Meeting Agenda - Dec'18



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 December 4, 2018 5:00 P.M. City Hall Council Chamber <u>Meeting Agenda</u>

- I. Call to Order
- II. Invocation & Pledge of Allegiance
- III. Approval of Minutes
 - 1. November 6, 2018 Meeting Minutes

IV. New Business

- 1. <u>APPLICATION V 18-11-01</u>: Habitat for Humanity of Bulloch County requests a variance from Article IV, Section 403(A) to reduce the minimum lot size requirements for property to be considered for the R-20 (Single Family Residential) zoning district in order to develop a single family residence on 0.33 acres located at 7 Jef Road (Tax Parcel S24 000004 000).
- <u>APPLICATION V 18-11-02:</u> Milen Nikolov requests a variance from Article XV, Section 1509, Table 6 to increase the maximum height allowed for wall signage in the Commercial Business District in order to place signage on the currently operating Farmer's Insurance storefront located at 45 East Main Street (Tax Parcel S28 000034 000).
- 3. <u>APPLICATION V 18-11-03</u>: Annlyn Williams requests a conditional use variance from Article IV of the Statesboro Zoning Ordinance for 0.81 acres of property located at 208 Aldred Hills Road to utilize the property as a community living arrangement facility (Tax Parcel S14 000063 000).
- <u>APPLICATION V 18-11-04:</u> El Larry Dixon IV requests a variance from Article X, Section 1003(A) to reduce the minimum lot size requirements for property to be considered for the CR (Commercial Retail) zoning district in order to renovate an existing commercial building into a fresh seafood market and light convenience store on 0.16 acres of property located at 323 Johnson Street (Tax Parcel S11 000011 000).
- 5. <u>APPLICATION RZ 18-11-05</u>: El Larry Dixon IV requests a zoning map amendment of 0.16 acres located at 323 Johnson Street from R-8 (Single Family Residential) to the CR (Commercial Retail) zoning district in order to renovate an existing commercial building into a fresh seafood market and light convenience store (Tax Parcel S11 000011 000).

- <u>APPLICATION V 18-11-06:</u> El Larry Dixon IV requests a variance from Article XXIII, Section 2301 regarding the required left side yard landscape buffer between non-residential uses abutting a residentially zoned area and multi-family residences adjacent to single-family or two-family residences for 0.16 acres located at 323 Johnson Street (Tax Parcel S11 000011 000).
- <u>APPLICATION V 18-11-07</u>: El Larry Dixon IV requests a variance from Article XXIII, Section 2301 regarding the required right side yard landscape buffer between non-residential uses abutting a residentially zoned area and multi-family residences adjacent to single-family or two-family residences for 0.16 acres located at 323 Johnson Street (Tax Parcel S11 000011 000).
- APPLICATION V 18-11-08: El Larry Dixon IV requests a variance from Article XXIII, Section 2302 regarding the required front yard landscape buffer between all nonresidential and multifamily uses adjacent to a local street and directly across from a single-family or twofamily residence or district for 0.16 acres located at 323 Johnson Street (Tax Parcel S11 000011 000).

V. Announcements

VI. Adjourn



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 November 6, 2018 5:00 P.M. City Hall Council Chamber <u>Meeting Agenda</u>

<u>Present:</u> Planning Commissioner Members: James W. Byrd, Sr., Carlos C. Brown Jr., Rev. David McLendon, Benjamin McKay, Mary Foreman, Russell Rosengart, and Jamey Cartee; <u>City of</u> <u>Statesboro Staff:</u> Director of Planning and Development Frank Neal, City Planner II Owen Dundee, and City Planner I Justin Williams.

I. Call to Order Commissioner Byrd called the meeting to order at 5:00 PM.

II. Invocation & Pledge of Allegiance

III. Approval of Minutes

 October 2, 2018 Meeting Minutes Commissioner McLendon made a motion to approve the October 2, 2018 meeting minutes, seconded by Commissioner McKay. The motion carried 6-0.

IV. New Business

- <u>APPLICATION V 18-10-01</u>: Interplan, LLC requests a variance from Article X, Section 1003(C) to reduce the required front yard setback in order to allow for the reconstruction of the Chick-fil-A restaurant on 1.087 acres of property located at 352 Northside Drive East (Tax Parcel MS72 000013 000).
- <u>APPLICATION V 18-10-02</u>: Interplan, LLC requests a variance from Article X, Section 1003(H) to reduce the required rear yard setback in order to allow for the reconstruction of the Chick-fil-A restaurant on 1.087 acres of property located at 352 Northside Drive East (Tax Parcel MS72 000013 000).

Frank Neal introduced both cases collectively, and George Georgy spoke as a representative of Interplan, LLC. Mr. Georgy provided a brief overview of the variances being requested by the applicant. Commissioner Cartee and Brown requested clarification on the front yard variance being requested. Mr. Neal and Mr. Georgy confirmed that the variance being requested was due to the new drive-thru system's canopy overhang. Commissioner McLendon inquired about the construction timeline for the project. Mr. Georgy responded stating that the re-construction project would take approximately four and a half months to five months. Commissioner Rosengart inquired on the project's compliance with the City's parking ordinance. Mr. Neal confirmed that the project would

be in compliance with the City's parking ordinance. Commissioner Foreman made a motion to recommend approval of V 18-10-01. Commissioner Rosengart seconded, and the motion carried 6-0. Commissioner Cartee made a motion to recommend approval of V 18-10-02. Commissioner Brown seconded, and the motion carried 6-0.

V. Announcements

Mr. Neal made an announcement regarding encouragement of participation in the new comprehensive plan process, which just recently began.

VI. Adjourn

Commissioner McLendon made a motion to adjourn the meeting. Commissioner Foreman seconded, and the motion carried 6-0. The meeting adjourned at 5:11 PM.

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

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

V-18-11-01 ZONING VARIANCE REQUEST 7 Jef Road

LOCATION:	7 Jef Road	Case # V 18-11-01 Jef Rd
REQUEST:	Variance from Article IV Section 403 (A) regarding the minimum lot area requirements for the R-20 (Single Family Residential) zoning district.	Parcel:S24 00004 000
APPLICANT:	Habitat for Humanity of Bulloch County	MILL IN CONTRACTOR
OWNER(S):	Habitat for Humanity of Bulloch County	SIR20Y
ACRES:	0.33 acres	
PARCEL TAX MAP #:	S24 000004 000	
COUNCIL DISTRICT:	District 1 (Boyum)	Christen der in

PROPOSAL:

The applicant requests a variance from <u>Article IV: Section: 403(A)</u> of the *Statesboro Zoning Ordinance*, which requires a minimum lot area of twenty thousand (20,000) square feet. The applicant is proposing a minimum lot size of 14,790 square feet in order to allow for the construction of a single family dwelling. Per <u>Article IV: Section 403(A)</u>, "a lot held in single and separate ownership on the effective date of this ordinance, having an area of less than 20,000 square feet, or a width less than 100 feet, a dwelling may be built thereon when authorized as a variance". This variance is being requested for the new construction of a Habitat for Humanity single family home (**See Exhibit F** – Architectural Renderings & Floor Plan).

