



**January 16<sup>th</sup> , 2018 5:30 pm**

1. Call to Order by Mayor Jonathan McCollar
2. Invocation and Pledge of Allegiance by Councilman Sam Lee Jones
3. Recognitions/Public Presentations
  - A) Presentation of Arbor Day Proclamation
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
  - A) Approval of Minutes
    - a) 01-02-2018 Council Minutes
6. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # CUV 18-01-01**: Niki H. Grant requests a conditional use variance from Article II Section 201 for .34 acres of property located at 402 Marvin Avenue to utilize the property as a youth group home for up to six (6) children in the R15 (Single-Family Residential) zoning district (Tax Parcel S44 000008 000).
7. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # RZ 18-01-09**: L&S Acquisitions and CFN Partners, LLC request a zoning map amendment of a proposed subdivision of 6.8 acres of a 60.92 acre parcel located at Josh Hagin Road from the R8 (Single-Family Residential) and R10 (Single-Family Residential) zoning districts to the CR (Commercial Retail) zoning district to permit new retail construction (Tax Parcel 107 000009 000).
8. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # RZ 18-01-10**: Mary J. Smith requests a zoning map amendment of .28 acres of property located at 220 South Zetterower Avenue from the R15 (Single-Family Residential) zoning district to the O (Office and Business Office District) zoning district to operate a professional office (Tax Parcel S30 000077 000).
9. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # V 18-01-02**: Pete Williams requests a variance from Article VII Section 703(B)(3) to reduce the required front yard setback to construct a high-density residential development on a proposed combination of parcels located at 101 Broad Street and 105 Broad Street (Tax Parcels S29 000070 000 and S29 000071 000).

10. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # V 18-01-03**: Pete Williams requests a variance from Article VII Section 703(B)(2) regarding the maximum number of dwelling units allowed to construct a high-density residential development on a proposed combination of parcels located at 101 Broad Street and 105 Broad Street (Tax Parcels S29 000070 000 and S29 000071 000).
11. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # RZ 18-01-08**: Josh Whitfield requests a zoning map amendment for a proposed combination of parcels addressed 91 South College Street and South College Street from the LI (Light Industrial) zoning district to the CBD (Central Business District) zoning district to permit the construction of a mixed-use development (Tax Parcels S19 000002 000 and S19 000001 000).
12. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # V 18-01-06**: Josh Whitfield requests a variance from Article XII Section 1214 to reduce the minimum required building setback and parking lot setback when a LI (Light Industrial) parcel abuts a residential district (Tax Parcels S19 000002 000 and S19 000001 000).
13. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # V 18-01-07**: Josh Whitfield requests a variance from Article XV Section 1509(C) regarding the maximum height and square footage allowed for a freestanding sign (Tax Parcels S19 000002 000 and S19 000001 000).
14. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # V 18-01-04**: Josh Whitfield requests a variance from Article XV Section 1509(C) regarding the maximum height and square footage allowed for a freestanding sign (Tax Parcels S19 000002 000 and S19 000001 000).
15. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # V 18-01-13**: Alan Gross requests a variance from Article VI Section 603(C)(1) to reduce the minimum required lot area from 36,000 square feet to 19,130 square feet to construct three (3) two-family duplexes (Tax Parcel S19 000109 000).
16. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # V 18-01-11**: Alan Gross requests a variance from Article VI Section 603(C)(2) to reduce the minimum required front yard setback for .46 acres of property located at 127 Institute Street to construct three (3) two-family duplexes (Tax Parcel S19 000109 000).
17. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # V 18-01-15**: Alan Gross requests a variance from Article VI Section 603(C)(3)(a) to reduce the minimum required side yard setback for .46 acres of property located at 127 Institute Street to construct three (3) two-family duplexes (Tax Parcel S19 000109 000).
18. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # V 18-01-12**: Alan Gross requests a variance from Article VI Section 603(C)(4) to reduce the minimum required rear yard setback for .46 acres of property located at 127 Institute Street to construct three (3) two-family duplexes (Tax Parcel S19 000109 000).

19. Public Hearing and Consideration of a Motion to Approve: **APPLICATION # V 18-01-14**: Alan Gross requests a variance from Article XXII Section 2203.1(B)(1) to reduce the minimum required dwelling size from 1,500 square feet to 1,355 square feet per building for three (3) two-family duplexes (Tax Parcel S19 000109 000).
20. Consideration of a motion to nominate and appoint one member to the TAD Advisory Committee.
21. Consideration of a motion to approve the TSPLOST Intergovernmental Agreement between Bulloch County and the City of Statesboro.
22. Consideration of a Motion to adopt **Resolution 2018-03**: A Resolution appointing the Director of Public Utilities, Steve Hotchkiss, as the Project Superintendent for the 2010 Water and Sewer Revenue Bonds.
23. Other Business from City Council
24. City Managers Comments
25. Public Comments (General)
26. Consideration of a Motion to Adjourn

# A Proclamation by the Mayor and City Council of Statesboro, Georgia

## ARBOR DAY

WHEREAS, In 1872, J Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, The holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our City increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW THEREFORE, I, Jonathan McCollar, Mayor of the City of Statesboro, do hereby proclaim February 15, 2018 as

## ARBOR DAY

in the City of Statesboro, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

Dated this 16<sup>th</sup> day of January in the year 2018

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Jonathan McCollar, Mayor



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**CITY OF STATESBORO  
Council Minutes  
January 2, 2018**

A regular meeting of the Statesboro City Council was held on January 2<sup>nd</sup>, 2018 at 9:00 a.m. in the Council Chambers at City Hall. Present were Mayor Jonathan McCollar, Council Members: Phil Boyum, Sam Lee Jones, Jeff Yawn John Riggs and Travis Chance. Also present were Deputy City Manager Robert Cheshire, City Attorney Cain Smith, and City Clerk Sue Starling. Absent was City Manager Randy Wetmore.

Mayor Pro Tem Travis Chance called the meeting to order.

The Invocation and Pledge of Allegiance was given by Councilman Jeff Yawn.

Mayor Pro Tem Travis Chance stated the meeting would be turned over to Mayor McCollar after he was sworn in.

**Oath of Office administered by Bulloch county Probate Judge Lorna Deloach to:**

**A. Mayor-Elect Jonathan McCollar**

**B. District 1 Phil Boyum**

**C. District 3 John Riggs**

Judge Lorna Deloach administered the Oath of Office to Mayor Jonathan McCollar, Councilman Phil Boyum and Councilman John Riggs.

**Consideration of a Motion to appoint a Mayor Pro Tempore for the next two years, per Statesboro Municipal Code, Section 2-4 of the City Charter**

Councilman Yawn made a motion seconded by Councilman Jones to appoint a Mayor Pro Tempore for the next two years, per Statesboro Municipal Code, Section 2-4 of the City Charter. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote. No one was named in the motion.

Councilman Chance made a motion seconded by Councilman Boyum to appoint Councilman John Riggs as the Mayor Pro Tem for a 2 year term. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Recognitions/Public Presentations**

**A) Presentation of Run the 'Boro 5K / Holiday Celebration Proceeds to the Statesboro YMCA**

Director of Human Resources Jeff Grant presented Tory Joyner, representing the YMCA, with a check for \$8,000.00. The funds came from the Run the 'Boro 5K / Holiday Celebration.

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

Deputy City Manager Robert Cheshire stated there will be a drop in reception for Mayor Jonathan McCollar at Joe Brannen Hall from 12:00 -2:00 pm. He also stated the funeral services for Deputy Fire Chief Ronnie Shaw will be held at two o'clock today at Joiner Anderson Funeral Home.

**Consideration of a Motion to approve the Consent Agenda**

**A) Approval of Minutes**

**a) 12-05-2017 Council Minutes**

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

**Consideration of a Motion to Award a Professional Services Contract to EMC Engineering, in the amount of \$124,750.00 to provide engineering services associated with developing construction documents for “Phase I” of the proposed S. Main St. Improvements. (also referred to as the Blue Mile Streetscape Project). Phase I extends from Fair Rd. (SR 67) to Tillman Rd. The funding for these services will be shared between the City of Statesboro (\$68,250.00 from 2013 SPLOST) and the Blue Mile Foundation (\$56,500.00). Note: The award of this contract is only for services up to the bidding phase.**

Councilman Riggs made a motion seconded by Councilman Boyum to Award a Professional Services Contract to EMC Engineering, in the amount of \$124,750.00 to provide engineering services associated with developing construction documents for “Phase I” of the proposed S. Main St. Improvements. (also referred to as the Blue Mile Streetscape Project). Phase I extends from Fair Rd. (SR 67) to Tillman Rd. The funding for these services will be shared between the City of Statesboro (\$68,250.00 from 2013 SPLOST) and the Blue Mile Foundation (\$56,500.00). Note: The award of this contract is only for services up to the bidding phase. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Consideration of a motion to award contract for professional services to Hussey, Gay and Bell (HGB) Engineering for the design of upgrades to the Bird’s Pond Lift Station in an amount not to exceed 29,611.00. This project was approved as part of the 2018 Capital Improvements Program (WWD-153) with a total budget of \$150,000.00 and will be funded with Operation Revenue.**

Councilman Jones made a motion seconded by Councilman Yawn to award contract for professional services to Hussey, Gay and Bell (HGB) Engineering for the design of upgrades to the Bird’s Pond Lift Station in an amount not to exceed 29,611.00. This project was approved as part of the 2018 Capital Improvements Program (WWD-153) with a total budget of \$150,000.00 and will be funded with Operation Revenue. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Consideration of a Motion to Approve Award of Contract to Southeastern Civil for the East Main Street Sidewalk project in the amount of \$477,927.50, based on unit pricing, with approval to spend up to \$525,000.00 with unit price extensions for additional quantities. This project will be funded by \$350,000.00 in 2013 SPLOST funds (as approved in the FY 2018 budget) and by a Georgia Department of Transportation Multi-Modal Safety and Access Grant in the amount of \$230,510.00. Total for this project, ENG-68 is \$580,510.00.**

Councilman Boyum made a motion seconded by Councilman Riggs to Approve Award of Contract to Southeastern Civil for the East Main Street Sidewalk project in the amount of \$477,927.50, based on unit pricing, with approval to spend up to \$525,000.00 with unit price extensions for additional quantities. This project will be funded by \$350,000.00 in 2013 SPLOST funds (as approved in the FY 2018 budget) and by a Georgia Department of Transportation Multi-Modal Safety and Access Grant in the amount of \$230,510.00. Total for this project, ENG-68 is \$580,510.00. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Public hearing and Consideration of a Motion to Approve Application # V 17-12-01: Whitfield signs requests a variance from Article XV Section 1590 (C) Table 5 of the Statesboro Zoning Ordinance for property located at 514 South Main Street regarding the maximum height and minimum required setback allowed for a freestanding sign in sign district 3. (Tax Parcel S22 000006 000)**

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

Josh Whitfield of Whitfield Signs spoke in favor of the request.

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

Councilman yawn made a motion seconded by Councilman Boyum to Approve **Application # V 17-12-01: Whitfield signs requests a variance from Article XV Section 1590 (C) Table 5 of the Statesboro Zoning Ordinance for property located at 470 South Main Street regarding the maximum height and minimum required setback allowed for a freestanding sign in sign district 3. (Tax Parcel S22 000006 000)** Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Public hearing and Consideration of a Motion to Approve Application # V 17-12-02: Whitfield signs requests a variance from Article XV Section 1590 (C) Table 5 of the Statesboro Zoning Ordinance for property located at 514 South Main Street regarding the maximum height allowed for a freestanding sign in sign district 3. (Tax Parcel S22 000007 000)**

There was not a motion to open the public hearing.

Josh Whitfield of Whitfield signs spoke in favor of the request.

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

Councilman Yawn made a motion seconded by Councilman Chance to Approve Application # V 17-12-02: Whitfield signs requests a variance from Article XV Section 1590 (C) Table 5 of the Statesboro Zoning Ordinance for property located at 514 South Main Street regarding the maximum height allowed for a freestanding sign in sign district 3. (Tax Parcel S22 000007 000) Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Consideration of a Motion to approve six month contract with CSRA, Inc. to provide supervision and probation services to Statesboro Municipal Court.**

Councilman Riggs made a Motion seconded by Councilman Chance to approve six month contract with CSRA, Inc. to provide supervision and probation services to Statesboro Municipal Court. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Consideration of a motion to approve an agreement with Hines and Associates Inc. for utilization review services and other services for the management of health care claims of group members at the rate of \$2.05 / employee per month.**

Councilman Jones made a motion seconded by Councilman Yawn to approve an agreement with Hines and Associates Inc. for utilization review services and other services for the management of health care claims of group members at the rate of \$2.05 / employee per month. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Consideration of a motion to approve an agreement with Optum Inc. for managed transplant program services per employee at the rate of \$4.97 / single and \$11.92 / family per month.**

Councilman Jones made a motion seconded by Councilman Yawn to approve an agreement with Optum Inc. for managed transplant program services per employee at the rate of \$4.97 / single and \$11.92 / family per month. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.



**Consideration of a motion to approve the statement of rates with Taylor Benefit Resource and authorize the Mayor to execute an agreement with Monumental Risk American National Inc. for stop-loss insurance coverage management services per employee at the rate of \$57.47 / single and \$187.06 / family per month.**

Councilman Jones made a motion seconded by Councilman Yawn to approve the statement of rates with Taylor Benefit Resource and authorize the Mayor to execute an agreement with Monumental Risk American National Inc. for stop-loss insurance coverage management services per employee at the rate of \$57.47 / single and \$187.06 / family per month. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Consideration of a motion to approve Resolution 2018-01: A Resolution to hereby further amend the Classification and Compensation Plan a follows, that the Police Department create two part-time administrative clerk positions.**

Councilman Yawn made a motion seconded by Councilman Riggs to approve Resolution 2018-01: A Resolution to hereby further amend the Classification and Compensation Plan a follows, that the Police Department created two part-time administrative clerk positions. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Consideration of a Motion to approve Resolution 2018-02: A Resolution to adopt the first amendment to the fiscal year 2018 budget for each fund of the City of Statesboro, Georgia.**

Councilman Riggs made a motion seconded by Councilman Boyum to approve Resolution 2018-02: A Resolution to adopt the first amendment to the fiscal year 2018 budget for each fund of the City of Statesboro, Georgia. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Discuss the City of Statesboro Health, Life and Disability third party RFQ recommendation report prepared by Michael Mark, Care Coordination of American (CCA).**

Councilman Chance reviewed the reasons for getting a third party recommendation for the City of Statesboro Health, Life and Disability broker services. Councilman Chance read the recommendation as written by Michael Mark. Mr. Mark comments stated if there was dissatisfaction with Glenn Davis and Associates then the recommendation would be to go with ShawHankins in the RFQ as presented.

**Consideration of a motion to approve RFQ recommendation by Michael Mark, Care Coordination of America (CCA): to award a contract to ShawHankins to provide brokerage services for health, life and disability insurance to the City of Statesboro.**

Councilman Yawn made a motion seconded by Councilman Boyum to award a contract to ShawHankins to provide brokerage services for health, life and disability insurance to the City of Statesboro. Councilman Yawn and Boyum voted in favor of the motion. Councilman Jones, Riggs and Chance voted against the motion. The motion failed.

Councilman Jones made a motion seconded by Councilman Chance to award a contract to Glenn Davis to provide brokerage services for health, life and disability insurance to the City of Statesboro. Councilman Jones, Riggs and Chance voted in favor of the motion, Councilman Boyum and Yawn voted against the motion. The motion carried with a 3-2 vote.

**Selection of method to procure property, liability and workers comp insurance.**

Councilman Boyum stated we need to leave the selection method the same as it has been, for staff to present their recommendations to Council. Councilman Yawn stated he has confidence in the City of Statesboro staff and we need to support them in their recommendations.

**Discussion of TSPLOST (Transportation Special Purpose Local Option Sales Tax) negotiations.**

There were several meeting with the County and City officials regarding TSPLOST percentages. At the time, there was no resolution on how the funds would be divided. Councilman Chance stated he later met with County Commissioner Roy Thompson and they concluded the County now had on the table for the City to receive 43 percent of TSPLOST proceeds. Council thanked Councilman Chance for his efforts in helping to move forward with TSPLOST. Council agreed 43% was acceptable.

Councilman Chance made a motion seconded by Councilman Jones to accept the County's offer of 43 percent. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Consideration of a motion to accept Jan J. Moore's letter of resignation from the TAD Advisory Committee.**

Councilman Yawn made a motion seconded by Councilman Boyum to accept Jan J. Moore's letter of resignation from the TAD advisory committee. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Consideration of a motion to nominate and appoint a TAD advisory Committee member to replace Jan J. Moore.**

Councilman Chance made a motion seconded by Councilman Yawn to table this item until the next Council Meeting on January 16, 2018. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Councilman Jones stated he also needed to resign from the TAD Advisory Committee.

Councilman Jones made a motion seconded by Councilman Boyum to accept Councilmen Jones' resignation from the TAD Advisory Committee and appoint Lisa Deloach as his replacement. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Other Business from City Council:** None

**City Managers Comments:** None

**Public Comments (General):** None

**Consideration of a Motion to Adjourn**

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

The meeting was adjourned at 10:35 a.m.

# CITY OF STATESBORO



## COUNCIL

Phil Boyum, District 1  
Sam Jones, District 2  
Jeff Yawn, District 3  
John Riggs, District 4  
Travis L. Chance, District 5

Jonathan M. McCollar, Mayor  
Randy Wetmore, City Manager  
Robert Cheshire, Deputy City Manager  
Sue Starling, City Clerk  
I. Cain Smith, City Attorney

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50 EAST MAIN STREET • P.O. BOX 348 • STATESBORO, GEORGIA 30459-0348

**To:** Randy Wetmore, City Manager and Sue Starling, City Clerk

**From:** Candra Teshome, Planning & Development Specialist

**Date:** January 4, 2018

**RE:** January 16, 2018 City Council Agenda Items

**Policy Issue:** *Statesboro Zoning Ordinance: Conditional Use Variance*

**Recommendation:** Staff recommends approval of the conditional use variance requested by application CUV 18-01-01 with conditions.

**Background:** Niki H. Grant requests a conditional use variance from Article II Section 201 of the *Statesboro Zoning Ordinance* for .34 acres of property located at 402 Marvin Avenue to utilize the property as a youth group home for up to six (6) children in the R15 (Single-Family Residential) zoning district (Tax Parcel S44 000008 000).

**Budget Impact:** None

**Council Person and District:** John Riggs (District 4)

**Attachments:** Development Services Report CUV 18-01-01



*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 18-01-01**  
**CONDITIONAL USE VARIANCE REQUEST**  
**402 MARVIN AVENUE**

**LOCATION:** 402 Marvin Avenue

**REQUEST:** Request for a conditional use variance from Article II Section 201 for .34 acres of property located at 402 Marvin Avenue to utilize the property as a youth group home for up to six (6) children/adults

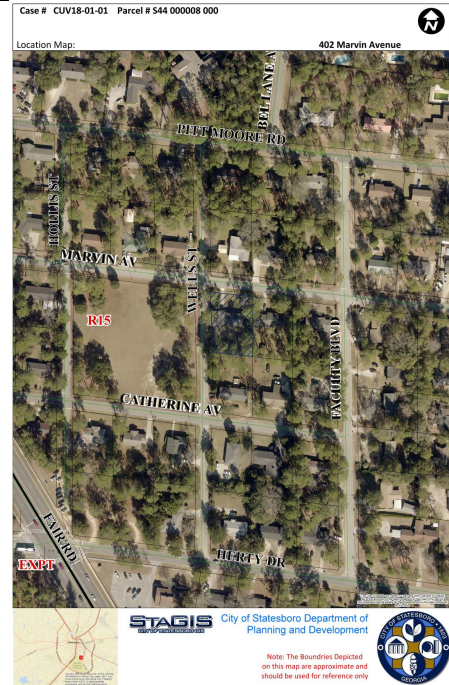
**APPLICANT:** Nikki H. Grant

**OWNER(S):** Matthew T. Pastush

**ACRES:** .34 Acres

**PARCEL TAX MAP #:** S44 000008 000

**COUNCIL DISTRICT:** 4 (Riggs)



**PROPOSAL:**

The applicant is requesting a conditional use variance to utilize 402 Marvin Avenue (Tax Parcel S44 000008 000) as a youth group home for up to six (6) unrelated children/adults. The subject site is currently zoned R15 (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). In addition, Article II Section 201 restricts households from containing more than three (3) individuals if unrelated by “blood, adoption, or marriage” in the R15 (Single-Family Residential) zoning district. The subject property is a 1213 sq. ft., three (3) bedrooms, and two (2) bathrooms single-family residence.

**SURROUNDING LAND USES/ZONING:**

	ZONING:	LAND USE:
<b>NORTH:</b>	R15 (Single-Family Residential)	Single-family detached dwelling units
<b>SOUTH:</b>	R15 (Single-Family Residential)	Single-family detached dwelling units
<b>EAST:</b>	R15 (Single-Family Residential)	Single-family detached dwelling units
<b>WEST</b>	R15 (Single-Family Residential)	Noncommercial recreational use

Properties to the north, south and east are single-family detached dwelling units. The property is adjacent to a large park across Wells Street. The surrounding properties are established single-family residences (See **Exhibit B**—Photos of Subject Site and Surrounding Properties).

## COMPREHENSIVE PLAN:

The subject site lies within the “Residential Redevelopment” 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:*

This character area has most of its original housing stock in place, but has worsening housing conditions due to low rates of homeownership and neglect of property maintenance. There may be a lack of neighborhood identity and gradual invasion of different type and intensity of use that may not be compatible with the neighborhood residential use, or a neighborhood that has declined sufficiently that housing conditions are bad, there may be large areas of vacant land or deteriorating, unoccupied structures. Appropriate land uses include:

- Single Family detached housing
- Lower density, Single Family attached housing

### *Suggested Development & Implementation Strategies*

- Focus on strategic public investments to improve conditions, appropriate infill development on scattered vacant sites, and encouraging more homeownership and maintenance or upgrade of existing properties. Encourage infill, new, and redevelopment to build close to the street.
- The redevelopment strategy for the area should focus on preserving what remains of the original housing stock, while rebuilding on the remaining land, a new, attractive neighborhood following the principles of traditional neighborhood development.

*Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 21.*

## 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:

### **I. Application CUV 18-01-01: Whether or not to grant a conditional use variance to utilize 402 Marvin Avenue as a youth group home**

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.
- 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.
  - 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.) Off-street 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 conditional use variance requested by application CUV 18-01-01 with conditions. If granted, the conditional use would apply to the applicant and any change in business ownership would require the issuance of a new conditional use variance to continue operating as a youth group home or any similar business.

**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.

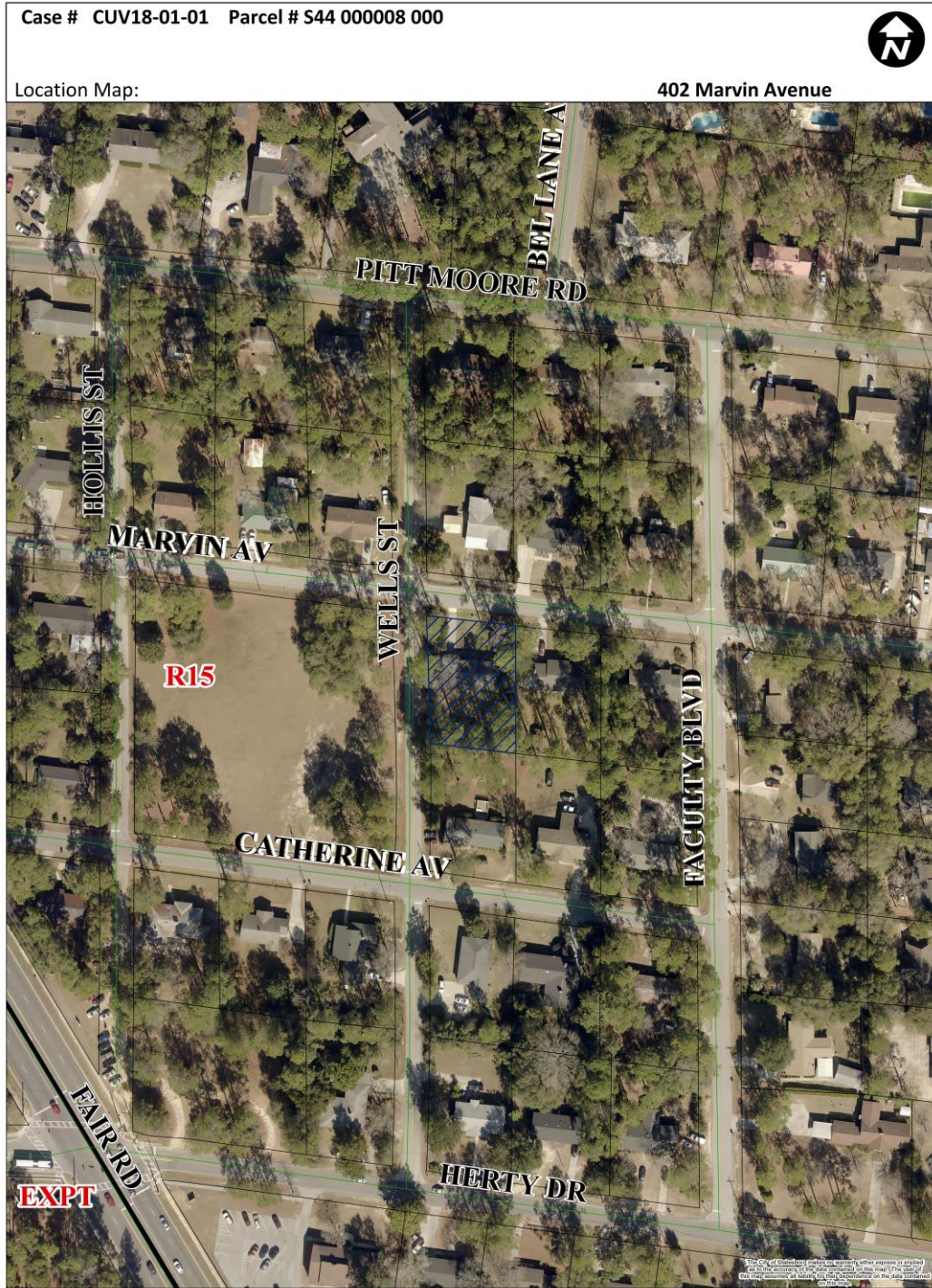
**PLANNING COMMISSION RECOMMENDATION:**

At its regularly scheduled meeting, held Tuesday, January 1, 2018 at 5:00 PM, the Planning Commission voted 6-0 to approve the request with staff recommended conditions, with Commissioner Foreman abstaining from the vote due to a conflict of interest.

