



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

July 10, 2018

5:00 P.M.

City Hall Council Chamber

Meeting Agenda

I. Call to Order

II. Invocation & Pledge of Allegiance

III. Approval of Minutes

1. June 5, 2018 Meeting Minutes

IV. Old Business

1. **APPLICATION V 18-05-02**: Whitfield Signs requests a variance from Article XV Section 1509(C) Table 3 of the Statesboro Zoning Ordinance regarding the maximum allowed total square feet of building signs in Sign District 1 (Tax Parcel S44 000065 000).

V. New Business

1. **APPLICATION V 18-06-01**: West District Development, LLC requests a variance from Article XXIII Section 2301 regarding the required landscape buffer between non-residential uses abutting a residentially zoned area and multi-family residences adjacent to single-family or two-family residences for a combination of parcels addressed 91 South College St and South College St (Tax Parcels S19 000002 000 & S19 000001 000).
2. **APPLICATION V 18-06-02**: West District Development, LLC requests a variance from Article XXX Section 3010 regarding the requirement to provide sidewalks along the public right-of-way in the Downtown District (Tax Parcels S19 000002 000 & S19 000001 000).
3. **APPLICATION RZ 18-06-03**: West District Development, LLC requests a zoning map amendment in order to revise a previously approved site plan for a combination of parcels addressed 91 South College St and South College St (Tax Parcels S19 000002 000 & S19 000001 000).
4. **APPLICATION V 18-06-04**: Rudolph Payton requests a variance from Article X Section 1003(E) to reduce the required minimum distance between buildings in the CR (Commercial Retail) zone to construct a garage on a parcel located at 204 Elm Street (Tax Parcel S18 000109 000).

5. **APPLICATION V 18-06-05**: Rudolph Payton requests a variance from Article X Section 1003(H) to reduce the required rear yard setback in order to construct a garage on .31 acres of property located at 204 Elm Street (S18 000109 000).
6. **APPLICATION V 18-06-06**: Rudolph Payton requests a variance from Article X Section 1003(A) to reduce the required square footage per structure in order to construct a garage on .31 acres of property located at 204 Elm Street (S18 000109 000).
7. **APPLICATION RZ 18-06-07**: Eagle Auto, Inc. requests a zoning map amendment of 2.79 acres of property located at 1168 Martin Luther King Jr Drive from the CR (Commercial Retail) to the HOC (Highway Oriented Commercial) zoning district in order to operate an automotive service station and towing business (Tax Parcel S16 000090 000).

VI. Announcements

VII. Adjourn



City of Statesboro
Department of Planning and Development Memorandum

50 East Main Street

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Statesboro Planning Commission

June 5, 2018

5:00 P.M.

City Hall Council Chamber

Meeting Minutes

Present: Planning Commission Members: James W. Byrd, Sr., Carlos C. Brown, Jr., David McLendon, Jamey Cartee, Benjamin McKay, and Russel Rosengart **Absent:** Mary Foreman; **City of Statesboro Staff:** Director of Planning and Development Frank Neal, City Planner Sharon Anton, Code Enforcement Officer Scott Brunson.

I. Call to Order

Commissioner Byrd called the meeting to order at 5:00 PM

II. Invocation & Pledge of Allegiance

The invocation and pledge of allegiance were given by Commissioner McLendon.

III. Approval of Minutes

1. April 3, 2018 Meeting Minutes

Commissioner McLendon made a motion to approve the April 3, 2018 meeting minutes; there was no Planning Commission meeting held in May, during which these minutes would have been brought for approval. The motion was seconded by Commissioner Brown and carried 5-0.

IV. New Business

Prior to the commencement of the discussion of New Business, it was proposed to change the order of the agenda items, to take into consideration the number of members of the public in attendance regarding Application RZ 18-05-05. It was determined that this item would be moved up in the agenda, depending on the arrival time of a designated speaker.

1. **APPLICATION V 18-05-01:** HFA, LLC requests a variance from Article XV Section 1509(C) Table 4 of the Statesboro Zoning Ordinance regarding the maximum allowed total square feet of signage in Sign District 2. (Tax Parcel MS842 000100E 000).

Frank Neal presented the case to the Planning Commission, and took questions. He clarified for the Commission that the orange paint on the building in the area of the sign was not calculated in the total sign square footage, and answered a question from the public.

Sara Baker spoke on behalf of the request and distributed a rendering of the sign to the Commissioners. Commissioner Brown expressed concern regarding the changes to that portion of the lot, given that it experiences a large amount of traffic, but Ms. Baker confirmed that this alteration had already been approved by Walmart.

Commissioner McLendon made a motion to recommend approval of this application, seconded by Commissioner Cartee. The motion carried 5-0.

2. **APPLICATION V 18-05-02:** Whitfield Signs requests a variance from Article XV Section 1509(C) Table 3 of the Statesboro Zoning Ordinance regarding the maximum allowed total square feet of building signs in Sign District 1 (Tax Parcel S44 000065 000).

Frank Neal presented the case to the Planning Commission. Commissioner McLendon asked if the existing monument sign would remain, which Mr. Neal confirmed. There were no representatives from the applicant present to answer questions on this application. When asked by the Commission why this variance was recommended, Mr. Neal explained that there had previously been a sign in this location, but it was removed when some renovations took place; it was smaller than this proposed sign.

Commissioner Rosengart expressed concern about setting a precedent, given the amount by which this sign exceeds the ordinance standards. He wondered if the Commission would be able to approve a portion of the sign, the word "Wesley" without the "W" logo. After some discussion, Commissioner McLendon made a motion to table this item, seconded by Commissioner Brown. The motion carried 5-0.

3. **APPLICATION RZ 18-05-05**: John Fortino requests a zoning map amendment of 0.49 acres of currently undeveloped property addressed as Fair Road from the R-3 (Medium Density Multi-Family Residential) zoning district to the CR (Commercial Retail) zoning district to permit additional possible uses on the property (Tax Parcel MS61 000018 000).

Frank Neal presented the case to the Planning Commission. Chris O'Malley, of the Woodlawn Neighborhood Association, got up to speak to the Commission on this item, and Mr. Neal asked if Sam DiPolito would like to speak first, in favor of the application. Mr. DiPolito declined and ceded the floor to Ms. O'Malley, who read out a letter on behalf of the neighborhood association that was submitted to the Planning Department for the record and distributed to the Commissioners. Mr. DiPolito then spoke in favor of the application, explaining the owner's situation. John Fortino, owner of the property, had inherited this land and has been unable to develop it as he would like to given its current zoning. He does not feel that a duplex type investment would be the "highest and best use" of the property, nor does he believe the development would be disruptive to surrounding uses, since there is no intent to add something like a gas station or hotel on this 0.5 acre lot on this portion of a 5 lane highway.

Following Mr. DiPolito, Verdery Kennedy spoke against the request, also reading from a letter; the letter was then submitted for the record to the Planning & Development Department. Melany Bowen then also spoke against the request, citing the reasons she had selected Statesboro as the location for her new home purchase when she decided to move, including how Statesboro manages its growth while still feeling like a "real town." Following Ms. Bowen, Aaron Cohen spoke to the Commission. He asked what the hardship would be to this property owner that is requiring a "variance,"** and expressed the opinion that there wasn't one. Mr. DiPolito replied that there is an economic hardship.

Cathy Shriver then spoke against the request as well, arguing that just because this particular plan does not include a particular commercial use like a gas station, that does not mean future developers could not then build one anyway, once the zone is changed. Verdery Kennedy made an additional suggestion regarding what could be done with the property following Ms. Shriver's statements. Finally, Commissioner Byrd asked if there were any additional comments from the public and opened discussion

Commissioner McLendon asked whether there was already a curb cut and received an affirmative answer. Commissioner Byrd express appreciation of the community's expression of trust in the commission, and added that he felt this could set a precedent for commercial interest in the area; furthermore, maintaining the green space there is important. Commissioner Brown said that he does not want to see Statesboro grow in this manner, and expressed concern regarding the disruption to the traffic pattern. Commissioner Rosengart echoed the concern about precedent and added that businesses come and go, but residents stay.

Commissioner McLendon made a motion to disapprove this application, seconded by Commissioner Rosengart. The motion carried 5-0.

*** To clarify for the record, the application under discussion was not a variance application, it was for a zoning map amendment, for which there is not any requirement to prove that the applicant is experiencing a hardship.*

4. **APPLICATION V 18-05-03:** Fendig Signs, Inc. requests a variance from Article XV Section 1509(C) Table 4 of the Statesboro Zoning Ordinance regarding the maximum allowed total square feet of building signs in Sign District 2 (Tax Parcel S72 000014 000).

Frank Neal introduced the case. Gary Sanchez spoke on behalf of the applicant, explaining that this size sign would be symmetrical with the adjacent tenant (Aspen Dental) and would help promote the brand. Commissioner Rosengart commented that there seems to constantly be a battle with the sign ordinance, and questioned at what point a percentage of variance is too much. He suggested the Commission discuss this at a later point, to general consensus.

Commissioner Cartee motioned to approve this application, seconded by Commissioner Brown, and the motion carried 5-0.

5. **APPLICATION V 18-05-04:** McKeithen True Value Hardware requests a variance from Article XV Section 1509(C) Table 5 of the Statesboro Zoning Ordinance regarding the maximum number of building signs allowed in Sign District 3 (Tax Parcel MS88 000026 005).

Frank Neal introduced the case and Mr. Tom McKeithan, who spoke for the request. Mr. McKeithan pointed out to the Commission that the area indicting the building pad on the map is slightly off; it should be place more towards the center of that portion of the lot and thus, is largely shielded from view from the road. Additional signs of the variety request help indicate to the passerby that this is a hardware store if they miss the main sign, since signage like this is common on this type of store.

After brief discussion, Commissioner McLendon motioned to approve the application and commissioner Rosengart seconded. The motion carried 5-0.

V. Announcements

Frank Neal mentioned the possibility of future planning commission training. Commissioner McLendon inquired about the procedure for updating the ordinance, given the number of sign variance requests that come through. Mr. Neal explained that revising the ordinance would not necessarily reduce the number of variance requests, and also that each case is treated individually; granting a variance in one case does not obligate the approval of a similar variance in a case that is located differently or has different circumstances.

VI. Adjourn

The meeting adjourned at 6:02.

Chair – James W. Byrd, Sr.

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



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

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

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V 18-05-02 VARIANCE REQUEST 103 HERTY DRIVE	
LOCATION:	103 Herty Drive
REQUEST:	Variance from Article XV Section 1509(C) Table 3, regarding the maximum allowed square footage for building signs.
APPLICANT:	Whitfield Signs
OWNER(S):	Wesley Foundation
ACRES:	1
PARCEL TAX MAP #:	S44 000065 000
COUNCIL DISTRICT:	4 (Riggs)

PROPOSAL:

The applicant requests a variance from Article XV Section 1509(C) Table 3 of the *Statesboro Zoning Ordinance* regarding the maximum allowed total square feet of building signs in Sign District 1. (See **Exhibit A** – Location Map.)

