



*City of Statesboro*  
*Department of Planning and Development Memorandum*

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

**Statesboro Planning Commission**  
**January 3, 2017**  
**5:00 P.M.**  
**City Hall Council Chamber**

**Meeting Agenda**

**I. Call to Order**

**II. Invocation**

**III. Pledge of Allegiance**

**IV. Motion to Approve Order of the Meeting Agenda**

**V. Approval of Minutes**

1.) December 6, 2016 Meeting Minutes

**VI. New Business**

1. **APPLICATION # V 16-12-03**: Missy Bennett requests a variance from Article V Section 503(C) Table 3 of the *Statesboro Zoning Ordinance* regarding the minimum required side yard setback for the property located at 122 Park Avenue (Tax Parcel S41 000047 000).

**VII. Announcements**

**VIII. Adjourn**



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**Statesboro Planning Commission**  
**December 6, 2016**  
**5:00 P.M.**  
**City Hall Council Chamber**

**Meeting Minutes**

**Present:** Planning Commission Members: David McLendon, Patrick Sullivan, Benjamin McKay, Jamey Cartee and James W. Byrd, Sr. **City of Statesboro Staff:** Director of Planning and Development Frank Neal, Planning & Development Specialist Candra E. Teshome, Development Project Manager Cindy Clifton, Code Compliance Officer Mike Chappel, Code Compliance Officer Scott Brunson and Director of Public Works and Engineering Jason Boyles.

**I. Call to Order**

Commissioner Byrd called the meeting to order at 5:01 PM.

**II. Motion to Approve Order of the Meeting Agenda**

Commissioner Cartee made a motion to approve the order of the meeting agenda, seconded by Commissioner McKay and the motion carried 4 to 0.

**III. Approval of Minutes**

Commissioner Sullivan made a motion to approve the minutes of the November 2, 2016 Planning Commission meeting, seconded by Commissioner Cartee and the motion carried 5 to 0.

**IV. Consideration of a Motion to Approve the 2017 Planning Commission Meeting Schedule**

Commissioner McLendon made note of the July 3, 2017 meeting date and requested an adjustment to the meeting schedule due to the Independence Day holiday. Frank Neal stated staff would address the meeting date once the time approaches. Commissioner McLendon requested an asterisk be placed next to the meeting date.

Commissioner McLendon made a motion to approve the meeting schedule, seconded by Commissioner McKay and the motion carried 5 to 0.

**V. New Business**

1. **APPLICATION # V 16-11-03:** Monarch 301 Apartments LLC requests a variance from Article XV Section 1509(C) Table 3 of the *Statesboro Zoning Ordinance* regarding the maximum square footage and maximum height allowed for a monument sign to be installed at 816 South Main Street (Tax Parcel MS52 000026 000).

Frank Neal presented the case to the commissioners and took any questions. Mr. Neal stated staff would like to add a condition that the applicant submits a surveyed site plan that depicts the placement of the sign at the minimum five (5) foot setback. No one spoke for or against the request.

Commissioner Sullivan made a motion to approve the application with staff's recommendations, seconded by Commissioner McKay and the motion carried 5 to 0.

2. **APPLICATION # RZ 16-12-01**: Home Land Auto Group requests a zoning map amendment for 1.5 acres of property located at 2538 Northside Drive West from CR (Commercial Retail) zoning district to HOC (Highway Oriented Commercial) zoning district to permit a retail used automobile dealership (Tax Parcel # S17 000008 000).

Frank Neal presented the case to the commissioners and took any questions. Bo Donaldson, the applicant, spoke on behalf of the request. He stated he had concerns with being able to meet the requirements of the tree ordinance. Mr. Neal stated a site plan depicting how the cars would be parked, the flow of traffic and a landscaping plan would be required. In addition, the vacant building would need to meet the minimum building code requirements. No one spoke against the request.

Commissioner McClendon made a motion to approve the request with staff's recommendations, seconded by Commissioner McKay and the motion carried 5 to 0.

3. **APPLICATION # SE 16-10-07**: Vaden of Statesboro, Inc. requests a special exception to utilize the property at 600 Brannen Street as a parking lot for automobile sales inventory within the CR (Commercial Retail) zoning district (Tax Parcel S53 000059 000).

