



February 1st 2011 9:00 A.M.

1. Call to Order by Mayor Joe Brannen
2. Invocation and Pledge of Allegiance by Councilman Travis Chance
3. Approval of Minutes: January 19, 2011
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve/ deny 2nd reading for an alcohol license:
 - a) Susan Elaine Olsen(Pizza Mill)
6. Public hearing and consideration of a motion to approve/deny the following variance request: **Application # V: 10-12-02**: Bill Moore of Yates Astro request variances on behalf of the Milton Lariscy Estate from Sections 1601 (Miscellaneous off street parking rules), 1602 (Design requirements for multi-family, commercial and industrial parking lots), and Section 2301 (Side and rear yard buffers) of the *Statesboro Zoning Ordinance* to allow for the redevelopment of property located at 305 South Zetterower Avenue and the 300 block of South Broad Street.
7. Consideration of a Motion to approve the Change of a Street Name from Cotton Avenue to Bobby Donaldson Avenue.
8. Consideration of a Motion to approve **RESOLUTION 2011-05**: A Resolution for the City of Statesboro to Remain a Georgia Certified City of Ethics.
9. Consideration of a Motion to approve **RESOLUTION 2011-06**: A Resolution to Partner with the Georgia Department of Revenue in an Effort to Ensure Proper Payment of Sales Tax.
10. Reports from Staff:
 - a) City Manager's Report
 - b) Department Head Reports
11. Consideration of a Motion to enter into Executive Session to discuss Legal matters in accordance with **O.C.G.A. §50-14-3 (2009)**
12. Other Business from City Council
13. Public Comments (General):
14. Consideration of a Motion to Adjourn



**CITY OF STATESBORO
CITY COUNCIL MINUTES
January 19th, 2011**

A regular meeting of the Statesboro City Council was held on January 19th, 2011 at 6:00 p.m. in the Council Chambers at City Hall. Present were Mayor Joe R. Brannen, Council Members: Will Britt, Tommy Blich, John Riggs, Gary Lewis and Travis Chance. Also present were Interim City Manager Frank Parker, City Clerk Sue Starling, Staff Attorney Michael Graves, Director of Community Development Christian Lentz, City Engineer Robert Cheshire and City Planner Martin Laws.

Mayor Brannen asked for a moment of silence in memory of Mr. Sam Brannen. Mr. Brannen was the City Attorney for the City of Statesboro for many, many years.

Approval of Minutes:

- a) **January 04, 2011 Council Minutes**
- b) **January 04, 2011 Council Work Session Minutes**

Councilman Blich made a motion, seconded by Mayor Pro Tem Will Britt to approve the Council Minutes and Council Work Session Minutes for January 04, 2011. Councilman Britt, Blich, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Recognitions/Public Presentations

- a) **Deon Hendrix (American Legion) request to speak to Council concerning the American Legion on Carver Street**

Mr. Deon Hendrix asked Council to refund \$13,700.00 for the upgrades to the American Legion Building on Carver Street. Mr. Hendrix stated these upgrades had to be done, based on the City's requirements, to obtain an alcohol license. After the upgrades had been done, Mr. Hendrix stated the City said they had made a mistake and he would not meet the requirements for an alcohol license. The license was denied due to zoning issues. Mayor Brannen asked Interim City Manager Frank Parker to review the allocations and report back to Council.

Consideration of a Motion to approve/deny 1st reading as notification for application of alcohol license:

- a) **Susan Elaine Olsen (Pizza Mill)**

Councilman Chance made a motion, seconded by Councilman Lewis to approve 1st reading as notification for application of alcohol license to Susan Elaine Olsen (Pizza Mill). Councilman Britt, Blich, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to approve/ deny 2nd reading for an alcohol license:

a) Daniel Long (Your Pie)

Councilman Lewis made a motion, seconded by Mayor Pro Tem Will Britt to approve 2nd reading for an alcohol license for Daniel Long (Your Pie). Councilman Britt, Blicht, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Consideration of a Motion to approve/deny 2nd reading of annexation Ordinance #2011-01:
An Ordinance to annex property into the City of Statesboro.**

Mayor Pro Tem Will Britt made a motion, seconded by Councilman Chance to approve 2nd reading of annexation Ordinance #2011-01: An Ordinance to annex property, located on Bird Lane, into the City of Statesboro. Councilman Britt, Blicht, Riggs, Lewis 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/deny the following variance request: APPLICATION # V 10-12-01: Statesboro Mall, LLC requests a variance from Section 1600 of the *Statesboro Zoning Ordinance* to reduce the amount of required off-street parking for the property located at 718 Northside Drive East.

Steve Mitchell, P.E. of Hull, Storey, and Gibson spoke in favor of the variance request but presented a layout that was different from the Planning Commission's proposal. A lengthy discussion was held explaining these differences. Henry Clay, chairman of the Beautification Commission and also representing the Tree Board Committee spoke in favor of the Planning Commission's proposal for the variance. Wesley Parker and Andrew Hanson, members of the Planning Commission, spoke in support of the Planning Commission's proposal. The Hull Storey Gibson design reflected fewer landscape islands and less tree coverage. Councilman Chance made a motion to include conditions listed in ATTACHMENT A, seconded by Councilman Riggs, to approve the following variance request: APPLICATION # V 10-12-01: Statesboro Mall, LLC requests a variance from Section 1600 of the *Statesboro Zoning Ordinance* to reduce the amount of required off-street parking for the property located at 718 Northside Drive East. Councilman Britt, Blicht, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a motion to award the bid of a new knuckle boom trash loader for the Sanitation Division to Freightliner of Savannah, in accordance with all bid specifications, for a total amount of \$116,985.00.

Mayor Pro Tem Will Britt made a motion, seconded by Councilman Chance to award the bid of a new knuckle boom trash loader for the Sanitation Division to Freightliner of Savannah, in accordance with all bid specifications, for a total amount of \$116,985.00. Councilman Britt, Blicht, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to approve Resolution 2011-03: A Resolution Calling for the Adoption of a Standard Water/Sewer Extension Agreement.

Councilman Blicht made a motion, seconded by Councilman Lewis to approve Resolution 2011-03: A Resolution Calling for the Adoption of a Standard Water/Sewer Extension Agreement. Councilman Britt, Blicht, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to approve Resolution 2011-04: A Resolution Calling for the Adoption of a Standard Water/Sewer Agreement for Properties Located outside the City Limits Which Do Not Require Extensions.

Councilman Riggs made a motion, seconded by Mayor Pro Tem Will Britt to approve Resolution 2011-04: A Resolution Calling for the Adoption of a Standard Water/Sewer Agreement for Properties Located outside the City Limits Which Do Not Require Extensions. Councilman Britt, Blich, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Other Business from City Council

Director of Public Safety Wendell Turner presented a proposal to Council for the purchase of a new Pierce Fire Engine with equipment in the amount of \$424,192.00.

Councilman Blich made a motion, seconded by Councilman Lewis to approve the purchase of a new Pierce Fire Engine with equipment for the Statesboro Fire Department in accordance with the City of Statesboro purchasing policy in the amount of \$424,192.00. Councilman Britt, Blich, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

City Clerk, Sue Starling presented new information concerning a special event permit that was approved by Council and issued to Larry Scarboro on January 4, 2011. Based on the new information, Ms. Starling's recommendation to Council was to revoke the special event permit that would allow the serving of alcohol. Councilman Lewis made a motion, seconded by Mayor Pro Tem Will Britt to revoke the special event permit that was issued to Larry Scarboro and be recorded as part of the official Council minutes. Councilman Britt, Blich, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Interim City Manager Frank Parker asked Council for a motion to approve the reimbursement of funds spent on the Belle House, to Biff Thompson, in the amount of \$73,772.50. The motion also included a 15 ft. easement granted to the City of Statesboro and request Mr. Thompson to sign a whole harmless agreement to release the City of Statesboro from all future claims on the property. Councilman Chance made a motion, seconded by Mayor Pro Tem Will Britt to approve the reimbursement of funds spent on the Belle House, to Biff Thompson, in the amount of \$73,772.50. The motion also included a 15 ft. easement granted to the City of Statesboro and for Mr. Thompson to sign a whole harmless agreement to release the City of Statesboro from all future claims on the property. Councilman Britt, Blich, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to Adjourn

Councilman Chance made a motion, seconded by Councilman Lewis to adjourn. Councilman Britt, Blich, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote. The meeting was adjourned at 7:15 p.m.

