



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

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50 East Main Street

P.O. Box 348

» (912) 764-0630

Statesboro, Georgia 30458

Statesboro, Georgia 30459

» (912) 764-0664 (Fax)

**Statesboro Planning Commission**

**October 5, 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. August 3, 2021 Meeting Minutes.

**IV. New Business**

1. **APPLICATION V 21-09-01:** Bob Isaacson requests a Variance from Article XV, Section 1509 (Table 5) of the *Statesboro Zoning Ordinance* in order to place a wall sign exceeding the maximum square footage for wall signs on a property located at 807 South Main Street.
2. **APPLICATION V 21-09-02:** Bob Isaacson requests a Variance from Article XV, Section 1509 (Table 5) of the *Statesboro Zoning Ordinance* in order to place signage exceeding the aggregate square footage of all signs on a property located at 807 South Main Street.
3. **APPLICATION V 21-09-03:** Cool Beans request a Variance from Article XV, Section 1509 (Table 6) of the *Statesboro Zoning Ordinance* in order to place a wall sign above 12 feet on a property located at 19 South Main Street.
4. **APPLICATION V 21-09-05:** Mohamed Alshuaibi requests a Variance from Article XV, Section 1509 (Table 4) of the *Statesboro Zoning Ordinance* in order to place a freestanding sign in front of an existing building located at 1825 Northside Drive East.

**V. Announcements**

1. Zoning Revision
2. ARPA Meetings

**VI. Adjourn**



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*Department of Planning and Development Memorandum*

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**Statesboro Planning Commission**

**September 7, 2021**

**5:00 P.M.**

**City Hall Council Chamber**

**Meeting Minutes**

**I. Meeting Cancelled Due to Lack of Agenda Items**

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**Chair – James Byrd Sr.**

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



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

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**Statesboro Planning Commission**

**August 3, 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, James Byrd Sr. 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.) June 1, 2021 Meeting Minutes.

Commissioner Fox made a motion to approve the June 1, 2021 meeting minutes, seconded by Commissioner Cartee. The motion carried 4-0.

**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).

Kathleen Field introduced case 21-07-01, Commissioner Cartee made a motion to open the public hearing of 21-07-01. Commissioner McKay seconded, the motion carried 4-0. Commissioner Cartee made a motion to close the public hearing with a second from Commissioner Fox. The motion passed 4-0. Commissioner Cartee made a motion to approve. Commissioner Fox seconded and the motion passed 4-0.

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).

Kathleen Field introduced case 21-07-02. Commissioner Cartee made a motion to open the public hearing with a second from Commissioner McKay. The motion passed 4-0. Commissioner Cartee made a motion to close the hearing with a second from Commissioner Hickson. The motion passed 4-0. Commissioner McKay made a motion to approve with staff recommendations. Commissioner Fox seconded and the motion passed 4-0.

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).

Kathleen Field introduced case 21-07-03. Commissioner Cartee made a motion to open the public hearing. With a second from Commissioner Hickson, the motion passed 3-0. Commissioner Fox recused himself from the vote. Allen Muldrew spoke against the variance. Jana Philips spoke for the variance request. Commissioner McKay made a motion to close the public hearing. Commissioner Cartee seconded and the motion passed 3-0. Commissioner Rosengart arrived after the public hearing was closed. Commissioner McKay made a motion to deny with a second from Commissioner Hickson. The motion passed 4-0.

4.) **APPLICATION V 21-07-04:** Renfroe 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).

Kathleen Field presented the case 21-07-04 to the Commission. Commissioner Cartee made a motion to open the public hearing. Commissioner McKay seconded and the motion passed 5-0. Joe Matthews was introduced as the representative for the application. Allen Muldrew spoke against the variance. Discussion was held to answer questions from all of the Commissioners. 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. Commissioner Rosengart seconded and the motion passed 4-1.

5.) **APPLICATION V 21-07-05:** Renfroe 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).

Kathleen Field presented the case 21-07-05 to the Commission. Commissioner Cartee made a motion to open the public hearing. Commissioner Fox seconded and the motion passed 5-0. Joe Matthews was introduced as the representative for the application. Allen Muldrew spoke against the variance. 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. Commissioner Hickson seconded and the motion passed 4-1.

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).

Kathleen Field presented the case 21-07-06 to the Commission. Commissioner Fox made a motion to open the public hearing, with a second from Commissioner McKay. The motion passed 5-0. Curtis Szykowski was introduced as the representative. Commissioner McKay made a motion to close the public hearing with a second from Commissioner Rosengart. The motion passed 5-0. Commissioner McKay made a motion to approve with a second from Commissioner Fox. The motion passed 5-0.

7.) **APPLICATION AN 21-07-07 & APPLICATION RZ 21-07-08**

a.) **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).

b.) **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 # MS57000004 000 & MS57000006 000).

Kathleen Field presented the case 21-07-07 and 21-07-08 to the Commission. Commissioner Fox made a motion to open the public hearing, with a second from Commissioner Hickson. The motion passed 5-0. Joey Maxwell was introduced as the representative. There was discussion to address questions from Commissioner Rosengart and Cartee. Commissioner McKay made a motion to close the public hearing with a second from Commissioner Cartee. The motion passed 5-0. Commissioner Fox made a motion to approve AN 21-07-07. Commissioner Rosengart seconded and the motion passed 5-0. Commissioner Fox made a motion to approve RZ 21-07-08. Commissioner McKay seconded and the motion passed 5-0.

8.) **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).

Kathleen Field stated that the application had been deferred.

9.) **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).

Kathleen Field presented the case 21-07-10 to the Commission. Commissioner Fox made a motion to open the public hearing, with a second from Commissioner Rosengart. The motion passed 5-0. Commissioner Fox made a motion to close the public hearing with a second from Commissioner Hickson. The motion passed 5-0. Commissioner Cartee recused himself from the vote. Discussion was held over the noise level and fencing. Commissioner McKay made a motion to approve. Commissioner Rosengart seconded and the motion passed 4-0.

10.) **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).

Kathleen Field introduced case 21-07-11. Commissioner Fox recused himself from the vote. Commissioner McKay made a motion to open the public hearing. Commissioner Cartee seconded, the motion carried 4-0. Justin Peay was introduced as the representative. Commissioner Cartee made a motion to close the public hearing. With a second from Commissioner Rosengart, the motion passed 4-0. Commissioner Cartee made a motion to approve with a second from Commissioner Rosengart. The motion passed 4-0.

## **V. Announcements**

Kathleen Field announced that the City of Statesboro received the first allocation of funding from the American Recovery Plan.

