



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)

Statesboro Planning Commission
March 7, 2017
5:00 P.M.
City Hall Council Chamber

Meeting Agenda

I. Call to Order

II. Invocation & Pledge of Allegiance

III. Motion to Approve Order of the Meeting Agenda

IV. Approval of Minutes

- 1.) February 7, 2017 Meeting Minutes

V. New Business

1. **APPLICATION # V 17-02-02**: Nick Stein requests a variance from Article XV Section 1509(C) Table 4 of the *Statesboro Zoning Ordinance* regarding the maximum aggregate sign area in Sign District 2 for 460 Northside Drive East (Tax Parcel MS72 000011 000).
2. **APPLICATION # V 17-02-03**: Nick Stein requests a variance from Article XV Section 1509(C) Table 4 of the *Statesboro Zoning Ordinance* regarding the maximum number of building signs allowed per elevation in Sign District 2 for 460 Northside Drive East (Tax Parcel MS72 000011 000).
3. **APPLICATION # V 17-02-04**: Nick Stein requests a variance from Article XV Section 1509(C) Table 5 of the *Statesboro Zoning Ordinance* regarding the maximum aggregate sign area in Sign District 3 for 810 Archway Drive (Tax Parcel MS74 000198 007).
4. **APPLICATION # V 17-02-05**: Nick Stein requests a variance from Article XV Section 1509(C) Table 5 of the *Statesboro Zoning Ordinance* regarding the maximum number of building signs allowed per elevation in Sign District 3 for 810 Archway Drive (Tax Parcel MS74 000198 007).
5. **APPLICATION # SE 17-02-01**: Marilyn Knight requests a special exception to utilize the property located at 404 North Avenue as a childcare center with a capacity of fifty-two (52) children in the R8 zoning district (Tax Parcel MS40 000051 000).

6. **APPLICATION # CUV 17-01-01:** Summit BHC Statesboro, LLC requests a condition use variance to utilize the property located at 207 Lee Street as a drug rehabilitation center for no more than nineteen (19) adults in the R15 (Single-Family Residential) zoning district (Tax Parcel S51 000009 000).

VI. Announcements

VII. Adjourn



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Statesboro Planning Commission
February 7, 2017
5:00 P.M.
City Hall Council Chamber

Meeting Minutes

Present: Planning Commission Members: James W. Byrd, Sr.; Ben McKay; Russell Rosengart; David McLendon; Carlos C. Brown, Jr. and Mary Foreman **City of Statesboro Staff:** Director of Planning and Development Frank Neal, Development Project Manager Cindy Clifton, Planning & Development Specialist Candra E. Teshome and Code Compliance Officer Mike Chappel.

I. Call to Order

Commissioner Byrd called the meeting to order at 5:08 PM.
(Commissioner Foreman arrived at 5:08 PM)

II. Invocation & Pledge of Allegiance

The Invocation and Pledge of Allegiance were given by Commissioner McLendon.

III. Motion to Approve Order of the Meeting Agenda

Commissioner Byrd made a motion to approve the order of the meeting agenda, seconded by Commissioner McKay and the motion carried 6 to 0.

IV. Approval of Minutes

Commissioner McLendon made a motion to approve the minutes of the January 3, 2017 Planning Commission meeting, seconded by Commissioner Brown and the motion carried 6 to 0.

V. Motion to Adopt the Rules of Order (Attachment A)

Commissioner McLendon made a motion to adopt the Rules of Order, seconded by Commissioner McKay and the motion carried 6 to 0.

VI. New Business

APPLICATION # RZ 17-01-03: The Downtown Statesboro Development Authority requests a zoning map amendment for .29 acres of property located at 11 West Inman Street from HOC (Highway Oriented Commercial) and R4 (High Density Residential District) to the R4 (High Density Residential District) zoning district (Tax Parcel S19 000040 000).

Frank Neal presented the case to the commissioners and took any questions. Mr. Neal introduced Allen Muldrew of the Downtown Statesboro Development Authority, the applicant, on behalf of the request. No one spoke against the request.

Commissioner Mckay made a motion to approve the application, seconded by Commissioner Brown, and the motion carried 4 to 0, with Commissioner McLendon abstaining (family member employed by DSDA) and Commissioner Foreman abstaining (DSDA Board Member) from the vote due to a possible conflict of interest.

VII. Announcements

There were no announcements.

VIII. Adjourn

Commissioner McLendon made a motion to adjourn, seconded by Commissioner Foreman and the motion carried 6 to 0.

Chair – James W. Byrd, Sr.

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



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

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**V 17-02-02 & V 17-02-03
 VARIANCE REQUESTS
 460 NORTHSIDE DRIVE EAST**

LOCATION: 460 Northside Drive East

REQUEST: Variance from Article XV Section 1509(C) Table 4 of the *Statesboro Zoning Ordinance* regarding the maximum aggregate sign area and the maximum number of building signs allowed per elevation in Sign District 2.

APPLICANT: Nick Stein

OWNER(S): McDonald's Corporation, a Delaware Corporation

ACRES: .96 acres

PARCEL TAX MAP #: MS72 000011 000

COUNCIL DISTRICT: District 5 (Chance)



PROPOSAL:

The applicant requests a variance from Article XV Section 1509(C) Table 4 of the *Statesboro Zoning Ordinance* regarding the maximum aggregate sign area and the maximum number of building signs allowed per elevation in Sign District 2 (See **Exhibit A** – Location Map). The applicant would like to remove the existing 67 square foot wall sign and replace it with an updated wordmark and building arch, with one elevation receiving two (2) signs.

BACKGROUND:

On November 18, 2015, the subject site was issued a building permit (PD# 01402) for the installation of a new side-by-side drive-thru. The drive-thru menu boards are a total of 47.43 square feet, with two installations equaling 94.87 square feet. Currently, the location has a total aggregate of 327.27 square feet, which exceeds the maximum allowed (250) by 77.27 square feet and includes one (1) freestanding sign, one (1) building sign and two (2) menu boards (See **Exhibit E**—Existing Signage Plans).

SURROUNDING LAND USES/ZONING:

ZONING:		LAND USE:
NORTH:	CR (Commercial Retail)	Food Service Facilities, Retail Facilities
SOUTH:	CR (Commercial Retail)	Food Service Facilities, Retail Facilities
EAST:	CR (Commercial Retail)	Food Service Facilities, Retail Facilities
WEST	CR (Commercial Retail)	Food Service Facilities, Retail Facilities

The subject property is located in the CR (Commercial Retail) zoning district and surrounding parcels include mixed uses, such as restaurants and retail facilities, including Statesboro Mall, Buffalo Wild Wings and Statesboro Square Shopping Center (See **Exhibit A**—Location Map, **Exhibit B**—Future Development Map and **Exhibit C**—Photos of Subject Site).

COMPREHENSIVE PLAN:

The subject site lies within the “Activity Centers/Regional Centers” character area as identified by the City of Statesboro Future Development Map within the *City of Statesboro Comprehensive Master Plan*. The “Activity Centers/Regional Centers” character areas are currently dominated by auto-oriented design and large surface parking lots. The Activity Centers will evolve into pedestrian-oriented shopping, office, and entertainment places that may also accommodate high-density residential development. Where excess parking is located, infill development can break up large surface lots. Tree plantings and landscaping will be generous to soften the development intensity in these areas. Access to these activity centers will be easily achieved for pedestrians, cyclists, and drivers alike (See **Exhibit B** – Future Development Map).

Some appropriate land uses for the “Activity Centers/Regional Centers” character area include the following:

- Small, mid-size, and regional retail and commercial, including big box stores.
- Redeveloped shopping center should be encouraged to include diverse uses and pedestrian-scaled elements.

Statesboro Comprehensive Master Plan, Community Agenda page 25.

In addition, the Future Development Map and Defining Narrative section of the Comprehensive Plan states the following:

“Statesboro residents have expressed dissatisfaction with a variety of features in the community which clutter streetscapes and obstruct natural landscape features -particularly on major corridors entering and exiting the community. While City leadership has acknowledged the need to comprehensively update land development regulations to holistically address aesthetic concerns, there exist a number of individual topics which can be addressed by ordinance amendments in the short-term. Signs (attached and detached) should be managed by incorporating uniform design features, and by restricting billboards and other off-premise signage which distract from traffic control signage and compete with local and other on-site businesses.”

Statesboro Comprehensive Master Plan, Community Agenda page 11.

ANALYSIS:

I. **V 17-02-02: Variance from Article XV Section 1509(C) Table 4: Sign District 2 Dimensional Standards to permit an increase in the maximum aggregate sign area.**

The applicant is requesting a variance from Article XV (Signs) regarding the maximum aggregate sign area. The subject site is located in the CR (Commercial Retail) zoning district and is regulated by the dimensional standards of Sign District 2 (See **Exhibit D**—Section 1509(C) Table 4). Article XV (Signs) Section 1509 of the *Statesboro Zoning Ordinance* regulates the dimensional standards for all freestanding and building signs within the City of Statesboro.

Additionally, Section 1501(1) of the Statesboro Zoning Ordinance defines “Aggregate Sign Area” as “the combined sign area of all signs regardless of whether or not the signs require a permit, or where specified, all signs of a particular category, on a single parcel”. For individual business establishments on an individual lot within Sign District 2, the maximum aggregate sign area for all signs (combined freestanding and building) on the property is 250 square feet. Please note that the maximum allowable aggregate sign area does not allow a parcel to maximize the available wall signage and freestanding signage available for each parcel, but rather forces an allocation between the two.

The applicant’s intention is to increase the maximum aggregate sign area from the permissible 250 square feet to 321.1 square feet. It should be noted that the applicant received a building permit for the installation of a side-by-side drive-thru at the location on November 18, 2015. As currently permitted, the subject site’s aggregate sign area is 327.27 square feet, which exceeds the maximum 250 aggregate sign area by 77.27 square feet.