BACKGROUND:

The parcel is an existing platted lot and currently undeveloped land. The land uses in the immediate area are primarily dominated by single family residences. The City's historical files for properties located along Jef Road include several Ordinance Violations mostly pertaining to the City of Statesboro City Code of Ordinances, Section 38-30 (Weeds & Noxious Vegetation). Additionally, there was an 2012 Ordinance Violation at 21 Jef Road regarding the City of Statesboro Code of Ordinances, Chapter 38 – Environment, Article II-Nuisances, Division I, Section 38-26 Nuisance Defined and Section 38-27 Maintaing a Nuisance.

ATTACHMENTS: Exhibit A (Location Map), Exhibit B (Future Development Map), Exhibit C (Photos of Subject Site), Exhibit D (Plat Map), Exhibit E (Proposed Architectural Renderings & Floor Plan)

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R-20 (Single Family Residential)	Single Family Residences.
SOUTH:	R-20 (Single Family Residential)	Single Family Residences.
EAST:	R-20 (Single Family Residential)	Single Family Residences.
WEST	R-20 (Single Family Residential)	Single Family Residences.

COMPREHENSIVE PLAN:

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

"Established/Existing Traditional Neighborhood"				
Vision	Suggested Development & Implementation Strategies			
The traditional residential neighborhoods in the <i>Established</i> area were developed from the late 19 th to mid 20 th 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.	 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. Foster the establishment of public/private partnerships to redevelop large tracts as appropriate for the character area. Evaluate the benefits and potential of urban redevelopment plan(s) for declining neighborhoods. Such plans can provide incentives and access to resources to revitalize these neighborhoods. 			

In addition, the *Statesboro Comprehensive Master Plan* and *Future Development Map & Narrative* states the following:

"Some neighborhoods within this area are facing decline issues with blight. These neighborhoods may require extra attention to return them to viable neighborhhods. Stregthening the urban core through additional commercial, retail, and office development can benefit the neighborhoods surrounding the urban core by providing residential opportunities within walking or cycling distance to downtown."

ANALYSIS

I. Variance from Article IV: Section 403(A): Lot Area and Width.

The applicant is requesting a variance from Article IV: Section 403(A), which states a minimum required lot area of 20,000 square feet and a minimum lot width of 100 feet beginning at the front setback line and continuing for the entire depth of the lot to the rear lot line shall be provided for every building hereafter erected, altered or used in whole or in part as a dwelling. The subject site is located in the R-20 (Single Family Residential) zoning district and is regulated by Article IV of the *Statesboro Zoning Ordinance*. The ordinance states that "in the case of a lot held in single and separate ownership on the effective date of this ordinance, having an area of less than 20,000 square feet, or a width less than 100 feet, a dwelling may be built thereon when authorized as a variance".

The variance in question is regarding the proposed minimum lot size of the subject property, which the applicant has proposed a reduced lot size of approximately 14,790 square feet. The subject site is approximately 5,210 square feet less than the minimum 20,000 square feet required to be considered for the R-20 (Single Family Residential) zoning district. The applicant is requesting the minimum lot size to be reduced to 14,790 square feet to allow for the construction of a single family dwelling. This single family home construction will be a Habitat for Humanity project.

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 considersation 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.

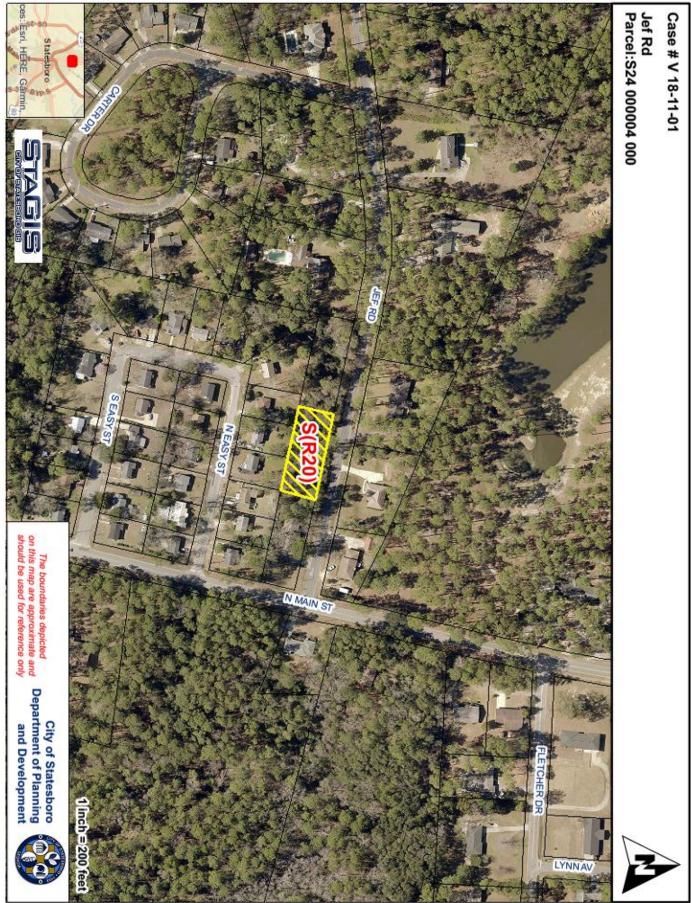
In the course of exercising any of the above powers, the zoning board of appeals may attach conditions to its approval.

