



*City of Statesboro*  
*Department of Planning and Development Memorandum*

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**Statesboro Planning Commission**  
**October 6, 2020**  
**5:00 P.M.**  
**City Hall Council Chamber**  
**Meeting Minutes**

**Present:** Planning Commission members: James Byrd Sr., Sean Fox, Jamey Cartee, Russell Rosengart, Carlos Brown Jr., Mary Foreman and Benjamin McKay; **City of Statesboro Staff:** Kathleen Field (Director of Planning & Development), and Justin Williams (City Planner II); **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.) August 4, 2020 Meeting Minutes.

Commissioner Rosengart made a motion to approve the August 4, 2020 meeting minutes, seconded by Commissioner Fox. The motion carried 5-0.

**IV. New Business**

1.) **PUBLIC HEARING PROTOCOLS:**

As per Georgia law, each action item on an agenda requires a public hearing. Protocols for said hearing must be issued and distributed to the Commission for adoption and further use.

Kathleen Field made note of the state's requirements, and informed the commissioners of the requirement to ensure all decisions be given a valid public hearing. Commissioner Byrd had no additional concerns regarding this item and mentioned that they would ensure this is done.

There was no vote required for this agenda item, and it was noted that the commission would move to the next item.

2.) **APPLICATION CUV 20-09-01:** James Melton requests a Conditional Use Variance from Article VIII of the *Statesboro Zoning Ordinance* for 0.17 acres of property located at 22 Bulloch Street to utilize a shipping container for additional storage and refrigeration facilities for a catering business in the CBD (Central Business) zoning district (Tax Parcel S19 000060 000).

Kathleen Field introduced CUV 20-09-01 and the applicant was not present. Mrs. Field explained the desire of the applicant to utilize this container as an extension of the catering business in the building, and that it would undergo significant improvements for conversion from a single-family home.

Commissioner Fox made a motion to open the public hearing of CUV 20-09-01. Commissioner Foreman seconded, and the motion carried 5-0. There was no discussion from the public for this request and Commissioner Rosengart made a motion to close the public hearing. This motion was seconded by Commissioner Fox. The motion passed 6-0.

After Commission deliberation, Commissioner Rosengart made a motion to recommend approval of CUV 20-09-01 with staff conditions. Commissioner Fox seconded, and the motion carried 6-0.

3.) **APPLICATION SE 20-09-02:** Joseph Kropp request a Special Exception from Article V of the *Statesboro Zoning Ordinance* for 0.52 acres of property located at 108 South Zetterower Avenue to utilize the entire structure as a mental health practice in the R15 (Single-Family Residential) zoning district (Tax Parcel S40 000006 000).

Mrs. Field introduced the case, and noted that the applicant was not present. Mrs. Field explained that this property was already operating under a Conditional Use Variance that was exclusively granted to Dr. Kropp instead of the land. This special exception was also designed to correct the issues related to the conditional use that was granted to Dr. Kropp.

Commissioner Foreman made a motion to open the public hearing of SE 20-09-02. Commissioner McKay seconded, and the motion carried 6-0. There was no discussion from the public for this request and Commissioner McKay made a motion to close the public hearing. This motion was seconded by Commissioner Foreman. The motion passed 6-0. During commission discussion, Commissioner Rosengart made requested to know if the property would be a group home, and therefore fall under any particular protections through HUD or similar entities. Mrs. Field verified that it was a Psychologist office, and would not fall under those types of protections. Commissioner Foreman asked why this property would not be suitable for Office zoning and was informed by Mrs. Field that this property does not meet eligibility for a rezone, but the

particular use and changes to the neighborhood would make it a reasonable application in the future.

After Commission deliberation, Commissioner Foreman made a motion to recommend approval of SE 20-10-02 with staff conditions. Commissioner Rosengart seconded, and the motion carried 6-0.

**4.) APPLICATION V 20-09-03:** Kaleo Lyles request a Zoning Variance from Article V of the *Statesboro Zoning Ordinance* for 1.18 acres of property located at 300 Wendwood Drive to construct a new single-family detached dwelling unit in the R15 (Single-Family Residential) zoning district (Tax Parcel S43 000015 000).

Mrs. Field introduced the case, and the applicant, Mr. Kaleo Lyles voiced his presence for the case via virtual meeting application. Commissioner McKay motion to open the public hearing, which was seconded by Commissioner Cartee. The motion carried 6-0 to open for public hearing. Members of the neighborhood voiced their concerns with the application. The applicant spoke regarding his desire to answer any questions that might be of concern regarding the property. Mrs. Nancy Waters spoke against the application specifying that it would cause significant density issues, and that there were already a significant number of cars on the lot. The applicant responded to the concern by informing the owner that the sought dynamic for the rental house would be for a family. Commissioner Byrd questioned the number of unrelated persons being allowed in a residence, with Mrs. Field responding that there is a requirement that only three unrelated persons live in a single home. Neighborhood member Brett Frazier spoke against the request with concerns of traffic increases and small children in the neighborhood. He expressed concerns on the location of where the house would be built. The applicant specified that overall the house would be built to the left of the driveway in the currently wooded area. Neighborhood resident Bobby Cartridge voiced opposition to the request, citing the excess of buildings on the site, and the noise caused in the area. The applicant specified in his request that he intended to live on the property with his fiancé and would be reducing the number of residents in the house located on the property by marketing away from college students. Commissioner Cartee inquired as to if the property remain on the same plotted parcel. Mr. Williams informed him that the initial application was for the house to stay on the same parcel. Commissioner Cartee questioned the currently standing covenants of the area. Mr. Williams informed him that there were none on hand so City guidelines would take precedence.