**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.

**EXHIBIT A: LOCATION MAP**



City of Statesboro Department of Planning and Development

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





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

**Picture 1:** Subject Site Front Elevation Depicting



**Picture 2:** Subject Site Front Elevation Depicting Garage and Buffer along Western Property Line



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

**Picture 3:** Subject Site Front Elevation Depicting Garage and Buffer along Eastern Property Line



**Picture 4:** Subject Site at Intersection of Marvin Avenue and Wells Street Depicting Surrounding Properties



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

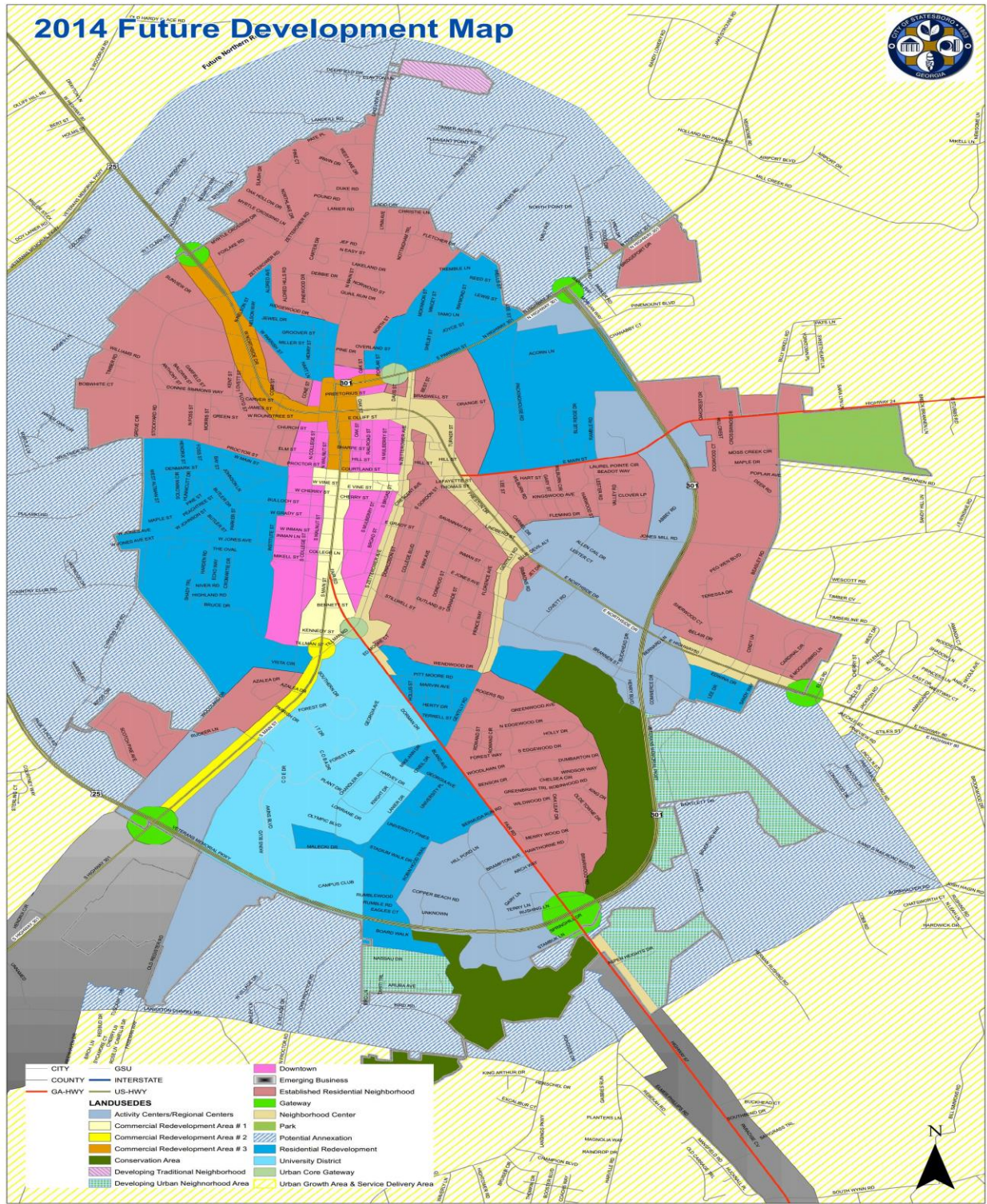
**Picture 5:** Subject Site at Intersection of Marvin Avenue and Wells Street Depicting Surrounding Properties



**Picture 6:** Subject Site Depicting Adjacent Property across Marvin Avenue



EXHIBIT C: 2014 FUTURE DEVELOPMENT MAP



# CITY OF STATESBORO



## COUNCIL

Phil Boyum, District 1  
Sam Jones, District 2  
Jeff Yawn, District 3  
John Riggs, District 4  
Travis L. Chance, District 5

Jonathan M. McCollar, Mayor  
Randy Wetmore, City Manager  
Robert Cheshire, Deputy City Manager  
Sue Starling, City Clerk  
I. Cain Smith, City Attorney

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50 EAST MAIN STREET • P.O. BOX 348 • STATESBORO, GEORGIA 30459-0348

**To:** Randy Wetmore, City Manager and Sue Starling, City Clerk

**From:** Candra Teshome, Planning & Development Specialist

**Date:** January 4, 2018

**RE:** January 16, 2018 City Council Agenda Items

**Policy Issue:** *Statesboro Zoning Ordinance: Zoning Map Amendment*

**Recommendation:** Staff recommends approval of the zoning map amendment requested by application RZ 18-01-09 with conditions.

**Background:** L&S Acquisitions and CFN Partners, LLC request a zoning map amendment of a proposed subdivision of 6.8 acres of a 60.92 acre parcel located at Josh Hagin Road from the R8 (Single-Family Residential) and R10 (Single-Family Residential) zoning districts to the CR (Commercial Retail) zoning district to permit new retail construction (Tax Parcel 107 000009 000).

**Budget Impact:** None

**Council Person and District:** Travis Chance (District 5)

**Attachments:** Development Services Report RZ 18-01-09



*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)

**RZ 18-01-09**  
**ZONING MAP AMENDMENT REQUEST**  
**JOSH HAGIN ROAD**

**LOCATION:** Josh Hagin Road

**REQUEST:** Request to rezone a proposed subdivision of 6.8 acres of a 60.92 acre parcel located at Josh Hagin Road from the R8 (Single-Family Residential) and R10 (Single-Family Residential) zoning districts to the CR (Commercial Retail) zoning district to permit new retail construction

**APPLICANT:** L&S Acquisitions and CFN Partners, LLC

**OWNER(S):** L&S Acquisitions and CFN Partners, LLC

**ACRES:** 60.92 acres; rezone proposed subdivision of 6.8 acres

**PARCEL TAX MAP #:** 107 000009 000

**COUNCIL DISTRICT:** 5 (Chance)



**PROPOSAL:**

The applicant is requesting a zoning map amendment from the R8 (Single-Family Residential) and R10 (Single-Family Residential) zoning districts to the CR (Commercial Retail) zoning district to permit new retail construction. The proposed 6.8 acre parcel would be subdivided from an existing 60.92 acre parcel that was annexed into the City of Statesboro in 2013 (See **Exhibit A** – Location Map, **Exhibit B** – Proposed Concept Plan).

**BACKGROUND:**

The subject property was annexed into the City of Statesboro on July 1, 2013 (See **Exhibit C** – Case AN 13-03-08 Judgment Letter). During the annexation process, the property was rezoned from R40 (Single Family Residential – Bulloch County) to the R8 (Single-Family Residential) and R10 (Single-Family Residential) zoning districts. Currently, the subject property is an undeveloped 60.92 acre site located on Josh Hagin Road fronting the S&S Greenway Trail and the applicant would like to subdivide a 6.8 acre portion of the parcel and rezone to the CR (Commercial Retail) zoning district.

**SURROUNDING LAND USES/ZONING:**

	<b>ZONING:</b>	<b>LAND USE:</b>
<b>NORTH:</b>	R40 & R25 (Single Family Residential – Bulloch County)	Undeveloped
<b>SOUTH:</b>	R40 (Single Family Residential – Bulloch County)	Single-Family Dwelling Units and Undeveloped
<b>EAST:</b>	R25 (Single Family Residential – Bulloch County)	Undeveloped
<b>WEST:</b>	R3 (Single-Family Residential)—City of Statesboro and R40 (Single-Family Residential)--Bulloch County	Single-Family Dwelling Units and Undeveloped

The subject parcel is surrounded by property that is zoned for single-family uses located in both Bulloch County and City of Statesboro. Actual uses range from single family homes to undeveloped with Bradford Place (residential) Subdivision being to the southwest located in Bulloch County (See **EXHIBIT C**—Photos of the Subject Site).

#### **COMPREHENSIVE PLAN:**

The subject site lies within the “Developing Urban Neighborhood Area” 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*.

#### *Vision:*

The residential areas in the Developing Urban Neighborhood Areas are located in newly developing or redeveloping areas of the City. The developments in this area will primarily be characterized by urban style housing, likely with clustered densities, green space, and a higher level of resident amenities. Nodal commercial development should also be included to serve the needs of resident. New developments should strive to increase connectivity within developments, to existing streets, and to adjacent undeveloped properties. Sidewalk facilities should be located along major roadways and along neighborhood streets. Pedestrian access should remain a priority.

#### *Appropriate Land Uses*

- Neighborhood scale retail and commercial
- Small scale office
- Small lot single family residential
- Multifamily Residential
- Diverse mix of housing types, such as multi family, town homes, apartments, lofts, and condos
- Mixed residential and neighborhood scale retail, commercial, and office

#### *Suggested Development & Implementation Strategies*

- New development that reflect traditional neighborhood design principles, such as smaller lot, orientation to street, mix of housing types, pedestrian access to neighborhood commercial center.
- New development that contains a mix of residential, commercial uses and community facilities at small enough scale and proximity to encourage walking between destinations.
- Clustering development to preserve open space within site.
- Enlisting significant site features (view corridors, water features, farm land, wetlands, parks, trails, etc.) as amenity that shapes identify and character of development.
- Site plans, buildings design, and landscaping that are sensitive to natural features of the sites, including topography and views.
- Using infrastructure availability and planning to steer development away from areas of natural, cultural, and environmentally sensitive resources.
- New developments should provide recreational facilities and open space to meet the needs of their residents.
- Promote walking and bicycling as an alternative means of transportation through the provision of safe, accessible and connected networks and bike storage facilities at destinations.
- There should be good vehicular and pedestrian/bike connections to retail/commercial services as well as internal street connectivity, connectivity to adjacent properties/subdivisions, and multiple site access points.
- Whenever possible, connect to the existing and proposed network of bicycle paths and multi-use trails.

*Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 19.*

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

The subject property does not currently have complete access to City of Statesboro utilities. Both water and sewer main service lines are proposed to be extended to this area in the near future – with individual services and extensions to be provided by the developer. Other services such as sanitation and public safety services will be extended upon approval of this request.

Transportation networks to and within the site should be developed and designed prior to developmental approval of the site. Such networks should be designed for appropriate volumes, capacities, and uses and interconnected with the surrounding properties that are being considered for annexation along with this parcel.

#### **ENVIRONMENTAL:**

The subject property appears to be partially located within wetland areas and special flood areas. Any potential issues will be addressed during standard permitting processes and reviews.

#### **ANALYSIS:**

##### **I. Application RZ 18-01-09: Whether or not to grant a zoning map amendment from the R8 (Single-Family Residential) and the R10 (Single-Family Residential) zoning districts to the CR (Commercial Retail) zoning district**

The request to rezone the proposed subdivided parcel from the R8 (Single-Family Residential) and the R10 (Single-Family Residential) zoning districts to the CR (Commercial Retail) zoning district should be considered in light of the standards for determination of zoning map amendments given in Section 2007 of the *Statesboro Zoning Ordinance*; the vision and community policies articulated within the *Statesboro Comprehensive Plan*, the *2035 Bulloch County/City of Statesboro Long Range Transportation Plan* and the potential for the property to develop and be utilized in conformance with the requirements of the proposed CR (Commercial Retail) zoning district as set forth in the *Statesboro Zoning Ordinance*. Following is a brief comparison of the current zoning and the proposed zoning:

#### **Current Zoning Compared to Requested Zoning**

CR – Commercial retail districts allow for general retail, wholesale, office, and personal service establishments and health care uses. This district allows for more intense and less dense development, but allows for uses that are not as automobile dependent as the Highway Oriented Commercial District in which the principal use of land is for establishments offering accommodations and supplies or services to motorists and the traveling public and require more land area.

R8 – Single-family residential districts are restricted to single-family detached dwellings, educational and religious facilities, public utilities and non-recreational uses, to name a few. Lots in this district are required to have a minimum 8,000 square foot lot area.

R10 – Single-family residential districts are restricted to single-family detached dwellings, educational and religious facilities, public utilities and non-recreational uses, to name a few. Lots in this district are required to have a minimum 10,000 square foot lot area.

**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 in “balancing the promotions of the public health, safety, morality (morals), and general welfare against the right of unrestricted use of property.” Those standards are as follows:**

- (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.**
- (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.**
- (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: population density in the area; community facilities; living conditions in the area; traffic patterns and congestion; environmental aspects; existing and future land use patterns; property values in adjacent areas; and**
- (8) Consistency with other governmental land use, transportation, and development plans for the community.**



**STAFF RECOMMENDATION:**

Staff recommends approval of the zoning map amendment requested by application RZ 18-01-09 with the following conditions:

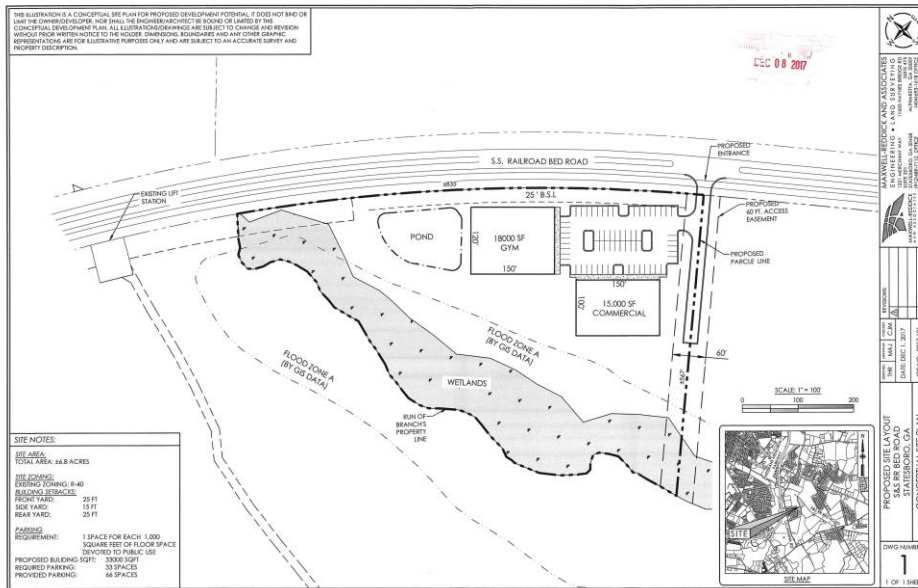
**Conditions**

1. Subdivision, design, and development of the property shall be in conformance specifically with the requirements of the Statesboro Subdivision Regulations and all other developmental standards of the City of Statesboro.

**EXHIBIT A: LOCATION MAP**



**EXHIBIT B: CONCEPTUAL SITE PLAN**



*(Please note: Unless otherwise stated in any formal motion by City Council, staff considers the conceptual site plan (Exhibit B) submitted on behalf of the applicant for this request to be illustrative only. Approval of the application does not constitute approval of any final building or site plan).*

**EXHIBIT C: CASE AN 13-03-08 JUDGMENT LETTER**

**CITY OF STATESBORO**

COUNCIL  
Thomas N. Blitch  
John C. Riggs  
William P. Britt  
Travis L. Chance  
Gary L. Lewis



Joe R. Brannen, Mayor  
Frank Parker, City Manager  
Sue Starling, City Clerk

50 EAST MAIN STREET • P.O. BOX 348  
STATESBORO, GEORGIA 30459-0348

August 22, 2013

Mr. Paul C. Beasley  
1068 Cawana Road  
Statesboro, GA 30461

**RE: APPLICATION # AN 13-03-08 ANNEXATION REQUEST- (Josh Hagin Road).**

Dear Mr. Beasley:

At its evening meeting on Tuesday, August 20, 2013, the Statesboro City Council **approved** the following request with staff recommended conditions:

**APPLICATION # AN 13-03-09:** George Terrell Beasley requests annexation by the 100 percent method of 60.92 acres of property located at Josh Hagin Road fronting the S&S Greenway Trail and for said property to be zoned from R40 (Single Family Residential Bulloch County) to R 8 and R 10 (Single Family Residential) City of Statesboro (Tax Parcel Number 107 000012 000).

**STAFF RECOMMENDATION:**

Staff recommends approval of the requested annexation with R8 & R10 (Single Family Residential) zoning designations requested by AN 13-03-08 with the following conditions:

1. Forty nine percent (49%) of the property acreage (approximately 29.85 acres) shall be zoned R10 – Single Family Residential – with 10,000 square feet minimum lot sizes.
2. Forty nine percent (49%) of the property acreage (approximately 29.85 acres) shall be zoned R 8 – Single Family Residential – with 8,000 square feet minimum lot sizes.
3. The R10 zone shall be designated along the property's border with the S&S Greenway Trail and the boundary with the adjacent Bradford Place residential subdivision.
4. Two percent (2%) of the property acreage (approximately 1.22 acres) shall be reserved for green open space for community use, but shall be privately maintained by the owner, developer, or appropriate association.
5. Transportation infrastructure planning and design for the property shall be designed and approved at subdivision platting stages and shall be based on approved City of Statesboro standards, specifications, and long range planning needs with approval from the City of Statesboro Engineer.

Georgia Municipal Association City of Excellence • Certified City of Ethics  
Telephone: (912) 764-5468 • Fax: (912) 764-4691 • email: cityhall@statesboroga.net

**EXHIBIT C: CASE AN 13-03-08 JUDGMENT LETTER (CONT.)**

6. Subdivision, design, and development of the property shall be in conformance specifically with the requirements of the Statesboro Subdivision Regulations and all other developmental standards of the City of Statesboro.
7. Sidewalk connectors shall be added to Sallie Zettower Elementary School.

Annexation into the City of Statesboro and zoning of said property is effective as of July 1, 2013. Please be advised that the approval of the zoning map amendment permits the use of the property pursuant to the (Commercial Retail) zoning district regulations found in the *Statesboro Zoning Ordinance*. Any development of the property must first be properly reviewed and permitted by the City of Statesboro. Should you have any questions, please do not hesitate to contact me by phone or e-mail at 912-764-0630 or [mandi.cody@statesboroga.gov](mailto:mandi.cody@statesboroga.gov).

Sincerely,



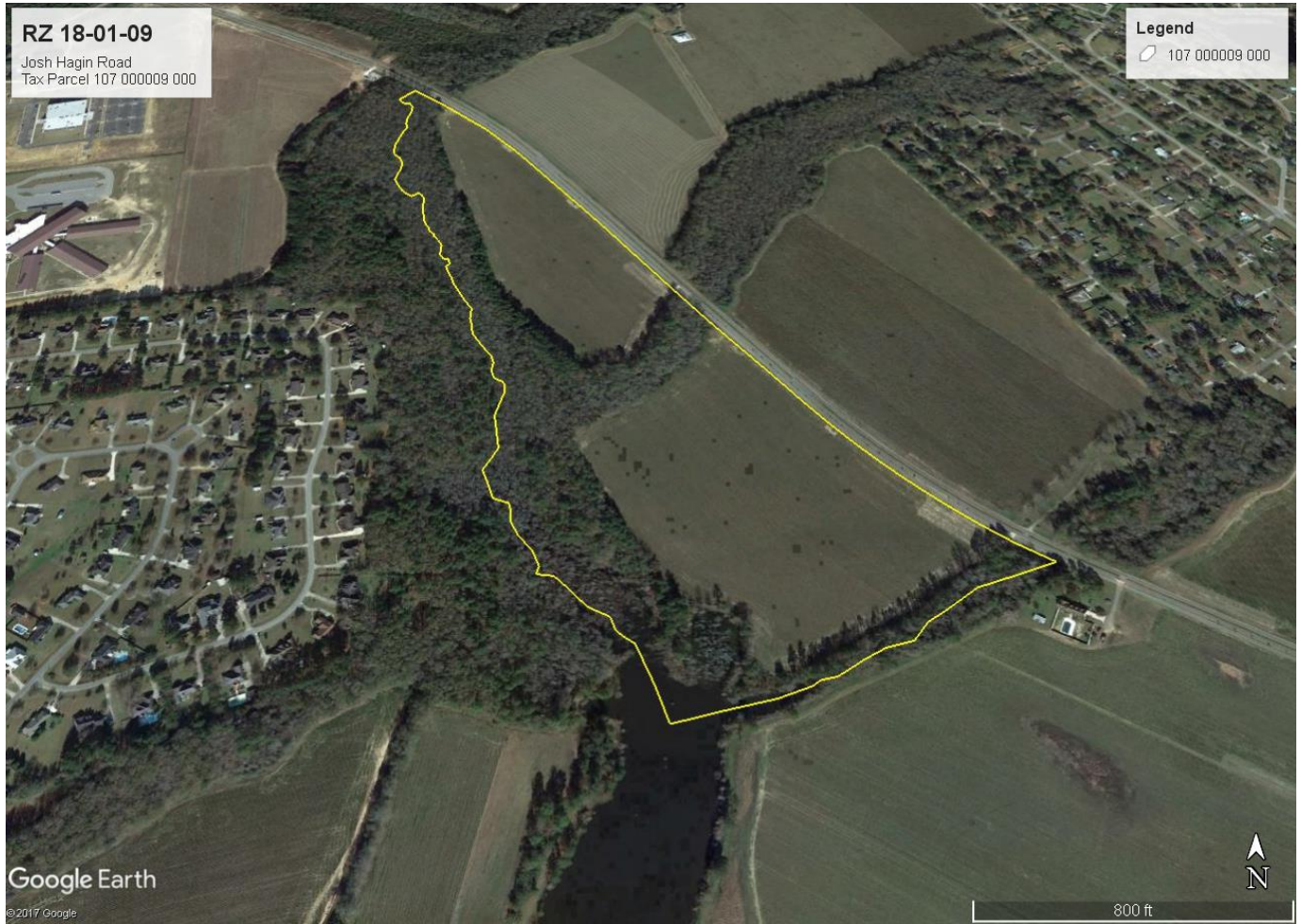
Mandi Cody  
Director, Planning & Development

cc: Walter Ray Beasley, Executor  
George T. Beasley, Executor  
Planning Commission Members via email  
Robert Cheshire, City Engineer via email  
Justin Daniel, GIS Coordinator via email  
Jim Anderson via e-mail

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**EXHIBIT D: PHOTOS OF SUBJECT SITE**

