



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

January 4, 2022

5:00 P.M.

City Hall Council Chamber

Meeting Agenda

I. Call to Order

II. Invocation & Pledge of Allegiance

III. Approval of Minutes

1. December 7, 2021 Meeting Minutes.

IV. New Business

1. **APPLICATION SE 21-12-01:** TBR, LLC requests a Special Exception at a property located in the R-15 (Single-Family Residential) zoning district in order to allow the placement of a hair salon at 106 S Zetterower Ave.
2. **APPLICATION SE 21-12-02:** Shaynen Anderson requests a Special Exception at a property located in the CR (Commercial Retail) zoning district in order to place an auto body/mechanic shop at a property located at 216 N Zetterower Ave.

V. Announcements

VI. Adjourn



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Statesboro Planning Commission

December 7, 2021

5:00 P.M.

City Hall Council Chamber

Meeting Minutes

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

I. Call to Order

Commissioner Byrd called the meeting to order.

II. Invocation & Pledge of Allegiance

Commissioner Byrd led in the invocation & pledge.

III. Approval of Minutes

1.) November 2, 2021 Meeting Minutes.

Commissioner Fox made a motion to approve the November 2, 2021 meeting minutes, seconded by Commissioner McKay. The motion carried 5-0.

IV. New Business

1.) **APPLICATION V 21-11-01:** Roy Patel requests a Variance from Article X: Section 1002 of the *Statesboro Zoning Ordinance* in order to exceed the allowed height of a structure in the CR (Commercial Retail) district, to develop a boutique hotel on Veterans Memorial Road and Continental Road.

Kathleen Field introduced case V 21-11-01, Commissioner Fox made a motion to open the public hearing of 21-11-01. Commissioner Hickson seconded, the motion carried 5-0. Commissioner McKay made a motion to close the public hearing with a second from Commissioner Fox. The motion passed 5-0. Commissioner McKay made a motion to approve 21-11-01. Commissioner Fox seconded and the motion passed 5-0.

2.) **APPLICATION V 21-11-02:** Whitfield Signs requests a variance from Article XV: Section 1509 (Table 6) of the *Statesboro Zoning Ordinance* in order to exceed the maximum allowed height for wall signage in Sign District 4 at 65 East Main Street.

Kathleen Field introduced case SUB 21-11-02. Commissioner Fox made a motion to open the public hearing with a second from Commissioner Hickson. The motion passed 5-0. Molly Kim from Whitfield Signs was introduced and spoke for the request. Commissioner Fox 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 McKay seconded and the motion passed 5-0.

3.) **APPLICATION RZ 21-11-03:** Daniel Long requests a Zoning Map Amendment from the CR (Commercial Retail) zoning district to the R4 (High-Density Residential) zoning district in order to construct a multi-family development at 131 Briarwood Court.

Kathleen Field introduced case RZ 21-11-03. Commissioner McKay made a motion to open the public hearing. With a second from Commissioner Hickson, the motion passed 5-0. Commissioner Rosengart asked about the number of units they were applying for. Commissioner Fox made a motion to close the public hearing. Commissioner Hickson seconded and the motion passed 5-0. Commissioner Fox made a motion to approve with a second from Commissioner McKay. The motion passed 5-0.

4.) **APPLICATION V 21-11-04:** Daniel Long requests a Variance from Article VII: Section 703(2) of the *Statesboro Zoning Ordinance* in order to exceed the maximum allowable units allowed per developable acre at 131 Briarwood Court.

Kathleen Field introduced case V 21-11-04. Commissioner Fox made a motion to open the public hearing. With a second from Commissioner Hickson, the motion passed 5-0. Commissioner Rosengart questioned if the Commission could overrule storm water requirements with the number of units allowed. Kathleen Field responded that the applicant has not gone through a development review process. Commissioner Fox made a motion to close the public hearing. Commissioner Hickson seconded and the motion passed 5-0. Commissioner Hickson questioned if an amendment could be added to an approval to limit the units to the allowed amount after a review process was completed. Daniel Long spoke for the request. Commissioner Hickson asked if the applicant would like to withdraw the request. Daniel Long withdrew the variance request and there was no vote.