RECOMMENDATION

Staff recommends approval of this variance requested by application V 18-11-01 with the following staff condition(s):

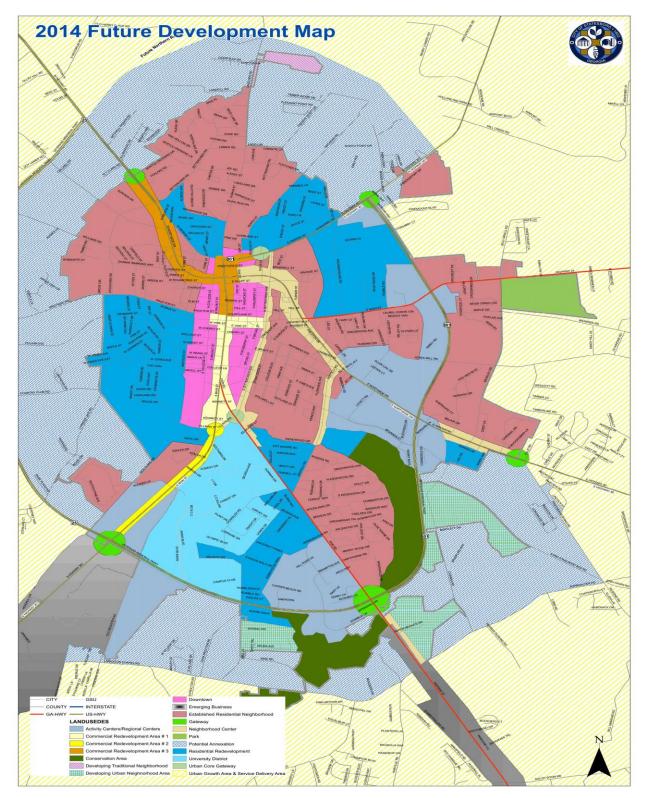
(a) Approval of this variance does not grant site plan approval as submitted. Project will be required to meet all City Ordinances.

EXHIBIT A: LOCATION MAP



Development Services Report Case V-18-11-01

EXHIBIT B: FUTURE DEVELOPMENT MAP



Development Services Report Case V-18-11-01

Picture 1: View of the subject site, looking south from Jef Road.



Picture 2: View of the surrounding properties to the west of the subject site, currently single family residences.



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (Continued)

Picture 3: View of the surrounding properties to the north of the subject site, currently single family residences.



Picture 4: View of the surrounding properties to the northeast of the subject site, currently single family residences.



Development Services Report Case V-18-11-01

EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (Continued)

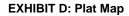
Picture 5: View of the surrounding properties to the east of the subject site, currently single family residences.



Picture 6: View of the surrounding properties looking west along Jef Road, currently single family residential.



Development Services Report Case V-18-11-01



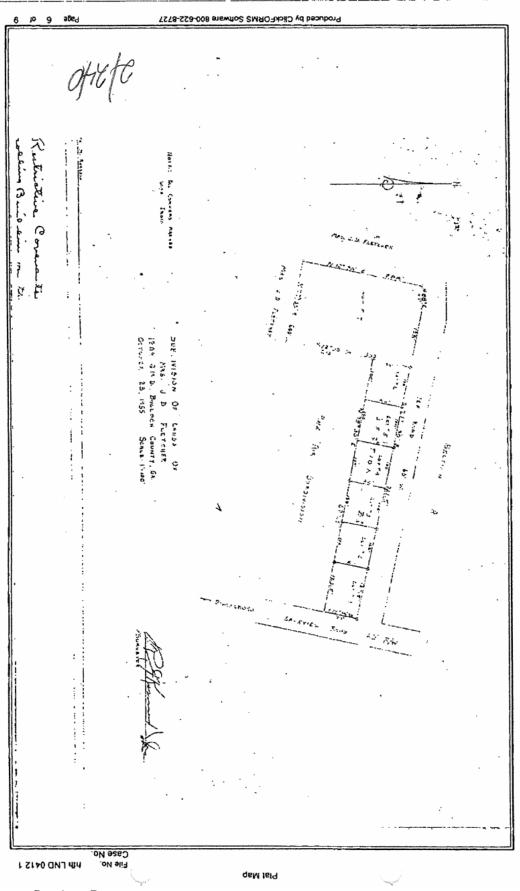
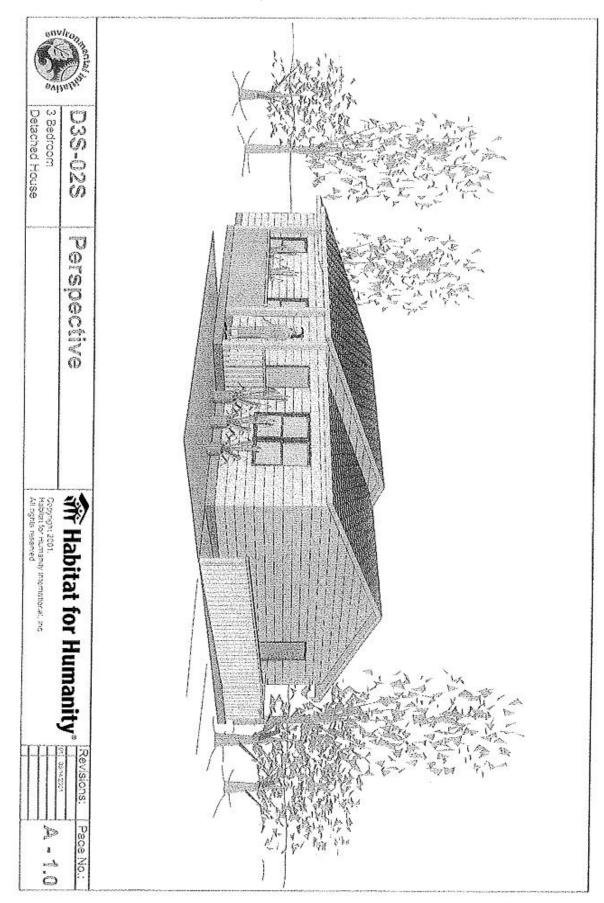




Exhibit E – Proposed Architectural Renderings



Development Services Report Case V-18-11-01



Development Services Report Case V-18-11-01

Exhibit E – Proposed Floor Plans



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- 18-11-02 VARIANCE REQUEST 45 EAST MAIN STREET

LOCATION:	45 East Main Street		
REQUEST:	Sign Variance to install 1 wall sign exceeding the height restriction in Article XV, Section 1509. Sign would be placed at 15.833 feet.		
APPLICANT:	Milen R. Nikolov		
OWNER(S):	Milen R. Nikolov & Elena Vidrascu		
ACRES:	0.06		
PARCEL TAX MAP #:	S28 000034 000		
COUNCIL DISTRICT:	District 1 (Boyum)	CONSTRUCTION OF THE OWNER OF THE OWNER OF THE OWNER OF THE OWNER	

PROPOSAL:

The applicant requests a variance to Article XV, Section 1509, table 6 of the Statesboro Zoning Ordinance. Specifically this application seeks variance from the restriction on the height of wall signs, which are restricted to a height of 12 feet in the Commercial Business District. The applicant is proposing a variance to allow the placement of sign at 15' 10".