Specifically, the applicant’s goal is to install one (1) building signs on the side elevation at a size of 142.5 sq ft; the total allowed square footage for building signs is 40 sq ft; at a total of 142.5, this exceeds the maximum by 102.5 sq ft (256%).

BACKGROUND:

Currently, the site is zoned R-15 (Single Family Residential) and home the GSU’s Wesley Foundation ministry. The applicant is proposing to install a building sign on the side elevation of the structure facing Fair Road (See **Exhibit E**- Proposed Signage Plans). The amount allowed by ordinance is 40 square feet in total; the proposed sign is 142.5 sq ft.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R-15 (Single Family Residential)	Single family detached dwelling units
SOUTH:	R-15 (Single Family Residential)	Single family detached dwelling units
EAST:	R-15 (Single Family Residential)	Single family detached dwelling units
WEST	EXPT (Exempt)	Educational services/university

The subject property is located within the R-15 (Single Family Residential) district. Surrounding parcels include residential uses as well as the Georgia Southern Univeristy campus (See **Exhibit A** – Location Map, **Exhibit B**—Future Development Map and **Exhibit C**—Photos of Subject Site).

ATTACHMENTS: **Exhibit A** (Location Map), **Exhibit B** (Future Development Map) **Exhibit C** (Photos of Subject Site), **Exhibit D** (Sec. 1509(C) Table 4), **Exhibit E** (Proposed Signage Plans), **Exhibit F** (Sign Example #1), **Exhibit G** (Sign Example #2), **Exhibit H** (Former Painted Building Sign)

COMPREHENSIVE PLAN:

The *City of Statesboro Comprehensive Master Plan's* Future Development Map includes the subject site in the following character area:

<u>“Residential Redevelopment”</u>	
<i>Vision</i>	<i>Suggested Development & Implementation Strategies</i>
<p>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</p>	<ul style="list-style-type: none">• Focus on strategic public investments to improve conditions, appropriate infill development on scattered vacant sites, and encouraging more homeownership and maintenance or upgrade of existing properties.• The redevelopment strategy for the area should focus on preserving what remains of the original housing stock, while rebuilding on the remaining land, a new, attractive neighborhood following the principles of traditional neighborhood development.• Strengthen code enforcement, property maintenance, and the demolition of dilapidated structures in area. <p><i>Statesboro Comprehensive Master Plan, Community Agenda page 23.</i></p>

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. Variance from Article XV Section 1509(C) Table 3: Sign District 1 Dimension standards to allow for installation of a building sign on side elevation.

The applicant is requesting a variance from Article XV (Signs) regarding the maximum allowed square footage for building signs. Article XV (Signs). Section 1509 of the *Statesboro Zoning Ordinance* regulates the dimensional standards for all building signs within the City of Statesboro. The subject site is located in the R-15 (Single Family Residential) zoning district and is regulated by the dimensional standards of Sign District 1. The ordinance states that the maximum square footage for building signs shall be 40 sq ft. (See **Exhibit D**—Section 1509(C) Table 3).

The proposed sign, at 142.5 sq ft, exceeds the allowed square footage by 102.5 sq ft, or 256%. (See **Exhibit E**—Proposed Signage Plans).

ANALYSIS (Cont'd)

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

RECOMMENDATION:

Staff recommends approval of this variance

At the regularly scheduled meeting held on June 5, 2018, at 5:00 PM, the Planning Commission voted 5-0 to table application V 18-05-02 for further discussion and does not have a recommendation regarding V 18-05-02 at this time.

At the regularly scheduled City Council meeting held on June 19, 2018, at 5:30 PM, the Statesboro City Council voted 3-0 to table application V 18-05-02 for further discussion, pending a recommendation from Planning Commission.



STAGIS
CITY OF STATESBORO GIS

EXHIBIT A

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: FUTURE DEVELOPMENT MAP

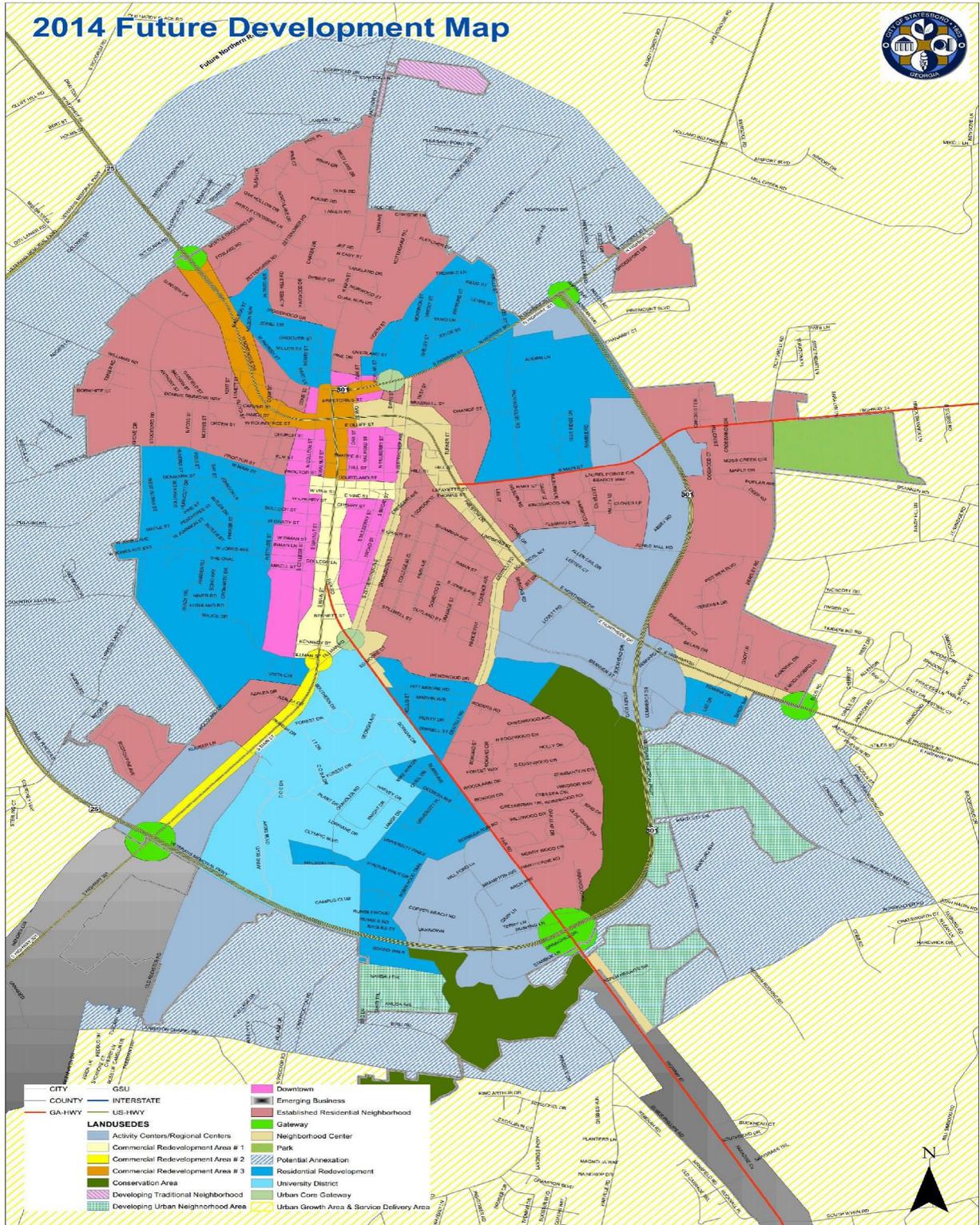


EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS

Picture 1: Subject Site from Fair Road facing east, showing the proposed signage location



Picture 2: Subject Site depicting installed freestanding sign facing north



Picture 3: View looking north-west from Subject Site across Fair Road.



Picture 4: Property to the north of Subject Site, across Herty Drive.



Picture 5: Property to the north of Subject Site, across Herty Drive.



Picture 6: Subject Site, looking south from Herty Drive



EXHIBIT D: SECTION 1509 TABLE 3

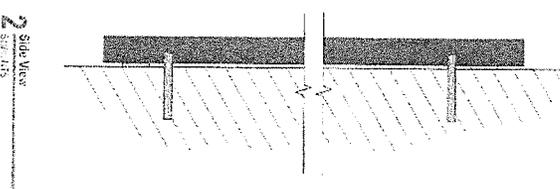
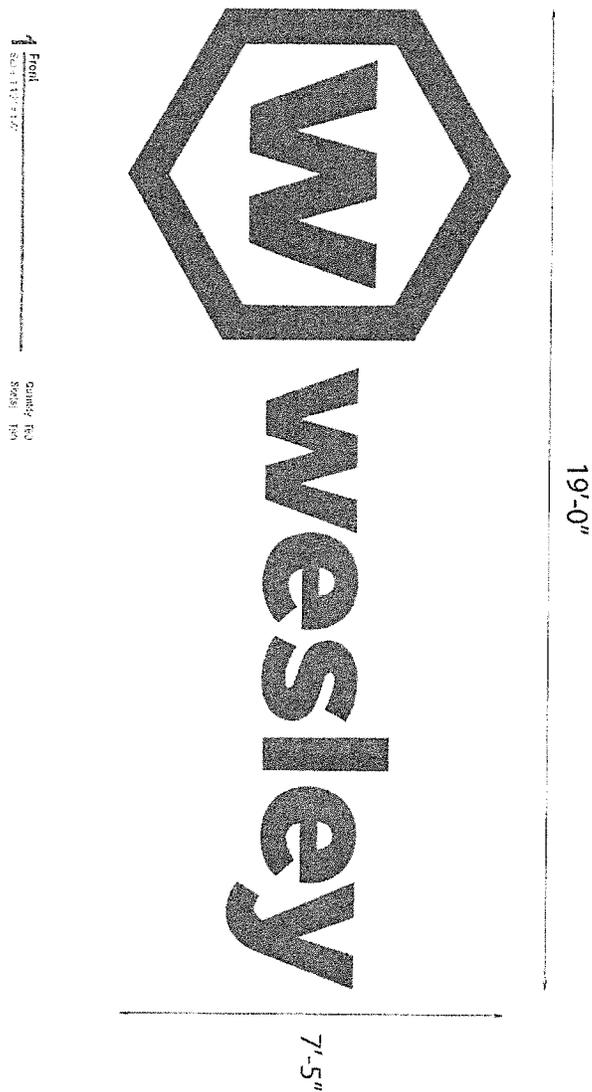
Table 5. Sign District 3 Dimensional Standards

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
<p>*As provided in Section 1501 and Table 2 herein, "aggregate sign area" includes all freestanding or building signs regardless of whether or not a permit for a particular type of sign is required.</p> <p>**Limited to monument and standard informational signs. Billboards and stanchion signs prohibited as provided in Table 2 herein.</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: PROPOSED SIGNAGE PLANS

