



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
September 3, 2019
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 6, 2019 Meeting Minutes

IV. New Business

1. **APPLICATION V 19-08-01**: Jason Wager requests a variance from Article XI, Section 1102(G) to reduce the minimum lot size requirements for property to be considered for the HOC (Highway Oriented Commercial) zoning district in order to utilize the existing commercial building as an automotive services repair shop on 0.36 acres located at 137 East Parrish Street (Tax Parcel S37 000004 000).
2. **APPLICATION RZ 19-07-02**: Jason Wager requests a zoning map amendment of 0.36 acres located at 137 East Parrish Street from CR (Commercial Retail) to the HOC (Highway Oriented Commercial) zoning district in order to utilize the existing commercial building as an automotive services repair shop (Tax Parcel S37 000004 000).
3. **APPLICATION V 19-08-03**: Jason Wager requests a variance from Article XI, Section 1102(C) to reduce the required front yard setback in order to utilize the existing commercial building as an automotive services repair shop on 0.36 acres located at 137 East Parrish Street (Tax Parcel S37 000004 000).
4. **APPLICATION V 19-08-04**: Jacqueline Heyward requests a variance from Article VII-C, Section 703-C(A) to reduce the minimum lot size requirements for property to be considered for the R-10 (Single Family Residential) zoning district in order to allow the placement of a mobile home on 0.20 acres located at 436 Tremble Lane (Tax Parcel S46 000001 000).

5. **APPLICATION V 19-08-06:** Rick's Glass Company requests a variance from Article XXX, Section 30102(E) regarding tree protection within any required setback or buffer area in the Downtown District for 0.737 acres of property located at 301 South Main Street (Tax Parcels S20 000090 000 & S20 000092 000).
6. **APPLICATION V 19-08-08:** Josh Whitfield requests a variance from Article VII, Section 703(A) to reduce the required left side yard setback in order to allow the development of residential units to serve the West District project on 0.43 acres located at 110 Bulloch Street (Tax Parcel S19 000119 000).
7. **APPLICATION RZ 19-08-09:** Josh Whitfield requests a zoning map amendment of 0.43 acres located at 110 Bulloch Street from R-8 (Single Family Residential) to the R-4 (High Density Residential) zoning district in order to allow the development of residential units to serve the West District project (Tax Parcel S19 000119 000).
8. **APPLICATION RZ 19-08-10:** Josh Whitfield requests a zoning map amendment of 1.06 acres located at 116 Bulloch Street from R-8 (Single Family Residential) to the R-4 (High Density Residential) zoning district in order to allow the development of residential units to serve the West District project (Tax Parcel S19 000117 000).
9. **APPLICATION SUB 19-08-11:** Continental Road, LLC requests preliminary plat approval for a 6-lot commercial subdivision for phase I of the Continental Road subdivision on 33.348 acres located at 7130 Veterans Memorial Parkway (Tax Parcel MS42 000007 000).

V. Announcements

VI. Adjourn



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Statesboro Planning Commission
August 6, 2019
5:00 P.M.
City Hall Council Chamber
Meeting Minutes

Present: Planning Commission Members: Benjamin McKay, Carlos C. Brown Jr., Sean Fox, Mary Foreman, James W. Byrd Sr., Russell Rosengart, and Jamey Cartee; **City of Statesboro Staff:** Owen Dundee (City Planner II), Justin Williams (City Planner I), and Jason Boyles (Assistant City Manager).

I. Call to Order

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

II. Invocation & Pledge of Allegiance

III. Approval of Minutes

1.) July 2, 2019 Meeting Minutes

Commissioner Cartee made a motion to approve the July 2, 2019 meeting minutes, seconded by Commissioner Rosengart. The motion carried 6-0.

IV. New Business

1. **APPLICATION V 19-07-01:** Josh Whitfield requests a variance from Article XV Section 1509(C) Table 6 of the Statesboro Zoning Ordinance regarding the maximum building sign height requirement of Sign District 4 in order to allow the placement of a building sign at 20 feet located at 13 North Main Street (Tax Parcel S18 000015 000).

Owen Dundee introduced the case. No representative was present to speak on behalf of the applicant. Commissioner Cartee requested clarification on which building the signage placement is proposed to occur. Mr. Dundee clarified the proposed signage location and height. Commissioner Rosengart inquired if the signage would be illuminated. Mr. Dundee stated the sign would not be illuminated. Commissioner Cartee inquired if the renovated building would house a new business. Mr. Dundee confirmed that a new business, NRP, would be located in this building, thus the recent renovations and proposed signage request.

Commissioner Rosengart made a motion to recommend the approval of **V 19-07-01** with staff conditions. Commissioner Fox seconded, and the motion carried 6-0.

Commissioner Brown arrived at 5:06 PM.

2. **APPLICATION CUV 19-07-03:** Alicia Barnes Burnsed requests a conditional use variance from Article V of the Statesboro Zoning Ordinance for 0.76 acres of property located at 508 East Main Street to utilize the property as an addiction recovery community residence in the R-15 (Single Family Residential) zoning district (Tax Parcel MS71 000003 000).

Owen Dundee introduced the case, and Alicia Burnsed, the applicant, spoke in favor of her application. Commissioner Cartee inquired if the staff conditions for this conditional use variance are consistent with the previously approved conditional use variances for group recovery homes. Mr. Dundee confirmed that the suggested, conditional staff approval is consistent with the previously approved conditional use variances in regards to the applicant's requested use. Ms. Burnsed added that they decided to go with a much lower number of proposed residents than other recovery group home conditional use variance requests. Further, Ms. Burnsed stated that she wanted to be conservative with the proposed number of residents for her property. Commissioner Rosengart requested information on the number of bedrooms within the home. Ms. Burnsed confirmed that there are five bedrooms. Commissioner Cartee inquired if there were any neighboring property owner concerns received by City staff. Mr. Dundee stated that the Planning & Development Department had not received any inquiries on the requested conditional use variance at this time. Commissioner Rosengart inquired if background checks would be required for all residents. The property owner, Ms. Barnes, confirmed that the group home would require background checks on all residents.

Commissioner Foreman made a motion to recommend the approval of **CUV 19-07-03** with staff conditions. Commissioner Brown seconded, and the motion carried 7-0.

V. Announcements

VI. Adjourn

Commissioner Cartee made the motion to adjourn the meeting. Commissioner McKay seconded, and the motion carried 7-0. The meeting adjourned at 5:14 PM.

Chair – James W. Byrd Sr.

