



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

August 3, 2021

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 1, 2021 Meeting Minutes.

IV. New Business

1. **APPLICATION SE 21-07-01:** Oscar Mauricio requests a special exception from Article VIII, Section 801 of the *Statesboro Zoning Ordinance* to allow for the operation of a virtual car dealership at 22 South Main Street (Tax Parcel # S28 000068 000).
2. **APPLICATION RZ 21-07-02:** John White requests a Zoning Map Amendment from the R8 (Single-Family Residential) zoning district to the R4 (High-Density Residential) zoning district, in order to develop a duplex on Parker & West Grady Street (Tax Parcel # S11 000031A000).
3. **APPLICATION V 21-07-03:** Whitfield Signs requests a variance from Article XV, Section 1509, Table 5 of the *Statesboro Zoning Ordinance*, in order to place a 289 square foot vinyl wrapping on the wall of the developing Dolan's BBQ at 239 South Main Street (Tax Parcel # S19 000019 001).
4. **APPLICATION V 21-07-04:** Renfro Outdoor LLC request a variance from Article XV, Section 1511(H) of the *Statesboro Zoning Ordinance*, in order to upgrade the existing billboards to LED displays at 75 Northside Drive (Tax Parcel # MS84000100F00).
5. **APPLICATION V 21-07-05:** Renfro Outdoor LLC request a variance from Article XV, Section 1511(H) of the *Statesboro Zoning Ordinance*, in order to upgrade the existing billboards to LED displays at 17874 Highway 67 (Tax Parcel # MS75000012 002).

6. **APPLICATION V 21-07-06**: Encounter Church requests a Variance from Article XV, Section 1509, Table 6 of the *Statesboro Zoning Ordinance*, in order to place a sign exceeding the 12-foot maximum height of building signs in the CBD (Central Business District) at 39A West Main Street (Tax Parcel # S18 000064 000).
7. **APPLICATION AN 21-07-07**: Nesmith Properties LLLP, requests Annexation of 1.58 acres of property in order to complete the development of a proposed subdivision on Lakeview Road (Tax Parcel MS5700000 000).
8. **APPLICATION RZ 21-07-08**: Nesmith Properties LLLP, requests a Zoning Map Amendment from the R40 (Single-Family Residential) zoning district to the PUD (Planned Unit Development) zoning district for two properties located on Lakeview Road (Tax Parcels # MS570000004 000 & MS570000006 000).
9. **APPLICATION V 21-07-09**: The Bulloch County Historical Society requests a variance from Article XXX, Section 3005 (B) of the *Statesboro Zoning Ordinance*, in order to place a mural at 41 West Main Street (Tax Parcel # S18 000065 000).
10. **APPLICATION V 21-07-10**: The Statesboro Convention & Visitors Bureau requests a variance from Article XI, Section 1102(D) of the *Statesboro Zoning Ordinance*, in order to increase the footprint of the secondary structure on the lot, in order to create a concrete slab and lean-to roof for exterior cooling & freezer units at 228 South Main Street (Tax Parcel # S29 000030 001).
11. **APPLICATION CBD 21-07-11**: Justin Peay requests plan approval for the expansion of the existing Divy Desk facility located at 19 Courtland Street (Tax Parcel # S28 000023 000).

V. Announcements

VI. Adjourn



City of Statesboro
Department of Planning and Development Memorandum

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Statesboro Planning Commission

June 1, 2021

5:00 P.M.

City Hall Council Chamber

Meeting Minutes

Present: Planning Commission members: Russell Rosengart, Michelle Babot, Benjamin McKay, Michele Hickson, Sean Fox, and Jamey Cartee; **City of Statesboro Staff:** Kathleen Field (Director of Planning & Development), Justin Williams (City Planner II), and Elizabeth Burns (City Planner I); **Absent:** James Byrd Sr.

I. Call to Order

Commissioner McKay called the meeting to order.

II. Invocation & Pledge of Allegiance

Commissioner McKay led in the invocation & pledge.

III. Approval of Minutes

1.) May 4, 2021 Meeting Minutes.

Commissioner Cartee made a motion to approve the May 4, 2021 meeting minutes, seconded by Commissioner Rosengart. The motion carried 5-0.

IV. New Business

1.) **APPLICATION SUB 21-05-01:** Robbie Bell request preliminary PLAT approval for a 5-lot residential subdivision for the development of 5 single-family detached homes to complete the Northbridge Subdivision on 55.48 acres located on Highway 301 North (Tax Parcel# MS80000013 000).

Kathleen Field introduced case 21-05-01, Commissioner Cartee made a motion to open the public hearing of 21-05-01. Commissioner Fox seconded, the motion carried 5-0. Wes Sherrod was introduced as the representative. Commissioner Cartee asked if the plan was a continuation of what was already there. The representative confirmed. Commissioner Cartee made a motion to close the hearing with a second from Commissioner Rosengart. The motion passed 5-0. Commissioner Cartee made a motion to approve. Commissioner Fox seconded and the motion passed 5-0.

2.) **APPLICATION V 21-05-02:** BVT Enterprises LLC requests a Variance from Article XXX, Section 3005 (B) in order to place a mural exceeding 25% of the wall facade at 22 West Vine Street (Tax Parcel # S18 000035 000).

Kathleen Field introduced case 21-04-01. Commissioner Fox made a motion to open the public hearing with a second from Commissioner Cartee. The motion passed 5-0. The representative described the history of the restaurant, how it will fit into downtown, and what other improvements are being made on the site. Commissioner Cartee made a motion to close the hearing with a second from Commissioner Rosengart. The motion passed 5-0. Commissioner Fox made a motion to approve with staff recommendations. Commissioner Cartee seconded and the motion passed 5-0.

3.) **APPLICATION V 21-05-03:** Jake Dragan requests a Variance from Article XI, Section 1102(G) in order to allow the use of the pre-existing building located at 408 South Main Street (Tax Parcel # S20 000103 000).

Kathleen Field introduced case 21-04-02. Commissioner Cartee made a motion to open the public hearing. With a second from Rosengart, the motion passed 5-0. Commissioner Cartee asked if it was two businesses applying for the variance. Kathleen Field stated that the property owner leased out to the businesses and served as the applicant. Commissioner Rosengart asked if one building was supposed to be torn down. Kathleen Field stated that it was to be torn down because only one business is allowed for the square footage of the lot. She added that the parking lot is being shared between the property in the application and that to the north. Commissioner McKay compared this application to other projects with more complicated parking issues. Commissioner Hickson asked if the building to the north would be torn down as well being in the Blue Mile development area and would the two businesses there have to move. Kathleen Field confirmed that development would take place in that area but the plans have not been finalized. Commissioner Cartee asked if there were any active businesses in the building to the north. Kathleen Field responded that there are two, a salon and office. Commissioner Cartee asked if the property owner was leasing space out for the businesses. Kathleen Field confirmed. Commissioner Fox made a motion to close the public hearing. Commissioner Cartee seconded and the motion passed 5-0. Commissioner Fox made a motion to deny with a second from Commissioner Cartee. The motion passed 5-0.

4.) **APPLICATION RZ 21-05-04:** Teramore Development, LLC requests a Zoning Map Amendment from the R20 (Single Family Residential) Zoning District to the CR (Commercial Retail) Zoning District in order to develop a Dollar General at 959 North Main Street (Tax Parcel # MS58000022 000).

Kathy Field presented the case RZ 21-05-04 to the Commission. Commissioner Fox made a motion to open the public hearing. Commissioner Cartee seconded and the motion passed 5-0. Steve Rushing was introduced as the representative. He gave an overview of the developers and owners. He also described the property dimensions

and location. A Terramore Development representative was introduced as the applicant. He described how the building exterior would consist of brick and hardiplank to gradually fit into the area. He stated that they would meet all parking requirements and leave as much natural buffering as possible. Fences would be placed along all adjacent residential properties and the lighting would be pointed down. Commissioner Cartee questioned the staff recommendation that three sides would be brick and if the proposed rendering was acceptable to the City. Kathleen Field responded that the City wished to see the brick extended all the way up to the hardiplank so that it fits in with the neighborhood. The representative stated that hardiplank is an acceptable material in other communities. Commissioner Cartee and Rosengart stated that they liked the design. Commissioner Rosengart questioned how close the development was to a residential property. The representative stated that there were three houses at the back of the property line. Commissioner Hickson asked about the traffic in the area and if it was on a two lane road. The representative confirmed that it was two lanes and did not have a separate turn lane. He added that after consulting with David Moyer from the City and GDOT regulations, the amount of traffic did not warrant a turn lane. The representative emphasized that this store would have more produce and mainly cater to the surrounding area. Commissioner Hickson expressed her concern for the amount of traffic that would be stopped without a turn lane. Commissioner Rosengart stated that the property is on the further end of the City. The representative added that all traffic calculations were done by DOT standards. Commissioner Cartee made a motion to close the public hearing with a second from Commissioner Rosengart. The motion passed 5-0. Commissioner Fox made a motion to approve with staff recommendations with the addition that all three sides must be clad in brick and hardiplank. Commissioner Rosengart seconded and the motion passed 4-1.

V. Announcements

Kathleen Field announced that the following Tuesday night would be the Downtown Master Plan Community Meeting at the library. She encouraged all Commission members to attend.

VI. Adjourn

Commissioner Cartee made a motion to adjourn the meeting. Commissioner Hickson seconded, and the motion carried 5-0.

Acting Chair – Ben McKay

Secretary – Kathy Field
Director of Planning & Development



City of Statesboro
Department of Planning and Development Memorandum

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Statesboro Planning Commission

July 6, 2021

5:00 P.M.

City Hall Council Chamber

Meeting Minutes

I. Meeting Cancelled Due to Lack of Agenda Items

Chair – James Byrd Sr.

Secretary – Kathy Field
Director of Planning & Development




ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

SE 21-07-01 SPECIAL EXCEPTION REQUEST 22 SOUTH MAIN STREET	
LOCATION:	22 South Main Street
EXISTING ZONING:	CBD (Central Business District)
ACRES:	0.06 acres
PARCEL TAX MAP #:	S28 000068 000
COUNCIL DISTRICT:	District 2 (Chavers)
EXISTING USE:	Retail/Office Space
PROPOSED USE:	Office for Virtual Car Dealership

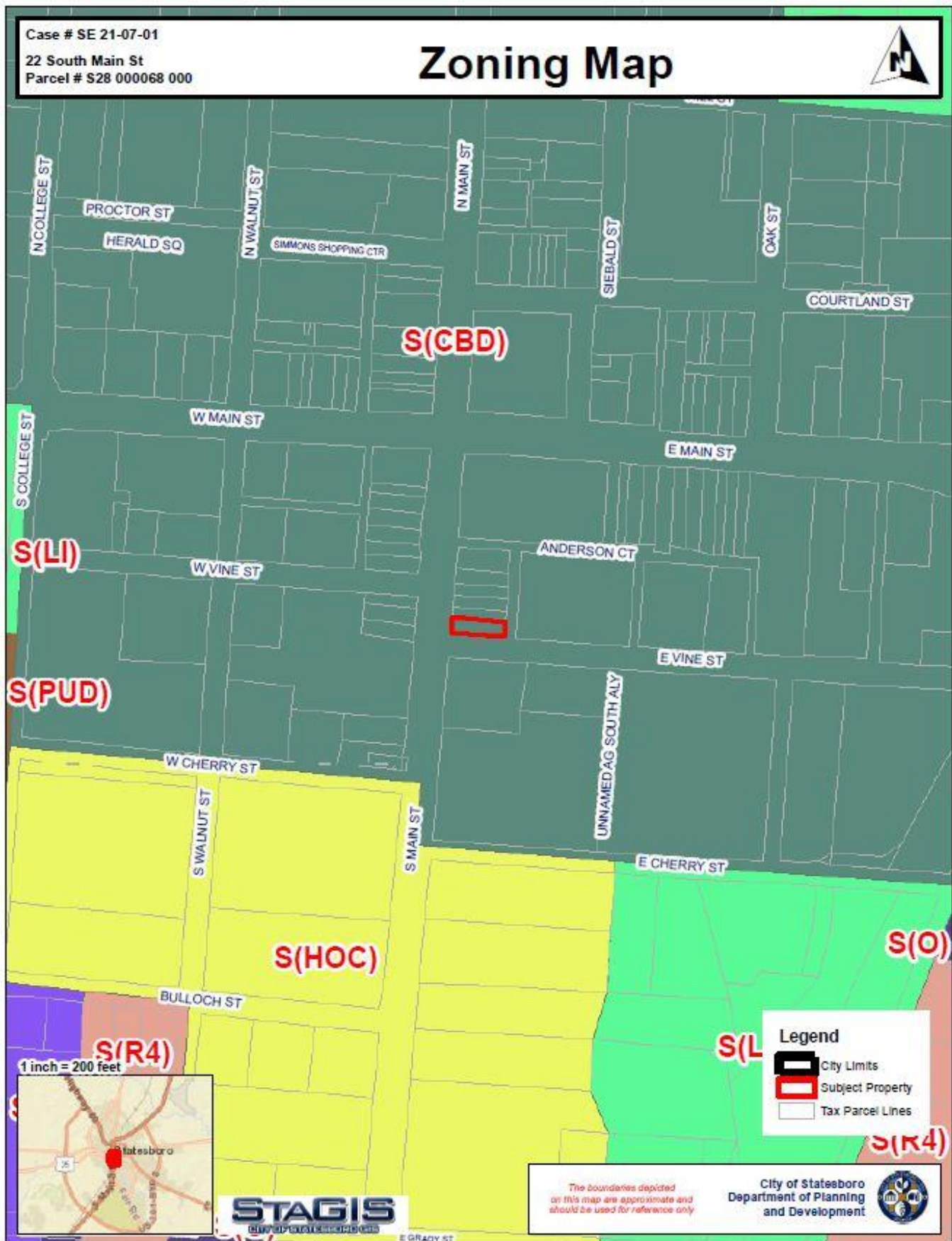


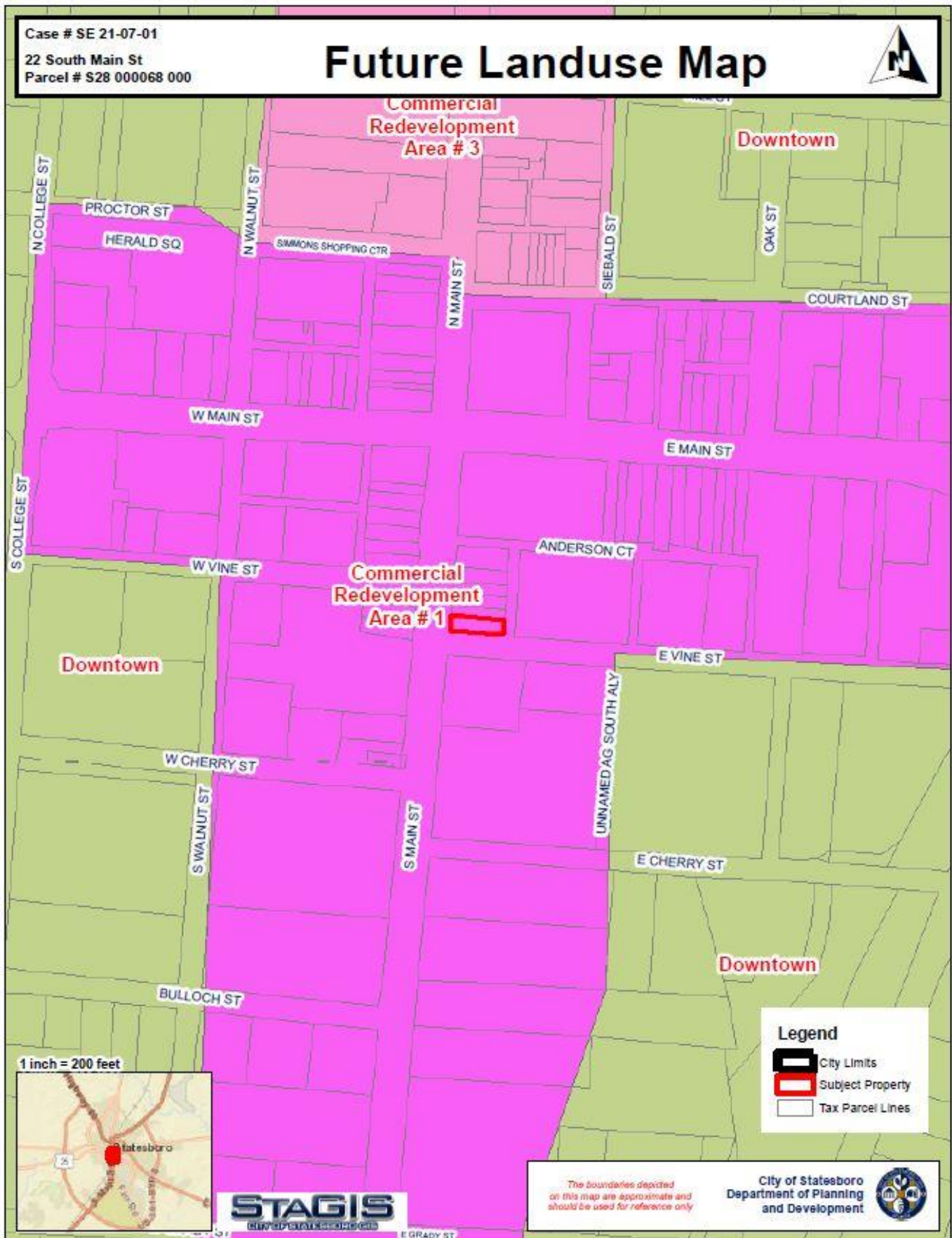
PETITIONER Oscar Mauricio
ADDRESS 1 South College Street #2956, Statesboro, GA 30458

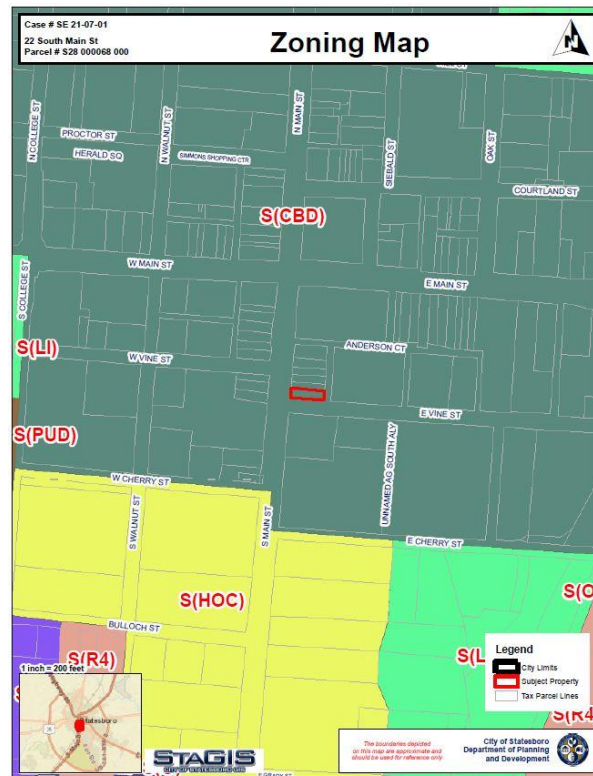
REPRESENTATIVE Same As Above
ADDRESS

PROPOSAL
The applicant requests a special exception to locate a virtual car dealership office in the building on 0.06 acre property located on South Main Street. Car Dealerships are not permitted in the CBD (Central Business District) zoning district unless granted a special exception by the City Council.
STAFF RECOMMENDATION
<u>SE 21-07-01 CONDITIONAL APPROVAL</u>









SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: CBD (Central Business District)	Studio
Northeast	Location Area #2: CBD (Central Business District)	Clothing Store
East	Location Area #3: CBD (Central Business District)	Bank Teller/Parking Lot
Northwest	Location Area #4: CBD (Central Business District)	Bank
Southeast	Location Area #5: CBD (Central Business District)	Office
South	Location Area #6: CBD (Central Business District)	Office
Southwest	Location Area #7: CBD (Central Business District)	Behavioral Counseling Center
West	Location Area #8: CBD (Central Business District)	Floral Shop

SUBJECT SITE

The subject site is a multi-story building located on 0.06 acres. Surrounding properties include retail and office uses. The applicant's request is to locate a virtual car dealership office in the building. The building itself contains multiple units for rental office space on the bottom floor, with potential apartment space on the top floor.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site as a part of the "Commercial Redevelopment Area #1", which is intended for a varied scale of commercial, retail and office uses. At the intersection of major thoroughfares, development of large-scale commercial uses to serve surrounding areas of the city and unincorporated portions of Bulloch County is appropriate.