Frank Neal presented the case to the commissioners and took any questions. Cannon Deloach of Firehouse Subs spoke against the request. Mr. Deloach stated the number of vehicles creates the illusion that the businesses there are busy and may deter customers from entering the location. He stated if Vaden Nissan would give up 26 to 30 spaces nearest his business, he would be in a better position. After much discussion, Commissioner McClendon made a motion to approve the request with modifications to condition numbers one (1) and three (3) and the addition of condition number six (6) as follows:

1. The special exception for the use of the subject site will expire six (6) months from the date of approval, if granted.
3. The applicant will remove 23 vehicles from the aisle between Eliano's and Firehouse Subs as depicted in Exhibit J: Gentilly Square Allowed Parking Area Site Plan of the staff report.
6. The applicant will erect temporary signage that identifies the use of the subject site as temporary parking for Vaden Nissan inventory.

Commissioner McLendon made a motion to approve the request with staff's recommendations, revised recommendations and additional recommendations, seconded by Commissioner McKay and the motion carried 5 to 0.

**VI. Announcements**

1. Commissioner Sullivan announced his resignation from the Planning Commission.
2. Frank Neal announced the appointment of two new commissioners, Carlos Brown, Jr. and Mary Foreman.
3. Frank Neal announced there will be a Planning Commission training session in the near future for the new commissioners.
4. Commissioner McLendon announced he would be out February 11<sup>th</sup> through February 18<sup>th</sup>.

**VII. Adjourn**

Commissioner Sullivan made a motion to adjourn, seconded by Commissioner McLendon and the motion carried 5 to 0.

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**Chair – James W. Byrd, Sr.**

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**Secretary – Frank Neal, AICP  
Director of Planning and Development**



City of Statesboro – Department of Community Development  
**DEVELOPMENT SERVICES REPORT**

P.O. Box 348  
Statesboro, Georgia 30458

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

**V 16-12-03  
VARIANCE REQUEST  
122 PARK AVENUE**

**LOCATION:** 122 Park Avenue

**REQUEST:** Variance from Article V Section 503(C) Table 3 of the Statesboro Zoning Ordinance regarding the minimum required side yard setback.

**APPLICANT:** Mary M. Bennett

**OWNER(S):** Mary M. Bennett and Lovett Bennett, Jr.

**LAND AREA:** .62 acres

**PARCEL TAX MAP #s:** S41 000047 000

**COUNCIL DISTRICT:** District 3 (Yawn)



**PROPOSAL:**

The applicant is requesting a variance from Article V Section 503(C) Table 3 of the *Statesboro Zoning Ordinance* regarding the minimum required side yard setbacks. The applicant would like to decrease the side yard setback from the minimum required ten (10) feet to four (4) feet for renovations, including the construction of a carport, porch and breakfast room. (See **Exhibit A** – Location Map, **Exhibit B** – Site Survey and **Exhibit C** – Floor Plans)

**BACKGROUND:**

The subject site is currently zoned R-15 (Single-Family Residential) and on June 21, 2016, the applicant submitted a building permit application for the construction of a carport, porch, breakfast room and a kitchen renovation, which was approved June 24, 2016 (See **Exhibit D** – Building Permit Number PD 01561).

The applicant picked up the building permit on July 14, 2016. Prior to beginning construction the applicant was informed by her construction crew that the project may require a variance. The applicant then called later in July with questions regarding a setback variance for the construction of the carport. Staff informed the applicant that she would not need a variance. Once construction of the carport began, the Building Official/Inspector, after completing inspections, notified Planning & Development of the setback issue.

**SURROUNDING LAND USES/ZONING:**

	<b>ZONING:</b>	<b>LAND USE:</b>
<b>NORTH:</b>	R-15 (Single-Family Residential)	Single-family detached dwelling units
<b>SOUTH:</b>	R-15 (Single-Family Residential)	Single-family detached dwelling units
<b>EAST:</b>	R-15 (Single-Family Residential)	Single-family detached dwelling units
<b>WEST</b>	R-15 (Single-Family Residential)	Single-family detached dwelling units

The subject property is located in a residential area with all property lines surrounded by parcels zoned R-15 (Single-Family Residential). The area includes single-family residences to the north, south, east and west. (See **Exhibit A** – Location Map)