**Picture 1: Aerial View of Subject Site**



**Picture 2: Subject Site Facing West**



**EXHIBIT D: PHOTOS OF SUBJECT SITE (CONT.)**

**Picture 3:** Subject Site Facing Southwest



**Picture 4:** Subject Site Facing South Depicting the S&S Greenway Trail and S&S Railroad Bed Road

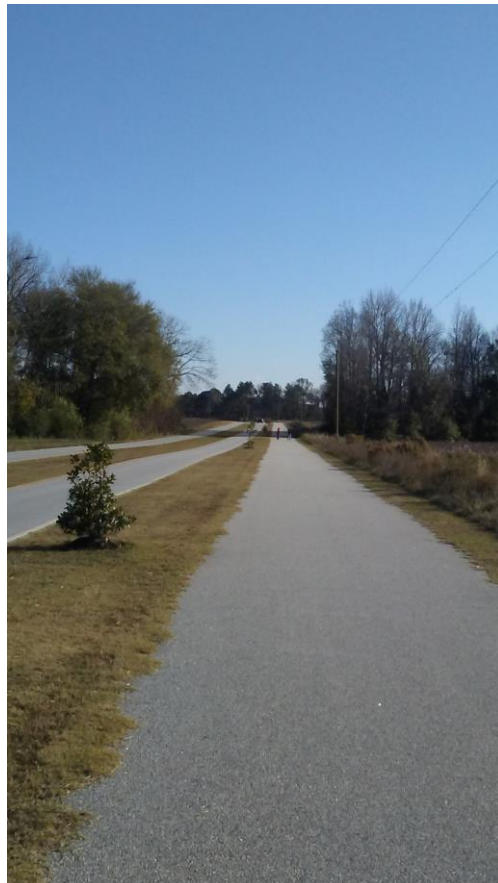
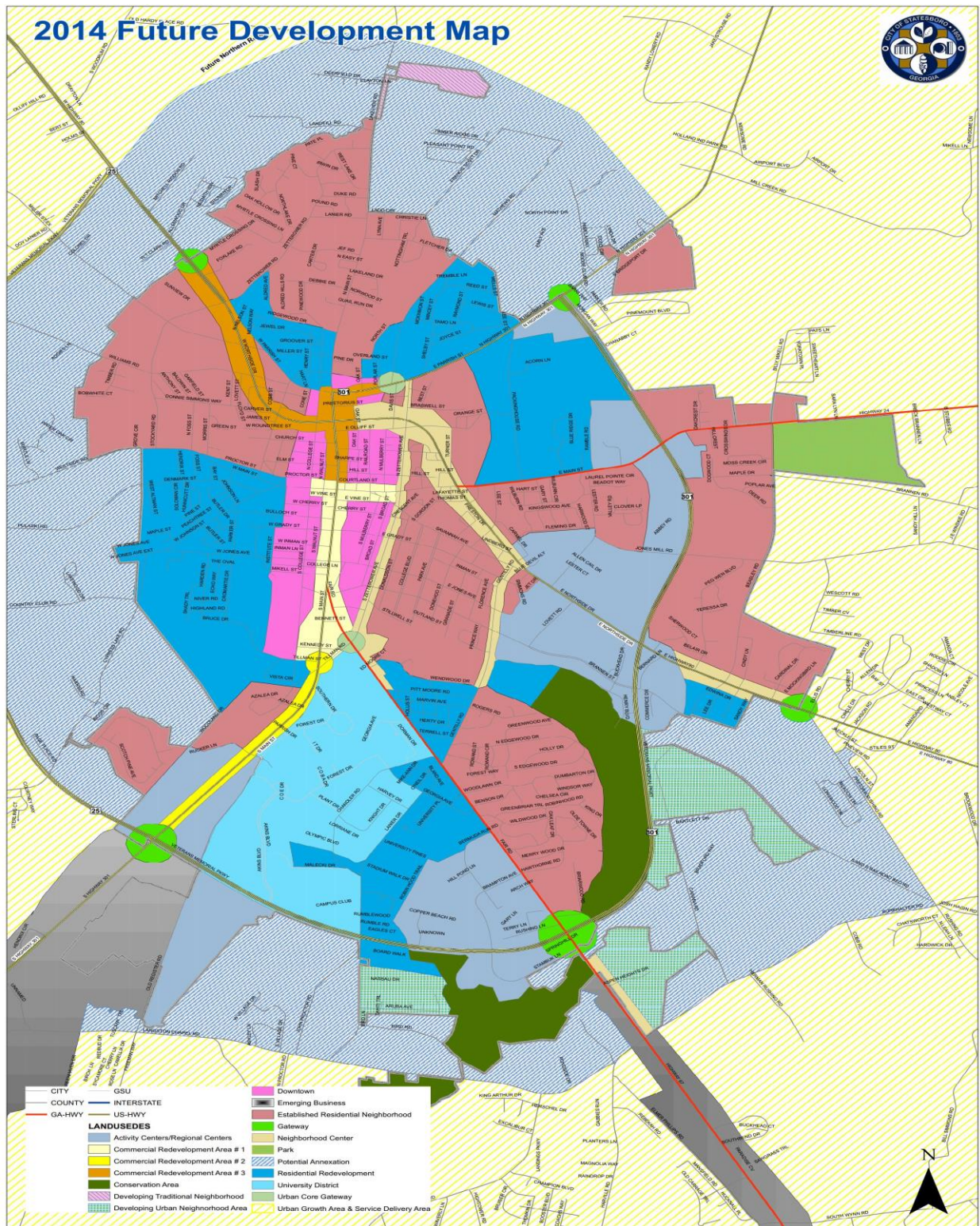


EXHIBIT E: CITY OF STATESBORO 2014 FUTURE DEVELOPMENT MAP





# CITY OF STATESBORO



## COUNCIL

Phil Boyum, District 1  
Sam Jones, District 2  
Jeff Yawn, District 3  
John Riggs, District 4  
Travis L. Chance, District 5

Jonathan M. McCollar, Mayor  
Randy Wetmore, City Manager  
Robert Cheshire, Deputy City Manager  
Sue Starling, City Clerk  
I. Cain Smith, City Attorney

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50 EAST MAIN STREET • P.O. BOX 348 • STATESBORO, GEORGIA 30459-0348

**To:** Randy Wetmore, City Manager and Sue Starling, City Clerk

**From:** Candra Teshome, Planning & Development Specialist

**Date:** January 4, 2018

**RE:** January 16, 2018 City Council Agenda Items

**Policy Issue:** *Statesboro Zoning Ordinance: Zoning Map Amendment*

**Recommendation:** Staff does not have a recommendation of the zoning map amendment requested by application RZ 18-01-10.

**Background:** Mary J. Smith requests a zoning map amendment of .28 acres of property located at 220 South Zetterower Avenue from the R15 (Single-Family Residential) zoning district to the O (Office and Business Office District) zoning district to operate a professional office (Tax Parcel S30 000077 000).

**Budget Impact:** None

**Council Person and District:** Jeff Yawn (District 3)

**Attachments:** Development Services Report RZ 18-01-10



*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)

**RZ 18-01-10**  
**ZONING MAP AMENDMENT REQUEST**  
**220 SOUTH ZETTEROWER AVENUE**

**LOCATION:** 220 South Zetterower Avenue

**REQUEST:** Zoning map amendment of .28 acres of property located at 220 South Zetterower Avenue from the R15 (Single-Family Residential) zoning district to the O (Office and Business Office District) zoning district to operate a pest control service.

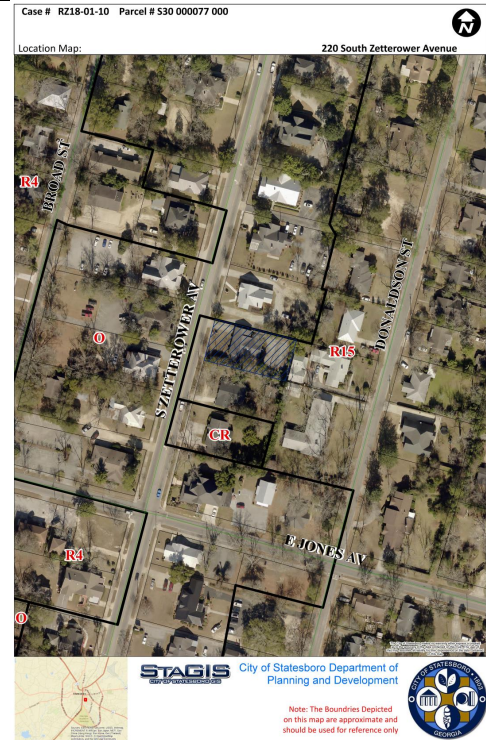
**APPLICANT:** Mary J. Smith

**OWNER(S):** Mary J. Smith

**ACRES:** .28 acres

**PARCEL TAX MAP #:** S30 000077 000

**COUNCIL DISTRICT:** 3 (Yawn)



**PROPOSAL:**

The applicant is requesting a zoning map amendment of .28 acres of property located at 220 South Zetterower Avenue from the R15 (Single-Family Residential) zoning district to the O (Office and Business Office District) zoning district to operate a professional office/pest control service. At the time of application for the zoning map amendment, the applicant was operating Guardian Pest Services, d.b.a. Knox Pest Control, at the location, which is not a use by right in the R15 (Single-Family Residential) zoning district (See **Exhibit A** – Location Map).

**BACKGROUND:**

The previous owner of the subject property, Jenny A. Smith, was granted a conditional use permit in 1997 (See **Exhibit C** – Case CUV 97-07-04 Judgment Letter). The judgment letter for the conditional use permit stated the permit would become void should the property owner quit leasing the property for one (1) year or if the property sold. Currently, the Bulloch County Tax Assessor’s website lists the applicant, Mary J. Smith, as the property owner, so the legal non-conforming status was terminated upon change in ownership.

**SURROUNDING LAND USES/ZONING:**

	ZONING:	LAND USE:
<b>NORTH:</b>	O (Office and Business Office District)	Professional office
<b>SOUTH:</b>	R15 (Single-Family Residential)	Single-family dwelling unit
<b>EAST:</b>	R15 (Single-Family Residential)	Single-family dwelling unit
<b>WEST:</b>	O (Office and Business Office District)	Personal service facility

The subject parcel is surrounded by property that is zoned for commercial uses located in single-family dwelling units, with the exception of the parcel immediately south of the subject site, which appears to be used as a residence. (See **EXHIBIT C**—Photos of the Subject Site and **EXHIBIT D**—Surrounding Properties).

**COMPREHENSIVE PLAN:** The subject site lies within the “Neighborhood Center” 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*.

*Vision:*

This character area is characterized by a blend of lower to medium density residential and commercial, personal service, and offices that are neighborhood scale in size and intensity. This character area often acts as a buffer or transition area between single family residential areas and more intense commercial areas. These areas are likely to experience uncontrolled strip development if growth is not properly managed. This character area strives to balance the provision of neighborhood services with the protection of nearby residential areas.

*Appropriate Land Uses*

- Single family residential
- Medium density residential
- Neighborhood scale commercial, office, and service

*Suggested Development & Implementation Strategies*

- A mix of approximately scaled retail, services, and offices to serve neighborhood residents day to day need.
- Particular attention should be paid to signage to prevent visual clutter.
- Encourage way finding, on site and monument style signage.

*Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 23.*

**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.

**ANALYSIS:**

**I. Application RZ 18-01-10: Whether or not to grant a zoning map amendment from the R15 (Single-Family Residential) zoning district to the O (Office and Business Office District) zoning district**

The request to rezone the subject parcel from the R15 (Single-Family Residential) zoning district to the O (Office and Business Office) zoning district should be considered in light of the standards for determination of zoning map amendments given in Section 2007 of the *Statesboro Zoning Ordinance*; the vision and community policies articulated within the *Statesboro Comprehensive Plan*, the *2035 Bulloch County/City of Statesboro Long Range Transportation Plan* and the potential for the property to develop and be utilized in conformance with the requirements of the proposed O (Office and Business Office District) zoning district as set forth in the *Statesboro Zoning Ordinance*. Following is a brief comparison of the current zoning and the proposed zoning:

**Current Zoning Compared to Requested Zoning**

**O** – Office and business office districts allow for general professional offices, single-family dwelling units, churches and other less intense uses. This district promotes neighborhood-scale development providing services to the surrounding community.

**R15** – Single-family residential districts are restricted to single-family detached dwellings, educational and religious facilities, public utilities and non-recreational uses, to name a few.

In 1997, the property owner of the subject site, Jenny A. Smith, was granted a conditional use permit for uses allowed by right in the O (Office and Business Office District) zoning district per case CUV 97-07-04 (See **Exhibit B** – Case CUV 97-07-04 Judgment Letter). The expiration of the permit upon the sale of the property was a condition of its issuance. The last known business license reviewed by the Department of Planning and Development was for Choices of the Heart PRC in 2014, at which time the property owner listed was Mrs. W.R. Smith, and staff recommended zoning determination approval pursuant to case number CUV 97-07-04 (See **Exhibit C** – Choices of the Heart PRC Zoning Determination Memorandum). At this time, the applicant is listed in the Bulloch County Tax

Assessor's website as the owner of the property. Consequently, upon the sale of the property, the conditional use permit was terminated, which facilitated this request for a zoning map amendment.

**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 in "balancing the promotions of the public health, safety, morality (morals), and general welfare against the right of unrestricted use of property." Those standards are as follows:**

- (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.**
- (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.**
- (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: population density in the area; community facilities; living conditions in the area; traffic patterns and congestion; environmental aspects; existing and future land use patterns; property values in adjacent areas; and**
- (8) Consistency with other governmental land use, transportation, and development plans for the community.**

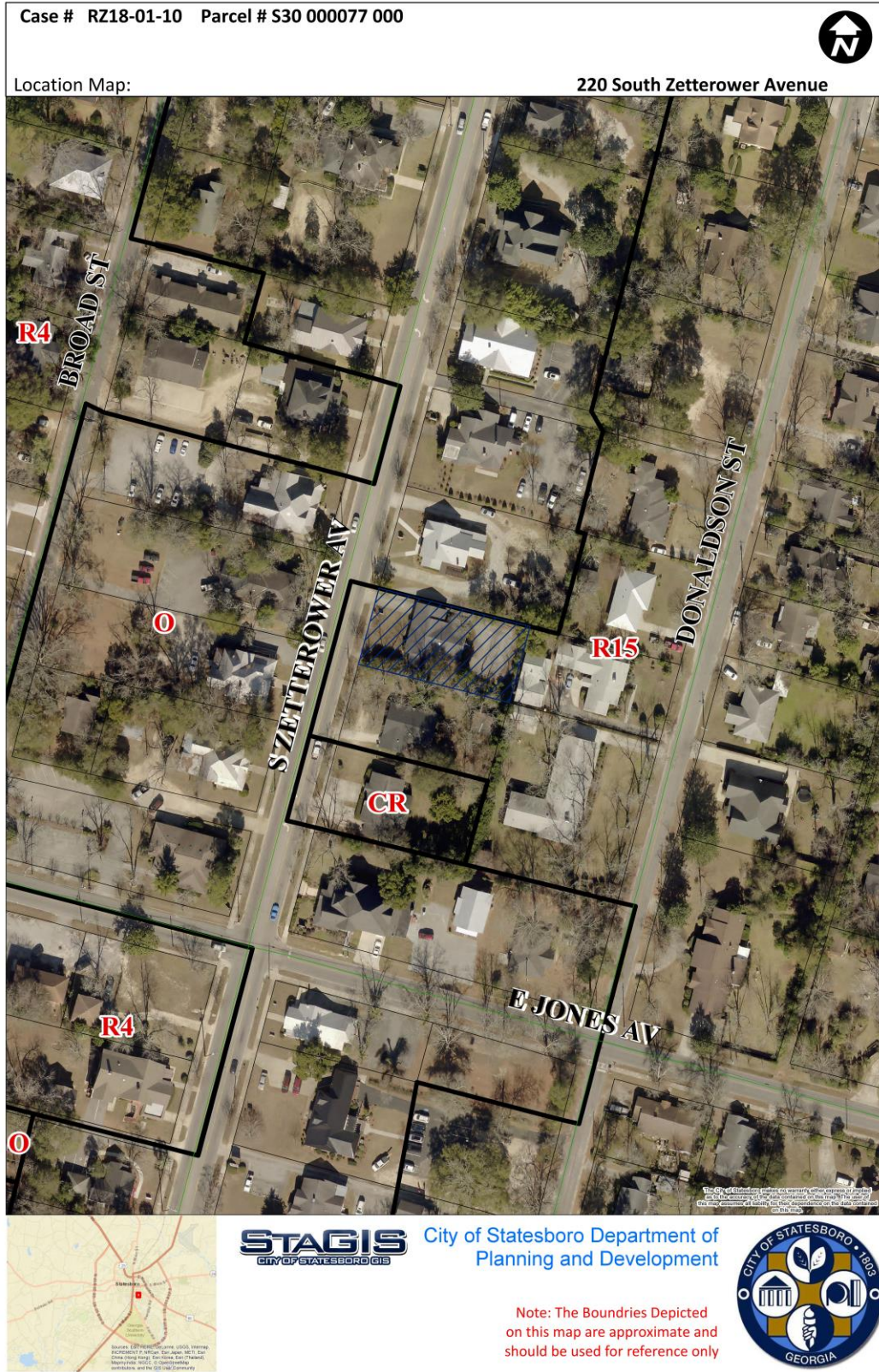
**STAFF RECOMMENDATION:**

Staff has no recommendation for the zoning map amendment requested by application RZ 18-01-10. The majority of parcels on South Zetterower Avenue between East Jones Street and East Grady Street on both sides of the road are zoned O (Office and Business Office District) and current uses in the vicinity are consistent with uses by right in the O (Office and Business Office District) zoning district. In addition, the Neighborhood Center character area promotes the development of neighborhood-scale commercial, office, and service uses. Should Council approve the request, the applicant should be required to abide by state and federal regulations as they pertain to the storage, mixing and management of pesticides and other applicable substances used in the course of the proposed business.

**PLANNING COMMISSION RECOMMENDATION:**

At its regularly scheduled meeting, held Tuesday, January 2, 2018, the Planning Commission voted 7-0 to deny the request made by application RZ 18-01-10.

EXHIBIT A: LOCATION MAP



**EXHIBIT B: CUV 97-07-04 JUDGMENT LETTER**



**COUNCIL**  
Cory L. Andrews  
Wendell W. Hagins  
Frank C. Parker  
David Shumake  
Jack B. Williamson

**CITY OF STATESBORO**  
50 EAST MAIN STREET  
P.O. BOX 348  
STATESBORO, GEORGIA 30459

David H. Averitt, Mayor  
H. Carter Crawford, City Administrator  
Judy McCorkle, City Clerk  
Robert Cheshire, P.E., City Engineer  
Sam Brannen, City Attorney

August 12, 1997

Mrs. Jenny A. Smith  
219 College Boulevard  
Statesboro, GA 30458

Dear Mrs. Smith:

As you are already aware, City Council voted to approve your residential property at 220 South Zetterower for a conditional use permit only. This means that your property enjoys all the rights and privileges of an O-Office zoned property; however, if you quit leasing the building for a year or sell the property, the conditional use status becomes void.

I am glad that things worked out for you. If I can ever assist you again, please contact me here at the City at 764-5468.

Sincerely,

Joseph M. Mosley  
Planning Director

Telephone: (912) 764-5468 • Fax: (912) 764-4691

EXHIBIT C: CHOICES OF THE HEART PRC ZONING DETERMINATION (2014)



City of Statesboro  
Department of Planning and Development Memorandum

50 East Main Street P.O. Box 348 » (912) 764-0630  
Statesboro, Georgia 30458 Statesboro, Georgia 30459 » (912) 764-0664 (Fax)

**DATE:** March 24, 2014  
**TO:** Teresa Skinner, Tax Clerk  
**SUBJECT:** BUSINESS OCCUPATION TAX APPLICATION (220 S. Zetterower Ave., Choices of the Heart PRC)

The Department of Planning and Development has reviewed the business occupation tax application submitted by Choices of the Heart PRC for 220 S. Zetterower. The applicant is proposing a "non-profit pregnancy resource center" at the location. The proposed use is permitted at the location and **the application may be approved**. Staff's recommendation is based on the following:

- 1) **Zoning District:** 220 S. Zetterower Ave. is located in the R15 (Single-Family Residential) district.
- 2) **Zoning Use Classification:** Per Article V, a "non-profit pregnancy resource center" is not permitted in the R15 (Single-Family Residential) district.

However, the zoning for this use in this district may be permitted in accordance with Case Number CUV 97-07-04, in which the property owner was granted a conditional use variance to "operate as an O (Office) zoned property" at the location. Please note that conditional use variances are not transferable and only applies to the current property owner.

- 3) **Parking:** Pursuant to Article VXi of the *Statesboro Zoning Ordinance*, a "non-profit pregnancy resource center" must provide one parking space per every 1000 square feet of customer service area.
- 4) **Signage:** This property is located in Sign District 1. Per Article XV (Signs) of the *Statesboro Zoning Ordinance*, all proposed signage – whether a new sign or modification of an existing sign – must obtain a sign permit from the Statesboro Planning and Development Department.

Department of Planning and Development **approval** is based on the information provided within the business occupational tax application submitted for our review and case file **CUV #97-07-04**. This approval merely indicates that the proposed use is allowed in the zoning district. This approval does not confer rights to open or operate the proposed business until all dimensional requirements of the *Statesboro Zoning Ordinance*, or applicable requirements of any other chapter of City Code have been met.

The Department of Planning and Development encourages all applicants to access the *Statesboro Zoning Ordinance* online at <http://www.statesboroga.gov>. Any questions concerning the *Statesboro Zoning Ordinance* may be directed to the Department of Planning and Development at (912) 764-0630. **The applicant is also encouraged to consult directly with representatives of the Engineering, Fire, Community Development and other permitting departments if any work on the building or site is occurring to determine whether or not building or site plans associated with the proposed use are necessary.**

Respectfully,

A handwritten signature in blue ink, appearing to read "Cindy M. Clifton".

Cindy M. Clifton  
Development Clerk

**EXHIBIT D: PHOTOS OF SUBJECT SITE**

**Picture 1: Subject Site Aerial View**



**Picture 2: Subject Site Front Elevation Facing Southeast**





**EXHIBIT D: PHOTOS OF SUBJECT SITE (CONT.)**

**Picture 3:** Subject Site Facing South Depicting South Zetterower Avenue and Adjacent Single-Family Residence



**Picture 4:** Subject Site Facing North Depicting Neighborhood-scale Businesses



**EXHIBIT D: PHOTOS OF SUBJECT SITE (CONT.)**

**Picture 5:** South Zetterower Avenue Facing Southeast Depicting O-zoned Parcels in Vicinity



**Picture 6:** Statesboro Dental Associates, P.C. Across South Zetterower Avenue from Subject Site Facing West



**EXHIBIT D: PHOTOS OF SUBJECT SITE (CONT.)**

**Picture 7:** Coastal Home Care, Inc. Adjacent to Subject Site Facing North



**Picture 8:** Rear of Subject Site Depicting Property Line with R15 (Single-Family Residential) zoning district with frontage on Donaldson Street and Parking Lot



**EXHIBIT D: PHOTOS OF SUBJECT SITE (CONT.)**

**Picture 9:** Rear of Subject Site Depicting Rear Elevation



**Picture 10:** Rear of Subject Site Depicting Rear Elevation

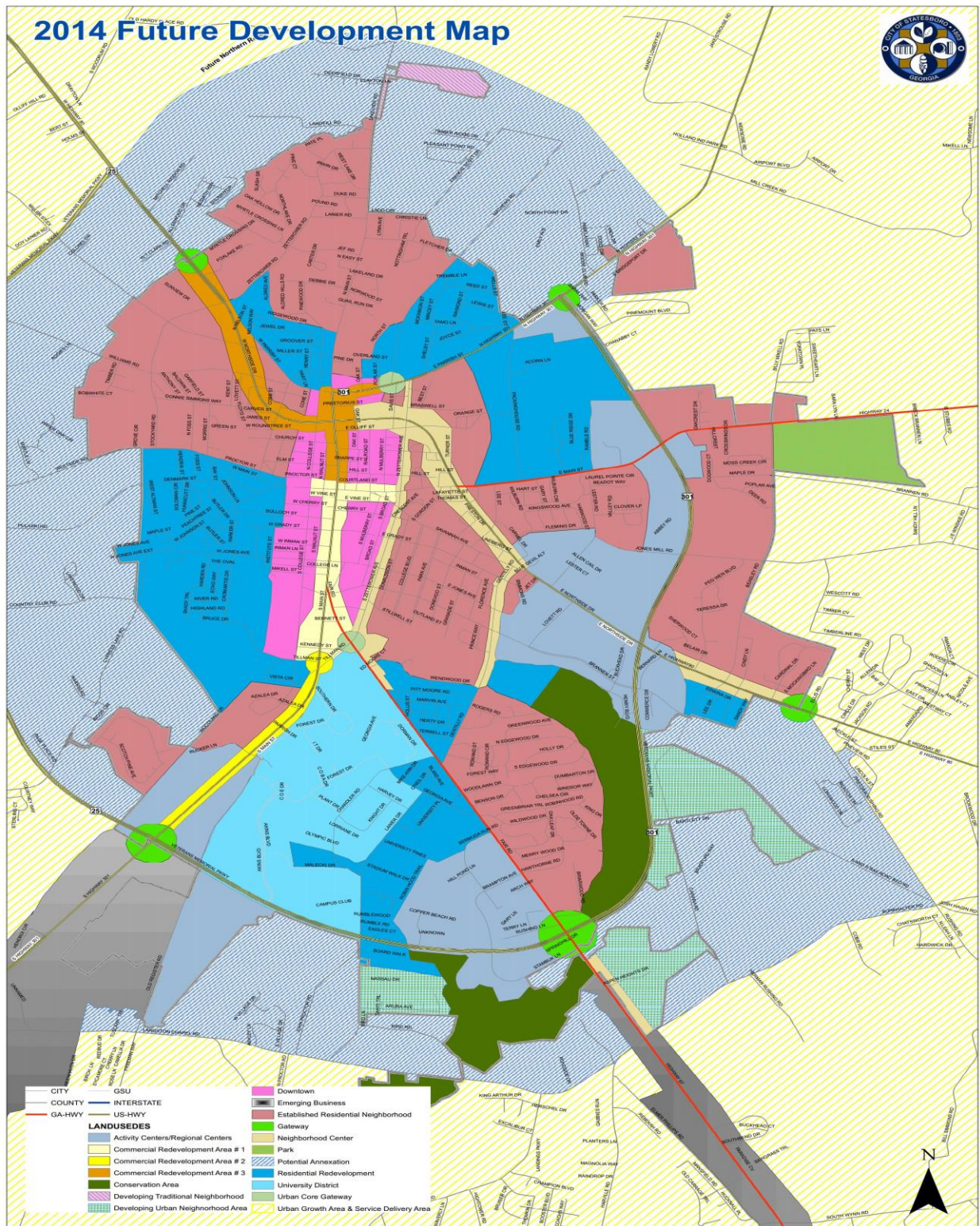


**EXHIBIT D: PHOTOS OF SUBJECT SITE (CONT.)**

**Picture 11:** Rear of Subject Site Depicting Property Line with R15 (Single-Family Residential) zoning district with frontage on Donaldson Street and Parking Lot



EXHIBIT E: CITY OF STATESBORO 2014 FUTURE DEVELOPMENT MAP



# CITY OF STATESBORO



## COUNCIL

Phil Boyum, District 1  
Sam Jones, District 2  
Jeff Yawn, District 3  
John Riggs, District 4  
Travis L. Chance, District 5

Jonathan M. McCollar, Mayor  
Randy Wetmore, City Manager  
Robert Cheshire, Deputy City Manager  
Sue Starling, City Clerk  
I. Cain Smith, City Attorney

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50 EAST MAIN STREET • P.O. BOX 348 • STATESBORO, GEORGIA 30459-0348

**To:** Randy Wetmore, City Manager and Sue Starling, City Clerk

**From:** Candra Teshome, Planning & Development Specialist

**Date:** January 4, 2018

**RE:** January 16, 2018 City Council Agenda Items

**Policy Issue:** *Statesboro Zoning Ordinance: Variances*

**Recommendation:** Staff recommends approval of the variance requested by application V 18-01-02. Staff recommends disapproval of the variance requested by V 18-01-03.