Sign District 2 Regulations	Currently Permitted	Requested
Freestanding Signs: One sign structure per road frontage not to exceed 150 square feet and a maximum height of 20’	One (1) 33.25’ (minimum) high pole sign with 178.33 sq. ft. sign area	The applicant will <u>not</u> remove this sign and will begin repair work to existing damage
Building Signs: One per building elevation not to exceed 125 square feet	One (1) 67 square feet building sign	Removal of existing 67 square feet building sign and installation of one (1) 32.83 sq. ft. wordmark and two (2) 14 sq. ft. arch logos
Other: The ordinance is silent on drive-thru signage designed to facilitate the sales process No sign permit needed	Two (2) 40.96 sq. ft. drive-thru menu boards totaling 81.93 sq. ft.	

TOTAL

327.27 sq. ft. (Aggregate)

321.1 sq. ft. (Aggregate)

Section 1503(G) states that no variances shall be permitted from the terms of Article XV regarding signs in the *Statesboro Zoning Ordinance*. It continues to state that “Specifically, no variances under article XVIII of this ordinance [chapter] shall be applicable to the standards contained within this article.” However, Article XV regarding signs is part of the *Statesboro Zoning Ordinance*, which provides for the award of variances by the City Council from the zoning regulations stating that “approval of a variance must be in the public interest, the spirit of the ordinance must be observed, public safety and welfare secured, and substantial justice done” and **Section 1801 states that the Mayor and Council [should] consider if the following are 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;**
 - o There are no special conditions.
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**
 - o There is no proven hardship.
4. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**

II. **V 17-02-03: Variance from Article XV Section 1509(C) Table 4: Sign District 2 Dimensional Standards to permit the installation of two (2) wall signs on one elevation.**

The applicant is requesting a variance from Article XV Section 1509(C) Table 4 to permit the installation of two (2) walls signs on one building elevation. The ordinance prohibits the installation of two (2) walls signs unless one (1) sign is in the form of a canopy/awning (See **Exhibit D**—Section 1509(C) Table 4).

Section 1503(G) states that no variances shall be permitted from the terms of Article XV regarding signs in the *Statesboro Zoning Ordinance*. It continues to state that “Specifically, no variances under article XVIII of this ordinance [chapter] shall be applicable to the standards contained within this article.” However, Article XV regarding signs is part of the *Statesboro Zoning Ordinance*, which provides for the award of variances by the City Council from the zoning regulations stating that “approval of a variance must be in the public interest, the spirit of the ordinance must be observed, public safety and welfare secured, and substantial justice done” and **Section 1801 states that the Mayor and Council [should] consider if the following are 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;**
 - o There are no special conditions.
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**
 - o There is no proven hardship.
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 applications V 17-02-02 and V 17-02-03.

EXHIBIT A: LOCATION MAP

Case # V 17-02-02 & V 17-02-03 Parcel # MS72 000011 000

Location Map: 460 Northside Drive East 



STAGIS 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: FUTURE DEVELOPMENT MAP

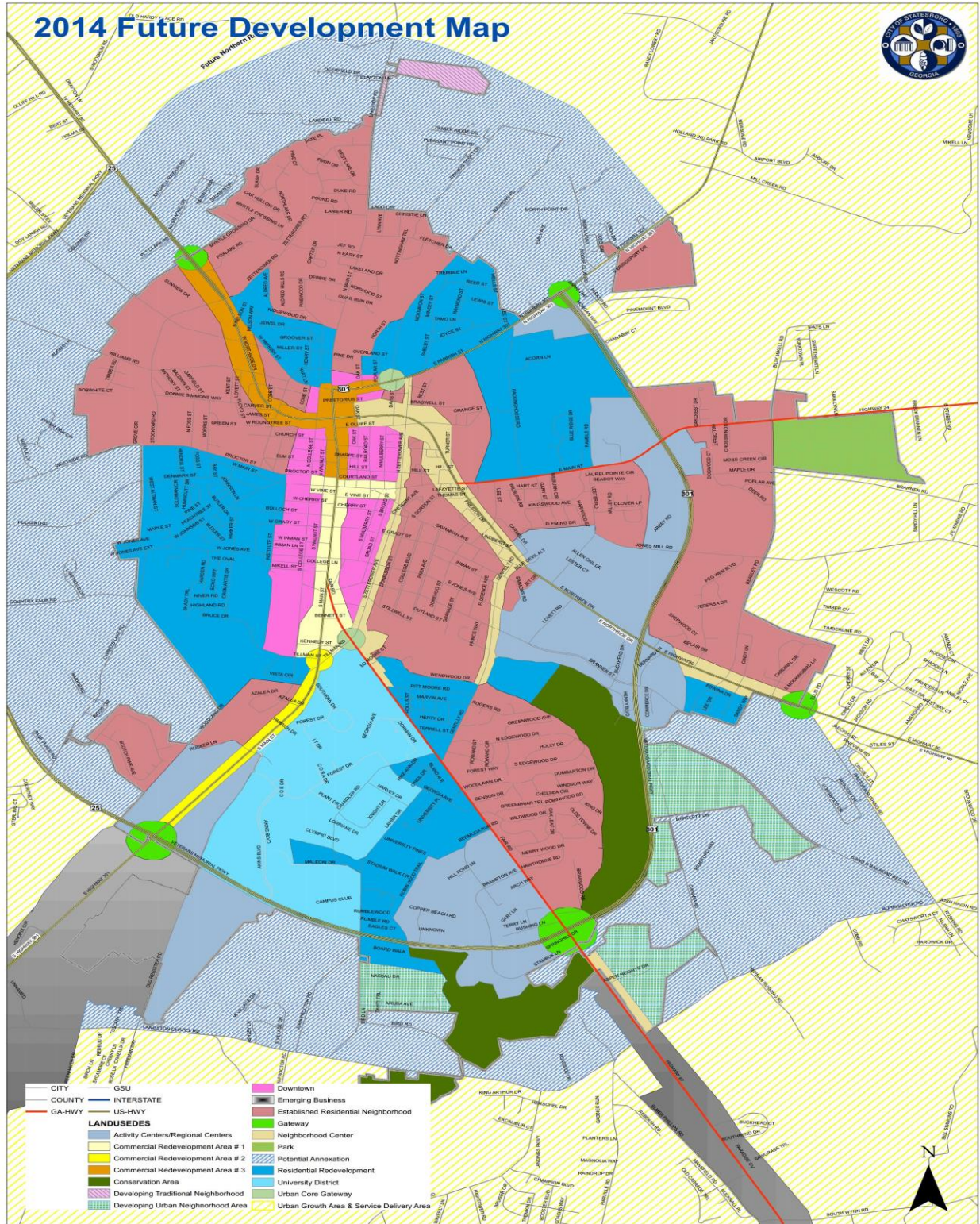


EXHIBIT C: PHOTOS OF SUBJECT SITE



Picture 1 Subject Site Front Elevation facing Northside Drive East



Picture 2 Subject Site Non-Drive-thru Side facing Parking Lot and Lovett Road

EXHIBIT C: PHOTOS OF SUBJECT SITE (CONT)



Picture 3 Drive-thru Menu Boards and Related Signage



Picture 4 Drive-thru Signage facing Buffalo Wild Wings

EXHIBIT C: PHOTOS OF SUBJECT SITE (CONT)



Picture 5 Rear of Subject Site Depicting Menu Boards



Picture 6 Rear Elevation of Subject Site

EXHIBIT D: SECTION 1509 TABLE 4

Table 4. Sign District 2 Dimensional Standards

TABLE INSET:

SIGN DISTRICT 2 (As defined in subsection 1509[A.2])	SIGN FOR AN INDIVIDUAL ESTABLISHMENTS ON AN INDIVIDUAL LOT	MAJOR SIGN FOR PLANNED COMMERCIAL OR INDUSTRIAL CENTER OR DEVELOPMENT	INDIVIDUAL ESTABLISHMENTS, SHOPS, ETC., WITHIN A PLANNED COMMERCIAL OR INDUSTRIAL CENTER OR DEVELOPMENT
AGGREGATE SIGN AREA*:			
1. Maximum Number of Total Square Feet (SF)*	250 square feet including freestanding and building sign	Size is based upon the overall floor space of the center as follows: 0-50,000 sf = 200 sf > 50,000 sf = 350 sf	Not applicable
FREESTANDING SIGNS**:			
2. Freestanding Sign Maximum Square Feet	150 square feet	Varies per overall floor space of the center (See "Aggregate Sign Area" herein)	Not applicable
3. Maximum Height	20' on St. or Fed. Frontage 8' on Local Frontage	25' on St. or Fed. Frontage 15' on Local Frontage	Not applicable
4. Setback Requirements	5 feet from property line	5 feet from property line	Not applicable
5. Number of Signs Allowed*	One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two (2) such signs	One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two (2) such signs	Not allowed
BUILDING SIGNS:			
1. Maximum Number of Total Square Feet	125 square feet	60 square feet	The greater of 60 sf or 5% of wall areas, allotted to the individual establishment
2. Maximum Height	Building elevation	Building Elevation	Building Elevation
3. Number of Building Signs Allowed***	One per elevation	One sign per common entrance	One per building elevation per tenant
<p>*As provided in Section 1501 and Table 2 herein, "aggregate sign area" includes all freestanding or building signs regardless of whether or not a permit for a particular type of sign is required. Where a billboard is to be located on a lot in accordance with the provisions of section 1511 herein, the aggregate sign area shall not exceed the combined maximum number of total square feet permitted for the billboard, as established in subsection 1511(B), and the building sign.</p> <p>**Excludes billboards. Billboards shall be subject to the provisions of section 1511 of this article.</p> <p>*** Two (2) per building elevation where one (1) sign is in the form of a canopy/awning, and where the cumulative square footage of both does not exceed the "maximum number of total square feet" for building signs.</p>			