103 Hurty Dr
 Statesboro, GA 30458



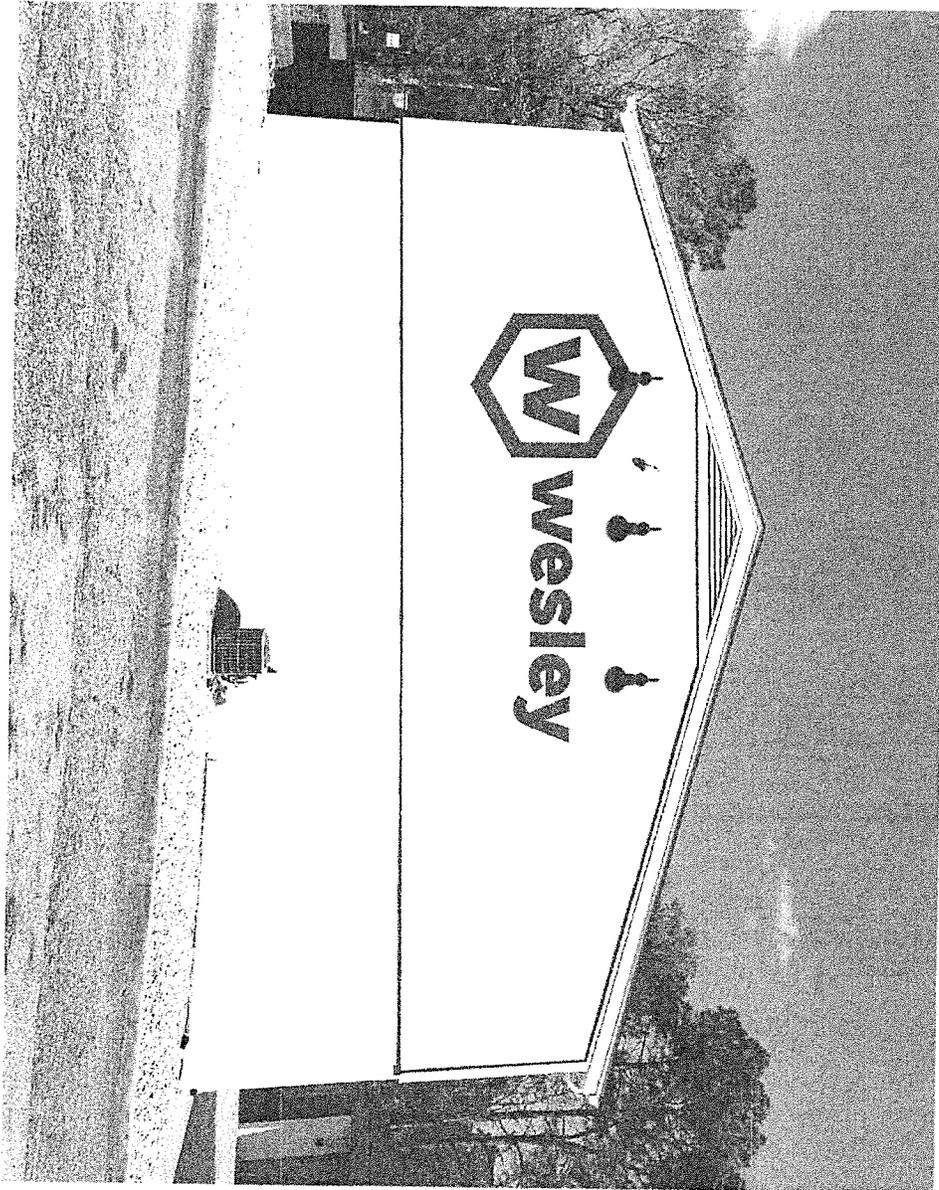
Wall Sign - 144 sqft

- Colors & Finishes**
- G1 [Color swatch] Sign
- Construction Specifications**
- Fabricated/Assembled on a Welded Tubular Steel Frame



<p>1. SIGNAGE SHALL BE FABRICATED AND ASSEMBLED ON A WELDED TUBULAR STEEL FRAME.</p> <p>2. SIGNAGE SHALL BE FABRICATED AND ASSEMBLED ON A WELDED TUBULAR STEEL FRAME.</p> <p>3. SIGNAGE SHALL BE FABRICATED AND ASSEMBLED ON A WELDED TUBULAR STEEL FRAME.</p>	<p>4. SIGNAGE SHALL BE FABRICATED AND ASSEMBLED ON A WELDED TUBULAR STEEL FRAME.</p> <p>5. SIGNAGE SHALL BE FABRICATED AND ASSEMBLED ON A WELDED TUBULAR STEEL FRAME.</p> <p>6. SIGNAGE SHALL BE FABRICATED AND ASSEMBLED ON A WELDED TUBULAR STEEL FRAME.</p>	<p>7. SIGNAGE SHALL BE FABRICATED AND ASSEMBLED ON A WELDED TUBULAR STEEL FRAME.</p> <p>8. SIGNAGE SHALL BE FABRICATED AND ASSEMBLED ON A WELDED TUBULAR STEEL FRAME.</p> <p>9. SIGNAGE SHALL BE FABRICATED AND ASSEMBLED ON A WELDED TUBULAR STEEL FRAME.</p>
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EXHIBIT E (CONT'D): PROPOSED SIGNAGE PLANS



Colors & Finishes

- 01 Dark Gray
- 02 Light Gray
- 03 White
- 04 Dark Blue
- 05 Light Blue
- 06 Yellow
- 07 Red
- 08 Green
- 09 Orange
- 10 Purple
- 11 Silver
- 12 Gold
- 13 Bronze
- 14 Black
- 15 Clear
- 16 Matte
- 17 Gloss
- 18 Satin
- 19 Textured
- 20 Smooth

Construction Specifications

- A Fabricator: [Blank]
- B Signage Material: [Blank]
- C Signage Color: [Blank]
- D Signage Finish: [Blank]
- E Signage Mounting: [Blank]
- F Signage Location: [Blank]
- G Signage Orientation: [Blank]
- H Signage Dimensions: [Blank]
- I Signage Weight: [Blank]
- J Signage Wind Load: [Blank]
- K Signage Seismic Rating: [Blank]
- L Signage Maintenance: [Blank]
- M Signage Replacement: [Blank]
- N Signage Removal: [Blank]
- O Signage Installation: [Blank]
- P Signage Inspection: [Blank]
- Q Signage Certification: [Blank]
- R Signage Warranty: [Blank]
- S Signage Lead Time: [Blank]
- T Signage Cost: [Blank]
- U Signage Value: [Blank]
- V Signage ROI: [Blank]
- W Signage Lifetime: [Blank]
- X Signage Impact: [Blank]
- Y Signage Visibility: [Blank]
- Z Signage Effectiveness: [Blank]

Wall Sign- 144 sqft

Item	Description	Quantity	Unit	Notes
1	Wall Sign	1	sqft	144 sqft
2



DESIGN DRAWINGS + SPECIFICATIONS

40 sqft Option

EXHIBIT F



Colors & Finishes

Colors shown here may not exactly match manufacturers color chart swatch or actual sample. Client to either provide samples or specifications for custom colors prior to production or approve these color samples or other specifications.

C1 Digitally Printed Vinyl

Construction Specifications

- A** Flat Cut Out 1/2" Acrylic w/ Laminated Face & VHB Tape and Stud
- B** Mounting Provisions
- B** Gosses Neck Lights



41 Bernard Lane
Stations, GA 30461
912.891.5338

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Project Name
00000

Project Contact
Judea Whitefield / Kacie Stinger Page

Drawn By
JP

Date
0.2.2016

Reasons
N/A

NO EXCEPTIONS NOTED
EXCEPTIONS NOTED
REJECTED
RESUBMIT

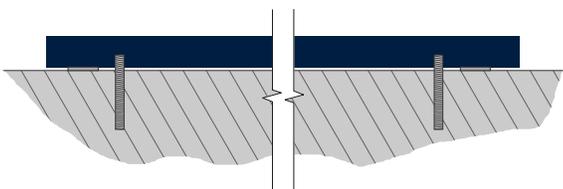
Approval Signature
Approved By _____ Date _____
File name/cdn
Main ID

Drawing Type
 Preliminary
 Production

Wall Sign- 40 sqft



1 Front
Scale: 1/12" = 1'-0"
Quantity TBD
Sheet TBD



2 Side View
Scale: NTS

Wall Sign- 40 sqft



Colors & Finishes
Colors shown here may not exactly match actual ones color chart sample or actual sample. Client to either provide samples or specifications for custom colors prior to production or approve these color samples or color specifications.

Construction Specifications

C1 Navy

A Flat Cut, 0.1 1/2" Acrylic w/ Laminate Face & VHB Tape and Stud Mounting Provisors

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Project Name
00000

Project Contact
Josh Whitfield / Kade Stinger Page

Drawn By
JP

Date
0.0.2016

Reasons
N/A

Drawing Status
NO EXCEPTIONS NOTED
EXCEPTIONS NOTED
REJECTED
RESUBMIT

Approval Signature

Approved By _____ Date _____

Filename/Path
Main ID

Drawing Type
 Preliminary
 Production

EXHIBIT G



DESIGN DRAWINGS + SPECIFICATIONS

141 sqft Option



Colors & Finishes

Colors shown here may not exactly match manufacturers color chart swatch or actual sample. Client to either provide samples or specifications for custom colors prior to production or approve these color samples or other specifications.