ENVIRONMENTAL SITE ANALYSIS

The subject property does not contain wetlands and is not located in a special flood hazard area. Any potential issues will be brought forth and discussed during standard permitting and review procedures.

COMMUNITY FACILITIES AND TRANSPORTATION

The subject property is currently leased to small businesses and served by City utilities. As per the parking Ordinance, locations in the Downtown are not required to provide specific parking spaces for customers.

CONDITIONAL ZONING STANDARDS OF REVIEW

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

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

(A) Adequate provision is made by the applicant to reduce any adverse environmental impact of the proposed use to an acceptable level.

- The business would be located inside the pre-existing structure.

(B) Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered.

- There should be no substantial change regarding this facility if allowed to operate, as the area already allows for parking and pedestrian traffic.

(C) Off-street parking and loading, and the entrances to and exits from such parking and loading, will be adequate in terms of location, amount, and design to serve the use.

- As a section of the Central Business District, it is not required that additional dedicated parking be developed for the structure. The applicant

has specified that the intent is for the storage of vehicles to be completed off-site, and delivered to customers.

(D) Public facilities and utilities are capable of adequately serving the proposed use.

- Public utilities are available in the area, and it is unlikely to cause any significant changes to the area.

(E) The proposed use will not have significant adverse effect on the level of property values or the general character of the area.

- N/A.

(F) Unless otherwise noted, the site plan submitted in support of an approved conditional use shall be considered part of the approval and must be followed.

- N/A.

(G) Approval of a proposed use by the Mayor and City Council does not constitute [an] approval for future expansion of or additions or changes to the initially approved operation. Any future phases or changes that are considered significant by the Planning Commission and not included in the original approval are subject to the provisions of this section and the review of new detailed plans and reports for said alterations by the governing authority.

- Any significant future phases or changes to this proposal must first be reviewed and approved by Staff.

Article XVIII, Section 1802 of the *Statesboro Zoning Ordinance* further outlines the qualifications needed to grant a special exception to the zoning ordinance. These include uses that are consistent with the purpose and intent of the zoning ordinance and district in which the use is proposed to be located; uses that do not detract from neighboring property; and uses that are consistent with other uses in the area. In order to meet these qualifications, approval of any special exception for the proposed use at the subject parcel should (if necessary) include conditions that will ensure that development along this corridor remains consistent with the *Statesboro Comprehensive Plan* and the *Statesboro Zoning Ordinance* and that serve to mitigate negative effects of the use to the surrounding area's character, uses, and zones.

- The proposed use is generally consistent with the subject site's character area ("Commercial Redevelopment") based on the use, as stated in the *2019 – 2029 Comprehensive Master Plan*.

STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval of SE 21-07-01**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) Approval of this special exception does not grant the right to develop on the property without adherence to the City Code and approval by the Department of Planning & Development.
- (2) Autos shall be delivered to customers directly. Any on-site transactions must have dedicated parking spaces.




City of Statesboro-Department of Planning and Development

ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

(912) 764-0630
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RZ 21-07-02 ZONING MAP AMENDMENT West Grady Street Ext. Lot 16	
LOCATION:	West Grady Street Ext. Lot 16
EXISTING ZONING:	R-8 (Single-Family Residential)
ACRES:	0.39 Acres
PARCEL TAX MAP #:	S11 000031A000
COUNCIL DISTRICT:	District 2 (Chavers)
EXISTING USE:	Vacant Lot
PROPOSED USE:	Duplex Development



PETITIONER John White
ADDRESS 100 Johnny White Road, Pembroke, GA 31321

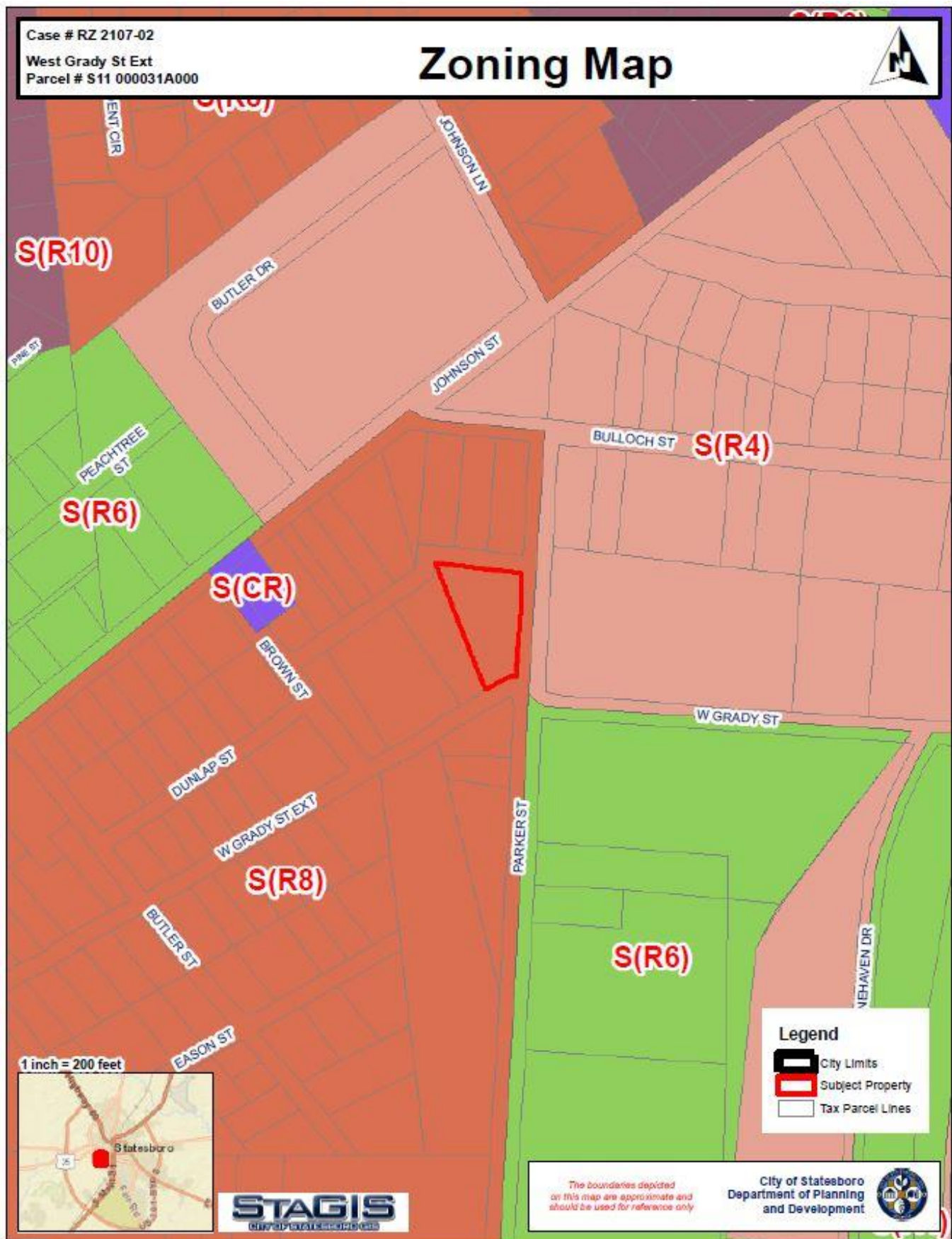
REPRESENTATIVE Same As Above
ADDRESS

PROPOSAL
The applicant requests a zoning map amendment from the R-8 (Single-Family Residential) zoning district to the R-4 (High Density Residential) zoning district, in order to construct a duplex on the site.
PLANNING COMMISSION RECOMMENDATION
<u>RZ 21-07-02 CONDITIONAL APPROVAL</u>

Case # RZ 2107-02
West Grady St Ext
Parcel # S11 000031A000

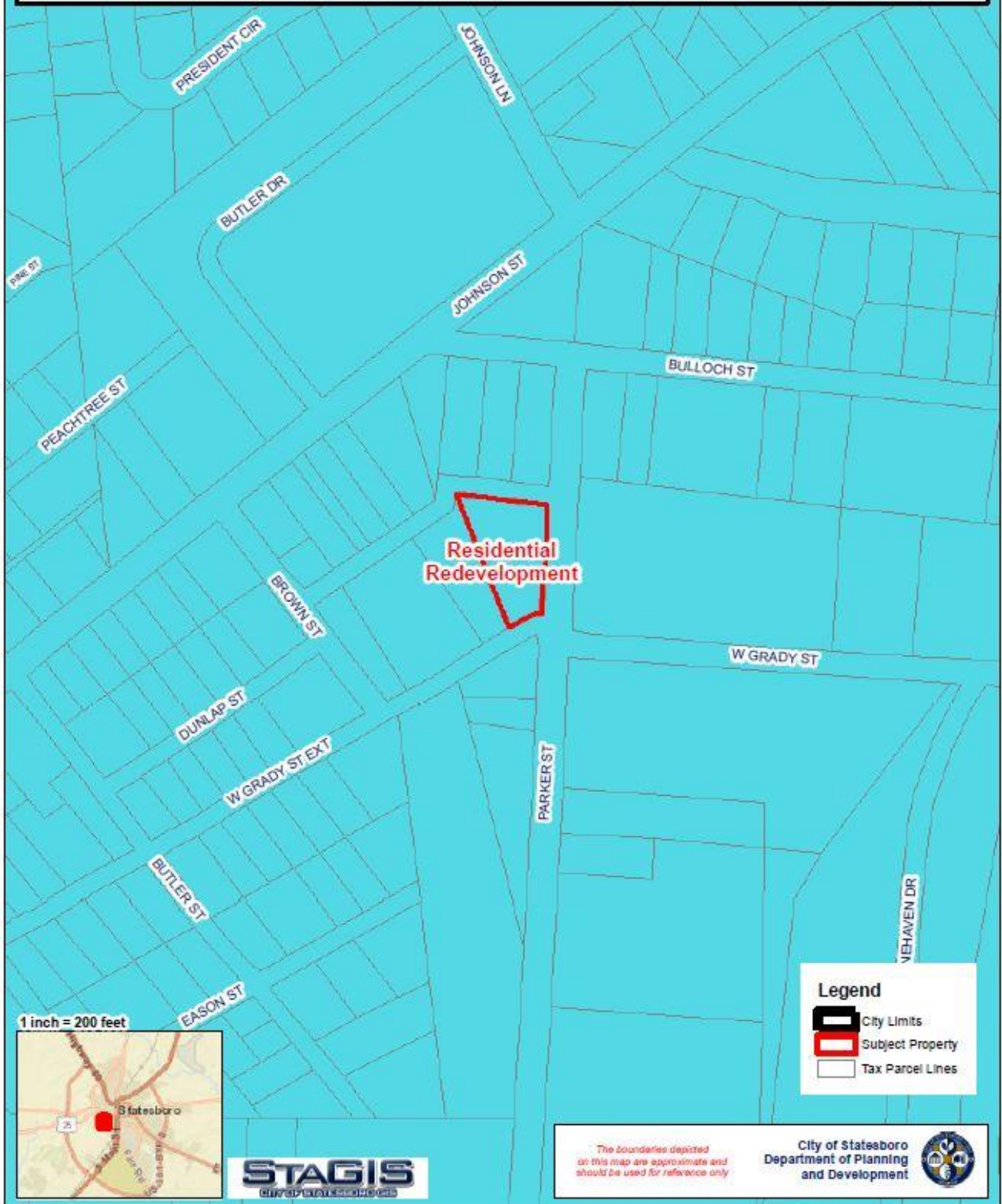
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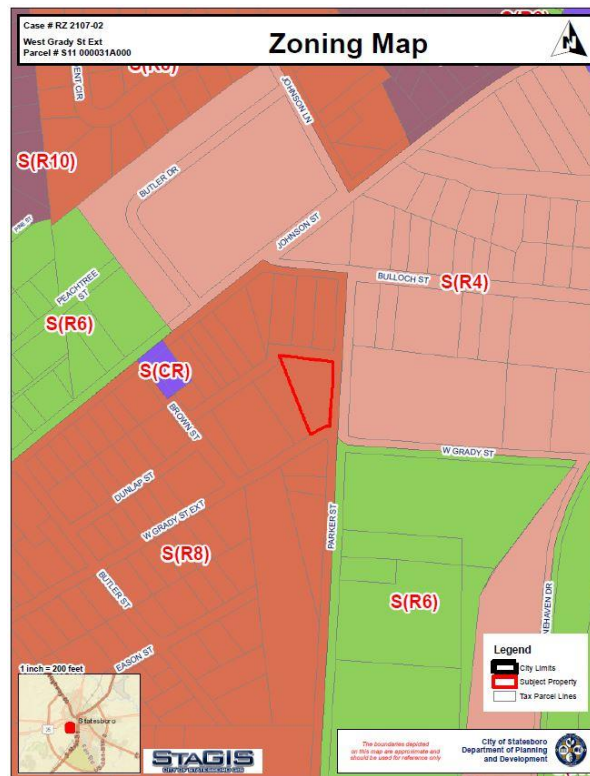




Case # RZ 2107-02
West Grady St Ext
Parcel # S11 000031A000

Future Development Map





SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: R8 (Single-Family Residential)	Undeveloped Lot
Northeast	Location Area #2: R-4 (High Density Residential)	Single-Family Dwelling
East	Location Area #3: R-4 (High Density Residential)	Park
North West	Location Area #4: R-8 (Single-Family Residential)	Single-Family Dwelling
Southeast	Location Area #5: R-6 (Single-Family Residential)	Single –Family Dwelling
South	Location Area #7: R-8 (Single-Family Residential)	Undeveloped Lot
Southwest	Location Area #8: R-8 (Single-Family Residential)	Single-Family Dwelling
West	Location Area #9: R-8 (Single-Family Residential)	Single-Family Dwelling



SUBJECT SITE

The subject site consists of one parcel containing 0.39 acres. The lot is currently overgrown with dense trees and no development, but is adjacent to the developing West Grady Street Park. There is a noted area of the parcel that contains a stormwater channel, which appears to be an easement through the centerline of the property.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site in the “Residential Redevelopment” character area, it 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.

ENVIRONMENTAL SITE ANALYSIS

The property does not contain any wetlands. It should be noted that there could be substantial stormwater moving through the site due to the possibility of a drainage easement.

COMMUNITY FACILITIES AND TRANSPORTATION

This site has access to City of Statesboro utilities. Adjacent to the site, the City of Statesboro is currently renovating the public park.

ZONING MAP AMENDMENT STANDARDS OF REVIEW

The *Statesboro Zoning Ordinance* permits a zoning amendment subject to conditions if “approved by the mayor and city council based upon findings that the use is consistent with adopted plans for the area and that the location, construction, and operation of the proposed use will not significantly impact upon surrounding development or the community in general.”

Article XX, 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 request, 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.

- The surrounding area is primarily single-family residential, although both Butler Homes and the West Grady Street Park are nearby. The park itself is zoned R-4 which makes this property contiguous to said zoning.

2. The extent to which property values are diminished by the particular zoning restrictions

- The surrounding area generally contains fair to poor housing conditions, and some dilapidated buildings. Additional new development would be beneficial to the area.

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.

- An increase in the availability of housing in this section of the municipality is important, and would benefit the efforts of the municipality in providing housing to this particular GICH neighborhood.

- 4. The relative gain to the public, as compared to the hardship imposed upon the property owner.**
 - As the land is currently vacant, adding this use to the property would be beneficial to the public as long as there are no significant issues created by traffic entering and exiting the neighborhood.
- 5. The suitability of the subject property for the zoned purposes.**
 - The current state of the property does not appear to have significant impediments to the development, but there is a stormwater box at the southeast corner of the property that must be preserved to ensure drainage in the area.
- 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.**
 - N/A
- 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 the adjacent areas; and**
 - The density of this development would not cause significant changes in the traffic pattern of the area.
- 8. Consistency with other governmental land use, transportation, and development plans for the community.**
 - The proposed use is consistent with the subject site's character area ("Residential Redevelopment Area") as stated in the *2019 – 2029 Comprehensive Master Plan*. This area does allow for lower density, single-family attached units.

STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval of RZ 21-07-02**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) Approval of this Zoning Map Amendment does not grant the right to develop on the site without approval. All construction must be approved by the City.
- (2) All stormwater outfall on the site must be directed into the main system to ensure that there are no significant problems resulting from the development.



ZONING SERVICES REPORT

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V 21-07-03
ZONING VARIANCE REQUEST
239 South Main Street

LOCATION:	239 South Main Street
EXISTING ZONING:	HOC (Highway Oriented Commercial)
ACRES:	1.06 acres
PARCEL TAX MAP #:	S19 000019 001
COUNCIL DISTRICT:	District 2 (Chavers)
EXISTING USE:	Restaurant
PROPOSED USE:	Restaurant



PETITIONER Whitfield Signs
ADDRESS 91 South College Street, Statesboro GA 30458

REPRESENTATIVE Jana Phillips
ADDRESS 91 South College Street, Statesboro Ga 30458

PROPOSAL

The applicant requests a variance from Article XXX, Section 3005(B) of the *Statesboro Zoning Ordinance* to allow for a mural on the exterior of the existing building located at 239 South Main Street in the HOC (Highway Oriented Commercial) zoning district.