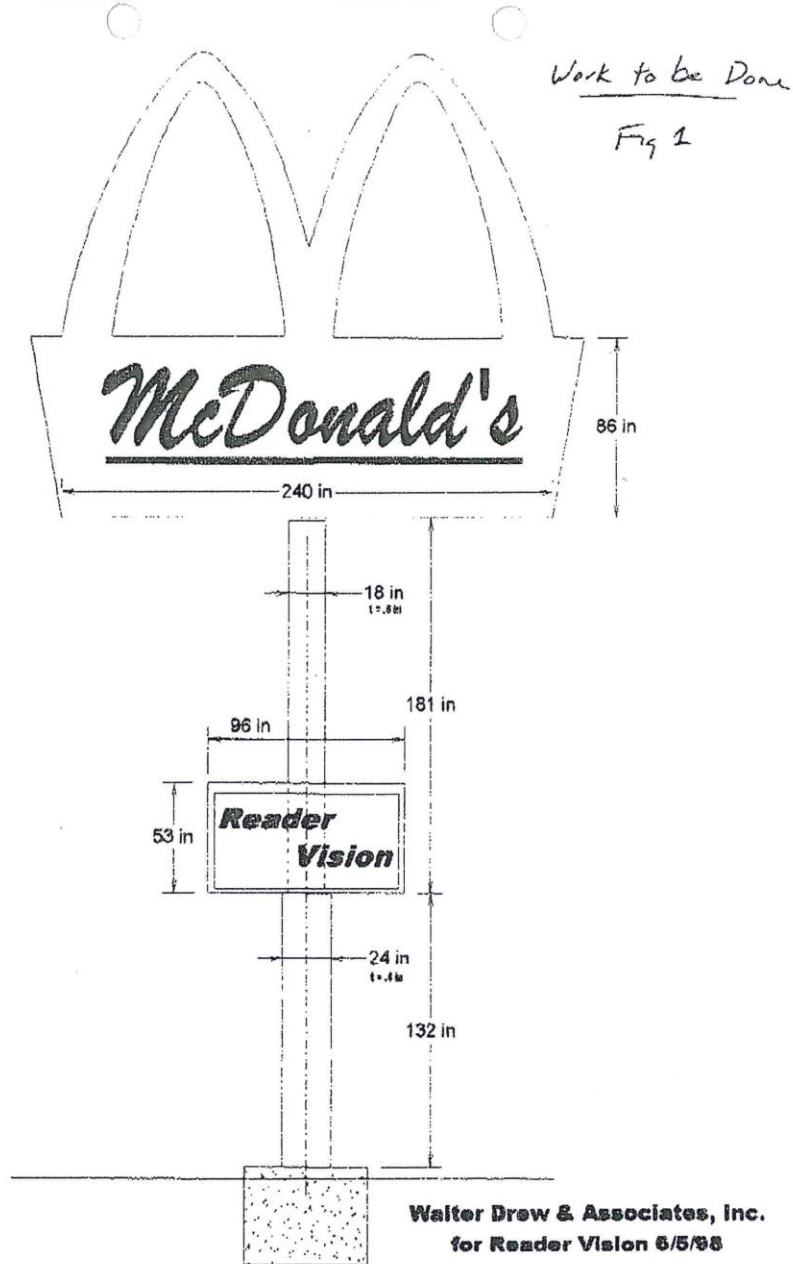
EXHIBIT E: EXISTING SIGNAGE PLANS

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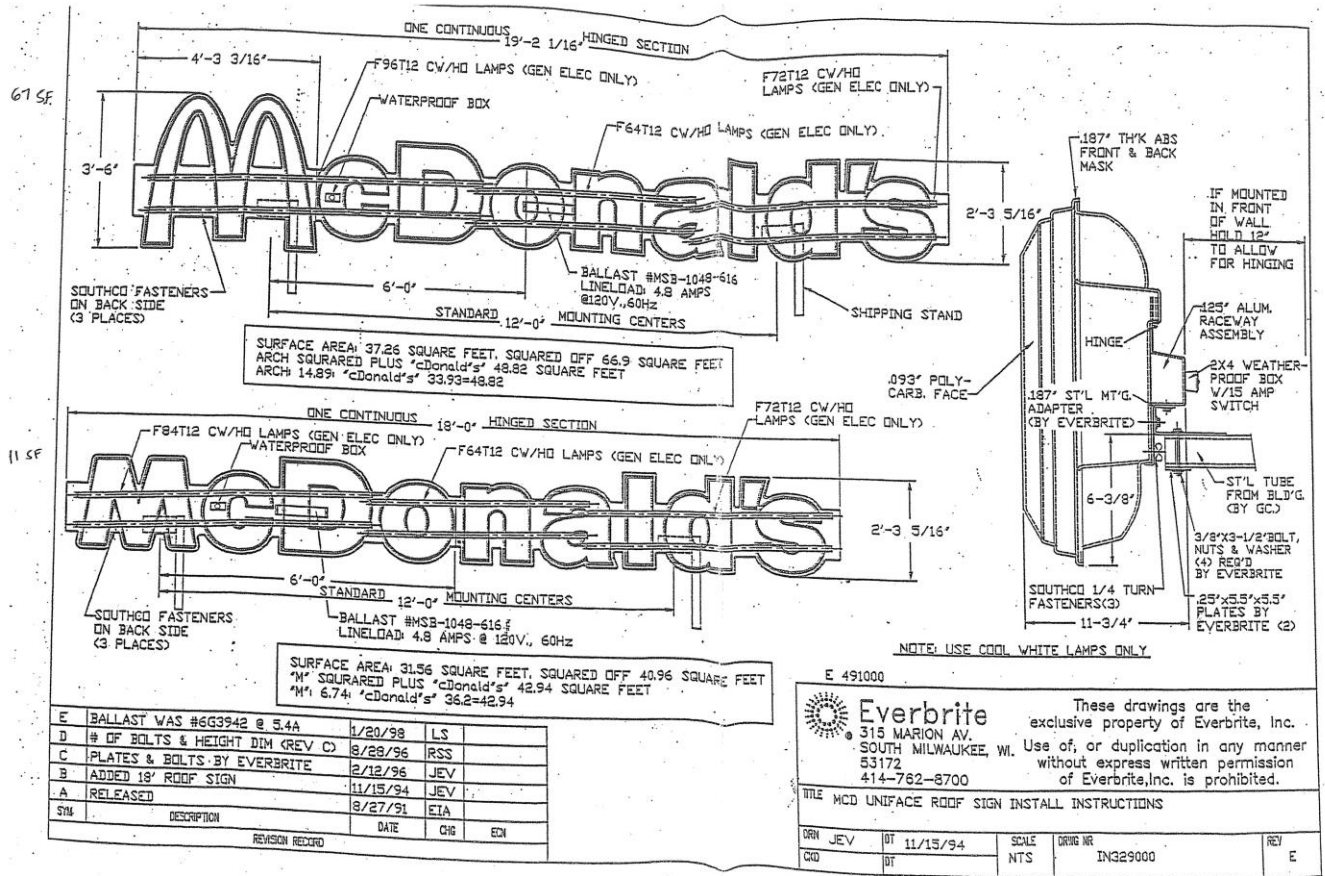
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PAGE 07



Picture 7 Pole Sign Installation 33.25' high and 178.33 sq. ft. Sign Area

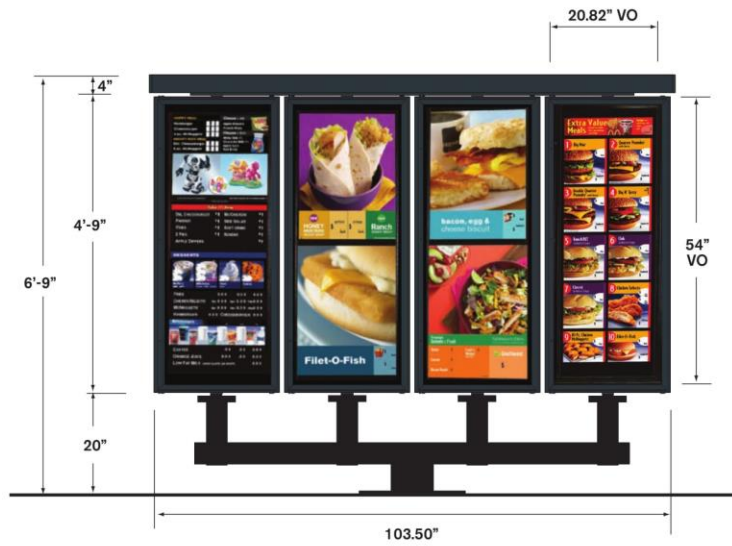
EXHIBIT E: EXISTING SIGNAGE PLANS (CONT)



Picture 8 Original Building Sign Installation on Front Elevation at 67 sq. ft.

EXHIBIT E: EXISTING SIGNAGE PLANS (CONT)