C1 Digitally Printed Vinyl

Construction Specifications

- A** Flat Cut Out 1/2" Acrylic w/ Laminated Face & VHB Tape and Stud
- B** Mounting Provisions
- B** Goose Neck Lights



41 Bernard Lane
 Statesboro, GA 30461
 912.891.5338

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Project Name
 GS Wesley

Project Contact
 Jana Phillips

Drawn By
 JP

Date
 3.14.2018

Revisions
 3.14.2018

Drawing Status
 NO EXCEPTIONS NOTED
 EXCEPTIONS NOTED
 REJECTED
 RESUBMIT

Approval Signature

Approved By _____ Date _____

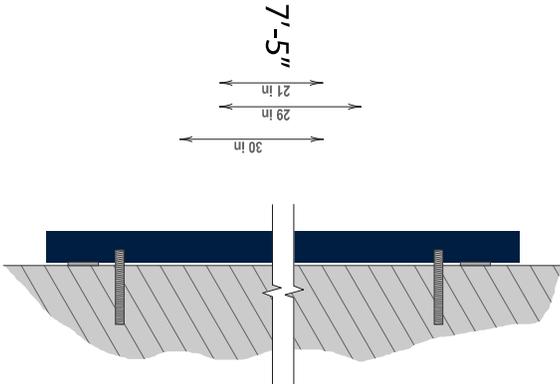
Filename/Path
 /141 sqft v2

Drawing Type
 Preliminary
 Production



1 Front
Scale: 1/12" = 1'-0"

Quantity TBD
Sheet(s) TBD



2 Side View
Scale: NTS

Wall Sign- 141 sqft

Colors & Finishes
Colors shown here may not exactly match actual ones color chart sample or actual sample. Client to either provide samples or specifications for custom colors prior to production or approve these color samples or color specifications

C1 Navy

Construction Specifications
A Flat Cut 1/2" Acrylic w/ Laminate Face & VHB Tape and Stud Mounting Provisors



41 Bernard Lane
Statesboro, GA 30461
912.891.5538

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Project Name
GS Wesley

Project Contact
Jana Phillips

Drawn By
JP

Date
3.14.2018

Revisions
3.14.2018

Drawing Status

- NO EXCEPTIONS NOTED
- EXCEPTIONS NOTED
- REJECTED
- RESUBMIT

Approval Signature

Approved By _____ Date _____

Filename/Path
/141 sqft v2

Drawing Type
 Preliminary
 Production

EXHIBIT H





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

P.O. Box 348
 Statesboro, Georgia 30458

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

V 18-06-01, V 18-06-02, & RZ 18-06-03 VARIANCE REQUESTS THE WEST DISTRICT: 91 S COLLEGE ST & S COLLEGE ST	
LOCATION:	91 South College Street, South College St
REQUEST:	Variance from Article XXIII Section 2301 regarding the landscape buffer requirement; Variance from Article XXX Section 3010 regarding the sidewalk requirement; zoning map amendment to alter the approved site plan
APPLICANT:	West District Development, LLC
OWNER(S):	Whitfield Signs Holdings & West District Development
ACRES:	5.28 acres (combined)
PARCEL TAX MAP #:	S19 000002 000 (2.97) S19 000001 000 (2.31)
COUNCIL DISTRICT:	District 2 (Jones)



PROPOSAL & BACKGROUND:

The applicant is in the process of creating a mixed-use development with offices, retail, & residential lofts and requests a variance from Article XXIII Section 2301 regarding the landscape buffer requirement, as well as a variance from Article XXX Section 3010 regarding the requirement to provide sidewalks along the public right-of-way in the Downtown District. Finally, the applicant is requesting a zoning map amendment in order to revise a previously approved site plan dated Aug. 11, 2017 for this combination of parcels to that submitted in this application (see **Exhibit D**—Proposed Site Plan).

Specifically of note in **Exhibit D**:

- A. The proposed landscape plan has some trees placed along the property edge in question but does not include the required 10' wide strip of shrubs/trees of at least 3' in height, that will "produce a dense, compact evergreen planting screen capable of growing to a height of at least 6 feet within 3 years."
- B. No sidewalk on Bulloch Street.
- C. The site plan dated Aug. 11, 2017, which was approved by Council on Jan. 16, 2018 with the zoning map amendment from LI (Light Industrial) to CBD (Central Business District), had one building pad where this revision shows two. (See **Exhibit E**, Judgement Letter- Jan. 18, 2018)

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	LI (Light Industrial)	Vacant
SOUTH:	R-8 (Single Family Residential), CR (Commercial Retail)	Single family homes, Offices
EAST:	HOC (Highway Oriented Commercial)	Religious Facilities
WEST:	LI (Light Industrial)	Non-profit organization; Municipal, county, state, or federal use:

The subject property is located within the CBD (Central Business District). Surrounding properties include the Open Hearts Community Mission, residential lots, Bulloch County Recycling Center and a recreational area for a nearby religious facility. (See **Exhibit A**—Location Map, **Exhibit C**—Photos of Subject Site).

ATTACHMENTS: **Exhibit A** (Location Map), **Exhibit B** (Future Development Map) **Exhibit C** (Photos of Subject Site), **Exhibit D** (Proposed Site Plan), **Exhibit E** (Judgement Letter- Jan. 18, 2018)

COMPREHENSIVE PLAN:

The *City of Statesboro Comprehensive Master Plan's* Future Development Map includes the subject site in the following character area:

<u>"Urban Core/Downtown"</u>	
<i>Vision</i>	<i>Suggested Development & Implementation Strategies</i>
Downtown is the historic core of the city and should remain the activity and cultural hub of the region. In the Urban Core, traditional development patterns of buildings along the sidewalk and a lively streetscape should be respected and promoted. Historic buildings should be protected from demolition or inappropriate restoration which can degrade the architectural details of the structures. Additional residential opportunities, especially in the form of lofts or other residential over retail, should be promoted. Street-level uses should be reserved for retail, entertainment, or similar high activity uses.	<ul style="list-style-type: none"> • Encourage mixed-use infill and redevelopment. Uses should typically transition across the rear of properties instead of across the street to soften the transition and maintain appropriate streetscapes. • Enhance tree planting to include more shade trees and ornamental streetscape plantings <p align="right"><i>Statesboro Comprehensive Master Plan, Community Agenda page 23.</i></p>

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

- "In a variety of settings, images with abundant trees consistently ranked higher than those without. Overwhelming support has been expressed throughout the process for the protection of existing trees as well as the establishment of new trees."
- And, "Any new structures should be located on the lot with similar setbacks as surrounding development and designed in a way which complements the existing immediate area."

Statesboro Comprehensive Master Plan, Community Agenda pages 9-10.

ANALYSIS

I. Variance from Article XXIII Section 2301(2): Landscape buffer strip, to allow implementation of a specific landscape plan.

The applicant is requesting a variance from Article XXIII Section 2301(2), Landscape buffer strip, which states that: a strip at least ten feet wide, densely planted with shrubs and/or trees at least three feet high at the time of planting, of a type that will possess growth characteristics of such a nature as to produce a dense, compact evergreen planting screen capable of growing to a height of at least six feet within three years.

A landscape plan identifying all plants to be incorporated in the buffer strips must be approved by the zoning administrator prior to any site construction. The zoning administrator may require additional planting to acquire a uniform buffer strip.

The variance in question is regarding the eastern portion of the southern property line, along Bulloch Street, which is currently proposed to be landscaped with of nine (9) Little Gem Magnolia trees and four (4) Savannah Holly trees, as well as a Live Oak tree (See **Exhibit D**—Landscape Plan). This plan does not propose the level of density along the ground level that is called for in the above referenced code section, the intent of which is to create a buffer separating residential zones from commercial uses.

ANALYSIS (Cont'd)

- II. **Variance from Article XXX Section 3010 (A):** Sidewalks and pedestrian areas shall be provided along the public right-of-way for each property.

The applicant is requesting a variance from Article XXX Section 3010 (A): Sidewalks and pedestrian areas shall be provided along the public right-of-way for each property, due to the physical characteristics of the site in the area along Bulloch Street (see **Exhibit C**—Photos of Subject Site).

- III. **Zoning map amendment to CBD (site plan revision):** Section 803 states that a site plan and architectural drawings are required prior to issuance of a building permit.

The applicant has submitted for consideration a revised site plan that shows two building pads in the southeastern portion of the lot, where the site plan approved in the City Council decision of January 16, 2018 only showed one. As stated in the letter to the applicant containing the conditions of the approval, and alterations to the approved site plan (dated Aug. 11, 2017) must be resubmitted for Council approval.

The *Statesboro Zoning Ordinance* 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.”

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

RECOMMENDATION:

Staff recommends disapproval of the variance requested by V 18-06-01.

Staff recommends approval of the variance requested by V 18-06-02 and of the zoning map amendment requested by RZ 18-06-03.

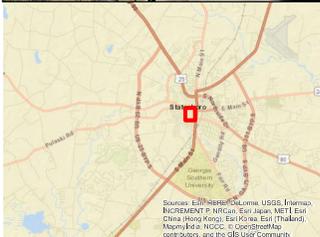


Location Map:

91 South College St



The City of Statesboro makes no warranty, either express or implied, for the accuracy of the information contained on this map. The accuracy of this map assurance of liability for the consequences of the data contained on this map.



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: FUTURE DEVELOPMENT MAP

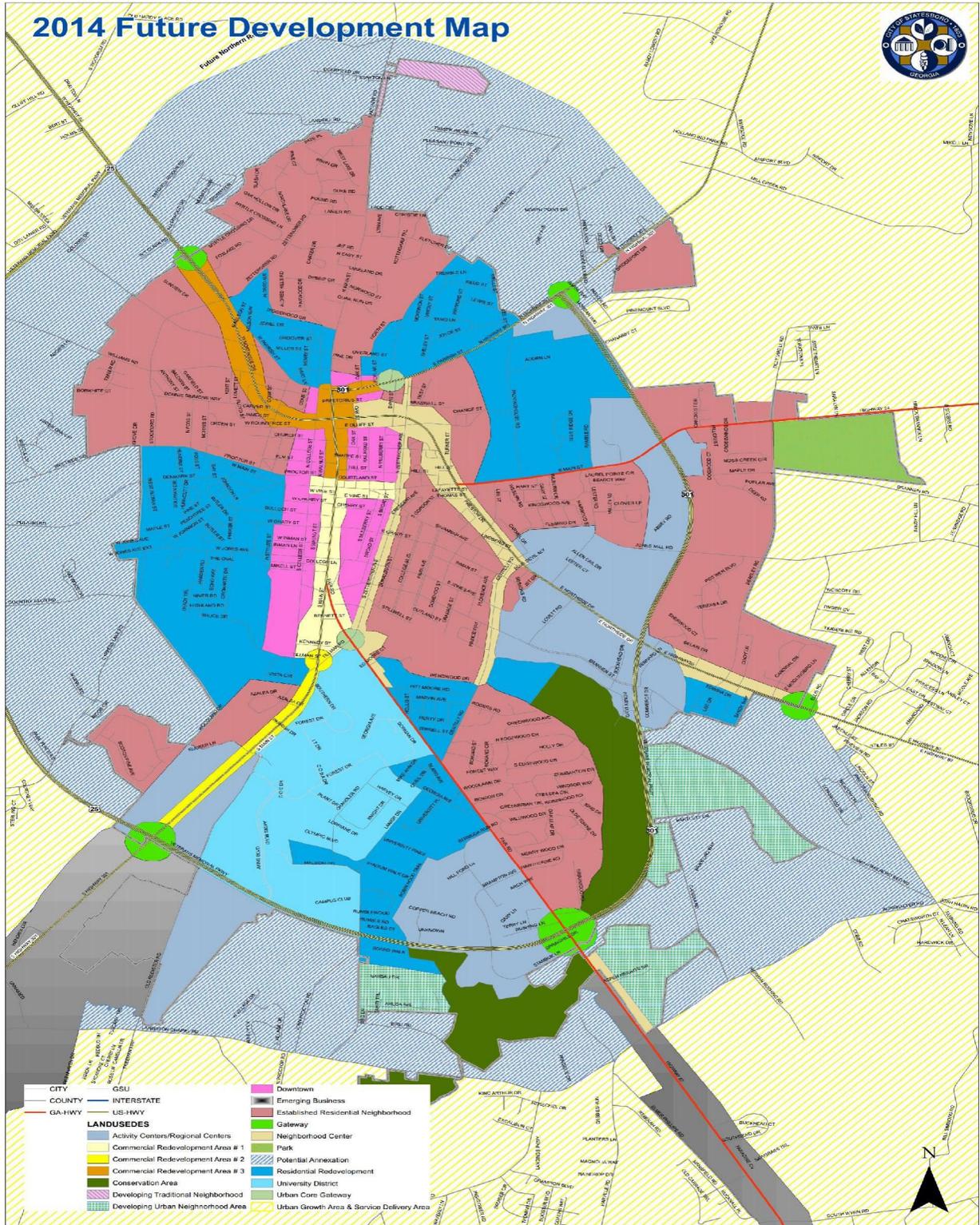


EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS

Picture 1: View of subject site from South College Street looking north.