BACKGROUND:

The property is currently being used as an insurance sales shop. The location was granted an occupational tax certificate on October 8, 2018. Building currently has a standing canopy which covers a glass pane which would not allow attachment of a sign. Sign is prefabricated, based on company standards and will be installed by Action Signs.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:		
NORTH:	CBD (Commercial Business District	Business offices, government buildings and loft apartments		
SOUTH:	CBD (Commercial Business District)	Business offices, government buildings and loft apartments		
EAST:	CBD Commercial Business District)	Business offices and loft apartments		
WEST	WEST CBD (Commercial Business District) Business offices, government buildings and loft apartments			
The subject property is located within the CBD (Commercial Business) district. Surrounding parcels include Several businesses, empty shopping spaces, and loft apartments, as well as City Hall. (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 (Plans for Proposed Signage), Exhibit E (Table 5 – Statesboro Zoning Ordinance)

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>				
Vision:	Downtown is the historic core of the city and should remain the activity and cultural hull 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.			
Suggested Development & Implementation Strategies:	 Maintain/enhance integrity of interconnected grid and pedestrian circulation interconnectivity Create local historic districts Economic development strategies should continue to nurture thriving commercial activity Continue to locate government agencies, such as city and county offices, in downtown to maintain its viability. Seek Greyfield redevelopment that converts vacant or under-utilized commercial strips to mix use assets. 			
	Statesboro Comprehensive Master Plan, Community Agenda page 32			

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

"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. Lighting should be managed to reduce glare onto the roadway and neighboring properties. Reduction of pavement surfaces and increases in pervious areas can also reduce glare - particularly in severe weather."

Statesboro Comprehensive Master Plan, Community Agenda page 11.

ANALYSIS

I. Variance from Article XV Section 1509(C) Table 6: Sign District 4 Dimension standards to allow for installation of wall sign above the mandated height of 12 feet.

The applicant is requesting a variance from Article XV (Signs) regarding the maximum height of wall signs in the Commercial Business District. 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 CBD (Commercial Business) zoning district and is regulated by the dimensional standards of Sign District 4.

As per Table 6 (**Exhibit E)**, the maximum allowed height of wall signs cannot exceed 12 feet. Due to the store frontage, the applicant seeks to place the sign at a higher height than normally permitted. Specifically, the applicant is seeking to place the sign above the awning which sits at 13.5 feet. The sign will be placed at 15.833 feet and reach a total of 18.302 feet at the top of the sign.

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.

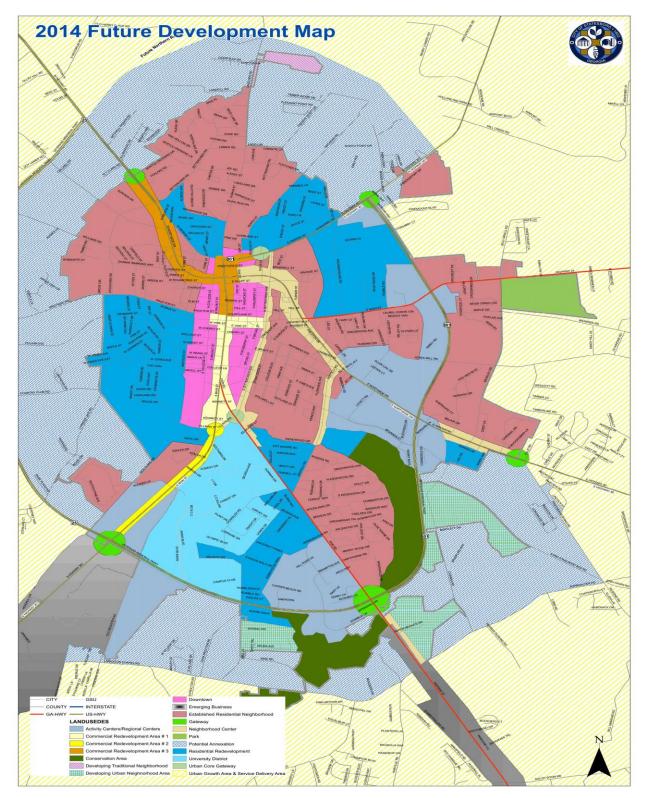
RECOMMENDATION

Staff recommends approval of variance V 18-11-02.

EXHIBIT A: LOCATION MAP



EXHIBIT B: FUTURE DEVELOPMENT MAP



Development Services Report Case: V-18-11-02

Picture 1: Frontal View of subject site from East Main Street



Picture 2: View of adjacent property on East Main Street



Development Services Report Case: V-18-11-02



Picture 3: View of adjacent property moving East on E Main Street.

Picture 4: Adjacent property moving West on East Main Street



Development Services Report Case: V-18-11-02

Exhibit D: Proposed Signage Sketches

Sketch 1: Proposed Wall Sign



Sketch 2: Proposed sign plan



SDDD	Project	Exteniar Signage	Alle Namer	FOHTMAN	This channing is the sale property of BCCI State Systems. Altrights to use and/or reproduce are received.	PLEASE EWAIL OR FAX YOUR APPROVAL BACK				
		Client	Factores Insurance Statesbarg, GA	Onlyle Date:	8.16.18	Acted Emerations may vary slightly due to practical Emilations with futurisation. Phatagraphic representations (P proposed stipmage are for propositionities only and may not be to stude.	0	Approved	Appresed	Con Please Charge
	P 982-324-0906	Project Manager:	K.Pade	Annixed Date				As is	With Changes	and Resultent
		Dates Ry:	M Seachte	Pecialarc		Coloni will be privated as as unders as specific solars, (i.e. Portono Rumber, Shoney Villians, or hand sample)				
Areas les under	· · · · · · · · · · · · · · · · · · ·	1				- ki provided.	. ×.			

Exhibit E: Table 6: Statesboro Zoning Ordinance

Table 6. Sign District 4 Dimensional Standards

TABLE INSET:

SIGN FOR AN INDIVIDUAL ESTABLISHMENT ON AN INDIVIDUAL LOT	SIGNS FOR INDIVIDUAL ESTABLISHMENTS, OFFICES, SHOPS, ETC., WHICH ARE PART OF A PLANNED OFFICE, COMMERCIAL, INDUSTRIAL OR RETAIL CENTER OR PART OF A CONTIGUOUS AND ADJACENT ROW OF STRUCTURES	
100 square feet including freestanding and building signs	Not applicable	
60 square feet	Not allowed	
8 feet	Not applicable	
2 feet from property line	Not applicable	
One sign structure per road frontage not to exceed the maximum allowable square footage	Not allowed	
100 square feet	The greater of 60 sf or 5% of wall areas, allotted to the individual establishment	
12 feet	12 feet	
One per elevation	One per business or occupant	
	ESTABLISHMENT ON AN INDIVIDUAL LOT 100 square feet including freestanding and building signs 60 square feet 8 feet 2 feet from property line One sign structure per road frontage not to exceed the maximum allowable square footage 100 square feet 12 feet	

*As provided in Section 1501 and Table 2 herein, "aggregate sign area" includes all freestanding or building signs regardless of whether or not a permit for a particular type of sign is required.