OPO Outdoor Menu Board

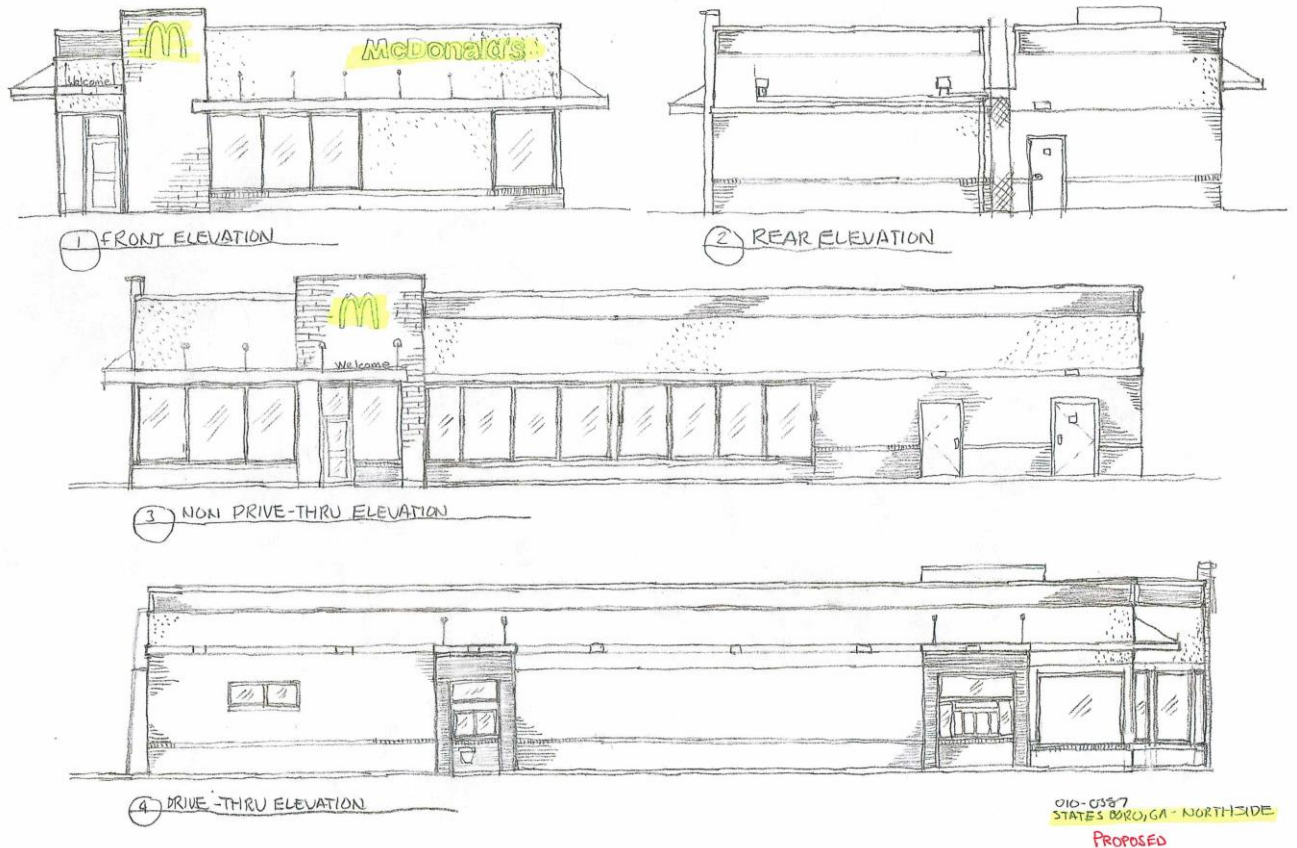


- Illumination:** LED
- Electrical:** First Circuit: 120/1/60, 15 amp
Second Circuit: 120/1/60, 15 amp
- Ship Weight:** 1,313 lbs.
- Other:**
- Please call IMS for graphics, 800-937-7671
 - Triangular design for increased graphic options
 - Available in an manual or automated version. Automated version must be ordered directly from Florida Plastics.

Everbrite, LLC, 315 Marion Ave., South Milwaukee, WI, 53172 P: 888-857-4078 F: 877-430-7363 www.everbrite.com

Picture 9 Menu Board at 40.96 sq. ft. (two installations total 91.93 sq. ft.)

EXHIBIT F: PROPOSED SIGNAGE PLANS



Picture 10 Proposed Signage: Two (2) 14 sq. ft. arch logos and one (1) 32.83 sq. ft. wordmark



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**V 17-02-04 & V 17-02-05
 VARIANCE REQUESTS
 810 ARCHWAY DRIVE**

LOCATION: 810 Archway Drive

REQUEST: Variance from Article XV Section 1509(C) Table 5 of the *Statesboro Zoning Ordinance* regarding the maximum aggregate sign area and the maximum number of building signs allowed per elevation in Sign District 3.

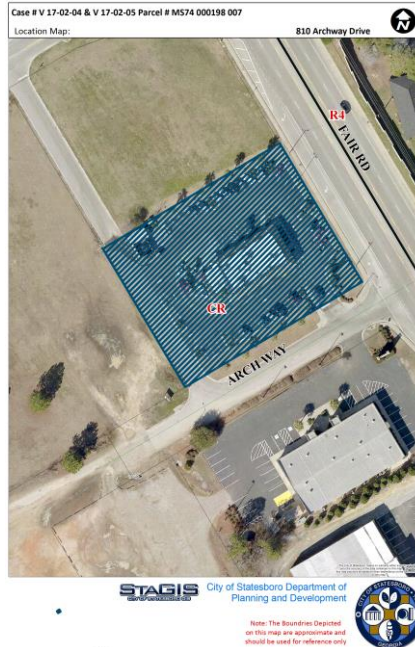
APPLICANT: Nick Stein

OWNER(S): McDonald's Corporation, a Delaware Corporation

ACRES: 1 acre

PARCEL TAX MAP #: MS74 000198 007

COUNCIL DISTRICT: District 5 (Chance)



PROPOSAL:

The applicant requests a variance from Article XV Section 1509(C) Table 5 of the *Statesboro Zoning Ordinance* regarding the maximum aggregate sign area and the maximum number of building signs allowed per elevation in Sign District 3 (See **Exhibit A** – Location Map). The applicant would like to remove the existing 67 square foot wall sign and replace it with an updated wordmark and building arch, with one elevation receiving two (2) signs (See **Exhibit F**—Proposed Signage Plans).

BACKGROUND:

The applicant would like to upgrade signage at the location and the subject site currently contains two (2) major signs: one (1) freestanding road sign and one (1) building sign. In addition, the site contains two menu boards and directional signage. The freestanding road sign is 20 feet high and contains an 80 sq. ft. static marquee and a 28 sq. ft. changeable copy sign. The drive-thru menu boards are a total of 47.43 square feet apiece, with two installations equaling 94.87 square feet. Currently, the location has a total aggregate of 269.87 square feet, which exceeds the maximum allowed (150) by 119.87 square feet (See **Exhibit E**—Existing Signage Plans).

SURROUNDING LAND USES/ZONING:

ZONING:		LAND USE:
NORTH:	CR (Commercial Retail)	Food service facilities, retail facilities
SOUTH:	CR (Commercial Retail)	Food service facilities, retail facilities
EAST:	R4 (High Density Residential District)	Single-family attached dwelling units
WEST	CR (Commercial Retail)	Food service facilities, retail facilities

The subject property is located in the CR (Commercial Retail) zoning district and surrounding parcels include mixed uses, such as restaurants and retail facilities, single-family attached dwelling units, a hotel and grocery store, including

the newly opened Panda Express, Walmart Neighborhood Market and the Hampton Inn (See **Exhibit A**—Location Map, **Exhibit B**—Future Development Map and **Exhibit C**—Photos of Subject Site).

COMPREHENSIVE PLAN:

The subject site lies within the “Activity Centers/Regional Centers” character area as identified by the City of Statesboro Future Development Map within the *City of Statesboro Comprehensive Master Plan*. The “Activity Centers/Regional Centers” character areas are currently dominated by auto-oriented design and large surface parking lots. The Activity Centers will evolve into pedestrian-oriented shopping, office, and entertainment places that may also accommodate high-density residential development. Where excess parking is located, infill development can break up large surface lots. Tree plantings and landscaping will be generous to soften the development intensity in these areas. Access to these activity centers will be easily achieved for pedestrians, cyclists, and drivers alike (See **Exhibit B** – Future Development Map).

Some appropriate land uses for the “Activity Centers/Regional Centers” character area include the following:

- Small, mid-size, and regional retail and commercial, including big box stores.
- Redeveloped shopping center should be encouraged to include diverse uses and pedestrian-scaled elements.

Statesboro Comprehensive Master Plan, Community Agenda page 25.

In addition, the Future Development Map and Defining Narrative section of the Comprehensive Plan states the following:

“Statesboro residents have expressed dissatisfaction with a variety of features in the community which clutter streetscapes and obstruct natural landscape features -particularly on major corridors entering and exiting the community. While City leadership has acknowledged the need to comprehensively update land development regulations to holistically address aesthetic concerns, there exist a number of individual topics which can be addressed by ordinance amendments in the short-term. Signs (attached and detached) should be managed by incorporating uniform design features, and by restricting billboards and other off-premise signage which distract from traffic control signage and compete with local and other on-site businesses.”

Statesboro Comprehensive Master Plan, Community Agenda page 11.

ANALYSIS:

- I. **V 17-02-04: Variance from Article XV Section 1509(C) Table 5: Sign District 3 Dimensional Standards to permit an increase in the maximum aggregate sign area.**

The applicant is requesting a variance from Article XV (Signs) regarding the maximum aggregate sign area. The subject site is located in the CR (Commercial Retail) zoning district and is regulated by the dimensional standards of Sign District 3 (See **Exhibit D**—Section 1509(C) Table 5). Article XV (Signs) Section 1509 of the *Statesboro Zoning Ordinance* regulates the dimensional standards for all freestanding and building signs within the City of Statesboro.

Additionally, Section 1501(1) of the Statesboro Zoning Ordinance defines “Aggregate Sign Area” as “the combined sign area of all signs regardless of whether or not the signs require a permit, or where specified, all signs of a particular category, on a single parcel”. For individual business establishments on an individual lot within Sign District 3, the maximum aggregate sign area for all signs (combined freestanding and building) on the property is 150 square feet. Please note that the maximum allowable aggregate sign area does not allow a parcel to maximize the available wall signage and freestanding signage available for each parcel, but rather forces an allocation between the two.

The applicant's intention is to increase the maximum aggregate sign area from the permissible 150 square feet to 263.7 square feet. As currently permitted, the subject site's aggregate sign area is 269.87 sq. ft., which exceeds the maximum 150 aggregate sign area by 119.87 square feet.

Sign District 3 Regulations	Currently Permitted	Requested
Freestanding Signs: One sign structure per road frontage not to exceed 60 sq. ft., max height of 20'	One (1) 20' high pole sign with 108 sq. ft. sign area	The applicant will <u>not</u> remove this sign and will begin repair work to existing damage
Building Signs: One per building elevation not to exceed 50 sq. ft.	One (1) 67 sq. ft. building sign	Removal of existing 67 sq. ft. building sign and installation of one (1) 32.83 sq. ft. wordmark and two (2) 14 sq. ft. arch logos
Other: The ordinance is silent on drive-thru signage designed to facilitate the sales process No sign permit needed	Two (2) 40.96 sq. ft. drive-thru menu boards totaling 81.93 sq. ft.	
TOTAL	269.87 sq. ft. (Aggregate)	263.7 sq. ft. (Aggregate)

Section 1503(G) states that no variances shall be permitted from the terms of Article XV regarding signs in the *Statesboro Zoning Ordinance*. It continues to state that “Specifically, no variances under article XVIII of this ordinance [chapter] shall be applicable to the standards contained within this article.” However, Article XV regarding signs is part of the *Statesboro Zoning Ordinance*, which provides for the award of variances by the City Council from the zoning regulations stating that “approval of a variance must be in the public interest, the spirit of the ordinance must be observed, public safety and welfare secured, and substantial justice done” and **Section 1801 states that the Mayor and Council [should] consider if the following are 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;**
 - o There are no special conditions.
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**
 - o There is no proven hardship.
4. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**

II. **V 17-02-05: Variance from Article XV Section 1509(C) Table 4: Sign District 2 Dimensional Standards to permit the installation of two (2) wall signs on one elevation.**

The applicant is requesting a variance from Article XV Section 1509(C) Table 4 to permit the installation of two (2) wall signs on one building elevation. The ordinance prohibits the installation of two (2) walls signs unless one (1) sign is in the form of a canopy/awning (See **Exhibit D**—Section 1509(C) Table 5 and **Exhibit F**—Proposed Signage Plans).