ALCOHOL APPLICATION CHECKLIST

Pizza Mill

Business Name: _____

1. Zoning/Planning
2. Fire Inspection
3. Background Check (Police Department)
4. Food Service Permit (Health Department)
5. NA Food Sales Permit (Department of Agriculture)
6. _____ State License - Alcohol (Issued after City Approves & Issues City License)
7. Affidavit
8. Copy of Identification
9. Building Official
10. Affidavit of Publication (Alcohol License Only)
(Advertised during the 1st and 2nd readings)

No Issues With Any Departments

1-18-11 First Reading

2-1-11 Second Reading

_____ **Date Approved/Denied By Mayor and City Council**



Teresa Skinner – Tax Clerk

CITY OF STATESBORO, GEORGIA

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

DATE OF APPLICATION 12.30.10 NEW RENEWAL

TYPE OF BUSINESS TO BE OPERATED:

- RETAIL BEER & WINE PACKAGED ONLY \$1,250.00
- RETAIL BEER & WINE BY THE DRINK \$1,250.00
- BEER, WINE & LIQUOR BY DRINK \$3,750.00
- WHOLESALE LICENSE \$1,000.00
- APPLICATION FEE - PACKAGED SALES \$ 150.00
- APPLICATION FEE - POURING SALES \$ 150.00

APPLICANTS FULL NAME Susan Elaine Osen

BUSINESS NAME Pizza Mill

DBA _____

BUSINESS ADDRESS 608 Northside Dr. W #C

BUSINESS MAILING ADDRESS 608 Northside Dr. W #C

BUSINESS TELEPHONE # _____

APPLICANTS HOME ADDRESS _____

APPLICANTS HOME PHONE # _____

APPLICANTS AGE 43

ARE YOU A CITIZEN OF THE UNITED STATES? YES NO

HAVE YOUR EVER BEEN ARRESTED FOR ANYTHING? YES NO

IS THE APPLICANT THE OWNER OF THE BUSINESS? YES NO

IF NO, WHAT IS YOUR TITLE IN THE BUSINESS? _____

HOW MANY PARTNERS, SHAREHOLDERS, ETC. ARE INVOLVED IN THE BUSINESS 1

PLEASE LIST BELOW:

Scott Steven Osen

FOR OFFICE USE ONLY: APPROVED DENIED (REASON ATTACHED)

Police Department _____

Community Development _____

Fire Department _____

Building Official [Signature] _____

Teresa Skinner

From: Martin Laws [martin.laws@statesboroga.net]
Sent: Thursday, January 06, 2011 1:58 PM
To: tskinner@statesboroga.net; starling@statesboroga.net
Cc: Christian Lentz
Subject: Alcohol License for Pizza Mill (608 C Northside Drive West)
Attachments: Pizza Mill Alcohol Proximity Map.pdf

Ms. Sue and Teresa:

In addition to the Business Occupation Tax Application that was reviewed for Pizza Mill at 608 C Northside Drive West. The Department of Community Development has reviewed a proposed "Application for Alcoholic Beverage License" submitted for said business. The Department's recommendation is as follows:

5) Alcoholic Beverages: The Department of Community Development has reviewed the subject property for consistency with the proximity restrictions of Chapter 6, Article III of *Statesboro Municipal Code*. The proposed location **DOES** conform to the proximity restrictions of said provisions and **IS** eligible to be considered for licensing for the sale of alcoholic beverages. Community Development review does not serve as an approval or denial to serve alcoholic beverages at this location; but, is a recommendation to the City Clerk's Office to proceed with the processing of an "application for alcoholic beverage license" in accordance with the applicable provisions of Chapter 6 (Alcoholic Beverages) of *Statesboro Municipal Code*."

The Department of Community Development's recommendation is based on the attached proximity map.

Martin Laws,
City Planner



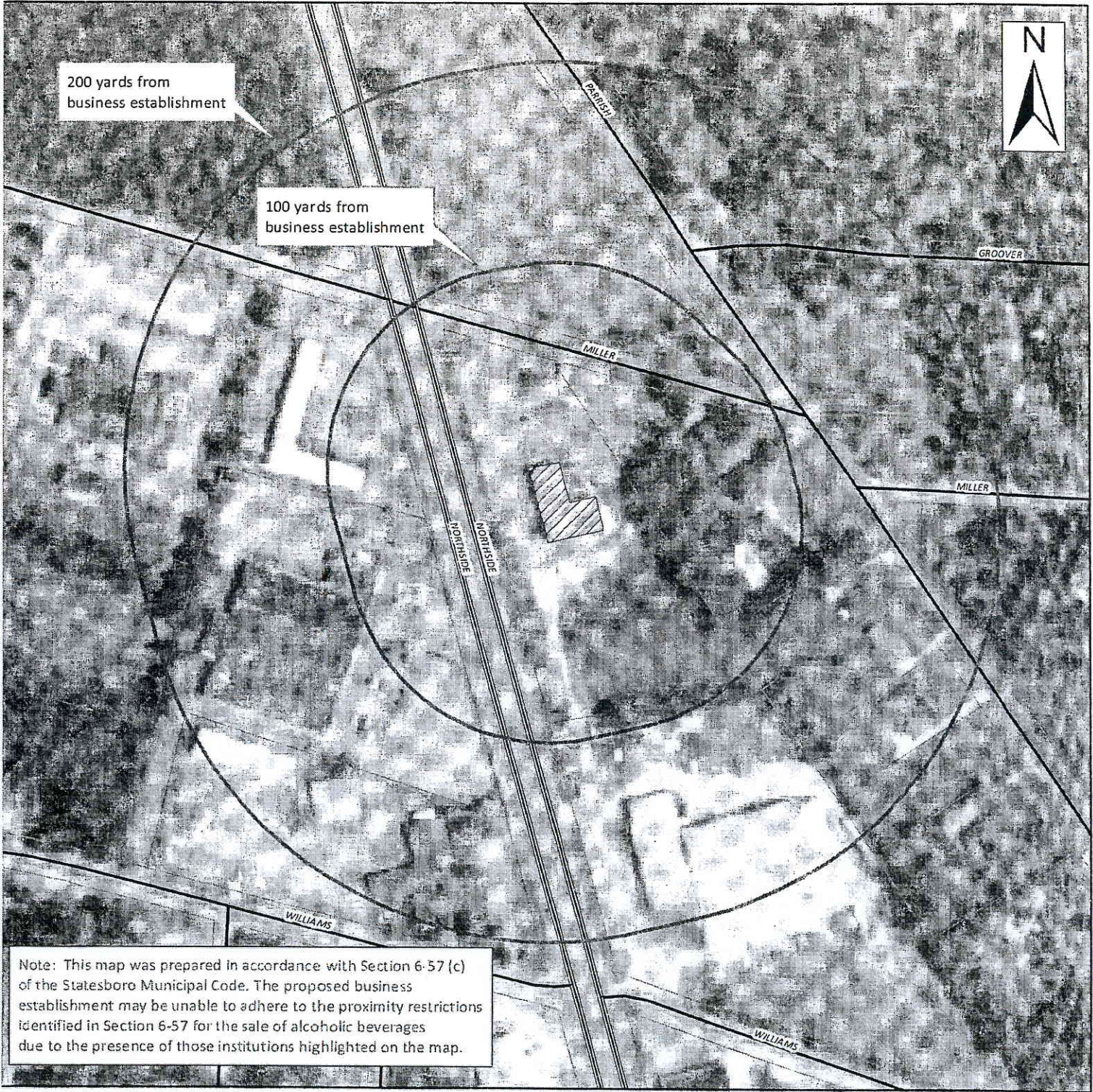
Martin Laws
City Planner
City of Statesboro
50 East Main Street
PO Box 348
Statesboro, Georgia 30458
ph: 912.764.0648
fax: 912.764.0664
www.statesboroga.net




1/6/2011

Application for Alcohol Beverage License

Pizza Mill

Proximity Restriction Review



-  Subject Building
-  200 yard radius per Section 6-57 (a)(1)(a)
-  100 yard radius per Section 6-57 (a)(1)(a), (a)(2) and (a)(3)

0 40 80 160 Yards

The City of Statesboro
Department of Community Development
January 5, 2011



Statesboro Fire Department

Fire Inspection Report

1533 Fair Road

Statesboro, Ga. 30458

Name of Facility: <u>The Pizza Mill</u>			Name of Building: _____		
Address: <u>608 Northside Drive West</u>			Company Name: <u>Bulloch Investors</u>		
City: <u>Statesboro</u> 30458 State: <u>GA</u>		Owner: <u>Tracy Joiner</u>			
Phone: <u>912-660-5282</u>			Address: <u>502 Miller St Extension</u>		
			City: <u>Statesboro</u> State: <u>GA</u>		
			Owner Phone: _____		

Type of Inspection:			Admin. Info: C. O. # _____		
<input type="checkbox"/> 80% <input type="checkbox"/> 100%	<input type="checkbox"/> Alcohol <input type="checkbox"/> Site	Date Issued: _____ Last Insp.: _____			
<input type="checkbox"/> Annual <input checked="" type="checkbox"/> OTC	<input type="checkbox"/> Fire Wall	No. of Current Violations: <u>0</u>			
<input type="checkbox"/> Follow up _____	<input type="checkbox"/> Suppression Sys <input type="checkbox"/> Complaint	No. of Previous Violations: <u>2</u>			
<input type="checkbox"/> Special Request	<input type="checkbox"/> Detection Sys	Date last Inspected: <u>1/14/2011</u>			
<input type="checkbox"/> Consultation	<input type="checkbox"/> Commercial Hood	Last Inspected by: <u>R Shaw</u>			

