Failure to remove a cart by 8:00 a.m. on the day after the assigned collection date shall result in a fine of \$10.00 per day until the cart is removed. At other times, carts will be stored by the resident(s) where possible in locations not visible from the street or road on which the garbage is collected.
  - (2) The city shall initially provide and bear the cost of the first cart for each single-family and two-family residence. In the event the cart is insufficient to contain the garbage for a residence, the resident shall bear the cost of placement of an additional cart at the residence. In the event a cart is lost, stolen or abused, the resident shall bear the cost of placement of another cart at the residence.
  - (3) In the event the cart is not used for a period of three weeks, then the cart shall be removed from the residence. The resident shall bear the cost of placement of another cart at the residence.
  - (4) Persons having physical handicaps which prevent them from placing carts at curbsides shall be exempted from the requirement to place the cart at the curbside. Such persons shall provide to the city a written statement from a physician which validates the existence of such a handicap and shall include their physical address. The other requirements for collection and disposal of garbage contained within this Code will nonetheless apply to persons exempted under this subsection.
- (d) Persons required to maintain refuse receptacles and collection containers under this chapter shall maintain the containers in a sanitary condition, tightly covered at all times other than filling, emptying and cleaning, and free from odor. Refuse receptacles shall be filled in such a manner as to allow pickup by one person. Refuse receptacles and collection containers shall be further maintained so as to prevent the overflow and scattering of trash, garbage, refuse, other solid waste, or water/rainwater. Building materials and yard trash shall not be placed within refuse receptacles.
- (e) All apartment buildings or structures containing in excess of six dwelling units per parcel are required to use hoist type dumpsters or containers that are compatible for loading by mechanical means by garbage and solid waste collection vehicles maintained by the city for the accumulation of garbage by such building or structure residents. Dumpsters shall be required to be placed on a concrete pad constructed in accordance with the city engineer's specifications. For buildings or structures containing more than one but not more than six dwelling units per parcel, each occupied dwelling unit, household or apartment shall provide, at the customer's expense, at least one container and shall provide additional containers as required by the director or his/her representative. The director or his/her representative shall approve the placement, total quantity, and sufficiency of collection containers necessary to adequately serve the establishment. Service to such establishments will be provided by a schedule which is maintained and provided by the sanitation superintendent.



**Sec. 66-92. – Commercial establishments.**

- (a) Garbage and solid waste at commercial establishments within the city shall be collected only by departments and employees of the city, or pursuant to a contract or franchise issued by the city. Removal by persons for hire or compensation is prohibited.
- (b) Collection frequency for businesses and commercial enterprises with collection containers shall be established by the user upon application of service. Collection frequency may be amended upon request by the user or as deemed necessary by the director or his/her designated representative to prevent spillage or overflow. In such cases where it is determined by the city that amendments to the collection frequency is necessary the user shall be notified in writing regarding such changes.
- (c) The director or his/her representative shall approve the placement, total quantity, and sufficiency of collection containers necessary to adequately serve the establishment. Sufficiency shall be determined at the discretion of the director or his/her representative.
- (d) All commercial buildings or structures containing in excess of four business units per parcel or center are required to use hoist type dumpsters or bulk waste containers that are compatible for loading by mechanical means by garbage and solid waste collection vehicles maintained by the city for the accumulation of garbage by such building or structure tenants. Dumpsters and bulk waste containers shall be required to be placed on a concrete pad constructed in accordance with the city engineer's specifications. For commercial buildings or structures containing no more than four units, each unit shall provide, at the customer's expense, at least one collection container and shall provide additional containers as required by the director or his/her representative. The director or his/her representative shall approve the placement, total quantity, and sufficiency of collection containers necessary to adequately serve the establishment.
- (e) Persons required to maintain refuse receptacles and collection containers under this chapter shall maintain the containers in a sanitary condition, tightly covered at all times other than filling, emptying and cleaning, and free from odor. Refuse receptacles shall be filled in such a manner as to allow pickup by one person. Refuse receptacles and collection containers shall be further maintained so as to prevent the overflow and scattering of trash, garbage, refuse, other solid waste, or water/rainwater. Building materials and yard trash shall not be placed within refuse receptacles or dumpsters.
- (f) Service to commercial establishments will be provided by a schedule which is provided by the sanitation superintendent.