**Background:** Pete Williams requests a variance from Article VII Section 703(B)(3) to reduce the required front yard setback and a variance from Article VII Section 703(B)(2) regarding the maximum number of dwelling units allowed to construct a high-density residential development on a proposed combination of parcels located at 101 Broad Street and 105 Broad Street (Tax Parcels S29 000070 000 and S29 000071 000).

**Budget Impact:** None

**Council Person and District:** Sam Jones (District 2)

**Attachments:** Development Services Reports V 18-01-02 and V 18-01-03



*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 18-01-02 and V 18-01-03  
 VARIANCE REQUESTS  
 101 BROAD STREET AND 105 BROAD STREET**

**LOCATION:** 101 Broad Street and 105 Broad Street

**REQUEST:** Variance from Article VII Section 703(B)(3) to reduce the minimum required front yard setback and a variance from Article VII Section 703(B)(2) regarding the maximum number of dwelling units per acre

**APPLICANT:** Terry H. "Pete" Williams

**OWNER(S):** Terry H. "Pete" Williams and Debra M. Wells

**ACRES:** .82 acres

**PARCEL TAX MAP #:** S29 000070 000 and S29 000071 000

**COUNCIL DISTRICT:** 2 (Jones)



**PROPOSAL:**

The applicant has immediate plans to combine parcels S29 000070 000 and S29 000071 000 and construct eight (8) buildings that comprise one (1) group of apartment houses. An existing single-family dwelling will remain on the parcel currently address 105 Broad Street (Tax Parcel S29 000071 000). The subject parcels are zoned R4 (High Density Residential District) and the applicant requests one (1) setback variance and one (1) maximum dwelling units per acre variance (See **Exhibit A** – Location Map, **Exhibit B** – Conceptual Site Plan).

**SURROUNDING ZONING/LAND USES:**

ZONING:		LAND USE:
<b>NORTH:</b>	CBD (Central Business District)	Single-family detached dwelling and contractor offices
<b>SOUTH:</b>	R4 (High Density Residential District)	Single-family detached dwellings
<b>EAST:</b>	R4 (High Density Residential District)	Single-family detached dwelling
<b>WEST:</b>	R4 (High Density Residential District)	Apartment house and single-family detached dwelling



The subject site is one block west of South Zetterower Avenue and surrounded by mixed uses, including personal service facilities, restaurants, single-family dwellings and apartment houses. (See **EXHIBIT C**—Photos of the Subject Site).

#### **COMPREHENSIVE PLAN:**

The subject site lies within the “Downtown” character area as identified by the City of Statesboro 2014 Future Development Map (See **EXHIBIT F**—2014 Future Development Map) within the *City of Statesboro Updated 2014 Comprehensive Plan*.

#### *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*

- Range of housing styles & price points
- Multifamily Residential

#### *Suggested Development & Implementation Strategies*

- New development should respect historic context of building mass, height and setbacks.
- Historic structures should be preserved or adaptively reused wherever possible.
- 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 the subject sites. The parcels in this request are listed in the TAD under Appendix B (pages 45 and 49) (See **Exhibit D**—List of Parcels Included in the TAD). Tax parcel S29 000070 000 had an assessed value of \$6,160 in the 2014 TAD and the Bulloch County Tax Assessor’s Office on December 20, 2017. Tax parcel S29 000071 000 had an assessed value of \$24,686 in the 2014 TAD. On December 20, 2017, the Bulloch County Tax Assessor’s website listed the assessed value at \$26,245.

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

The 2011 Statesboro Downtown Master Plan Redevelopment Initiatives Locational Guidance land use map places the parcels in Zone 10—a “residential, institutional and mixed use,” which focuses on implementing residential stabilization to improve and maintain housing stock (See **Exhibit E**—Locational Guidance/Zone Implementation Table).

#### **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 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.

#### **ANALYSIS:**

##### **I. Application V 18-01-02: Whether or not to grant a variance from Article VII Section 703(B)(3) to reduce the minimum required front yard setback from 20 feet to 11 feet to construct a multi-family development**

The subject property is zoned R4 (High Density Residential District) and Article VII Section 703(B)(3) requires a minimum front yard setback of 20 feet. The applicant is requesting a nine (9) feet variance to reduce the front yard setback to eleven (11) feet.

**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:**

- 1) **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;**
  - a. The parcel's size, shape and topography are not unique to this property. The topography is fairly flat and has no effect on the proposed development. Adjacent parcels and other parcels in the vicinity are similar in size, shape and topography.
  - b. The applicant intends to combine both parcels, subsequently subdivide them and keep an existing single-family structure located at 105 Broad Street (Tax Parcel S29 000071 000). The existing residence was built in 1955, according to the Bulloch County Tax Assessor's website, and is set back approximately eleven (11) feet from the property line and/or ROW. Consequently, to maintain consistency in design, the applicant is requesting a nine (9) feet setback along Broad Street for the proposed construction. Staff feels this is a physical characteristic in an existing structure that creates a special condition.
- 2) **The special conditions and circumstances do not result from the actions of the applicant;**
  - a. The eleven (11) feet setback of the existing single-family structure is not a result of the applicant's actions.
- 3) **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
  - a. The application of the ordinance to this particular piece of property would create an unnecessary hardship by preventing an aesthetically pleasing modification to a currently vacant parcel. The existing single-family residence encroaches into the setback by nine (9) feet. Consequently, enforcing the setback would cause modifications to the development design to be inset in relation to the existing single-family residence.
- 4) **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**
  - a. The requested variance would not impair the purposes and intent of the zoning regulations by allowing the reduced setback. Allowing the setback reduction would allow the construction of a multi-family development that appears uniform in nature. Therefore, staff is supportive of the requested variance.

**II. Application V 18-01-03: Whether or not to grant a 1.1 dwelling unit variance from Article VII Section 703(B)(2) to increase the maximum allowed dwelling units per developable acre from 6.9 to 8**

Article VII Section 703(B)(2) states that no more than twelve (12) dwelling units are allowed per developable acre for apartment buildings in the R4 (High Density Residential District) zoning district. The total area of both parcels combined is 33,105.6 square feet. The applicant proposes the submission of both a combination plat and a subdivision plat, which will place the single-family residence on its own lot and the multi-family units on a separate lot. The minimum required lot area for a single-family residence per Article VI Section 603(A) is 8,000 square feet. Therefore, the resulting parcel containing the multi-family dwelling units will be 25,105.6 square feet, upon which the applicant can only construct 6.9 dwelling units. Therefore, the applicant requests a 1.1 dwelling unit variance.

**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:**

- 1) **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;**
  - a. The parcels' size, shape and topography are not unique to this property. The topography is fairly flat and has no effect on the proposed development. Adjacent parcels and other parcels in the vicinity are similar in size, shape and topography.
- 2) **The special conditions and circumstances do not result from the actions of the applicant;**
  - a. Staff is unaware of any special conditions or circumstances regarding the subject parcels.
- 3) **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
  - a. The application of the ordinance to this particular piece of property would not create an unnecessary hardship. The applicant would not be deprived of all reasonable uses of the property if the ordinance is applied.

**4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**

- a. The requested variance would impair the purposes and intent of the zoning regulations by exceeding the maximum allowed dwelling units per acre on a property that is not deficient in lot area and that does not have special conditions pertaining to the land. Therefore, staff is not supportive of the requested variance.

**STAFF RECOMMENDATION:**

Staff recommends approval of the variance requested by application V 18-01-02. Staff finds the applicant's request reasonable to accommodate new construction on a currently vacant lot and maintain uniform alignment with an existing single-family residence

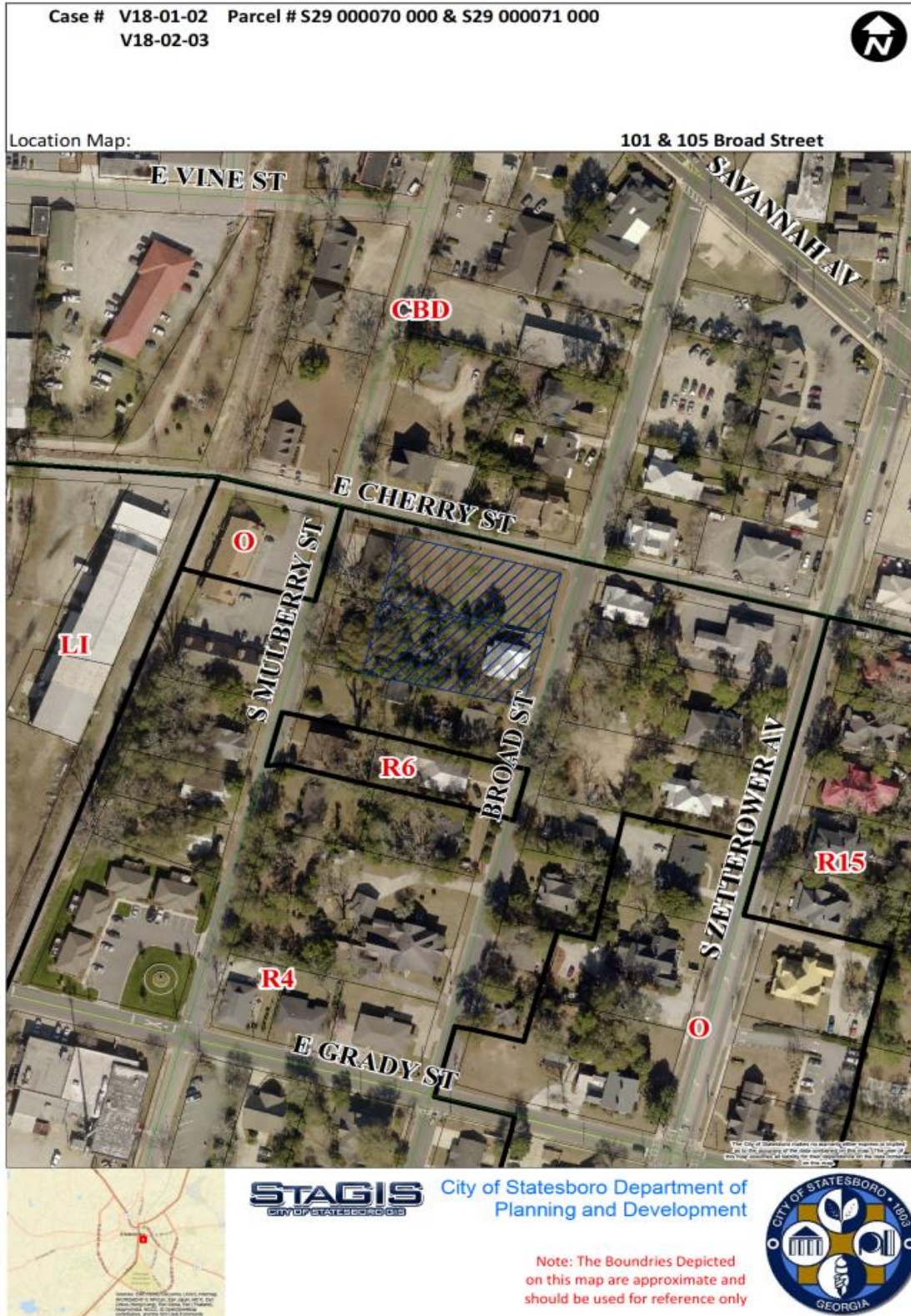
Staff recommends disapproval of the variance requested by application V 18-01-03. The subject parcel meets and/or exceeds the minimum standards set forth in Article VII Section 703(B)(2) regarding the maximum allowed dwelling units, as the applicant could propose one less unit. There is no evidence of a hardship.

*(Please note: Unless otherwise stated in any formal motion by City Council, staff considers the conceptual site plan (Exhibit B) submitted on behalf of the applicant for this request to be illustrative only. Approval of the application does not constitute approval of any final building or site plan).*

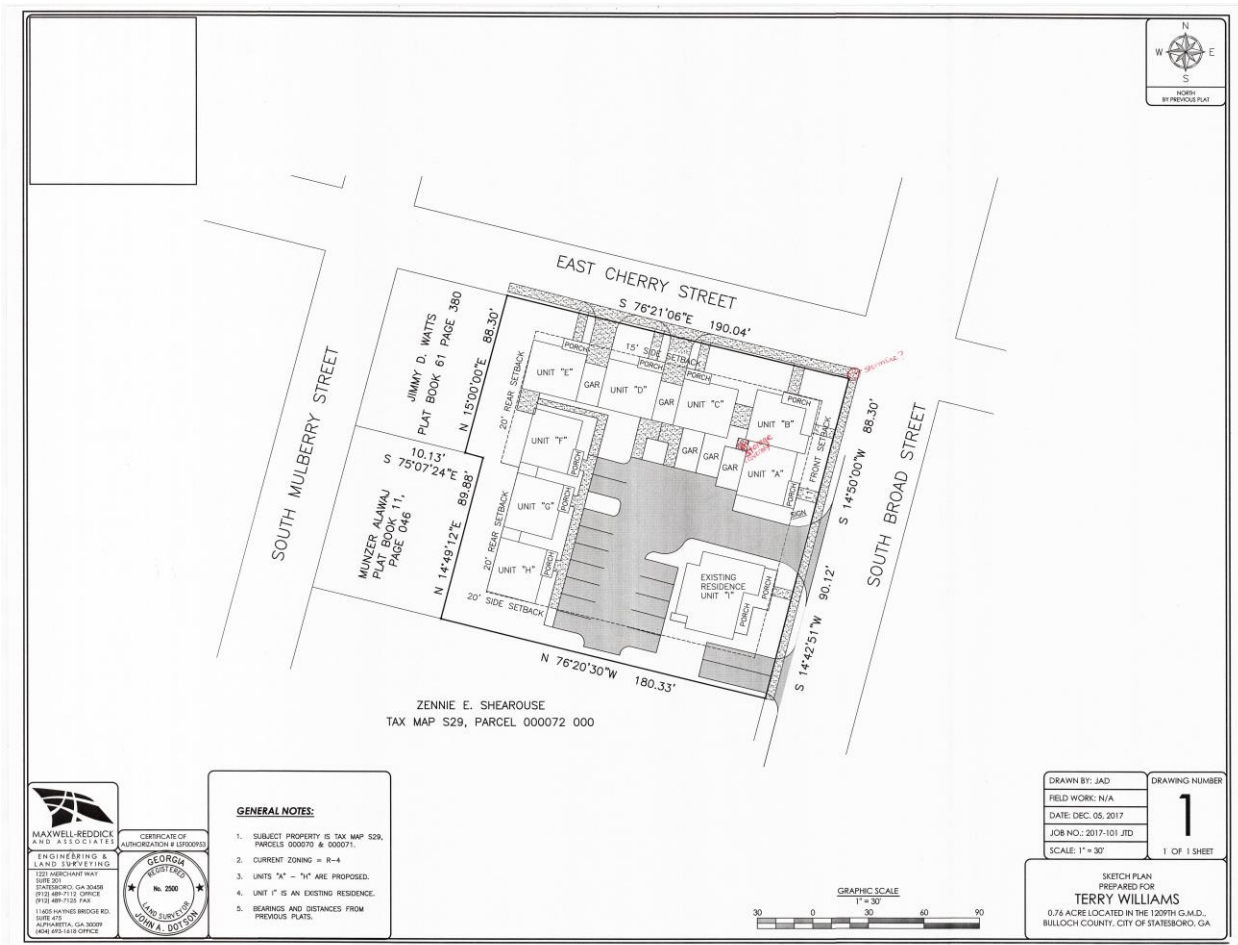
**PLANNING COMMISSION RECOMMENDATION:**

At its regularly scheduled meeting, held Tuesday, January 2, 2018, the Planning Commission voted 7-0 to approve the variances requested by applications V 18-01-02 and V 18-01-03.

**EXHIBIT A: LOCATION MAP**



**EXHIBIT B: CONCEPTUAL SITE PLAN**



**(Please note: Unless otherwise stated in any formal motion by City Council, staff considers the conceptual site plan (Exhibit B) submitted on behalf of the applicant for this request to be illustrative only. Approval of the application does not constitute approval of any final building or site plan).**

**EXHIBIT C: PHOTOS OF SUBJECT SITE**

**Picture 1: Subject Site Aerial View**



**EXHIBIT C: PHOTOS OF SUBJECT SITE (CONTINUED)**

**Picture 2:** Subject Site from Broad Street facing West toward South Mulberry Street



**Picture 3:** Subject Site from Broad Street facing Northwest toward East Cherry Street



**EXHIBIT C: PHOTOS OF SUBJECT SITE (CONTINUED)**

**Picture 4: Single-Family Dwelling at 105 Broad Street**



**Picture 5: Shared Lot Line Between 101 Broad Street and 105 Broad Street**





**EXHIBIT C: PHOTOS OF SUBJECT SITE (CONTINUED)**

**Picture 6:** Porch of Single-Family Dwelling at 105 Broad Street Depicting Setback



**EXHIBIT D: LIST OF PARCELS INCLUDED IN THE TAD**

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

2014

GEOPIN	PARCEL_NO	Legal Description	DIG CLASS	TAXD ISTRIC	Appraised Vaue	Assessed Value	Tax Value
7878-58-1970	S29 000053 000	214 S MULBERRY ST/PT LT 20	R	1	71,542	28,617	28,617
7878-58-2512	S30 000036 000	225 BROAD ST	R	1	69,011	27,604	27,604
7878-58-2631	S29 000085 000	223 BROAD ST	R	1	58,355	23,342	23,342
7878-58-2659	S29 000084 000	221 BROAD ST	R	1	63,722	25,489	25,489
7878-58-2778	S29 000083 000	217 BROAD ST	R	1	93,214	37,286	37,286
7878-58-2896	S29 000082 000	215 BROAD ST/JOHNSON	R	1	56,125	22,450	22,450
7878-58-2909	S29 000054 000	212 S MULBERRY ST	R	1	54,117	21,647	21,647
7878-58-3925	S29 000081 000	213 BROAD ST	R	1	61,534	24,614	24,614
7878-59-0361	S29 000045 000	OFFICE/EAST GRADY STREET	E	1	75,700	30,280	0
7878-59-0888	S29 000028 001	0.22 AC/PAR B	E	1	83,575	33,430	0
7878-59-1568	S29 000009 000	MULBERRY & E GRADY	C	1	26,280	10,512	10,512
7878-59-2027	S29 000055 000	210 S MULBERRY ST	R	1	56,873	22,749	22,749
7878-59-2157	S29 000056 000	208 S MULBERRY ST	R	1	88,118	35,247	35,247
7878-59-2352	S29 000057 000	EAST GRADY STREET	E	1	33,500	13,400	0
7878-59-2701	S29 000010 000	111 S MULBERRY ST	R	1	53,756	21,502	21,502
7878-59-2717	S29 000011 000	109 S MULBERRY ST	R	1	53,712	21,485	21,485
7878-59-2844	S29 000012 000	107 MULBERRY ST	R	1	60,182	24,073	24,073
7878-59-2986	S29 000013 000	APTS/103 S MULBERRY ST	R	1	181,367	72,547	72,547
7878-59-3053	S29 000080 000	211 BROAD ST PART LT 18	R	1	53,147	21,259	21,259
7878-59-3173	S29 000079 000	207 BROAD ST	R	1	84,962	33,985	33,985
7878-59-3321	S29 000058 000	110 E GRADY STREET	R	1	11,054	4,422	4,422
7878-59-3409	S29 000060 000	HART/107 E GRADY /	R	1	112,128	44,851	44,851
7878-59-3478	S29 000059 000	109 E GRADY ST	R	1	54,126	21,650	21,650
7878-59-3794	S29 000061 000	110 MULBERRY ST/RENTAL	R	1	55,449	22,180	22,180
7878-59-4218	S29 000078 000	ROWSE EST/114 E GRADY ST	R	1	85,090	34,036	34,036
7878-59-4465	S29 000077 000	111 E GRADY ST	R	1	79,532	31,813	31,813
7878-59-4630	S29 000076 000	115 BROAD ST	R	1	150,053	60,021	60,021
7878-59-4789	S29 000073 000	109 BROAD ST/LT 2/PAR B	R	1	80,910	32,364	32,364
7878-59-4801	S29 000073 001		R	1	110,461	44,184	44,184
7878-59-4828	S29 000072A000	106 S MULBERRY ST	R	1	20,349	8,140	8,140
7878-59-4926	S29 000062 000	104 S MULBERRY ST	R	1	27,985	11,194	11,194
7878-59-5710	S29 000074 000	LT 3 BROAD ST	R	1	59,110	23,644	23,644
7878-59-5854	S29 000072 000	107 BROAD ST	R	1	45,456	18,182	18,182
7878-59-5953	S29 000071 000	105 BROAD ST/ADKINS	R	1	61,714	24,686	24,686
7878-86-3752	S53 000001 000	SALLY ZETTEROWER SCHOOL	E	1	2,846,200	1,138,480	0
7879-20-5083	S11 000116 000	130 BULLOCH ST	R	1	13,662	5,465	5,465
7879-20-6799	S18 000175 000	CLUB ZONE/1.37 AC	C	1	445,550	178,220	178,220
7879-20-7236	S18 000171A000	2.24 AC	E	1	94,080	37,632	0
7879-20-8033	S19 000115 000	126 BULLOCH ST	R	1	5,100	2,040	2,040
7879-20-8306	S18 000171 000	0.50 AC / PAR 2	C	1	22,885	9,154	9,154
7879-20-8584	S18 000172 000	1.13 AC / PAR 1	R	1	24,600	9,840	9,840