Description of Facility:		Use Condition:		Construction Type:		Sprinklers: <input checked="" type="checkbox"/> None	
Type Occupancy: <u>Assembly</u>	<input type="checkbox"/> I	<input type="checkbox"/> I(4,4,3)	<input type="checkbox"/> II(0,0,0)	<input checked="" type="checkbox"/> V(0,0,0)	<input type="checkbox"/> Partial	<input type="checkbox"/> Total	
Occupant Load: <u>172</u>	<input type="checkbox"/> II	<input type="checkbox"/> I(3,3,2)	<input type="checkbox"/> III(2,1,1)		<input type="checkbox"/> Basement: <input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Sq. Ft. Area: <u>4,080</u>	<input type="checkbox"/> III	<input type="checkbox"/> II(3,3,2)	<input type="checkbox"/> III(2,0,0)				
No. of Beds: <u>0</u>	<input type="checkbox"/> IV	<input type="checkbox"/> II(2,2,2)	<input type="checkbox"/> IV(2,H,H)				
No. of Stories: <u>1</u>	<input type="checkbox"/> V	<input type="checkbox"/> II(1,1,1)	<input type="checkbox"/> V(1,1,1)				

Deficiency Type:	Compliance			Compliance		
	Y	N	NA	Y	N	NA
1. Number of exits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Means of egress	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Travel distance to exits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Exit signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Emergency lighting	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Vertical openings protection	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Interior Finish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Detection, alarm, communication	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Extinguishing systems	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Construction requirements	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Compartmentation requirements	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. Electrical systems	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. HVAC systems	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Item #	Reference	Type	Comments

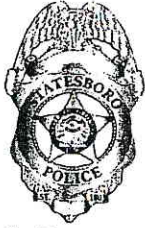
This acknowledges that I accompanied the Fire Safety Compliance officer making this report.

Name: Susan Olson **Title:** Tenant **Signature:** N/A **Date:** 1/14/2011

Inspector: Ronnie Shaw **Phone:** 912-764-3473 **Date:** 1/14/2011

Copy of report left YES NO Emailed

No visual violations noted Recommend issuance of C. O. A follow-up inspection is scheduled in approximately 30 days.



J.R. HOLLOWAY
Police Commander

STATESBORO POLICE DEPARTMENT

25 West Grady Street | Statesboro, Georgia 30458
Phone: (912)764-9911 | Fax: (912)489-5050



WENDELL TURNER
Public Safety Director

January 18, 2011

Sue Starling, City Clerk
City of Statesboro


Via Hand-Delivery

REF: Licensing

BUSINESS: Pizza Mill, 608C Northside Dr. W., Statesboro, GA
APPLICANT: Susan Elaine Olsen,

The responses received from the fingerprints submitted show no state or federal record on file for Ms. Olsen.

Respectfully submitted,


Commander J.R. Holloway



City of Statesboro – Department of Community Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

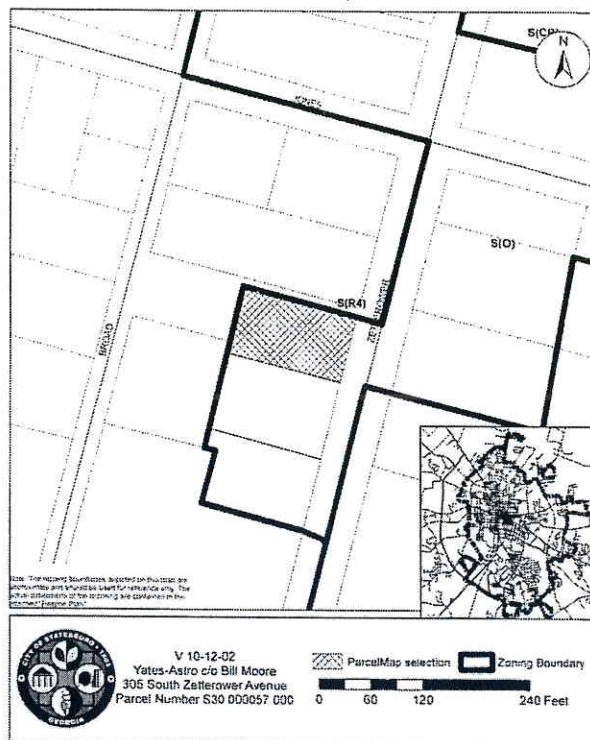
» (912) 764-0630
» (912) 764-0664 (Fax)

Variance
V 10-12-02 – 305 South Zetterower

LOCATION: 305 South Zetterower Avenue
REQUEST: Variance from Sections 1601, 1602, and 2301 of the *Statesboro Zoning Ordinance*.
APPLICANT: Yates-Astro c/o Bill Moore
OWNER(S): Estate of Milton Lariscy
LAND AREA: .241 acres and .14 acres
PARCEL TAX S30 000 057 000 and
MAP #s: S30 000047 000

COUNCIL DISTRICT: 3 (Britt)

V 10-12-02 305 South Zetterower Avenue
Location Map



PROPOSAL:

Applicant is seeking variances from Section 1601 (miscellaneous parking design requirements), Section 1602 (surface materials for parking facilities), and Section 2301 (landscape buffers) of the *Statesboro Zoning Ordinance* in order to purchase and develop the subject site as an office and parking area for the Yates Astro company.

BACKGROUND:

The .241 acre front portion of the subject property (305 South Zetterower Avenue) has traditionally been utilized as a single family residence. The .14 acre rear portion of the site has traditionally been utilized as the back yard for the subject site and is undeveloped (**See Exhibit A – Location Map**). Both are owned by the Estate of Mr. Milton Lariscy. The applicant, Yates-Astro, proposes to utilize the buildings located at 305 South Zetterower as a business office and has recently been granted a zoning map amendment to utilize the Broad Street portion of the property as a gated parking area for company vehicles (RZ 10-09-02).

The subject site is zoned appropriately for the applicant's desired use; however, the site's small size necessitates the request for the above mentioned variances.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R 4 (High Density Residential); O (Office)	Multi family Residential and Neighborhood Scale Commercial.
SOUTH:	O (Office); R 15 (Single Family Residential)	Single and Multi Family Residential.
EAST:	R 15 (Single Family Residential); O (Office)	Single Family Residential and Neighborhood Scale Commercial.
WEST	R 4 (High Density Residential)	Single and Multi Family Residential.

The subject property is surrounded by a variety of mixed office, commercial, and residential uses, and is located in an area of the City that has been experiencing a steady transition from a traditional neighborhood/residential area to a mixed use area containing residential, office, and neighborhood scale commercial uses.

COMPREHENSIVE PLAN:

The subject property lies within the "Urban Core" character area as defined by the *Statesboro Comprehensive Plan*. The *Statesboro Comprehensive Plan* defines the "Urban Core" character area as the "historic core of the [the] city" and concludes that "it should remain the activity and cultural hub of the region. Traditional development patterns of buildings along the sidewalk and a lively streetscape should be respected and promoted [within the Urban Core]. 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." (*Statesboro Comprehensive Plan, Community Agenda, page 11*).

The *Statesboro Comprehensive Plan* identifies appropriate land uses for the Urban Core character area as being neighborhood-scale retail and commercial, arts and entertainment venues, civic uses, and offices. Suggested development and implementation strategies for the Urban Core character area include:

- New development that respects the historic context of building mass, height and setbacks.
- The preservation or adaptive reuse of historic properties wherever possible.
- Encouragement of mixed-use infill and redevelopment.
- The transition of land uses across the rear of properties rather than across the street to soften the transition and maintain appropriate streetscapes.
- The continuation of economic development strategies that nurture thriving commercial activity.
- The enhancement of tree planting to include more shade trees and ornamental streetscape plantings.
- The construction/conversion of major thoroughfares in a manner that promotes dense, urban and pedestrian-friendly development patterns. Adopt Context Sensitive Solutions that reduce vehicle speeds, facilitate the use of a variety of transportation options, and enhance the aesthetics of the character area.

In addition to identifying appropriate land uses and suggested development and implementation strategies for the individual character areas within the City, *The Statesboro Comprehensive Plan* also adopted the "Protect[ion] of existing neighborhoods" as a general strategy for development throughout the City. This strategy provides that "commercial, retail, and office uses can co-exist compatibly in residential areas if the design of the establishment is properly considered." The strategy identifies "the conversion of former homes to professional offices along Zetterower [as] a model for how to accommodate nonresidential uses as streets begin to carry more traffic and residential uses become less desirable". As such, the strategy recommends that "whenever possible, existing structures should be preserved and/or renovated to accommodate changing land uses in order to protect both the neighborhood and overall community character. Any new structures should be located on the lot with similar setbacks as surrounding development and designed in a way that complements the existing immediate area." (*Statesboro Comprehensive Plan, Community Agenda, pages 7-8*).