**Sec. 66-93. – Industrial waste.**

Industrial waste shall be collected, removed and disposed of by any factory, plant or enterprise creating or causing such waste.

**Sec. 66-94. – Hazardous waste.**

No hazardous waste shall be placed in any receptacle used for collection of refuse by the city. All hazardous waste shall be collected, removed, and disposed of by the person or entity creating or causing such waste.

**Sec. 66-95. – Dead animals.**

Small dead animals will be collected by the city during operating hours of the city/county transfer station, provided the body is appropriately wrapped and isolated in an area readily accessible to the collector. Owners of large dead animals shall be responsible for their removal and disposal.

**Sec. 66-96. – Building materials.**

Upon request, the city may collect building materials by bulk waste container or other means. Persons, entities or agents thereof requesting this service shall complete application for this service. The city shall have the right to set and collect a fee for this service.

**Sec. 66-97 --- 66-110. – Reserved.**

**Article VI. – SPECIAL SOLID WASTE DISPOSAL**

**Sec. 66-111. – Contagious disease solid waste.**

The removal of clothing, bedding or other solid waste from some or other places where highly infectious diseases have prevailed shall be decontaminated prior to removal under the supervision and direction of the county health department. Such solid waste shall not be placed in receptacles or bulk container for the city collection until decontaminated.

**Sec. 66-112. – Hypodermic instruments.**

No person shall dispose of or discard any hypodermic needle or any instrument or device for making hypodermic injections before first breaking, disassembling, destroying or otherwise rendering inoperable and incapable of re-use, such hypodermic syringe, needle, instrument or device, and without safeguarding the disposal thereof, by securely placing in plastic container with a sealed lid so as to avoid the possibility of causing injury to the collection personnel or general public.

**Sec. 66-113. – Cardboard boxes, cartons and tires.**

All cardboard boxes, cartons and tires are to be disposed of at designated recycling centers. The person disposing of any such boxes or cartons shall collapse all cardboard boxes and cartons.

**Sec. 66-114--- 66-130. – Reserved.**

**Article VII. – DISPOSAL SITES**

**Sec. 66-131. – Use authorized; regulations.**

All domestic and other acceptable refuse shall be delivered and deposited at authorized public disposal sites in accordance with the directions and orders of the director or his representative in charge of operations, except, however, privately operated sites may be used for the sanitary disposal of industrial wastes or other specified waste upon the approval of the director and upon the issuance of appropriated disposal permits, as required by the regulations



of the Georgia Department of Natural Resources, and/or the Federal Environmental Protection Agency. The director or his representative shall be authorized to promulgate appropriate regulations requiring disposal site users to classify and separate deposits.

**Sec. 66-132. – Designation of sites.**

- (a) Public sites approved for the disposal of refuse shall be identified by appropriate directional signs posted near the roadside and at the location of the city/county sanitary landfill or transfer/hauling station.
- (b) Such sites shall be maintained in use until permanently closed, at which time additional authorized sites shall be opened and publicized by posting and through public advertisement.
- (c) The mayor and city council may restrict certain sites or portions thereof to a specific type or types of refuse.
- (d) Commercial collectors, including yard maintenance men, may use the public designated sites.
- (e) Residents of the city, other than commercial collectors, may use public sites, in accordance with the regulations for the particular site the instruction of the site attendant.

**Sec. 66-133. – Operating schedule.**

Authorized public disposal sites shall be operated on a schedule as established by the landfill superintendent during the hours designated, acceptable refuse generated in the city shall be received for disposal from any resident of the city.