**COMPREHENSIVE PLAN:**

The subject site lies within the “Established Residential Neighborhood” character area as identified by the City of Statesboro Future Development Map within the *City of Statesboro Comprehensive Plan*. The traditional residential neighborhoods in the Established area were developed from the late 19th to mid-20th century, and feature connected street grids linked with downtown. Sidewalks should be located on both sides of major streets; lesser streets may have limited facilities. Major corridors in this area may support a mix of residential and commercial uses. As corridors transition from residential to commercial, the original structures should be maintained and renovated whenever possible. Any new structures should respect the existing fabric of the neighborhood, through similar front, side, and rear setbacks.

*Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 17.*

**COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):**

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

**ENVIRONMENTAL:**

The subject property does not contain any wetlands and the request is not expected to have any environmental impact.

**ANALYSIS:**

**I. Whether to grant a variance to eliminate the required side yard setback.**

The .62 acre site is currently zoned R-15 (Single-Family Residential). The applicant picked up approved building permit number PD 01516 on July 14, 2016. The applicant contacted staff later in July to inquire about a variance, at which time she was informed she did not need one. Once construction began, the applicant’s construction crew informed her she would need a variance in order to place the carport in the proposed area (See **Exhibit E** – Photos of Subject Site). Article V Section 503(C) states that a parcel must have “two side yards, one on each side of the building, together having an aggregate width of not less than 25 feet, but neither having a width of less than ten feet.” The applicant is requesting a variance from the minimum 10’ side yard setback to a 4’ side yard setback (See **Exhibit B** – Site Survey).

**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;**
- (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.**

**STAFF RECOMMENDATION:**

Staff recommends approval of the variance requested by V 16-12-03 to reduce the minimum side yard setback from 10’ to 4’.