Picture 2: View of subject site taken from the corner of South College Street & Bulloch Street looking east, and subject area of the landscape buffer variance requested in **V 18-06-01**.



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)

Picture 3: View of site from S College showing proximity of residential locations, and subject of the landscape buffer variance requested in **V 18-06-01**.



Picture 4: Looking west from corner of Bulloch St & Martin Luther King Jr. Road, showing the southern boundary of the subject site and adjacent residential properties.



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)

Picture 5: Western property edge of subject site, looking north along Martin Luther King Jr. Drive and illustrating the requested site of the sidewalk variance in **V 18-06-02**



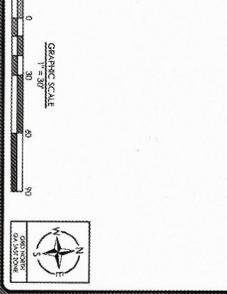
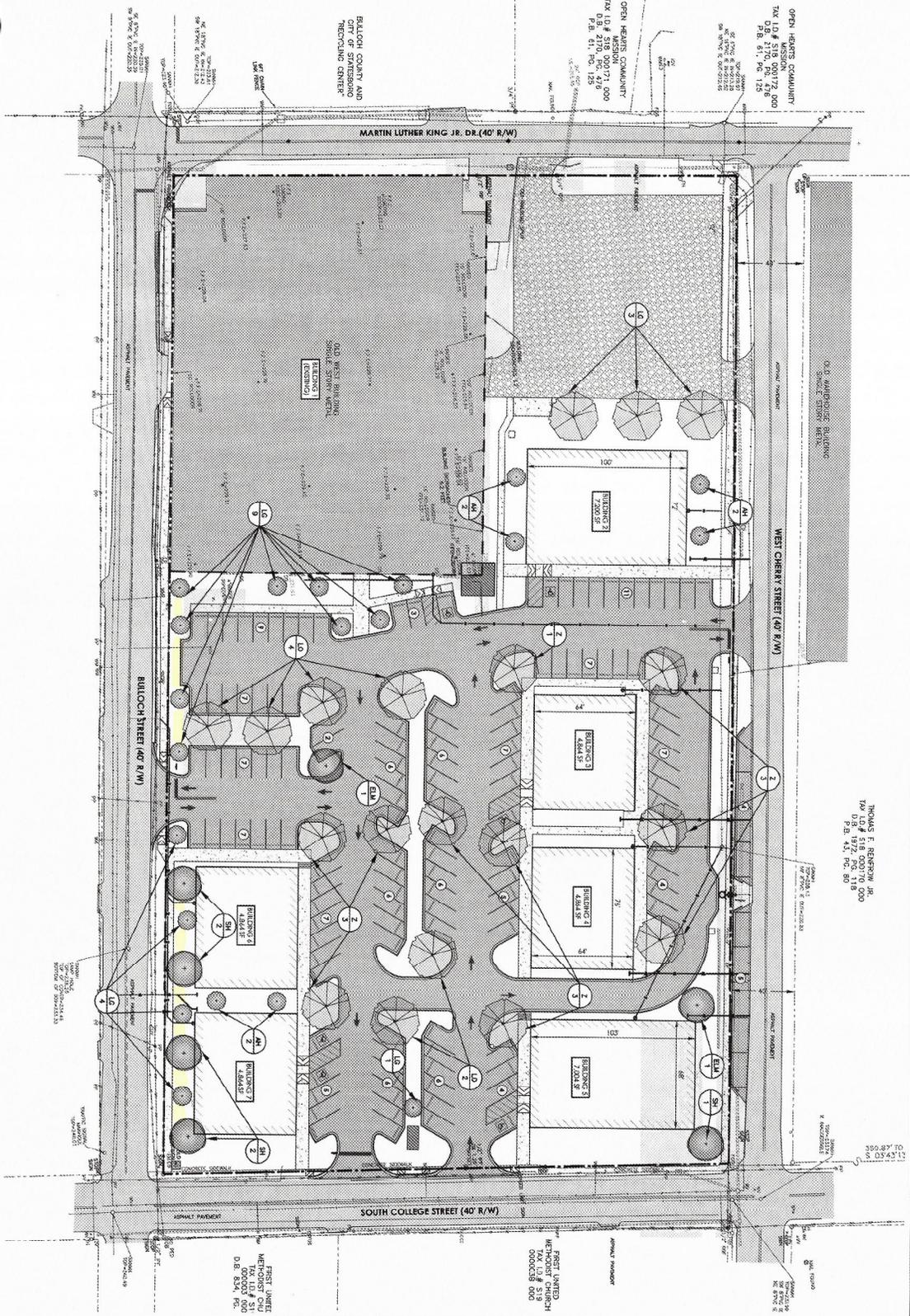
EXHIBIT D

TREE AND GREENSPACE CALCULATIONS	
ITEM	PROVIDED
TOTAL WORK AREA	17,700 SQFT
REQUIRED GREENSPACE AREA (12%)	21,240 SQFT
PROVIDED GREENSPACE AREA	42,480 SQFT
REQUIRED TREE CANOPY AREA (12%)	51,816 SQFT
PROVIDED TREE CANOPY AREA	91,200 SQFT
TOTAL SAVES AREA	6,384 SQFT
REQUIRED TREE CANOPY AREA (12%)	32,112 SQFT
PROVIDED TREE CANOPY AREA	32,300 SQFT

TREE SCHEDULE			
TYPE	ABBR.	SOFT/SIZE	QUANTITY
US-ONE	LD	1,500 SQFT/10' DIA	9
EUROPA	E	500 SQFT/10' DIA	10
FLORIDA PALM	FM	500 SQFT/10' DIA	2
SAVANNAH HOLEY	SH	500 SQFT/10' DIA	5
ITALICAN PALM	IP	200 SQFT/10' DIA	14
AMERICAN HOLEY	AH	200 SQFT/10' DIA	6
TOTALS			46

GREENSPACE NOTE:
OWNER WILL REQUEST A VARIANCE FOR TOTAL TREE CANOPY REQUIREMENTS.

- Requested area of landscape in the variance



- TREE & LANDSCAPING NOTES:**
- ALL TREE PLANTING SHALL BE IN ACCORDANCE WITH THE CITY OF STATESBORO URBAN LANDSCAPE DESIGN AND CONSERVATION ORDINANCE.
 - ALL DISTURBED AREAS NOT COVERED BY STRUCTURES, PAVING OR LANDSCAPING SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION. ALL DISTURBED AREAS SHALL BE COVERED BY STRUCTURES, PAVING OR LANDSCAPING. UNDISTURBED AREAS SHALL BE MAINTAINED IN ORIGINAL OR BETTER CONDITION.
 - ALL PLANTING SHALL BE IN ACCORDANCE WITH THE CITY OF STATESBORO URBAN LANDSCAPE DESIGN AND CONSERVATION ORDINANCE.
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NOTES:

ADDITIONAL NOTES:
ALL TREE PLANTING SHALL BE IN ACCORDANCE WITH THE CITY OF STATESBORO URBAN LANDSCAPE DESIGN AND CONSERVATION ORDINANCE AND SHALL BE IN ACCORDANCE WITH THE CITY OF STATESBORO URBAN LANDSCAPE DESIGN AND CONSERVATION ORDINANCE.

MINIMUM CANOPY HEIGHT SHALL BE 10 FEET FOR ALL PLANTING PROVIDED FOR THESE AREAS.

DESIGN PROFESSIONAL SEAL AND SIGNATURE

DATE: JAN 23, 2018
SCALE: AS SHOWN
DRAWING NUMBER: C3.1
SHEET NUMBER: 04

CITY OF STATESBORO

EXHIBIT E

COUNCIL

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



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

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

January 18, 2018

Josh Whitfield
2410 Old Riggs Mill Road
Statesboro, GA 30458

RE: **APPLICATION # RZ 18-01-08, V 18-01-06, V 18-01-07 and V 18-01-04 ZONING MAP AMENDMENT AND VARIANCE REQUESTS (91 South College Street and South College Street)**

Dear Mr. Whitfield:

At its regularly scheduled meeting, held Tuesday, January 16, 2018 at 5:30 PM, the Statesboro City Council **approved** the following requests with conditions:

1. **APPLICATION # RZ 18-01-08**: Josh Whitfield requests a zoning map amendment for a proposed combination of parcels addressed 91 South College Street and South College Street from the LI (Light Industrial) zoning district to the CBD (Central Business District) zoning district to permit the construction of a mixed-use development (Tax Parcels S19 000002 000 and S19 000001 000).
2. **APPLICATION # V 18-01-06**: Josh Whitfield requests a variance from Article XII Section 1214 to reduce the minimum required building setback and parking lot setback when a LI (Light Industrial) parcel abuts a residential district (Tax Parcels S19 000002 000 and S19 000001 000).
3. **APPLICATION # V 18-01-07**: Josh Whitfield requests a variance from Article XV Section 1509(C) regarding the maximum height and square footage allowed for a freestanding sign (Tax Parcels S19 000002 000 and S19 000001 000).
4. **APPLICATION # V 18-01-04**: Josh Whitfield requests a variance from Article XV Section 1509(C) regarding the maximum height and square footage allowed for a freestanding sign (Tax Parcels S19 000002 000 and S19 000001 000).

Conditions:

1. Per Article XXX Section 3010 of the *Statesboro Zoning Ordinance*, the applicant shall provide sidewalks along Bulloch Street, Martin Luther King, Jr. Drive and Cherry Street.
2. The proposed development must meet the minimum requirements of the City of Statesboro Fire Department.

Josh Whitfield

RZ 18-01-08, V 18-01-06, V 18-01-07 and V 18-01-04

3. Subdivision, design and development of the property shall be in conformance with the requirements of the *Statesboro Subdivision Regulations* and all other developmental standards of the City of Statesboro.
4. As part of the CBD (Central Business District) rezoning and being located in the Downtown District, the plan dated August 11, 2017 is the site plan that was approved. Any changes to the site plan must be resubmitted for Council approval, along with new architectural drawings.