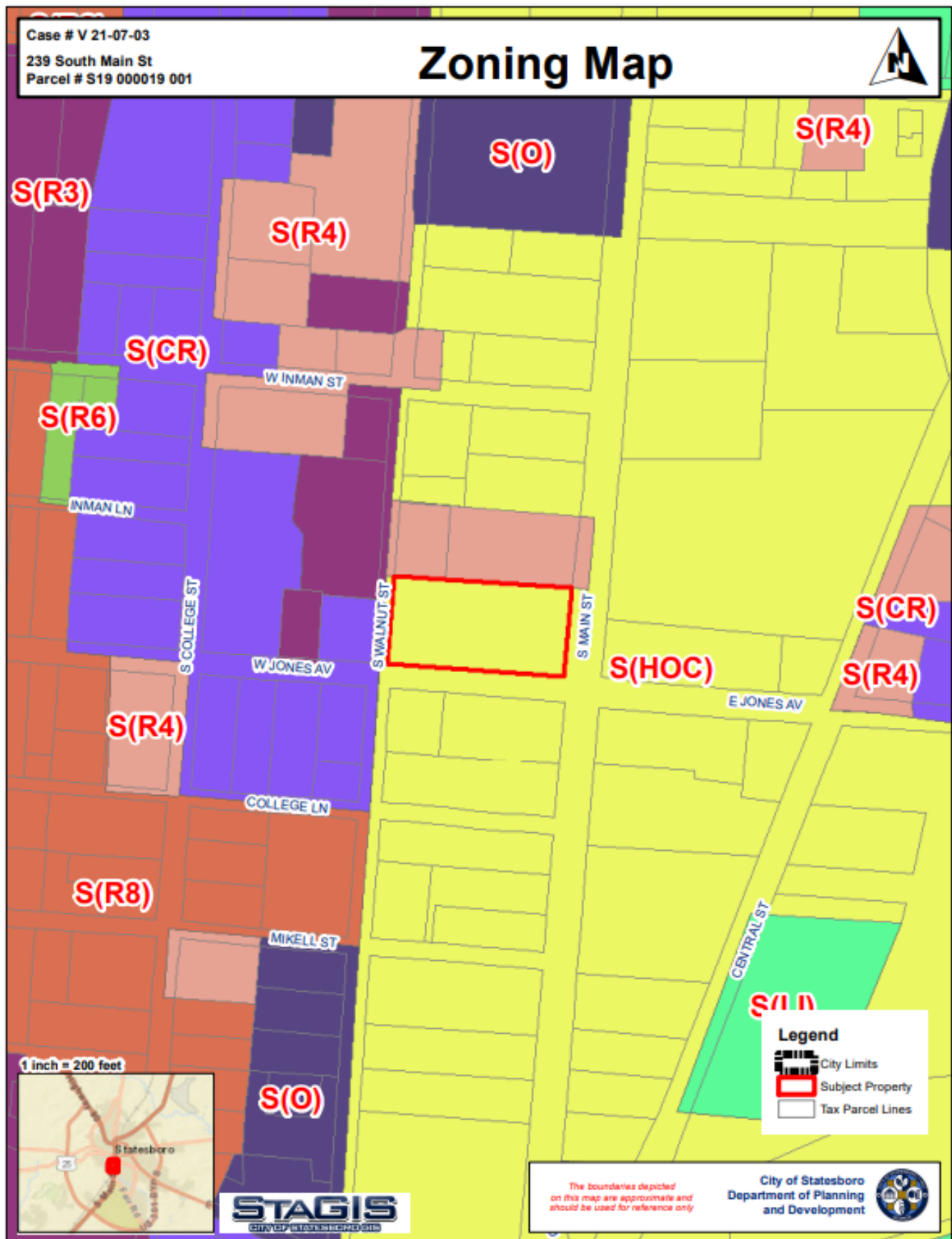
PLANNING COMMISSION RECOMMENDATION

V 21-07-03 DENIAL

Case # V 21-07-03
239 South Main St
Parcel # S19 000019 001

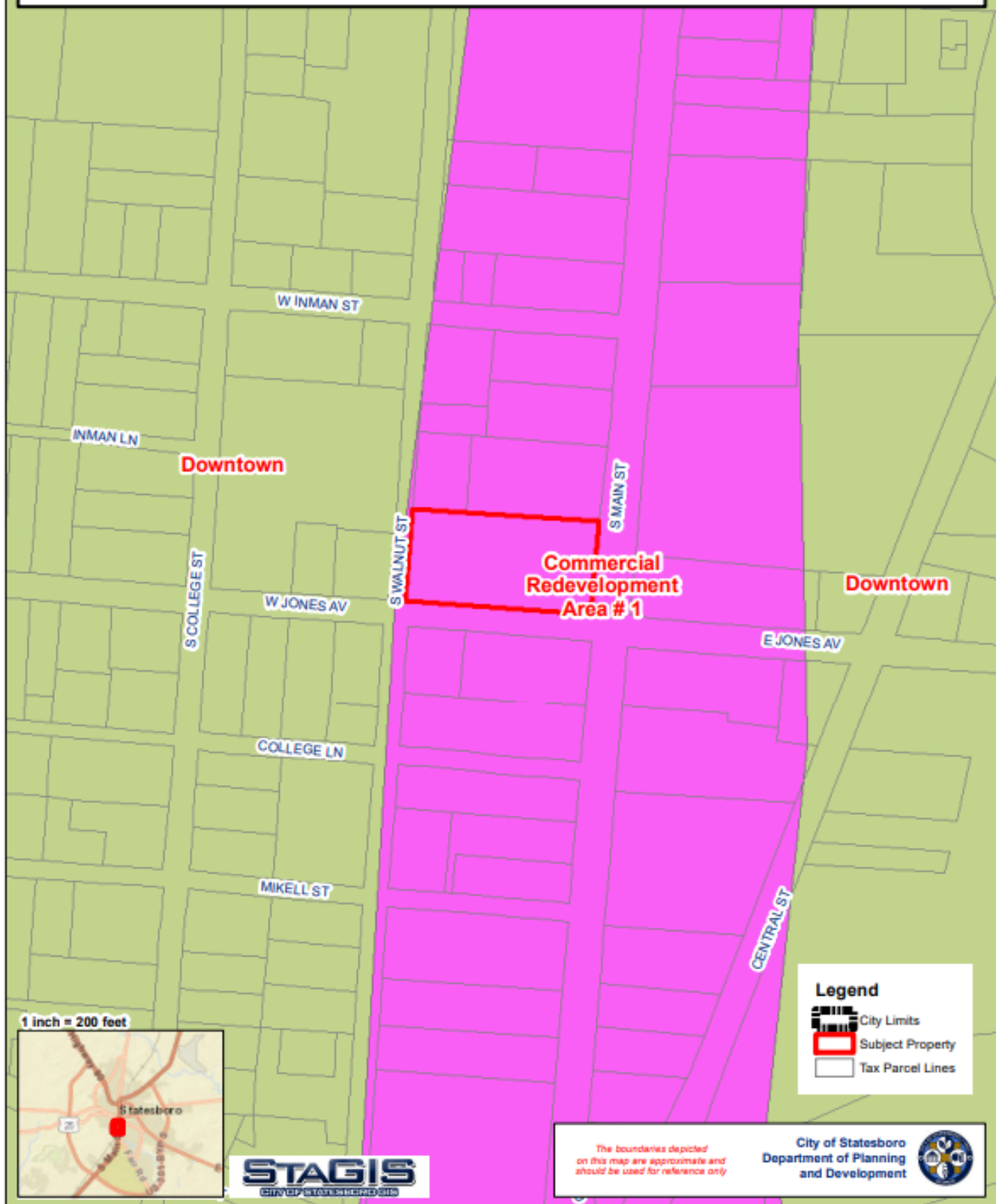
Location Map

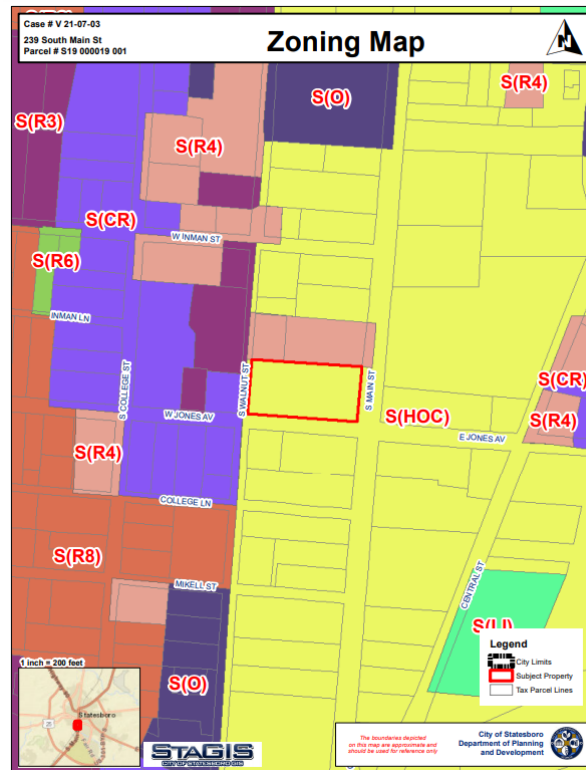




Case # V 21-07-03
239 South Main St
Parcel # S19 000019 001

Future Landuse Map





SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: HOC (Highway Oriented Commercial)	Apartments
Northeast	Location Area #2: HOC (Highway Oriented Commercial)	Motel
East	Location Area #3: HOC (Highway Oriented Commercial)	Gas Station/Convenience Store
Northwest	Location Area #4: CR/R3 (Commercial Retail/Medium Density Multiple Family Residential)	Nursing Home
Southeast	Location Area #5: HOC (Highway Oriented Commercial)	Apartments
South	Location Area #6: HOC (Highway Oriented Commercial)	Auto Glass Shop
Southwest	Location Area #7: CR (Commercial Retail)	Single-Family Dwelling
West	Location Area #8: CR (Commercial Retail)	Salon



413"

WE SMOKE WHILE YOU SLEEP

101"

Exterior Wall wrap



SUBJECT SITE

The subject site is a 1.06 acre lot containing a restaurant. The applicant is seeking to add a 289 square foot mural on the exterior of the building, which exceeds the maximum allowed size of 25% of a single façade of the building, as per Article XXX; Section 3005 of the Statesboro Zoning Ordinance. Based on the requirements of the Article XV; Section 1509 of the Zoning Ordinance, the applicant would only be allowed a traditional sign of 60 square feet.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site as a part of the “Commercial Redevelopment Area #1” character area, which is generally intended for varied scale commercial retail and office use. This particular request does not meet the conditions of a mural as determined in in Article XXX of the Zoning Ordinance including:

1. Murals shall not contain text, graphics or symbols that promote or advertise a service, product or business or promote a political party or candidate.
2. Murals shall not comprise more than 25 percent of a single façade of a building.
3. The mural's theme should be historical in nature to the City of Statesboro and respect the greater context of the community.

ENVIRONMENTAL SITE ANALYSIS

The subject property does not contain wetlands and is not located in a special flood hazard area. The variance applied for will have no impact on any storm water or wetlands in the surrounding area.

COMMUNITY FACILITIES AND TRANSPORTATION

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

ZONING VARIANCE STANDARDS OF REVIEW

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.” Article XVIII, Section 1801 of the *Statesboro Zoning Ordinance* 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 special conditions that would support this request.
2. **The special conditions and circumstances do not result from the actions of the applicant;**

- The request exceeds the square footage allowance based on the Sign ordinance and DSDA architectural standards. By right, the owner would be allowed to place a mural as long as it meets all section 3005 requirements. This particular mural does not meet all other requirements within Section 3005, and would be considered a non-conforming wall sign.
- 3. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
- N/A.
- 4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**
- The proposed mural does not meet the general standards within the Ordinance to be considered a mural. Specifically, this item would be used for a purely commercial purpose and does not bear a historical relevance to the downtown.

Article XVIII, Section 1802 of the *Statesboro Zoning Ordinance* further outlines the qualifications needed to grant a variance to the zoning ordinance. These include uses that are consistent with the purpose and intent of the zoning ordinance and district in which the use is proposed to be located; uses that do not detract from neighboring property; and uses that are consistent with other uses in the area. In order to meet these qualifications, approval of any special exception for the proposed use at the subject parcel should (if necessary) include conditions that will ensure that development along this corridor remains consistent with the *Statesboro Comprehensive Plan* and the *Statesboro Zoning Ordinance* and that serve to mitigate negative effects of the use to the surrounding area's character, uses, and zones.

- The proposed use is consistent with the subject site's character area "Commercial Redevelopment Area #1" as stated in the *2019 – 2029 Comprehensive Master Plan*.

STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Denial of V 21-07-03 due to a lack of compliance with the requirements to be considered a mural in the Ordinance. Specifically the requirements for a mural include: Prohibition of advertising verbiage, maximum square footage (more than 25% of the façade), and the murals theme must be historical in nature.** If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) All freestanding or traditional wall signage on the building must meet the requirements of Article XV, Section 1509 (Table 6).



City of Statesboro-Department of Planning and Development

ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

V 21-07-04
ZONING VARIANCE REQUEST
75 Northside Drive East

LOCATION:	75 Northside Drive East
EXISTING ZONING:	CR (Commercial Retail)
ACRES:	1.10 acres
PARCEL TAX MAP #:	MS84000100F000
COUNCIL DISTRICT:	District 1 (Boyum)
EXISTING USE:	Restaurant
PROPOSED USE:	Restaurant



PETITIONER Renfroe Outdoor, LLC
ADDRESS 2001 Cook Street; Brunswick GA, 31520

REPRESENTATIVE Ben Jones
ADDRESS SAME AS ABOVE

PROPOSAL

The applicant requests a variance from Article XV, Section 1511(H) of the *Statesboro Zoning Ordinance* to replace a tri-vision Billboard with external lighting with an LED Billboard at 75 Northside Drive East.

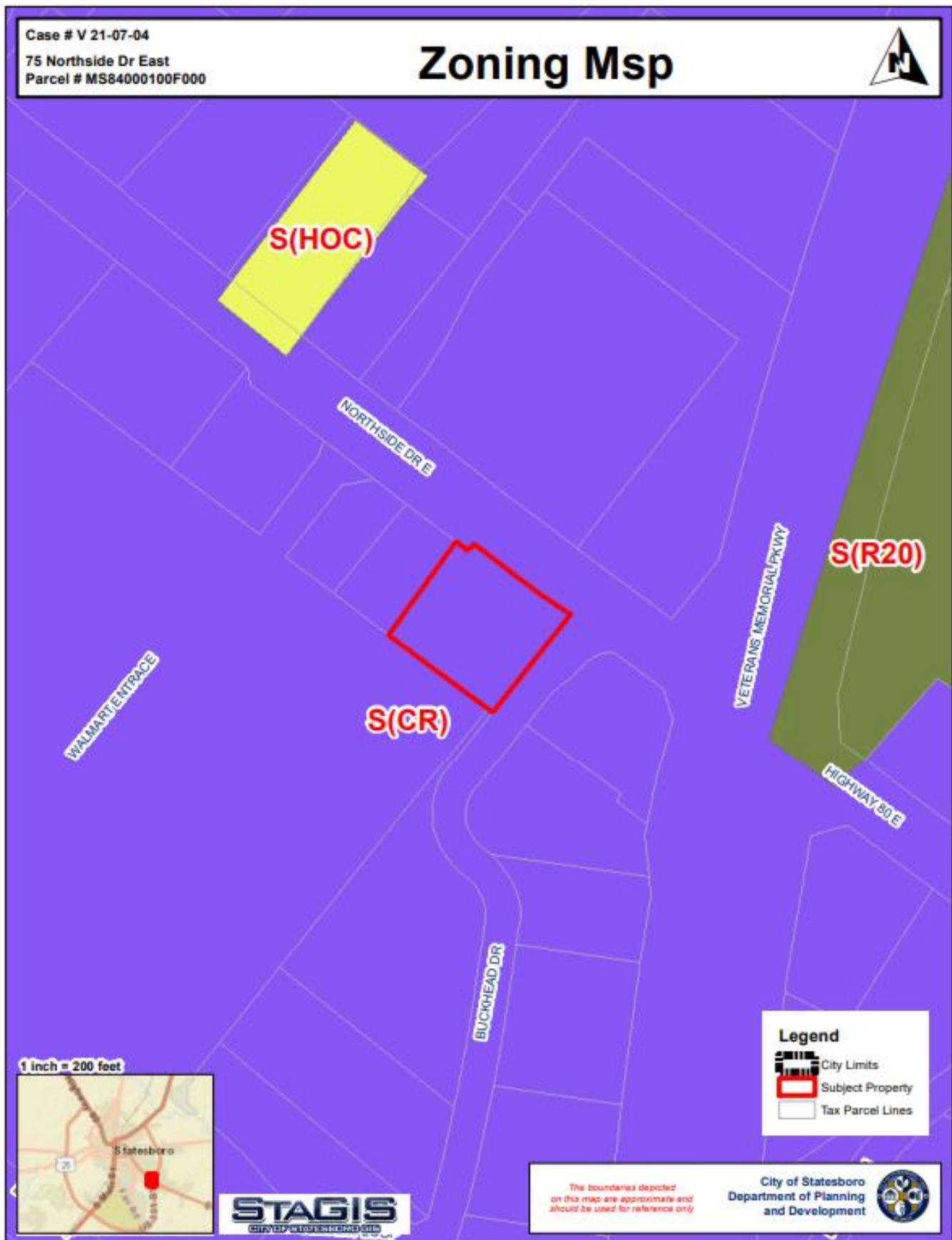
PLANNING COMMISSION RECOMMENDATION

V 21-07-04 DENIAL

Case # V 21-07-04
75 Northside Dr East
Parcel # MS84000100F000

Location Map





Case # V 21-07-04
75 Northside Dr East
Parcel # MS84000100F000

Future Development Map



Established
Residential
Neighborhood

Activity
Centers/Regional
Centers

WALMART ENTRANCE

NORTHSIDE DR E

VETERANS MEMORIAL PKWY

HIGHWAY 80 E

BUCKHEAD DR

1 inch = 200 feet



STAGIS
SPECIAL SERVICES GROUP

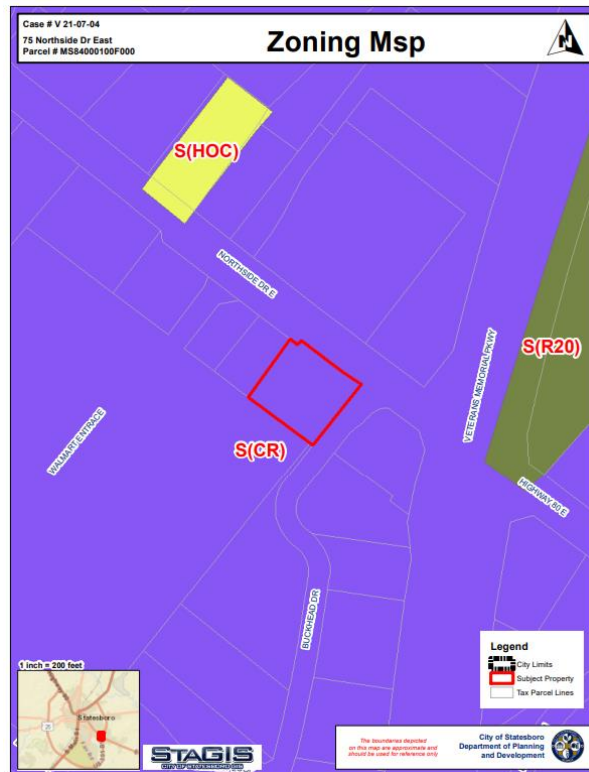
Legend

- City Limits
- Subject Property
- Tax Parcel Lines

The boundaries depicted
on this map are approximate and
should be used for reference only