EXHIBIT A: LOCATION MAP

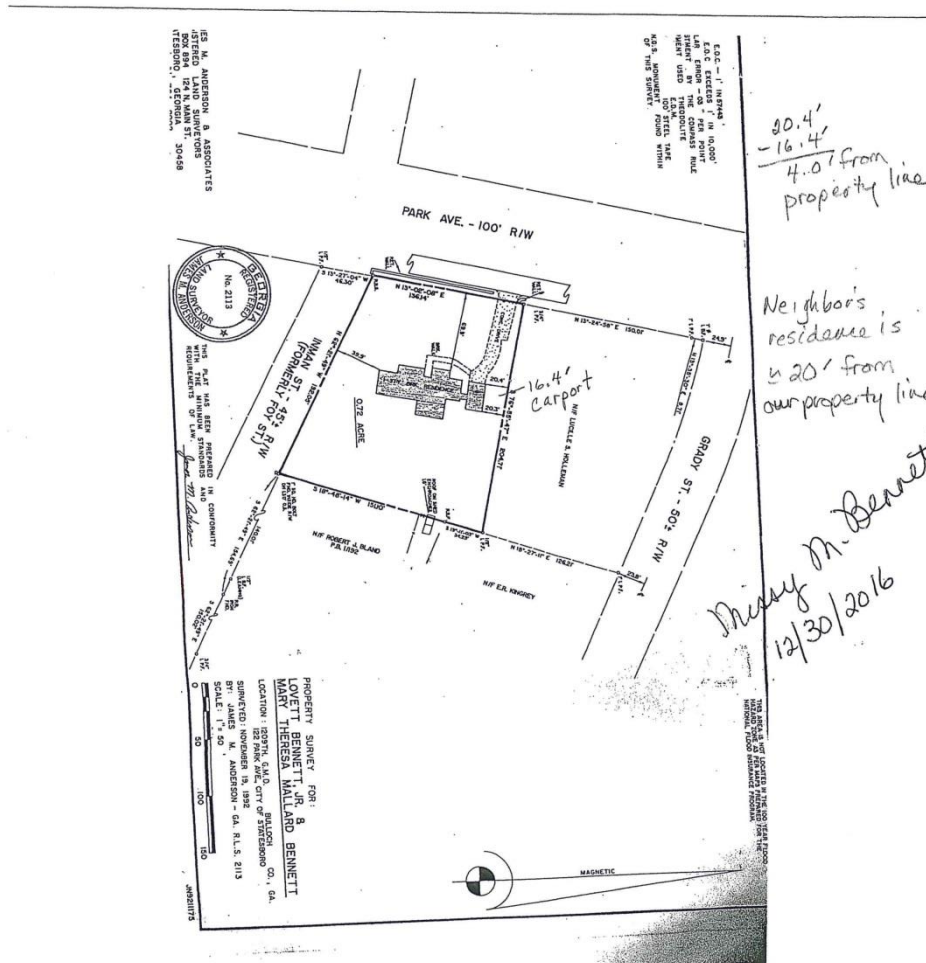


City of Statesboro Department of Planning and Development



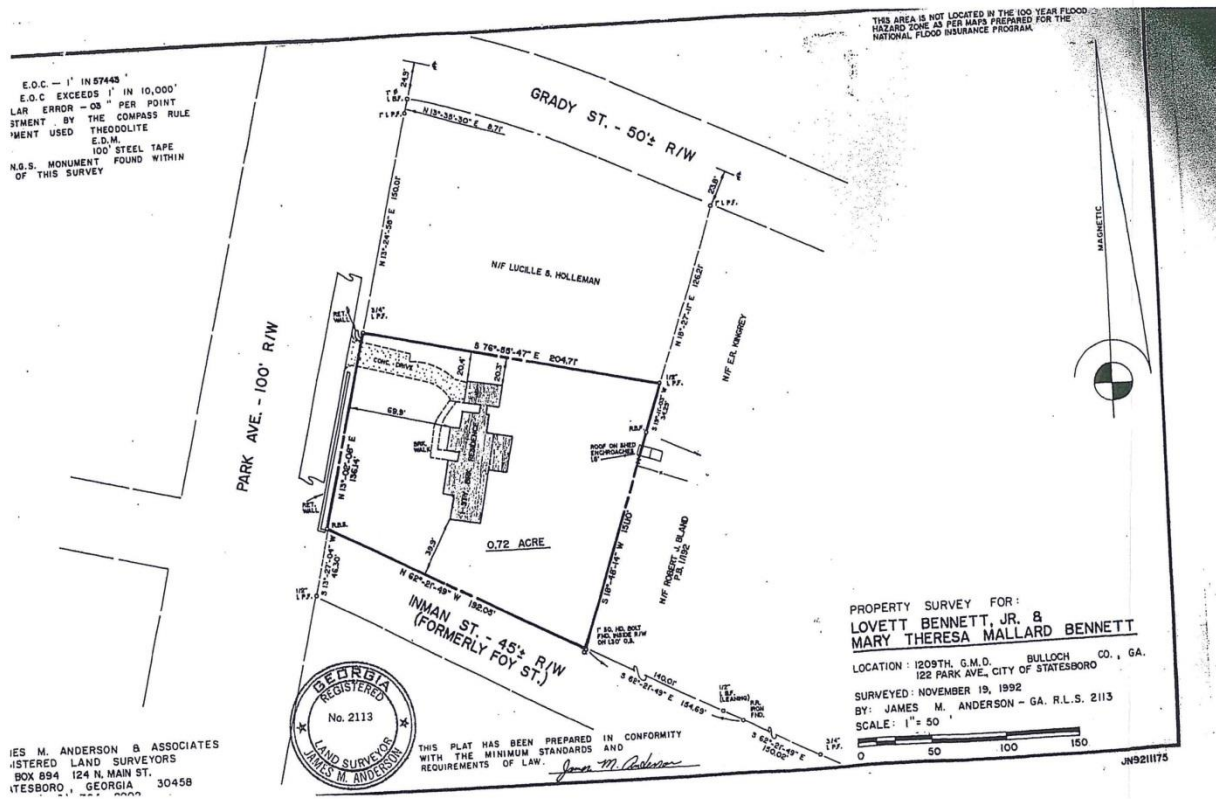
Note: The Boundries Depicted on this map are approximate and should be used for reference only