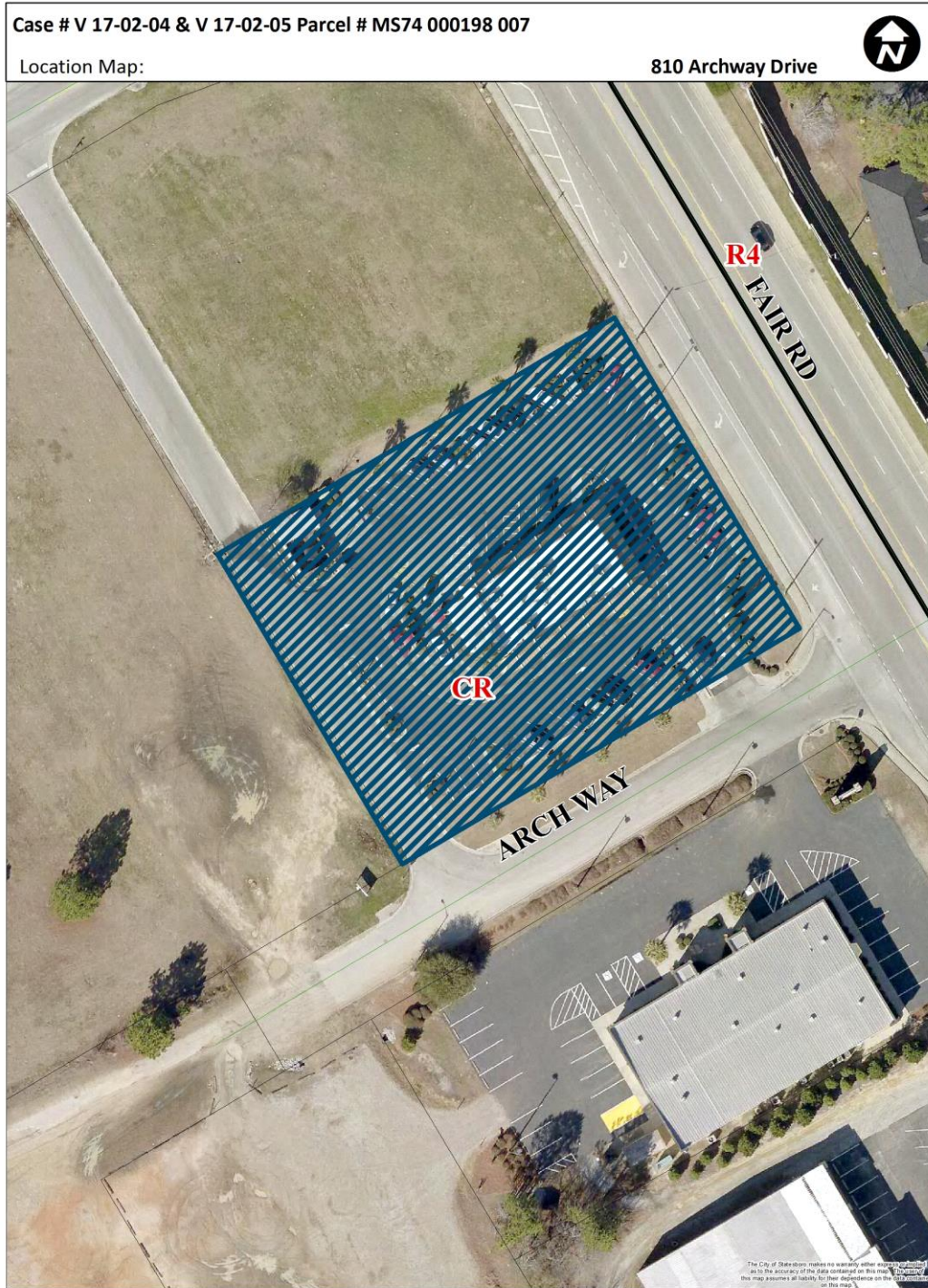
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1. **There are special conditions pertaining to the land or structure in question because of its size, shape, topography, or other physical characteristic and that condition is not common to other land or buildings in the general vicinity or in the same zoning district;**
 - o There are no special conditions.
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**
 - o There is no proven hardship.
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 applications V 17-02-04 and V 17-02-05.

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: FUTURE DEVELOPMENT MAP

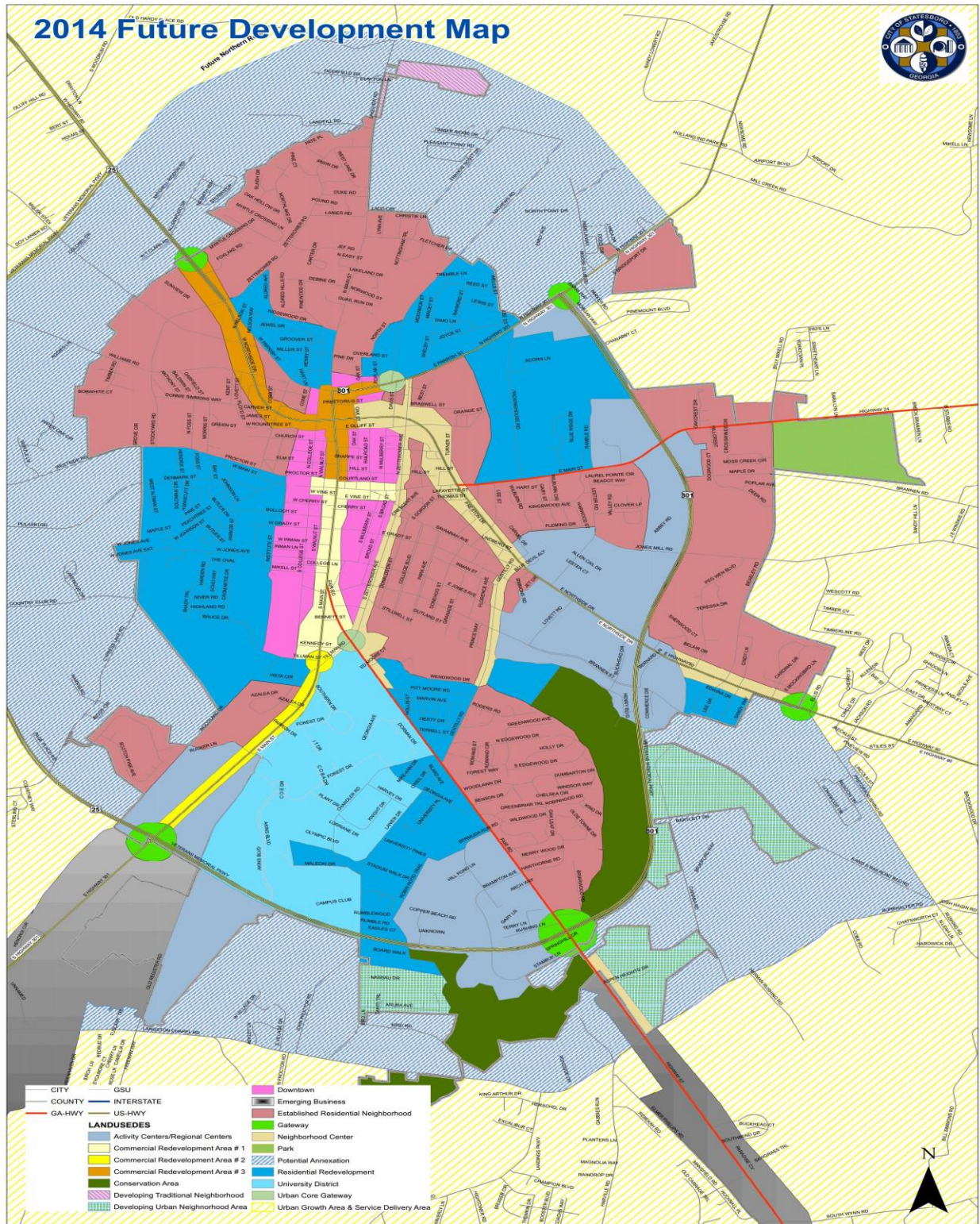


EXHIBIT C: PHOTOS OF SUBJECT SITE



Picture 1 Subject Site Front Elevation facing Fair Road Depicting Sign to be Replaced



Picture 2 Subject Site Drive-thru Elevation facing Parking Lot

EXHIBIT C: PHOTOS OF SUBJECT SITE (CONT)



Picture 3 Rear Elevation and Directional Signage



Picture 4 Side Elevation

EXHIBIT C: PHOTOS OF SUBJECT SITE (CONT)