**Sec. 66-134. – When use authorized; ownership of waste.**

No person shall enter a disposal site except when an attendant is present and during the hours and days prescribed in this article. Only residents of or businesses with locations in the city or Bulloch County shall be allowed to use or dispose of waste at the disposal sites, and only waste generated within the city or county will be accepted.

**Sec. 66-135. – Classification of waste for disposal.**

- (a) Domestic refuse. The following types of waste shall be classed as “domestic refuse” and shall be accepted for disposal:
  - (1) Household garbage.
  - (2) Business/office waste.
  - (3) Yard trash.
- (b) Industrial waste.
  - (1) The following types of wastes shall be classed as “industrial waste” and shall not be accepted for disposal.
    - a. Industrial waste.
    - b. Hazardous waste.
  - (2) Industrial waste may be disposed at the city/county landfill or transfer/hauling station according to regulations. For information of these regulations you may call the landfill operator at 764-5279.
- (c) Building materials may be accepted for disposal upon such terms and conditions as may be determined by the city and county.
- (d) Materials for recycling shall be separated for storage at each disposal site.

**Sec. 66-136. – Permit required for private sites.**

It shall be unlawful for any person to deposit or permit to be deposited on land under his ownership and control any refuse without first having obtained a disposal area permit as required by any regulation of the Georgia Department of Natural Resources, the Federal Environmental Protection Agency and the city.

**Sec. 66-137. – General maintenance.**

It shall be the duty and responsibility of the owner of any private disposal site to keep the site in an orderly condition and maintained so as not to be a public nuisance or menace to public health.

**Sec. 66-138. – Right to enter to inspect.**

The landfill superintendent or his designee shall have the right to enter a private disposal site at any time during normal business hours for the purpose of inspecting the site to determine whether or not the site is in compliance with this article and all other pertinent laws and regulations of the city.

**Sec. 66-139. – Disposal locations.**

- (a) No person shall dispose of garbage, trash, or other acceptable solid waste at any location within the limits of the city except in authorized containers for collection by city departments or its contractual assigns in the city/county landfill or transfer/hauling station. Only residents of or businesses with locations in the city or Bulloch County shall be allowed to use or dispose of waste at the disposal sites, and only waste generated within the city or county will be accepted.
- (b) It shall be unlawful for any person to throw or cast any garbage or solid waste, rubbish, trash, filth or litter of any nature into the streets, sidewalks, lanes, squares or thoroughfares of the city.
- (c) It shall be unlawful for any person to throw, sweep, cast or otherwise put or place any straw, paper, can, bottles, broken glass, decaying vegetables or fruit or other decaying vegetation, rubbish, garbage or solid waste on any vacant lot within the limits of the city.
- (d) It shall be unlawful for any person owning or occupying any lot, tract or parcel of land or premises within the city to permit the growth thereon of weeds or noxious vegetation to such extent that such vegetation constitutes a public health, safety or welfare concern.

**Sec. 66-140. – Fees.**

For the purposes of this chapter, the principal occupant or head of household in physical possession of a residence through ownership or lease shall be responsible for payment of the fee. If an account of service exists with the city, the fee shall be added to and denominated separately on monthly account statements.

**Sec. 66-141. – Fire hazards prohibited.**

- (a) It shall be unlawful to place ashes within any building in any box, barrel or other wooden vessel or upon any wooden vessel or floor.



- (b) It shall be unlawful to keep, maintain or permit to be kept on any premises within the city oily waste or oily rags unless, at all times when not actually in use, such oily waste and rags are kept in a metal can or container with a self-closing cover and riveted joints, standing on metal legs which raise the bottom of the container at least four inches above the floor.
- (c) All owners or occupants of buildings are required to permit the chief or commander of the fire department or his designated agent to inspect or to have inspected their building or premises to determine compliance with subsections (a) and (b) of this section.