Appendices

45

**EXHIBIT D: LIST OF PARCELS INCLUDED IN THE TAD**

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

2014

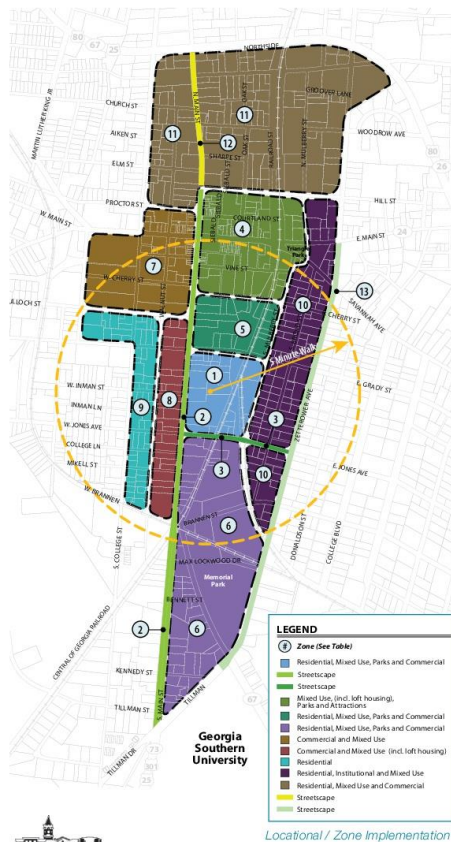
GEOPIN	PARCEL_NO	Legal Description	DIG CLASS	TAXD ISTRIC	Appraised Value	Assessed Value	Tax Value
7879-43-7200	S27 000021 000	10 N/SIDE DR E/PCL 1B/STRIP	C	1	43,000	17,200	17,200
7879-43-7476	S27 000017 001	OAK ST	C	1	98,958	39,583	39,583
7879-43-7506	S27 000009 000	OAK STREET	C	1	57,000	22,800	22,800
7879-50-0120	S29 000027 001	LT 13/0.11 AC/EAST CHERRY	E	1	30,200	12,080	0
7879-50-0231	S29 000020 001	LT 14/CHERRY ST	E	1	4,100	1,640	0
7879-50-0327	S29 000020 000	WAREHOUSE/VINE ST	C	1	92,432	36,973	36,973
7879-50-1065	S29 000029 000	LOT A/ 0.0.43	C	1	298,220	119,288	119,288
7879-50-1200	S29 000019 001	LT15/CHERRY ST	E	1	14,600	5,840	0
7879-50-1336	S29 000019 000	NORTHLAND CABLE/VINE ST	C	1	307,500	123,000	123,000
7879-50-2351	S29 000018 000	E VINE ST	E	1	32,200	12,880	0
7879-50-3286	S29 000015 000	2 LTS/S MULBERRY ST	C	1	158,682	63,473	63,473
7879-50-4044	S29 000063 000	102 S MULBERRY STREET	R	1	70,579	28,232	28,232
7879-50-4316	S29 000016 000	LT 3/S MULBERRY ST	C	1	160,253	64,101	64,101
7879-50-4435	S29 000017 000	11 S MULBERRY ST	C	1	251,238	100,495	100,495
7879-50-5063	S29 000070 000	101 BROAD ST	R	1	15,400	6,160	6,160
7879-50-5106	S29 000064 000	0.225 AC/15 S MULBERRY ST	C	1	183,874	73,550	73,550
7879-50-5236	S29 000065 000	ZETT/S MULBERRY/LANIER	C	1	70,328	28,131	28,131
7879-50-6123	S29 000069 000	13 BROAD STREET	R	1	69,741	27,896	27,896
7879-50-6149	S29 000068 000	R PARKER/11 BROAD	R	1	73,751	29,500	29,500
7879-50-6276	S29 000067 000	9 BROAD ST	R	1	84,217	33,687	33,687
7879-50-6335	S28 000072 000	5 BROAD ST	C	1	276,352	110,541	110,541
7879-50-6407	S28 000073 001	S MULBERRY ST	C	1	334,667	133,867	133,867
7879-50-6454	S28 000073 000	S MULBERRY ST	C	1	76,000	30,400	30,400
7879-50-6576	S28 000078 000	112 SAVANNAH AVE	C	1	154,470	61,788	61,788
7879-50-6600	S28 000075 000	110 SAVANNAH AVE	C	1	189,525	75,810	75,810
7879-50-6926	S28 000097 000	109 & 111 E MAIN/ANDERSON	C	1	106,880	42,752	42,752
7879-50-7560	S28 000079 000	116 SAVANNAH AVE	C	1	237,533	95,013	95,013
7879-50-7955	S28 000090 000	115 E MAIN ST	R	1	8,000	3,200	3,200
7879-50-8945	S28 000089 000	117-119 E MAIN ST	R	1	74,470	29,788	29,788
7879-50-9947	S39 000012 000	123 E MAIN ST	C	1	68,190	27,276	27,276
7879-51-0343	S28 000111 000	46 OAK ST	C	1	25,200	10,080	10,080
7879-51-0529	S28 000116 000	AKINS BAIL BONDING	C	1	100,755	40,302	40,302
7879-51-0830	S28 000115 000	OAK STREET/LOT A	C	1	294,458	117,783	117,783
7879-51-1239	S28 000108A000	COURTLAND/RAILROAD ST	C	1	800	320	320
7879-51-1508	S28 000117 000	29 HILL ST/ LT C2	R	1	50,127	20,051	20,051
7879-51-1538	S28 000117 002	31 HILL STREET	R	1	41,072	16,429	16,429
7879-51-1810	S28 000120 000	RAILROAD ST	C	1	12,100	4,840	4,840
7879-51-2202	S28 000108 000	RAILROAD ST	C	1	26,100	10,440	10,440
7879-51-2517	S28 000118 000	HILL & R R ST	C	1	61,740	24,696	24,696
7879-51-2711	S28 000119 000	RAILROAD ST LOT D	C	1	47,550	19,020	19,020
7879-51-2825	S28 000117 001	LTS A,D/0.30 AC/OLD LIONS CLUB	R	1	48,105	19,242	19,242

Appendices

49

**EXHIBIT E: LOCATIONAL GUIDANCE/ZONE IMPLEMENTATION TABLE**

IMPLEMENTATION STRATEGY



**Locational Guidance for Redevelopment Initiatives**

The primary purpose of this section is to provide a locational framework for implementing redevelopment initiatives as part of the master plan. This framework is intended to offer guidance and basic parameters related to the general location of redevelopment opportunities and enhancement projects within the DDA. Leveraging the existing assets of Statesboro’s downtown and the community in an efficient, market-sensitive and contextual manner that will support a variety of redevelopment projects and initiatives are outlined below. Community assets include:

- Georgia Southern University
- The public and private realms of the downtown core
- Properties owned or controlled by the City of Statesboro and the DSDA
- Programmatic and Funding Elements (example: municipal events and functions, public funding strategies, existing initiatives and public/private partnerships, etc.)
- Vehicular and Pedestrian thoroughfares
- Property acquisition opportunities (i.e., vacant land, underdeveloped, unoccupied or substandard structures)

Based on the process utilized to create this master plan, a number of redevelopment opportunities are evident. These elements provide the basis for the locational framework and guidance identified herein.

- Georgia Southern University students and faculty are an important factor in shaping redevelopment opportunities downtown
- Parks, open space and public common areas are a primary consideration in programming new uses in the DDA
- Safe and efficient modes of pedestrian and bicycling circulation (including the potential for transit) are a critical component for evaluating the implementation of new projects within the DDA
- Developing elements that support local and regional destinations with respect to downtown Statesboro is a key redevelopment initiative



Locational / Zone Implementation

**EXHIBIT E: LOCATIONAL GUIDANCE/ZONE IMPLEMENTATION TABLE**

IMPLEMENTATION STRATEGY

**Locational / Zone Implementation Table – continued**





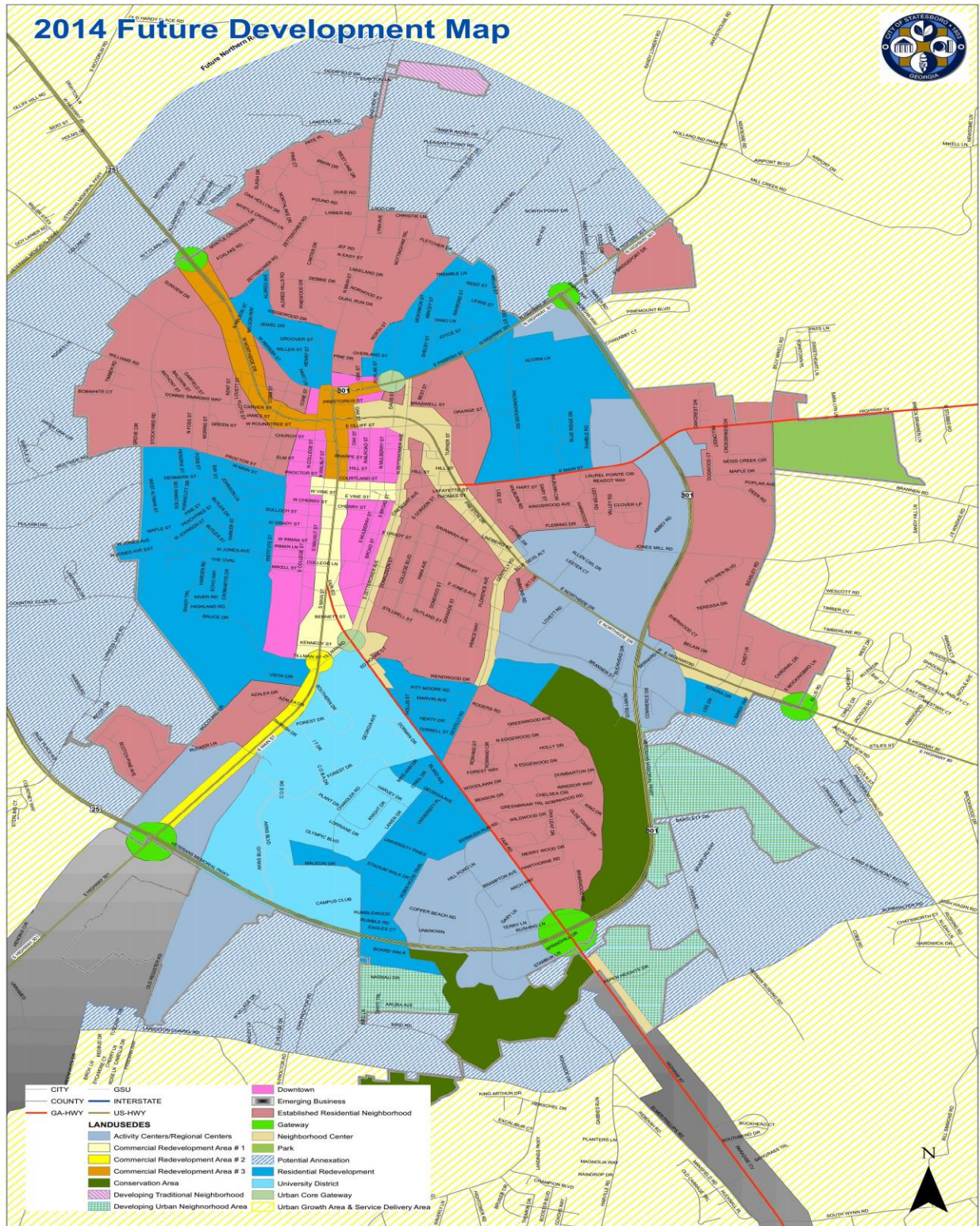
Zones	Targeted Use/Enhancement	Importance Level	Discussion
 10	Residential, Institutional and Mixed Use	Secondary, this area operates as a supportive element to downtown, but could potentially include some additional enhancement	<ul style="list-style-type: none"> <li>• Targeted redevelopment in this 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 E: CITY OF STATESBORO 2014 FUTURE DEVELOPMENT MAP



# CITY OF STATESBORO



## COUNCIL

Phil Boyum, District 1  
Sam Jones, District 2  
Jeff Yawn, District 3  
John Riggs, District 4  
Travis L. Chance, District 5

Jonathan M. McCollar, Mayor  
Randy Wetmore, City Manager  
Robert Cheshire, Deputy City Manager  
Sue Starling, City Clerk  
I. Cain Smith, City Attorney

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50 EAST MAIN STREET • P.O. BOX 348 • STATESBORO, GEORGIA 30459-0348

**To:** Randy Wetmore, City Manager and Sue Starling, City Clerk

**From:** Candra Teshome, Planning & Development Specialist

**Date:** January 4, 2018

**RE:** January 16, 2018 City Council Agenda Items

**Policy Issue:** *Statesboro Zoning Ordinance: Zoning Map Amendment and Variances*

**Recommendation:** Staff recommends approval of the zoning map amendment requested by application RZ 18-01-08 and the variances requested by applications V 18-01-06, V 18-01-07 and V 18-01-04.

**Background:** Josh Whitfield requests a zoning map amendment for a proposed combination of parcels addressed 91 South College Street and South College Street from the LI (Light Industrial) zoning district to the CBD (Central Business District) zoning district to permit the construction of a mixed-use development. In addition, Josh Whitfield requests a variance from Article XII Section 1214 to reduce the minimum required building setback and parking lot setback when a LI (Light Industrial) parcel abuts a residential district and two (2) variances from Article XV Section 1509(C) Table 5 and Table 6 regarding the maximum height and square footage allowed for two (2) freestanding signs (Tax Parcels S19 000002 000 and S19 000001 000).

**Budget Impact:** None

**Council Person and District:** Sam Jones (District 2)

**Attachments:** Development Services Reports RZ 18-01-08, V 18-01-06, V 18-01-07 and V 18-01-04



*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)

**RZ 18-01-08, V 18-01-04, V 18-01-05, V 18-01-06 & V 18-01-07**  
**ZONING MAP AMENDMENT & VARIANCE REQUESTS**  
**91 SOUTH COLLEGE STREET AND SOUTH COLLEGE STREET**

**LOCATION:** 91 South College Street and South College Street

**REQUEST:** Rezone from LI (Light Industrial) to CBD (Central Business District) zoning district; variance to reduce the minimum required building and parking lot setback; and a variance regarding the maximum height and square footage for two (2) freestanding signs

**APPLICANT:** Josh Whitfield

**OWNER(S):** Josh Whitfield

**ACRES:** 5.28 acres (combined)

**PARCEL TAX MAP #:** S19 000002 000 (2.97 acres) & S19 000001 000 (2.31 acres)

**COUNCIL DISTRICT:** 2 (Jones)



**PROPOSAL:**

The applicant is requesting a zoning map amendment for the proposed combination and subsequent subdivision of two (2) parcels: a 2.97 acre parcel located at 91 South College Street (S19 000002 000), a portion of which is to be rezoned from LI (Light Industrial) to the CBD (Central Business District) zoning district and a 2.31 acre parcel addressed South College Street (S19 000001 000) to be rezoned from LI (Light Industrial) to the CBD (Central Business District) zoning district. The applicant proposes the construction of mixed-use retail/office space containing lofts on the upper floors and the renovation of the existing warehouse to accommodate the applicant's existing business.

In addition, the applicant requests a variance from Article XII Section 1214, which requires a minimum building setback of two-hundred (200) feet and a minimum parking lot setback of one-hundred (100) feet from a residential district. The applicant also requests two (2) variances from Article XV Section 1509(C) Table 5 and Table 6 regarding the maximum height and square footage allowed for two (2) freestanding signs (See **Exhibit A**—Location Map, **Exhibit B**—Conceptual Site Plan, **Exhibit C**—Schematic Design Drawings).

**SURROUNDING LAND USES/ZONING:**

	ZONING:	LAND USE:
<b>NORTH:</b>	LI (Light Industrial)	Vacant
<b>SOUTH:</b>	R8 (Single-Family Residential) and CR (Commercial Retail)	Single-family dwellings
<b>EAST:</b>	HOC (Highway Oriented Commercial)	Church
<b>WEST</b>	LI (Light Industrial)	Municipal, county, state, or federal use: Bulloch County Recycling Center

Properties to the south are predominantly residential structures, while properties to the north, east and west contain a range of uses including a church, recycling center and vacant land. (See **Exhibit D**—Photos of Subject Site).



**COMPREHENSIVE PLAN:**

The subject site lies within the “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.

*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
- Office
- Neighborhood services
- Range of housing styles & price points
- 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

*Suggested Development & Implementation Strategies*

- Maintain/enhance integrity of interconnected grid and pedestrian circulation interconnectivity.
- 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.
- Historic structures should be preserved or adaptively reused wherever possible.
- 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.
- Economic development strategies should continue to nurture thriving commercial activity.

*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 parcels in this request are listed in the TAD under Appendix B (page 46). Tax parcel S19 000001 000 had an assessed value of \$22,560 in the 2014 TAD and the same assessed value on December 22, 2017, according to the Bulloch County Tax Assessor’s website. Tax parcel S19 000002 000 had an assessed value of \$70,992 in the 2014 TAD and an assessed value of \$71,558 on December 22, 2017.

**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:

The subject parcels are currently zoned LI (Light Industrial) and the applicant has immediate plans to construct a mixed-use development containing offices and/or retail space and residential lofts on the upper floors. The applicant proposes the combination of both parcels and the subsequent subdivision of the parcels.

### Current Zoning Compared to Requested Zoning

**LI** – Light Industrial districts permit wholesale, manufacturing, warehousing, assembly or processing and similar uses and regulate odors, gases or other contaminants, noise, air quality, vibrations and any other emissions that might be detrimental to the public health. When compared to the HI (Heavy Industrial) zoning district, this district is much more strict regarding emissions.

**CBD** – The Central Business District permits general retail, wholesale, office, personal service establishments, health care uses and apartments on upper floors, to name a few. This district allows for the development of major commerce.

I. **Application RZ 18-01-08: Whether or not to grant a zoning map amendment for the proposed combination and subsequent subdivision of two (2) parcels from LI (Light Industrial) to CBD (Central Business District)**

The request to rezone the subject properties should be considered in light of the standards for determination of zoning map amendments given in Section 2007 of the *Statesboro Zoning Ordinance*; the vision and community policies articulated within the city's primary land use policies: *The Statesboro Comprehensive Plan*, the *Statesboro Downtown Master Plan* and the *2035 Bulloch County/City of Statesboro Long Range Transportation Plan*; and the potential for the property to develop in conformance with the requirements of the proposed CBD (Central Business District) zoning district for uses as set forth in the *Statesboro Zoning Ordinance*.

**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;**
  - a. Adjacent property to the north and west is zoned LI (Light Industrial). Property to the south is zoned R8 (Single-Family Residential) and CR (Commercial Retail) and property to the east is zoned HOC (Highway Oriented Commercial).
- (2) **The extent to which property values are diminished by the particular zoning restrictions.**
  - a. The subject parcels are currently zoned LI (Light Industrial), which provides for more intense uses, including manufacturing and fabrication facilities, than those found in the CBD (Central Business District) zoning district. Consequently, the LI (Light Industrial) zoning district imposes strict regulations on proximity to residential districts, emissions and noise. While the applicant could construct the proposed development under the current zoning designation (LI), the applicant would be required to meet area, width and yard regulations that would diminish the applicant's access to several hundred feet of the parcel for construction.
- (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.**
- (4) **The relative gain to the public, as compared to the hardship imposed upon the property owner.**
  - a. While the current zoning (LI) of each parcel supports business and residential development, the surrounding zoning designations and land-use classifications vary from single-family residential to neighborhood-scale services, such as the Statesboro First United Methodist Church. The proposed zoning change to CBD (Central Business District), with less of the parcel designated LI (Light Industrial), provides for mixed-use construction and reduces the possibility of incompatible uses adjacent to neighborhood-scale zoning designations. Therefore, the public gains a less intense zoning designation for the majority of the proposed combined parcels.
- (5) **The suitability of the subject property for the zoned purposes.**
- (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.**
  - a. Both parcels have been vacant for several years.

- (7) **The extent the proposed change would impact the following: population density in the area; community facilities; living conditions in the area; traffic patterns and congestion; environmental aspects; existing and future land use patterns; property values in adjacent areas;**
- (8) **Consistency with other governmental land use, transportation, and development plans for the community.**

The Comprehensive plan supports appropriate infill within established areas of the City; however, the plan also supports that the placement and scale of infill compliment surrounding uses and zones and requires it to occur in a manner that protects established residential areas.

**II. Application V 18-01-06: Whether or not to grant a variance from Article XII Section 1214 to reduce the minimum required building and parking lot setback when a LI (Light Industrial) parcel abuts a residential district**

The requested variance from Article XII Section 1214 regarding the reduction of the minimum required building and parking lot setbacks should only be considered and/or permitted if the zoning map amendment requested by application RZ 18-01-08 is granted. Article XII Section 1214 states that no structure can be erected closer than two-hundred (200) feet and no parking lot closer than one-hundred (100) feet of any residential district.

The applicant's proposed development depicts a mixed-use structure (Parcel #7) that contains a residential loft on the upper floor. Upon reviewing the applicant's sketch plan dated August 11, 2017, staff determined the proposed building is thirty (30) feet from the existing LI (Light Industrial) zoning district. In addition, the applicant's submission depicts a parking lot roughly forty-one (41) feet from the proposed mixed-use construction. Therefore, the applicant is requesting a one-hundred seventy (170) feet building setback variance from the CBD (Central Business District) zoning district and a fifty-nine (59) feet parking lot variance from the CBD (Central Business District).

Section 1801 of the Statesboro Zoning Ordinance lists four factors that the Mayor and City Council should consider to be true when determining whether to grant a variance:

- (1) **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;**
- (2) **The special conditions and circumstances do not result from the actions of the applicant;**
- (3) **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
- (4) **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**

**III. Application V 18-01-07: Whether or not to grant a variance from Article XV Section 1509(C) Table 5 to increase the maximum allowed height and square footage for a freestanding sign**

The requested variance from Article XV Section 1509(C) Table 5 regarding an increase in the maximum allowed height and square footage for a freestanding sign can be considered and/or permitted independent of the zoning map amendment requested by application RZ 18-01-08.

The applicant proposes the installation of a reclaimed, possibly functional water tower that features signage. Article XV Section 1509(C) Table 5 restricts major signs for planned commercial centers to fifteen (15) feet in height. The applicant's proposal depicts a roughly forty-four (44) feet tall water tower featuring roughly seventy-five (75) square feet of signage.

Section 1801 of the Statesboro Zoning Ordinance lists four factors that the Mayor and City Council should consider to be true when determining whether to grant a variance:

- (1) **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;**
- (2) **The special conditions and circumstances do not result from the actions of the applicant;**
- (3) **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
- (4) **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**

**IV. Application V 18-01-04: Whether or not to grant a variance from Article XV Section 1509(C) to increase the maximum allowed height and square footage for a freestanding sign**

The requested variance from Article XV Section 1509(C) to increase the maximum allowed height and square footage for a freestanding sign can be considered and/or permitted independent of the zoning map amendment requested by application RZ 18-01-08. However, approval of the requested zoning map amendment would change the applicable sign regulations.

Should Council approve the zoning map amendment requested by application RZ 18-01-08, the sign will be required to meet the minimum requirements of Article XV Section 1509(C) Table 6. The proposed sign is prohibited in Sign District 4. In the event the zoning map amendment is not granted, the sign would be required to adhere to the minimum requirements of Article XV Section 1509(C) Table 5. The applicant has not submitted sufficient data to determine if the sign exceeds these requirements.

Section 1801 of the Statesboro Zoning Ordinance lists four factors that the Mayor and City Council should consider to be true when determining whether to grant a variance:

- (5) 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;**
- (6) The special conditions and circumstances do not result from the actions of the applicant;**
- (7) The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
- (8) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**

**STAFF RECOMMENDATION:**

Staff recommends approval of the zoning map amendment requested by application RZ 18-01-08 and the variances requested by applications V 18-01-04, V 18-01-06 and V 18-01-07 with the following conditions:

**CONDITIONS**

1. Per Article XXX Section 3010, the applicant shall provide sidewalks along Bulloch Street, Martin Luther King, Jr. Drive and Cherry Street.
2. The proposed development must meet the minimum requirements of the City of Statesboro Fire Department.
3. Subdivision, design, and development of the property shall be in conformance specifically with the requirements of the Statesboro Subdivision Regulations and all other developmental standards of the City of Statesboro.

**PLANNING COMMISSION RECOMMENDATION:**

At its regularly scheduled meeting, held Tuesday, January 2, 2018, the Planning Commission voted 7-0 to approve the zoning map amendment requested by application RZ 18-01-08 and the variances requested by applications V 18-01-04, V 18-01-06 and V 18-01-07 with staff's recommended conditions.

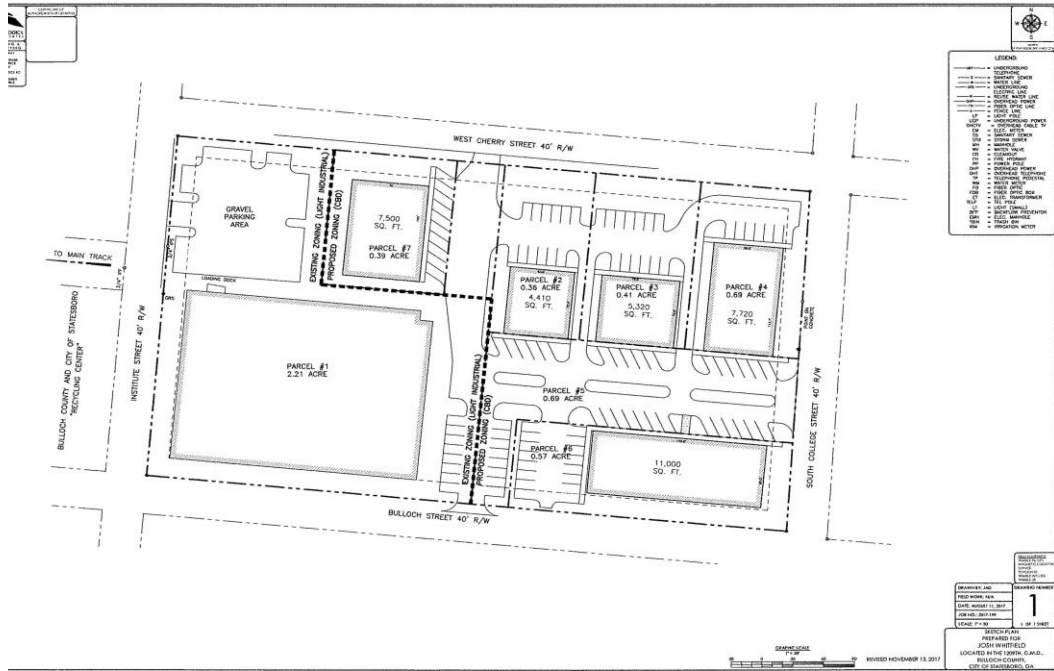
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2. The proposed development must meet the minimum requirements of the City of Statesboro Fire Department.
3. Subdivision, design, and development of the property shall be in conformance specifically with the requirements of the Statesboro Subdivision Regulations and all other developmental standards of the City of Statesboro.