Picture 5 Freestanding Sign and Directional Signage

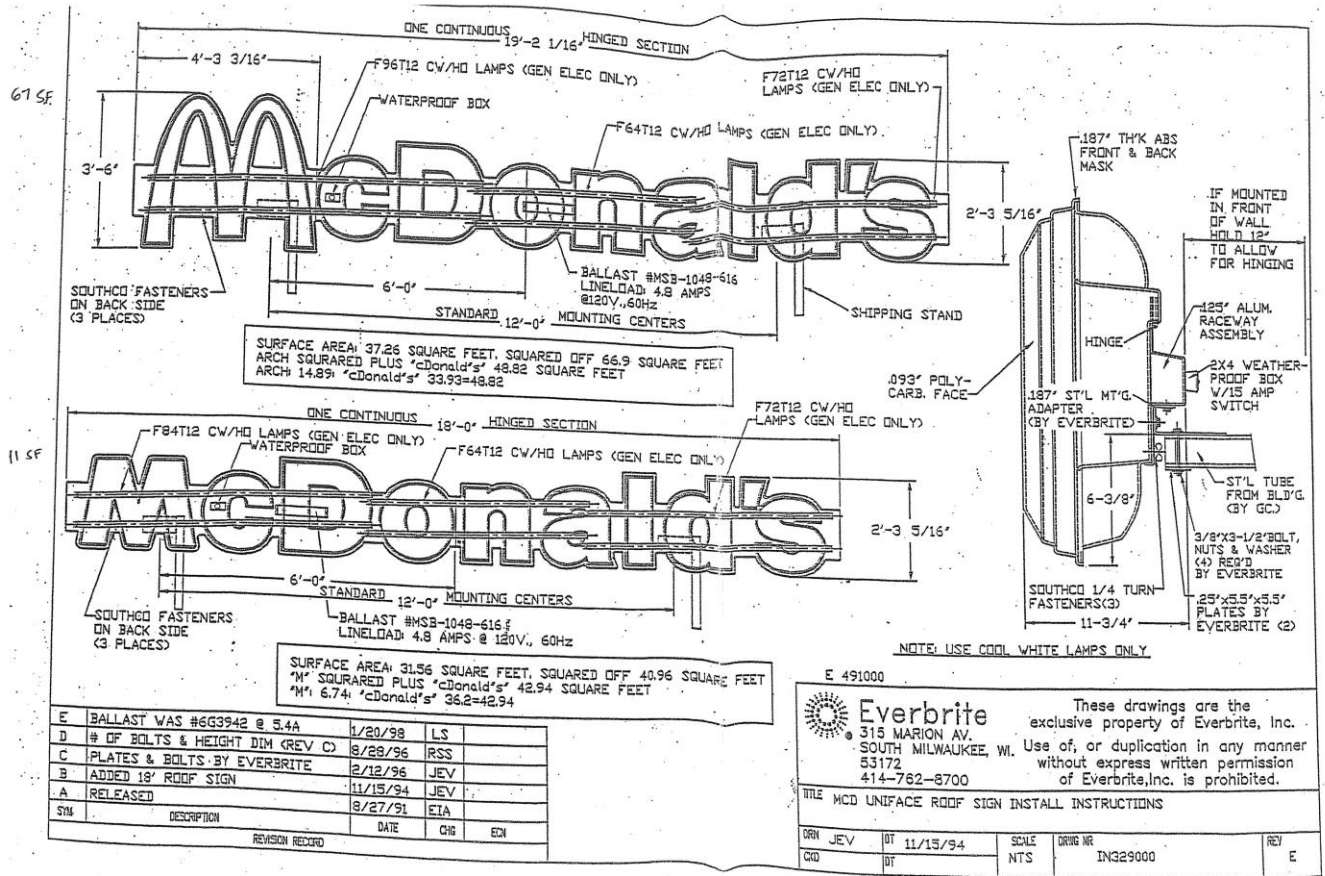
EXHIBIT D: SECTION 1509 TABLE 5

Table 5. Sign District 3 Dimensional Standards

TABLE INSET:

SIGN DISTRICT 3 (As defined in subsection 1509[A.3])	SIGN FOR AN INDIVIDUAL ESTABLISHMENT ON AN INDIVIDUAL LOT	MAJOR SIGN FOR PLANNED COMMERCIAL OR INDUSTRIAL CENTER OR DEVELOPMENT	BUSINESS SIGN FOR AN INDIVIDUAL ESTABLISHMENT, SHOP, ETC., WITHIN A PLANNED COMMERCIAL OR INDUSTRIAL CENTER OR DEVELOPMENT
AGGREGATE SIGN AREA*:			
1. Maximum Number of Total Square Feet (SF)	150 square feet including freestanding and building signs	Size is based upon the overall floor space of the center as follows: 0-50,000 sf = 100 sf > 50,000 sf = 150 sf	Not applicable
FREESTANDING SIGNS**:			
2. Freestanding Sign Maximum Square Feet	60 square feet	Varies per overall floor space of the center (See "Aggregate Sign Area" herein)	Not applicable
3. Maximum Height	8 feet	15 feet	Not applicable
4. Setback Requirement	5 feet from property line	5 feet from property line	Not applicable
5. Number of Signs Allowed	One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two (2) such signs	One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two (2) such signs	Not allowed
BUILDING SIGNS:			
1. Maximum Number of Total Square Feet	Wall length of 100 feet or less: 50 square feet. Wall length of greater than 100 feet: 100 square feet.	60 square feet	The greater of 60 sf or 5% of wall areas, allotted to the individual establishment
2. Maximum Height	Building elevation	Building elevation	Building elevation
3. Number of Building Signs Allowed***	One per elevation	One sign per common entrance	One per building elevation per tenant
*As provided in Section 1501 and Table 2 herein, "aggregate sign area" includes all freestanding or building signs regardless of whether or not a permit for a particular type of sign is required.			
**Limited to monument and standard informational signs. Billboards and stanchion signs prohibited as provided in Table 2 herein.			
*** Two (2) per building elevation where one (1) sign is in the form of a canopy/awning, and where the cumulative square footage of both does not exceed the "maximum number of total square feet" for building signs.			

EXHIBIT E: EXISTING SIGNAGE PLANS (CONT)



Picture 7 Original Building Sign Installation on Front Elevation at 67 sq. ft.

EXHIBIT E: EXISTING SIGNAGE PLANS (CONT)

FP-43 Modular Outdoor Menu Board

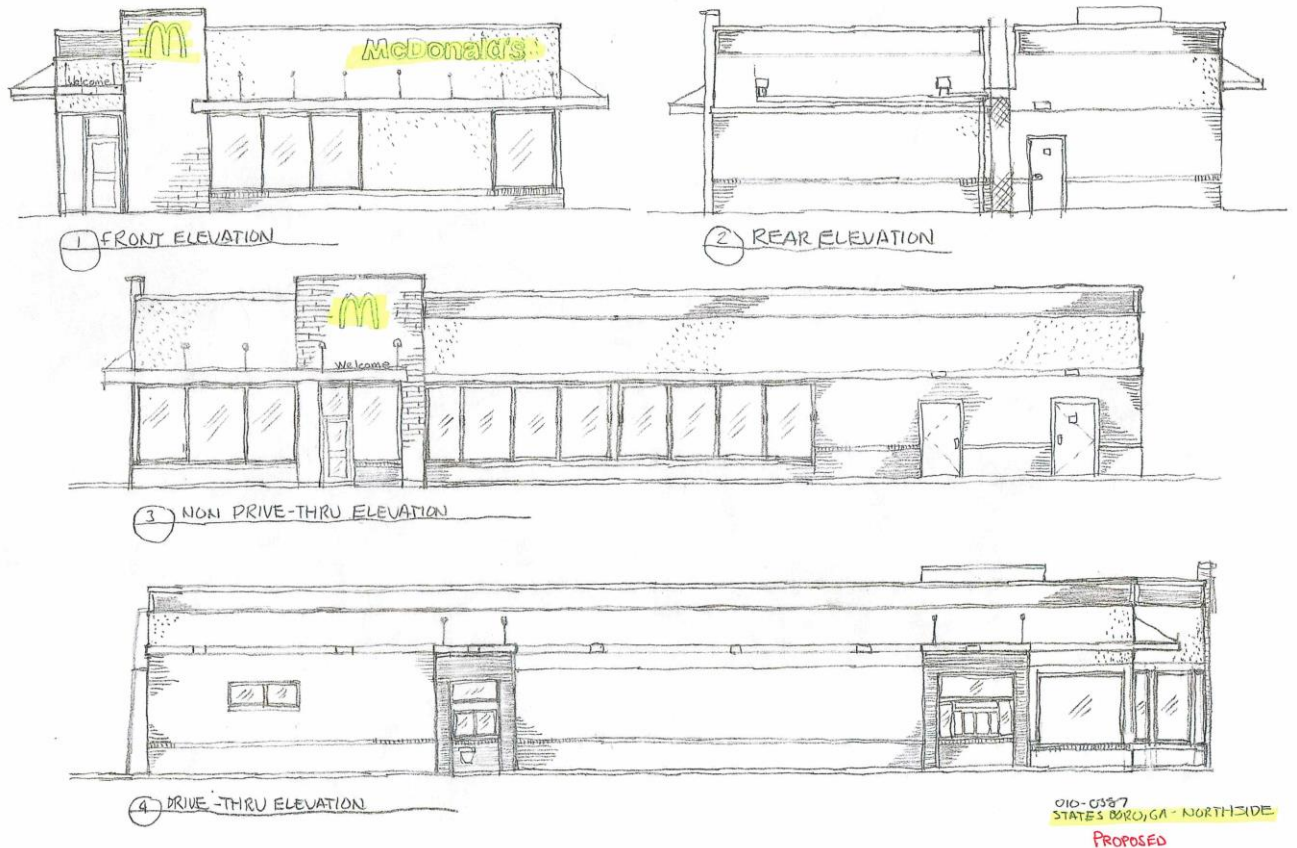


- Illumination:** 4 - F60T12 CW/HO
2 - F36T12 CW/HO
2 - F24T12 CW/HO
2 - F60T12 CW/HO
- Electrical:** 4.9 Amps / 1.6 Amps (flipboard)
120V 60Hz
- Ballast:** Advance #RC-4560-TP
Power Lighting #V234L8-16
Power Lighting #V12L4-12
- Ship Weight:** 197 lbs.
- Other:**
- Modular design for increased flexibility
 - Adjustable channels for easy menu modification
 - Optional kit to accept Customer Order Display and/or speaker
 - Flipboard panel can rotate 180 degrees to display two dayparts
 - Please call Florida Plastics for strips and grids
 - Topper only allowed with 4th column static board. Cannot have flip adder and topper.

Everbrite, LLC, 315 Marion Ave., South Milwaukee, WI, 53172 P: 888-857-4078 F: 877-430-7363 www.everbrite.com

Picture 8 Menu Board at 43.46 sq. ft. (two installations total 87.28 sq. ft.)