**Sec. 66-142. – Transportation of trash, garbage or refuse.**

- (a) All persons hauling or transporting trash, garbage, refuse or other debris to the city landfill or hauling station shall transport same in such a way as to prevent trash, leaves, limbs, paper, garbage, refuse or other debris from falling from a vehicle transporting the same or from blowing off of the vehicle so as to fall in the public streets of the city or in the ditches or yards adjacent to such streets. Vehicles transporting such materials shall have suitable covers, such as a tarp, securely fastened to the vehicle.
- (b) Such material being transported to the city landfill or hauling site shall be packed in the vehicle transporting it so that it will not fall off or blow out and shall have suitable covers securely fastened to the vehicle so as to prevent littering of the streets and yards of the city. It shall be unlawful and in violation of this chapter for such material to fall off or blow out of any vehicle during transportation.
- (c) This section shall not apply to the transportation of poultry, livestock, silage or other feed grain used in the feeding of poultry or livestock.

Section 2. Should any section, subsection, or provision of this ordinance be ruled invalid by a court of competent jurisdiction, then all other sections, subsections, and provisions of this ordinance shall remain in full force and effect.

Section 3. This Ordinance shall be and remain in full force and effect from and after its adoption on two separate readings.

Reading: October 18, 2016

THE MAYOR AND CITY COUNCIL OF THE CITY OF STATESBORO, GEORGIA

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By: Jan J. Moore, Mayor

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Attest: Sue Starling, City Clerk

Ordinance #2016-11

An Ordinance Amending Article 2 (Authorities, Boards and Commissions) of Chapter 2 (Administration) of the Statesboro Code of Ordinances

WHEREAS, the City has previously adopted an ordinances creating certain Authorities, Boards and Commissions; and

WHEREAS, the Mayor and City Council has determined there is sufficient reason and need to amend certain sections of Article 2 (Authorities, Boards and Commissions) of Chapter 2 (Administration) of the Code of Ordinances, City of Statesboro, Georgia to add Division 6 to create a Keep Statesboro-Bulloch Beautiful Advisory Board.

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Statesboro, Georgia, in regular session assembled as follows:

SECTION 1:

Article 2 (Authorities, Boards and Commissions) of Chapter 2 (Administration) of the Code of Ordinances, City of Statesboro, Georgia is hereby amended to add a Division 6 and shall read as follows:

DIVISION 5. KEEP STATESBORO-BULLOCH BEAUTIFUL ADSIORY BOARD

Sec. 2-121. Establishment; appointment; terms; compensation; removal.

Sec. 2-122. Chairman; rules of procedure and bylaws; meetings.

Sec. 2-123. Scope of Authority.

Secs. 2-124—2-140 Reserved.

Sec. 2-121. - Establishment; appointment; terms; compensation; removal.

There is hereby created a board to be known as the Keep Statesboro-Bulloch Beautiful Advisory Board. The Keep Statesboro-Bulloch Beautiful Advisory Board shall consist of six (6) members who shall be residents of Bulloch County. The Mayor and each City Councilmember shall each have authority to appoint one member to the Keep Statesboro-Bulloch Beautiful Advisory Board. The term of office of each appointed member of the Keep Statesboro-Bulloch Beautiful Advisory Board shall be two years, and the term shall begin on July 1<sup>st</sup>, and end at the stroke of midnight on June 30<sup>th</sup>. The initial term for initial members of the Keep Statesboro-Bulloch Beautiful Advisory Board shall end on June 30, 2018. The initial members of the Keep Statesboro-Bulloch Beautiful Advisory Board shall be appointed at the time this chapter takes effect shall hold office for the balance of their terms then remaining, and their successors shall be appointed by the Mayor and each City Councilmember for a term of two years. Vacancies on the Keep Statesboro-Bulloch Beautiful Advisory Board occurring other than by expiration of term shall be filled by an interim appointment for the unexpired term by the Mayor or Councilmember



who appointed the member who vacated the seat. The Mayor and City Council shall have the authority to remove any member of the Keep Statesboro-Bulloch Beautiful Advisory Board appointed by it by a majority vote for cause, on written charges, after a public hearing. All members shall serve without compensation.