Secretary – Jason Boyles
Assistant City Manager



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

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V 19-08-01, RZ 19-07-02, V 19-08-03 ZONING MAP AMENDMENT & ZONING VARIANCE REQUESTS 137 EAST PARRISH STREET	
LOCATION:	137 East Parrish Street
REQUEST:	Zoning map amendment from CR (Commercial Retail) to HOC (Highway Oriented Commercial); Variance from Article XI, Section 1102(G) regarding lot area requirements; Variance from Article XI, Section 1102(C) regarding the building setback from the street line.
APPLICANT:	Jason Wager
OWNER(S):	Jason Wager
ACRES:	0.36 acres (15,681.6 sq. ft.)
PARCEL TAX MAP #:	S37 000004 000
COUNCIL DISTRICT:	1 (Boyum)

Case # V 19-08-01, RZ 19-07-02 & V 19-08-03
 137 E Parrish St
 Parcel: S37 000004 000

PROPOSAL:

The applicant is proposing the utilization of an existing commercial building as a tire repair shop, which is not an allowed use under the subject property’s current CR (Commercial Retail) zoning. Automotive services, such as service stations, repairs shops, and automotive parts and accessory sales are allowable uses specific to the HOC (Highway Oriented Commercial) district. Therefore, the applicant requests a variance from **Article XI: Section: 1102(G)** of the Statesboro Zoning Ordinance, which requires a minimum lot area of twenty thousand (20,000) square feet per structure in the HOC district. The applicant is proposing a lot size of approximately 15,682 square feet. Next, the applicant requests a zoning map amendment from the CR (Commercial Retail) zoning district to the HOC (Highway Oriented Commercial) zoning district in order to utilize the existing commercial building as a tire repair shop, which is not an allowed use under the subject property’s current CR (Commercial Retail) zoning designation. Lastly, the applicant is requesting a variance from **Article XI: Section 1102 (C)** of the Statesboro Zoning Ordinance, which requires that there be a minimum building setback distance of 60 feet from the street line in the HOC district. The applicant is proposing no front setback distance from the street line to the existing building. Per the recorded plat of record with the Bulloch County Clerk of Courts, the existing commercial building’s front canopy structure encroaches over the subject site’s front property line abutting U.S. Highway 301 (See **Exhibit D** – Recorded Plat).

BACKGROUND:

The parcel is currently occupied by a commercial building, which has been vacant for the past 3 months per the applicant. The building was last utilized as a painting contractor business. Historical uses have included contracting businesses, glass fabrication, and automotive service uses. The parcel was originally developed as a Phillips 66 gas and automotive services station in 1950.

ATTACHMENTS: Exhibit A (Location Map), Exhibit B (Future Development Map) Exhibit C (Photos of Subject Site), Exhibit D (Recorded Plat), Exhibit E (Surrounding Zoning Map), Exhibit F (Historical Property Photo)

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R4 (High Density Residential) & CR (Commercial Retail)	Radio Tower & Vacant Land
SOUTH:	LI (Light Industrial)	BF Goodrich Tire Service
EAST:	R4 (High Density Residential) & CR (Commercial Retail)	Little Red House Addiction Hotline Center & Vacant Land
WEST	R4 (High Density Residential) & CR (Commercial Retail)	Vacant Land

The subject property is located in the CR (Commercial Retail) zoning district. Surrounding properties include vacant land, a radio tower, BF Goodrich automotive services center, and a vacant commercial building previously used as “The Little Red House Addiction Hotline” center. (See **Exhibit C** – Photos of Subject Site).

COMPREHENSIVE PLAN:

The subject site lies within the “Residential Redevelopment” character area as identified by the City of Statesboro 2014 Future Development Map (See **Exhibit B**—2014 Future Development Map) within the City of Statesboro 2014 Comprehensive Plan Update.

Vision:

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.

- Single-Family detached housing
- Lower density, Single Family attached housing

Suggested Development & Implementation Strategies

- 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.
- Public investment in sidewalks, right of way improvements, and redevelopment incentives should be focused where needed to ensure that the neighborhood becomes more stable, mixed income community with a larger percentage of owner occupied housing.
- 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 maintenance, and the demolition of dilapidated structures in area.
- The neighborhood should include a well-designed new neighborhood activity center at the appropriate location, which would provide a focal point for the neighborhood, while also providing a suitable location for a grocery store, hardware store, school, and similar appropriately scaled retail establishments serving neighborhood residents.
- Strong pedestrian and bicycle connections should also be provided to encourage residents to walk/bike to work, shopping, or other destinations in the area.
- New streets should be connected (i.e., minimize or prohibit cul-de-sacs, to disperse traffic, shorten walking/biking trips.
- Design features that encourage safe, accessible streets should be employed- such as, narrower streets, on street parking, sidewalks, street trees, and landscaped raised median for minor collectors and wider streets.

Statesboro 2014 Comprehensive Plan Update, Community Agenda page 21.

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. Any potential issues will be brought forth and discussed during standard permitting and review procedures.

ANALYSIS:

Current Zoning Compared to Requested Zoning

CR – The Commercial Retail district permits health care facilities, to include hospitals and nursing homes, as well as all uses permitted in the CBD district to include general retail, wholesale, office, personal service establishments, and apartments on upper floors. Major commerce is also allowed in this district.

HOC – The Highway Oriented Commercial district permits services to the public, commercial recreation, automotive sales, miscellaneous sales, banks, and single-family detached dwellings. Also, this district allows all uses that are permissible in the Commercial Retail (CR) and Central Business (CBD) districts to include general retail, wholesale, office, personal service establishments, health care uses and apartments on upper floors. Additionally, this district allows for the development of major commerce.

ZONING CONSIDERATIONS:

Whether or not to grant a zoning map amendment for the property currently listed as CR (Commercial Retail) to HOC (Highway Oriented Commercial).

The request to rezone the subject property 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 city’s primary land use policies: *The Statesboro Comprehensive Plan*, the *Statesboro Downtown Master Plan* and the *2035 Bulloch County/City of Statesboro Long Range Transportation Plan*; and the potential for the property to develop in conformance with the requirements of the proposed HOC (Highway Oriented Commercial) zoning district for uses as set forth in the *Statesboro Zoning Ordinance*.

The subject parcel is currently zoned CR (Commercial Retail) and the applicant has immediate plans to open a tire service business utilizing the existing, vacant commercial building. Additionally, the applicant is not proposing any lot line revisions, building expansion and/or construction at this time.

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 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;**
 - a. The northern adjacent property, zoned R-4 (High Density Residential), is currently undeveloped and contains substantial flood plain and wetland impacts. The surrounding properties to the south are zoned LI (Light Industrial) and consist of various automotive repair businesses and warehouses. Currently vacant land, adjacent property to the west is zoned CR (Commercial Retail) and R4 (High Density Residential). The adjacent property to the east of the subject parcel is zoned CR (Commercial Retail) & R4 (High Density Residential) and has a small, vacant commercial building fronting on U.S. Highway 301.
- (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 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.**
- (4) The relative gain to the public, as compared to the hardship imposed upon the property owner.**
 - a. While the current CR zoning of the parcel supports commercial development and limited Residential development, the zoning designation does not support the development and use of highway oriented commercial businesses. The location of the parcel supports travelers and sits along an Urban Corridor Gateway, which would help to promote entry into the Downtown District.