5.) **APPLICATION V 21-11-05:** The Bulloch County Historical Society requests a variance from Article XXX, Section 3005 (B) of the *Statesboro Zoning Ordinance*, in order to place a collage mural at 41 West Main Street.

Kathleen Field introduced cases 21-11-05. Commissioner Fox made a motion to open the public hearing. With a second from Commissioner Hickson, the motion passed 5-0.

Brent Tharpe spoke for the request. Commissioner Fox asked if this was the type of content that the Commission wanted to see downtown and if they wanted to promote a more balanced approach to murals in terms of historical and advertisement material. Commissioner Byrd expressed his opinion that the mural represented the history of Bulloch County and would serve to inform residents and visitors. Commissioner Rosengart agreed by stating that the recognition of Native Americans in the County is important. Commissioner Fox made a motion to close the public hearing. Commissioner Hickson seconded and the motion passed 5-0. Commissioner McKay made a motion to approve with a second from Commissioner Hickson. The motion passed 5-0.

V. Announcements

Kathleen Field announced that the State of Emergency that allowed for virtual meetings has been lifted and that the Commission should resume in person voting.

VI. Adjourn

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

Chair – James Byrd Sr.

Secretary – Kathleen Field
Director of Planning & Development



ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

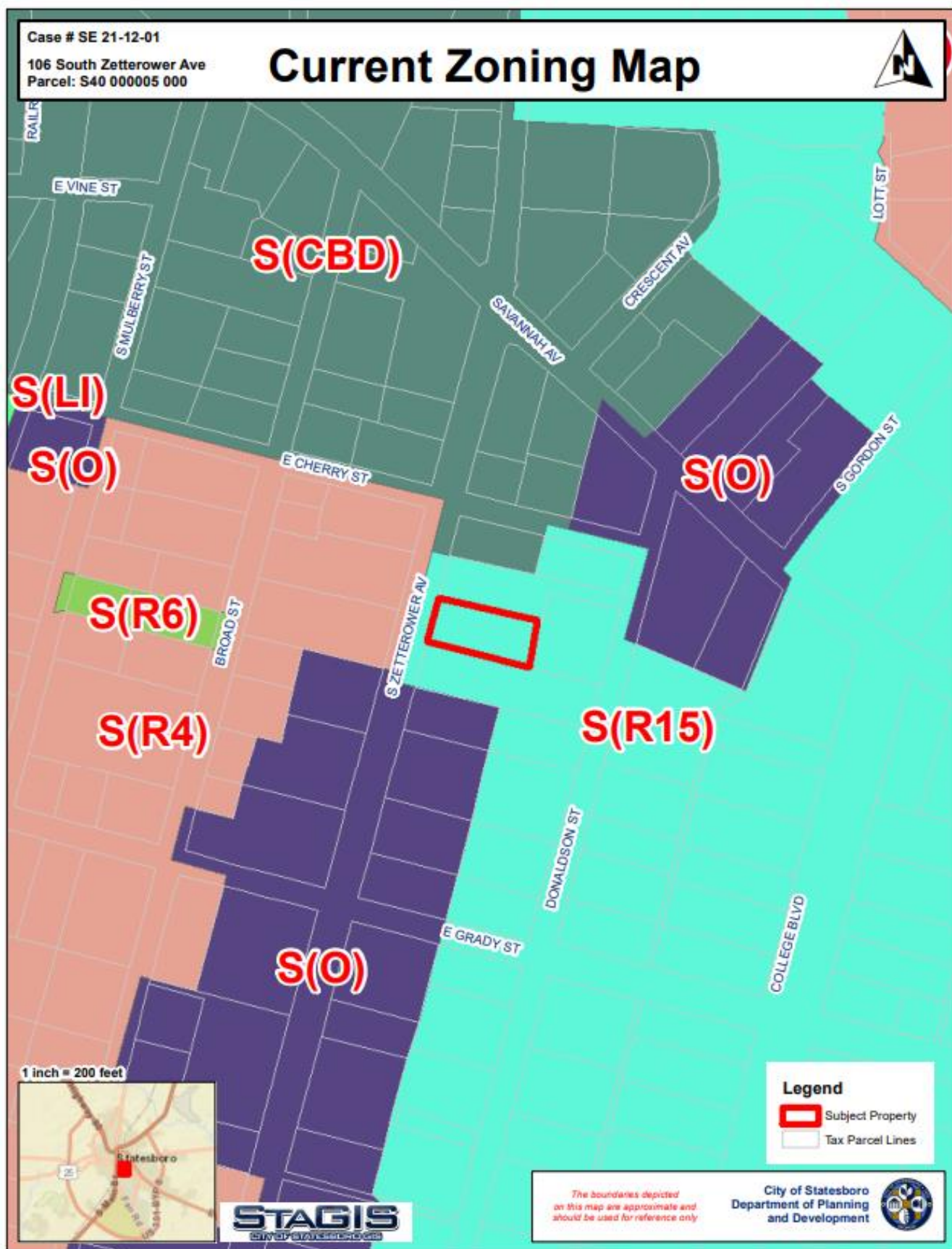
SE 21-12-01 SPECIAL EXCEPTION REQUEST 106 South Zetterower Avenue		
LOCATION:	106 South Zetterower Avenue	
EXISTING ZONING:	R15 (Single-Family Residential)	
ACRES:	0.28 acres	
PARCEL TAX MAP #:	S40 000005 000	
COUNCIL DISTRICT:	District 3 (Mack)	
EXISTING USE:	Vacant	
PROPOSED USE:	Hair Salon	