**EXHIBIT A: LOCATION MAP**



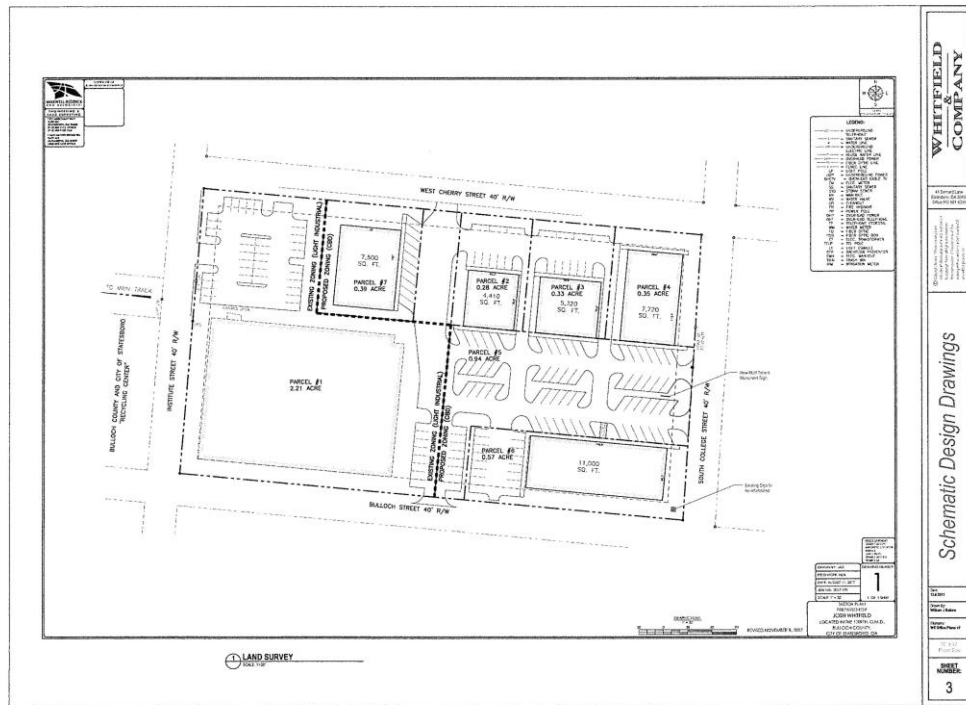
**EXHIBIT B: PROPOSED SITE PLAN**



**EXHIBIT C: SCHEMATIC DESIGN DRAWINGS**

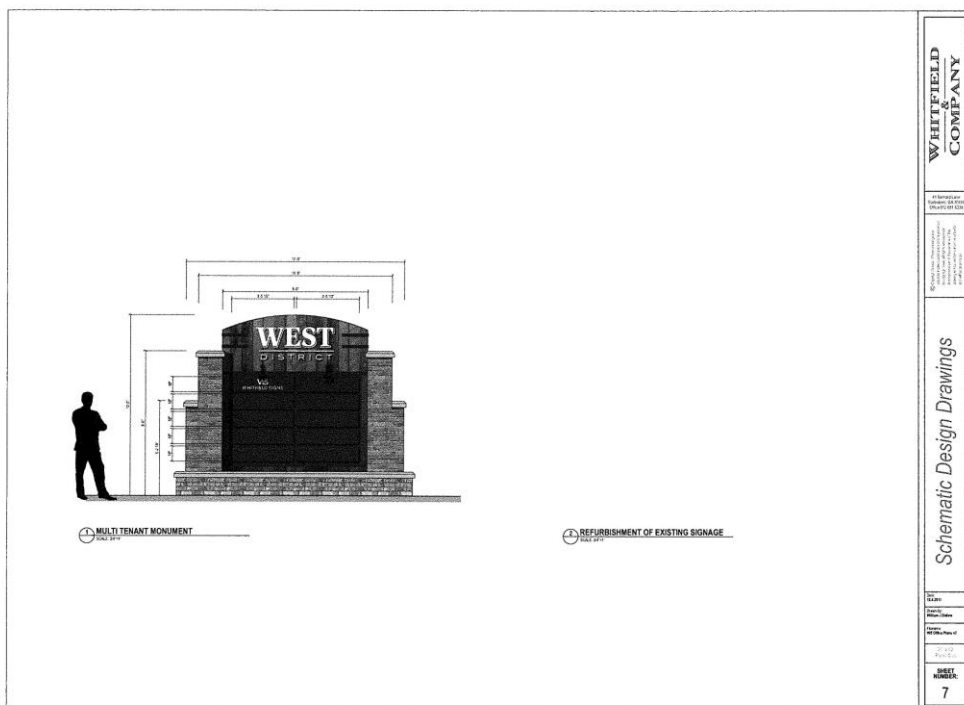
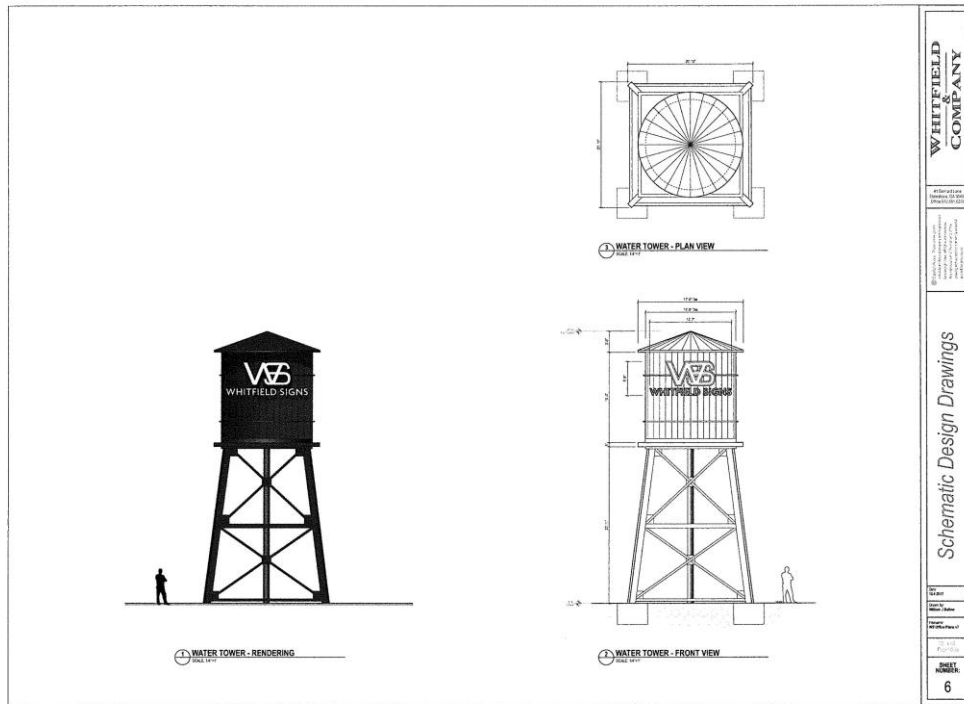


**EXHIBIT C: SCHEMATIC DESIGN DRAWINGS (CONT.)**

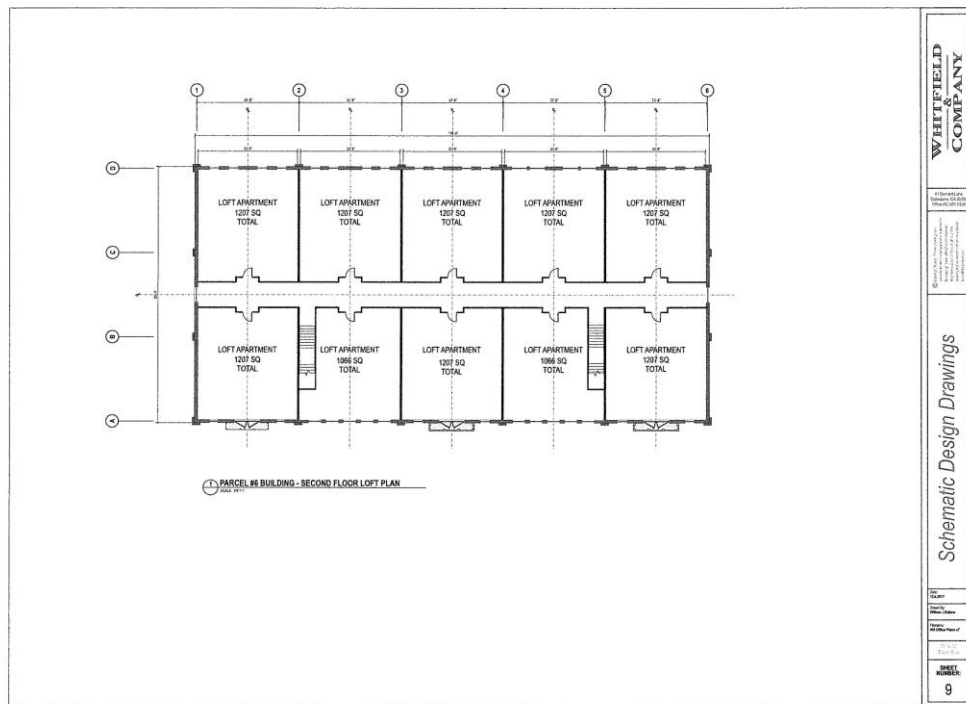
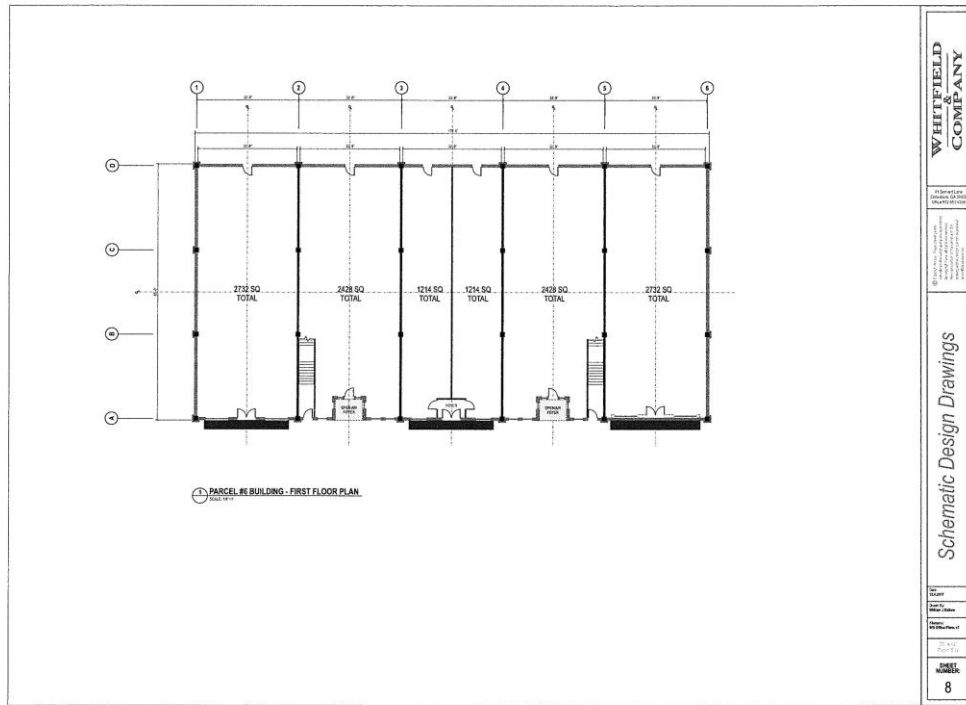




**EXHIBIT C: SCHEMATIC DESIGN DRAWINGS (CONT.)**



**EXHIBIT C: SCHEMATIC DESIGN DRAWINGS (CONT.)**



**EXHIBIT C: SCHEMATIC DESIGN DRAWINGS (CONT.)**

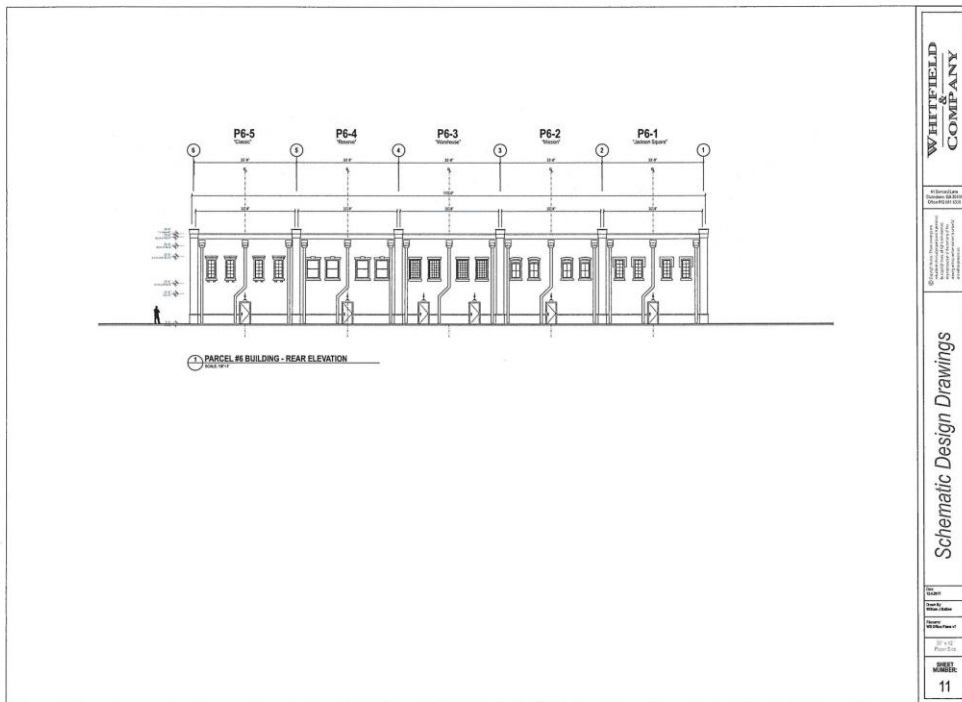


**WHITEFIELD & COMPANY**

4000 Lakeside Drive, Suite 100  
 San Diego, CA 92108  
 (619) 594-1100  
 www.whitefieldandcompany.com

**Schematic Design Drawings**

DATE: 12/22/18  
 DRAWN BY: J. [Name]  
 CHECKED BY: [Name]  
 PROJECT: [Name]  
 SHEET NO. 10



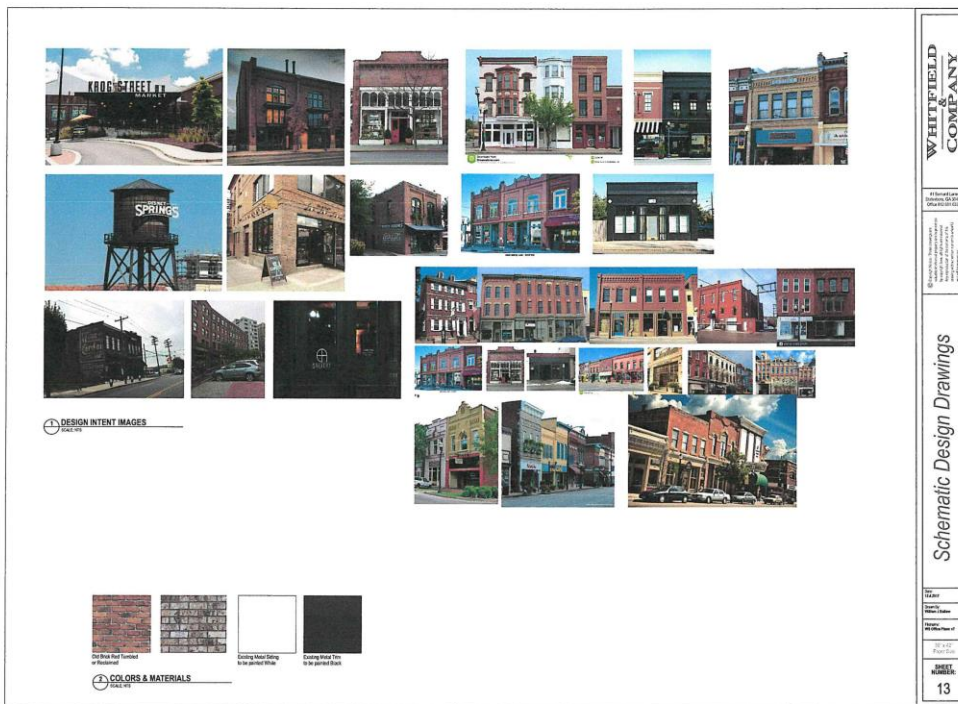
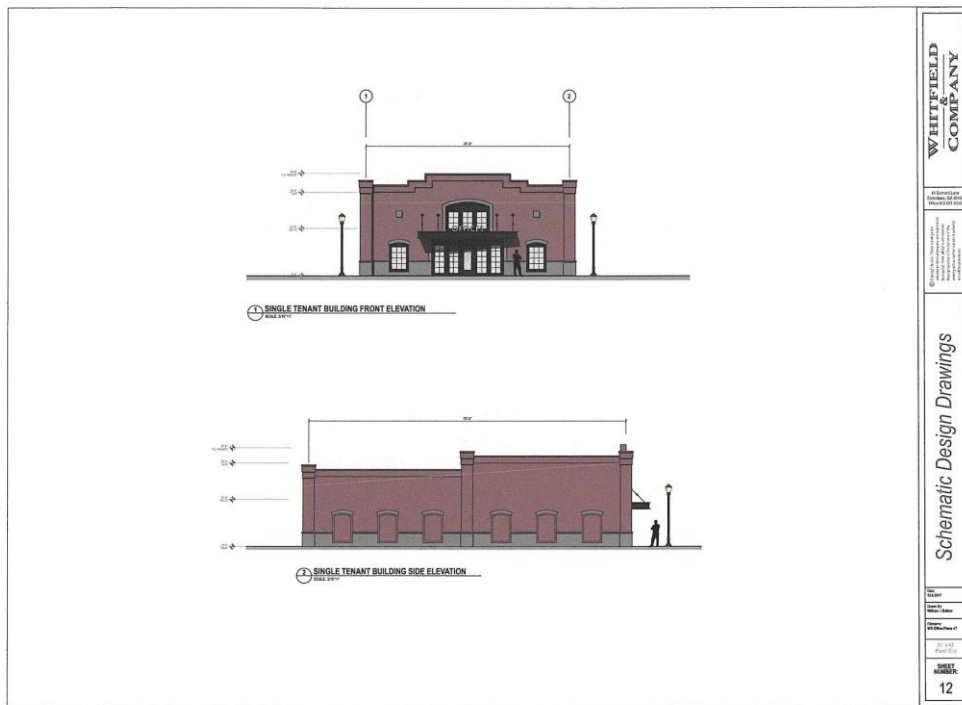
**WHITEFIELD & COMPANY**

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**Schematic Design Drawings**

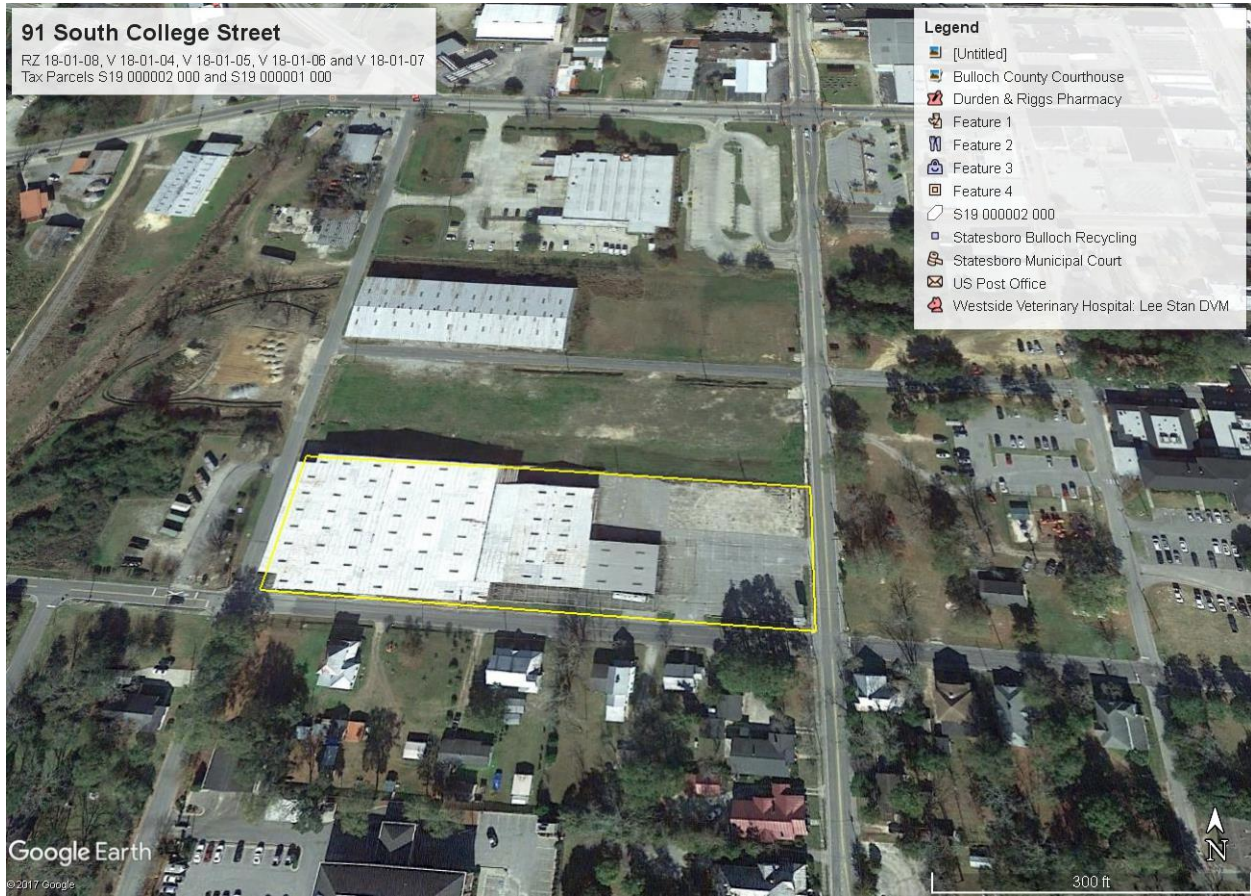
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 CHECKED BY: [Name]  
 PROJECT: [Name]  
 SHEET NO. 11

**EXHIBIT C: SCHEMATIC DESIGN DRAWINGS (CONT.)**



**EXHIBIT D: PHOTOS OF SUBJECT SITE**

**Picture 1: Subject Site Aerial View**



**EXHIBIT D: PHOTOS OF SUBJECT SITE**

**Picture 2:** Subject Site Depicting South College Street and Existing Sidewalk facing North



**EXHIBIT D: PHOTOS OF SUBJECT SITE**

**Picture 3:** Subject Site Depicting South College Street and Surrounding Residences facing Southeast



**Picture 4:** Subject Site Depicting Remaining Warehouse facing West



**EXHIBIT D: PHOTOS OF SUBJECT SITE**

**Picture 5:** Subject Site Depicting Bulloch Street and Surrounding Residences facing South



**Picture 6:** Subject Site facing West





**EXHIBIT D: PHOTOS OF SUBJECT SITE**

**Picture 7:** Subject Site Depicting Existing Warehouse facing West



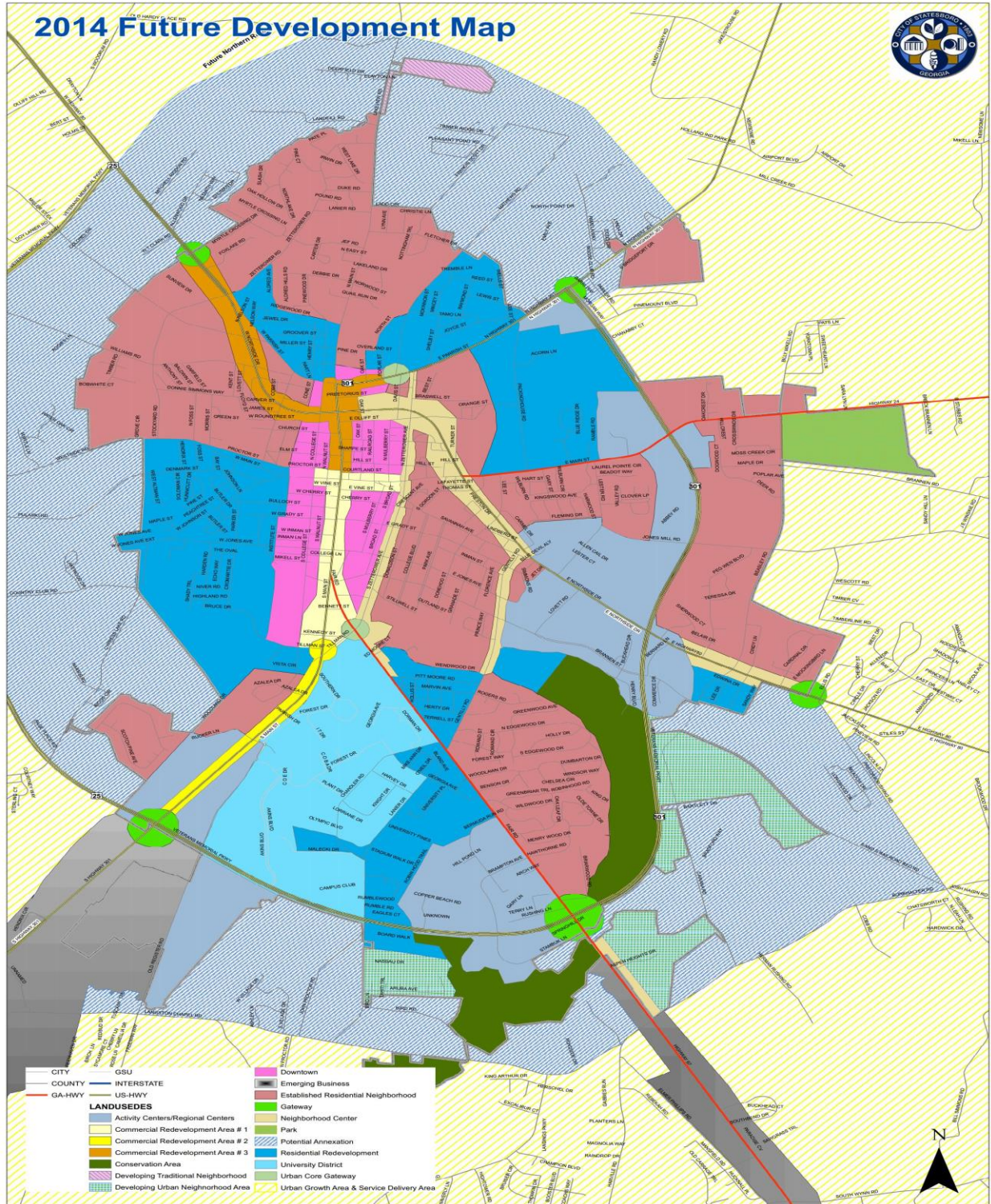
**Picture 6:** Subject Site facing North at Martin Luther King, Jr. Drive



**Picture 8:** Subject Site Depicting Existing Non-conforming Sign



EXHIBIT E: 2014 FUTURE DEVELOPMENT MAP



# CITY OF STATESBORO



## COUNCIL

Phil Boyum, District 1  
Sam Jones, District 2  
Jeff Yawn, District 3  
John Riggs, District 4  
Travis L. Chance, District 5

Jonathan M. McCollar, Mayor  
Randy Wetmore, City Manager  
Robert Cheshire, Deputy City Manager  
Sue Starling, City Clerk  
I. Cain Smith, City Attorney

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50 EAST MAIN STREET • P.O. BOX 348 • STATESBORO, GEORGIA 30459-0348

**To:** Randy Wetmore, City Manager and Sue Starling, City Clerk

**From:** Candra Teshome, Planning & Development Specialist

**Date:** January 4, 2018

**RE:** January 16, 2018 City Council Agenda Items

**Policy Issue:** *Statesboro Zoning Ordinance: Variances*

**Recommendation:** Staff recommends disapproval of the variances requested by applications V 18-01-11, V 18-01-12, V 18-01-13, V 18-01-14 and V 18-01-15.