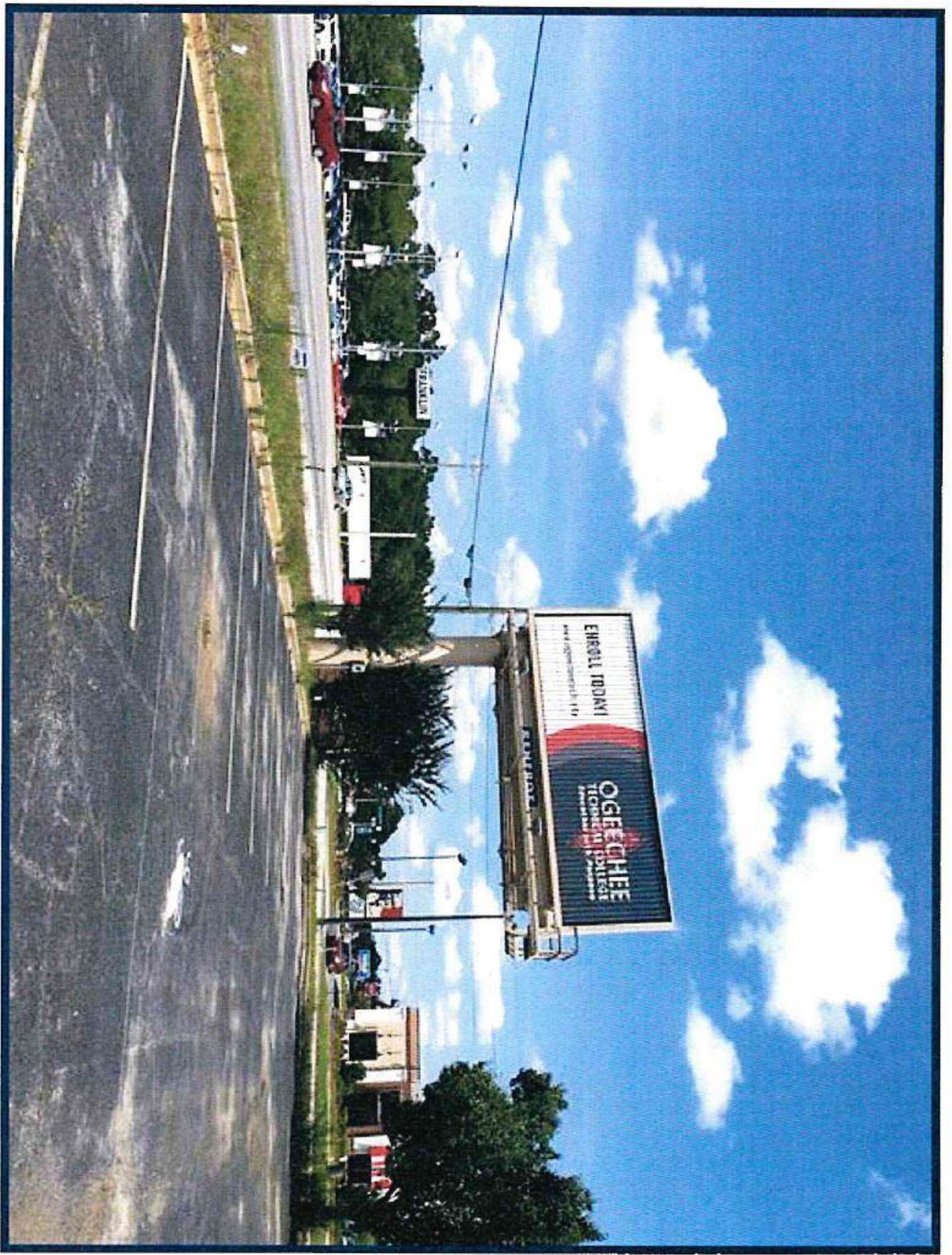
City of Statesboro
Department of Planning
and Development





SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: CR (Commercial Retail)	Car Dealership
Northeast	Location Area #2: CR (Commercial Retail)	Car Dealership
East	Location Area #3: CR (Commercial Retail)	Restaurant
Northwest	Location Area #4: CR (Commercial Retail)	Restaurant
Southeast	Location Area #5: CR (Commercial Retail)	Mobile Phone Store
South	Location Area #6: CR (Commercial Retail)	Grocery Store
Southwest	Location Area #7: CR (Commercial Retail)	Grocery Store
West	Location Area #8: CR (Commercial Retail)	Eye Doctor



SUBJECT SITE

The subject site is a 1.10 acre lot containing a restaurant. The applicant is seeking to replace the tri-vision elements of the billboard, remove the catwalk, remove the exterior lighting, and install a LED board to replace it. This will not make changes to the overall size of the board as a display, and would not require the removal of the supporting structure.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site as a part of the “Activity/Regional Center” character area, which is expected to evolve into pedestrian-oriented shopping, office, and entertainment places that may also accommodate high-density residential development.

ENVIRONMENTAL SITE ANALYSIS

The subject property does not contain wetlands and is not located in a special flood hazard area. The variance applied for will have no impact on any storm water or wetlands in the surrounding area.

COMMUNITY FACILITIES AND TRANSPORTATION

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

ZONING VARIANCE STANDARDS OF REVIEW

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.” Article XVIII, Section 1801 of the *Statesboro Zoning Ordinance* 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;**
 - No special conditions or hardships exist for this application. The requested variance will not require any structural changes to the lot, although the removal of the catwalk and external structures reduces the amount of objects that could fall if a structural failure were to happen.
- 2. The special conditions and circumstances do not result from the actions of the applicant;**
 - The request is prohibited within the ordinance, and billboards are generally restricted in most areas of the City.
- 3. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
 - N/A.

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

- It is staff's concern that by allowing said variance, precedents could be set regarding the development of other billboards within the City. Additionally, as there are currently billboards in the Downtown, it is the concern that setting such a precedent would allow for billboards that are inconsistent with the historic nature of the DSDA area.

Article XVIII, Section 1802 of the *Statesboro Zoning Ordinance* further outlines the qualifications needed to grant a variance to the zoning ordinance. These include uses that are consistent with the purpose and intent of the zoning ordinance and district in which the use is proposed to be located; uses that do not detract from neighboring property; and uses that are consistent with other uses in the area. In order to meet these qualifications, approval of any special exception for the proposed use at the subject parcel should (if necessary) include conditions that will ensure that development along this corridor remains consistent with the *Statesboro Comprehensive Plan* and the *Statesboro Zoning Ordinance* and that serve to mitigate negative effects of the use to the surrounding area's character, uses, and zones.

- The proposal is not applicable in regard to the subject site's character area "Activity/Regional Centers" as stated in the *2019 – 2029 Comprehensive Master Plan*.

STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Denial of V 21-07-04 due to the concerns of setting a precedent for allowing other billboards of this type and light pollution in other areas of the City.** If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) Approval of this variance does not grant the applicant the right to make structural changes to the Billboard. All modifications must be approved through the issuance of a billboard permit.




ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

V 21-07-05
ZONING VARIANCE REQUEST
17874 Highway 67

LOCATION:	17874 Highway 67	
EXISTING ZONING:	CR (Commercial Retail)	
ACRES:	1.5 acres	
PARCEL TAX MAP #:	MS75000012002	
COUNCIL DISTRICT:	District 5 (Barr)	
EXISTING USE:	Gas Station	
PROPOSED USE:	Gas Station	

PETITIONER Renfroe Outdoor LLC
ADDRESS 2001 Cook Street; Brunswick GA, 30458

REPRESENTATIVE Ben Jones
ADDRESS SAME AS ABOVE

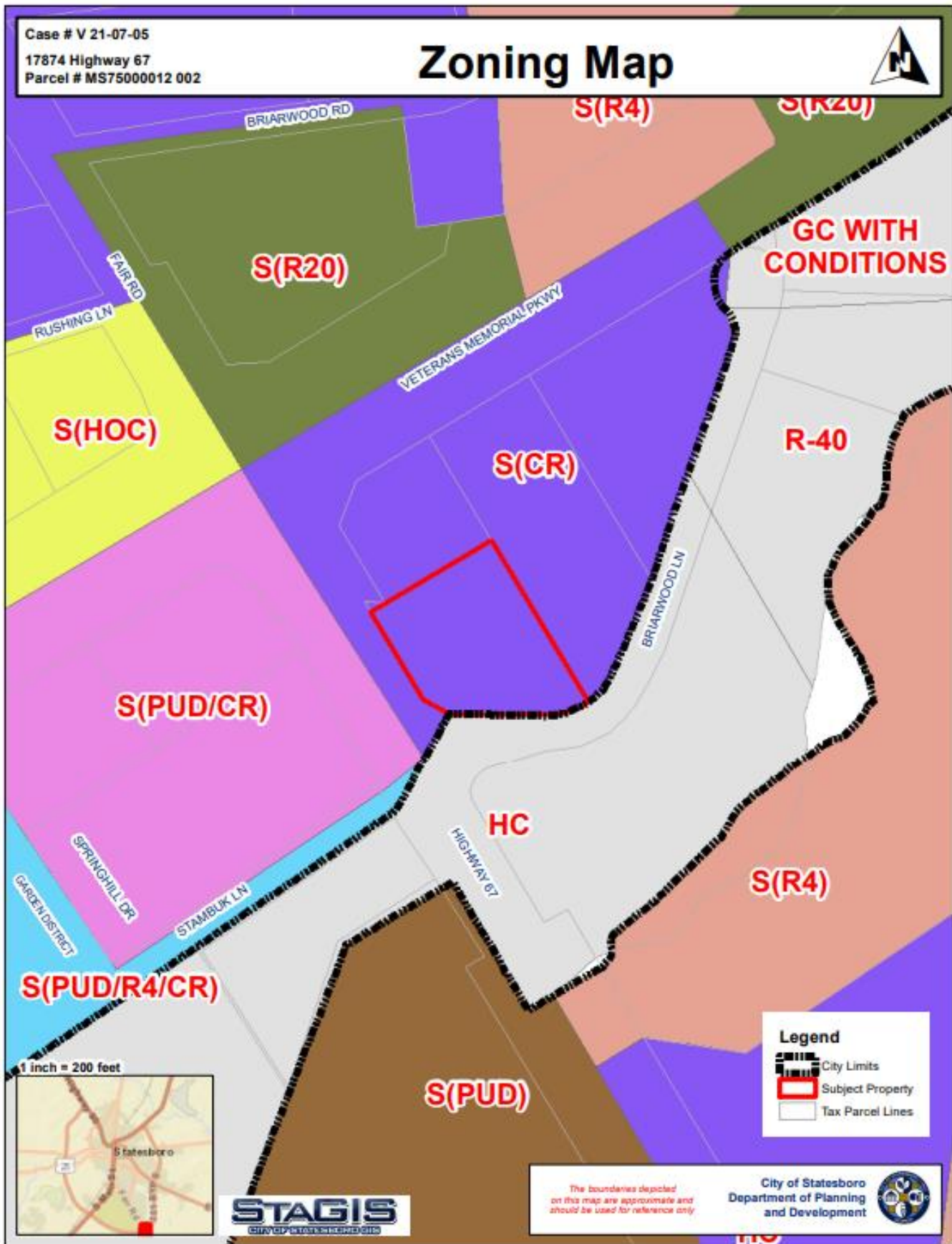
PROPOSAL

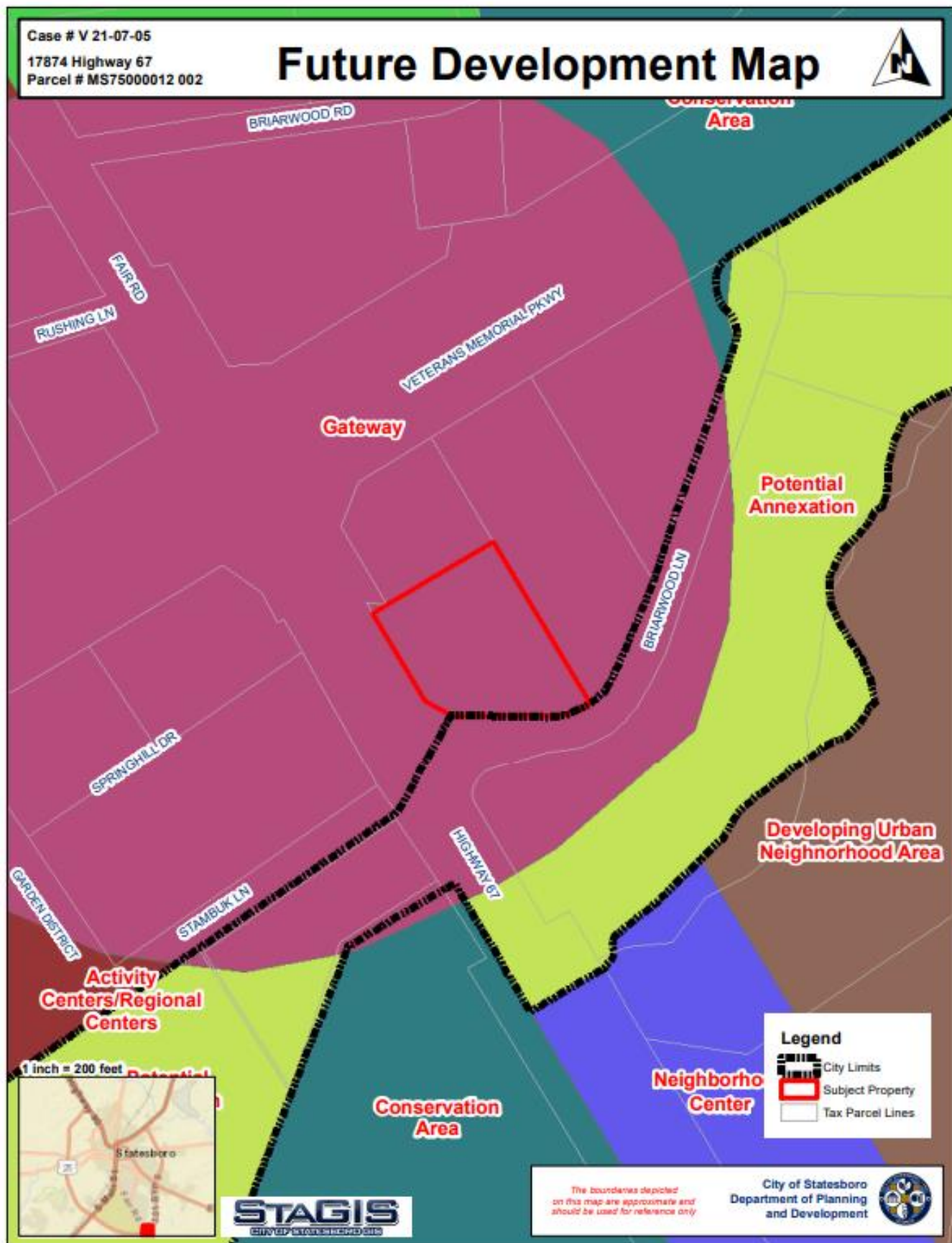
The applicant requests a variance from Article XV, Section 1511(H) of the *Statesboro Zoning Ordinance*, in order to upgrade the existing billboards to LED displays at 17874 Highway 67 in the CR (Commercial Retail) zoning district.

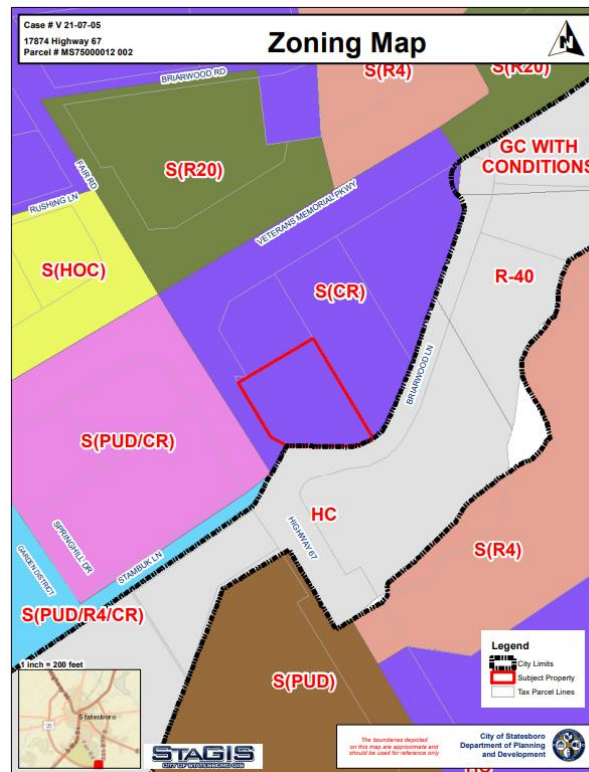
PLANNING COMMISSION RECOMMENDATION

V 21-07-05 Denial



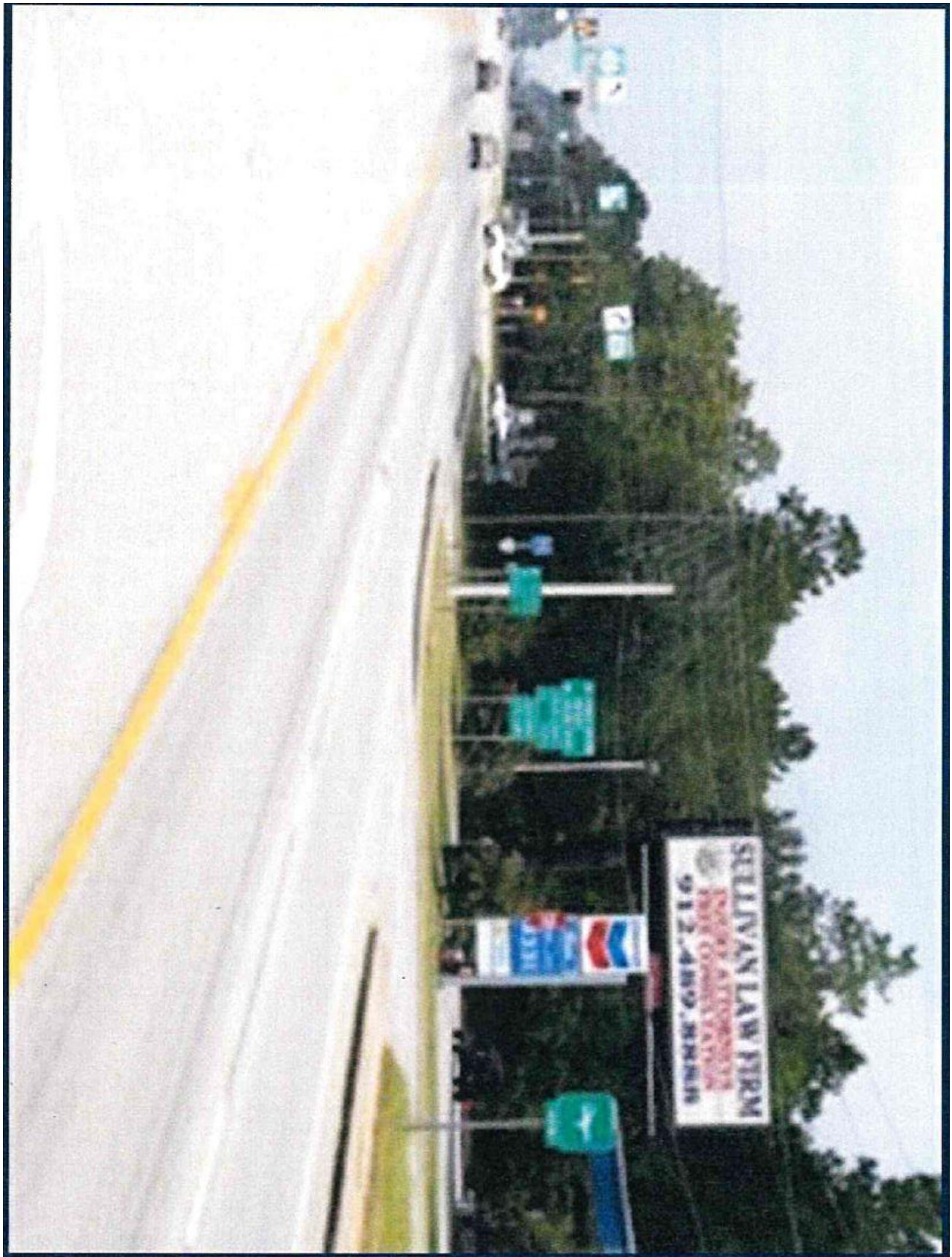






SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: CR (Commercial Retail)	Undeveloped Lot
Northeast	Location Area #2: CR (Commercial Retail)	Restaurant
East	Location Area #3: CR (Commercial Retail)	Hotel
Northwest	Location Area #4: PUD/CR (Planned Unit Development/Commercial Retail)	Bank
Southeast	Location Area #5: R4 (High Density Residential)	Undeveloped Lot
South	Location Area #6: HC (Highway Commercial) (County Zoning)	Undeveloped Lot
Southwest	Location Area #7: HC (Highway Commercial) (County Zoning)	Single-Family Dwelling
West	Location Area #8: PUD/CR (Planned Unit Development/Commercial Retail)	Hotel



SUBJECT SITE

The subject site is a 1.5 acre lot containing a gas station, convenience store, and an existing billboard. The applicant is seeking to convert the existing billboard to LED display that does not meet the standard of using base or top mounted lights and shall be activated by photoelectric cells and that will not impair the vision of the traveling public in any way, as per Article XV; Section 1511(H) of the Statesboro Zoning Ordinance. Section (H) prohibits additional lighting including but not limited to neon, animation and running lights.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site as a part of the “Gateway Area” character area, which is generally intended to be a transitional layer.