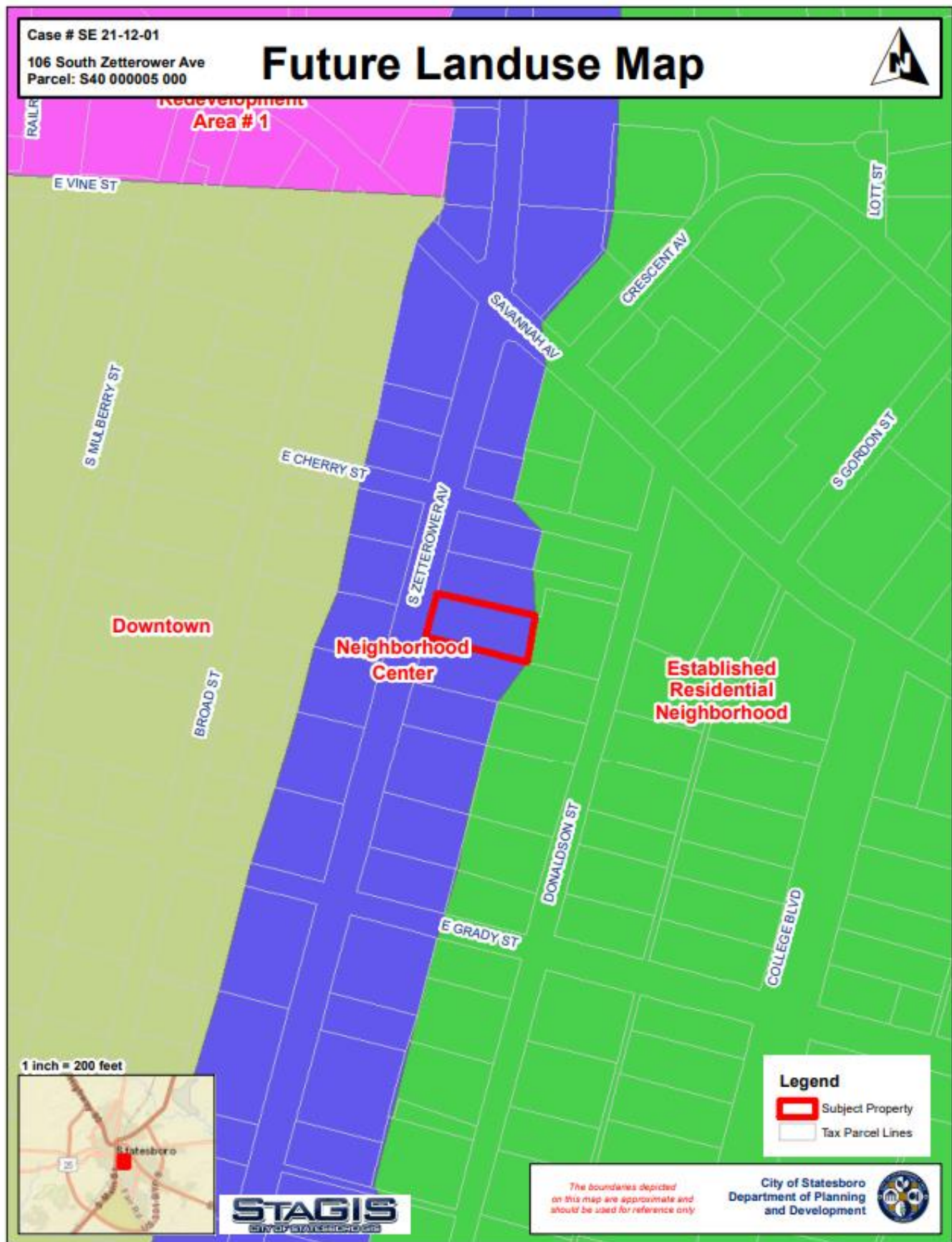
PETITIONER TBR. LLC
ADDRESS 437 Johnson Drive; Sylvania, GA 30467