**Background:** Alan Gross requests a variance from Article VI Section 603(C)(1) to reduce the minimum required lot area from 36,000 square feet to 19,130 square feet to construct three (3) two-family duplexes; a variance from Article VI Section 603(C)(2) to reduce the minimum required front yard setback; a variance from Article VI Section 603(C)(3)(a) to reduce the minimum required side yard setback; a variance from Article VI Section 603(C)(4) to reduce the minimum required rear yard setback and a variance from Article XXII Section 2203.1(B)(1) to reduce the minimum required dwelling size from 1,500 square feet to 1,355 square feet per building for three (3) two-family duplexes (Tax Parcel S19 000109 000).

**Budget Impact:** None

**Council Person and District:** Sam Jones (District 2)

**Attachments:** Development Services Reports V 18-01-11, V 18-01-12, V 18-01-13, V 18-01-14 and V 18-01-15



*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 18-01-11, V 18-01-12, V 18-01-13, V 18-01-14 and V 18-01-15**  
**VARIANCE REQUESTS**  
**127 INSTITUTE STREET**

**LOCATION:** 127 Institute Street

Variance from Article VI Section 603(C)(1) to reduce the minimum required lot area from 36,000 square feet to 19,132 square feet to construct three (3) two-family duplexes; variance from Article VI Section 603(C)(2) to reduce the minimum required front yard setback; variance from Article VI Section 603(C)(3)(a) to reduce the minimum required side yard setback; variance from Article VI Section 603(C)(4) to reduce the minimum required rear yard setback and a from Article XXII Section 2203.1(B)(1) to reduce the minimum required dwelling size from 1,500 square feet to 1,355 square feet per building

**REQUEST:**

**APPLICANT:** Alan Gross

**OWNER(S):** Alan Gross

**ACRES:** .46 acres

**PARCEL TAX MAP #:** S19 000109 000

**COUNCIL DISTRICT:** 2 (Jones)



**PROPOSAL:**

The applicant has immediate plans to construct three (3) two-family dwellings that will provide six (6) one bedroom units. The subject site is zoned R4 (High Density Residential District) and the proposed development is required to adhere to the R3 (Medium Density Multiple Family Residential District) lot area, lot width, building coverage and yard regulations (See **Exhibit A** – Location Map, **Exhibit B** – Conceptual Site Plan).

**SURROUNDING ZONING/LAND USES:**

	<b>ZONING:</b>	<b>LAND USE:</b>
<b>NORTH:</b>	R8 (Single-Family Residential)	Single-family detached dwellings
<b>SOUTH:</b>	R3 (Medium Density Multiple Family Residential)	Municipal, county, state or federal uses: Bulloch County Board of Commissioners
<b>EAST:</b>	R8 (Single-Family Residential)	Municipal, county, state or federal uses: Mayor and City Council of Statesboro
<b>WEST</b>	CR (Commercial Retail) and R4 (High Density Residential District)	Municipal, county, state or federal uses: Mayor and City Council of Statesboro

The subject site is east of the City of Statesboro Police Department and north of the Bulloch County Public Safety—EMS division. Properties to the north are predominantly residential, while properties to the southwest include health

care facility and a personal services establishment. (See **EXHIBIT C**—Photos of the Subject Site and **EXHIBIT D**—Surrounding Properties).

### **COMPREHENSIVE PLAN:**

The subject site lies within the “Residential Redevelopment” 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*.

#### *Vision:*

This character area has most of its original housing stock in place, but has worsening housing conditions due to low rates of homeownership and neglect of property maintenance. There may be a lack of neighborhood identity and gradual invasion of different type and intensity of use that may not be compatible with the neighborhood residential use, or a neighborhood that has declined sufficiently that housing conditions are bad, there may be large areas of vacant land or deteriorating, unoccupied structures.

#### *Appropriate Land Uses*

- Single Family detached housing
- Lower density, Single Family attached housing

#### *Suggested Development & Implementation Strategies*

- Focus on strategic public investments to improve conditions, appropriate infill development on scattered vacant sites, and encouraging more homeownership and maintenance or upgrade of existing properties.
- Public investment in sidewalks, right of way improvements, and redevelopment incentives should be focused where needed to ensure that the neighborhood becomes more stable, mixed income community with a larger percentage of owner occupied housing.

*Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 21.*

### **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 38) (See **Exhibit F**—List of Parcels Included in the TAD). Tax parcel S19 000109 000 had an assessed value of \$3,120 in the 2014 TAD. On December 18, 2017, the Bulloch County Tax Assessor’s website listed the assessed value at \$3,216.

### **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 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.

### **ANALYSIS:**

#### **I. Application V 18-01-13: Whether or not to grant a variance from Article VI Section 603(C)(1) to reduce the minimum required lot area from 36,000 square feet to 19,132 square feet to construct three (3) two-family duplexes**

The subject property is zoned R4 (High Density Residential District) and Article VII Section 703(A) states that “...lot area, lot width, yard requirements and building coverage requirements for single-family detached dwellings, two-family twins and two-family duplexes shall be the same as required in the R-3 medium density residential district, article VI.”

Article VI Section 603(C)(1) states that a minimum lot area of 12,000 square feet is required for each building used in part or in whole as a two-family duplex dwelling. Therefore, the minimum required lot area for three (3) two-family duplexes is 36,000 square feet.

The subject parcel consists of 19,132 square feet, as depicted in the conceptual site plan dated March 27, 2017 (See **Exhibit**). Consequently, the applicant is requesting a 16,868 square feet reduction in the required lot area. The remaining variances requested are dependent upon approval of application V 18-01-13.

**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:**

- 1) 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;**
  - a. The parcel's size, shape and topography are not unique to this property. The topography is fairly flat and has not effect on the proposed development. Adjacent parcels and other parcels in the vicinity are similar in size, shape and topography.
  - b. The lot area of 19,132 square feet is sufficient square footage to construct one (1) two-family duplex, since the minimum required is 12,000 square feet per duplex. The lot is rectangular in shape and meets the minimum lot width requirement (75 feet). Therefore, staff does not find the lot area or width deficient for the R4 (High Density Residential District) or the R3 (Medium Density Multiple Family Residential District) zoning district.
  - c. Alternatively, the applicant could construct two (2) two-family duplexes and request a 4,868 square feet variance.
- 2) The special conditions and circumstances do not result from the actions of the applicant;**
  - a. Staff does not find the parcel deficient or that any special conditions apply.
- 3) The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
  - a. The application of the ordinance to this particular piece of property would not create an unnecessary hardship because there are no irregularities or non-conforming status regarding the parcel's lot area, shape or width.
- 4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**
  - a. The requested variance would impair the purposes and intent of the zoning regulations by exceeding the required minimum lot area by 16,868 square feet on a property that is not deficient in lot area and that does not have special conditions pertaining to the land. Therefore, staff is not supportive of the requested variance.

**II. Application V 18-01-11: Whether or not to grant a variance from Article VI Section 603(C)(2) to reduce the minimum required front yard setback from 25 feet to 20 feet to construct three (3) two-family duplexes**

Article VI Section 603(C)(2) states that a parcel's front yard shall be no less than twenty-five (25) feet. As depicted in the proposed site plan, the applicant is requesting a five (5) feet reduction to twenty (20) feet for the front yard setback.

**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:**

- 1) 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;**
  - a. The parcel's size, shape and topography are not unique to this property. The topography is fairly flat and has not effect on the proposed development. Adjacent parcels and other parcels in the vicinity are similar in size, shape and topography.
  - b. The parcel is roughly 107 feet wide from the front setback line and continuing to the rear lot line and, therefore, exceeds the minimum lot width requirement (75 feet).
- 2) The special conditions and circumstances do not result from the actions of the applicant;**
  - a. Staff does not find the parcel deficient or that any special conditions apply.
- 3) The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
  - a. The application of the ordinance to this particular piece of property would not create an unnecessary hardship because the parcel exceeds the minimum required lot width (75 feet).

**4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**

- a. The requested variance would impair the purposes and intent of the zoning regulations by reducing the minimum required front yard setback (25 feet) on a property that is not deficient in lot width and, in fact, exceeds the minimum lot width by roughly 32 feet. Therefore, staff is not supportive of the requested variance.

**III. Application V 18-01-15: Whether or not to grant a variance from Article VI Section 603(C)(3)(a) to reduce the minimum required side yard setback from 20 feet to 18.5 feet to construct three (3) two-family duplexes**

Article VI Section 603(C)(3)(a) states that a parcel's side yard shall be no less than twenty (20) feet. As depicted in the proposed site plan, the applicant is requesting a one and one half (1.5) feet reduction to eighteen and one half (18.5) feet for both side yard setbacks.

**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:**

**1) 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;**

- a. The parcel's size, shape and topography are not unique to this property. The topography is fairly flat and has not effect on the proposed development. Adjacent parcels and other parcels in the vicinity are similar in size, shape and topography.
- b. The parcel is roughly 175 feet in length, which leaves roughly 135 feet in length upon which to construct the proposed two-family duplexes. The parcel's lot area (19,132 square feet) provides enough space to construct one (1) two-family duplex and meet the minimum required side yard setbacks. In addition, a proposal to construct two (2) two-family duplexes would also eliminate the need for side yard setback variances. Therefore, staff has not determined any special conditions pertaining to the parcel regarding size, shape or other physical characteristics.

**2) The special conditions and circumstances do not result from the actions of the applicant;**

- a. Staff does not find the parcel deficient or that any special conditions apply.

**3) The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**

- a. The application of the ordinance to this particular piece of property would not create an unnecessary hardship because the parcel is not deficient and exceeds the minimum requirements to construct one (1) two-family duplex, which would eliminate the need for side yard setback variances.

**4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**

- a. The requested variance would impair the purposes and intent of the zoning regulations by reducing the minimum required side yard setbacks (20 feet) on a property that is not deficient in lot length and, in fact, can easily accommodate one (1) two-family duplex, eliminating the need for side yard variances. Therefore, staff is not supportive of the requested variance.

**IV. Application V 18-01-12: Whether or not to grant a variance from Article VI Section 603(C)(4) to reduce the minimum required rear yard setback from 25 feet to 20 feet to construct three (3) two-family duplexes**

Article VI Section 603(C)(4) states that a parcel's rear yard shall be no less than twenty-five (25) feet. As depicted in the proposed site plan, the applicant is requesting a five (5) feet reduction to twenty (20) feet for the rear yard setback.

The subject parcel's northern property line, where the rear yard setback reduction is requested, is shared with two (2) lots; one with an existing, occupied single-family residence located at 122 Institute Lane and one vacant lot located at 123 Institute Lane (See **Exhibit**). While both lots along the northern property line contain some natural buffering, the applicant's conceptual site plan depicts a proposed drive along the property line. Article XXIII Section 2301 requires



the installation of a buffer to the most intensive and least restrictive use when a multifamily use abuts a single-family residence or district.

**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:**

- 1) 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;**
  - a. The parcel's size, shape and topography are not unique to this property. The topography is fairly flat and has not effect on the proposed development. Adjacent parcels and other parcels in the vicinity are similar in size, shape and topography.
  - b. The parcel is roughly 107 feet wide from the front setback line and continuing to the rear lot line and, therefore, exceeds the minimum lot width requirement (75 feet).
- 2) The special conditions and circumstances do not result from the actions of the applicant;**
  - a. Staff does not find the parcel deficient or that any special conditions apply.
- 3) The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
  - a. The application of the ordinance to this particular piece of property would not create an unnecessary hardship because the parcel exceeds the minimum required lot width (75 feet).
- 4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**
  - a. The requested variance would impair the purposes and intent of the zoning regulations by reducing the minimum required rear yard setback (25 feet) on a property that is not deficient in lot width and, in fact, exceeds the minimum lot width by roughly 32 feet. Therefore, staff is not supportive of the requested variance.

**V. Application V 18-01-114: Whether or not to grant a variance from Article XXII Section 2203.1(B)(1) to reduce the minimum required dwelling size from 1,500 square feet to 1,355 square feet per building for three (3) single-family duplexes**

Article XXII Section 2203.1(B)(1) requires that each duplex building contain at least 1,500 square feet of heated space. The applicant's proposed development contains three (3) two-family duplexes with a total 1,355 square feet. The applicant is requesting a 145 square feet reduction for each proposed building.

**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:**

- 1) 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;**
  - a. The parcel's size, shape and topography are not unique to this property. The topography is fairly flat and has not effect on the proposed development. Adjacent parcels and other parcels in the vicinity are similar in size, shape and topography.
  - b. The lot area of 19,132 square feet is sufficient square footage to construct one (1) two-family duplex, since the minimum required is 12,000 square feet per duplex. The lot is rectangular in shape and meets the minimum lot width requirement (75 feet). Therefore, staff does not find the lot area deficient and the applicant could propose the construction of one (1) two-family duplex with an increased dwelling size.
- 2) The special conditions and circumstances do not result from the actions of the applicant;**
  - a. Staff does not find the parcel deficient or that any special conditions apply.
- 3) The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
  - a. The application of the ordinance to this particular piece of property would not create an unnecessary hardship because the parcel can accommodate one (1) two-family duplex that exceeds the minimum required dwelling size.

**4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**

- a. The requested variance would impair the purposes and intent of the zoning regulations by reducing the minimum required dwelling size (1,500 square feet) on a property that is not deficient in lot area and, in fact, exceeds the minimum lot area required by 7,132 square feet. Therefore, staff is not supportive of the requested variance.

**STAFF RECOMMENDATION:**

Staff recommends disapproval of the variances requested by applications V 18-01-11, V 18-01-12, V 18-01-13, V 18-01-14 and V 18-01-15. There is no evidence of a hardship. The subject parcel meets and/or exceeds the minimum standards set forth in Article VI Section 603(C). In addition, if the applicant proposed one (1) two-family duplex at the site, the development could meet the requirements of Article 2203.1(B)(1).

**PLANNING COMMISSION RECOMMENDATION:**

At its regularly scheduled meeting, held Tuesday, January 2, 2018, the Planning Commission voted 6-0 to approve the variances requested by applications V 18-01-11, V 18-01-12, V 18-01-13, V 18-01-14 and V 18-01-15, with Commissioner Cartee abstaining from the vote due to a conflict of interest.

*(Please note: Unless otherwise stated in any formal motion by City Council, staff considers the conceptual site plan (Exhibit B) submitted on behalf of the applicant for this request to be illustrative only. Approval of the application does not constitute approval of any final building or site plan).*

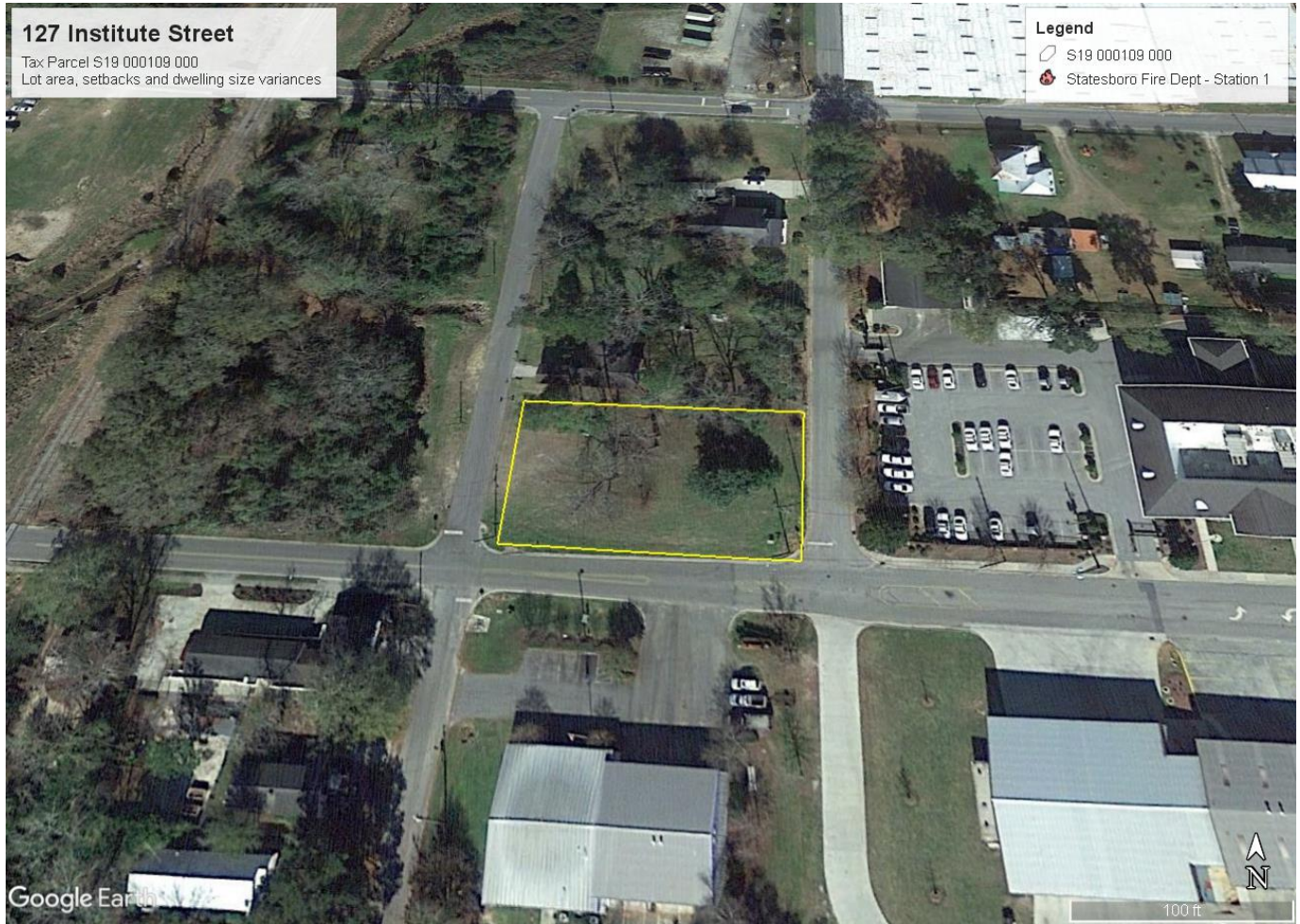
**EXHIBIT A: LOCATION MAP**





**EXHIBIT C: PHOTOS OF SUBJECT SITE**

**Picture 1: Subject Site Aerial View**



**EXHIBIT C: PHOTOS OF SUBJECT SITE (CONTINUED)**

**Picture 2:** Subject Site from Institute Lane Facing East



**Picture 3:** Subject Site Facing Northeast Depicting Northern Property Line and Single-Family Dwelling at 122 Institute Lane



**EXHIBIT C: PHOTOS OF SUBJECT SITE (CONTINUED)**

**Picture 4:** Single-Family Dwelling at 122 Institute Lane, Approximate Lot Line, Existing Buffer and Location of Proposed Drive



**EXHIBIT C: PHOTOS OF SUBJECT SITE (CONTINUED)**

**Picture 5:** Rear of Single-Family Dwelling at 122 Institute Lane from 123 Institute Lane, Approximate Lot Line, Existing Buffer and Location of Proposed Drive





**EXHIBIT C: PHOTOS OF SUBJECT SITE (CONTINUED)**

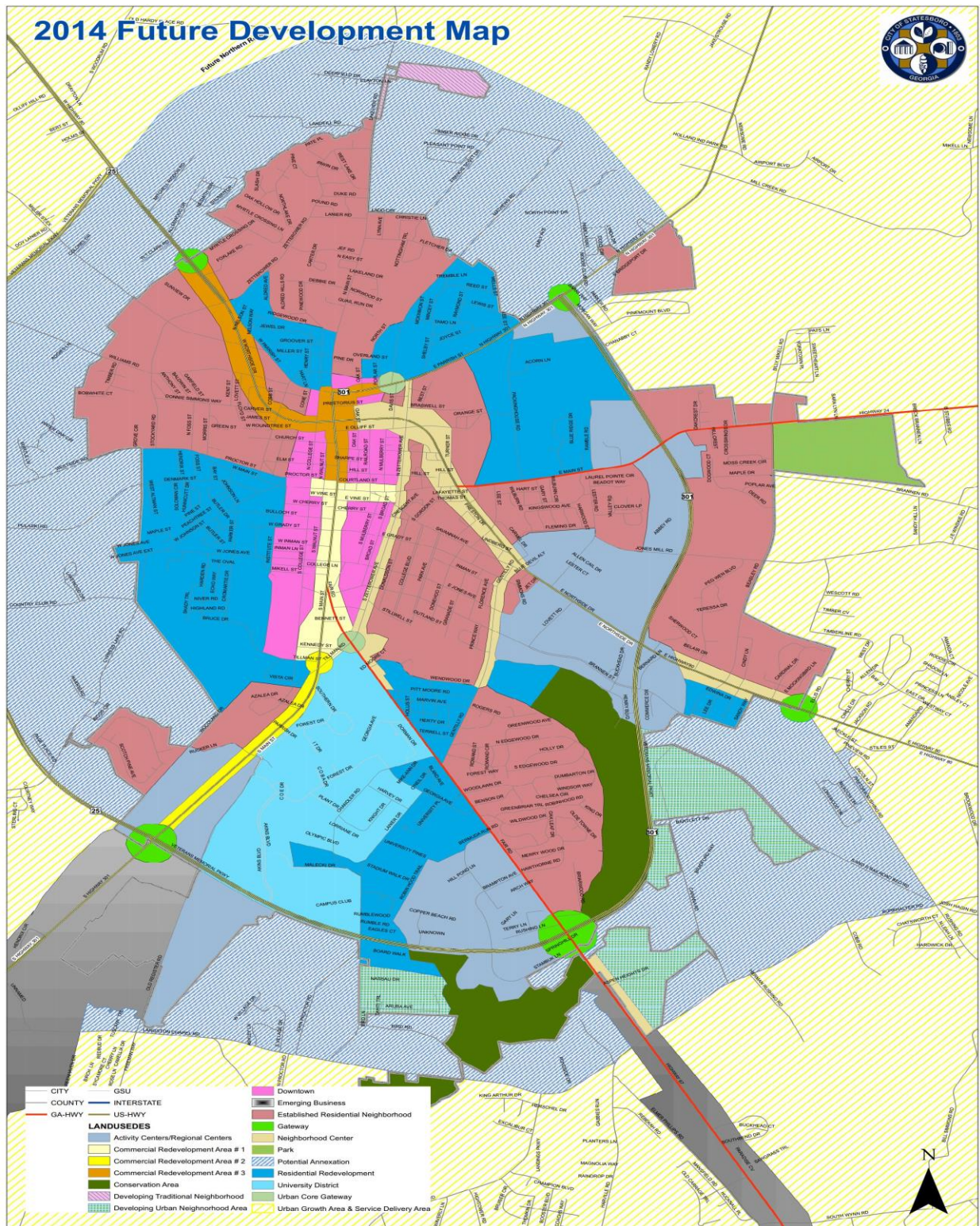
**Picture 6:** Single-Family Dwelling at 122 Institute Lane, Approximate Lot Line, Existing Buffer and Location of Proposed Drive



**Picture 5:** Institute Lane and Location of Proposed Curb Cut



EXHIBIT E: CITY OF STATESBORO 2014 FUTURE DEVELOPMENT MAP



# CITY OF STATESBORO



## COUNCIL

Phil Boyum, District 1  
Sam Jones, District 2  
Jeff Yawn, District 3  
John Riggs, District 4  
Travis L. Chance, District 5

Jonathan M. McCollar, Mayor  
Randy Wetmore, City Manager  
Robert Cheshire, Deputy City Manager  
Sue Starling, City Clerk  
I. Cain Smith, City Attorney

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50 EAST MAIN STREET • P.O. BOX 348 • STATESBORO, GEORGIA 30459-0348

## Memorandum

**To:** Mayor and City Council

**From:** Randy Wetmore, City Manager  
Cain Smith, City Attorney

**Date:** January 16, 2018

**RE:** Appointment to TAD Advisory Committee

**Policy Issue:** Need to appoint 1 individual to the TAD Advisory Committee.

**Recommendation:** Staff has no recommendation as this is an appointment to be made by the City Council.

**Background:** At the last meeting the resignation of Jan Moore was accepted. Also, a motion to accept the resignation of Councilor Jones was accepted and have Lisa DeLoach replace Councilor Jones on the Committee.