**Limited to monument and standard informational signs. Billboards and stanchion signs prohibited as provided in Table 2 herein.

***Internal illumination of building signs is prohibited. All signs shall be constructed of wood or metal material.

**** 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.



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

P.O. Box 348 Statesboro, Georgia 30458 (912) 764-0630 (912) 764-0664 (Fax)

CUV 18-11-03 CONDITIONAL USE VARIANCE REQUEST 208 Aldred Hills Road

LOCATION:	208 Aldred Hills Road
REQUEST:	Request for a conditional use variance from Article IV of the <i>Statesboro Zoning</i> <i>Ordinance</i> for 0.81 acres of property located at 208 Aldred Hills Road to utilize the property as a long term residential recovery community facility (Tax Parcel # S14 000063 000).
APPLICANT:	Annlyn Williams
OWNER(S):	M.E. Ginn
ACRES:	0.81 acres
PARCEL TAX MAP #:	S14 000063 000
COUNCIL DISTRICT:	District 2 (Jones)



PROPOSAL:

The applicant is requesting a conditional use variance to utilize 208 Aldred Hills Road (Tax Parcel S14 000063 000) as a long term residential recovery community facility of four (4) adults (See **Exhibit A** – Location Map). The subject site is currently zoned R-20 (Single Family Residential) and the *Statesboro Zoning Ordinance* does not address or define group homes, personal care homes or recovery residences or designate an appropriate zoning district for such uses. In addition, Article II of the *Statesboro Zoning Ordinance* states that a family in the R-20 zoning district may not consist of more than three (3) unrelated persons.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R-20 (Single Family Residential)	Single-family detached dwelling units
SOUTH:	R-20 (Single Family Residential)	Single-family detached dwelling units
EAST:	R-20 (Single Family Residential)	Single-family detached dwelling units
WEST	R-20 (Single Family Residential)	Single-family detached dwelling units

The surrounding land uses are primarily single family residential. (See **Exhibit B—**Photos of Subject Site and Surrounding Properties).

COMPREHENSIVE PLAN:

The subject site is located within the "Established/Existing Traditional Neighborhood" character area as identified by the City of Statesboro 2014 Future Development Map (See **Exhibit C**—2014 Future Development Map) within the City of Statesboro Updated 2014 Comprehensive Plan.

Vision:

"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 structure should respect the existing fabric of the neighborhood, through similar front, side, and rear setbacks."

Appropriate land uses include:

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

Suggested Development & Implementation Strategies

- Foster the establishment of public/private partnerships to redevelop large tracts as appropriate for the character area.
- Evaluate the benefits and potential of urban redevelopment plan(s) for declining neighborhoods. Such plans can provide incentives and access to resources to revitalize these neighborhoods.
- Strengthen enforcement of code violations for private property, including property maintenance, parking, and structural conditions with a determined focus on health and safety issues.

Statesboro Updated 2014 Comprehensive Plan, Community Agenda page 17-19.

COMMUNITY FACILITIES AND TRANSPORTATION:

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

ENVIRONMENTAL:

The subject property does not contain wetlands and is not located in a special flood hazard area. There is no expected environmental impact associated with this request.

ANALYSIS:

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

- 1.) Existing uses and zoning or [of] property nearby.
- 2.) The extent to which property values are diminished by the particular zoning restrictions.
- 3.) The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.
 - **a.** The variance is needed in order to provide rehabilitative services to an adult population.
- 4.) The relative gain to the public, as compared to the hardship imposed upon the property owner.
- 5.) The suitability of the subject property for the zoned purposes.

- **a.** The subject site is suitable for the proposed use and could still be used as a single-family residence should this use, if granted, cease.
- 6.) The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property.
- 7.) The extent the proposed change would impact the following:
 - a. Population density in the area.
 - i. The request would add four (4) additional persons to the area.
 - b. Community facilities.
 - c. Living conditions in the area.
 - d. Traffic patterns and congestion.
 - e. Environmental aspects.
 - f. Existing and future land use patterns.
 - g. Property values in adjacent areas.
- 8.) Consistency with other governmental land use, transportation and development plans for the community.

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

- 1.) Adequate provision is made by the applicant to reduce any adverse environmental impact of the proposed use to an acceptable level.
- 2.) Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered.
- 3.) Off-street parking and loading, and the entrances to and exits from such parking and loading, will be adequate in terms of location, amount, and design to serve the use.
- 4.) Public facilities and utilities are capable of adequately serving the proposed use.
- 5.) The proposed use will not have a significant adverse effect on the level of property values or the general character of the area.
- 6.) Unless otherwise noted, the site plan submitted in support of an approved conditional use shall be considered part of the approval and must be followed.
- 7.) Approval of a proposed use by the mayor and council does not constitute and [an] approval for future expansion of or additions or changes to the initially approved operation. Any future phases or changes that are considered significant by the planning commission and not included in the original approval are subject to the provisions of this section and the review of new detailed plans and reports for said alterations by the governing authority.

STAFF RECOMMENDATION:

Staff recommends approval of the use requested by application CUV 18-11-03 with condition(s):

- (a) Applicant will be required to coordinate with the City of Statesboro Fire Department to ensure life safety standards meet current code requirements.
- (b) The applicant must not exceed reasonable standards for parking and avoid excessive parking at the location.
- (c) The applicant may not install signage at the location.

EXHIBIT A: LOCATION MAP



DEVELOPMENT SERVICES REPORT Case # CUV 18-11-03 November 15, 2018

EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES

Picture 1: Picture of the subject property, 208 Aldred Hills Road, currently a single family residence.



Picture 2: View of surrounding properties to the east of the subject property, currently single family residences.