Please be advised that the approval of the zoning map amendment permits the use of the property pursuant to the CBD (Central Business District) and LI (Light Industrial) zoning district regulations found in the *Statesboro Zoning Ordinance*. Any development of the property must first be properly reviewed and permitted by the City of Statesboro.

Approval of the specific variances requested in the applications does not confer rights to develop the site in a manner that may ultimately conflict with other provisions of the *Statesboro Zoning Ordinance* or other applicable chapters of city code. Please be aware that per Article XVIII Section 1807 of the *Statesboro Zoning Ordinance*, the variances and zoning map amendment shall be void if a building permit is not obtained by the applicant within six months of the date of City Council authorization.

Additionally, all color selections, building materials, roofing materials, etc. must be submitted and approved prior to the issuance of a building permit, per Article XXX of the *Statesboro Zoning Ordinance*.

Should you have any questions, please do not hesitate to contact me at 912-764-0630 or by email at candra.teshome@statesboroga.gov.

Sincerely,

Candra Teshome
Planning and Development Specialist

cc: Planning Commission Members via email
Frank Neal, Director of Planning and Development via email
Jason Boyles, Director of Engineering and Public Works via email
Justin Daniel, GIS Technician via email
Tracy NeSmith, Fire Prevention Officer via email
David Campbell, Assistant City Engineer via email



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

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

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

V 18-06-04, V 18-06-05, & V 18-06-06 VARIANCE REQUESTS 204 ELM STREET	
LOCATION:	204 Elm Street
REQUEST:	Variance from Article X Section 1003E to reduce the minimum required distance between buildings on a commercial lot; Variance from Article X Section 1003(H) to reduce the minimum rear yard setback; and a variance from Article X Section 1003(A) to reduce the required square footage per building on a commercial lot.
APPLICANT:	Rudolph Payton
OWNER(S):	Rudolph Payton
ACRES:	0.31 acres
PARCEL TAX MAP #:	S18 000109 000
COUNCIL DISTRICT:	District 2 (Jones)



PROPOSAL & BACKGROUND:

The applicant is proposing to construct a 30'x40' (1200 sq ft) garage in the side yard of this property. The use of the subject property is for a single family residence, however this lot and the surrounding area is zoned CR (Commercial Retail). This zone has larger setback requirements than most residential districts, requires 10,000 sq ft of lot area per structure, and sets a minimum distance between buildings.

Therefore, the applicant requests the following:

- 1) Application **V 18-06-04**, a variance from Article X Section 1003 E to reduce the **minimum distance between buildings from 20 ft to 13 ft**,
- 2) Application **V 18-06-05**, a variance from Article X Section 1003 H to reduce the **rear yard setback from 25 ft to 10 ft**, and
- 3) Application **V 18-06-06**, a variance from Article X Section 1003 A to reduce the **required square footage per building from 10,000 to 6,714**.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	CR (Commercial Retail)	Single family homes
SOUTH:	CR (Commercial Retail)	Single family homes
EAST:	CR (Commercial Retail)	Single family homes
WEST:	CR (Commercial Retail)	Single family homes

The subject property is located in an area that has been zoned CR (Commercial Retail) since the adoption of the *Statesboro Zoning Code* in 1977. However, this lot and the surrounding lots are all used for single family residences. (See **Exhibit A** –Location Map, **Exhibit B**—Future Development Map, & **Exhibit C**—Photos of Subject Site).

ATTACHMENTS: Exhibit A (Location Map), Exhibit B (Future Development Map) Exhibit C (Photos of Subject Site), Exhibit D (Proposed Site Plan).

Development Services Report

Case V 18-06-04, V 18-06-05, & V 18-06-06

COMPREHENSIVE PLAN:

The *City of Statesboro Comprehensive Master Plan's* Future Development Map includes the subject site in the following character area:

<u>“Established/Existing Traditional Neighborhood”</u>	
<i>Vision</i>	<i>Suggested Development & Implementation Strategies</i>
The traditional residential neighborhoods in the Established area were developed from the late 19th to mid-20th century, and feature connected street grids linked with downtown. Sidewalks should be located on both sides of major streets; lesser streets may have limited facilities. Major corridors in this area may support a mix of residential and commercial uses. As corridors transition from residential to commercial, the original structures should be maintained and renovated whenever possible. Any new structures should respect the existing fabric of the neighborhood, through similar front, side, and rear setbacks.	<ul style="list-style-type: none">• Infill, redevelopment, and new development should promote lot sizes and setbacks appropriate for each neighborhood. Neighborhood redevelopment should promote a tight grid of small lot single family development which utilizes more efficient lot and block layouts. New structures should respect the existing architectural fabric of the neighborhood• Uses should typically transition across the rear of properties instead of across the street to soften the transition between uses and maintain appropriate streetscapes <p><i>Statesboro Comprehensive Master Plan, Community Agenda pages 17-18.</i></p>

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

“Commercial encroachment into residential neighborhoods seems to be less of a current concern, but as Statesboro continues to grow, the potential for this conflict increases... Any new structures should be located on the lot with similar setbacks as surrounding development and designed in a way which complements the existing immediate area.”

Statesboro Comprehensive Master Plan, Community Agenda pages 9-10.

ANALYSIS

I. Variance from Article X Section 1003 E: *Distance between buildings.* Buildings within a commercial development, if separated, shall be not less than 20 feet apart.

The applicant is requesting a variance from Article X Section 1003 E reduce the **minimum distance between buildings from 20 ft to 13 ft**. This provision is specifically makes a statement regarding buildings within a commercial development, and while this parcel is zoned for commercial development, that is not its current use, which is residential.

II. Variance from Article X Section 1003 H: *Rear yard setbacks.* There shall be a rear yard setback of 25 feet.

The applicant is requesting a variance from Article X Section 1003 H reduce the **rear yard setback from 25 ft to 10 ft**. In this case, the rear yard setback is to be considered the distance from the western property line to the proposed structure; the northern property line and distance therefrom shall be considered the side yard setback. For residentially zoned property, it is generally required that accessory structures be placed at least 10 feet from any property line. However, on property zoned CR, the code does not reference “accessory structures,” and instead multiple buildings are allowed on the property provided that there are 10,000 sq ft of land per building. These must adhere to the stated CR setbacks of 25 ft in the front and rear yards and 15 ft on the side yards.

ANALYSIS (Cont'd)

- III. Variance from Article X Section 1003 (A): Lot area. A lot area of not less than 10,000 square feet shall be provided per structure to be located. A structure shall be permitted to have multiple units of businesses in the structure.**

The applicant is requesting a variance from Article X Section 1003(A) reduce the lot area required to place two structures on a commercial lot. This provision is applied to commercial lots lot ensure adequate operational space; on residentially zoned lots, the required square footage is based on the zone type and does not state lot a size per structure; in those cases, lot size is based on zoning classification (e.g. R-8: 8,000 sq ft, R-10: 10,000 sq ft). A garage structure would be considered an accessory, though accessory structures are not permitted to be greater in size than 50% of the floor area of the principle structure. This proposed structure is approximately the same size as the principle structure.

The *Statesboro Zoning Ordinance* 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.”

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;**

There are no conditions placed on this property due to size, shape, etc., but it does have a use that is not common to other buildings/lots in the same zoning district. This lot is zoned Commercial Retail and has been since the adoption of the *Statesboro Zoning Ordinance* in 1977. However, it has for the duration of that time been occupied by a single family structure, as have many of the lots under this same zoning in the general vicinity. This places these lots under unusual setback restrictions for residential lots of this size.

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

The applicant did not take action to result in this zoning classification.

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

The application of the CR zoning regulations to this particular piece of property are not appropriate for the existing use and create a hardship for the applicant, in that the applicant is being asked to adhere to more restrictive setbacks and lot size requirement than might be required under a residential zoning. There would still be variance necessary given the proposed size of the garage, but it does meet the residential accessory structure setback requirements under the current design (see **Exhibit D**).

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

RECOMMENDATION:

Staff recommends approval of the variances requested by applications V 18-06-04, V 18-06-05, & V 18-06-06.



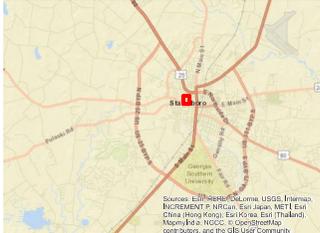
Location Map:

204 Elm St

R10



The City of Statesboro makes no warranty, either express or implied, as to the accuracy of the data contained on this map. The user of this map assumes all liability for their dependence on the data contained on this map.



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: FUTURE DEVELOPMENT MAP

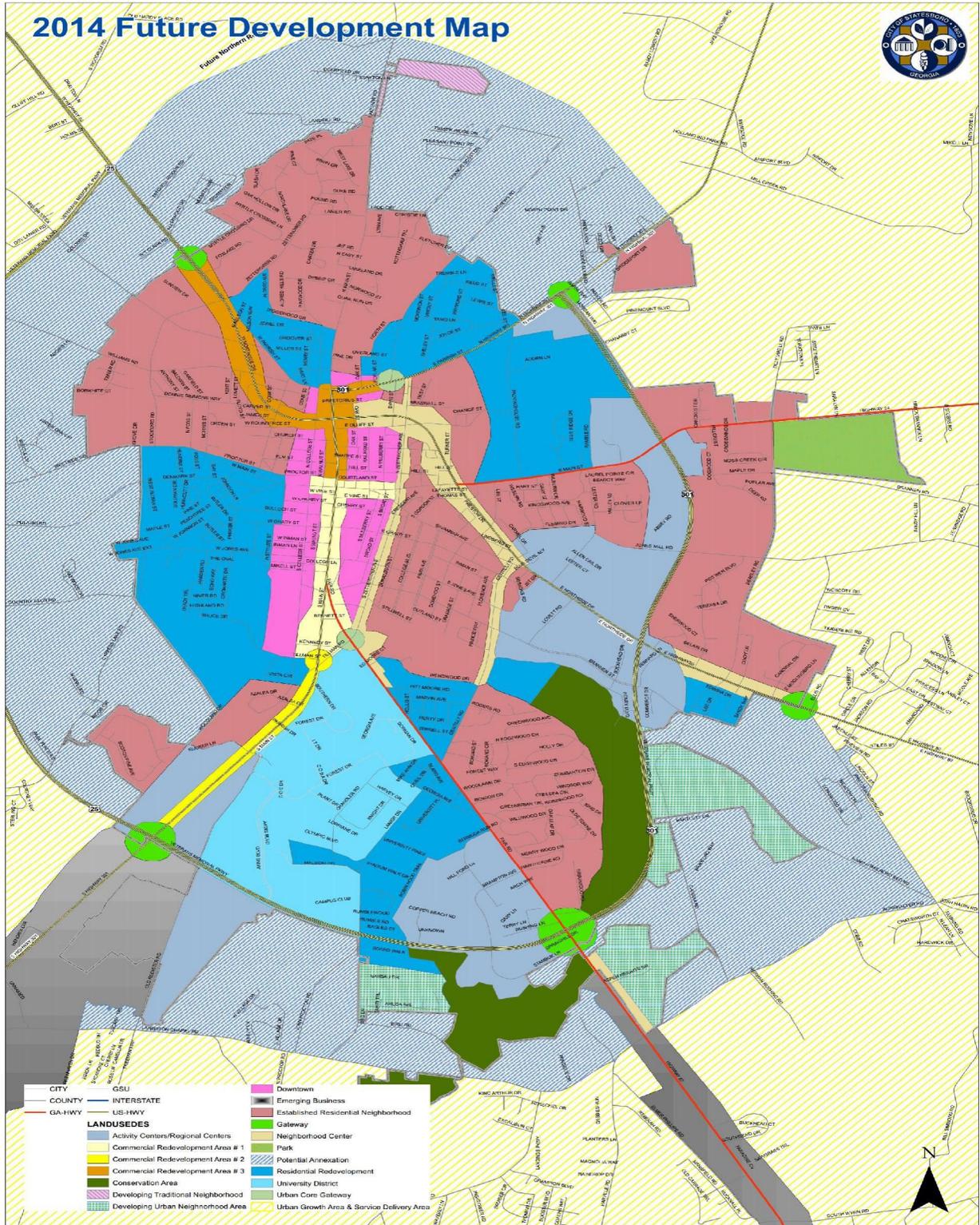


EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS

Picture 1: Subject site from Elm Street looking north, a residential structure.