Sec. 2-122. - Chairman; rules of procedure and bylaws; meetings; records.

- a. The Keep Statesboro-Bulloch Beautiful Advisory Board shall elect a chairman from among its members who shall serve for a term of one year and who shall be eligible for re-election as chairman.
- b. The Keep Statesboro-Bulloch Beautiful Advisory Board shall make its own bylaws and rules of procedure and shall determine its time and place of meetings.
- c. The transactions of the Keep Statesboro-Bulloch Beautiful Advisory Board are governed by the Georgia Open Meetings Act O.C.G.A. §§ 50-14-1 et. seq., and it shall be the joint and several responsibility of the members to comply with the Georgia Open Meetings Act.

Sec. 2-123. – Scope of Authority.

The Keep Statesboro-Bulloch Beautiful Advisory Board shall have the authority to prepare studies and reports for the purpose of informing the governing body, city officials, and city staff on policy matters related to implementing the goals of the Keep Georgia Beautiful Foundation within the corporate limits of the City of Statesboro. The Keep Statesboro-Bulloch Beautiful Advisory Board shall also work to facilitate awareness and support of the goals of the Keep Georgia Beautiful Foundation within the corporate limits of the City of Statesboro.

Secs. 2-124—2-140 Reserved.

SECTION 2: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3: This ordinance shall become effective immediately upon its adoption by the City Council.

SO ORDAINED, this \_\_\_ day of \_\_\_\_\_ 2016 in Statesboro, Georgia.

Reading: October 18, 2016

\_\_\_\_\_  
Jan J. Moore, in his capacity as Mayor of  
Statesboro, Georgia.

ATTEST:

\_\_\_\_\_  
Sue Starling, in her capacity as City Clerk of  
Statesboro, Georgia.

## **INTERGOVERNMENTAL AGREEMENT**

**STATE OF GEORGIA**

**COUNTY OF BULLOCH**

### **INTERGOVERNMENTAL AGREEMENT**

**THIS INTERGOVERNMENTAL AGREEMENT** entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2016 by and between the MAYOR AND CITY COUNCIL OF STATESBORO, hereinafter known as “City”, a municipal corporation, its assigns and successors, hereinafter referred to as “City”, and the DOWNTOWN STATESBORO DEVELOPMENT AUTHORITY, its assigns and successors, hereinafter known as “DSDA”,

**WHEREAS**, Article IX, Section III, Paragraph I of the Constitution of the State of Georgia authorizes governmental units and agencies to enter into contracts for a period not exceeding fifty (50) years for joint services, for the provision of services, or for the joint or separate use of facilities or equipment which the parties are authorized by law to undertake and provide; and,

**NOW THEREFORE IN CONSIDERATION** of the mutual covenants, obligations and promises contained herein, the Parties agree as follows:

#### **I. THE CITY’S OBLIGATIONS**

The City shall allow the DSDA the use of one 2004 Ford 150 pick-up truck with VIN Number 2FTRX17W24CA29145. Should this particular vehicle be surplus or otherwise rendered unusable, the City Manager shall have the authority to authorize the use by the DSDA of a substantially similar city vehicle.

#### **II. THE DSDA’S OBLIGATIONS**

The DSDA shall only use the above vehicle for purposes directly related to the governmental functions performed by the DSDA.

#### **III. MISCELLANEOUS PROVISIONS**



A. **LIABILITY.** Neither of the Parties to this Intergovernmental Agreement shall be deemed to assume any liability for the negligence of the other Party, its officers or employees, nor for any defective or dangerous condition of the other Party's property.

B. **NOTICE:** Any notice to the other Party required by this Agreement shall, unless waived in writing by the Party receiving notice, be by certified mail or statutory overnight delivery. Notice to the City of Statesboro shall be served upon the Mayor of the City of Statesboro, with a copy to the City Manager and the City Attorney. Notice to the DSDA shall be served upon the Executive Director of the DSDA.