## **VI. Adjourn**

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

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**Chair – James Byrd Sr.**

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



# ZONING SERVICES REPORT

P.O. Box 348  
Statesboro, Georgia 30458

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

## V 21-09-01 & V 21-09-02 ZONING VARIANCE REQUEST 807 SOUTH MAIN STREET

|                          |                                   |
|--------------------------|-----------------------------------|
| <b>LOCATION:</b>         | 807 South Main Street             |
| <b>EXISTING ZONING:</b>  | HOC (Highway Oriented Commercial) |
| <b>ACRES:</b>            | 2.29 acres                        |
| <b>PARCEL TAX MAP #:</b> | MS52000014A000                    |
| <b>COUNCIL DISTRICT:</b> | District 2 (Chavers)              |
| <b>EXISTING USE:</b>     | Restaurant                        |
| <b>PROPOSED USE:</b>     | Restaurant                        |



**PETITIONER** Whitfield Signs

**ADDRESS** 91 South College Street, Statesboro GA 30458

**REPRESENTATIVE** Sam Buchli

**ADDRESS** Same As Above

### PROPOSAL

The applicant requests a variance from Article XV, Section 1509(Table 5), of the *Statesboro Zoning Ordinance* to allow for the construction of a two wall signs on the exterior of the existing garage building located at 807 South Main in the HOC (Highway Oriented Commercial) zoning district.