TRANSPORTATION:

The subject site takes vehicular and pedestrian access from South Zetterower Avenue. The applicant's proposal contemplates a driveway from South Zetterower Avenue (where the principal business use would be located) to a gated area for employee parking and storage of company vehicles at the rear of the subject property – with an emergency exit onto Broad Street (**Exhibit B – Sketch Plan and RZ 10-09-02**).

The Georgia Department of Transportation (GDOT) functionally classes Broad Street as a local road and South Zetterower as a Rural Minor Arterial Roadway. The *2035 Bulloch County/City of Statesboro Long Range Transportation Plan* awards city streets a Level of Service (LOS) rating. LOS ratings are a "qualitative measure of traffic flow

describing operating conditions" ranging from A (representing the best operating conditions) to F (representing the worst operating conditions). A rating of C or better indicates that "travel speeds are slightly lower than the posted speed with noticeable delay in intersection areas." A rating of D or worse is considered deficient. Broad Street received a LOS of C or better. The portion of South Zetterower Avenue containing the subject site, from Fair Road to East Jones Avenue, is considered deficient by the *Transportation Plan*, having received a LOS of D. However, neither roadway was identified in the *2035 Bulloch County/City of Statesboro Long Range Transportation Plan* as a prioritized area of needed improvement.

The variances requested herein are not expected to impact traffic volumes, capacity, or safety in any manner.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject property is served by City water and sewer. There are no known issues related to the City's ability to provide public services to this site.

ENVIRONMENTAL:

Although the subject site lies outside of the 100 year and 500 year floodplains and is not identified as a "wetland", the site does lie within an area that has historically experienced flood run-off, known as "sheeting". Storm water travels from South Zetterower to Broad Street. Broad Street is not served by curbs, gutters, or drainage ditches. The lack of drainage related infrastructure on Broad Street results in the pooling of water in the residential areas of Broad Street. City of Statesboro Streets Superintendent expressed a concern regarding intensification of this problem for residents on Broad Street should the Broad Street portion of the subject site be developed as a parking lot with an impervious surface such as concrete or asphalt. Development of the lot utilizing a pervious material, such as the gravel material requested by applicant, and the installation of the rear landscape buffer that would be required by the *Statesboro Zoning Ordinance*, is expected to improve the drainage issues at Broad Street. The other variances requested in the application are not expected to have an environmental impact on the property.

ANALYSIS:

The applicant has requested variances from Sections 1601, 1602, and 2301 of the *Statesboro Zoning Ordinance*.

Section 1601: Parking Design.

Section 1601 of the *Statesboro Zoning Ordinance* governs issues regarding the design of parking facilities. At issue in this request is the Ordinance requirement that all parking facilities be set back a minimum of three (3) feet from the property line and the required width of the drive aisle. Applicant is requesting the waiver of the three (3) foot setback requirement and a reduction in the driveway aisle width from the required 16' (standard width for two way commercial traffic) to 12'.

As illustrated on applicant's Sketch Plan (**See Exhibit B**) and **Figure 2 in Exhibit C** the subject property is accessed by a 22' curb cut at South Zetterower Avenue and is bounded on the north by a 12' unopened alley. Approximately 6' of the alley is of unknown ownership. The remaining 6' of the alley is owned by the neighbor to the north, Mrs. Melba Akins. None of the alley is within the bounds of the subject property. Both the subject property and the neighboring property to the north access their properties via the dirt drive at the South Zetterower Avenue curb cut. This curb cut is the only access point for the subject property. The property to the north possesses an additional curb cut at South Zetterower Avenue (**See Exhibit C, Figure 2**).

Applicant is proposing to place a paved driveway on the subject site, 12' in width, utilizing the existing 22' curb cut at South Zetterower Avenue. The proposed driveway aisle would encroach the required three (3) foot setback area. A 12' driveway is suitable for the anticipated use at the location and is expected to serve as a traffic calming measure along Zetterower Avenue. Furthermore, allowing for a smaller driveway aisle and waiver of the setback requirement accomplishes an adopted strategy of the comprehensive plan to design development that is complimentary of the surrounding neighborhoods and sensitive to existing development (see *Statesboro Comprehensive Plan, Community Agenda*, pages 7-8).

A concern associated with this request is the disparity in size of the 22' curb cut and applicant's proposed 12' drive aisle. The City of Statesboro Engineering Department recommends that the requested drive aisle be aligned with the existing curb cut. Discussions with applicant's representative have indicated a willingness to accommodate this concern. However, applicant is also required to respect the City's right of way requirements, the property line of the adjoining property (who shares use of the curb cut), and the alley.

Staff recommends approval of the requested variance from Section 1601 conditioned on an alignment of the proposed drive aisle and curb cut subject to design approval by the City Engineer.

Section 1602. Parking Surfaces.

Section 1602 of the *Statesboro Zoning Ordinance* requires that all parking facilities within the City "consist of asphalt or concrete" surfacing, provide "clear and permanent markings...to define individual parking spaces, drive aisles, and

drive lanes," and that "wheel stops be provided where appropriate for all spaces abutting property lines, buildings, and landscaping."

Section 1600 of the *Statesboro Zoning Ordinance* requires that office spaces provide one parking space for every 250 square feet of gross floor area. At 1323 square feet, the subject site is required to provide five (5) parking spaces. As illustrated on **Exhibit B - Sketch Plan**- applicant proposes to locate the five (5) required parking spaces to the side of the existing building on the South Zetterower portion of the lot. Applicant intends to cover this parking area with asphalt and otherwise abide by the design regulations of the *Statesboro Zoning Ordinance* for parking facilities.

The intent of the requested variance is to allow applicant to develop the rear portion of the lot (fronting on Broad Street) as a gated "overflow" or "surplus" parking area for company trucks. Applicant is requesting that this rear portion of "overflow" or "surplus" parking be allowed to utilize a gravel surface (rather than the required asphalt or concrete) and be granted a waiver from providing the required markings, striping's, wheel stops, etc. required by Section 1602. (**See Exhibit B- Sketch Plan and Exhibit C, Figure 4**).

Several environmental benefits are associated with the use of pervious surface materials, such as gravel, rather than the concrete or asphalt coverings currently required by the *Statesboro Zoning Ordinance*. In fact, the use of a pervious material should assist with the sheeting problem currently being experienced at this location. Furthermore, allowance of a pervious surface cover at this location implements a strategy of the *Statesboro Comprehensive Plan* to design infill and new development "in a way that complements the existing immediate area" as several other lots fronting on Broad Street utilize a gravel surface. (*Statesboro Comprehensive Plan, Community Agenda*, pages 7-8).

It should be noted here that while some properties have been denied variances from the required asphalt or concrete surfacing material for parking facilities those cases involved request for the minimum required public parking spaces; the location and use of the request anticipated a high volume of public traffic; and the required surface material was found to be incompatible with nearby existing developments. However, the Statesboro City Council has permitted pervious surface materials for surplus parking in at least one other action (See RZ 09-12-03).

Section 2301. Landscape Buffers.

Section 2301 of the *Statesboro Zoning Ordinance* requires a landscaped or natural buffer area be installed to shield any residential use from any neighboring nonresidential use. Application of this provision to the subject site would require the placement of a side buffer yard between the subject site and the adjacent multi family residence to the north.

Landscape buffers are intended to shield non compatible uses from one another. In this instance, the subject site is located within a section of the City that is recognized for its mixed residential and commercial uses and is highlighted by the *Statesboro Comprehensive Plan* as a model of "commercial, retail, and office uses ... co-exist[ing] compatibly in residential areas." (*Statesboro Comprehensive Plan, Community Agenda, page 7*). Neighboring commercial and residential uses without buffering is typical for Zetterower Avenue.

STAFF RECOMMENDATION:

The request may meet the standard for grant of a variance. Staff's recommendation is based on the following findings of fact:

- A) There are no special conditions pertaining to the land or structure in question because of its size, shape, topography, or physical condition...** The size of the subject property and the location and size of the City curb cut at the right of way along the property may provide special conditions warranting the grant of a variance.
- B) Special conditions and circumstances being considered (variances) result from the actions of the applicant.** The size of the subject property and the location and size of the City curb cut are not the result of the actions of the applicant.
- C) The application of the Ordinance to this particular piece of property would create an unnecessary hardship.** The application of the Ordinance to this property may create an unnecessary hardship in that it may prevent the property from being developed and utilized as a commercial property.
- D) Relief, if granted, would cause substantial detriment to the public good and impair the purposes and intent of the zoning regulations.** The purpose and intent of the zoning ordinance may be maintained by the grant of the variances requested herein.

Staff recommends **approval** of the requested variances from Sections 1601, 1602, and 2301 of the *Statesboro Zoning Ordinance* subject to the following conditions:

- The City Engineer shall have the authority to approve the design of the parking facilities at the subject site and associated variances approved herein, including approval of the driveway, reconfigurations of the existing curb

cut at the site, and parking design for the subject site. The City Engineer may require reconfigurations to the curb cut at the subject property and South Zetterower Avenue.