ENVIRONMENTAL SITE ANALYSIS

The subject property does not contain wetlands and is located in a special flood hazard area. The variance applied for the existing billboard structure will have no impact on any storm water or wetlands in the surrounding area.

COMMUNITY FACILITIES AND TRANSPORTATION

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

ZONING VARIANCE STANDARDS OF REVIEW

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.” Article XVIII, Section 1801 of the *Statesboro Zoning Ordinance* 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;**
 - No special conditions or hardships exist for this application. The requested variance will not require any structural changes to the lot, although the removal of the catwalk and external structures reduces the amount of objects that could fall if a structural failure were to happen.
- 2. The special conditions and circumstances do not result from the actions of the applicant;**
 - The request does not meet the general requirements for billboard signage based on the ordinance. By right, the owner would be allowed to upgrade the billboard as long as it meets all section 1511 requirements.
- 3. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**

- N/A.
- 4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**
- It is staff's concern that by allowing said variance, precedents would be created regarding the development of other billboards within the City. Additionally, as there are currently billboards in the historic Downtown, it is a concern that setting such a precedent would allow for Billboards that are inconsistent with the historic nature of the DSDA area.

Article XVIII, Section 1802 of the *Statesboro Zoning Ordinance* further outlines the qualifications needed to grant a variance to the zoning ordinance. These include uses that are consistent with the purpose and intent of the zoning ordinance and district in which the use is proposed to be located; uses that do not detract from neighboring property; and uses that are consistent with other uses in the area. In order to meet these qualifications, approval of any special exception for the proposed use at the subject parcel should (if necessary) include conditions that will ensure that development along this corridor remains consistent with the *Statesboro Comprehensive Plan* and the *Statesboro Zoning Ordinance* and that serve to mitigate negative effects of the use to the surrounding area's character, uses, and zones.

- The proposal is not applicable in regard to the subject site's character area "Gateway Area" as stated in the *2019 – 2029 Comprehensive Master Plan*.

STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Denial of V 21-07-05 due to the concerns of setting a precedent for allowing other billboards of this type and of light pollution in other areas of the City.** If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):


- (1) Approval of this variance does not grant the applicant the right to make structural changes to the Billboard. All modifications must be approved through the issuance of a sign permit.



ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

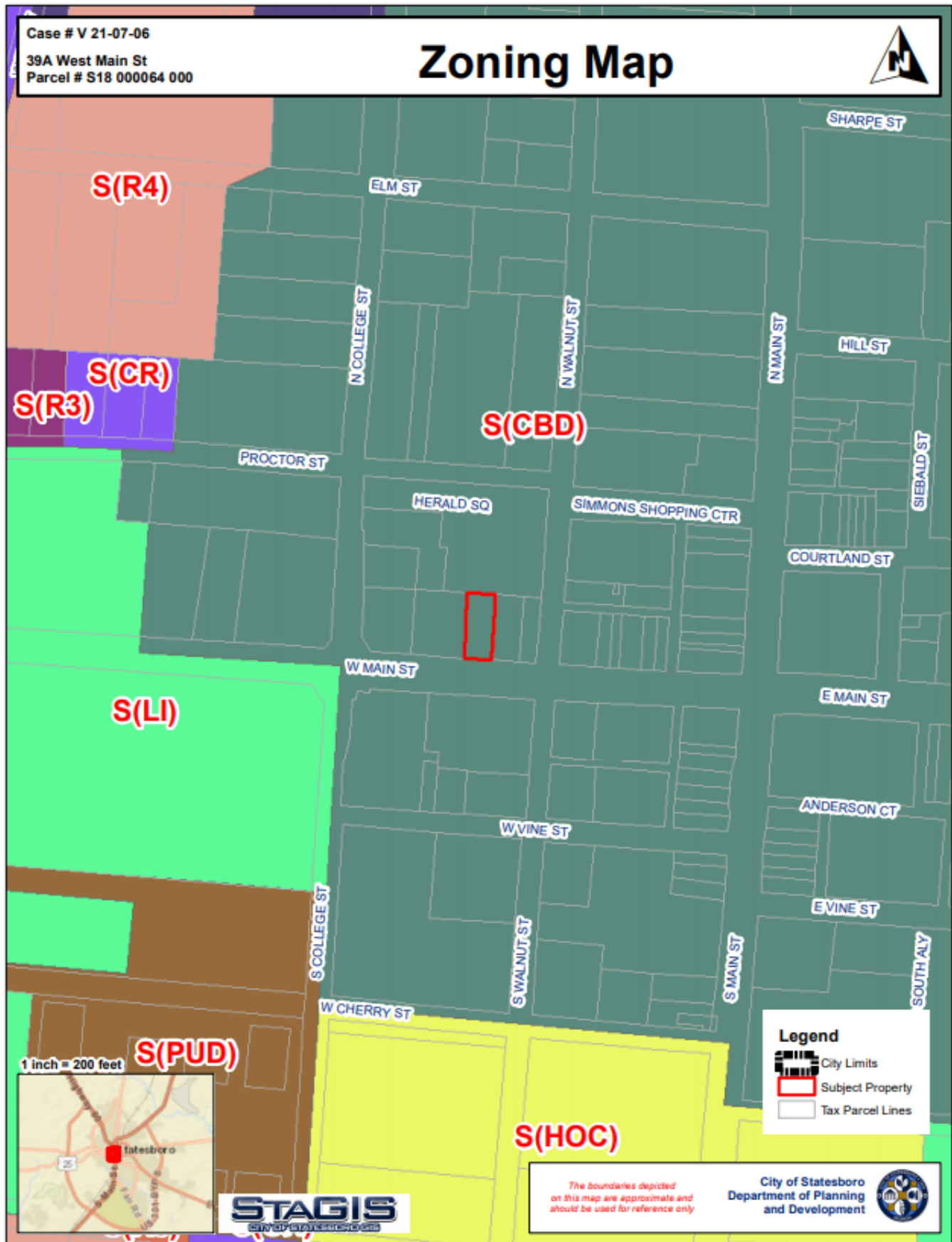
V 21-07-06 ZONING VARIANCE REQUEST 39 WEST MAIN STREET		
LOCATION:	39 West Main Street, Unit A	
EXISTING ZONING:	CBD (Central Business District)	
ACRES:	0.13 acres	
PARCEL TAX MAP #:	S18 000064 000	
COUNCIL DISTRICT:	District 2 (Chavers)	
EXISTING USE:	Church	
PROPOSED USE:	Church	

PETITIONER Encounter Church
ADDRESS 9 Cromartic Drive, Statesboro GA 30458

REPRESENTATIVE Curtis Szykowski
ADDRESS 9 Cromartic Drive, Statesboro GA 30458

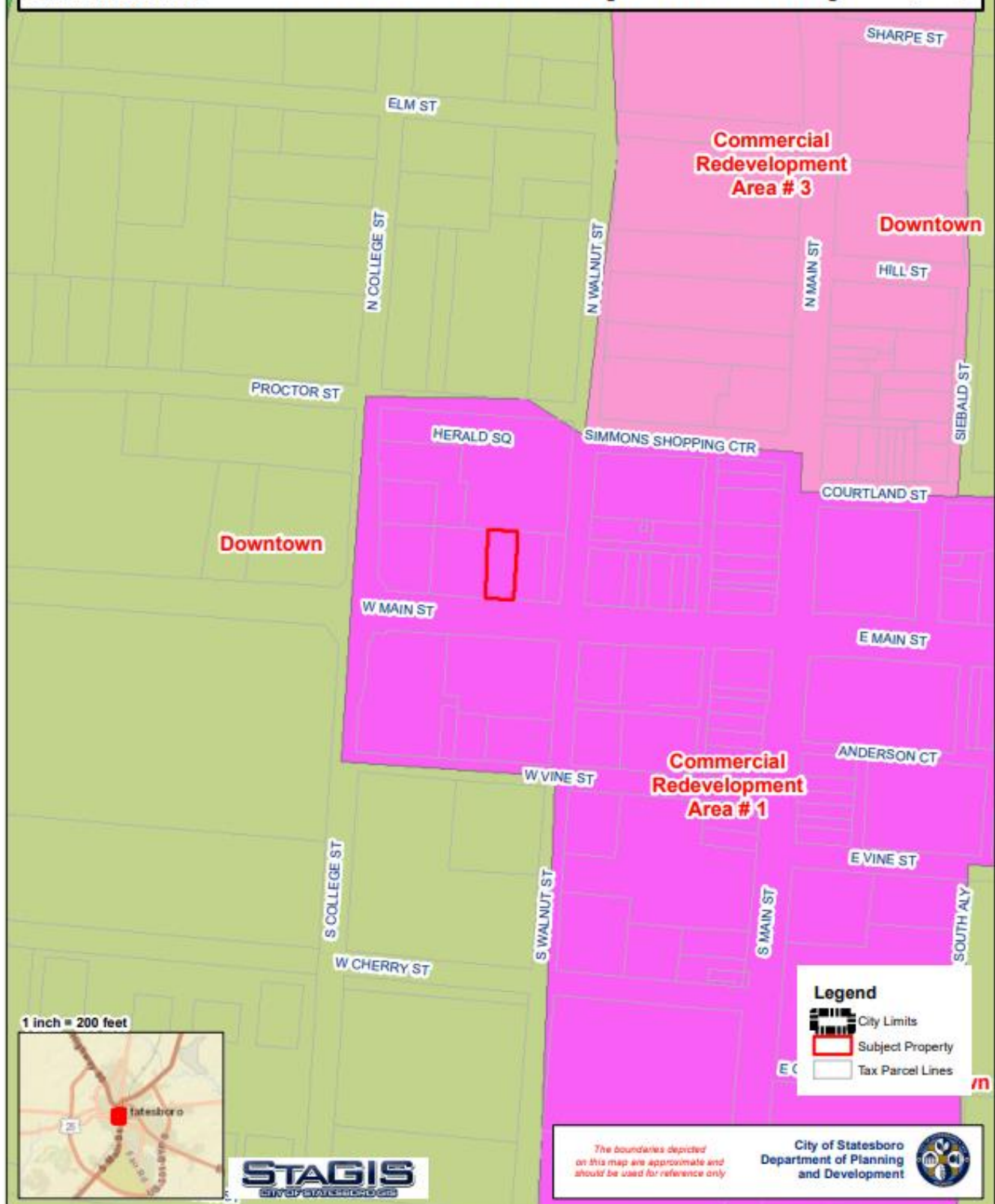
PROPOSAL
The applicant requests a variance from Article XV, Section 1509 of the <i>Statesboro Zoning Ordinance</i> to allow for a sign on the exterior of the existing building located at 39 West Main Street, Unit A in the CBD (Central Business District) zoning district.
PLANNING COMMISSION RECOMMENDATION
<u>V 21-07-06 Conditional Approval</u>

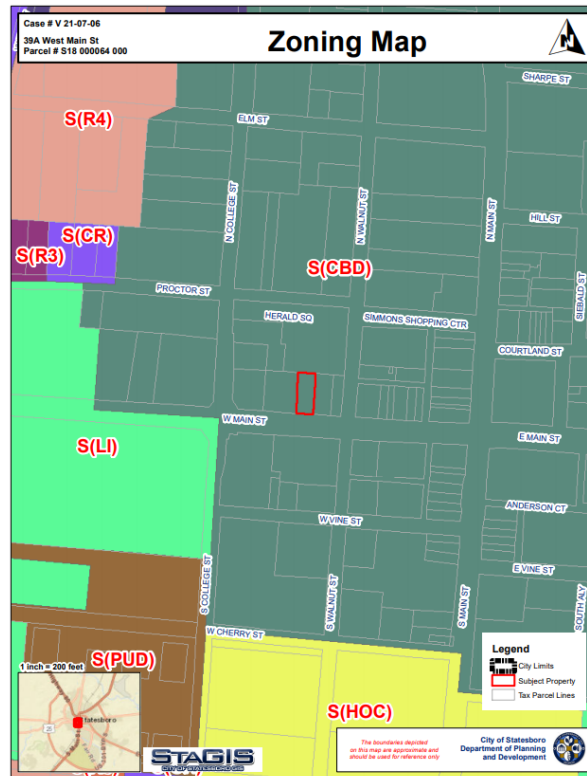




Case # V 21-07-06
39A West Main St
Parcel # S18 000064 000

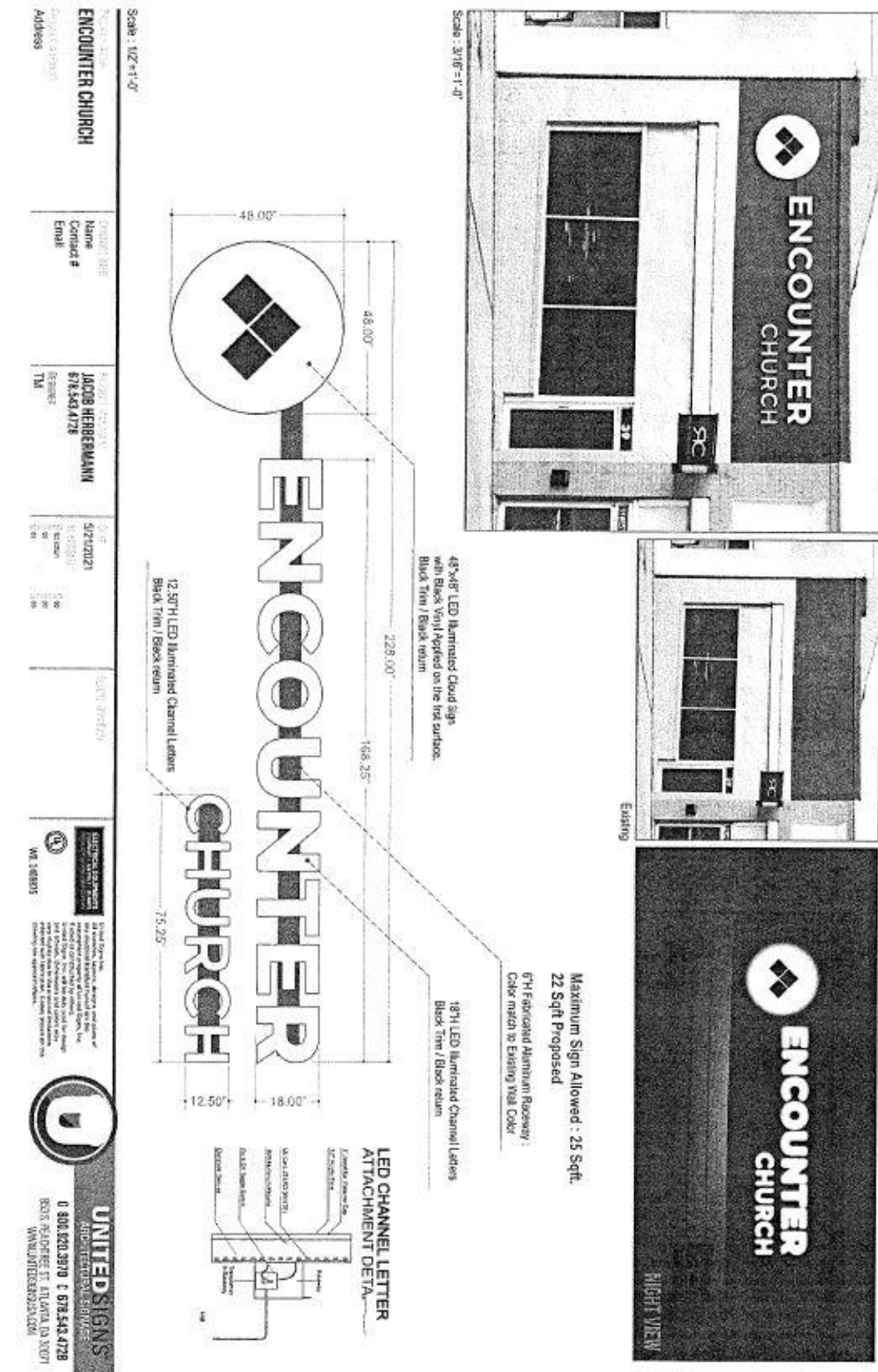
Future Development Map





SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: CBD (Central Business District)	Retail/Office Space
Northeast	Location Area #2: CBD (Central Business District)	Parking Lot
East	Location Area #3: CBD (Central Business District)	Residential Conversion
Northwest	Location Area #4: CBD (Central Business District)	Furniture Store
Southeast	Location Area #5: CBD (Central Business District)	Residential Development
South	Location Area #6: CBD (Central Business District)	Apartments
Southwest	Location Area #7: CBD (Central Business District)	Parking Lot
West	Location Area #8: CBD (Central Business District)	Furniture Store



SUBJECT SITE

The subject site is a 0.13 acre lot containing a row style building. The applicant is seeking to add a sign on the exterior of the building that exceeds the maximum allowed height of 12 feet, as per Article XV; Section 1509 of the Statesboro Zoning Ordinance.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site as a part of the “Commercial Redevelopment Area #1” character area, which is generally intended for varied scale commercial retail and office use.

ENVIRONMENTAL SITE ANALYSIS

The subject property does not contain wetlands and is not located in a special flood hazard area. The variance applied for will have no impact on any storm water or wetlands in the surrounding area.

COMMUNITY FACILITIES AND TRANSPORTATION

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

ZONING VARIANCE STANDARDS OF REVIEW

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.” Article XVIII, Section 1801 of the *Statesboro Zoning Ordinance* 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;**
 - The fascia of the building does not allow for the sign to be placed any lower on the façade.
- 2. The special conditions and circumstances do not result from the actions of the applicant;**
 - The request exceeds the general allowance based on the ordinance. By right, the owner would be allowed to place a sign as long as it meets all section 1509 requirements. Numerous signs within the district have received variances to exceed the standard height.
- 3. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
 - N/A
- 4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**

- Both The Post and Bull & Barrel have received variances to allow for a greater height than traditionally allowed per the Ordinance. This height would be in line with what is already in the surrounding area.

Article XVIII, Section 1802 of the *Statesboro Zoning Ordinance* further outlines the qualifications needed to grant a variance to the zoning ordinance. These include uses that are consistent with the purpose and intent of the zoning ordinance and district in which the use is proposed to be located; uses that do not detract from neighboring property; and uses that are consistent with other uses in the area. In order to meet these qualifications, approval of any special exception for the proposed use at the subject parcel should (if necessary) include conditions that will ensure that development along this corridor remains consistent with the *Statesboro Comprehensive Plan* and the *Statesboro Zoning Ordinance* and that serve to mitigate negative effects of the use to the surrounding area's character, uses, and zones.

- The proposed use is consistent with the subject site's character area "Commercial Redevelopment Area #1" as stated in the *2019 – 2029 Comprehensive Master Plan*.

STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval V 21-07-06**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) All freestanding or traditional wall signage on the building must meet the requirements of Article XV, Section 1509 (Table 6).
- (2) Approval of this variance does not grant the right to place the sign on this building. All signage must be properly reviewed and approved by the City.




ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

AN 21-07-07 & RZ 21-07-08 ANNEXATION AND ZONING MAP AMENDMENT REQUEST LAKEVIEW ROAD

LOCATION:	Lakeview Road	
EXISTING ZONING:	R40 (Single-Family Residential)	
ACRES:	1.58 acres	
PARCEL TAX MAP #:	MS57000004 000	
COUNCIL DISTRICT:	District 1 (Boyum) – (Projected)	
EXISTING USE:	Undeveloped	
PROPOSED USE:	Residential Development	

PETITIONER Nesmith Properties
ADDRESS 12 Clayton Lane, Statesboro, GA 30458

REPRESENTATIVE Joey Maxwell
ADDRESS 40 Joe Kennedy Boulevard, Statesboro, GA 30458

PROPOSAL

The applicant is requesting an Annexation by the 100% method of 1.58 acres of vacant land on Lakeview Road for the purposes of developing residential lots. The applicant is also requesting a Zoning Map Amendment to allow for the amendment of the adjacent PUD (Planned Unit Development) zoning classification to include this parcel. As per the City Ordinance, all annexations into the City are granted the R40 zoning specification without a Zoning Map Amendment.

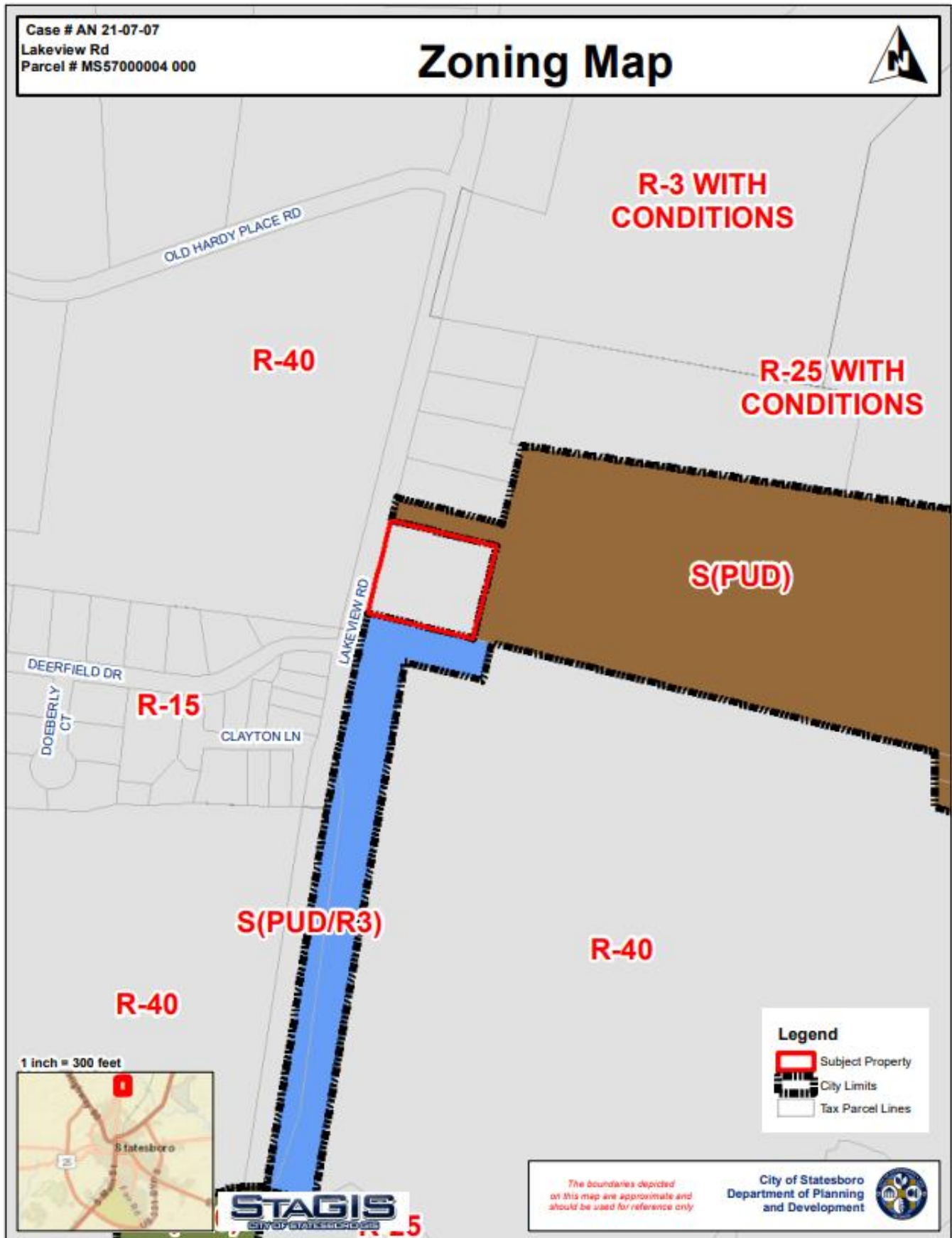
PLANNING COMMISSION RECOMMENDATION

AN 21-07-07 & RZ 21-07-08 CONDITIONAL APPROVAL

Case # AN 21-07-07
Lakeview Rd
Parcel # MS57000004 000

Location Map

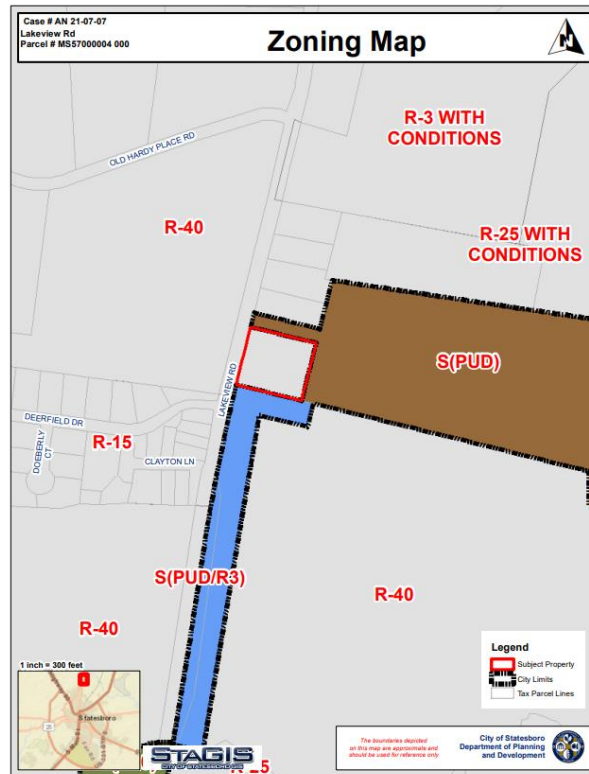




Case # AN 21-07-07
Lakeview Rd
Parcel # MS57000004 000

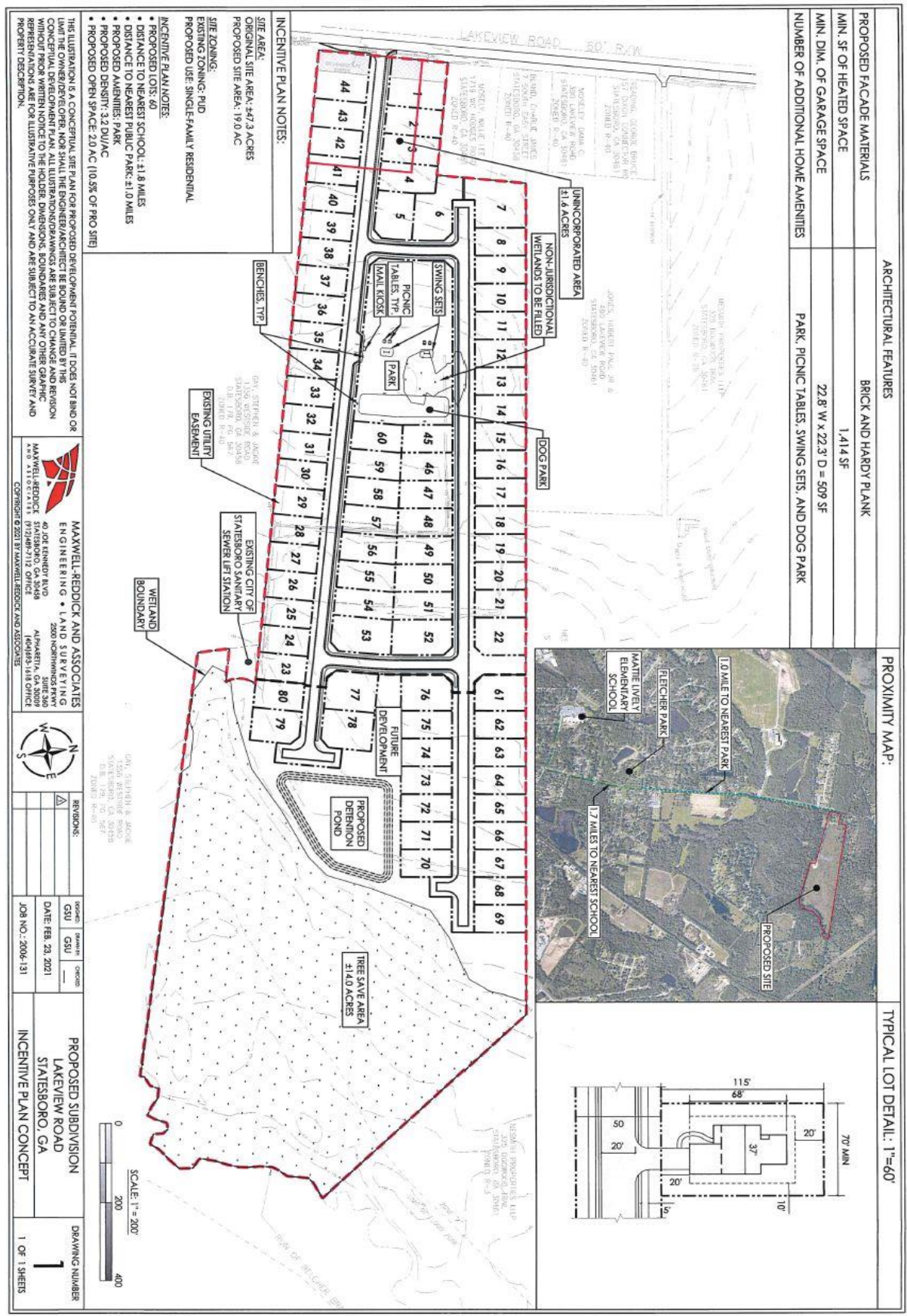
Future Development Map





SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: R40 (Single Family Residential) County Zoning Designation	Undeveloped Land
Northeast	Location Area #2: R40 (Single Family Residential) County Zoning Designation	Single-Family Residential Dwelling
Northwest	Location Area #3: R40 (Single Family Residential) County Zoning Designation	Single-Family Residential Dwelling
East	Location Area #4: PUD (Planned Unit Development)	Rural/Open Land
West	Location Area #5: R40 (Single Family Residential) County Zoning Designation	Single-Family Residential Dwelling/Conservation Rural Land
Southwest	Location Area #6: R15 (Single Family Residential) County Zoning Designation	Multifamily Subdivision
Southeast	Location Area #7: R40 (Single Family Residential) County Zoning Designation	Agricultural Land
South	Location Area #8: PUD/R3 (Planned Unit Development/Medium Density Multiple Family Residential)	Single-Family Residential Dwelling



SUBJECT SITE

The subject site is a vacant 1.58 acre lot, on Lakeview Road. The property has no historical usage, and is contiguous to the City Limits, allowing eligibility for annexation.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site in the “Potential Annexation” area, which currently seeks to have a mixed-use developmental pattern if possible, specifically high-density housing types such as multi-family, townhomes, and apartments. Regarding this, there is no implementation strategy for potential annexations.

ENVIRONMENTAL SITE ANALYSIS

The subject property listed for annexation does not contain wetlands and is not located in a flood zone. The existing PUD does contain significant wetlands in the rear, but this does not affect the plans associated with the proposal. The eastern border of the currently existing PUD also includes a flood plain, which will not be developed and will be reserved as a tree save area.

COMMUNITY FACILITIES AND TRANSPORTATION

The subject property is not currently served by City Water or Sewer, but there are utilities available on the site. In addition, natural gas can be extended to this property if necessary.

ANNEXATION COST ANALYSIS

As per annexation requirements, the overall PUD will consists of a total of 80 individual lots, with 60 proposed as the first phase of development. It should be noted that these 60 proposed lots have met the preliminary eligibility for the Residential Subdivision Incentive Program. The section considered for annexation consists of approximately 6 lots and the primary entrance to the development. Based on the general cost of service, for water/sewer, the City would receive approximately \$1150 per lot in water and sewer tap fees. Overall, this would result in a \$6900 in overall tap fees for development. Estimating homes of 1400 square feet with an average cost at \$147,000 (\$105 per square foot) average assessed value would be \$58,800. This would result in approximately \$429 per house across the lots being annexed. Overall, this would result in a total of \$2574 in city taxes, which would create a combined total for taxes and taps of \$9474.

ZONING MAP AMENDMENT STANDARDS FOR DETERMINATION

The mayor and city council in exercising its zoning power, shall be governed by the following standards in making its determination and balancing the promotions of the public health, safety, morality [morals] and general welfare against the right of unrestricted use of property:

1. Existing uses and zoning or [of] property nearby.

- The proposed use is of a similar density to the adjacent property. **The surrounding lots are zoned PUD (Planned Unit Development, R40 (County Residential), and R15 (County Residential),** and are currently occupied by a mix of single-family homes, vacant land, and a multi-family subdivision.

2. The extent to which property values are diminished by the particular zoning restrictions.

- Although an appraisal has not been conducted on the property, it is Staff's opinion that the proposal will not likely reduce the overall value of property in the area.

Under current annexation requirements, R40 zoning is the default zoning for any land annexed into the city limits.

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.

- The property would serve as a higher use than currently serving.

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

- The site has not been developed at this time, and serves no general use for the public. The development would serve the public by increasing the stock of single-family housing within the City limits.

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

- This property would be developed in addition to the adjacent property, which provides significant space for the completion of the project, and would add significant housing to the City.

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.

- The property has not been developed, and has had no construction on it historically. The existing PUD has not been developed since the completion of the initial Annexation as outlined in Ordinance #2008-03, which annexed the existing PUD behind this property.

7. The extent the proposed change would impact the following:

- Population density in the area.
 - The population density would increase as a result of a new residential development in the area.
- Community facilities.
 - N/A
- Living conditions in the area.
 - The addition of the housing would benefit the City by providing much needed housing as in accordance with the City of Statesboro 2021 Housing Market Study.
- Traffic patterns and congestion.
 - Congestion of this road could be an issue as the density is a significant increase, especially with the construction of the developing Dollar General down the street.
- Environmental aspects.
 - No wetlands will be affected by this development, as per the plans submitted by Maxwell Reddick and Associates.
- Existing and future land use patterns.
 - There is a general residential development pattern in the area. This would be in alignment with that development type.

- Property values in the adjacent areas.
 - Additional development could drive the cost of surrounding property higher.
- 8. Consistency with other governmental land use, transportation, and development plans for the community.**
 - The proposed residential use of the property is consistent with the overall developmental design of the proposed annexation area, and does meet the community's desire to increase the housing stock of single-family dwellings within the City.

STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval of AN 21-07-07 and RZ 21-07-08**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) Approval of this Annexation & Zoning Map Amendment does not grant site and/or building plan approval as submitted. Project(s) will be required to meet all City Ordinances and applicable building codes.
- (2) Prior to construction commencement on any proposed lot, a subdivision plat as well as the by-laws and restrictive covenants shall be reviewed and approved by staff in addition to any other applicable City of Statesboro Subdivision Regulations.



ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

V 21-07-09 ZONING VARIANCE REQUEST 41 WEST MAIN STREET	
LOCATION:	41 West Main Street
EXISTING ZONING:	CBD (Central Business District)
ACRES:	0.25 acres
PARCEL TAX MAP #:	S18 000065 000
COUNCIL DISTRICT:	District 2 (Chavers)
EXISTING USE:	Art Center
PROPOSED USE:	Arts Center

PETITIONER Bulloch County Historical Society
ADDRESS 315 Savannah Ave, Statesboro GA 30458