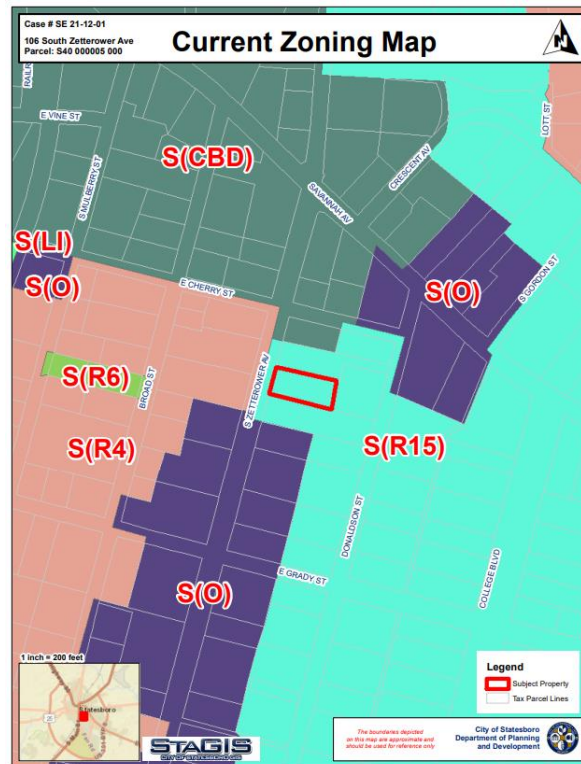
REPRESENTATIVE Chad Hilde, Hank Maierhoffer
ADDRESS Same As Above

PROPOSAL
The applicant requests a special exception to locate a hair salon in the building on 0.28 acre property located on South Zetterower Avenue. Salons are not permitted in the R15 (Single-Family Residential) zoning district unless granted a special exception by the City Council.
STAFF RECOMMENDATION
<u>SE 21-12-01 CONDITIONAL APPROVAL</u>









SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: R15 (Single Family Residential)	Single Family Residence
Northeast	Location Area #2: R15 (Single Family Residential)	Vacant Lot
East	Location Area #3: R15 (Single Family Residential)	Single Family Residence
Northwest	Location Area #4: R4 (High Density Residential)	Residential Conversion
Southeast	Location Area #5: R15 (Single Family Residential)	Single Family Residence
South	Location Area #6: R15 (Single Family Residential)	Single Family Residence
Southwest	Location Area #7: O (Office)	Psychic Office
West	Location Area #8: R4 (High Density Residential)	Single Family Residence

SUBJECT SITE

The subject site is a building located on 0.28 acres. Surrounding properties include residential and office uses. Historically, this area has been a residential street, but over the last recorded 20 years, the uses on this strip have turned to both a significant number of offices, but also a number of multi—family residences.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site as a part of the “Neighborhood Center”, which is characterized by a mixture of lower to medium density residential areas, commercial uses, and offices that act as a buffer between more intense commercial uses and single-family residential uses.