- The Director of Community Development may grant an administrative reduction in the *Statesboro Zoning Ordinances* requirements for rear landscape buffer along Broad Street to accommodate ingress and egress of emergency vehicles as permitted by City Council action RZ 10-09-02.
- City of Statesboro public safety officials must be granted access to all gated areas of the parking facilities at the subject site in accordance with City of Statesboro "key lock" policies.
- Curbing or other permanent material (not to include landscape timbers) must be utilized to contain any "loose" pervious material (i.e., gravel) that may be used as a surface cover for the surplus parking. The design and installation of such must be to the approval of the City Engineer.

PLANNING COMMISSION RECOMMENDATION:

Planning Commission voted 4 to 0 to recommend approval of the requested variance. The recommendation to approve was also made subject to staff suggested conditions with the addition of tall growth trees at the rear buffer. Commissioners Hendley, Karrh, Hansen, and Concannon voted in favor of the recommendation. Commissioner Hulsey was not present at the meeting.

(Please note: Sketch plan (Exhibit B) submitted for reference only. Approval of this variance request does not constitute approval of any final site plan or building permit).

EXHIBIT A: 305 SOUTH ZETTEROWER AVENUE LOCATION MAP.

V 10-12-02 305 South Zetterower Avenue
Location Map



Note: The rezoning boundaries depicted on this map are approximate and should be used for reference only. The actual dimensions of the rezoning are contained in the attached plat.



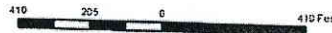
	V 10-12-02 Yates-Astro c/o Bill Moore 305 South Zetterower Avenue Parcel # S 30 000057 000 & S 30 000047 000	 Case Sites	 Zoning Boundary	

EXHIBIT B: SKETCH PLAN.

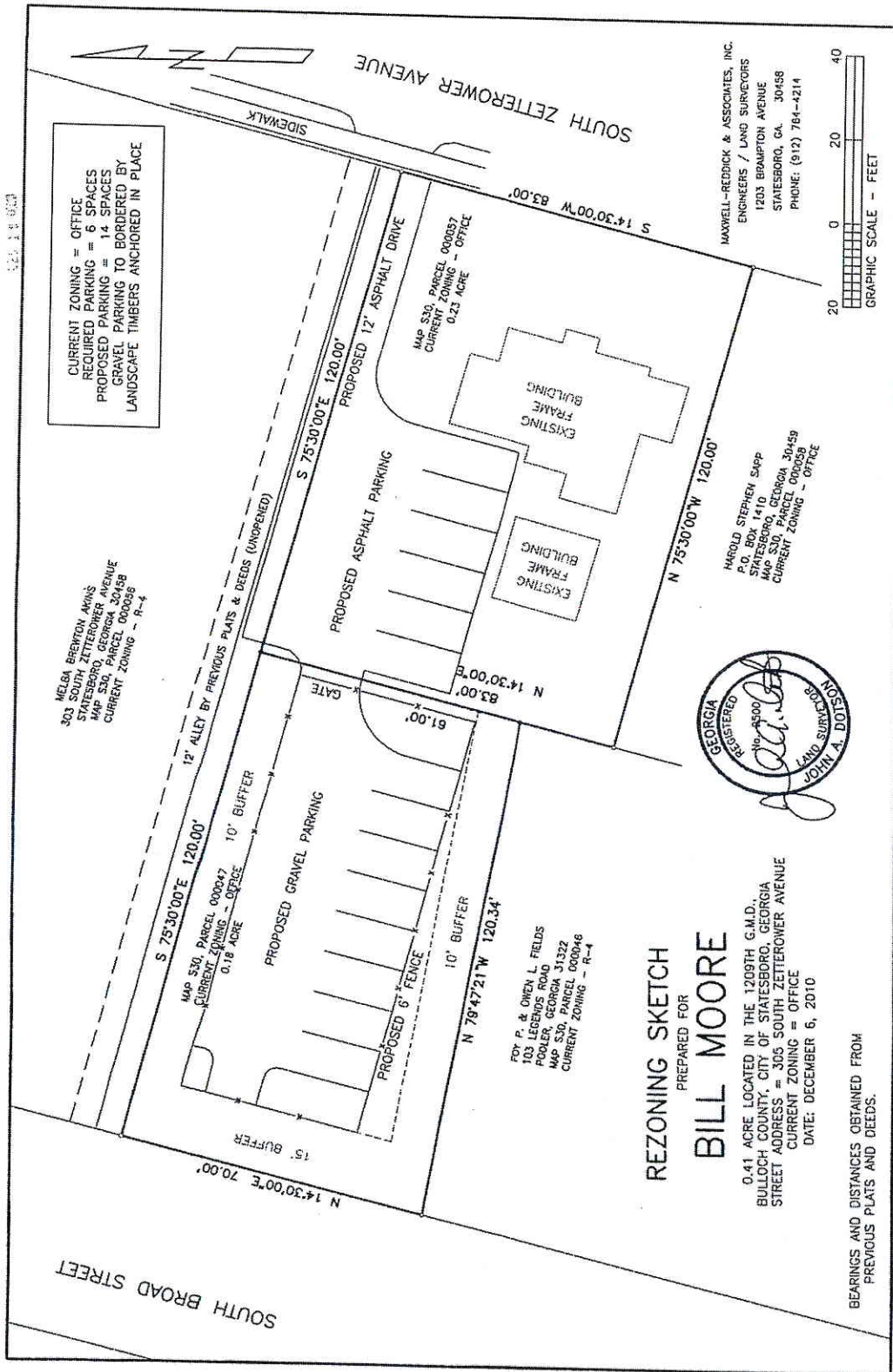


EXHIBIT C: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY.

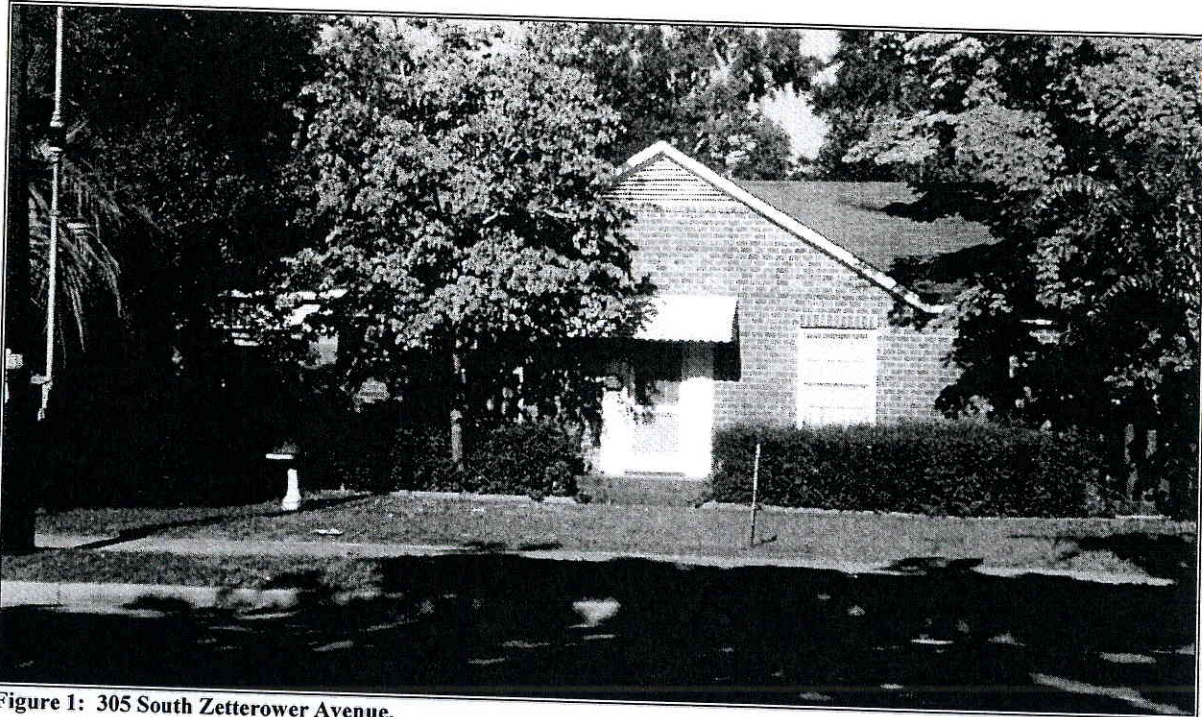


Figure 1: 305 South Zetterower Avenue.