**EXHIBIT B: SITE SURVEY**



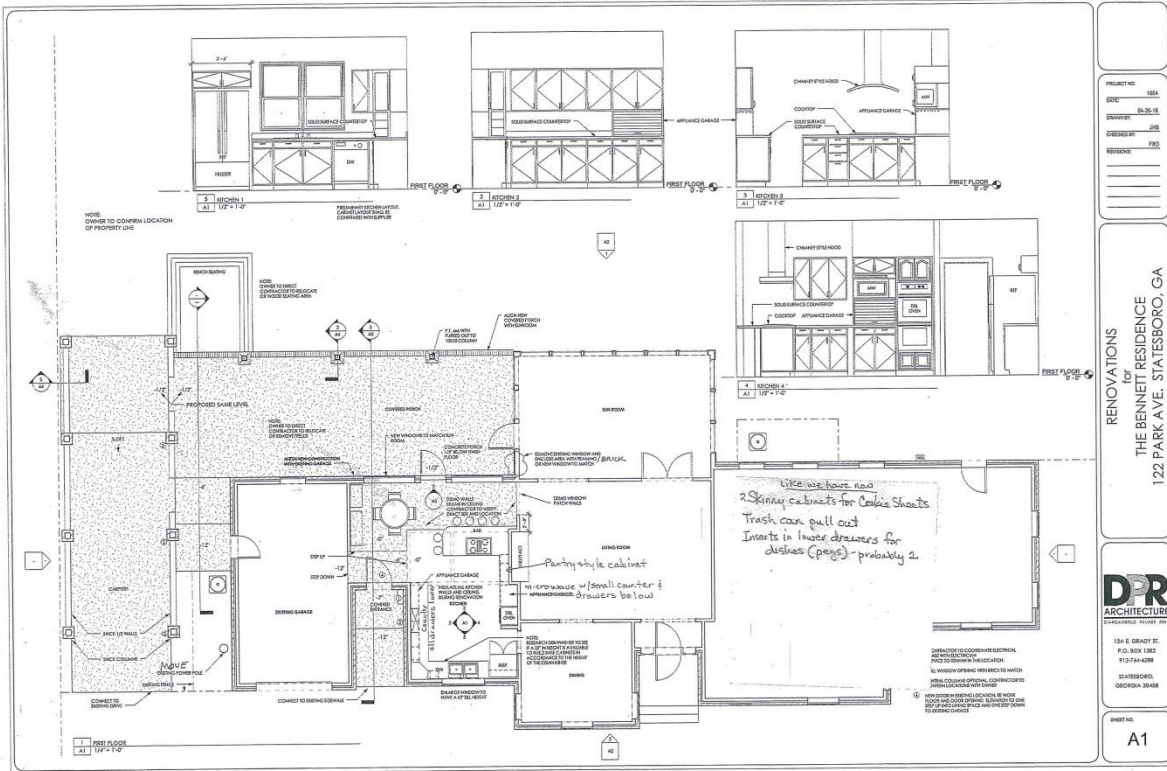


**EXHIBIT B: SITE SURVEY (CONT)**

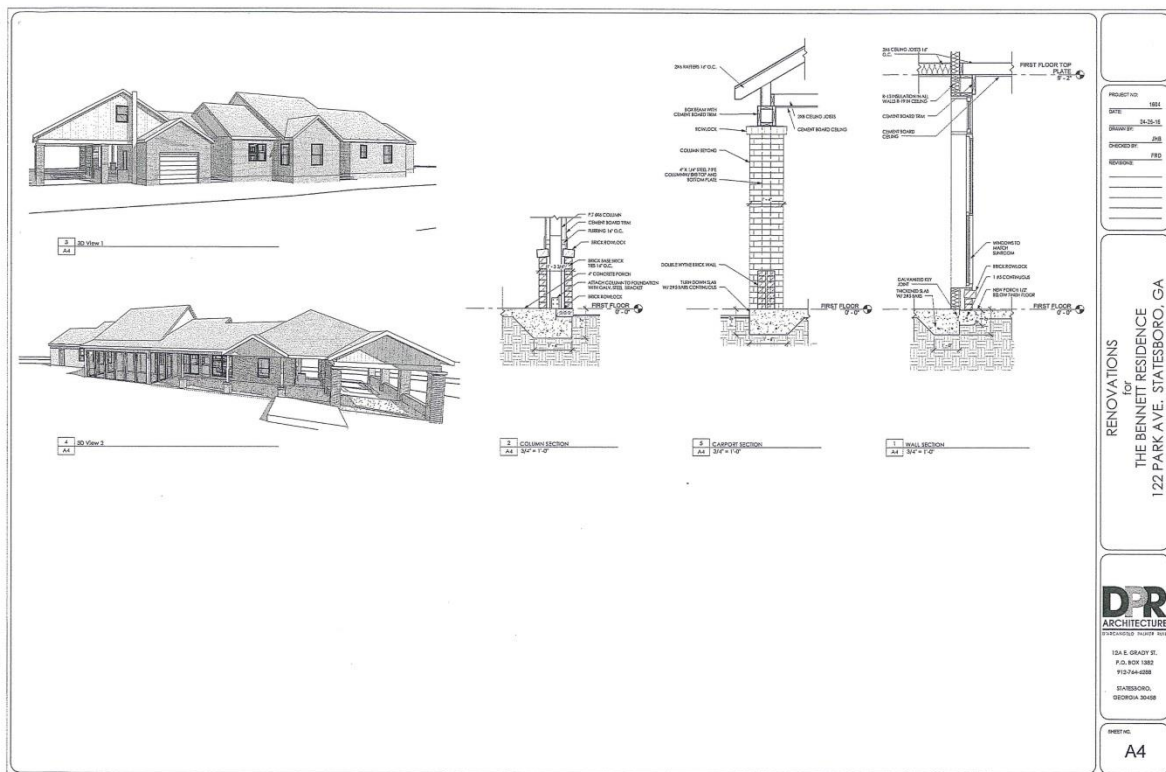
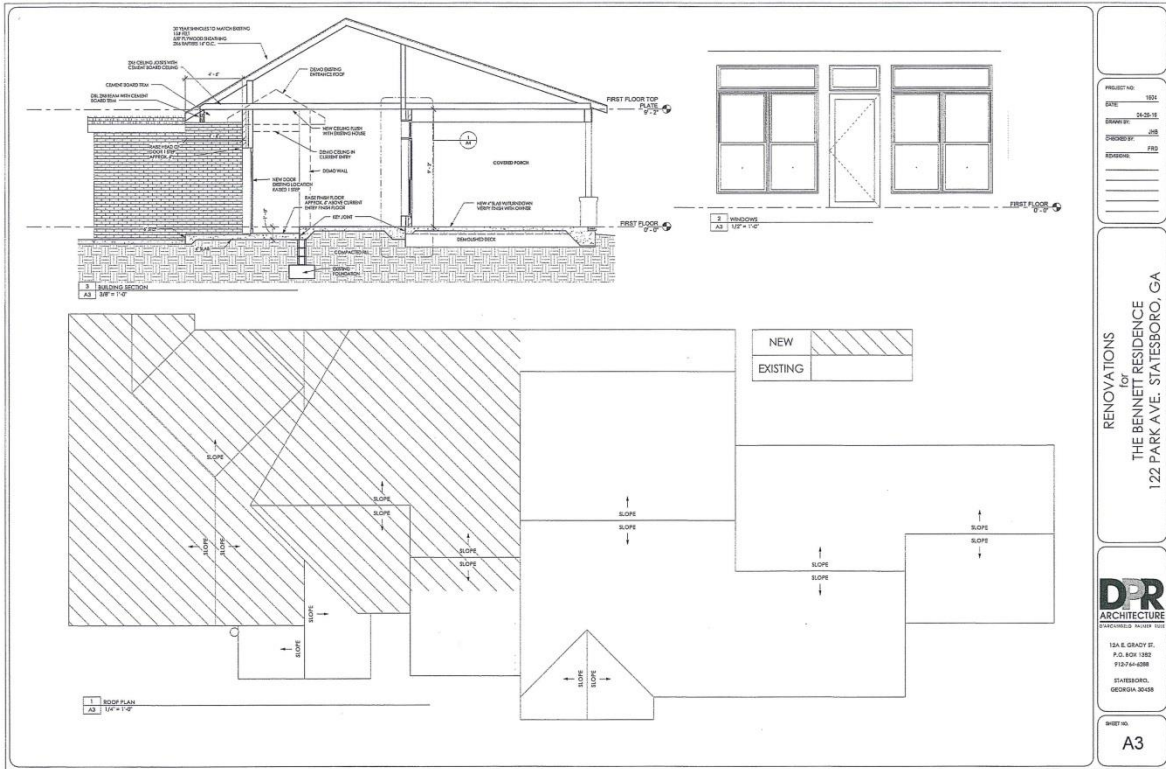