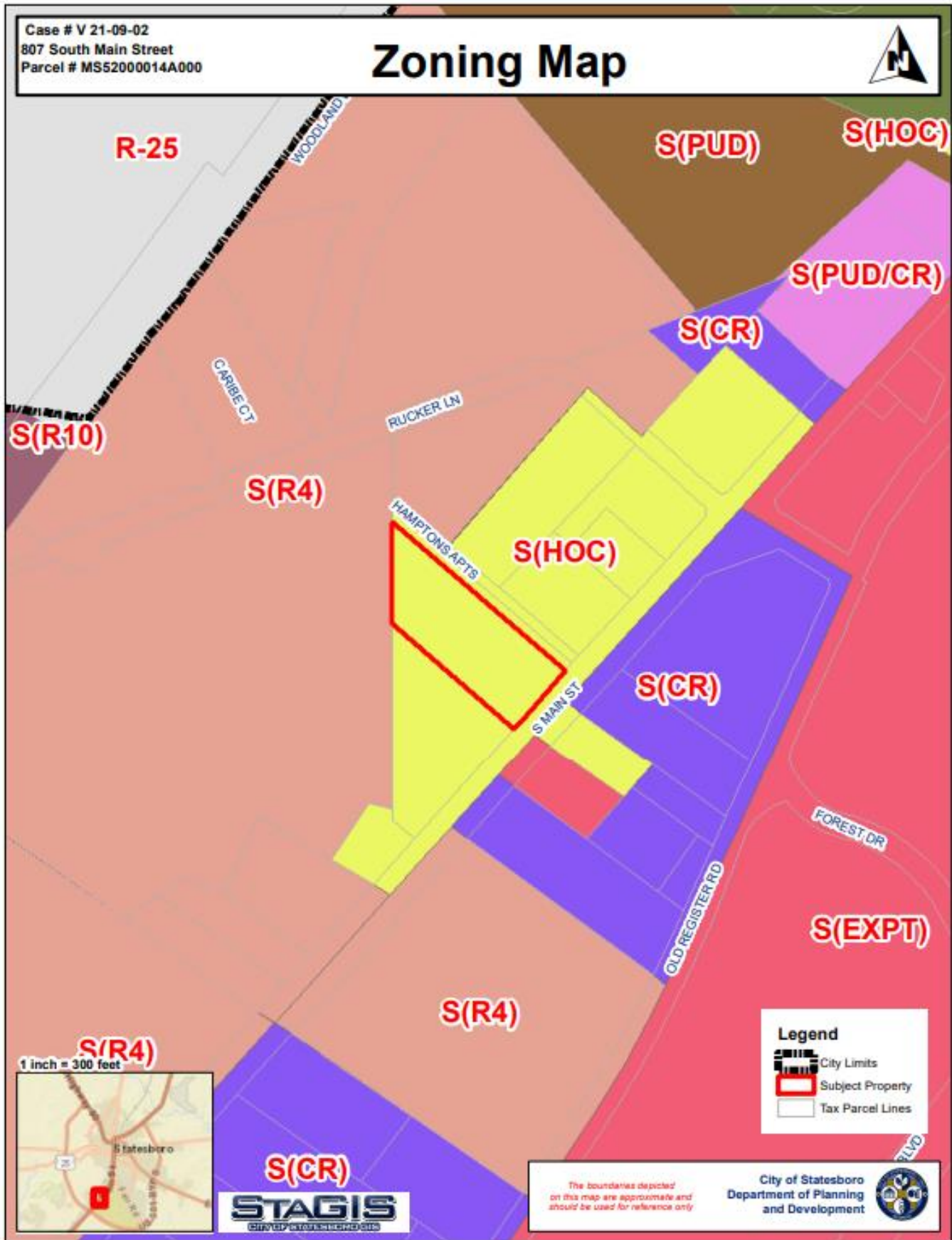
### PLANNING COMMISSION RECOMMENDATION

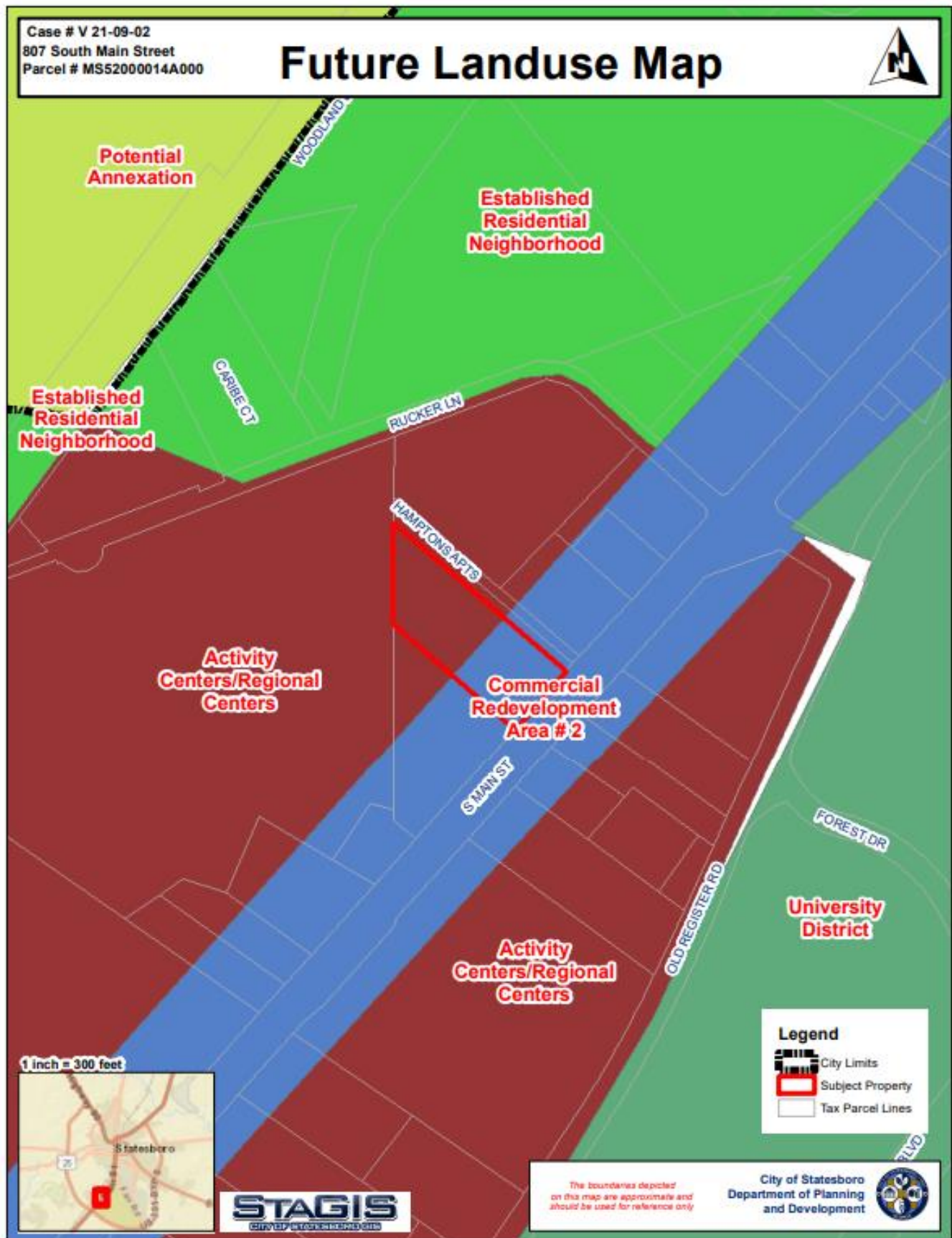
**V 21-09-01 & V 21-09-02 DENIAL**

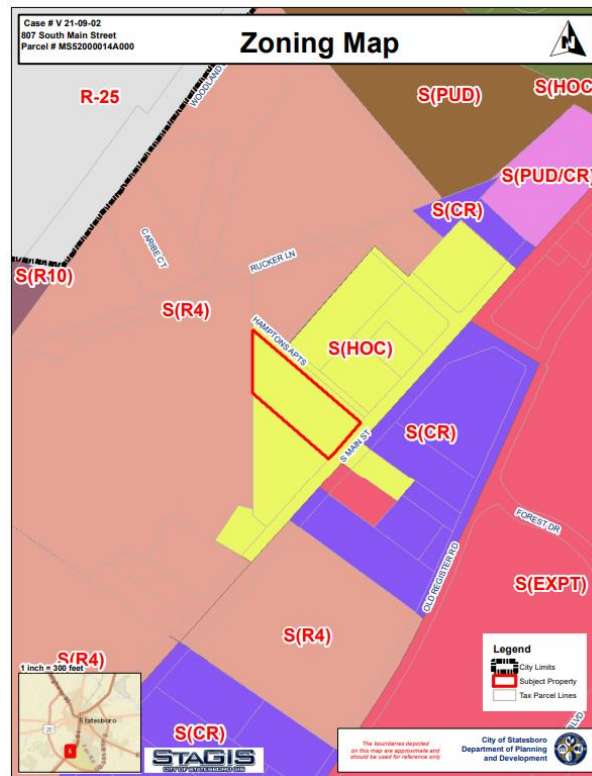












### SURROUNDING LAND USES/ZONING

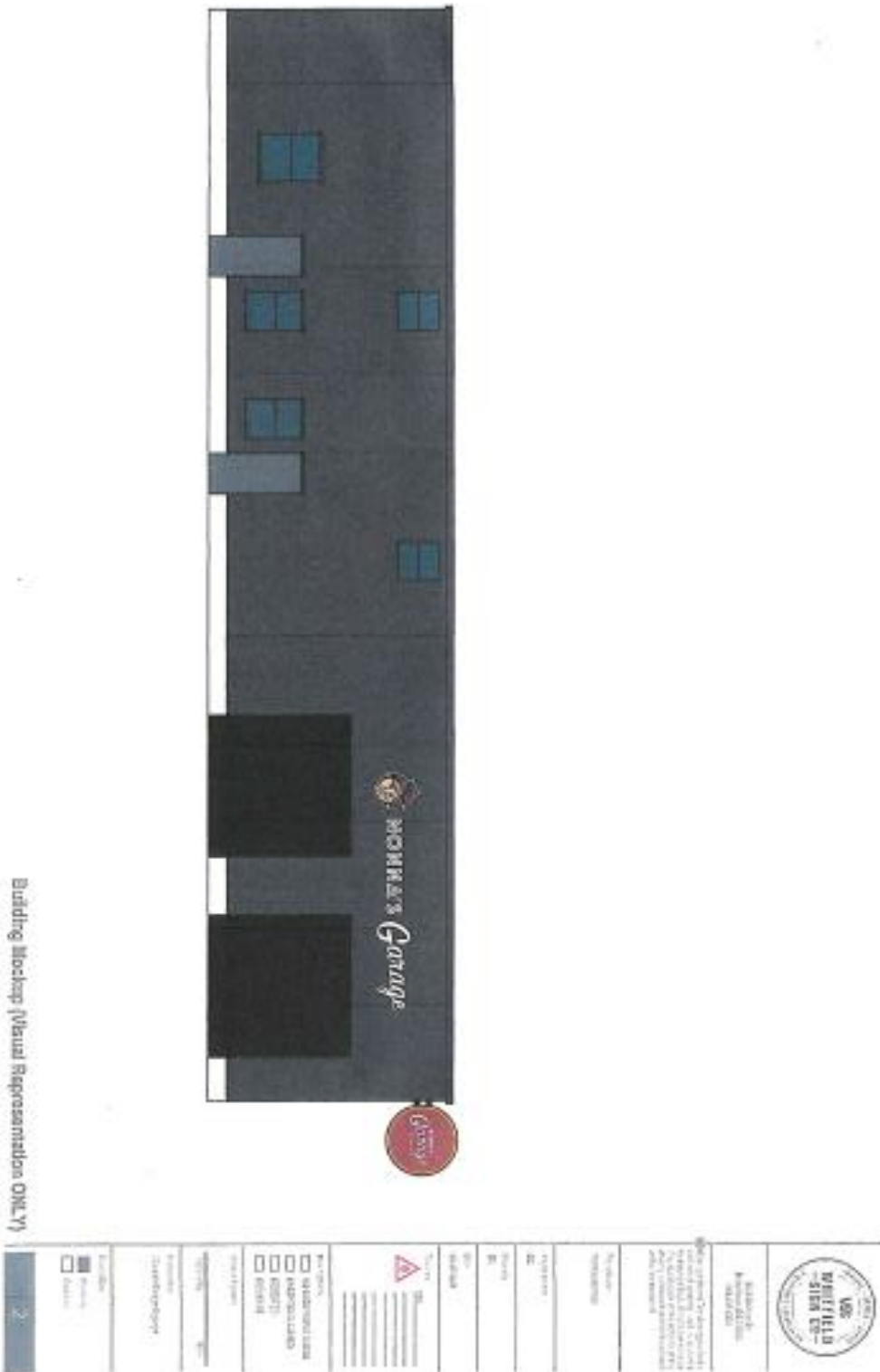
| Location  | Parcel Location & Zoning Information                       | Land Use            |
|-----------|--|---------------------|
| North     | <b>Location Area #1:</b> HOC (Highway Oriented Commercial) | Auto Garage         |
| Northeast | <b>Location Area #2:</b> HOC (Highway Oriented Commercial) | Garden Shop         |
| East      | <b>Location Area #3:</b> CR (Commercial Retail)            | Auto Repair Shop    |
| Northwest | <b>Location Area #4:</b> R4 (High Density Residential)     | Apartment Complex   |
| Southeast | <b>Location Area #5:</b> CR (Commercial Retail)            | Unoccupied Building |
| South     | <b>Location Area #6:</b> EXPT (Exempt)                     | Undeveloped Lot     |
| Southwest | <b>Location Area #7:</b> HOC (Highway Oriented Commercial) | Auto Repair Shop    |
| West      | <b>Location Area #8:</b> HOC (Highway Oriented Commercial) | Auto Repair Shop    |