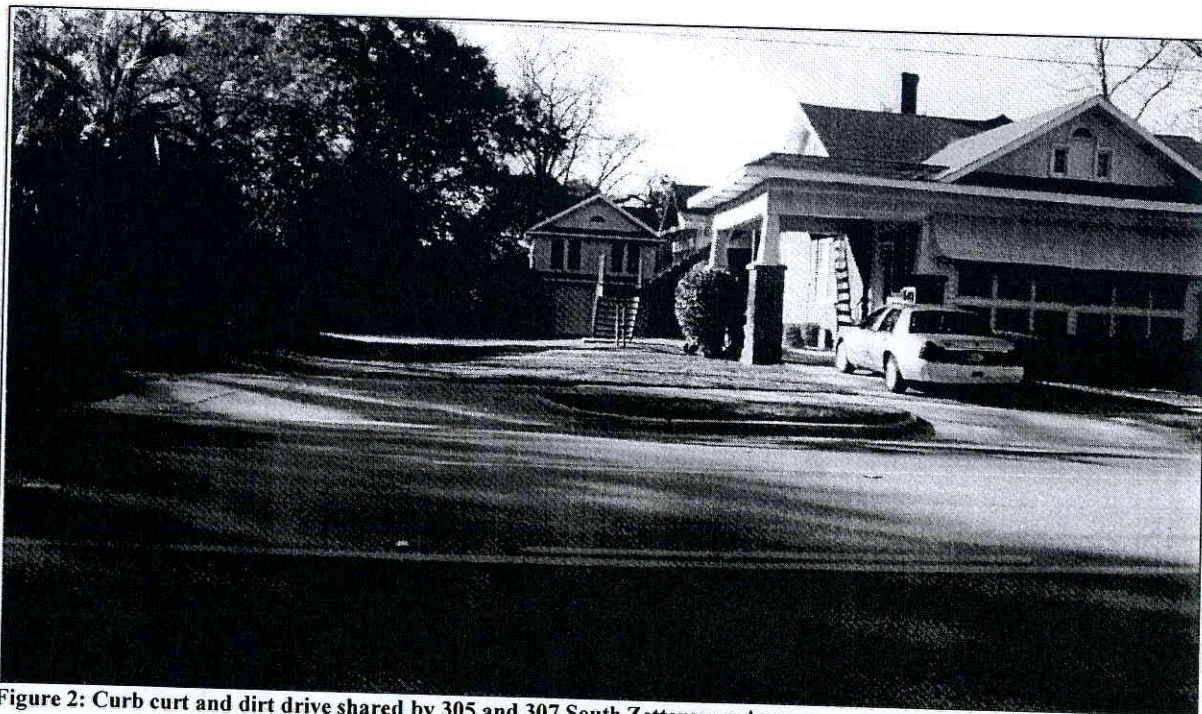


Figure 2: Curb cut and dirt drive shared by 305 and 307 South Zetterower Avenue.

EXHIBIT D: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY (CONT.).



Figure 3: Dirt drive aisle.

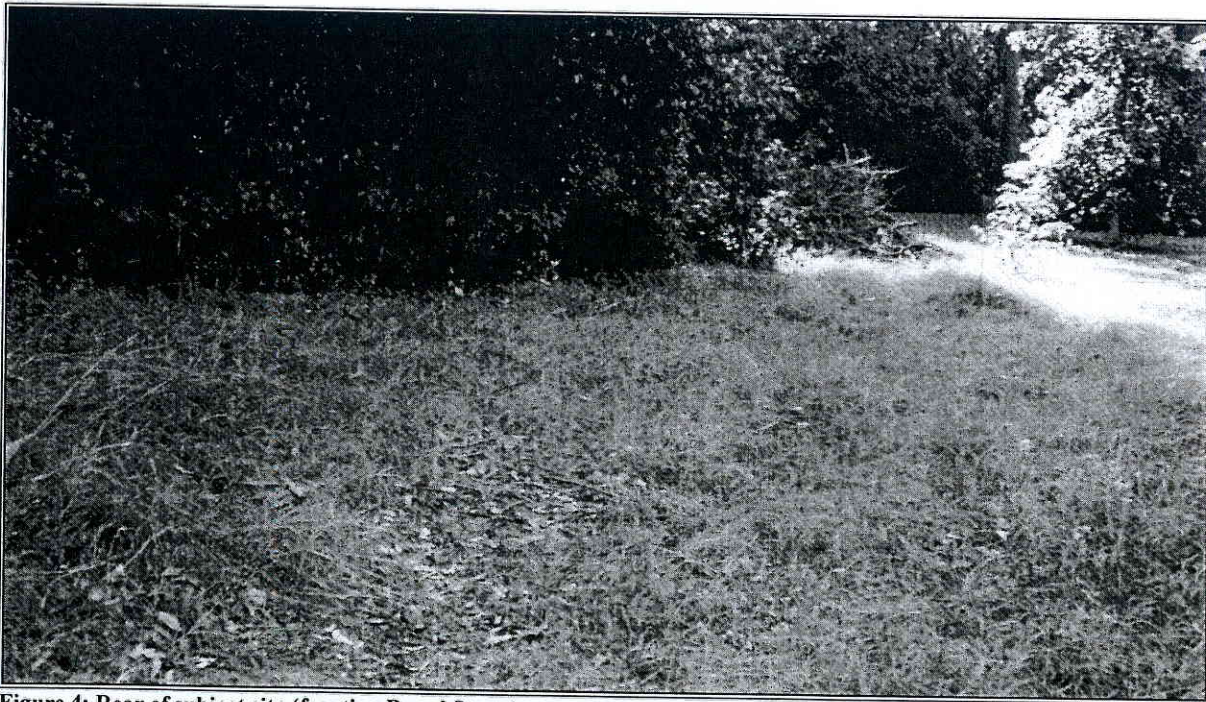


Figure 4: Rear of subject site (fronting Broad Street).



City of Statesboro
Office of the Staff Attorney

P.O. Box 348
Statesboro, Georgia 30459

912.764.0643
912.489.6140(Fax)

January 25, 2011

RE: Petition to Change Street Name (Cotton Avenue to Bobby Donaldson Avenue)

Mayor and Members of Council:

The family of the late Robert "Bobby" Donaldson has petitioned the City of Statesboro for a change of the street name "Cotton Avenue" to "Bobby Donaldson Avenue." As you may or may not know, Bobby Donaldson was a champion of the community in and around Cotton Avenue. Pursuant to his efforts, the area became a stronger and closer knit community. I had the privilege to work on this project with the members of the community and quickly recognized the impact that Mr. Donaldson had on the Cotton Avenue community and the City of Statesboro. There has been overwhelming support for the change of the street name in his honor and we have received petitions from over 75% of the property owners on or abutting Cotton Avenue. Due to this support, I would recommend that the petition of the family be accepted and that the name change be implemented.

Please feel free to contact me with any questions or concerns.

Sincerely,

Michael L. Graves, Jr.
Staff Attorney
City of Statesboro

cc: Frank C. Parker III



City of Statesboro
Office of the Staff Attorney

P.O. Box 348
Statesboro, Georgia 30459

912.764.0643
912.489.6140(Fax)

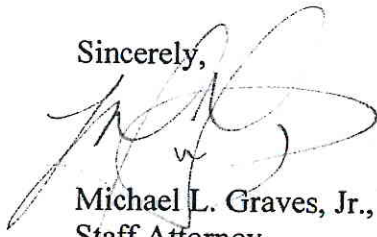
December 6, 2010

RE: Petition to Rename Cotton Avenue to Bobby Donaldson Avenue

Dear Landowner,

As you likely know, Robert "Bobby" Donaldson was a long time resident of Statesboro and was an important member of the Cotton Avenue community. Following his death, Mr. Donaldson's family made a request to the City of Statesboro to change the name of Cotton Avenue to "Bobby Donaldson Avenue" in his honor. In response to this request, I will be aiding the family in circulating a petition to all landowners which own property that borders Cotton Avenue. By signing this petition, you are agreeing to the name change proposed. In order to facilitate the change of the street name, 75% of all landowners bordering Cotton Avenue must petition the City of Statesboro for the change of name. If you have any questions or concerns relating to this request, please feel free to call me at (912) 764-0643 or email me at michael.graves@statesboroga.net. Thank you for your attention to this matter.

Sincerely,



Michael L. Graves, Jr., Esq.
Staff Attorney
City of Statesboro

CITY OF STATESBORO, GEORGIA

PETITION FOR CHANGE OF STREET NAME

The family of Robert "Bobby" Donaldson has requested that the Statesboro City Council enact the appropriate legislation to change the street name of Cotton Avenue to Bobby Donaldson Avenue. This is a public street in the city limits of the City of Statesboro.

A list of all addresses affected by this request is shown below. All abutting and affected property owners, including owners of both occupied property and vacant lots, are listed below and have been notified of this street name change request.

The signatures of all abutting and affected property owners, approving of this proposed street name change petition are shown below. If you are not in agreement with this proposed street name change, please state the reason below next to your name or file a formal objection with the Statesboro City Clerk.