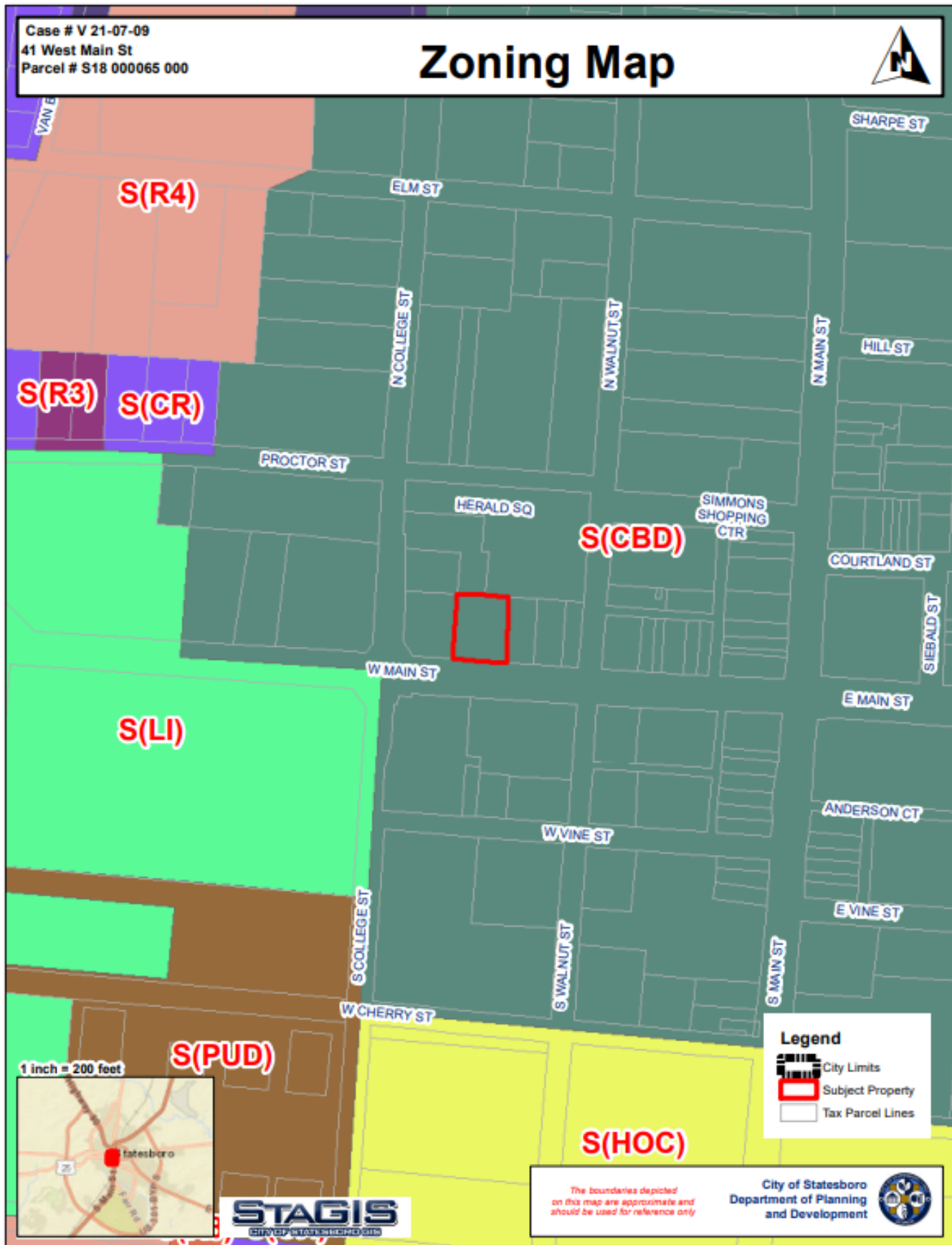
REPRESENTATIVE SAME AS ABOVE
ADDRESS

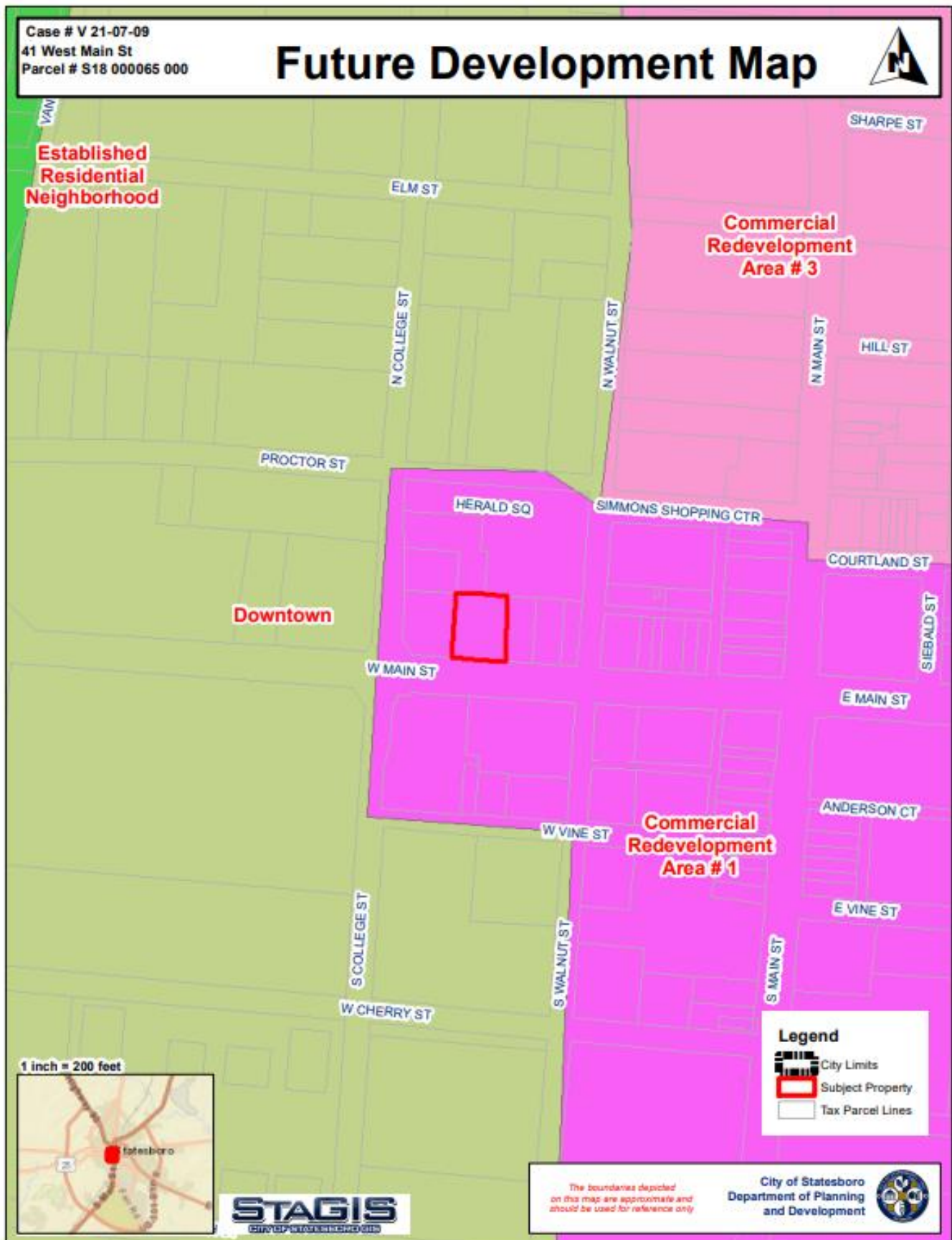
PROPOSAL
The applicant requests a variance from Article XXX, Section 3005(B) of the <i>Statesboro Zoning Ordinance</i> to allow for a mural on the exterior of the existing building located at 41 West Main Street in the CBD (Central Business District) zoning district.
PLANNING COMMISSION RECOMMENDATION
<u>V 21-07-09 Conditional Approval</u>

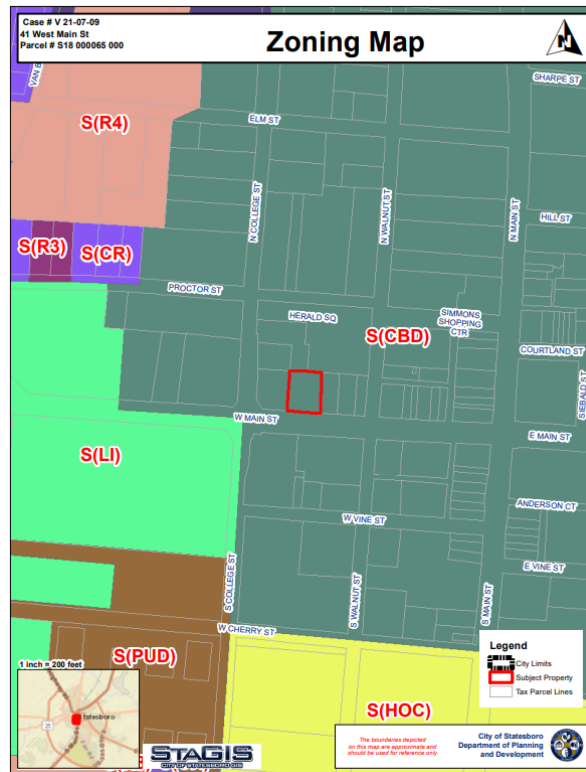
Case # V 21-07-09
41 West Main St
Parcel # S18 000065 000

Location Map









SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: CBD (Central Business District)	Retail/Office Space
Northeast	Location Area #2: CBD (Central Business District)	Parking Lot
East	Location Area #3: CBD (Central Business District)	Residential Conversion
Northwest	Location Area #4: CBD (Central Business District)	Furniture Store
Southeast	Location Area #5: CBD (Central Business District)	Residential Development
South	Location Area #6: CBD (Central Business District)	Apartments
Southwest	Location Area #7: CBD (Central Business District)	Undeveloped Lot
West	Location Area #8: CBD (Central Business District)	Furniture Store

SUBJECT SITE

The subject site is a 0.25 acre lot containing the extension of the Averitt Center. The applicant is seeking to add a mural on the exterior of the building that exceeds the maximum allowed size of 25% of a single façade of the building, as per Article XXX; Section 3005 of the Statesboro Zoning Ordinance.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site as a part of the “Commercial Redevelopment Area #1” character area, which is generally intended for varied scale commercial retail and office use.

ENVIRONMENTAL SITE ANALYSIS

The subject property does not contain wetlands and is not located in a special flood hazard area. The variance applied for will have no impact on any storm water or wetlands in the surrounding area.

COMMUNITY FACILITIES AND TRANSPORTATION

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

ZONING VARIANCE STANDARDS OF REVIEW

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.” Article XVIII, Section 1801 of the *Statesboro Zoning Ordinance* 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;**
 - The applicant is requesting a historically themed mural.
- 2. The special conditions and circumstances do not result from the actions of the applicant;**
 - The request exceeds the square footage allowance by being greater than 25% of the wall. However, the applicant does meet all other section 3005 requirements including:
 1. Murals shall not contain text, graphics or symbols that promote or advertise a service, product or business or promote a political party or candidate.
 2. Murals may be placed on commercial walls, structures, or fences only.
 3. The mural's theme should be historical in nature to the City of Statesboro and respect the greater context of the community.

3. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and
 - N/A.
4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.
 - N/A

Article XVIII, Section 1802 of the *Statesboro Zoning Ordinance* further outlines the qualifications needed to grant a variance to the zoning ordinance. These include uses that are consistent with the purpose and intent of the zoning ordinance and district in which the use is proposed to be located; uses that do not detract from neighboring property; and uses that are consistent with other uses in the area. In order to meet these qualifications, approval of any special exception for the proposed use at the subject parcel should (if necessary) include conditions that will ensure that development along this corridor remains consistent with the *Statesboro Comprehensive Plan* and the *Statesboro Zoning Ordinance* and that serve to mitigate negative effects of the use to the surrounding area's character, uses, and zones.

- The proposed use is consistent with the subject site's character area "Commercial Redevelopment Area #1" as stated in the *2019 – 2029 Comprehensive Master Plan*.

STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval V 21-07-09**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) All freestanding or traditional wall signage on the building must meet the requirements of Article XV, Section 1509 (Table 6).
- (2) Final specifications for the mural must be reviewed and approved by City staff before placement of the mural.



ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

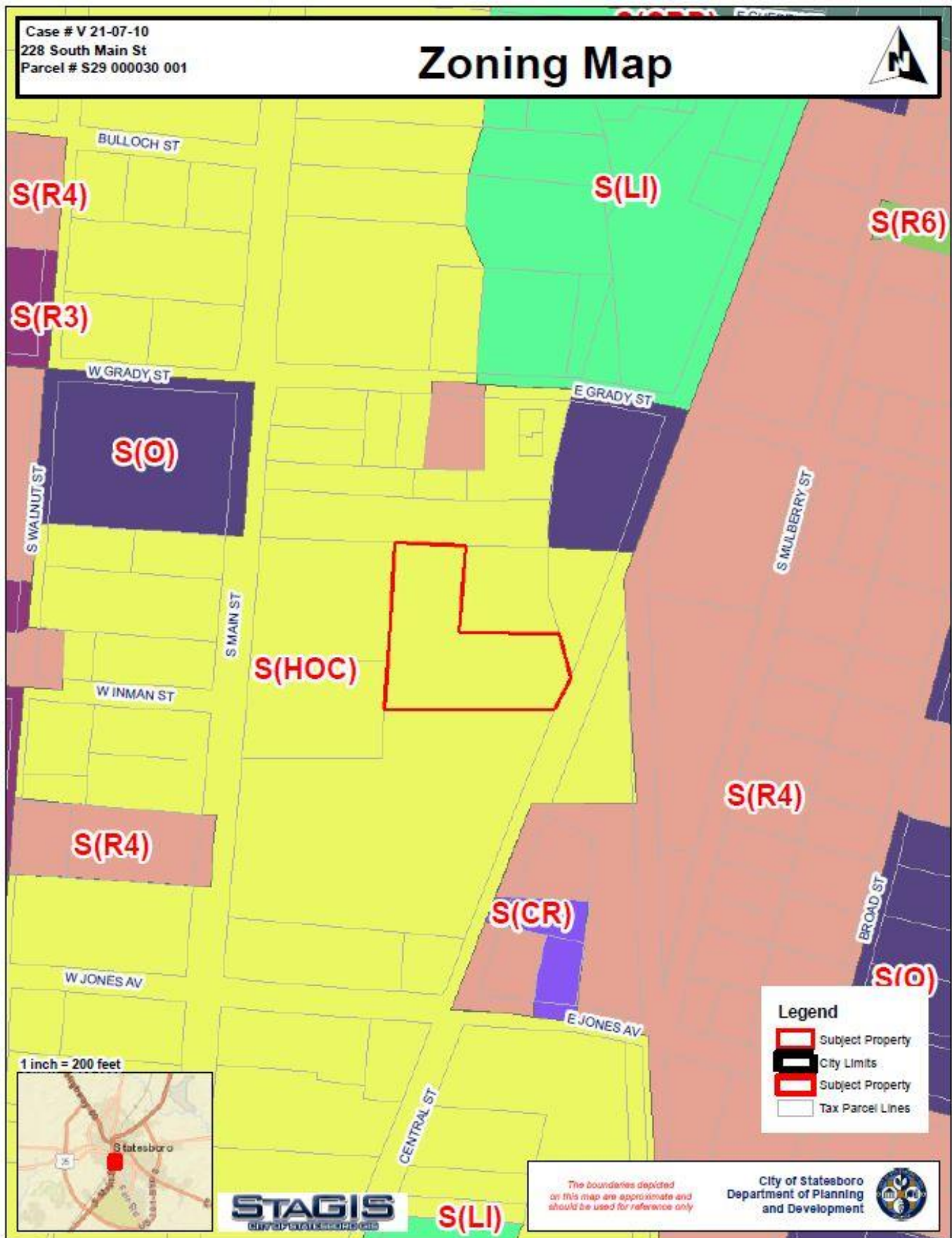
V 21-07-10 ZONING VARIANCE REQUEST 228 SOUTH MAIN STREET		
LOCATION:	228 South Main Street	
EXISTING ZONING:	HOC (Highway Oriented Commercial)	
ACRES:	1.44 acres	
PARCEL TAX MAP #:	S29 000030 001	
COUNCIL DISTRICT:	District 2 (Chavers)	
EXISTING USE:	Farmers Market/Event Space	
PROPOSED USE:	Farmers Market/Event Space	

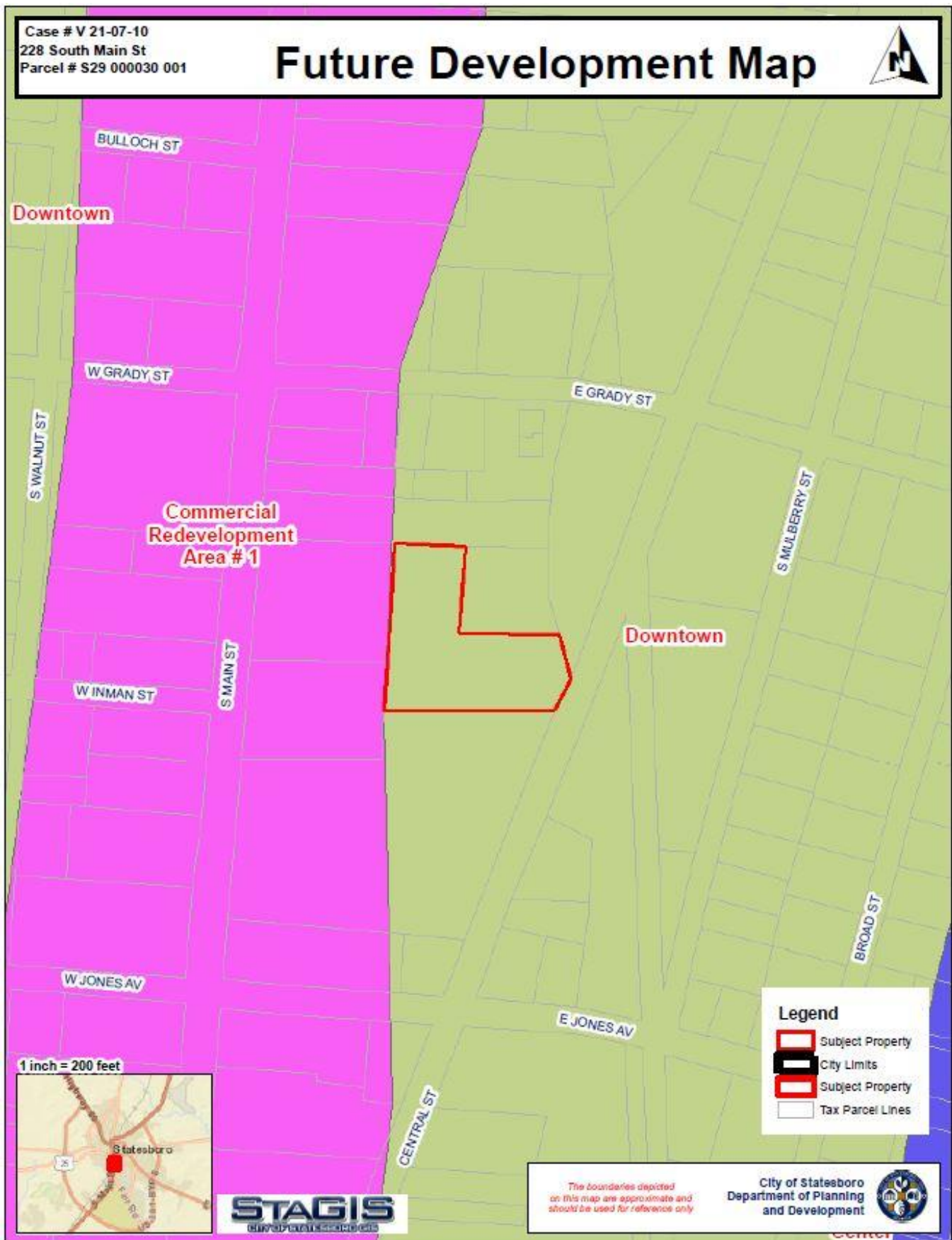
PETITIONER Statesboro Convention & Visitors Bureau
ADDRESS P.O. Box 1516, Statesboro GA 30459

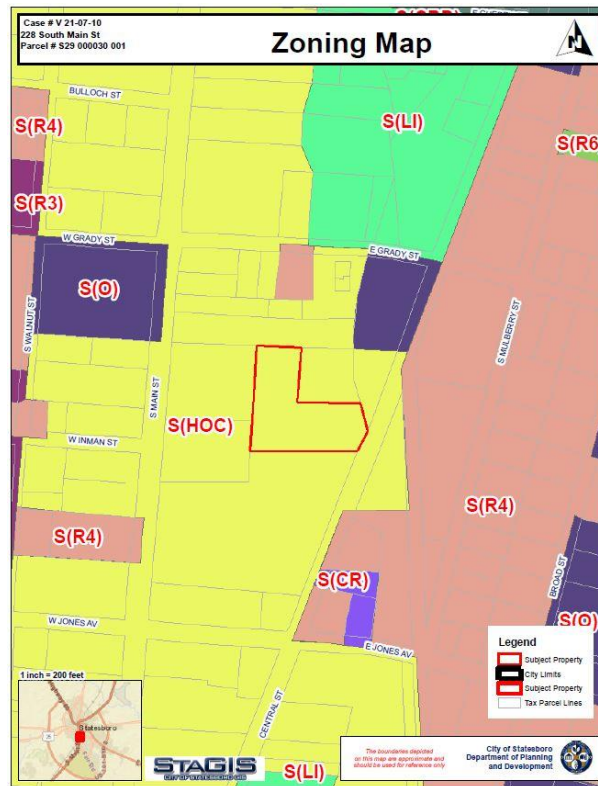
REPRESENTATIVE Justin Samples
ADDRESS Same As Above

PROPOSAL
The applicant requests a variance from Article XI, Section 1102(D), of the <i>Statesboro Zoning Ordinance</i> to allow for the construction of a concrete slab and lean to roof for exterior cooler and freezer units on the exterior of the existing building located at 228 South Main Street in the HOC (Highway Oriented Commercial) zoning district.
PLANNING COMMISSION RECOMMENDATION
<u>V 21-07-10 CONDITIONAL APPROVAL</u>