- (5) **The suitability of the subject property for the zoned purposes.**
 - a. The property contains a commercial building that is suitable for the proposed use and has been utilized for such in the property's history.
- (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. The parcel currently is occupied by a commercial building, which has been vacant for the past three (3) months per the applicant. There have been no major recent commercial developments surrounding the property. Historically this property has served as multiple business types, with primary historical uses as an automotive services business.
- (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;**
 - a. Impacts on local traffic should be considered.
 - b. Positive impact on the existing and future land use patterns as the proposed use is compatible with the surrounding area as well as consistent with the 2014 Future Development Map and the *Statesboro Comprehensive Plan*.
- (8) **Consistency with other governmental land use, transportation, and development plans for the community.**
 - a. The Comprehensive Plan recommends that whenever possible, existing structures should be preserved and/or renovated to accommodate changing land uses in order to protect both the neighborhood and overall community character. Any new structures should be located on the lot with similar setbacks as surrounding development and designed in a way which complements the existing immediate area.

VARIANCE ANALYSIS

- I. **Application V 19-08-01: Variance from Article XI: Section 1102(G): Lot area. A lot area of not less than 20,000 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 applicant is requesting a variance from **Article XI: Section 1102(G)** to reduce the **minimum lot area requirements from 20,000 square feet to 15,681.6 square feet**. This variance in question is regarding the total area of the subject site, which is proposed to be 0.36 acres (15,681.6 sq. ft.). The subject property is approximately 4,319 square feet less than the minimum 20,000 square feet required for a parcel to be considered for the HOC (Highway Oriented Commercial) zoning district (see **Exhibit D** - Recorded Plat).

- II. **Application V 19-08-03: Variance from Article XI, Section 1102(C): Building setback from street line. There shall be a minimum setback of 60 feet from the street line. This distance may be reduced if no front of structure parking is contemplated, however, in any case a unified setback for the entire HOC district is encouraged.**

The applicant is requesting a variance from **Article XI: Section 1102(C)** to reduce the **minimum front yard setback from 60 feet to 0 feet**. This variance is specifically being requested to allow for a zoning map amendment change in order to utilize an existing commercial building for an automotive services use. A portion of the commercial building's canopy will be located in the area where the normal 60 foot building setback would be regulated in the HOC (Highway Oriented Commercial) zoning district.

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. A variance may not be granted for the use of land that is not permitted by zoning regulations."

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;

The applicant did not take action to result in the subject property's current zoning classification.

3. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and

The existing commercial building was originally developed for an automotive services use. Since the building was constructed, the City of Statesboro's zoning map has been revised, thus creating a non-conforming structure on this parcel. In order for the existing commercial building to operate as an automotive service use similar to past historical uses of the subject property, the applicant will require the approval of zoning variances and a zoning map amendment to do so.

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 the variance requested by application **V 19-08-01**.

Should the approval of the requested variance by application **V 19-08-01** be granted, then staff would also recommend approval of the zoning map amendment and zoning variance requested by applications **RZ 19-07-02 & V 19-08-03** with the following condition(s):

1. Approval of this Zoning Map Amendment does not grant site map and/or building plan approval. Any future renovations to the existing building and/or the new construction of structures on the subject property will be required to meet all City Ordinances and applicable building codes.
2. Permissible uses shall be restricted to those allowed by right as regulated by the City of Statesboro's Zoning Ordinance and the HOC (Highway Oriented Commercial) zoning district.
3. The existing building's canopy structure shall not encroach further into the building setback area unless authorized by variance.