Picture 2: Subject site side yard (right side of fence), proposed location of 30'x40' garage, as well as adjacent property side yard (left).



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)

Picture 3: Side yard on the west side of subject site, from adjacent property line looking northeast.



Picture 4: Adjacent property to the west of subject site, from Elm Street looking northeast.



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)

Picture 5: Side yard on the east side subject site, from the corner of Elm St. and Bobby Donaldson Way looking northwest.



Picture 6: Adjacent property to the East, across Bobby Donaldson Street;



Picture 7: View looking east down Elm St.



EXHIBIT D

THIS BLOCK RESERVED FOR
THE CLERK OF THE SUPERIOR COURT

SUBJECT PROPERTY IS PARCEL NO. 109
ON MAP 518 OF THE BULLOCH COUNTY
TAX ASSESSORS

PHYSICAL ADDRESS:

204 ELM STREET
STATESBORO, GA. 30458

SURVEYED BY:

NEVIL & LINDSEY
LAND SURVEYING, INC.

519 MILLER ST. EXT.

STATESBORO, GA. 30458

PHONE: 912-764-9096

RETRACEMENT SURVEY OF:

LOT #6 AND A PORTION OF LOT #5
OF THE J.F. FIELDS SUBDIVISION
IN THE CITY OF STATESBORO IN
THE 1209TH G.M. DISTRICT OF
BULLOCH COUNTY, GEORGIA

SURVEY FOR:

RUDOLPH A. PATTON

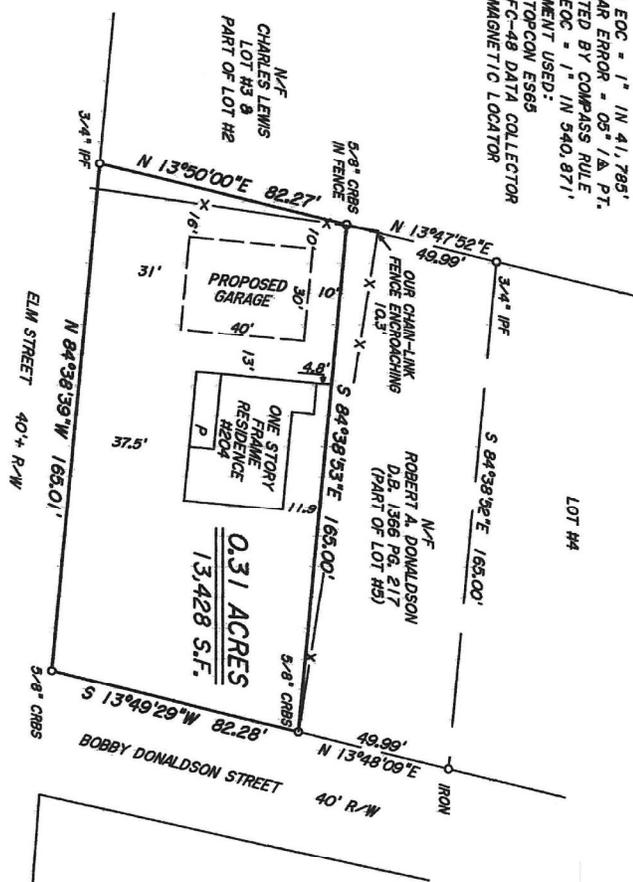
SURVEY DATE: MAY 14, 2018

PLAT DATE: MAY 16, 2018

SCALE: 1" = 40'



FIELD EOC = 1" IN 41,785'
ANGULAR ERROR = 05' / Δ PT.
ADJUSTED BY COMPASS RULE
PLAT EOC = 1" IN 540,871'
EQUIPMENT USED:
TOPCON ES65
FC-48 DATA COLLECTOR
MAGNETIC LOCATOR



0.31 ACRES
13,428 S.F.

LEGEND:

- R/W RIGHT-OF-WAY
- N/F NOW OR FORMERLY
- I.P.F. IRON PIPE FOUND
- CRSS CAPPED REBAR SET
- X- FENCE

REFERENCES:

D.B. 2403 PGS. 315-317
D.B. 20 PG. 365 (PLAT)

CURRENT OWNER OR RECORD:

ERIC DUANE REID

C. O. A. 1257

SURVEYORS CERTIFICATE

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON.
RECORDATION OF THIS PLAT DOES NOT IMPLY AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND.

FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND SET FORTH IN O. C. G. A. SECTION 15-6-67.

MARILYN NEVIL
GA. RLS #2924

DATE: 5-17-2018



MAGNETIC NORTH



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

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

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

RZ 18-06-07 ZONING MAP AMENDMENT REQUEST 1168 MARTIN LUTHER KING JR ROAD	
LOCATION:	1168 Martin Luther King Jr Road
REQUEST:	Zoning map amendment from CR (Commercial Retail) to HOC (Highway Oriented Commercial).
APPLICANT:	Eagle Auto, Inc.
OWNER(S):	Penny NeSmith
ACRES:	2.79 Acres
PARCEL TAX MAP #:	S16 000090 000
COUNCIL DISTRICT:	District 2 (Jones)

PROPOSAL:

The applicant requests a zoning map amendment from the CR (Commercial Retail) zoning district to the HOC (Highway Oriented Commercial) zoning district in order to allow for the operation of an automotive service station and towing business, which is not an allowed use in the existing zoning designation.

BACKGROUND:

Eagle Automotive was previously located at 2855 Northside Drive West, which is zoned HOC. At that address, the business was cited for ordinance violations related to junkyard screening, unsightly/unsanitary storage, and general property maintenance on six documented occasions between 2005 and 2015. In October 2017, the City received an application for an Occupational Tax Certificate for Eagle Automotive, to be located at the above address. This application was denied due to the fact that a “car repair and towing” business is not a permissible use by right in the CR zoning district (See **Exhibit E-** Memo, Nov. 2017)

The City received another application for an Occupational Tax Certificate in March of 2018, under a new business owner name. Since no action had been taken to address the zoning, this application was also denied (see **Exhibit F-** Memo, Mar. 2018).

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	CR (Commercial Retail)	Business or Professional Offices, Residence
SOUTH:	CR (Commercial Retail)	Religious Facility
EAST:	CR (Commercial Retail)	Retail/Wholesale, Business or Professional Offices
WEST:	CR (Commercial Retail)	Retail/Wholesale, Business or Professional Offices

The subject property is located within the CR (Commercial Retail) district. Surrounding parcels include several business in the HVAC, irrigation, and construction industries, as well as a church (See **Exhibit A** – Location Map, **Exhibit B**—Future Development Map & **Exhibit C**—Photos of Subject Site).

ATTACHMENTS: **Exhibit A** (Location Map), **Exhibit B** (Future Development Map), **Exhibit C** (Photos of Subject Site), **Exhibit D** (Plat of Subject Site), **Exhibit E**(Memo,Nov2017), **Exhibit F**(Memo, Mar. 2018)

COMPREHENSIVE PLAN:

The *City of Statesboro Comprehensive Master Plan's* Future Development Map includes the subject site in the following character area:

<u>“Established/Existing Traditional Neighborhood”</u>	
<i>Vision:</i>	The traditional residential neighborhoods in the Established area were developed from the late 19th to mid-20th century, and feature connected street grids linked with downtown. Sidewalks should be located on both sides of major streets; lesser streets may have limited facilities. Major corridors in this area may support a mix of residential and commercial uses. As corridors transition from residential to commercial, the original structures should be maintained and renovated whenever possible. Any new structures should respect the existing fabric of the neighborhood, through similar front, side, and rear setbacks.
<i>Suggested Development & Implementation Strategies:</i>	<ul style="list-style-type: none"> • A mix of approximately scaled retail, services, and offices to serve neighborhood residents day to day need. • Residential developments that incorporate “corner commercial” sites such as dry cleaning or convenience grocery or similar retail services. Particular attention should be paid to signage to prevent visual clutter. • Strengthen enforcement of code violations for private property, including property maintenance, parking, and structural conditions with a determined focus on health and safety issues. • Adopt Neighborhood Commercial Zoning district to encourage reuse and mix use where appropriate or where transitions in use are being experienced or expected. <p style="text-align: right;"><i>Statesboro Comprehensive Master Plan, Community Agenda page 23.</i></p>

The subject area also lays between “Commercial Redevelopment Area #3” and the “Residential Redevelopment” character areas.

<u>“Commercial Redevelopment Area”</u>	<u>“Residential Redevelopment Area”</u>
<p><i>Vision:</i> These areas are characterized by a high degree of access by vehicular traffic; onsite parking; and a low degree of open space. It is the desire of the community to identify and target these areas for redevelopment and investment, thus returning these areas to their intended state of a thriving commercial and/or mixed use district</p>	<p><i>Vision/Concerns:</i></p> <ul style="list-style-type: none"> • worsening housing conditions due to low rates of homeownership and neglect of property maintenance • lack of neighborhood identity and gradual invasion of different type and intensity of use that may not be compatible with the neighborhood residential use • large areas of vacant land or deteriorating, unoccupied structures

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

“Commercial encroachment into residential neighborhoods seems to be less of a current concern, but as Statesboro continues to grow, the potential for this conflict increases. Commercial, retail, and office uses can co-exist compatibly in residential areas if the design of the establishment is properly considered.”

Statesboro Comprehensive Master Plan, Community Agenda page 9.

ANALYSIS

COMMUNITY FACILITIES AND TRANSPORTATION:

The subject property falls under the jurisdiction of city utilities, sanitation, and public safety, though the facility is not currently in use due to the zoning matter at hand. 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 are currently a large number of tires that are not under a covered area; this presents a potential concern for mosquitos in the future.