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

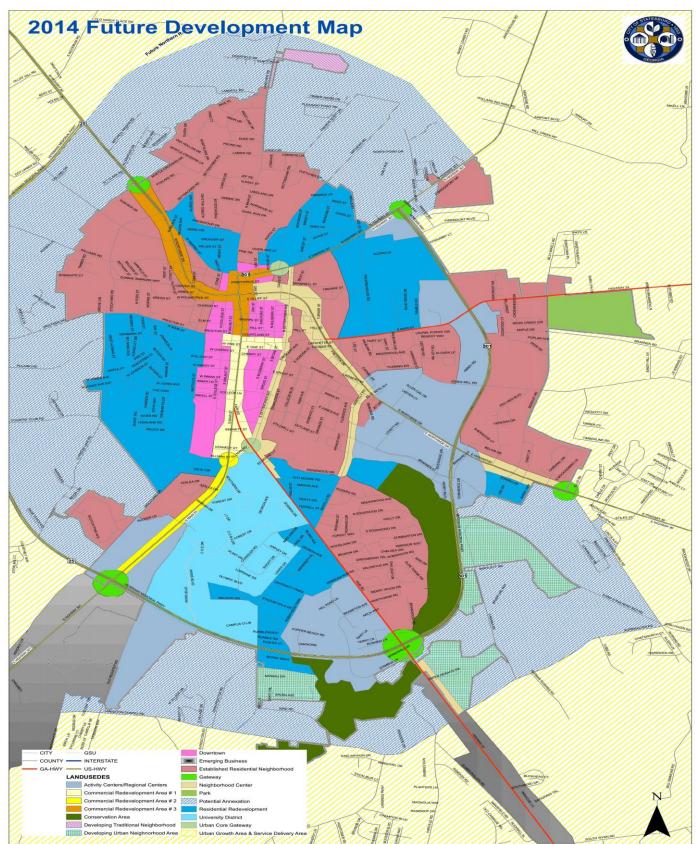
Picture 3: View of the adjacent property to the north of the subject property, currently a single family residence.



Picture 4: View of the surrounding properties looking south along Aldred Hills Road, currently single family residences.



EXHIBIT C: 2014 FUTURE DEVELOPMENT MAP



DEVELOPMENT SERVICES REPORT Case # CUV 18-11-03 November 15, 2018

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 18-11-04, RZ 18-11-05, V 18-11-06, V 18-11-07, & V 18-11-08 VARIANCE & ZONING MAP AMENDMENT REQUESTS 323 Johnson Street

LOCATION:	323 Johnson Street	
REQUEST:	Zoning Map Amendment from R-8 (Singe Family Residential) to CR (Commercial Retail); Variance from Article X Section 1003(A) regarding lot area regulations; Variances from Article XXIII Section 2301 regarding side and rear yard buffer requirements; Variance from Article XXIII Section 2302 regarding front yard buffer requirements.	Gase # V18-11-04, RZ 18-11-05, V 18-11-06, V 18-11-07, V 18-11-08 Description 232 Address and the second
APPLICANT:	EL Larry Dixon IV	SIR3)
OWNER(S):	Sedric Blakely El Bey	S(Rd)
ACRES:	0.16 acres	
PARCEL TAX MAP #:	S11 000011 000	The boundards stored of the second of the se
COUNCIL DISTRICT:	District 2 (Jones)	

BACKGROUND & PROPOSAL:

The subject site is a 0.16 acre lot located on the northeastern corner of Johnson Street and Brown Street. The lot is currently zoned R-8 (Single Family Residential). The applicant is proposing the renovations of an existing, vacant commercial building in order open a fresh seafood market and light convenience store, which is not an allowed use under the current zoning. The previous use of the property as a convenience store is a result of City Council's decision in 1998 to grant a Conditional Use Variance to allow a previous property owner, Jerry Washington, to operate a convenience store at the location. City Council's grant of a Conditional Use Variance was specific to the property ownership, Jerry Washington, and limited in use as a convenience store.

The applicant requests a variance from <u>Article X Section 1003(A)</u> regarding lot area regulations, which requires a minimum lot area of ten thousand (10,000) square feet to be considered for the CR (Commercial Retail) zoning district. The applicant is proposing a minimum lot size of 6,970 square feet. Next, the applicant is requesting a zoning map amendment from the R-8 (Single Family Residential) zoning district to the CR (Commercial Retail) zoning district in order to renovate the existing commercial building into a fresh seafood market and light convenience store, which is not an allowed use in the existing zoning designation. Additionally, the applicant requests two variances from <u>Article XXIII Section 2301</u> regarding each side yard landscape buffer requirement, which requires landscape buffers for each side yard buffers due to lot size limitations. Finally, the applicant is requesting a variance from <u>Article XXIII Section 2302</u> regarding front yard landscape buffer requirements, which requires a landscape buffer whenever any nonresidential and multifamily uses are adjacent to a local street and directly across from a single-family or two-family residence or district. The applicant is proposing no front yard buffers due to lot size limitations of Subject Site, **Exhibit D** – Proposed Floor Plan).

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

In summary, the applicant requests the following:

- 1) Application V 18-11-04, a variance from <u>Article X Section 1003 A</u> to reduce the **minimum lot size** requirement from 10,00 square feet to 6,970 square feet, and
- 2) Application RZ 18-11-05, a zoning map amendment from the R-8 (Single Family Residential) zoning district to the CR (Commercial Retail) zoning district, and
- 3) Application V 18-11-06, a variance from Article XXIII Section 2301 to reduce and eliminate the landscape buffer requirements for the side yard abutting Brown Street, and
- 4) Application V 18-11-07, a variance from Article XXIII Section 2301 to reduce and eliminate the landscape buffer requirements for the side yard abutting the northeastern property line, and
- 5) Application V 18-11-08, a variance from Article XXIII Section 2302 to reduce and eliminate the landscape buffer requirements for the front yard abutting Johnson Street.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:	
NORTH:	R-6 (Single Family Residential), R-4 (High Density Residential)	Single Family Residences and Butler Homes Apartment Community	
SOUTH:	R-8 (Single Family Residential)	Single Family Residences	
EAST:	R-8 (Single Family Residential)	Single Family Residences	
WEST	R-8 (Single Family Residential)	Single Family Residences	

The subject property is located within the R-8 (Single Family Residential) zoning district. Surrounding properties are primarily single family residences. Also, there is an apartment community located to the Northeast of the subject site (See **Exhibit A** –Location Map, **Exhibit C**—Photos of Subject Site).

COMPREHENSIVE PLAN:

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

"Residential Redevelopment Area"	
Vision	Suggested Development & Implementation Strategies
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.	 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
<i>Appropriate Uses:</i> Single Family detached housing, Lower Density, Single Family attached housing.	maintenance, and the demolition of dilapidated structures in the area. Statesboro Comprehensive Master Plan, Community Agenda page 21.

In addition, the Quality Community Objectives Narrative of the Comprehensive Plan states the following:

 "Communities should maximize the use of existing infrastructure and minimize the costly conversion of undeveloped land at the periphery of the community. This may be achieved by encouraging development or redevelopment of sites closer to the traditional core of the community; designing new development to minimize the amount of land consumed; carefully planning expansion of public infrastructure; or maintaining open space in agricultural forestry, or conservation uses."