EXHIBIT A: LOCATION MAP

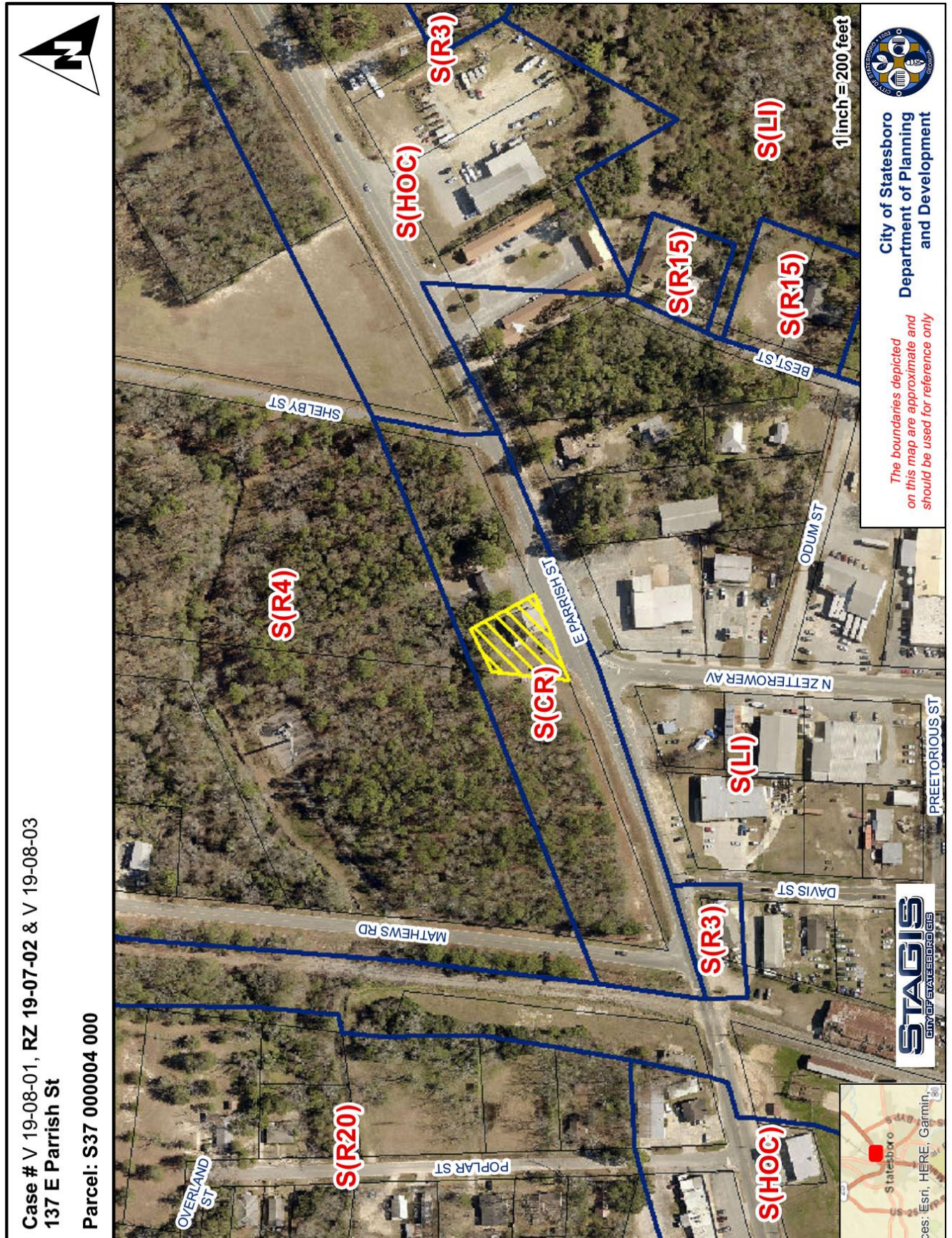


EXHIBIT B: FUTURE DEVELOPMENT MAP

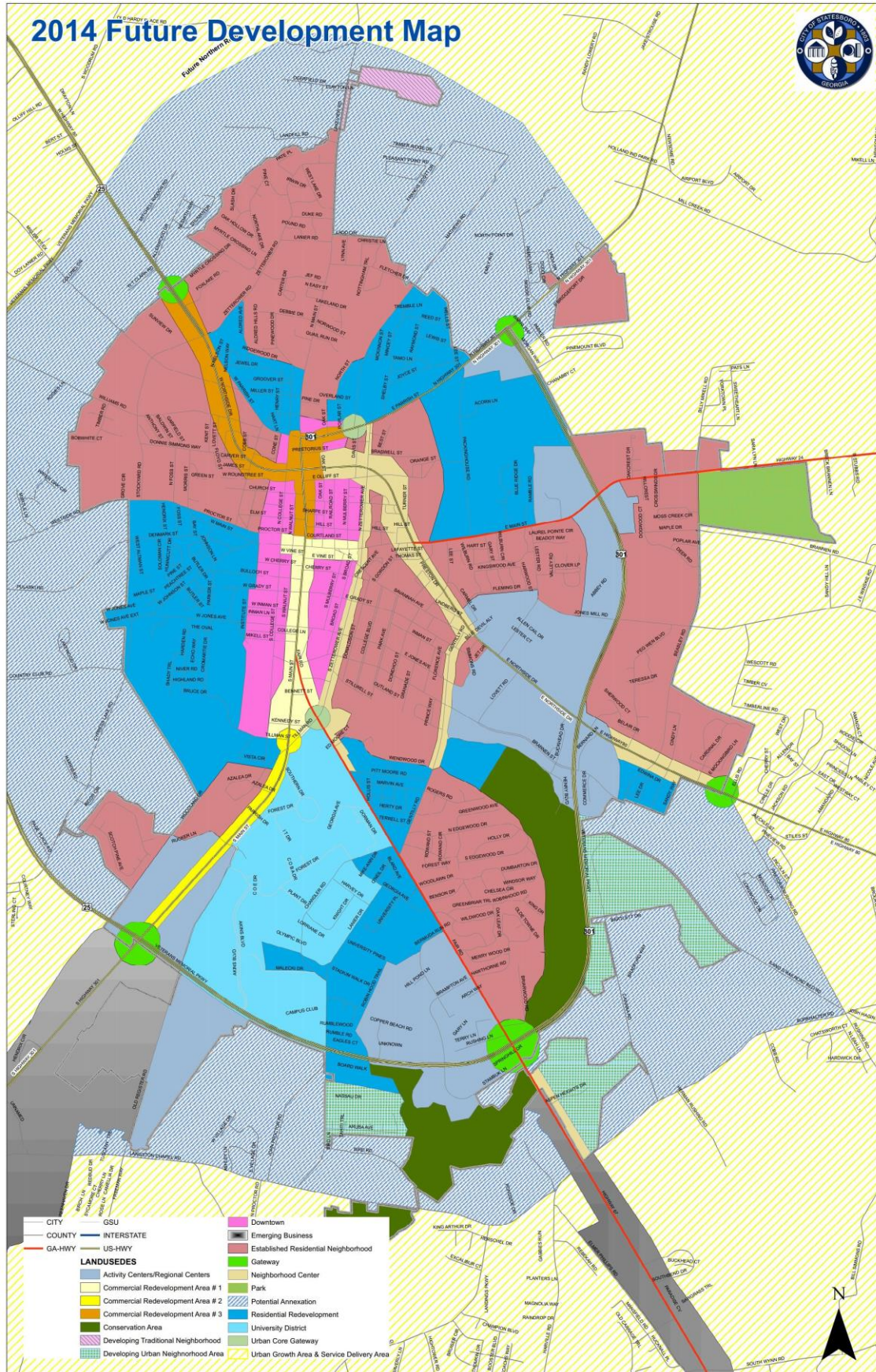


EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS

Picture 1: View of the subject site – 137 East Parrish Street, looking west from East Parrish Street. Also, a view of the area where V 19-08-01, RZ 19-07-02, & V 19-08-03 are being requested.



Picture 2: View of the surrounding properties, looking South from the subject property and East Parrish Street.



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (Continued)

Picture 3: View of the adjacent commercial property to east of the subject property, located along E. Parrish Street.



Picture 4: View of the adjacent property to the west of the subject site from East Parrish Street, currently vacant land.



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (Continued)

Picture 5: View of the surrounding properties, looking east along East Parrish Street.



Picture 6: View of surrounding properties, looking west along East Parrish Street.