ENVIRONMENTAL SITE ANALYSIS

The subject property does not contain wetlands and is not located in a special flood hazard area. At this time there are no intentions to change the site in any way that would result in a change in the environment.

COMMUNITY FACILITIES AND TRANSPORTATION

The subject property is currently served by City utilities. In order to ensure the use, some parking would need to be added to the site, but this would be resolved prior to the approval of the occupational tax certificate.

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, although the rear of the property should provide for availability of parking.

(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.

- The proposed use should not require additional loading space.

(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.

- There are no additional changes to the building's zoning nor the structure, and it is unlikely that there will be any significant changes to the property values of the area

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

- No site plan was required with this special exception, as this is an existing structure.

(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 ("Neighborhood Center") based on the use, as stated in the *2019 – 2029 Comprehensive Master Plan*.

Subject Site



Northern Property



Southern Property



Western Property



STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval of SE 21-12-01**. 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.



ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

SE 21-12-02
SPECIAL EXCEPTION REQUEST
216 North Zetterower Avenue

LOCATION:	216 North Zetterower Avenue
EXISTING ZONING:	CR (Commercial Retail)
ACRES:	0.8 acres
PARCEL TAX MAP #:	S38 000014 000
COUNCIL DISTRICT:	District 1 (Boyum)
EXISTING USE:	Vacant
PROPOSED USE:	Auto Body/Mechanic Shop