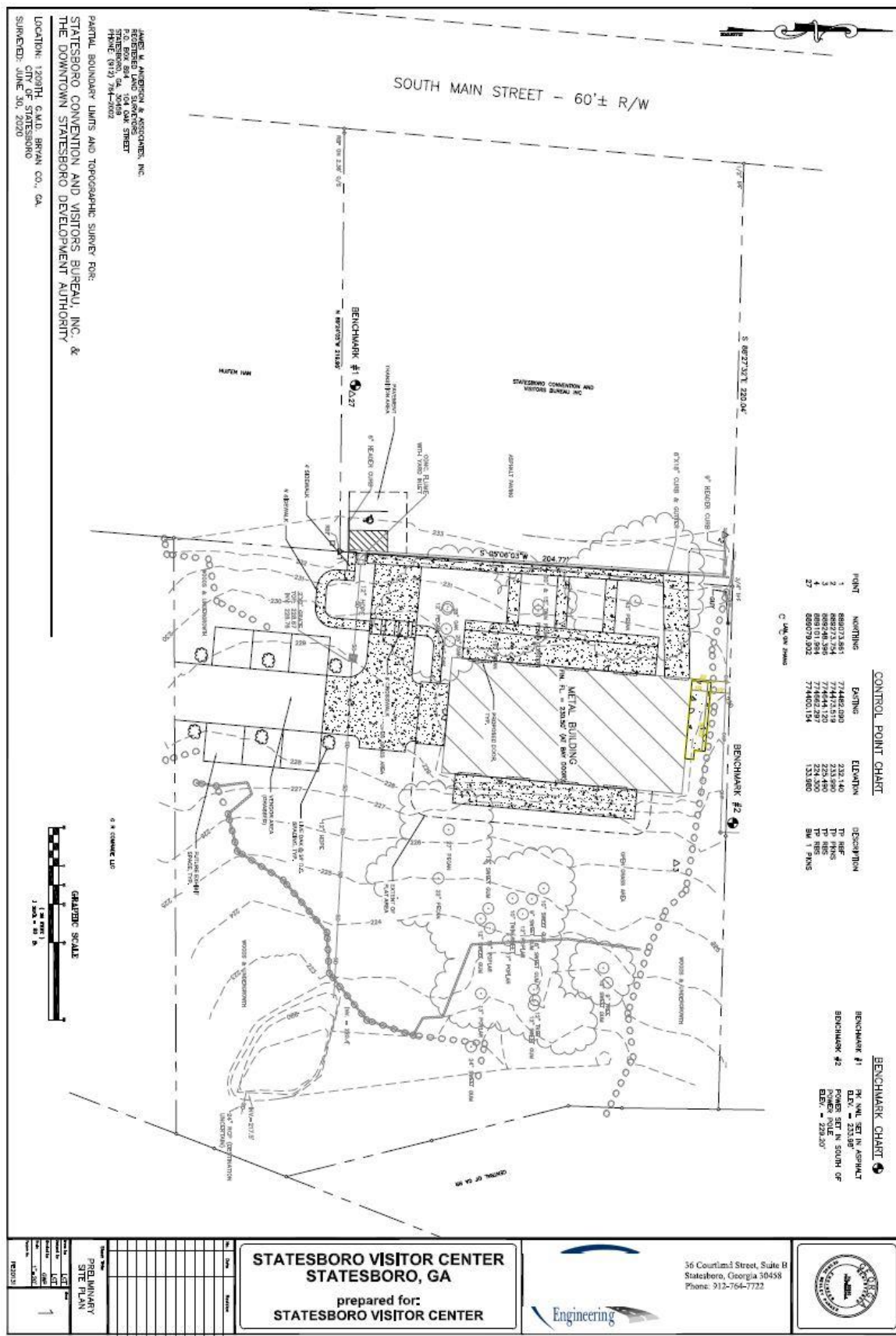






SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: HOC (Highway Oriented Commercial)	Apartments/Commercial Space
Northeast	Location Area #2: HOC (Highway Oriented Commercial)/O (Office)	Undeveloped Lot
East	Location Area #3: HOC (Highway Oriented Commercial)	Undeveloped Lot
Northwest	Location Area #4: HOC (Highway Oriented Commercial)	Real Estate Office
Southeast	Location Area #5: HOC (Highway Oriented Commercial)/R4 (High Density Residential)	Undeveloped Lot
South	Location Area #6: HOC (Highway Oriented Commercial)	Hotel
Southwest	Location Area #7: HOC (Highway Oriented Commercial)	Restaurant
West	Location Area #8: HOC (Highway Oriented Commercial)	Convention Center/Offices



SUBJECT SITE

The subject site is a 1.44 acre lot containing one structure. The applicant is seeking to add a concrete pad and lean to roof for the exterior cooler and freezer units on the exterior of the building that exceeds the minimum allowed setback of at least 20 feet from any property line; except that, for any district line abutting any property within the CBD (central business) district, O (office) district, or any residential zoning district, there shall be a setback of at least 50 feet as per Article XI; Section 1102, Subsection D of the Statesboro Zoning Ordinance.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site as a part of the “Downtown” character area, which is generally intended for varied scale usage in traditional development of buildings along the sidewalk.

ENVIRONMENTAL SITE ANALYSIS

A portion of the subject property does contain wetlands and is located in a special flood hazard area. This area is not being considered for development.

COMMUNITY FACILITIES AND TRANSPORTATION

The subject property is currently served by city utilities, sanitation and public safety. The existing property will serve as the primary location for the City of Statesboro Farmer’s Market. This building, although on a separate parcel, is owned by the Convention & Visitors Bureau.

ZONING VARIANCE STANDARDS OF REVIEW

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.” Article XVIII, Section 1801 of the *Statesboro Zoning Ordinance* 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;**
 - Site analysis shows that there is no other relevant location for the placement of these coolers.
- 2. The special conditions and circumstances do not result from the actions of the applicant;**
 - The request exceeds the set-back allowance based on the ordinance. By right, the owner would be allowed to place the requested additions at no closer than 20 feet from the property line unless abutting a property zoned Office, Central Business, or Residential. In such circumstances, the set-back is 50 feet.

3. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and
 - N/A.
4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.
 - The primary concern regarding the site is the issue of sound generation. The coolers produce approximately 69 Decibels at 5 paces, and approximately 58 decibels at 25 paces. As outlined within Section 1204 which generally outlines the control of noise by industrial districts, this sound level falls 3 decibels below the maximum allowance.

Article XVIII, Section 1802 of the *Statesboro Zoning Ordinance* further outlines the qualifications needed to grant a variance to the zoning ordinance. These include uses that are consistent with the purpose and intent of the zoning ordinance and district in which the use is proposed to be located; uses that do not detract from neighboring property; and uses that are consistent with other uses in the area. In order to meet these qualifications, approval of any special exception for the proposed use at the subject parcel should (if necessary) include conditions that will ensure that development along this corridor remains consistent with the *Statesboro Comprehensive Plan* and the *Statesboro Zoning Ordinance* and that serve to mitigate negative effects of the use to the surrounding area's character, uses, and zones.

- The proposed use is consistent with the subject site's character area "Downtown" as stated in the *2019 – 2029 Comprehensive Master Plan*.

STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval V 21-07-10**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) Approval of this variance does not grant the right to develop on the site. All construction work must be reviewed and approved by the City.
- (2) The applicant must ensure that some form of sound deafening fencing is installed around the coolers to prevent noise pollution to the nearby residence, which is a significant concern.



ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

**CBD 21-07-11
CBD PLAN REVIEW
19 COURTLAND STREET**

LOCATION:	19 Courtland Street
EXISTING ZONING:	CBD (Central Business District)
ACRES:	0.03 acres
PARCEL TAX MAP #:	S28 000023 000
COUNCIL DISTRICT:	District 1 (Boyum)
EXISTING USE:	Divy Desk
PROPOSED USE:	Divy Desk



PETITIONER Justin Peay
ADDRESS 19 Courtland Street; Statesboro GA, 30458

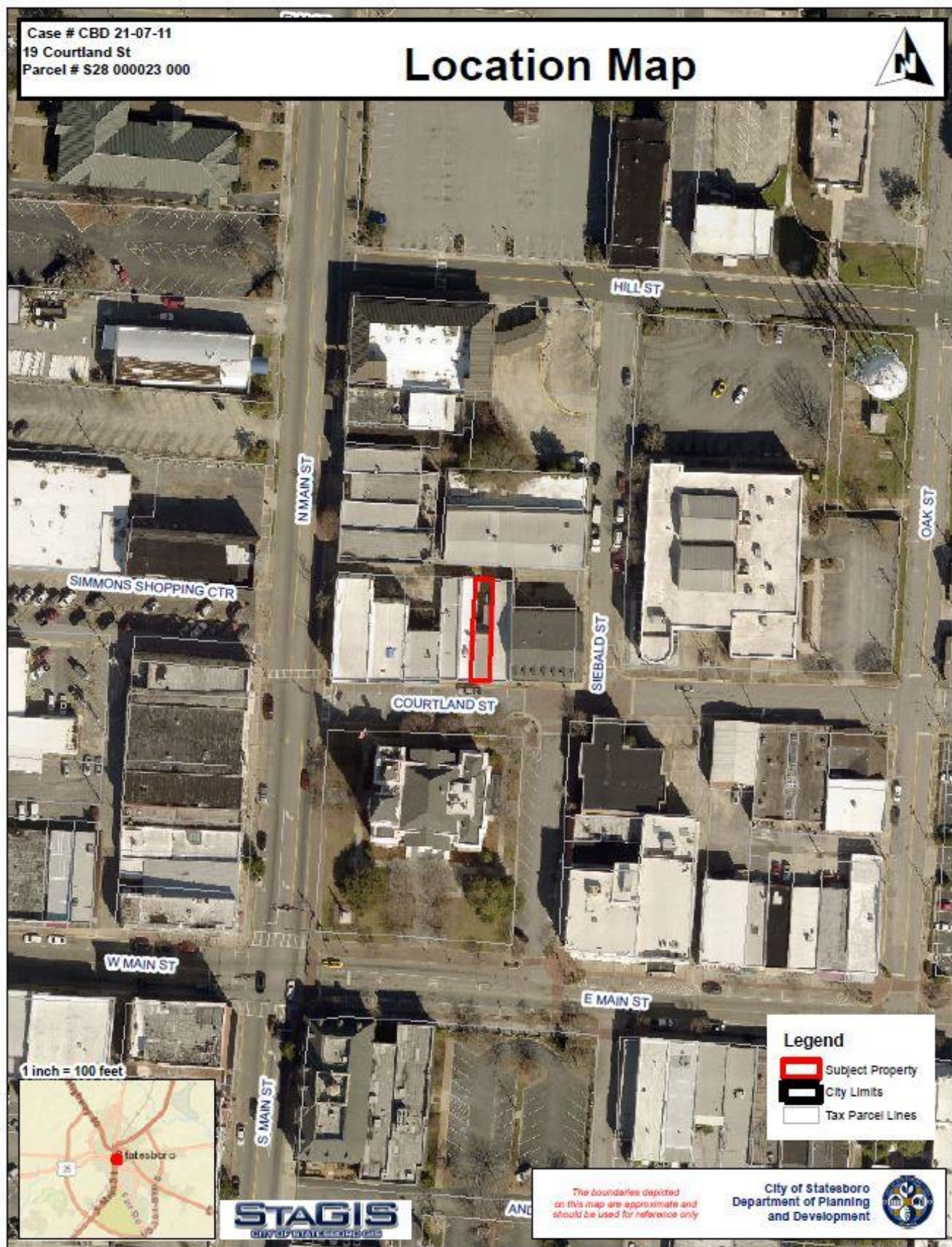
REPRESENTATIVE SAME AS ABOVE
ADDRESS

PROPOSAL

The applicant requests approval of the architectural plans submitted for 0.03 acres of property located at 19 Courtland Street, which is located in the Central Business District (CBD). Per Article VIII, Section 803, development in the CBD zoning district requires a recommendation from City Council to affirm that the plans will keep in mind the integrity and harmony of the Central Business District.

PLANNING COMMISSION RECOMMENDATION

CBD 21-07-11 Conditional Approval

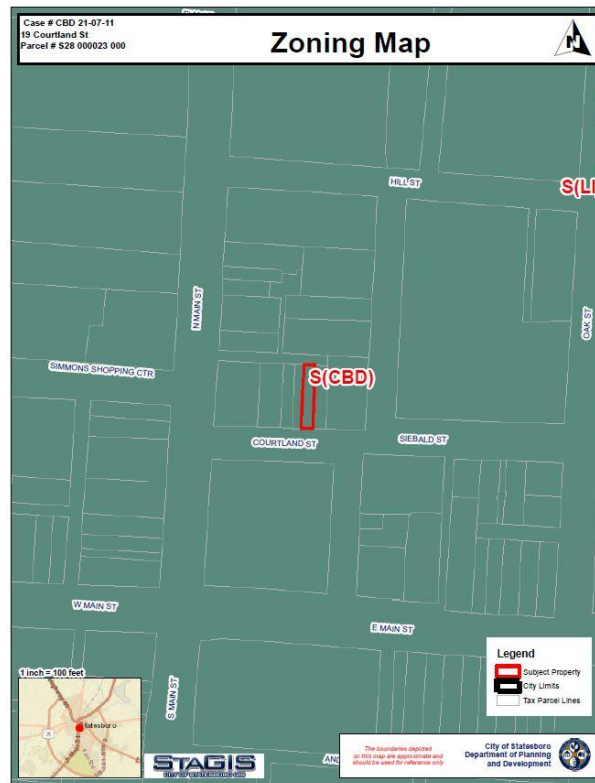


Case # CBD 21-07-11
19 Courtland St
Parcel # S28 000023 000

Zoning Map

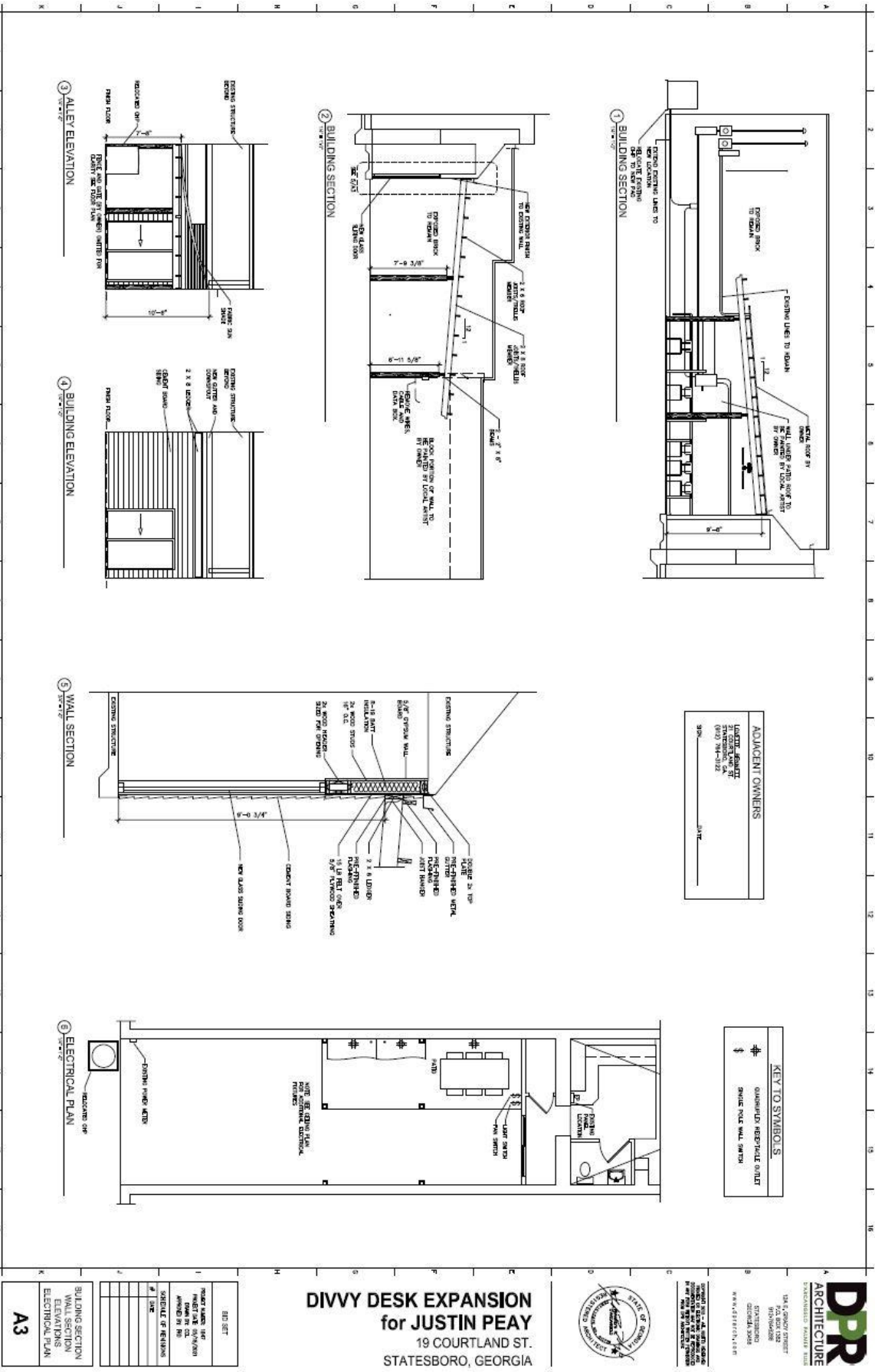






SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: CBD (Central Business District)	Retail/Office Space
Northeast	Location Area #2: CBD (Central Business District)	Parking Lot
East	Location Area #3: CBD (Central Business District)	Residential Conversion
Northwest	Location Area #4: CBD (Central Business District)	Furniture Store
Southeast	Location Area #5: CBD (Central Business District)	Residential Development
South	Location Area #6: CBD (Central Business District)	Apartments
Southwest	Location Area #7: CBD (Central Business District)	Undeveloped Lot
West	Location Area #8: CBD (Central Business District)	Furniture Store



SUBJECT SITE

The subject site is a 0.03 acre lot containing the Divvy Desk business Center. The applicant is seeking to construct an outdoor seating deck with covered roof for staff members, with additional electrical work to provide fans and lighting. After review of the associated plans, the plans have received initial staff approval, but would require a Council determination to make changes to the structure of the building. Since the building is located in the historic downtown and CBD (Central Business District), any building expansion will require City Council Approval

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site as a part of the “Commercial Redevelopment Area #3” character area, which is generally intended for varied scale commercial retail and office use. Respect should be taken to ensure that the scale of the Urban Core is also respected.

ENVIRONMENTAL SITE ANALYSIS

The subject property does not contain wetlands and is not located in a special flood hazard area. The variance applied for will have no impact on any storm water or wetlands in the surrounding area.

COMMUNITY FACILITIES AND TRANSPORTATION

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

CENTRAL BUSINESS DISTRICT: STANDARDS OF REVIEW

Section 803 of the Statesboro Zoning Ordinance states the following with regarding to requirements for development in the CBD zoning district:

“A site plan and architectural drawings are required prior to issuance of a building permit. The planning commission shall review these plans and drawings and submit their findings and recommendations to the building inspector and city council prior to the issuance of the building permit. The drawings shall keep in mind the integrity and harmony of the central business district as designated in the future land use plan and other related studies.”

STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval CBD 21-07-11**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) All exterior building materials utilized in the construction must meet the requirements as outlined in Article XXX: Section 3008 of the *Statesboro Zoning Ordinance*.
- (2) Exterior paint colors must be drawn from the range of colors already existing in the district, or as outlined by the historic color patterns governed by the DSDA.
- (3) Any signage proposed in the newly constructed area must be approved as per the signage requirements outlined for Article XV: Section 1509 unless a mural is proposed.
- (4) If a mural is proposed as the signage for this area, it must meet all regulations as outlined in Article XXX, Section 3005.

Planning Commission Meeting

Tue, Aug 3, 2021 5:00 PM - 6:30 PM (EDT)

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