Exhibit D: Recorded Plat (dated August 7, 1964); V 19-08-03 Outlined in Red

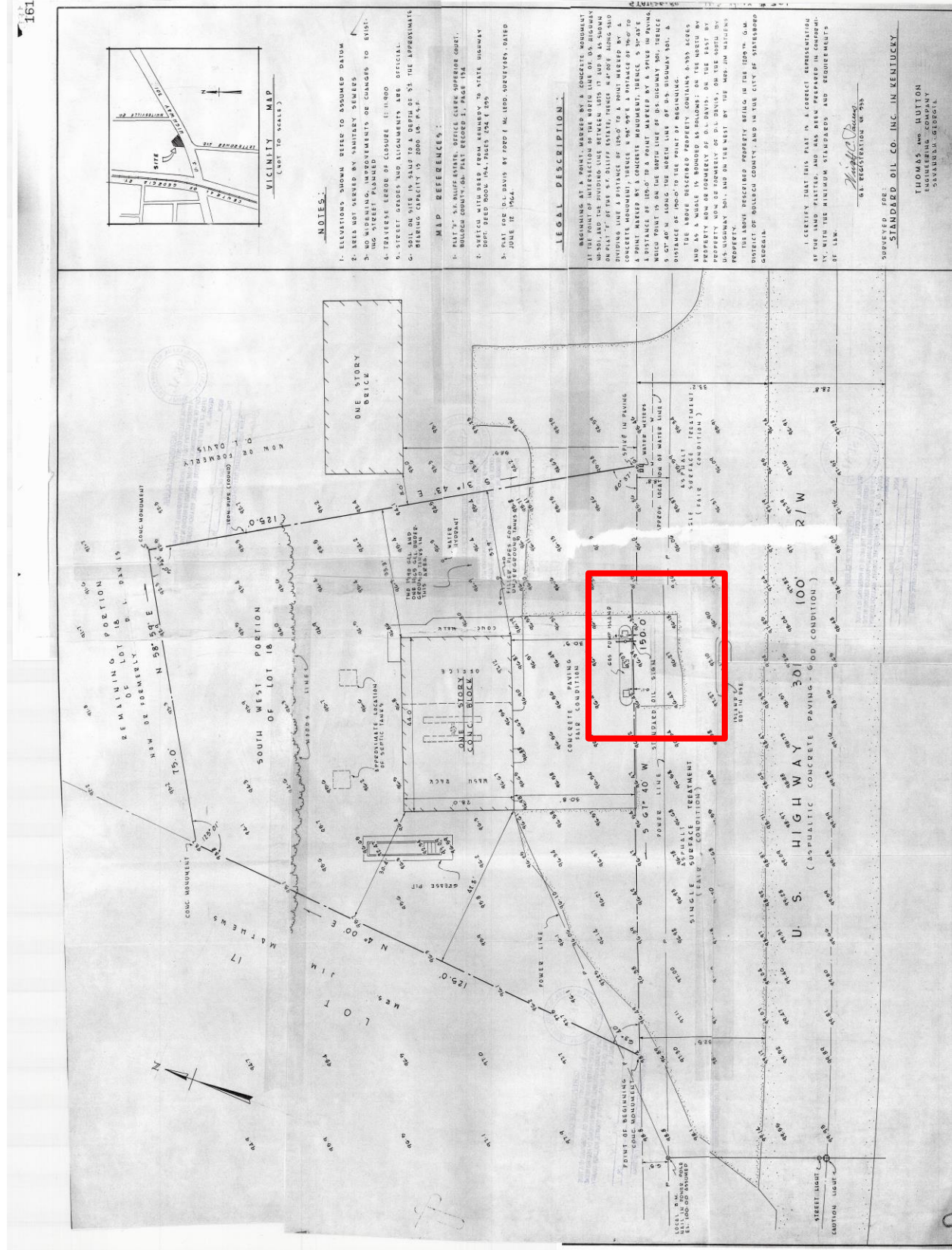


Exhibit E: Surrounding Zoning Map

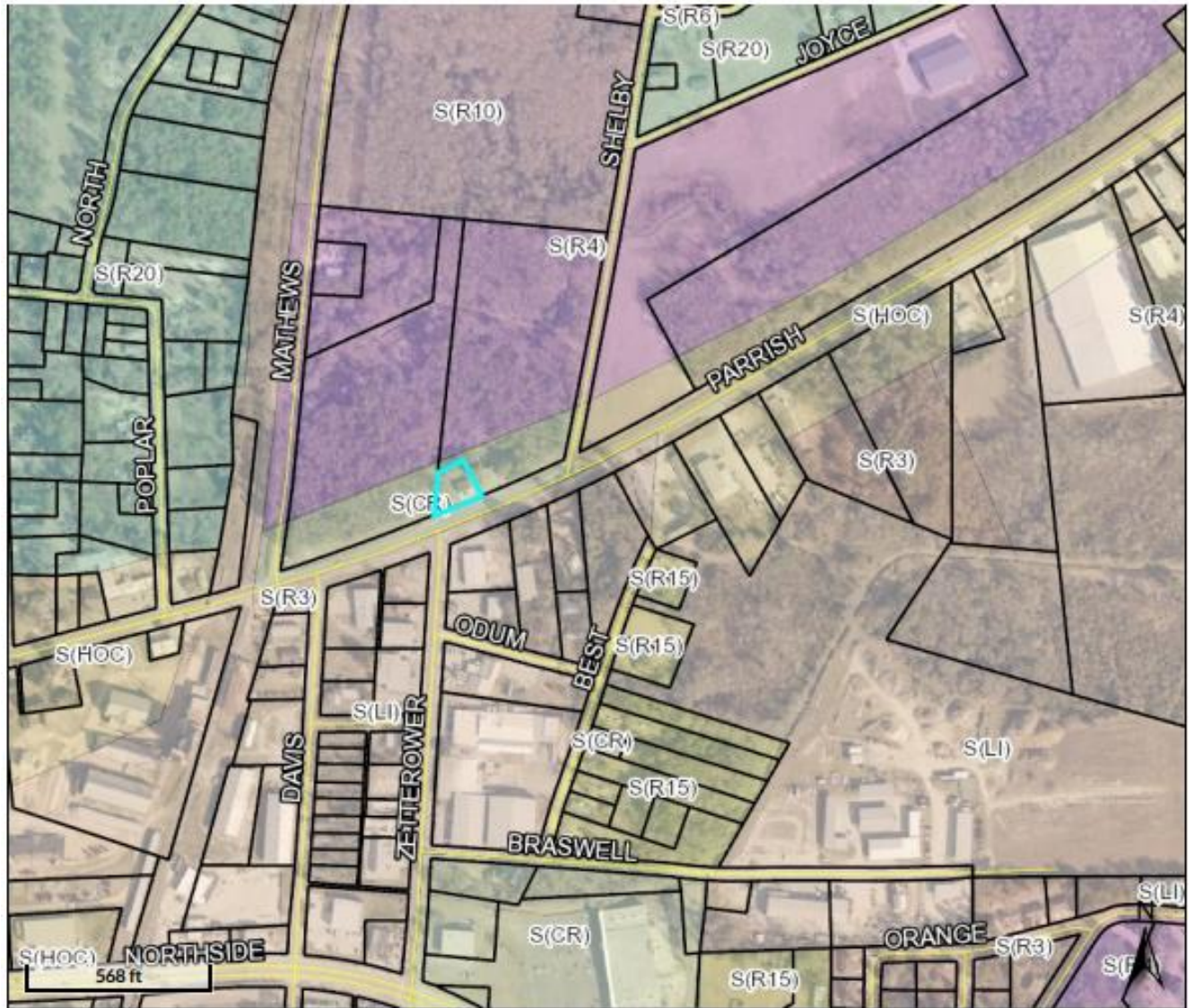


Exhibit F: Historical Photo of the Subject Property





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

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V 19-08-04 ZONING VARIANCE REQUEST 436 Tremble Lane	
LOCATION:	436 Tremble Lane
REQUEST:	Variance from Article VII-C Section 703-C(A) regarding the minimum lot area requirements for the R-10 (Single Family Residential) zoning district.
APPLICANT:	Jacqueline Heyward
OWNER(S):	Jacqueline Heyward
ACRES:	0.20 acres
PARCEL TAX MAP #:	S46 000001 000
COUNCIL DISTRICT:	District 1 (Boyum)

Case # V 19-08-04
 436 Tremble Lane
 Parcel: S46 000001 000

PROPOSAL:

The applicant requests a variance from Article VII-C: Section: 703-C(A) of the *Statesboro Zoning Ordinance*, which requires a minimum lot area of 10,000 square feet. The applicant is proposing a minimum lot size of 8,712 square feet in order to allow for the placement of a mobile home residence. Per Article VII-C: Section 703-C(A), “a lot held in single and separate ownership on the effective date of this ordinance, having an area of less than 10,000 square feet, or a width less than 70 feet, a dwelling may be built thereon when authorized as a variance”. (**See Exhibit F – Architectural Renderings & Floor Plan**).