Statesboro Comprehensive Master Plan, Community Agenda page 46.

Also, the Issues & Opportunities Narrative of the Comprehensive Plan states the following:

"There are a number of vacant sites available for infill and redevelopment located within the City of Statesboro. These vacant or underutilized sites can become an eyesore and also lead to problems with vandalism or other criminal behavior. The benefits of infill and redevelopment are many, including:

- Utilizing existing infrastructure, including water, sewer, and roads
- Maximizing local government investment in infrastructure
- Increasing the value of such properties and in turn the overall tax base
- Supports existing surrounding businesses which have already invested in the area
- Creating community pride in seeing a detriment turn into an asset
- Reinvestment of capital in established areas
- Enhancing opportunities for employment, shopping, residential, etc. in established neighborhoods
- Preserving greenspace and minimizing or negating additional storm water runoff associated with new development
- Particular opportunities to address infill and redevelopment include participation in the South Main Street Revitalization Effort and partnering with Habitat for Humanity's New Home & Neighborhood Revitalization Programs. Additionally, better utilization of the Statesboro Bulloch County Land Bank should be sought."

Statesboro Comprehensive Master Plan, Issues & Opportunities page 57.

ANALYSIS

TRANSPORTATION:

Although this business was previously in existence a number of years, the applicant's proposed use may cause an impact on vehicular traffic. The *Statesboro Comprehensive Plan* encourages crosswalks and pedestrian signals particularly on Johnson Street. The subject site does not contain either of these recommendations.

COMMUNITY FACILITIES:

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

ENVIRONMENTAL:

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

ZONING CONSIDERATIONS:

Whether or not to grant a zoning map amendment from the R-8 (Single Family Residential) zoning district to the CR (Commercial Retail) 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 CR (Commercial Retail) district as set forth in the *Statesboro Zoning Ordinance*.

Current Zoning	Requested Zoning
The single family residential (R-8) district can accommodate a variety of business, educational, municipal, and some residential uses. However, "seafood market and light convenience store" uses, are not listed as a permissible use allowable by right in the R-8 district. Those uses are explicitly permitted in the commercial retail (CR) zoning district.	The CR (Commercial Retail) district allows for retail establishments, wholesale establishments, and/or food service facilities, which are the applicant's intended land use for the subject property.

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. <u>The surrounding lots are zoned R-6</u> (Single Family Residential), R-8 (Single Family Residential, and R-4 (High Density Residential), and are primarily occupied by single family residences and the Butler Homes Apartment Community.

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

- **a.** The proposed use is not expected to have an adverse effect on property values in the area given the surrounding uses. Please note that staff has not consulted a professional appraiser regarding the impact of the requested zoning map amendment on the property value.
- (3) The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.
 - **a.** This request will provide for a small commercial store and seafood market that are not available in this area of the city. Additionally, the request will bring some investment into an area where redevelopment is needed.
- (4) The relative gain to the public, as compared to the hardship imposed upon the property owner.
 - **a.** The subject site is currently zoned R-8 (Single Family Residential). Per Article VII-B: Section 701-B, this parcel can be occupied by single family detached dwelling units, educational institutions, municipal uses, and professional office/home occupations. However, commercial retail developments are specifically restricted to CR zoned properties. Under the proposed Commercial Retail (CR) zoning, the applicant would be able to renovate and operate the existing, vacant commercial building as a seafood market and light convenience store. This request gives the applicant an opportunity to serve members of the community and neighborhood while contributing with a commercial retail use as encouraged by the *Comprehensive Plan*.
- (5) The suitability of the subject property for the zoned purposes.
 - **a.** This site was used as a convenience store prior to the commercial building being vacated by a previous owner.
- (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.** This site and existing commercial building have been vacant for a prolonged period of time. There are other vacant properties in the area.

- (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
 - **a.** Impacts on local traffic should be considered.
 - **b.** This request will not impact the population; it does not involve housing.
 - **c.** This request will provide assistance to the revitalization of an area/neighborhood in need of redevelopment.
- (8) Consistency with other governmental land use, transportation, and development plans for the community.
 - a. Redevelopment of the property as a seafood market and convenience store is consistent with the *Implementation Program and Community Goals Narrative* of the *Statesboro Comprehensive Plan* by encouraging redevelopment of vacant, abandoned or underutilized sites to strengthen our tax base and reinvest in our community. Also, this proposal targets reinvestment in declining, existing neighborhoods to further encourage private sector redevelopment and accommodate future growth within the Established areas.

VARIANCE ANALYSIS

I. Variance from Article X: Section 1003(A): Lot Regulations. (V 18-11-04)

The applicant is requesting a variance from Article X: Section 1003(A), Lot Regulations, which states: "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 variance in question is regarding the total area of the subject site, which is proposed to be approximately 6,970 square feet. The subject site is approximately 3,030 square feet less than the minimum 10,000 square feet required to be considered for the Commercial Retail (CR) zoning district.

II. Variances from Article XXIII: Section 2301: Side and Rear Yard Buffers. (V 18-11-06 & V 18-11-07)

The applicant is requesting two variances from Article XXIII: Section 2301, Side and Rear Yard Buffers, which states: "Whenever any nonresidential use abuts a residential zoned area, or when multifamily residences are adjacent to single-family or two-family residences or districts, or a mobile home park, one of the following buffers shall be installed on the lot with the more intensive and least restrictive use along the common lot lines" – *Natural Buffer Strip, Landscape Buffer Strip, or Landscape Buffer Wall*.

The variances in question are regarding the western property line (abutting Brown Street) and the eastern property line (abutting 321 Johnson Street), which is not currently planned to be landscaped under these variance requests. 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.

III. Variance from Article XXIII: Section 2302: Front Yard Buffers. (V 18-11-08)

The applicant is requesting a variance from Article XXIII: Section 2303, Front Yard Buffers, which states: "All nonresidential and multifamily uses adjacent to a local street and directly across from a single-family or two-family residence or district and parking for two-family and single-family attached [dwellings] must be abide by the front yard buffer requirements".

The variance in question is regarding the northern property line, along Johnson Street, which is not currently planned to be landscaped under this variance request. 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.

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. The property and existing building have historically been used as a convenience store.

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 proposed use and create a hardship for the applicant, in that the applicant is being asked to adhere to more restrictive setbacks and lot size requirements than might be required under a residential zoning.

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 V 18-11-04, V 18-11-06, V 18-11-07, & V 18-11-08.