C. **ENTIRE AGREEMENT:** This Agreement contains the entire agreement and understanding between the Parties with regard to the subject matters hereof; and there are no oral understandings, terms or conditions, and none of the Parties have relied upon any representation, express or implied, not contained herein. All prior negotiations and understandings are merged into the Agreement.

D. **RELATIONSHIP TO OTHER AGREEMENTS.** The entire agreement between the Parties hereto relative to the subject matters hereof is contained in this Agreement. This Intergovernmental Agreement is in addition to, and is not intended to replace or substitute for, any other agreement between the City and the DSDA. Those other agreements continue in effect according to the terms of those agreements.

E. **AMENDMENTS.** The terms of this Agreement may not be amended or modified except by a subsequent Intergovernmental Agreement approved by each Party.

F. **EFFECTIVE DATE AND TERM.** This Agreement shall take effect as of the date hereof and shall continue in effect for exactly fifty (10) years unless sooner terminated by the mutual consent of the Parties.

G. **SEVERABILITY.** If any of the terms, covenants, conditions or agreements of this Agreement for any reason shall be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any of the other terms, covenants,

conditions, or agreements of this Agreement, and any terms, covenants, conditions, and agreements hereof thereafter shall be construed as if such invalid, illegal, or unenforceable terms, covenants, conditions, and agreements never were contained herein.

H. INTERPRETATION. The Parties have each read and fully understand the terms of this Agreement, and they have had the opportunity to have this Agreement reviewed by legal counsel. The rule of construction providing that ambiguities in an agreement shall be construed against the party drafting same shall not apply.

I. MULTIPLE ORIGINALS. This Agreement is executed in multiple originals; and each Party acknowledges receipt of one such original, agrees that the multiple originals hereof are identical, and further agrees that any such original shall be admissible in any proceeding, legal or otherwise, without the production of any other such original.

J. FORCE MAJEURE. In case, by reason of Force Majeure, any Party hereto shall be rendered unable, wholly or in part, to carry out its obligations under this Agreement, then, if such Party shall give notice and full particulars of such Force Majeure in writing to the other Party within a reasonable time after occurrence of the event or cause relied on, the obligation of the Party giving such notice, so far as it is affected by such Force Majeure shall be suspended during the continuance of the inability then claimed, but for no longer period. For purposes of this Agreement, the term "Force Majeure" means acts of God, including without limitation floods, hurricanes, tornados, washouts, droughts, lightning strikes, fires, civil disturbances, including without limitation, strikes, sabotage, terrorism, riots, lockouts, or other industrial disturbances, or acts of a public enemy, and governmental actions, including without limitation, orders, moratoria, laws, rules, decrees, prohibitions, or judgments and any other event that is beyond the control of the Parties to this Agreement and which causes the Party to be unable to fulfill its obligations under this Agreement. Any such Party shall endeavor to remove or overcome such inability with all reasonable dispatch. The above requirement that any Force Majeure shall be remedied with all reasonable dispatch shall not require the settlement of strikes and lockouts acceding to the demands of opposing parties, when in the judgment of the Party having the difficulty, such settlement would be unfavorable to the Party.



K. CHOICE OF LAW. This agreement shall be interpreted and governed by the laws of the State of Georgia.

MAYOR AND CITY COUNCIL OF STATESBORO

BY: \_\_\_\_\_  
Jan J. Moore, Mayor

ATTEST BY: \_\_\_\_\_  
Sue Starling, City Clerk

Signed, sealed and delivered  
in the presence of:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Notary Public

DOWNTOWN STATESBORO DEVELOPMENT  
AUTHORITY

BY: \_\_\_\_\_  
Allen Muldrew, Executive Director

Signed, sealed and delivered  
in the presence of:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Notary Public