PETITIONER Shaynen T. Anderson
ADDRESS P.O. Box 315; Statesboro, GA 30459

REPRESENTATIVE Same As Above
ADDRESS

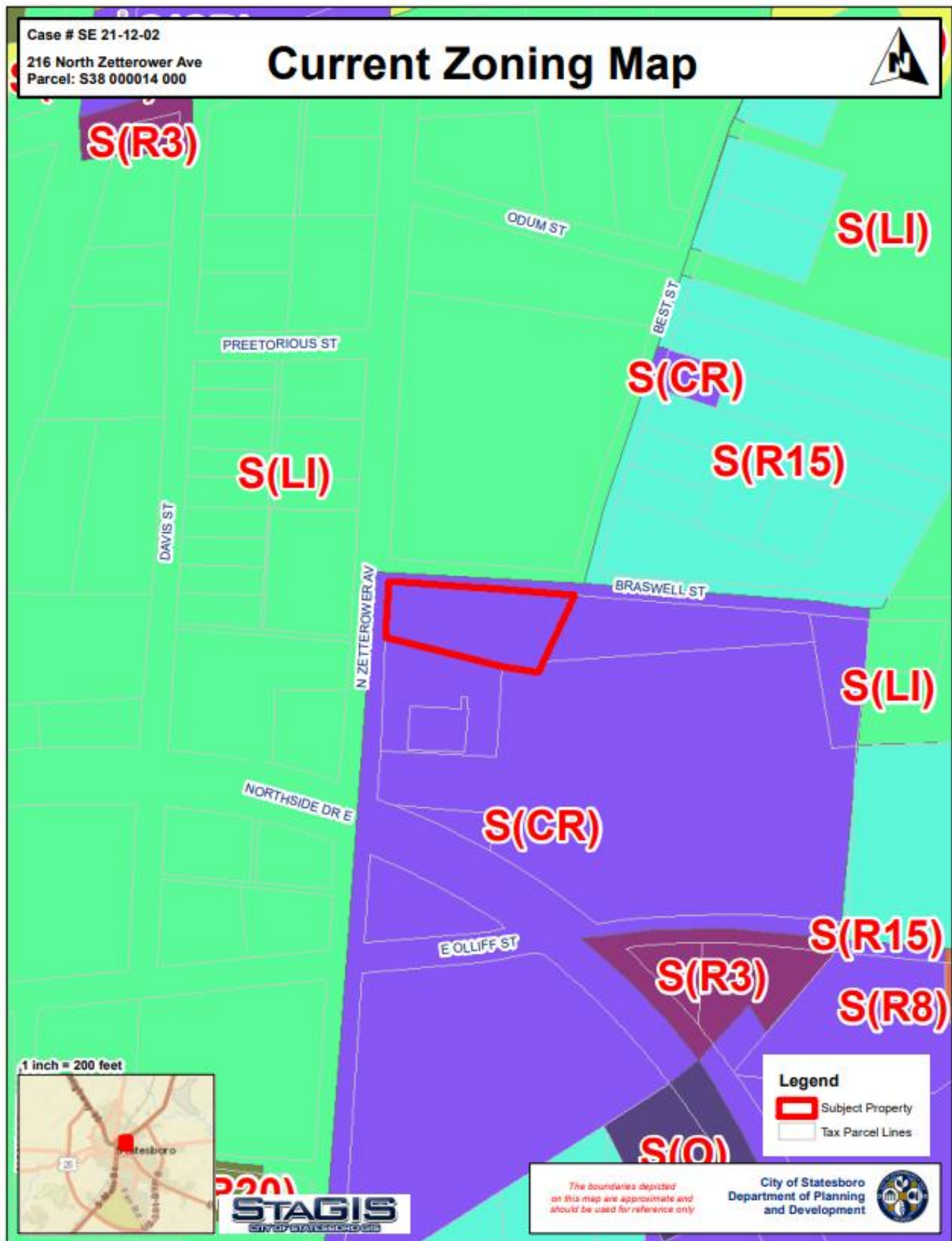
PROPOSAL

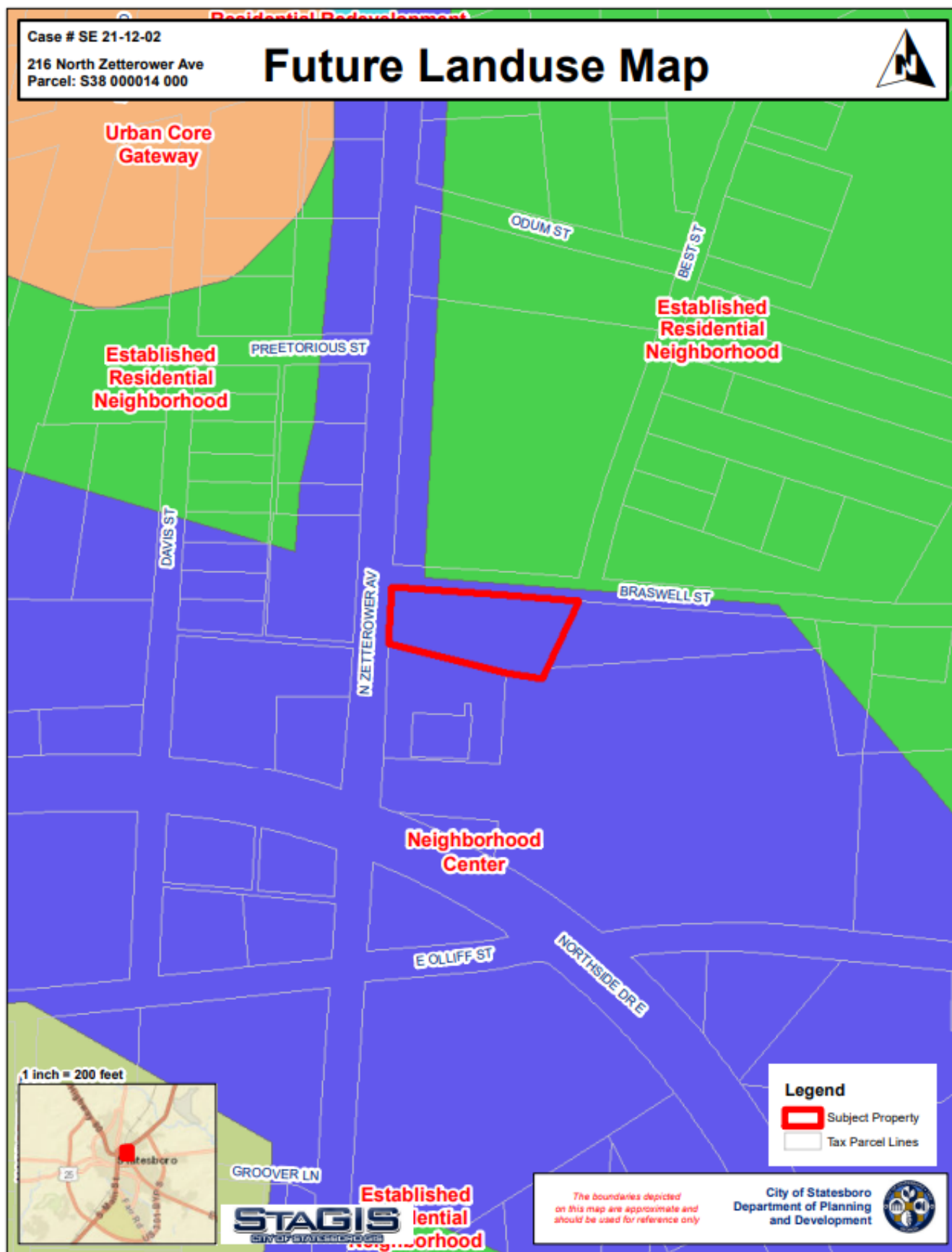
The applicant requests a special exception to locate an auto body/mechanic shop on 0.8 acre property located on North Zetterower Avenue. Auto shops are not permitted in the CR (Commercial Retail) zoning district unless granted a special exception by the City Council.