Name(s)	Address(es)	Signature(s)
1) Helen Owendine	14 E Jones ave	Helen Owendine
2) Juanita Mikell	15 Cotton Ave	Juanita
3) Gloria Mikell	15 Cotton Ave	Gloria Mikell
4) Mary Henderson	15 Cotton Ave	Mary Henderson
5) Oscar Henderson	15 Cotton Ave	Oscar Henderson
6)		
7)		
8)		
9)		
10)		
11)		
12)		
13)		
14)		

CITY OF STATESBORO, GEORGIA

PETITION FOR CHANGE OF STREET NAME

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Name(s)	Address(es)	Signature(s)
1) Almarita Donaldson	106 Cotton ave	Almarita Donaldson
2) Almarita Donaldson	104 Cotton ave	Almarita Donaldson
3) Almarita Donaldson	108 COTTON AVE	Almarita Donaldson
4) Historical E. AB	1 COTTON AVE	Ron E. Chapman, Lee
5) Gwendolyn Johnson	1 Cotton ave	Gwendolyn Johnson
6) Columbus Johnson	134 Elm Street	Columbus Johnson
7) Mary Henderson	15 Cotton Ave	Mary Henderson
8)		
9)		
10)		
11)		
12)		
13)		
14)		

CITY OF STATESBORO, GEORGIA

PETITION FOR CHANGE OF STREET NAME

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Name(s)	Address(es)	Signature(s)
1) Norma Payton Reid	3613 Shoreheights	Malibu Ca 90265
2) _____	Mrs Theodore J. Reid	Norma Payton Reid
3) For -	_____	_____
4) 5 Cotton Ave	Statesboro, Ga	_____
5) 204 Edm St	"	"
6) _____	_____	_____
7) _____	_____	_____
8) _____	_____	_____
9) _____	_____	_____
10) _____	_____	_____
11) _____	_____	_____
12) _____	_____	_____
13) _____	_____	_____
14) _____	_____	_____

CITY OF STATESBORO, GEORGIA

PETITION FOR CHANGE OF STREET NAME

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	Name(s)	Address(es)	Signature(s)
1)	<i>Gloria Lorette</i>	<i>136 Elm Street P.O. Box 1602 Statesboro, Georgia</i>	<i>Gloria</i>
2)			
3)			
4)			
5)			
6)			
7)			
8)			
9)			
10)			
11)			
12)			
13)			
14)			

CITY OF STATESBORO, GEORGIA

PETITION FOR CHANGE OF STREET NAME

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Name(s)	Address(es)	Signature(s)
1) CALVIN BIRD	7 Cotton Ave	Calvin Bird
2) Calvin Williams	3 Cotton	Calvin Williams
3) Ch...	11 Cotton Ave	C.W.
4) Sharon	9 Cotton Ave	Sharon
5) Emory Williams	7 Cotton Ave	Emory Williams
6) Henry Williams	8 Cotton Ave	Henry Williams
7) Gloria Williams	8 Cotton Ave	Gloria Williams
8) Telesia Williams	8 Cotton Ave	Telesia Williams
9) Brenda W...	79 Home St	
10) Aldolphus Green	22 Cotton Ave	Aldolphus Green
11) Emanuel King	9 Cotton Ave	Emanuel King
12) Kimberly Mitchell	328 W. College St	Kimberly Mitchell
13) Porsche Pinkney	9 Cotton Ave	Porsche Pinkney
14) Luther W. Crawford	5 + 3 Cotton Ave	Luther W. Crawford

- 15) Cordia Johnson 10 Cotton Ave Covington
- 16) Janik Turner Raymond St 239 B
- 17) Scott Lewis Johnson 116 A
- 18) Randy Goodman Randy Goodman 202 Martin Luther
- 19) LaQuincy Smith LaQuincy Smith 8098 Pulaski Hwy
- 20) ~~Randy Goodman~~
- 21) ~~LaQuincy Smith~~
- 22) Willie Walker 128 President Circle
- 23) Nancy Higgins 72 Atkins St
- 24)
- 25)

CITY OF STATESBORO, GEORGIA PETITION FOR CHANGE OF STREET NAME

The family of Robert "Bobby" Donaldson ^{Ally} has requested that the Statesboro City Council enact the appropriate legislation to change the street name of Cotton Avenue to Bobby Donaldson Avenue. This is a public street in the city limits of the City of Statesboro.

A list of all addresses affected by this request is shown below. All abutting and affected property owners, including owners of both occupied property and vacant lots, are listed below and have been notified of this street name change request.

The signatures of all abutting and affected property owners, approving of this proposed street name change petition are shown below. If you are not in agreement with this proposed street name change, please state the reason below next to your name or file a formal objection with the Statesboro City Clerk.

Name(s)	Address(es)	Signature(s)
1)	Herndon Miller 3850 Glenlake Dr	(yes) 7704898819
2)	Douglasville Ga 30134	
3)		
4)		
5)		
6)		
7)		
8)		
9)		
10)		
11)		
12)		
13)		
14)		

CITY OF STATESBORO, GEORGIA PETITION FOR CHANGE OF STREET NAME

The family of Robert "Bobby" Donaldson has requested that the Statesboro City Council enact the appropriate legislation to change the street name of Cotton Avenue to Bobby Donaldson Avenue. This is a public street in the city limits of the City of Statesboro.

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The signatures of all abutting and affected property owners, approving of this proposed street name change petition are shown below. If you are not in agreement with this proposed street name change, please state the reason below next to your name or file a formal objection with the Statesboro City Clerk.

Name(s)	Address(es)	Signature(s)
1) <i>Bobby Donaldson</i>	<i>Owner of 12 Cotton Ave</i>	<i>[Signature]</i>
2) _____	_____	_____
3) _____	_____	_____
4) _____	_____	_____
5) _____	_____	_____
6) _____	_____	_____
7) _____	_____	_____
8) _____	_____	_____
9) _____	_____	_____
10) _____	_____	_____
11) _____	_____	_____
12) _____	_____	_____
13) _____	_____	_____
14) _____	_____	_____

Sec. 58-8. Lien for enforcement of tendered services to property owners.

(a) A lien attaching to property within the city shall be created in the event of failure of property owners to pay or reimburse the city for the provision of the following services:

- (1) Collection of garbage and solid waste from the property;
- (2) Collection of debris accumulated on the premises and placed for pick up either on the premises or adjacent to the premises, including leaves, limbs, grass clippings, trees or tree trunks and other vegetative material, or litter and debris.
- (3) Provision of natural gas;
- (4) Provision and removal of water and/or sewerage to and from the premises.

(b) The amount of the cost of collection shall be a lien against the real property upon which the cost was incurred. The city clerk shall issue an execution against the property owner and against the real estate affected by the services, which shall be levied and the property sold in the manner of the levy and sale of property under tax executions.

(c) The lien imposed hereby is intended to be cumulative to and not in replacement of other fines, penalties and remedies contained in this Code for enforcement of collection for the above-referenced services.

(Ord. of 4-5-94(1))

Cross references: Solid waste, ch. 66; natural gas, § 82-31 et seq.; sewer service, § 82-91 et seq.

Sec. 58-9. Uniform road naming and property numbering system.

(a) *Findings.* The mayor and city council have determined that the adequate provisions of public services to the residents of the city, and to other public bodies, including such services as police, fire and emergency medical services, requires the establishment of a uniform road naming and numbering system for buildings and property located in the corporate limits of the city. The mayor and city council further feel that the provisions enacted in this section will secure the public safety and deliver the aforementioned public services in a more efficient and effective manner.

(b) *Preamble.* There is hereby established a uniform system for road naming and for numbering property and buildings on all roads, streets, and public ways in the corporate limits of the city. All buildings shall be numbered in accordance with the provisions set forth in this section.

(c) *Road names.*

- (1) The mayor and city council shall establish and assign names for all streets, roads and public ways in the corporate limits of the city.
- (2) No new road name assigned by the mayor and city council shall be a duplicate of or be similar to (either phonetically or by spelling) any existing street name in the corporate limits of the city.
- (3) Existing duplicate road names shall be changed only as necessary to ensure the effectiveness and efficiency of the United States Postal Service in the city, as determined in the judgment of the mayor and city council.

(4) Historical names shall be the prime consideration in the assignment of road names.

(5) As many segmental roads as possible shall be identified as being a continuous road, thereby eliminating as many road-identifying names and numbers as possible.

(6) The city paved roads and historical roads, whether paved or unpaved, shall be named, and as funds are available the names and city road numbers shall be posted.

(7) a. Upon receipt of a petition in the form and format as specified by the mayor and city council seeking a change of name of an existing named road containing the signatures of the owners or their representatives as specified below of not less than 75 percent of the parcels of property abutting such public road, the mayor and city council shall take under consideration but be under no compulsion to grant such request. At its discretion, the mayor and city council may, but shall not be required to, prior to deciding the issue of the proposed name change, hold a public hearing on the issue.

b. On public roads and streets containing less than ten parcels of property, the petitioners will be responsible for obtaining the signatures of all owners or representatives of parcels abutting such public road.

c. The owner of the abutting property shall be deemed to be the person or entity returning the property for ad valorem taxes in the office of the Bulloch County Tax Commissioner.

d. If the property is returned in the name of an estate or trust, the legal representative of such estate or trust must sign the petition.

e. If the property is returned in the name of a corporation, a corporate officer must sign the petition on behalf of the corporation.

f. If the property is returned in the name of a partnership, each partner must sign the petition unless the signing partner has written authorization to sign for all other partners.

g. If, according to the records in the tax commissioner's office, more than one natural person has a life or fee interest in such property, each such interest holder must sign the petition unless the signing interest holder has written permission to sign for the non-signing interest holder.

h. The determination by the mayor and city council as to the authority of the person signing the petition and the number of parcels abutting such road shall be final.