EXHIBIT F: PROPOSED SIGNAGE PLANS



Picture 9 Proposed Signage: Two (2) 14 sq. ft. arch logos and one (1) 32.83 sq. ft. wordmark



City of Statesboro – Department of Community Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
 Statesboro, Georgia 30458

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

**SE 17-02-01
 SPECIAL EXCEPTION REQUEST
 404 NORTH AVENUE**

LOCATION: 404 North Avenue

REQUEST: Special exception to utilize the property located at 404 North Avenue as a childcare center with a capacity of fifty-two (52) children in the R8 zoning district.

APPLICANT: Marilyn Knight

OWNER(S): Mary Williams

LAND AREA: .45 acres

PARCEL TAX MAP #s: MS40 000051 000

COUNCIL DISTRICT: District 2 (Jones)



PROPOSAL:

The applicant requests a special exception to utilize the property located at 404 North Avenue as a daycare center with a capacity of fifty-two (52) children in the R8 (Single-Family Residential) zoning district, which is not a permissible use by right (Tax Parcel MS40 000051 000).

Pursuant to Article VII-B Section 701-B(1), a child care is permissible in the R8 (Single-Family Residential) zoning district as a home occupation, not to exceed six (6) children at a time (See **Exhibit A**—Location Map). In addition, Article XXVII Section 2704 prohibits daycare centers from “all zoning classifications except Commercial Retail, Highway Oriented Commercial, Central Business District, or Light Industrial.” Consequently, the applicant’s desired utilization of the property is not permitted without either the rezoning of the property or the granting of a special exception permitting the requested use. Residents in the neighborhood support the opening of a new childcare center (See **Exhibit C**—Owner Letter and Neighborhood Support for a New Childcare).

BACKGROUND:

The property owner, Ms. Mary Williams, ran the facility for 31 years with a capacity of fifty-eight (58) children. Occupational Tax Certificate 2010 000789 was issued January 1, 2010 to Mary Williams and expired 12/31/2010. The daycare center was closed in 2009, reopened in 2013 under new management and closed again in 2015, and at this time, the facility has exceeded the twelve-month grandfather clause (see Article XXI Section 2104). The center is equipped to provide care to children aged six (6) weeks of age through four years of age, to include pre-kindergarten classes.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R8 (Single-Family Residential)	Single-Family detached dwelling units
SOUTH:	R8 (Single-Family Residential)	Single-Family detached dwelling units
EAST:	R8 (Single-Family Residential)	Single-Family detached dwelling units
WEST:	R8 (Single-Family Residential)	Single-Family detached dwelling units

The subject property is adjacent to 707 West Jones Avenue, which is directly associated with the subject site. Mary Williams lived at the residence at 707 West Jones Avenue, and currently rents the property to the individuals who would run the daycare facility. Adjacent properties to the north, south, east and west are zoned R8 (Single-Family Residential) and contain single-family detached dwelling units. (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:

- Single-family detached housing
- Lower density, single-family attached housing

Suggested Development Strategies:

- The neighborhood should include a well-designed new neighborhood activity center at the appropriate location, which would provide a focal point for the neighborhood, while also providing a suitable location for a grocery store, hardware store, school, and similar appropriately scaled retail establishments serving neighborhood residents.

Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 21.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject site is currently served by city services including water, sewer, sanitation, and public safety. No significant impact is expected on city 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. Any potential issues will be brought forth and discussed during standard permitting and review procedures.

ANALYSIS:

The applicant requests a special exception to utilize the property located at 404 North Avenue as a childcare center with a capacity of fifty-two (52) children. The subject site is located in the R8 (Single-Family Residential) zoning district and the applicant’s requested use is only permitted in the HOC (Highway Oriented Commercial), CR (Commercial Retail), CBD (Central Business District) or LI (Light Industrial) zoning districts by right.

Special exceptions allow for land uses that are not permitted by right within a zoning district, but which are defined as an acceptable use type, are of the same general character of permissible uses in the district, can meet the specific requirements contained in the ordinance and are listed as a special exception in the ordinance.

I. Consideration of the Definition of the Applicant’s Proposed Use and its General Character

The applicant is requesting to use the subject site as a daycare center with a capacity of fifty-two (52) children for a parcel zoned R8 (Single-Family Residential). Daycare centers of this capacity are not permissible uses by right within the R8 (Single-Family Residential) zoning district.

Article XXVII Section 2703 states daycare center “...shall mean any place operated by a person, society, agency, institution, or group wherein are received for pay group day care for fewer than 24-hours per day without transfer or [of] legal custody of 19 or more children 18 years old or under.”

Article VII-B Section 701-B(I) restricts the R8 (Single-Family Residential) zoning district to a family daycare homes only as a home occupation, not to exceed six (6) children at a time. The requested use meets the definition of a daycare center, pursuant to Article XXVII Section 2703.

II. Consideration of the Proposed Use’s Ability to Adhere to the R8 Zoning District’s Requirements

The applicant resides at 707 West Jones Avenue, the parcel adjacent to and directly south of the subject site. In the past, 707 West Jones Avenue served as Mary Williams’ primary residence and she managed the subject site as part of that parcel. The applicant intends to do the same.

While the applicant is requesting the use of the subject site as a daycare center with a capacity of fifty-two (52) children, the center itself is a residential, multi-room structure; not on the scale of a facility. Staff is of the opinion the proposed use will adhere to the district's requirements.

III. **Consideration of the Proposed Use's Inclusion in the R8 Zoning District as a Special Exception**

Article VII-B. R-8 Single Family Residential of the *Statesboro Zoning Ordinance* states that a "child care, but not more than six children at a time," is a permissible use by right in the zoning district. The article; however, does not provide for the grant of a special exception in the district. Article XXIV. Conditional Zoning of the *Statesboro Zoning Ordinance* states that "property within any zoning classification may be rezoned subject to conditions..."

The American Planning Association encourages the use of local planning policies that ensure adequate childcare, especially in communities that have supply gaps for infant/toddler care facilities. APA Policy Guide on the Provision of Child Care (1997, September 21) from <https://www.planning.org/policy/guides/adopted/childcare.htm>.

The *Statesboro Zoning Ordinance* permits the grant of a special exception upon a finding by the governing body that the requested use is "of the same general character" as those uses permitted within the district without the grant of a special exception and requires that "in determining the compatibility of the conditional use with adjacent properties and the overall community, the mayor and city council (will) consider the same criteria and guidelines [as for] determinations of amendments, as well as the following factors:"

Section 2406 of the *Statesboro Zoning Ordinance* lists seven (7) factors that should be considered by Mayor and City Council "in determining compatibility" of the requested use with adjacent properties and the overall community for considerations of Conditional Use Variances, or Special Exceptions as follows:

- A. Adequate provision is made by the applicant to reduce any adverse environmental impact of the proposed use to an acceptable level.
- B. Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered.
- C. 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.
- D. Public facilities and utilities are capable of adequately serving the proposed use.
- E. The proposed use will not have significant adverse effect on the level of property values or the general character of the area.
- F. 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.
- G. 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.
 - This request, if approved, is personal to the applicant. Any future changes to this proposal must be approved by City Council.

Additionally, § 2406 of the *Statesboro Zoning Ordinance* also requires consideration of the following factors given for standards for determination in a zoning change in "balancing the promotions of the public health, safety, morality [morals] and general welfare against the right of unrestricted use of property" given in § 2007 of the *Statesboro Zoning Ordinance*:"

- A. Existing uses and zoning or [of] property nearby.
- B. The extent to which property values are diminished by the particular zoning restrictions.
- C. The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.
- D. The relative gain to the public, as compared to the hardship imposed upon the property owner.
- E. The suitability of the subject property for the zoned purposes.
- F. 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.
- G. The extent the proposed change would impact population density in the area, community facilities, living conditions in the area, traffic patterns and congestion, environmental aspects, existing and future land use patterns, and property values in adjacent areas.

STAFF RECOMMENDATION:

Staff recommends approve of the use requested by application SE 17-02-01.

EXHIBIT A: LOCATION MAP

Case # SE17-02-01 Parcel # MS40 0000051 000

Location Map:

404 West Jones Avenue



City of Statesboro Department of Planning and Development



Note: The Boundaries 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 facing North East Depicting Childcare Center Exterior Entrances



Picture 2 Subject Site facing North East Depicting Childcare Center Exterior Entrances

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



Picture 3 Subject Site facing North East Depicting Childcare Center Exterior Entrances



Picture 4 707 West Jones Avenue facing North East Depicting Portion of the Parking Lot

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



Picture 5 Subject Site Depicting Playground Area



Picture 6 Subject Site Depicting Playground Area

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



Picture 7 Subject Site Depicting Playground Area



Picture 8 Subject Site Facing East Depicting Rear Elevation

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



Picture 9 Subject Site Facing North Depicting Playground and Adjacent Property on Jones Avenue



Picture 10 Subject Site Depicting Playground and Adjacent Properties on Jones Avenue

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



Picture 11 Subject Site Depicting Playground and Adjacent Property Facing North



Picture 12 Interior of Subject Site Depicting Office

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



Picture 13 Interior of Subject Site



Picture 14 Interior of Subject Site Depicting Kitchen Area

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



Picture 15 Interior of Subject Site



Picture 16 Interior of Subject Site Depicting Infant Area

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



Picture 17 Interior of Subject Site



Picture 18 Interior of Subject Site

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



Picture 19 Interior of Subject Site



Picture 20 Interior of Subject Site

EXHIBIT C: OWNER LETTER AND NEIGHBORHOOD SUPPORT FOR NEW CHILDCARE

February 13, 2017

To: Statesboro Zoning Commission

From: Mary Williams

Re: Day Care Center
707 W Jones Ave
Statesboro, Georgia 30458

I, Mary Williams, am requesting that the Property located at 707 West Jones Avenue be rezoned back to Commercial Property. The Business was in operation for 31 years as a Daycare Center with a capacity of 58 children. I closed the Daycare Center in 2009 due to the death of my husband for approximately 4 years but reopened Under New Management in 2013. The Daycare was closed again in 2015.

The Daycare Center is a facility that is considered a "Turnkey" business fully furnished inside and out. This is NOT a family home! This Daycare Center can care for children from an infant to 4 years old including Pre-K.

Please consider this facility to be rezoned for the purpose and use as a Daycare Center again. Enclosed is a Signature Sheet signed by Neighborhood Residents who I contacted to let know of the planned Reopening.