## **SUBJECT SITE**

The subject site is a 2.29 acre lot containing one building and a garage being developed as a secondary space for serving. The applicant is seeking to add wall signs on the exterior of the garage building that exceeds the maximum allowed wall square footage and aggregate square footage as per Article XV; Section 1509, Table 5 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 #2” character area, which is generally intended for higher density development as a gateway to the highway.

## **ENVIRONMENTAL SITE ANALYSIS**

The subject property does not contain wetlands and is not located in a special flood hazard area.

## **COMMUNITY FACILITIES AND TRANSPORTATION**

The subject property is currently served by city utilities, sanitation and public safety.

## **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 lot does not have any topographical conditions that reduce the inability of signage to be displayed. The building under consideration for additional signage is a secondary structure on the lot, in the rear of the parcel, but this secondary structure is not listed as a separate business.
- 2. The special conditions and circumstances do not result from the actions of the applicant;**
  - The request exceeds the maximum square footage allowance based on the ordinance. By right, the owner would be allowed to place the requested wall signage at no more than 50 feet square feet, with an aggregate of 150 feet square feet including all freestanding and wall signage. Signage being proposed is an additional 71 square feet. Currently, there are signs on this property which have not been authorized by approval of a sign permit.

3. **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
  - Application of the Ordinance does not create a specific hardship, as the currently existing building has signage, and no additional hardship is being created by the application of the Ordinance.
4. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**
  - The signage is not immediately visible from the road, and would not cause any detriment to traveling citizens.

**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 #2" as stated in the *2019 – 2029 Comprehensive Master Plan*.

### **STAFF/PLANNING COMMISSION RECOMMENDATION**

Staff recommends **Denial of V 21-09-01 & V 21-09-02 due to the lack of consistency with the spirit of the Ordinance, and the lack of hardship being imposed by adherence to the Ordinance.** 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 place the sign on this building. All signage must be properly reviewed and approved by the City.
- (2) All signage currently not approved on the site, must be properly permitted before issuance of new signage.




## ZONING SERVICES REPORT

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| V 21-09-03<br>ZONING VARIANCE REQUEST<br>19 SOUTH MAIN STREET |                                 |
|---|---------------------------------|
| <b>LOCATION:</b>  | 19 South Main Street            |
| <b>EXISTING ZONING:</b>                                       | CBD (Central Business District) |
| <b>ACRES:</b>   | 0.04 acres                      |
| <b>PARCEL TAX MAP #:</b>                                      | S18 000027 000                  |
| <b>COUNCIL DISTRICT:</b>                                      | District 2 (Chavers)            |
| <b>EXISTING USE:</b>  | Coffee Shop                     |
| <b>PROPOSED USE:</b>  | Coffee Shop                     |