STAFF RECOMMENDATION

SE 21-12-02 CONDITIONAL APPROVAL









SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: LI (Light Industrial)	Food Manufacturer Facility
Northeast	Location Area #2: R15 (Single Family Residential)	Storage Lot
East	Location Area #3: CR (Commercial Retail)	Undeveloped Lot
Northwest	Location Area #4: LI (Light Industrial)	Retail Store
Southeast	Location Area #5: CR (Commercial Retail)	Shopping Center
South	Location Area #6: CR (Commercial Retail)	Auto Parts Retail Store
Southwest	Location Area #7: LI (Light Industrial)	Auto Parts Retail Store
West	Location Area #8: LI (Light Industrial)	Car Wash

SUBJECT SITE

The subject site is a building located on 0.8 acres. Surrounding properties include commercial retail and light industrial uses. Historically, this property served as a small repair shop, known as the Metts Body Shop. The property has been vacant for some time.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site as a part of the “Neighborhood Center”, which is characterized by a mixture of lower to medium density residential areas, commercial uses, and offices that act as a buffer between more intense commercial uses and single-family residential uses

ENVIRONMENTAL SITE ANALYSIS

The subject property does contain wetlands and is located in a special flood hazard area. Special care must be taken to ensure no issues regarding the development of the site

COMMUNITY FACILITIES AND TRANSPORTATION

The subject property is currently served by City utilities.

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. It is likely that some changes would be required on the site, but these changes would require pre-approval by the City.

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

- The property is located off of Braswell Street, which does channel traffic off of North Zetterower Ave.

(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.

- The site would require the submission and approval of a parking plan.

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

- Adequate public utilities are available to the site.

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

- The property has been vacant, and would require some renovation and parking placement to ensure the site is functional.

(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.

- The applicant intends to utilize the existing building at this time, and therefore has not submitted an updated site plan. The previous use was of a similar nature.

(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 not consistent with the subject site's character area ("Neighborhood Center") based on the use, as stated in the *2019 – 2029 Comprehensive Master Plan*. Although this is inconsistent, the general land uses in the surrounding area are primarily dedicated to vehicular repairs, sales and industrial uses, with the inclusion of the Department of Public Works.

Subject Site



Northern Property



Eastern Property



Western Property



STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval of SE 21-12-02**. 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 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) The applicant must submit a parking plan with any renovation conducted on the site, prior to the issuance of an Occupational Tax Certificate.
- (3) The applicant must provide adequate enclosure of the operation with opaque fence screening (not to include cyclone fencing) on the side of the property visible from North Zetterower Avenue.