BACKGROUND:

The parcel is currently vacant land with heavy overgrowth and a portion of a fire damage structure. The land uses in the immediate area are primarily dominated by single family residences, which include mobile, manufactured, and stick-built homes. The applicant previously owned a mobile home located at this address. However, the home suffered severe fire damage over three years ago and has since been mostly removed from the property. Since the home did not start reconstruction within one year from the date the home was destroyed, the property owner has exceeded the twelve-month grandfather clause (See Article XXI, Section 2104), therefore a zoning variance will be required in order to allow a residential dwelling on the subject property.

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

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	LI (Light Industrial)	Metal Storage/Office Buildings and Warehouses.
SOUTH:	R-10 (Single Family Residential)	Single Family Residences.
EAST:	R-10 (Single Family Residential)	Single Family Residences.
WEST	R-10 (Single Family Residential)	Single Family Residences.

The subject property is located within the R-10 (Single Family Residential) district. Surrounding parcels consists primarily of single family residences with some light industrial uses to the north of the subject property (See **Exhibit A** –Location Map, **Exhibit B**—Future Development 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:

<u>“Residential Redevelopment Area”</u>	
<i>Vision</i>	<i>Suggested Development & Implementation Strategies</i>
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.	<ul style="list-style-type: none"> • 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 maintenance, and the demolition of dilapidated structures in the area. <p><i>Statesboro Comprehensive Master Plan, Community Agenda page 21.</i></p>

In addition, the *Statesboro Comprehensive Master Plan* and “*Issues and Opportunities Narrative*” states the following in regards to *Revitalization of Declining Neighborhoods*:

“Dilapidated housing, vacant lots, and poor maintenance can be elements which lead to the overall decline of entire neighborhoods. Once a neighborhood begins to decline, the problems can be self-perpetuating, as there is a lack of security in making investments in the community. Problems associated with declining areas may include low real estate values, deteriorated or poorly maintained housing stock, high unemployment rates, and a greater percentage of the population below the poverty level.”

Statesboro Comprehensive Master Plan, Community Agenda page 67

ANALYSIS

I. Variance from Article VII-C: Section 703-C(A): Lot Area and Width.

The applicant is requesting a variance from Article VII-C: Section 703-C(A), which states a minimum required lot area of 10,000 square feet and a minimum lot width of 70 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-10 (Single Family Residential) zoning district and is regulated by Article VII-C 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 10,000 square feet, or a width less than 70 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 8,712 square feet. The subject site is approximately 1,288 square feet less than the minimum 10,000 square feet required to be considered for the R-10 (Single Family Residential) zoning district. The applicant is requesting the minimum lot size to be reduced to 8,712 square feet to allow for the placement of a mobile home residence.

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**
- 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**

Article VII-C of the Statesboro Ordinance specifically prohibits mobile home dwelling types from occupying any lot with the R-10 (Single Family Residential) zoning district.

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

Per the requirements of Article XXV, Section 2502, the placement of a mobile home on the subject property shall be permitted as the dwelling compares favorably to site built and other housing in the immediate general area within the same zoning district or area. The proposed mobile home is similar in size, siding material, roof material, foundation and general aesthetic appearance to existing development.

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 requesting zoning variance on property value.

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 19-08-04** with the following staff condition(s):

- (a) Approval of this variance does not grant site and/or building plan approval as submitted. Project will be required to meet all City Ordinances and applicable building codes.
- (b) Proposed mobile home dwelling shall maintain all area, width and yard regulations of the R-10 single family zoning district, which is regulated by Article VII-C of the *Statesboro Zoning Ordinance*.
- (c) The mobile must bear the seal of compliance with the Federal Manufactured Home Construction and Safety Standards issued by the Department of Housing and Urban Development.
- (d) The mobile home will be required to meet the following minimum requirements:
 - 1. All towing devices, wheels, axles and hitches must be removed.
 - 2. At each exit door there must be a landing that is a minimum of 36 inches by 36 inches.
 - 3. The roof shall have a minimum of 2:12 roof pitch and shall have a surface of wood shakes, asphalt composition, wood shingles, concrete, fiberglass or metal tiles, slate, built up gravel materials, or other materials approved by the Zoning Administrator.
 - 4. The exterior siding materials shall consist of wood, masonry, concrete, stucco, masonite, metal or vinyl lap or other materials of like appearance.
 - 5. Mobile home shall be constructed to qualify for the wind zone 2 rating.
- (e) The proposed dwelling unit shall be required to obtain a certificate of occupancy from the Zoning Code Administrator or his designee, who shall before issuing a Certificate of Occupancy determine that the structure is in compliance with all other zoning requirements and city ordinances.