**PETITIONER** Whitfield Signs

**ADDRESS** 91 South College Street, Statesboro GA 30458

**REPRESENTATIVE** Jana Phillips

**ADDRESS** Same As Above

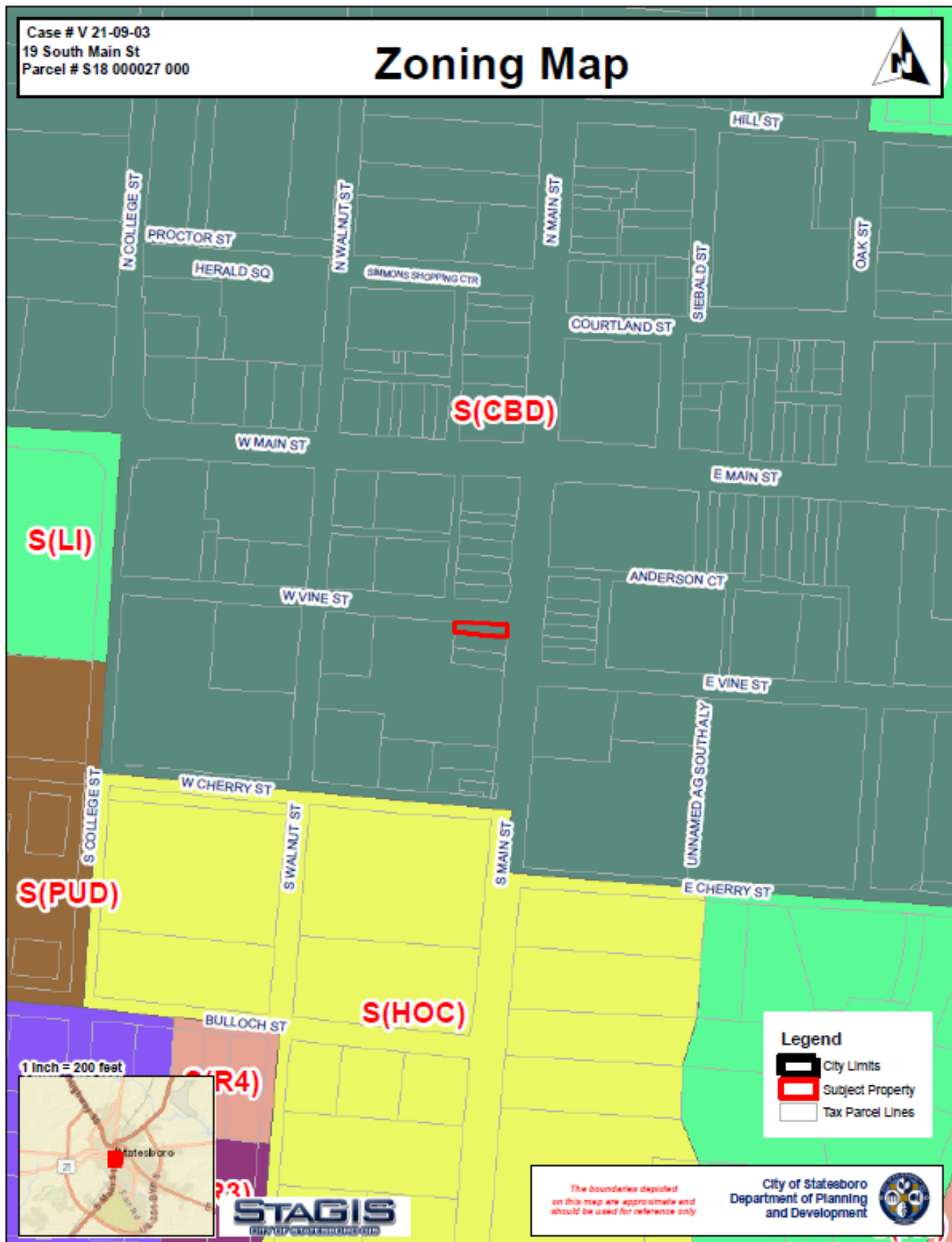
| PROPOSAL  |
|---|
| The applicant requests a variance from Article XV, Section 1509(Table 6), of the <i>Statesboro Zoning Ordinance</i> to allow for the construction of a wall sign on the exterior of the existing building located at 19 South Main Street in the CBD (Central Business District) zoning district. |
| PLANNING COMMISSION RECOMMENDATION  |
| <b><u>V 21-09-03 CONDITIONAL APPROVAL</u></b>   |



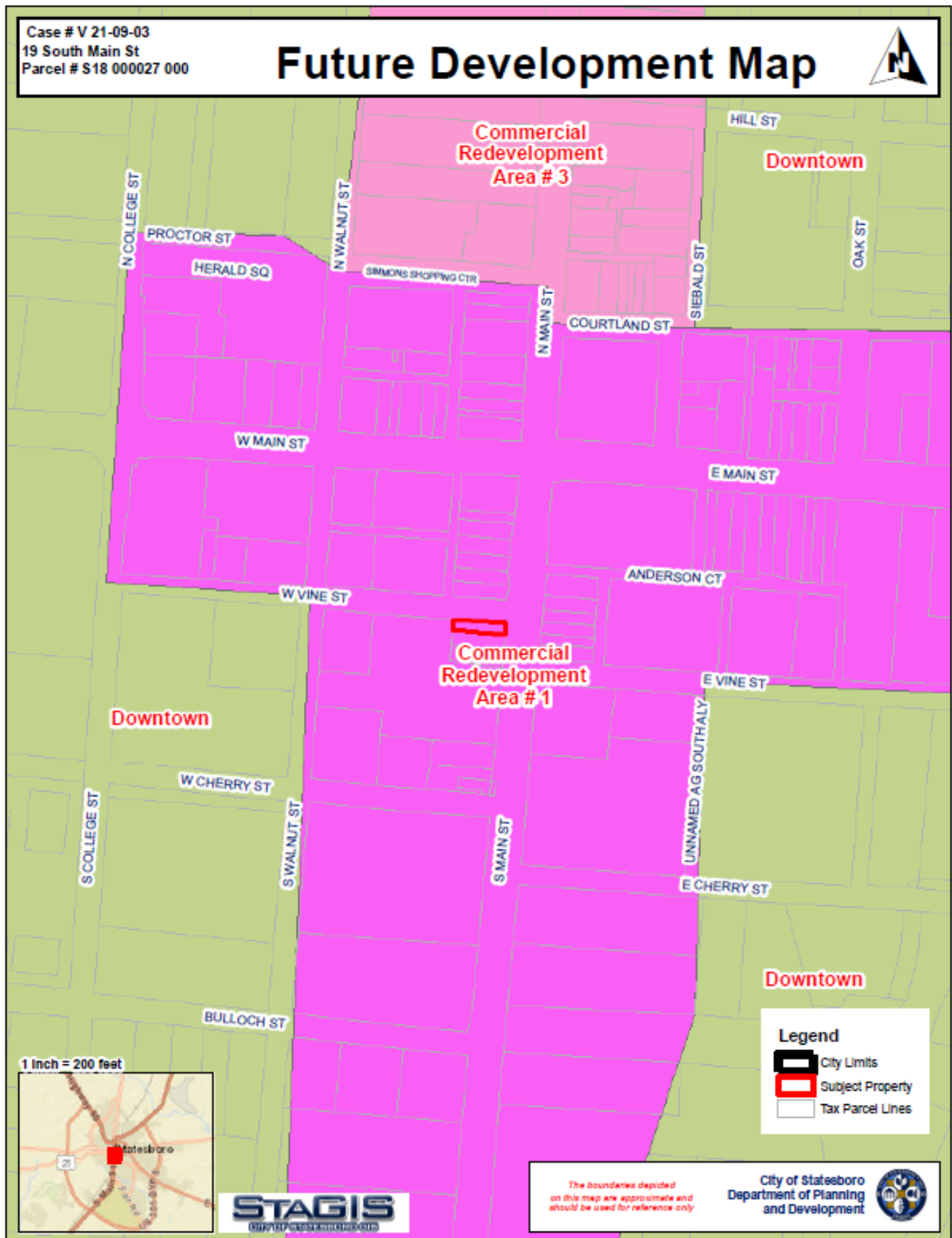
Case # V 21-09-03  
19 South Main St  
Parcel # S18 000027 000