JAMES M. ANDERSON & ASSOCIATES  
 REGISTERED LAND SURVEYORS  
 BOX 894 124 N. MAIN ST.  
 STATESBORO, GEORGIA 30458

**EXHIBIT C: FLOOR PLANS**



**EXHIBIT C: FLOOR PLANS (CONT)**






City of Statesboro  
Building Permit

PD 01561

Job Address: 122 Park Ave			
1. Legal Desc.			
N/A { <input checked="" type="checkbox"/> }	San. Sewer { <input type="checkbox"/> }	Septic Tank { <input type="checkbox"/> }	City Water { <input type="checkbox"/> }
2. Owner	Mail Address	Phone	
Lovett Bennett	122 Park Ave	912-489-1152	
3. Contractor	Mail Address	Phone	GA State License #
Josh Anderson	302 Varnado Cir Claxton, GA	304-17	012-601-9637
4. Architect/Engineer	Mail Address	Phone	
5. Use of Building: S. Fam. Res. { <input checked="" type="checkbox"/> } Multi-Fam. Res. { <input type="checkbox"/> } Accessory { <input type="checkbox"/> }			
Com. Bldg. { <input type="checkbox"/> } Industrial { <input type="checkbox"/> } Manf. Res. { <input type="checkbox"/> } Other { <input type="checkbox"/> }			
6. Class of Work: Erect { <input type="checkbox"/> } Addition { <input checked="" type="checkbox"/> } Renovation { <input type="checkbox"/> } Repair { <input type="checkbox"/> } Move { <input type="checkbox"/> } Demolish { <input type="checkbox"/> }			
7. Describe Work: Add carpet, porch & breakfast room & renovate kitchen			
8. Valuation of Work: \$ 75,000			

Special Conditions

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

 Approved For Issuance By:  
\_\_\_\_\_  
City Official Date 6/24/16

Contact Engineering Department for required building inspections at (912) 764-0655 and Fire Inspector at (912) 764-FIRE for required fire inspections.

Notice:

- A. New construction shall meet all handicapped accessibility requirements.
- B. Construction in some areas may impact wetlands and require a separate permit from the Corps of Engineers. Permit holder agrees to hold the City of Statesboro harmless on any construction covered by such permit.
- C. This permit becomes null and void if work or construction authorized is not commenced within 6 months, or if construction or work is suspended or abandoned for a period of 6 months at any time after work is commenced.
- D. Where applicable, general contractors and subcontractors must provide proof of a current Georgia State License.
- E. A "Certificate of Occupancy" shall be issued before any structure or building can be occupied.
- F. It is the permittee's responsibility to determine if lead based paint or asbestos exists in this structure, and contact the Georgia Environmental Protection Division if either is found.

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be compiled with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law or code regulating construction or the performance of construction.

  
Signature of Owner/Contractor or Authorized Agent

7/14/2016  
Date

Total \$ Building Permit Fee	651.95
Occ. Group	R
Type of Construction	IV
Special Flood Hazard Area	Yes { } No { <input checked="" type="checkbox"/> }
Elevation Certificate Required	Yes { } No { <input checked="" type="checkbox"/> }



**EXHIBIT E: PHOTOS OF SUBJECT SITE AND ADJACENT PROPERTY**



**Picture 1 Subject Site Depicting Location of Carport Compared to Adjacent Property Line and Fencing**



**Picture 2 Subject Site Depicting Brick Boundary of Carport in Comparison to Property Line and Fencing**



**EXHIBIT E: PHOTOS OF SUBJECT SITE AND ADJACENT PROPERTY (CONT)**



**Picture 3 Close-up of Carport Boundary in Comparison to Property Line and Fencing**



**EXHIBIT E: PHOTOS OF SUBJECT SITE AND ADJACENT PROPERTY (CONT)**



**Picture 4 Depiction of Carport Boundary as Related to Adjacent Property Fencing**