EXHIBIT A: LOCATION MAP

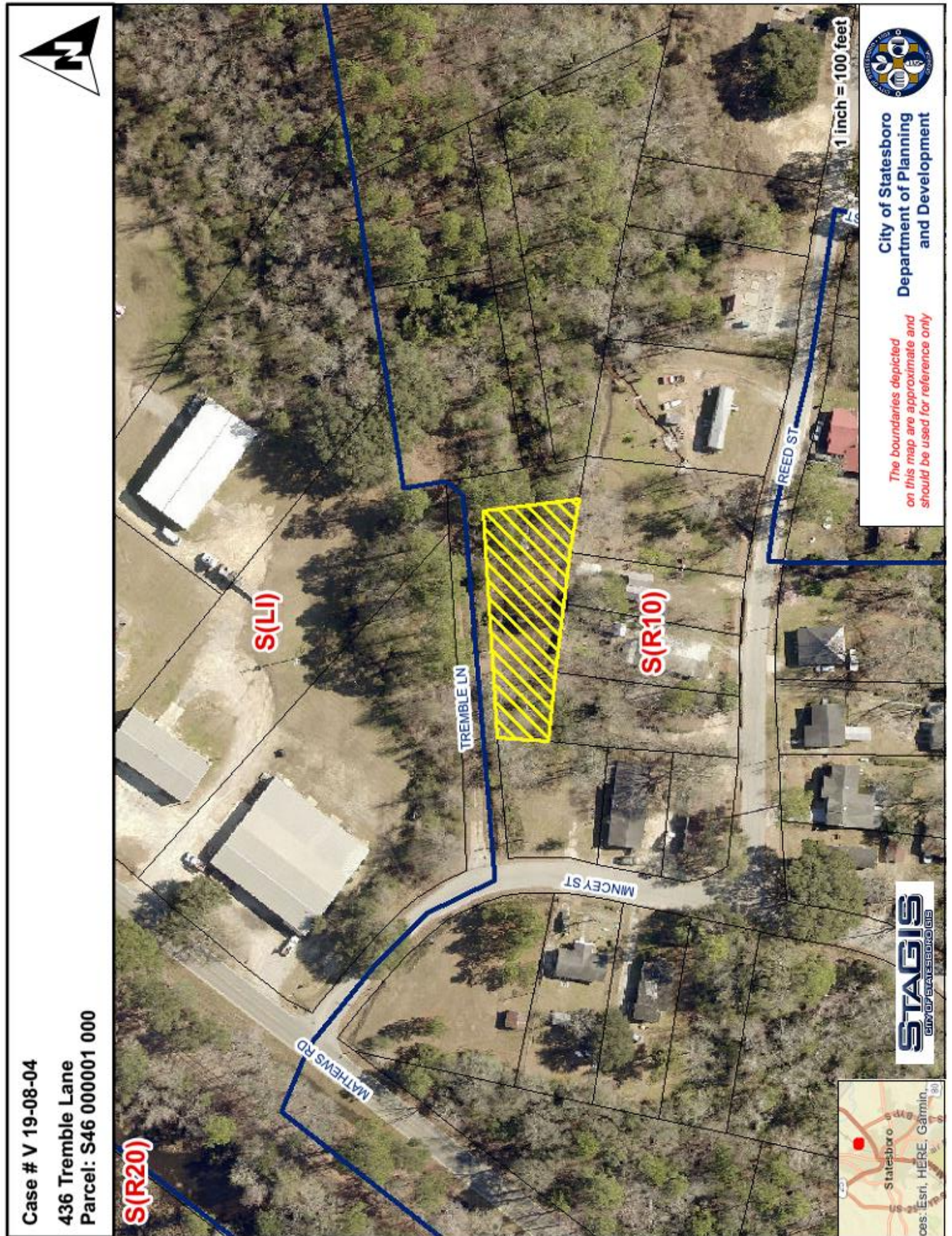


EXHIBIT B: FUTURE DEVELOPMENT MAP

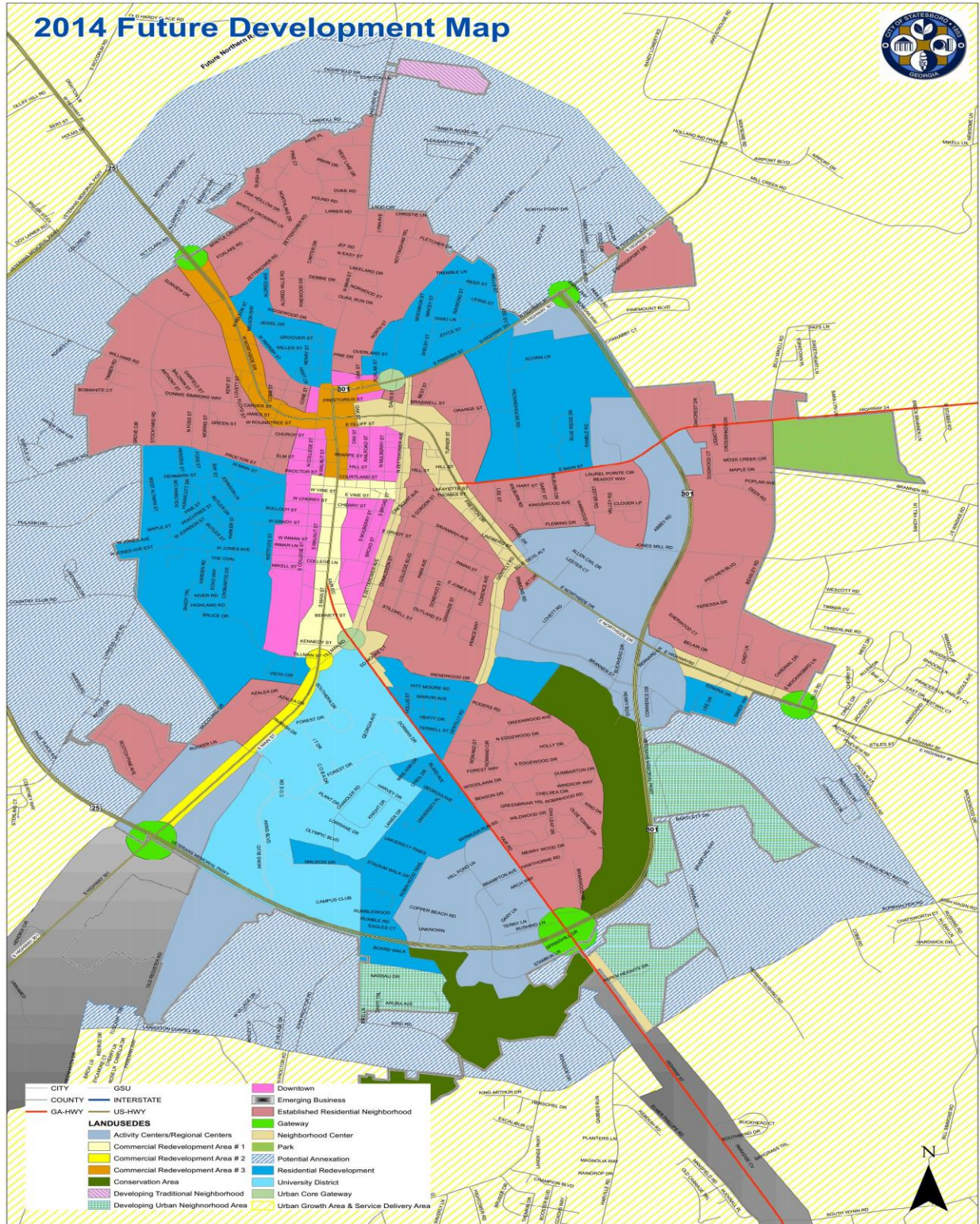


EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS

Picture 1: View of the subject site and the variance being requested under **V 19-08-04**, looking south from Tremble Lane.



Picture 2: View of the subject property, an historical google earth image taken May 2014.



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (Continued)

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



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



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (Continued)

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



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



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (Continued)