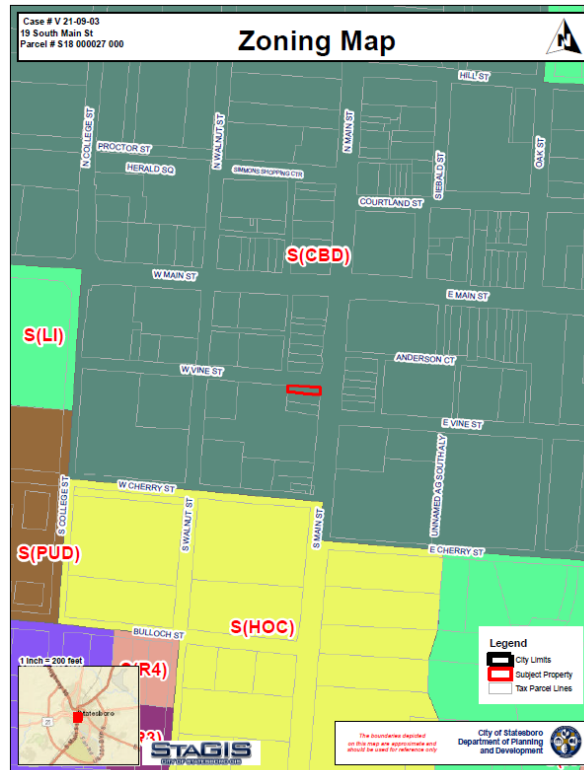
# Location Map











### SURROUNDING LAND USES/ZONING

| Location  | Parcel Location & Zoning Information                     | Land Use               |
|-----------|--|------------------------|
| North     | <b>Location Area #1:</b> CBD (Central Business District) | Antique Shop           |
| Northeast | <b>Location Area #2:</b> CBD (Central Business District) | Attorney Office        |
| East      | <b>Location Area #3:</b> CBD (Central Business District) | Creative Art Studio    |
| Northwest | <b>Location Area #4:</b> CBD (Central Business District) | Parking Lot            |
| Southeast | <b>Location Area #5:</b> CBD (Central Business District) | Office Space           |
| South     | <b>Location Area #6:</b> CBD (Central Business District) | Commercial Space       |
| Southwest | <b>Location Area #7:</b> CBD (Central Business District) | Residential Conversion |
| West      | <b>Location Area #8:</b> CBD (Central Business District) | Parking Lot            |



AUG 19 2004

## Recognition

[illegible]



## **SUBJECT SITE**

The subject site is a 0.04 acre lot containing one row building. The applicant is seeking to add a wall sign on the exterior of the building that exceeds the maximum allowed height of at 12 feet as per Article XV; Section 1509, Table 6 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.

## **COMMUNITY FACILITIES AND TRANSPORTATION**

The subject property is currently served by city utilities, sanitation and public safety.

## **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 for many buildings in the Downtown do not generally allow for the placement of signs of substantial use at lower than 12 feet. This building is consistent with many other buildings in the Downtown with this issue.
- 2. The special conditions and circumstances do not result from the actions of the applicant;**
  - The request exceeds the maximum height allowance based on the ordinance. By right, the owner would be allowed to place the requested signage at no higher than 12 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.**
  - 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 21-09-03**. 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 place the sign on this building. All signage must be properly reviewed and approved by the City.



## ZONING SERVICES REPORT

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**V 21-09-05**  
**ZONING VARIANCE REQUEST**  
**1825 NORTHSIDE DRIVE EAST**

|                          |                           |
|--------------------------|---------------------------|
| <b>LOCATION:</b>         | 1825 Northside Drive East |
| <b>EXISTING ZONING:</b>  | CR (Commercial Retail)    |
| <b>ACRES:</b>            | 4.03 acres                |
| <b>PARCEL TAX MAP #:</b> | S38 000042 000            |
| <b>COUNCIL DISTRICT:</b> | District 1 (Boyum)        |
| <b>EXISTING USE:</b>     | Retail                    |
| <b>PROPOSED USE:</b>     | Retail                    |