ZONING CONSIDERATIONS:

Whether or not to grant a zoning map amendment from the CR (Commercial Retail) zoning district to the HOC (Highway Oriented Commercial) zoning district.

The request should be considered in light of:

- the standards for determination of zoning map amendments given in Section 2007 of the
- *Statesboro Zoning Ordinance*
- the vision and community policies articulated within the *Statesboro Comprehensive Plan*
- the *2035 Bulloch County/City of Statesboro Long Range Transportation Plan*
- the potential for the property to develop and be utilized in conformance with the requirements of the proposed HOC (Highway Oriented Commercial) district as set forth in the *Statesboro Zoning Ordinance*.

Current Zoning	Requested Zoning
The commercial retail district can accommodate a variety of business types. However, “Automobile and allied sales and services: service stations and repair shops, used car and truck sales, automotive parts and accessories, [and] new car and truck sales,” are not listed as permissible uses allowable by right in the CR district. Those uses are explicitly permitted in the HOC district.	The HOC (Highway Oriented Commercial) district purpose statement declares that in the HOC zoning district, “the principal use of land is for establishments offering accommodations, supplies or services to motorists,” and, “ should not be encouraged to locate in the retail commercial or nonretail commercial districts”

In the case of Eagle Automotive, the business was relocated from its previous HOC location on Northside Drive to this parcel without consultation with the City as to whether it was an allowed use on the property. The applicant was then advised that in order to operate in the new location, a zoning map amendment must be sought.

STANDARDS: ZONING MAP AMENDMENT

Section 2007 of the *Statesboro Zoning Ordinance* provides **eight (8) standards** for the Mayor and City Council to consider “in making its determination” regarding a zoning map amendment, in “**balancing the promotions of the public health, safety, morality (morals), and general welfare against the right of unrestricted use of property.**” Those standards are as follows:

- (1) **Existing uses and zoning or (of) property nearby**
 - a. Existing uses and zoning of property nearby varies. **All surrounding lots are zoned CR (Commercial Retail),** and are occupied by businesses related to construction, irrigation, HVAC and/or plumbing, as well as one building currently operating as a religious facility.
- (2) **The extent to which property values are diminished by the particular zoning restrictions.**
- (3) **The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.**

(4) The relative gain to the public, as compared to the hardship imposed upon the property owner.

- a. The subject site is currently zoned CR (Commercial Retail). Per Articles VII and X, sections 801 and 1001, respectively, this parcel can currently house a variety of business and professional offices, like the surrounding lots. However, automotive services are specifically restricted to HOC zoned properties. Under the proposed zoning, the applicant would be able to operate Eagle Automotive and Towing.

(5) The suitability of the subject property for the zoned purposes.

(6) The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property.

- a. Staff is unable to locate records of previous businesses at this location.

(7) The extent the proposed change would impact the following: population density in the area; community facilities; living conditions in the area; traffic patterns and congestion; environmental aspects; existing and future land use patterns; property values in adjacent areas; and

(8) Consistency with other governmental land use, transportation, and development plans for the community.

RECOMMENDATION:

Staff recommends approval of this zoning map amendment, with the following condition:

Condition

1. Per Article XXII Section 2205.1, in order to obtain and retain an OTC to operate this business on this property, applicant must ensure that the property is enclosed by a fence that meets the following requirements:
 - a. Completely obscures views of the property from adjacent sidewalks and streets
 - b. Built to a height greater than that of the height of the highest piece of equipment or vehicle stored on the property, provided that no fence shall be less than three feet nor more than 20 feet in height when measured from the crown of the adjacent street(s)
 - c. Constructed of solid materials. Construction of cyclone fencing which utilizes metal inserts as screening shall be prohibited. Fencing along street frontages shall be located no closer than 90 feet from the centerline of the adjacent street."

EXHIBIT B: FUTURE DEVELOPMENT MAP

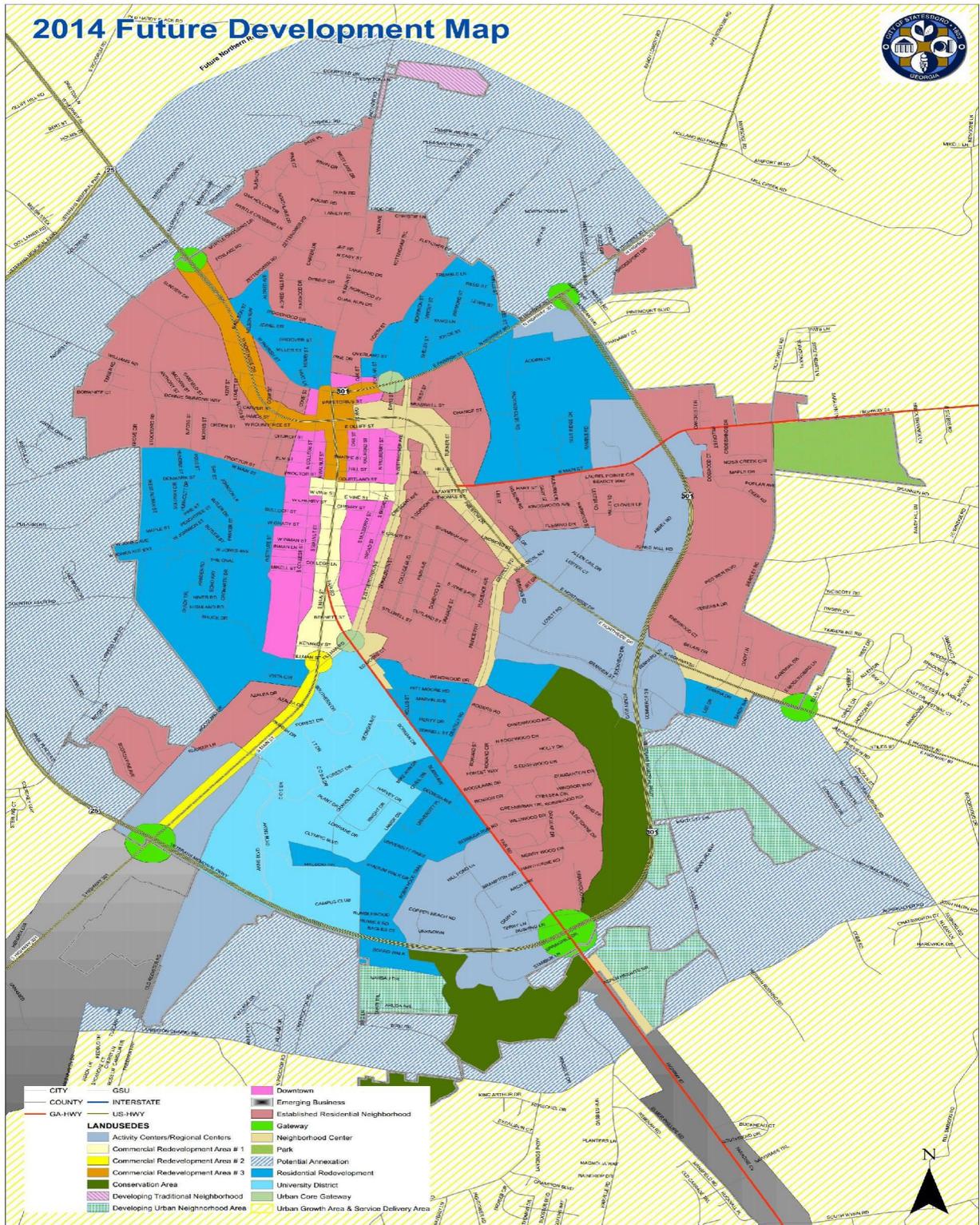


EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS

Picture 1: Front view of subject site, looking east from Martin Luther King Jr Road



Picture 2: Looking south, a portion of the subject site & adjacent structure to the south, currently a church



Picture 3: Adjacent business across Martin Luther King Jr Road from subject site (Valley Irrigation)



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS

Pictures 3, 4, and 5: Northern edge of the subject site



(3)



(4)



(5)



City of Statesboro
Department of Planning and Development Memorandum

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

DATE: November 15, 2017
TO: Teresa Skinner, Tax Clerk
SUBJECT: **BUSINESS OCCUPATION TAX APPLICATION (1168 Martin Luther King, Jr. Drive—Eagle Automotive and Towing)**

The Department of Planning and Development has reviewed the business occupation tax application submitted by Constant D. Edenfield for 1168 Martin Luther King, Jr. Drive (Tax Parcel S16 000090 000). The applicant is proposing a "car repair and towing" business at the location. The proposed use is not permitted at the location and **the application is disapproved**. Staff's recommendation is based on the following:

- 1) **Zoning District:** 1168 Martin Luther King, Jr. Drive is located in the CR (Commercial Retail) district.
- 2) **Zoning Use Classification:** Per Article VIII, referenced by Article X, of the *Statesboro Zoning Ordinance*, a "car repair and towing" business is not permitted in the CR (Commercial Retail) district.

Department of Planning and Development **disapproval** is based on the information provided within the business occupational tax application submitted for our review. This approval merely indicates that the proposed use is not allowed in the zoning district.

The Department of Planning and Development encourages all applicants to access the *Statesboro Zoning Ordinance* online at <http://www.statesboroga.gov>. Any questions concerning the *Statesboro Zoning Ordinance* may be directed to the Department of Planning and Development at (912) 764-0630.

Respectfully,

Candra E. Teshome
Planning & Development Specialist



City of Statesboro
Department of Planning and Development Memorandum

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

DATE: March 19, 2018

TO: Teresa Skinner, Tax Clerk

SUBJECT: **BUSINESS OCCUPATION TAX APPLICATION (1168 Martin Luther King, Jr. Drive—Eagle Automotive and Towing)**

The Department of Planning and Development has reviewed the business occupation tax application submitted by Penny NeSmith for 1168 Martin Luther King, Jr. Drive (Tax Parcel S16 000090 000). The applicant is proposing a "towing" business at the location. The proposed use is not permitted at the location and the application is **disapproved**. Staff's recommendation is based on the following:

- 1) **Zoning District:** 1168 Martin Luther King, Jr. Drive is located in the CR (Commercial Retail) district.
- 2) **Zoning Use Classification:** Per Article VIII, referenced by Article X, of the *Statesboro Zoning Ordinance*, a "towing" business is not permitted in the CR (Commercial Retail) district.

Department of Planning and Development **disapproval** is based on the information provided within the business occupational tax application submitted for our review. This approval merely indicates that the proposed use is not allowed in the zoning district.

The Department of Planning and Development encourages all applicants to access the *Statesboro Zoning Ordinance* online at <http://www.statesboroga.gov>. Any questions concerning the *Statesboro Zoning Ordinance* may be directed to the Department of Planning and Development at (912) 764-0630.

Respectfully,

Candra E. Teshome
 Planning & Development Specialist