I would like to Thank You in advance for your attention to this situation.

Sincerely,

Mary Williams

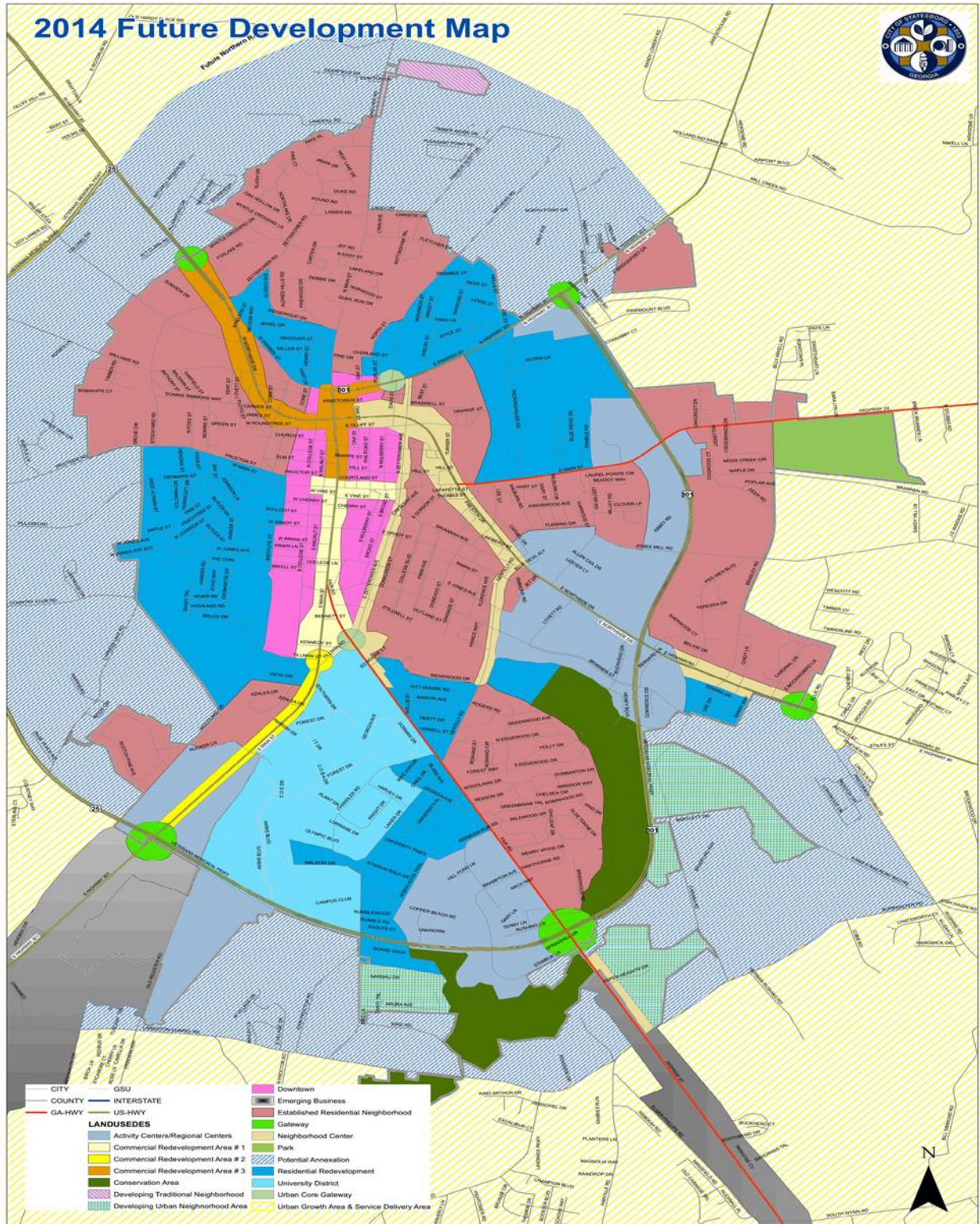
Residents Of Sugar Hill

2/11/17

Would you be in favor for a new Day Care
In the community ?

- | | |
|---------------------------------------|--|
| 1. Harvey Jackson | <input checked="" type="radio"/> Yes or no |
| 2. Ronny Williams | <input checked="" type="radio"/> Yes or no |
| 3. Emerald Angaly | <input checked="" type="radio"/> Yes or no |
| 4. Victoria Crawford | <input checked="" type="radio"/> Yes or no |
| 5. Eugene Martin | <input checked="" type="radio"/> Yes or no |
| 6. Wanda Patton | <input checked="" type="radio"/> Yes or no |
| 7. Cesar A. Sevilla | <input checked="" type="radio"/> Yes or no |
| 8. Wanda Mart | <input checked="" type="radio"/> Yes or no |
| 9. Melched Martin | <input checked="" type="radio"/> Yes or no |
| 10. Jerome V. McNeal | <input checked="" type="radio"/> Yes or no |
| 11. Edward B. Burns | <input checked="" type="radio"/> Yes or no |
| 12. JASMINE WILLIAMS | <input checked="" type="radio"/> Yes or no |
| 13. DIANE I Hill | <input checked="" type="radio"/> Yes or no |
| 14. Derek Burns | <input checked="" type="radio"/> Yes or no |
| 15. | Yes or no |

EXHIBIT D: 2014 FUTURE DEVELOPMENT MAP





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

P.O. Box 348
 Statesboro, Georgia 30458

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

CUV 17-01-01
CONDITIONAL USE VARIANCE REQUEST
207 LEE STREET

LOCATION: 207 Lee Street

REQUEST: Request for a conditional use variance from Article V of the *Statesboro Zoning Ordinance* for 1.46 acres of property located at 207 Lee Street to utilize the property as drug rehabilitation center (Tax Parcel # S51 000009 000).

APPLICANT: Summit BHC Statesboro, LLC

OWNER(S): Carol Lind Mooney

ACRES: 1.46 Acres

PARCEL TAX MAP #: S51 000009 000

COUNCIL DISTRICT: 1 (Boyum)



PROPOSAL:

The applicant is requesting a conditional use variance to utilize 207 Lee Street (Tax Parcel S51 000009 000) as a drug rehabilitation center for a maximum of nineteen (19) unrelated adults. The subject site is currently zoned R-15 (Single-Family Residential) and the *Statesboro Zoning Ordinance* does not address or define group homes, personal care homes or recovery residences or designate an appropriate zoning district for such uses. In addition, Article II of the *Statesboro Zoning Ordinance* states that a family in the R-15 zoning district may not consist of more than three (3) unrelated persons (See **Exhibit A** – Location Map).

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R15 (Single-Family Residential)	Single-family detached dwelling units
SOUTH:	R15 (Single-Family Residential)	Single-family detached dwelling units
EAST:	R15 (Single-Family Residential)	Single-family detached dwelling units
WEST	R15 (Single-Family Residential)	Single-family detached dwelling units

Properties to the north, south, east and west are predominantly single-family detached dwelling units, with the exception of Statesboro Floor Covering Services and Temple Baptist Church to the northeast. (See **Exhibit B**—Photos of Subject Site and Surrounding).

BACKGROUND:

In 1998, Carol Lind Mooney requested a special use variance to utilize 207 Lee Street as a women’s recovery residence, which Council approved July 21, 1998, pursuant to case number CUV 98-07-02. The “special use” variance granted to Ms. Mooney in 1998 is non-transferable (See **Exhibit C**—CUV 98-07-02 judgment letter) and at this time Summit BHC Statesboro, LLC would like to purchase the subject property and continue the current use.

COMPREHENSIVE PLAN:

The subject site lies within the “Established Residential Neighborhood” character area and adjacent to the “Neighborhood Center” 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:

“The traditional residential neighborhoods in the Established area were developed from the late 19th to mid 20th [sic] 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.”

Appropriate land uses include:

- Neighborhood-scale retail and commercial
- Neighborhood services
- Small-lot single family residential
- Small-scale office
- Garage apartments

Suggested Development & Implementation Strategies

- Provide support for the creation of neighborhood associations and provide continued support for these organizations once established through the development of initiatives to address unique neighborhood issues/characteristics.

Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 19.

COMMUNITY FACILITIES AND TRANSPORTATION:

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

ENVIRONMENTAL:

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

ANALYSIS:

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

- 1.) Existing uses and zoning or [of] property nearby.
- 2.) The extent to which property values are diminished by the particular zoning restrictions.
- 3.) The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.
 - a. The variance is needed in order to provide rehabilitative services to an adult population.
- 4.) The relative gain to the public, as compared to the hardship imposed upon the property owner.
- 5.) The suitability of the subject property for the zoned purposes.
 - a. The subject site is suitable for the proposed use and could still be used as a single-family residence should this use, if granted, cease.
- 6.) The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property.
- 7.) The extent the proposed change would impact the following:

- a. **Population density in the area.**
 - i. The request would add nineteen (19) additional persons to the area.
 - b. **Community facilities.**
 - c. **Living conditions in the area.**
 - d. **Traffic patterns and congestion.**
 - e. **Environmental aspects.**
 - f. **Existing and future land use patterns.**
 - g. **Property values in adjacent areas.**
- 8.) **Consistency with other governmental land use, transportation and development plans for the community.**

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

- 1.) Adequate provision is made by the applicant to reduce any adverse environmental impact of the proposed use to an acceptable level.
- 2.) Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered.
- 3.) 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.

O.C.G.A § 36-66-4(f) requires that municipalities hold a public hearing on proposed zoning decisions that will allow the location or relocation of a drug rehabilitation center, or other facility for treatment of drug dependency at least six months and not more than nine months prior to the date of the final action on the zoning decision.

STAFF RECOMMENDATION:

Staff recommends approval of the use requested by application CUV 17-01-01.

EXHIBIT A: LOCATION MAP

Case # CUV 17-01-01 Parcel # S51 000009 000

Location Map:

207 Lee Street



City of Statesboro Department of Planning and Development



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

EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES



Picture 1 Entrance to Subject Site Facing West



Picture 2 Subject Site facing West Depicting the Group Home

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



Picture 3 Subject Site Parking Area

EXHIBIT C: 2014 FUTURE DEVELOPMENT MAP