**PETITIONER** Mohamed Alshuaibi  
**ADDRESS** 19 North Main Street, Statesboro GA 30458

**REPRESENTATIVE** Ron Patterson  
**ADDRESS** 106 Main Street, New Ellenton SC 29809

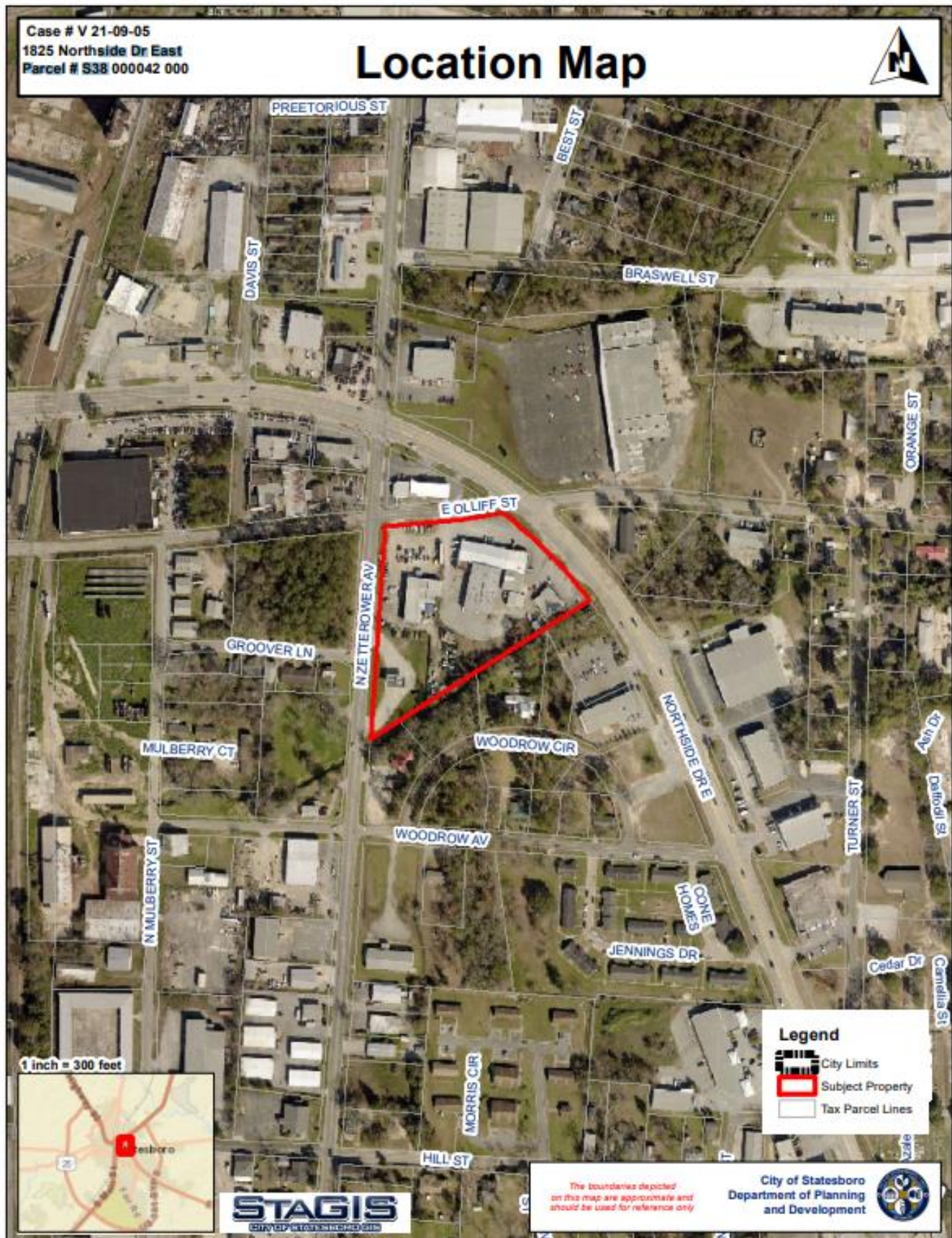
### PROPOSAL

The applicant requests a variance from Article XV, Section 1509(Table 4), of the *Statesboro Zoning Ordinance* to allow for the construction of a freestanding sign in front of the existing building located at 1825 Northside Drive East in the CR (Commercial Retail) zoning district.