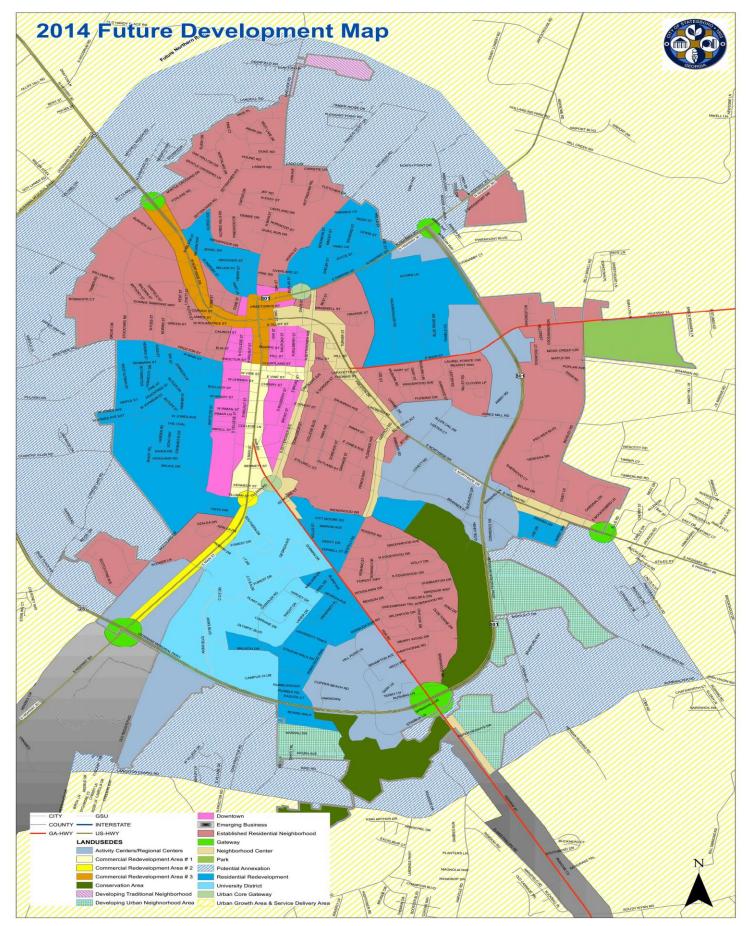
Staff recommends approval of the zoning map amendment requested by RZ 18-11-05 with the following condition(s):

(1) Natural rear yard landscape buffer must be maintained at a minimum width of ten (10) feet.

EXHIBIT A: LOCATION MAP



Development Services Report Case V 18-11-04, RZ 18-11-05, V 18-11-06, V 18-11-07, & V 18-11-08



Development Services Report Case V 18-11-04, RZ 18-11-05, V 18-11-06, V 18-11-07, & V 18-11-08

Picture 1: Looking south from Johnson Street, view of the subject property. Also, a view of the variance requested by V 18-11-08.



Picture 2: Looking northeast, a view of the subject property from Brown Street. Also, a view of the variance requested by V 18-11-06.



Picture 3: Looking south from Johnson Street, view of the subject property's eastern side yard abutting 321 Johnson Street. Also, a view of the variance being requested by V 18-11-07.



Picture 4: Looking east from Brown Street, view of the subject property's rear yard and property line.





Picture 5: View of the surrounding properties to the west of the subject site, currently a single family residence.

Picture 6: View of surrounding properties to the northwest of the subject site, currently single family residences.



Picture 7: View of surrounding properties to the northeast of the subject site, currently Butler Homes Apartment Community.



Picture 8: View of surrounding properties, looking northeast along Johnson Street.



```
Development Services Report
Case V 18-11-04, RZ 18-11-05, V 18-11-06, V 18-11-07, & V 18-11-08
```

Picture 9: View of surrounding properties, looking southwest along Johnson Street.

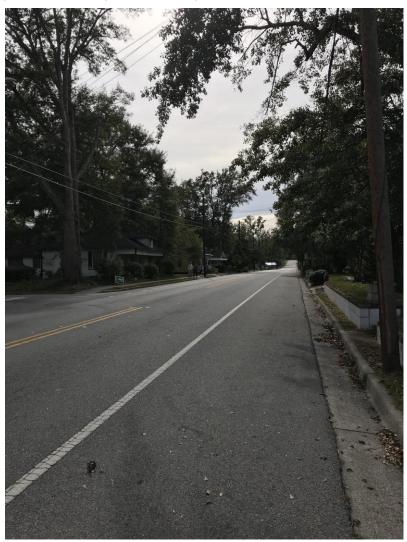
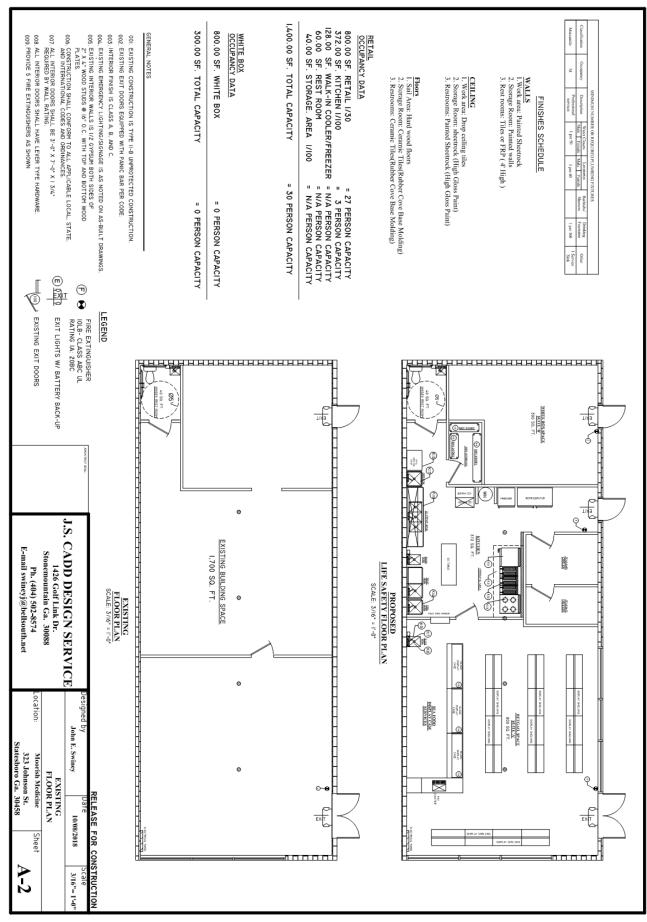


EXHIBIT D: Proposed Floor Plan



Development Services Report Case V 18-11-04, RZ 18-11-05, V 18-11-06, V 18-11-07, & V 18-11-08