Consideration of a motion to nominate and appoint a TAD advisory Committee member to replace Jan J. Moore.

Councilman Chance made a motion seconded by Councilman Yawn to table this item until the next Council Meeting on January 16, 2018. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Councilman Jones stated he also needed to resign from the TAD Advisory Committee.

Councilman Jones made a motion seconded by Councilman Boyum to accept Councilman Jones' resignation from the TAD Advisory Committee and appoint Lisa DeLoach as his replacement. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Therefore, there is one opening on the Advisory Committee to be filled at this time.

**Budget Impact:** None

**Council Person and District:** All

**Attachments:** None

**STATE OF GEORGIA  
COUNTY OF BULLOCH**

**INTERGOVERNMENTAL AGREEMENT FOR THE USE AND DISTRIBUTION  
OF PROCEEDS FROM A TRANSPORTATION SPECIAL PURPOSE  
LOCAL OPTION SALES AND USE TAX**

THIS AGREEMENT is entered into on the \_\_\_\_ day of \_\_\_\_\_, 2018, by and between **BULLOCH COUNTY**, a political subdivision of the State of Georgia, acting by and through its governing authority, the **BULLOCH COUNTY BOARD OF COMMISSIONERS** (hereinafter the “County”), the **MAYOR AND CITY COUNCIL OF STATESBORO, GEORGIA**, a municipal corporation chartered and existing under the laws of the State of Georgia (hereinafter “Statesboro”), the **MAYOR AND COUNCIL OF THE CITY OF BROOKLET, GEORGIA**, a municipal corporation chartered and existing under the laws of the State of Georgia (hereinafter “Brooklet”), the **MAYOR AND COUNCIL OF THE CITY OF PORTAL, GEORGIA**, a municipal corporation chartered and existing under the laws of the State of Georgia (hereinafter “Portal”), and the **MAYOR AND COUNCIL OF THE TOWN OF REGISTER, GEORGIA**, a municipal corporation chartered and existing under the laws of the State of Georgia (hereinafter “Register”) (Statesboro, Brooklet, Portal, and Register hereinafter being also collectively referred to as “Municipalities” and individually as “Municipality” where the context requires or permits).

WITNESSETH:

WHEREAS, Article IX, Section III, Paragraph I(a) of the Georgia Constitution (the “Intergovernmental Contracts Clause”) authorizes, among other things, any county, municipality or other political subdivision of the State to contract, for a period not exceeding fifty years, with another county, municipality or political subdivision or with any other public agency, public

corporation or public authority for joint services, for the provision of services, or for the provision or separate use of facilities or equipment, provided that such contract deals with activities, services or facilities which the contracting parties are authorized by law to undertake or to provide; and

WHEREAS, Part 1 of Article 5A of Chapter 8 of title 48 of the Official Code of Georgia Annotated (the “Act”) authorizes the levy of a transportation special purpose local option sales and use tax (the “TSPLOST”) at a rate of up to 1% within the special district of the County for the purpose of financing certain transportation purposes; and

WHEREAS, the Act authorizes the County and the Municipalities to enter into an “intergovernmental agreement” (as defined in the Act) pursuant to the Intergovernmental Contracts Clause in order to, among other things, govern the use and distribution of the TSPLOST proceeds for various transportation purposes; and

WHEREAS, the County and Municipalities met on the 1st day of December, 2017 to discuss possible projects for inclusion in a TSPLOST referendum to be held on the 22<sup>nd</sup> day of May, 2018 (the “Election”) in conformance with the requirements of O.C.G.A. § 48-8-262(a)(2); and

WHEREAS, prior to the meeting of the County and Municipalities on the 1st day of December, 2017, the County determined that a majority of the governing authorities of counties within the Coastal Regional Commission of Georgia have not passed resolutions calling for the levy of a tax under Article 5 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated; and

WHEREAS, the County and the Municipalities desire to enter into this Agreement in order to, *inter alia*, govern the use and distribution of the TSPLOST proceeds for various transportation purposes;

NOW THEREFORE, in consideration of the mutual promises and understandings made in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the County and the Municipalities consent and agree as follows:

**Section 1. Representations and Mutual Covenants**

A. The County makes the following representations and warranties which may be specifically relied upon by all parties as a basis for entering this Agreement:

(1) The County is a political subdivision duly created and organized under the Constitution and laws of the State of Georgia (the “State”). Under the Constitution and laws of the State, the County is authorized to execute, deliver, and perform its obligations under this Agreement. The County has duly authorized the execution, delivery, and performance of this Agreement. This Agreement is a valid, binding and enforceable obligation of the County.

(2) No approval or other action by any governmental authority or agency or other person is required in connection with the execution, delivery, and performance of this Agreement by the County, except as shall have been obtained as of the date hereof.

(3) The authorization, execution, delivery, and performance by the County of this Agreement do not violate the laws or Constitution of the State and do not constitute a breach of or a default under any existing court order, administrative regulation, or other legal decree, or any agreement, indenture, mortgage, lease, note, or other instrument to which it is a party or by which it is bound.

(4) There is no action, suit, proceeding, inquiry, or investigation, at law or in equity, before or by any court, public board or body, pending or, to the knowledge of the County, threatened against or affecting the County (or, to the knowledge of the County, any meritorious basis therefore) (a) contesting or questioning the existence of the County or the titles of the present officers of the County to their offices or (b) wherein an unfavorable decision, ruling or finding would (i) adversely affect the enforceability of this Agreement or (ii) materially adversely affect the transactions contemplated by this Agreement.

(5) The County is not in violation of the laws or the Constitution of the State and is not in default under any existing court order, administrative regulation, or other legal decree, or any agreement, indenture, mortgage, lease, note, or other instrument to which it is a party or by which it is bound.

(6) The County will take all actions necessary to call the Election to be held in all voting precincts in the County on the 22<sup>nd</sup> day of May, 2018, for the purpose of submitting to the voters of the County for their approval, the question of whether or not a TSPLOST at a rate of 1% shall be imposed on all sales and uses allowed by law within the special district of Bulloch County for a period of time not to exceed 5 years and for the raising of an estimated amount of \$60,000,000.00 to be used for funding the transportation purposes specified in Exhibit A attached hereto (the “2018 TSPLOST”).

B. Each of the Municipalities makes the following representations and warranties which may be specifically relied upon by all parties as a basis for entering this Agreement:

(1) The Municipality is a municipal corporation of the State, duly created and organized under the Constitution and laws of the State. Under the Constitution and laws of the State, the Municipality is authorized to execute, deliver, and perform its obligations under this

Agreement. The Municipality has duly authorized the execution, delivery, and performance of this Agreement. This Agreement is a valid, binding and enforceable obligation of the Municipality.

(2) No approval or other action by any governmental authority or agency or other person is required in connection with the execution, delivery, and performance of this Agreement by the Municipality, except as shall have been obtained as of the date hereof.

(3) The authorization, execution, delivery, and performance by the Municipality of this Agreement do not violate any ordinances of the Municipality or the laws or Constitution of the State and do not constitute a breach of or a default under any existing court order, administrative regulation, or other legal decree, or any agreement, indenture, mortgage, lease, note, or other instrument to which it is a party or by which it is bound.

(4) There is no action, suit, proceeding, inquiry, or investigation, at law or in equity, before or by any court, public board or body, pending or, to the knowledge of the Municipality, threatened against or affecting the Municipality (or, to the knowledge of the Municipality, any meritorious basis therefore) (a) contesting or questioning the existence of the Municipality or the titles of the present officers of the Municipality to their offices or (b) wherein an unfavorable decision, ruling or finding would (i) adversely affect the enforceability of this Agreement or (ii) materially adversely affect the transactions contemplated by this Agreement.

(5) The Municipality is not in violation of the laws or the Constitution of the State and is not in default under any existing court order, administrative regulation, or other legal decree, or any agreement, indenture, mortgage, lease, note, or other instrument to which it is a party or by which it is bound.



(6) The Municipality is a qualified municipality as defined in O.C.G.A. § 48-8-110(4) and is located entirely or partially within the geographic boundaries of the special tax district created in the County.

C. It is the intention of the County and the Municipalities to comply in all respects with O.C.G.A. § 48-8-260 *et seq.* and all provisions of this Agreement shall be construed in light of O.C.G.A. § 48-8-260 *et seq.*

D. The County and Municipalities agree to promptly proceed with the acquisition, construction, equipping, installation, and/or funding of the transportation purposes specified in Exhibit A of this Agreement.

E. The County and Municipalities agree to maintain thorough and accurate records concerning receipt of 2018 TSPLOST proceeds and expenditures for each transportation purpose undertaken by the County or Municipalities respectively as required for fulfilling the terms of this Agreement.

## **Section 2. Conditions Precedent**

A. The obligations of the County and Municipalities pursuant to this Agreement are conditioned upon the adoption of a resolution of the County calling for the imposition of the 2018 TSPLOST in accordance with the provisions of O.C.G.A. § 48-8-262(d).

B. This Agreement is further conditioned upon the approval of the proposed imposition of the 2018 TSPLOST by the voters of the County in a referendum to be held in accordance with the provisions of O.C.G.A. § 48-8-263.

C. This Agreement is further conditioned upon the collecting of the 2018 TSPLOST revenues by the State Department of Revenue and transferring same to the County.

## **Section 3. Effective Date and Term of the Tax and Agreement**

A. The 2018 TSPLOST, subject to approval in the Election, shall begin collections on October 1, 2018 and continue for a period of five (5) years or until the end of the calendar quarter during which the Commissioner of the State Department of Revenue determines that the tax will have raised revenues sufficient to provide net proceeds equal to or greater than the amount specified as the maximum amount of net proceeds to be raised by the tax.

B. This Agreement shall commence upon the date of its execution and shall terminate upon the later of:

(1) the official declaration of the failure of the election described in this Agreement; or

(2) the expenditure by the County and all of the Municipalities of the last dollar of money collected from the 2018 TSPLOST after the expiration of the 2018 TSPLOST.

**Section 4. County and Municipal TSPLOST Funds; Separate Accounts; No Commingling**

A. A special fund or account shall be created by the County and designated as the 2018 Bulloch County Transportation Special Purpose Local Option Sales Tax Fund (“County 2018 TSPLOST Fund”). The County shall select a financial institution which shall act as a depository and custodian of the County 2018 TSPLOST Fund upon such terms and conditions as may be acceptable to the County.

B. Each Municipality shall create a special fund to be designated as the 2018 [name of Municipality] Transportation Special Purpose Local Option Sales Tax Fund (“[name of Municipality] 2018 TSPLOST Fund”). Each Municipality shall select a financial institution which shall act as a depository and custodian of the 2018 TSPLOST proceeds received by each Municipality upon such terms and conditions as may be acceptable to the Municipality.

C. All 2018 TSPLOST proceeds shall be maintained by the County and each Municipality in the separate accounts or funds established pursuant to this Section. Except as provided in Section 5 of this Agreement, 2018 TSPLOST proceeds shall not be commingled with other funds of the County or Municipalities and shall be used exclusively for the transportation purposes detailed in this Agreement. No funds other than 2018 TSPLOST proceeds shall be placed in such funds or accounts.

D. All interest earned on the 2018 TSPLOST Funds maintained by the County and the Municipalities shall remain in the 2018 TSPLOST Funds and shall be used exclusively for the transportation purposes detailed in this Agreement.

**Section 5. Procedure for Disbursement of 2018 TSPLOST Proceeds**

A. The County and the Municipalities agree that the 2018 TSPLOST proceeds shall be apportioned between the parties as follows:

(1) The first \$2,736,000.00 in 2018 TSPLOST proceeds collected shall be apportioned between Brooklet, Portal, and Register as follows:

(a) Brooklet – Approximately 56.14% or \$1,536,000.00 to be used for Brooklet’s transportation purposes as specified in Exhibit A;

(b) Portal – Approximately 28.07% or \$768,000.00 to be used for Portal’s transportation purposes as specified in Exhibit A; and

(c) Register – Approximately 15.79% or \$432,000.00 to be used for Register’s transportation purposes as specified in Exhibit A.

(2) The next \$45,264,000.00 in 2018 TSPLOST proceeds collected shall be apportioned between the County and Statesboro as follows:

(a) County – Approximately 54.40% or \$24,624,000.00 to be used for the County’s transportation purposes as specified in Exhibit A;

(b) Statesboro – Approximately 45.60% or \$20,640,000.00 to be used for Statesboro’s transportation purposes as specified in Exhibit A.

(3) 2018 TSPLOST proceeds collected in excess of \$48,000,000.00 shall be apportioned between the County and the Municipalities as follows:

(a) County – 51.3% to be used for the County’s transportation purposes as specified in Exhibit A;

(b) Statesboro – 43.0% to be used for Statesboro’s transportation purposes as specified in Exhibit A;

(c) Brooklet – 3.2% to be used for Brooklet’s transportation purposes as specified in Exhibit A;

(d) Portal – 1.6% to be used for Portal’s transportation purposes as specified in Exhibit A; and

(e) Register – 0.9% to be used for Register’s transportation purposes as specified in Exhibit A.

B. The County and the Municipalities agree that the State Department of Revenue shall distribute all proceeds of the 2018 TSPLOST directly to the County, less the one percent paid into the general fund of the state treasury pursuant to O.C.G.A. § 48-8-267(a)(1). Within ten (10) business days of receipt by the County of 2018 TSPLOST proceeds collected by the State Department of Revenue, the County shall disburse 2018 TSPLOST proceeds due to each Municipality based on the apportionment schedule in Paragraph A of this Section. Where the apportionment schedule includes an approximate percentage and a dollar amount, monthly

disbursements shall be based on the percentage until the final monthly disbursement necessary to reach the dollar amount, which final monthly disbursement shall be in whatever amount is necessary to reach the dollar amount. After disbursement of 2018 TSPLOST proceeds to the Municipalities, the monies in the County's 2018 TSPLOST Fund shall be used exclusively for the County's transportation purposes as specified in Exhibit A. The monies in each Municipality's 2018 TSPLOST Fund shall be used exclusively for each Municipality's transportation purposes as specified in Exhibit A.

C. Should any Municipality cease to exist as a legal entity before all funds are distributed under this Agreement, that Municipality's share of the funds subsequent to dissolution shall be paid to the County as part of the County's share unless an act of the Georgia General Assembly makes the defunct Municipality part of another successor municipality. If such an act is passed, the defunct Municipality's share shall be paid to the successor Municipality in addition to all other funds to which the successor Municipality would otherwise be entitled.

#### **Section 6. Transportation Purposes**

A. All transportation purposes to be funded in whole or in part from 2018 TSPLOST proceeds are listed in Exhibit A which is attached hereto and made part of this Agreement. The parties acknowledge that the estimated costs for the specified transportation purposes are subject to adjustment to accommodate variations in actual costs, available funding, feasibility, and priority of specified transportation purposes. The County and each Municipality shall expend at least 30 percent of their allocation of TSPLOST proceeds on transportation purposes consistent with the state-wide strategic transportation plan as defined in O.C.G.A. § 32-2-22(a)(6).

#### **Section 7. Excess Proceeds**

A. In the event that any 2018 TSPLOST proceeds being held in either the County's 2018 TSPLOST Fund or any Municipality's 2018 TSPLOST Fund become "excess proceeds" as that term is defined in O.C.G.A. § 48-8-269.5(f)(1), then the County or Municipality in whose 2018 TSPLOST Fund such excess proceeds are being held may use such excess proceeds for any purpose for which the County or Municipality could otherwise legally use ad valorem tax revenues.

### **Section 8. Audits**

A. During the term of this Agreement, the distribution and use of all 2018 TSPLOST proceeds deposited in the 2018 TSPLOST Fund and each Municipal 2018 TSPLOST Fund shall be audited annually by an independent certified public accounting firm in accordance with O.C.G.A. § 48-8-269.5(a)(2). The County and each Municipality receiving 2018 TSPLOST proceeds shall be responsible for the cost of their respective audits. The County and the Municipalities agree to cooperate with the independent certified public accounting firm in any audit by providing all necessary information.

B. Each Municipality shall provide the County a copy of the audit of the distribution and use of the 2018 TSPLOST proceeds by the Municipality. Provided, however, that the Municipality's provision of a copy of the audit to the County shall not imply any obligation on the part of the County to exercise any oversight of the Municipality's management or expenditure of 2018 TSPLOST proceeds. In the event that a Municipality fails to comply with the terms of this Agreement or with the requirements of O.C.G.A. § 48-8-260 *et seq.*, the County shall not be held liable for such noncompliance.

### **Section 9. Annual Reports**

A. Pursuant to O.C.G.A. § 48-8-269.6, the County and each Municipality shall publish annually, in a newspaper of general circulation in the boundaries of the County or Municipality, a simple, nontechnical report which shows for each transportation purpose in the resolution calling for imposition of the 2018 TSPLOST the original estimated cost, the current estimated cost if it is not the original estimated cost, amounts expended in prior years, and amounts expended in the current year. Such annual reports shall be published no later than December 31<sup>st</sup> of each year.

**Section 10. Notices**

A. All notices, consents, waivers, directions, requests or other instruments or communications provided for under this Agreement shall be deemed properly given when delivered personally or sent by registered or certified United States mail, postage prepaid, as follows:

- |                   |  |
|-------------------|--|
| If to the County: | Bulloch County Board of Commissioners<br>115 North Main Street<br>Statesboro, GA 30458<br>Attn: County Manager |
| If to Statesboro: | City of Statesboro<br>P.O. Box 348<br>Statesboro, GA 30459<br>Attn: City Manager                               |
| If to Brooklet:   | City of Brooklet<br>P.O. Box 67<br>Brooklet, GA 30415<br>Attn: Mayor   |
| If to Portal:     | City of Portal<br>P.O. Box 89<br>Portal, GA 30450<br>Attn: Mayor   |
| If to Register:   | Town of Register<br>P.O. Box 260   |

Register, GA 30452  
Attn: Mayor

**Section 11. Entire Agreement**

A. This Agreement, including any attachments or exhibits, constitutes all of the understandings and agreements existing between the County and the Municipalities with respect to distribution and use of the proceeds from the 2018 TSPLOST. Furthermore, this Agreement supersedes all prior agreements, negotiations and communications of whatever type, whether written or oral, between the parties hereto with respect to the subject matter hereof.

**Section 12. Amendments**

A. This Agreement shall not be amended or modified except by a written amendment executed in accordance with this Section.

B. This Agreement may be amended by a written amendment executed by the governing authorities of the County and Statesboro; provided, however, that no written amendment that affects the rights or obligations of any other Municipality under this Agreement shall be valid and binding on any party unless that Municipality also executes the written amendment.

**Section 13. Governing Law**

A. This Agreement shall be deemed to have been made and shall be construed and enforced in accordance with the laws of the State of Georgia.

**Section 14. Severability**

A. Should any phrase, clause, sentence, or paragraph of this Agreement be held invalid or unconstitutional by a court of competent jurisdiction, the remainder of this Agreement shall remain in full force and effect as if such invalid or unconstitutional provision were not contained in the Agreement, unless the elimination of such provision detrimentally reduces the



consideration that any party is to receive under this Agreement or materially affects the operation of this Agreement.

**Section 15. Compliance with Law**

A. The County and the Municipalities shall comply with all applicable local, state, and federal statutes, ordinances, rules and regulations.

**Section 16. No Consent to Breach**

A. No consent or waiver, express or implied, by any party to this Agreement, to any breach of any covenant, condition or duty of another party shall be construed as a consent or waiver of any future breach of the same or of any other provision of this Agreement.

**Section 17. Counterparts**

A. This Agreement shall be executed in five (5) counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

**Section 18. Mediation**

A. The County and the Municipalities agree to submit any controversy arising under this Agreement to non-binding mediation for a resolution. The parties to the mediation shall mutually select a neutral party to serve as mediator. Costs of mediation shall be shared equally among the parties to the mediation.

IN WITNESS WHEREOF, the County and the Municipalities, acting through their duly authorized agents, have caused this Agreement to be signed, sealed and delivered on the date indicated herein.

BOARD OF COMMISSIONERS OF  
BULLOCH COUNTY, GEORGIA

By: \_\_\_\_\_  
Roy Thompson, Chairman

MAYOR AND CITY COUNCIL OF  
STATESBORO, GEORGIA

By: \_\_\_\_\_  
Jonathan McCollar, Mayor

Attest: \_\_\_\_\_  
Olympia Gaines, Clerk

MAYOR AND COUNCIL OF THE  
CITY OF BROOKLET, GEORGIA

By: \_\_\_\_\_  
, Mayor

Attest: \_\_\_\_\_  
, Clerk

MAYOR AND COUNCIL OF THE  
TOWN OF REGISTER, GEORGIA

By: \_\_\_\_\_  
Barbara Rushing, Mayor

Attest: \_\_\_\_\_  
Sue Starling, Clerk

MAYOR AND COUNCIL OF THE  
CITY OF PORTAL, GEORGIA

By: \_\_\_\_\_  
Billy Boggs, Mayor

Attest: \_\_\_\_\_  
, Clerk

# CITY OF STATESBORO

## COUNCIL

Phillip A. Boyum  
Sam Lee Jones  
Jeff B. Yawn  
John C. Riggs  
Travis L. Chance



Jonathan M. McCollar, Mayor  
Randy Wetmore, City Manager  
Robert Cheshire, Deputy City Manager  
Sue Starling, City Clerk  
I. Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348  
STATESBORO, GEORGIA 30459-0348

**To:** Randy Wetmore, City Manager

**From:** Cindy S. West, Director of Finance

**Date:** January 5, 2018

**RE:** Appointment of Project Superintendent for 2010 Water and Sewer Revenue Bonds

**Policy Issue:** A resolution is needed to appoint a Project Superintendent for the 2010 Water and Sewer Revenue Bonds.

**Recommendation:** It is recommended to appoint the Director of Public Utilities, Steve Hotchkiss, as the Project Superintended for the 2010 Water and Sewer Revenue Bonds.

**Background:** The 2010 Water and Sewer Bond requires a Project Superintendent to sign a requisition and certificate for the disbursement of Constructions Funds

**Budget Impact:** None

**Council Person and District:** N/A

**Attachments:** Resolution

**RESOLUTION 2018-03: A RESOLUTION APPOINTING STEVE HOTCHKISS AS  
THE PROJECT SUPERINTENDENT FOR THE 2010 WATER AND SEWER  
REVENUE BONDS**

**THAT WHEREAS**, the 2010 Water and Sewer Bond requires a Project Superintendent to sign a requisition and certificate for the disbursement of Constructions Funds; and

**WHEREAS**, Mr. Van Collins, previous Project Superintendent, has retired from the City with an effective date of June 30, 2017; and

**WHEREAS**, the Mayor and City Council need to appoint a new Project Superintendent in order to stay in compliance with the 2010 Water and Sewer Revenue Bond in order to disburse constructions funds; and

**WHEREAS**, the City Manager has made a recommendation to appoint Steve Hotchkiss as the new Project Superintendent for the 2010 Water and Sewer Revenue Bonds;

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Statesboro, Georgia in regular session assemble the appointment of Steve Hotchkiss as the new Project Superintendent for the 2010 Water and Sewer Revenue Bonds.

Adopted this 16<sup>th</sup> day of January 2018.

CITY OF STATESBORO, GEORGIA

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By: Jonathan M. McCollar, Mayor

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Attest: Sue Starling, City Clerk