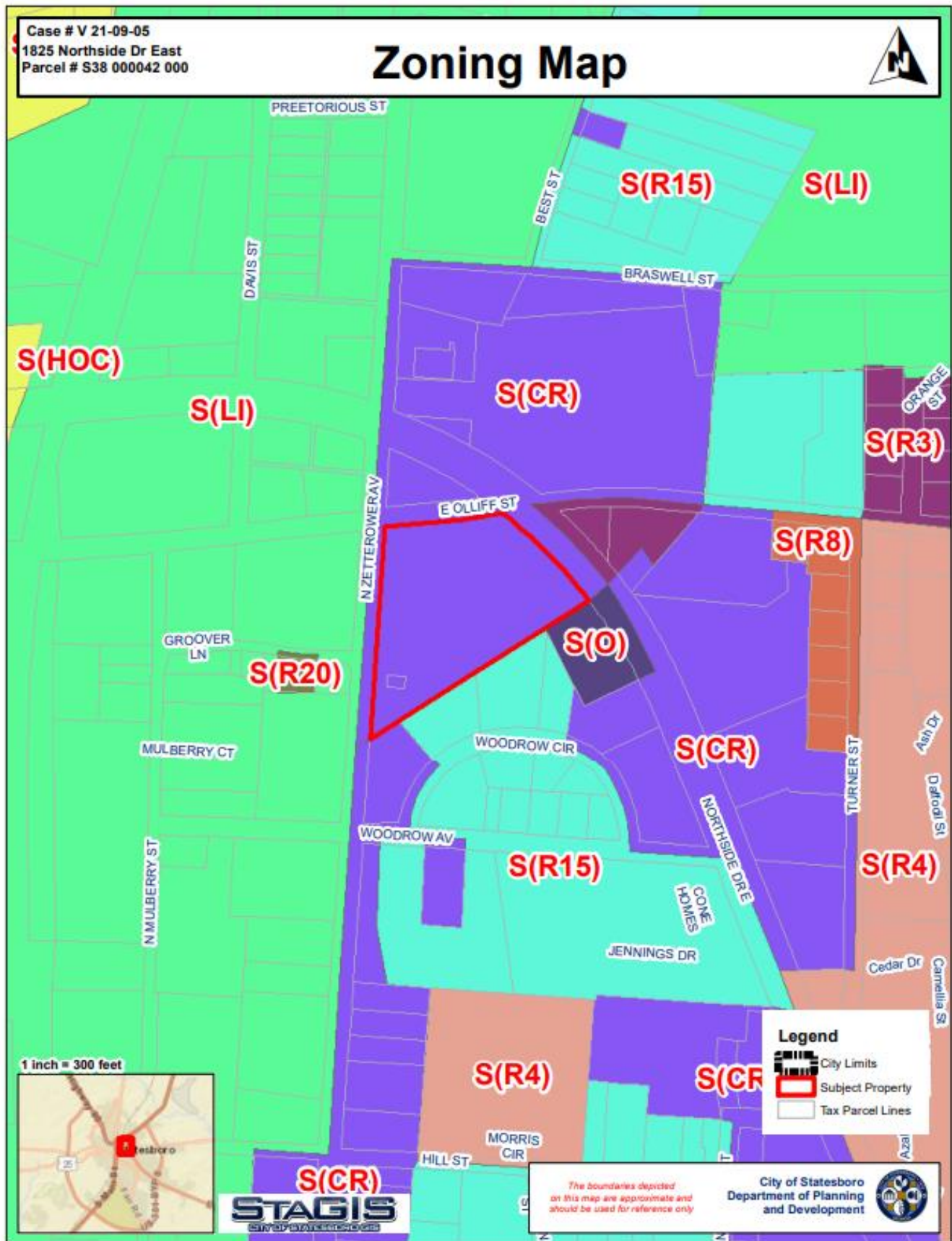
### PLANNING COMMISSION RECOMMENDATION

**V 21-09-05 DENIAL**









Case # V 21-09-05  
1825 Northside Dr East  
Parcel # S38 000042 000

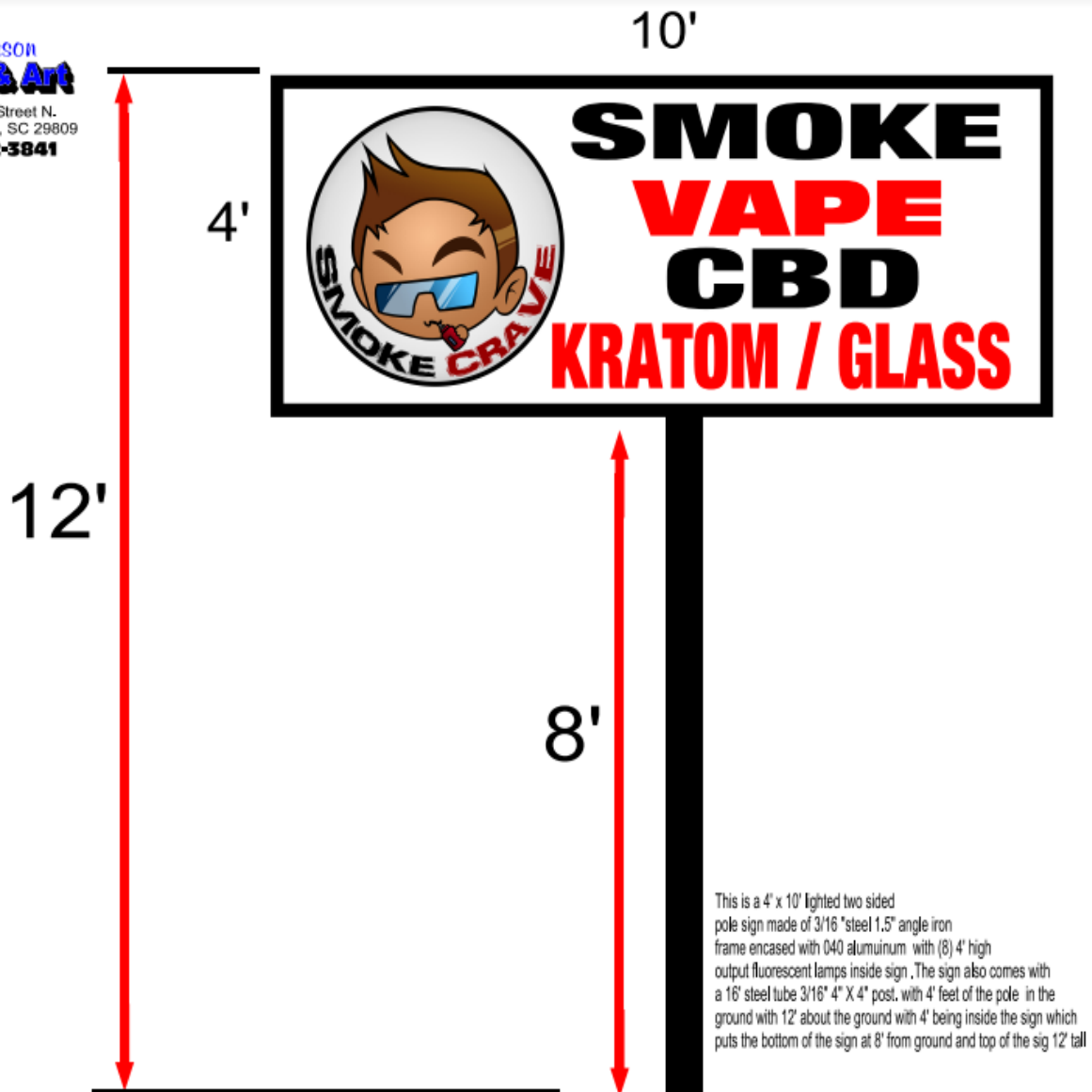
# Future Landuse Map





### SURROUNDING LAND USES/ZONING

| Location  | Parcel Location & Zoning Information  | Land Use                           |
|-----------|---|------------------------------------|
| North     | <b>Location Area #1:</b> CR (Commercial Retail)   | Shopping Center                    |
| Northeast | <b>Location Area #2:</b> CR (Commercial Retail)/R3 (Medium Density Multiple Family Residential) | Church                             |
| East      | <b>Location Area #3:</b> CR (Commercial Retail)   | Charter School                     |
| Northwest | <b>Location Area #4:</b> CR (Commercial Retail)   | Pawn Shop                          |
| Southeast | <b>Location Area #5:</b> CR (Commercial Retail)   | Tire Shop                          |
| South     | <b>Location Area #6:</b> R15 (Single-Family Residential)  | Single-Family Residential Dwelling |
| Southwest | <b>Location Area #7:</b> O (Office)   | Warehouse                          |
| West      | <b>Location Area #8:</b> LI (Light Industrial)  | Undeveloped Lot                    |





## **SUBJECT SITE**

The subject site is a 4.03 acre lot containing a multi-tenant commercial building. The lot has a variety of businesses including a Sherwin Williams, realtor's office, a medical equipment shop and the applicant's retail vape shop. The applicant is seeking to add a freestanding sign in front of the building. Individual freestanding signs are not allowed for individual establishments within a planned commercial development as per Section 1509 of the Statesboro Zoning Ordinance. The applicant is seeking to place a freestanding sign of 40 square feet and a height of 12 feet at the front of the lot.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site as a part of the "Neighborhood Center" character area, which normally would be characterized by a blend of lower to medium density residential and commercial, personal service, and offices that are neighborhood scale in size and intensity.

## **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 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 requested variance will not require any structural changes to the lot, as the general infrastructure is in place from a past sign that was on the site. Although there is curvature on Northside Drive East that can affect visibility of a smaller sign, the wall sign currently in place is double the standard amount allowed on an individual building.
- 2. The special conditions and circumstances do not result from the actions of the applicant;**
  - Based on the ordinance, the owner would not be allowed to place the requested freestanding signage on the property. It should be noted that the applicant already has a variance in place for a wall sign that exceeds the allowable square footage for a shared building. At this time, the owner has 120 square feet of wall signage, with additional window signs on the building.

3. **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
  - There is no noted topographical hardship associated with the adherence to the Ordinance.
4. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**
  - Impacts to passing traffic should be noted, as the sign would not be a substantial distance from the nearest freestanding Sherwin Williams sign. In general, signage in a complex of this nature should be shared among tenants.

**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 "Neighborhood Center" as stated in the *2019 – 2029 Comprehensive Master Plan*. However the proposed variance request for a freestanding sign is not in conformance with the majority of signage utilized by the other tenants of the shopping center.



#### **STAFF/PLANNING COMMISSION RECOMMENDATION**

Staff recommends **Denial V 21-07-10 due to the lack of conformity with signage throughout sign district 2 and the substantial square footage being proposed for all signage.** . 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 place the sign on this building. All signage must be properly reviewed and approved by the City.

Planning Commission Meeting

Tue, Oct 5, 2021 5:00 PM - 6:00 PM (EDT)

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