The commissioners closed the public hearing with Commissioner Foreman making the initial motion, with a second by Commissioner McKay. The motion passed with a 6-0 vote.

Commission discussion began deliberation, with Commissioner Foreman questioning the nature of the driveway. Mrs. Field verified that it would be a common driveway. Commissioner Rosengart asked what the size of the house would be with the applicant verifying that it would be under 2000 square feet if he could build it. Mrs. Field

recommended inclusion of a condition to make the house an owner occupied house by requirement. The applicant agreed but was uncertain about the nature of selling the home. Commissioner Fox requested information regarding the enforcement of the single-family owner occupied nature of the home. Commissioner McKay spoke on the likelihood of getting new single-family homes built in the City, but also mentioned that it would be up to the Commission to change any zoning issues moving forward. Commissioner Cartee voiced concern over the enforceability of the conditions in perpetuity and spoke to the initial of the subdivisions intent as being one lot per house. Commissioner Foreman voiced concern over the use of such a condition. Commissioner Byrd felt that it is reasonable to issue a condition, but also noted that they could not determine what the owner would do in the future. Resident Brett Frazier questioned if it would be potentially difficult to sell the property in the future. Commissioner McKay voiced that the protection of the neighborhoods quality is the primary concern, and not the sale of the property. Mr. Frazier voiced additional concerns that the change in zoning in the long term could cause the property to become a more difficult selling point in the neighborhood due to a lack of subdivision. Commissioner Foreman questioned what would happen to the zoning in the event of foreclosure. Mrs. Field clarified that the property would maintain the zoning requirements placed by the Council regardless of ownership. Mr. Lyles mentioned that his next step in the long term would be to subdivide the property to ensure that the property would not be a problem. Commissioner Cartee voiced additional concern regarding the precedent being set regarding the approval of the application. Commissioner Byrd also voiced the possibility of additional future challenges regarding the location based on approval and how it could change the remainder of the neighborhood. Mrs. Waters added that she felt great concerns regarding the approval of this variance, as it could dynamically change the landscape of the neighborhood.

Commissioner Cartee made a motion to deny the application, which was seconded by Commissioner Fox. Mr. Lyles interrupted the application to specify that he did have certain desires for the location, and wished to respect the current residents. He requested to withdraw his application. Commissioner Byrd requested that the vote continue, and the motion was carried to deny the application 6-0.

5.) **APPLICATION RZ 20-09-04:** Jerry Jennings request a Zoning Map Amendment for 13 acres of property located on Highway 301 North (aka East Parrish Street) to construct two 56,000 square foot warehouse buildings for commercial use on property currently in the HOC (Highway Oriented Commercial) and R-4 (High-Density Residential) zoning districts (Tax Parcel S47 000025 000).

Mrs. Field introduced the case, and noted that the applicant was present. Commissioner Fox made a motion to open the public hearing. Commissioner McKay seconded the motion and it passed 6-0. Mr. Jerry Jennings spoke regarding his desire to answer any questions that the Commission might have. Mr. Chuck Perry also spoke regarding his presence to assist in answering any questions the Commission might have that Mr. Jennings could not answer. Commissioner Cartee requested the general

size of the warehouses being proposed. Mr. Jennings clarified that it would be in the area of 60,000 square feet. Commissioner Byrd asked for some additional clarification about the surrounding land uses, and Mrs. Field informed him that there was significant vacant land and light industrial uses in the area. Mr. Jennings also informed the Commission that he owned some of the surrounding warehouses in the area. Commissioner Foreman questioned the buffering requirements of the area. Mr. Williams informed her that the HOC would require buffering on the back end to separate the Residential area adjacent to the property.

Commissioner Foreman made a motion to close the public hearing. Commissioner Fox seconded the motion, and it was voted to close 6-0.

Commissioner Foreman made a motion to approve the Zoning Map Amendment with staff conditions, which was seconded by Commissioner McKay. The commission voted 6-0 to approve the Zoning Map Amendment.

**V. Announcements**

Mrs. Field announced the final completion of the Request for Proposals for the City of Statesboro's Downtown Master Plan. The selection process was estimated for completion within the next couple of months. Commissioner Byrd asked if it would be feasible to let the Commission see the report before it is approved, and Mrs. Field ensured him that it would be needed.


**VI. Adjourn**

Commissioner McKay made a motion to adjourn the meeting. Commissioner Foreman seconded, and the motion carried 6-0.

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**Chair – James W. Byrd Sr.**

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**Secretary – Kathleen Field**  
**Director of Planning & Development**