(8) In the event there is a dispute as to the proper name of an existing road or a dispute as to whether an existing road has been previously officially named, the mayor and city council, in its absolute discretion, shall assign a name to such road under the same procedure for the naming of a new road. The decision by the mayor and city council as to the name assigned to such road shall be final.

(d) *Numbering.*

(1) The mayor and city council shall establish a new address numbering system which shall be coordinated with the Bulloch County 911 Division.

(2) Each house, building or other occupied structure shall be assigned a separate number. A number or alphabetical letter shall be assigned for each separate and distinct occupant or division (i.e., apartment, company, etc.) within a building or other occupied structure.

(3) Existing numbers shall be changed only as necessary to ensure the effectiveness and efficiency of the enhanced 911 system in Bulloch County, as determined in the judgment of the mayor and city council.

(4) All new buildings and structures must be assigned a number address by the U.S. Post Office prior to or simultaneous with the granting of a building permit.

(5) Written notification of the address assigned under the terms of this section to each house, building or structure shall be given or delivered to its respective owner.

(6) Written notification of the address assigned under the terms of this section to each house, building or structure shall also be given to the appropriate post office of the United States Postal Service.

(e) *Placement of assigned numbers.*

(1) Except as set forth in subsections (f) and (g) herein, the owner, occupant or agent of each house, building or other structure assigned a number under the uniform numbering system provided in this section, shall place or cause to be placed such number on the house, building or other structure within 30 days after receiving notification of the number assignment.

(2) Cost and installation of the numbers shall be paid for by the property owner, occupant or agent of each house, building or other structure.

(3) Residential numbers shall not be less than three inches in height. Business numbers shall not be less than four inches in height. All numbers shall be made of a durable, clearly visible material and shall contrast with the color of the house, building or other structure.

(4) All numbers shall be conspicuously placed immediately above, on or at the side of the appropriate door so that the number is clearly visible from the street. In cases where the building is situated more than 50 feet from the street, the building number shall be placed near the walk, driveway, or common entrance to the building, or upon the mailbox, gatepost, fence or other appropriate place so as to be clearly visible from the street.

(f) *Administration and implementation.*

(1) No building permit shall be issued for any house, building or other structure to be erected, repaired, altered or modified in the corporate limits of the city after May 20, 1997, until the owner has obtained the assigned number from the United States Post Office.

(2) It shall be the duty of the owner to attach the assigned number to such house, building or other structure as provided herein.

(3) Final approval of any house, building or other structure erected, repaired, altered or modified after May 20, 1997, shall be withheld by the building inspector until permanent and proper numbers have been attached to such structure.

(4) All new name requests for name changes shall be directed to the city planning department. All requests will be forwarded to the city council as a first reading.

(g) *Existing structure.* The mayor and city council shall encourage owners of existing structure to post the assigned numbers to their structure in accordance herewith within six months from May 20, 1997.

(h) *Cost involved with street/road renaming.* The petitioners for road name changes will be responsible for paying 50 percent of the total cost (labor and materials) associated with the street renaming process, and the city will be responsible for the other 50 percent.

(Ord. of 5-20-97)

Cross references: Buildings and building regulations, ch. 14; streets, sidewalks and other public places, ch. 70.

Sec. 58-10. Alarm systems; false alarms.

(a) Definitions.

Alarm system business means any company or entity that installs, services or responds to alarm system enumeration.

Automatic dialing device means any device connected to an alarm system which automatically sends a prerecorded message or coded signal indicating the activation of the alarm system to a predetermined location.

Automatic response alarm system means an assembly of equipment and devices designated and arranged to detect and signal a hazardous condition or unauthorized intrusion into a premise or to signal an attempted robbery at a protected premise and will, upon activation, signal an alarm system business, monitoring station of another entity and with respect to such signal, the appropriate agency, whether it be city police or city fire, is expected to respond.

False alarm means the activation of a fire, burglary and/or robbery alarm by other than a fire, unintentional smoke, forced entry or attempted forced entry to the premises and at a time when no fire has occurred or burglary or robbery is being committed or attempted on the premises.

Independent alarm system means an assembly of equipment and devices designated and arranged to detect and signal a hazardous condition or unauthorized intrusion into a premise or to signal an attempted robbery at a protected premise and upon activation does not automatically signal an alarm system business, monitoring station or other entity for police or fire response.

Multiple alarm sites means more than one alarm system on the premise.

Permit means a certificate of authorization issued by the city to the person in control of the property which authorizes the operation of an alarm system.

Permit holder means the individual, corporation, partnership, and/or other legal entity to whom an alarm system permit is issued.

Response means the dispatch of a police officer or fire unit to the premises where an alarm system has been activated indicating a fire, burglary, and/or robbery is presently in progress on those premises.

(b) Requirements.

(1) *Licensing.* All alarm companies operating within the city must be licensed and registered with the city clerk.

(2) *Administrative notification lists.* Each alarm company operating in the city must be licensed and registered with the city clerk.

(3) *Automatic dialers.* It shall be unlawful to key automatic dialer burglar alarms or robbery alarms to the city police department, 911 or to the city switchboard. These types of alarms shall be keyed to a private service that can notify the police department. Automatic dialers for fire alarms are permissible.

(4) *Automatic response alarms.*

**RESOLUTION 2011-05: A Resolution for the City of Statesboro
to Remain a Georgia Certified City of Ethics**

WHEREAS: the Board of Directors of the Georgia Municipal Association has established a Certified City of Ethics program; and,

WHEREAS: the City of Statesboro, wishes to be certified as a Certified City of Ethics under the GMA Program; and,

WHEREAS: part of the certification process requires the Mayor and Council to subscribe to the ethics principles approved by the GMA Board;

NOW THEREFORE BE IT RESOLVED: by the governing authority of the City of Statesboro, Georgia that as a group and as individuals, the governing authority subscribes to the following ethics principles and pledges to conduct its affairs accordingly:

- *Serve Others, Not Ourselves
- *Use Resources with Efficiency and Economy
- * Treat All People Fairly
- * Use the Power of Our Position for the Well Being of Our Constituents
- *Create an Environment of Honesty, Openness and Integrity

RESOLVED this _____ day of _____, 20_____

Mayor, Joe R. Brannen

Councilmember Will Britt

Councilmember Tommy Blich

Councilmember John Riggs

Councilmember Gary Lewis

Councilmember Travis Chance

ATTEST: Sue Starling, City Clerk

RESOLUTION 2011-06: A RESOLUTION TO PARTNER WITH THE GEORGIA DEPARTMENT OF REVENUE IN AN EFFORT TO ENSURE PROPER PAYMENT OF SALES TAX

WHEREAS, pursuant to O.C.G.A. § 48-13-20.1, cities and counties may collect and submit certain information to enable the Georgia Department of Revenue to ensure that businesses are properly compliant with state and local sales tax laws;

WHEREAS, cities and counties that levy an occupation tax or regulatory fee under to O.C.G.A. § 48-13-1 *et seq.*, may pass a resolution to participate in this voluntary program;

WHEREAS, the City of _____ levies an occupation tax and/or regulatory fee under to O.C.G.A. § 48-13-1 *et seq.*; and

WHEREAS, the Mayor and the Council of the City of _____ desires to have the City of _____ participate in this voluntary program.

NOW, THEREFORE BE IT RESOLVED by the _____ that the City of _____ may participate in the Georgia Department of Revenue's program to verify that businesses paying occupation taxes and regulatory fees are also paying their state and local sales tax.

BE IT FURTHER RESOLVED that, upon adoption of this Resolution, any person who performs any business, occupation or profession subject to an occupation tax or regulatory fee under O.C.G.A. § 48-13-1 *et seq.* is required to provide the City the following information when paying such occupation tax or regulatory fee:

- (a) The legal name of the business;
- (b) Any associated trade names for the business;
- (c) The mailing address for the business;
- (d) The actual physical address of each location of the business, if it is different than the mailing address;
- (e) The North American Industry Classification System Code (NAICS) applicable to such business; and
- (f) The sales and use tax identification number assigned to the business by the Georgia Department of Revenue, if the business is required by law to have such a number.

BE IT FURTHER RESOLVED that the City will provide written notice to all persons subject to the City's occupation taxes or regulatory fees and that:

- (a) This information will be provided to the Georgia Department of Revenue; and
- (b) If the person refuses or fails to provide the required information, the City will notify the Georgia Department of Revenue of this fact.

BE IT FURTHER RESOLVED that, within thirty (30) days after receiving the payment of occupation taxes or regulatory fees under O.C.G.A. § 48-13-20, the City will electronically submit the information received from each business to the Georgia Department of Revenue.

BE IT FURTHER RESOLVED that a copy of this executed Resolution will be immediately transmitted to the Commissioner of the Georgia Department of Revenue.

This ___ day of _____, 20___.

Mayor

ATTEST:

City Clerk