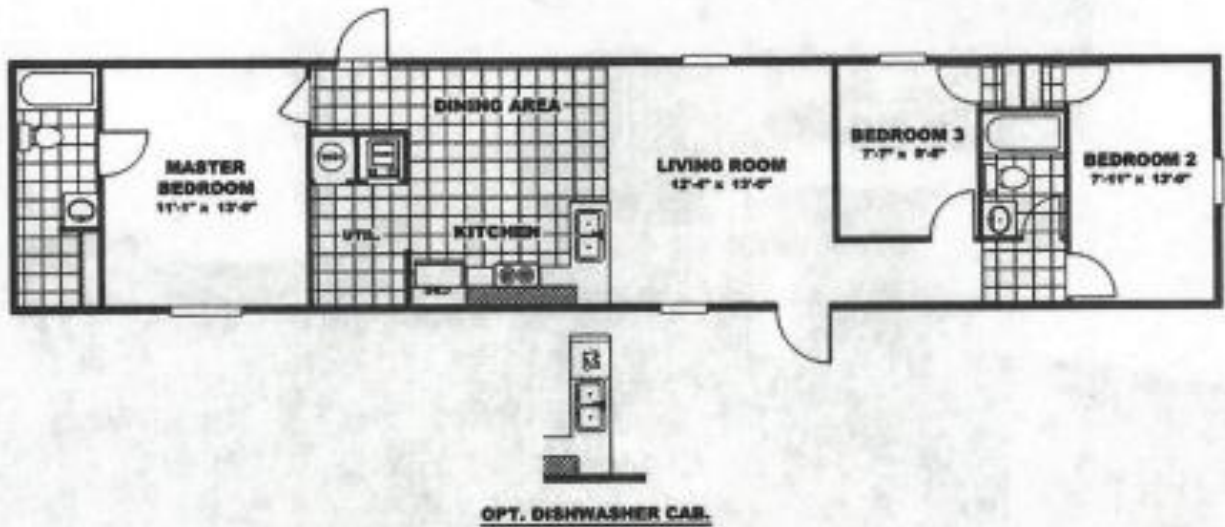
Picture 7: View of the surrounding properties to the north of the subject parcel, currently light industrial uses.



Exhibit E – Proposed Architectural Renderings



Exhibit E – Proposed Floor Plans





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

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V 19-08-06 ZONING VARIANCE REQUEST 301 Main Street		
LOCATION:	301 South Main Street	<div style="font-size: 8px; margin-bottom: 5px;"> Case # V 19-08-06 301 South Main St Parcel: S20 000090 000 & S20 000092 000 </div> <div style="font-size: 8px; margin-top: 5px;"> The boundaries depicted on this map are approximate and should be used for reference only. </div>
REQUEST:	Variance from Article XXX Section 3012(E) regarding tree protection within any required setback or buffer area in the Downtown District.	
APPLICANT:	Rick's Glass Company	
OWNER(S):	Rick's Auto Glass & Store Front Inc.	
ACRES:	0.49 & 0.23 acres	
PARCEL TAX MAP #:	S20 000092 000 & S20 000090 000	
COUNCIL DISTRICT:	District 2 (Jones)	

PROPOSAL & BACKGROUND:

The applicant is proposing a 1,300 sq. ft. addition to an existing commercial building, landscaping improvements, sidewalk facilities, and associate site improvements. In order to allow for the proposed expansion of the commercial building on the subject property, the applicant is requesting a variance in order to come into conformance with the design standards of Article XXX of the Statesboro Zoning Ordinance.

In November of 2017, the applicant was issued Demolition Permit #56 for a single family residence located directly adjacent and to the west of the Rick's Glass building. An historical image of the single family residence prior to demolition has been included under **Exhibit C**—Photos of Subject Site. The applicant was unaware that the demolition permit did not authorize certain land clearing activities, such as tree removal. Since the issuance of the demolition permit, the applicant has removed the single family residence and cleared the entire lot.

Under Article XXX, Section 3012(E): trees greater than 20 inches in diameter shall be known as a Heritage Tree. Further, any Heritage Tree which is removed shall be replaced with a minimum of two four-inch caliper shade trees. Prior to clearing the lot, staff has estimated ten to fifteen trees classified as a Heritage Tree were in existence. Prior to the approval of the building permit for this project, City Staff, Parker's Engineering, and Hawk Construction combined efforts to form a landscaping and tree plan, which conforms to the spirit of Article XXX, Section 3012(E) as well as meets and exceeds the Urban Forest Beautification and Conservation Ordinance of the City of Statesboro.

Therefore, the applicant requests the following:

- 1) Application **V 19-08-06**, a variance from Article XXX: Section 3012(E) regarding tree protection within any required setback or buffer area in the Downtown District.

SURROUNDING LAND USES/ZONING:

ZONING:		LAND USE:
NORTH:	HOC (Highway Oriented Commercial)	Vacant Commercial Building
SOUTH:	HOC (Highway Oriented Commercial)	Georgia Department of Labor & Workforce Solutions
EAST:	HOC (Highway Oriented Commercial)	High Density Residential – Apartment Buildings
WEST	CR (Commercial Retail)	Single family residential.

The subject property is located in an area that is surrounded by property with the HOC (Highway Oriented Commercial) and CR (Commercial Retail) zoning district designation. The surrounding land uses include a vacant commercial building, apartments, gas station, Georgia Department of Labor, and other highway oriented commercial uses. (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 (Proposed Landscape Plan dated August 12, 2019), Exhibit E (Recorded Plat)

COMPREHENSIVE PLAN:

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

“Commercial Redevelopment Area”	
<i>Vision</i>	<i>Suggested Development & Implementation Strategies</i>
<p>The Commercial Redevelopment areas are currently in decline with vacant or underutilized properties. These areas are characterized by a high degree of access by vehicular traffic; onsite parking; and a low degree of open space. It is the desire of the community to identify and target these areas for redevelopment and investment, thus returning these areas to their intended state of thriving commercial and/or mixed use district.</p>	<ul style="list-style-type: none"> • Upgrading the appearance of existing older commercial buildings with façade improvements, new architectural elements, or awnings. • Adding landscaping and other appearance enhancements, trees and landscaping in parking lots to provide shade and help reduce storm water runoff. • Landscaping of parking areas to minimize visual impact on adjacent streets and uses. <p><i>Statesboro Comprehensive Plan, Community Agenda pages 26-27.</i></p>

As the subject property is located along an **Urban Corridor**, the “Future Development Map & Defining Narrative” section of the 2014 Comprehensive Plan states the following in regards to the subject site’s location:

“Urban Corridors provide highly visible access to the most intensely developed properties in Statesboro. As connectors through and between downtown and the majority activity centers, these corridors should place high priority on pedestrian and bicycle accommodations. Transitions to Urban Corridors should serve as a gateway into the Statesboro Urban Core”. The planting of shades trees is encouraged.

Statesboro Comprehensive Master Plan, Future Development Map Narrative page 34

Additionally, the “Future Development Map & Defining Narrative” of the 2014 Comprehensive Plan states the following:

“In a variety of settings, images with abundant trees consistently ranked higher than those without. Overwhelming support has been expressed throughout the process for the protection of existing trees as well as the establishment of new trees.”

Statesboro Comprehensive Master Plan, Future Development Map Narrative page 10

ANALYSIS

- Variance from Article XXX: Section 3012(E): *Landscaping*.** In order to protect significant trees within the District, the following shall apply to any tree on property that is greater than 20 inches in diameter, which shall be known as a Heritage Tree, and to any tree that is greater than 30 inches in diameter, which shall be known as a Historic Tree, that is located within any required setback or buffer area.

The applicant is requesting a variance from Article XXX: Section 3012(E) regarding **tree protection within any required setback**. This variance is specifically being requested in order to allow for the expansion of an existing commercial building, Rick's Glass Company. The applicant is proposing the replacement of twenty-two new trees consisting of six different species and additional landscaping as shown under **Exhibit D (Proposed Landscaping Plan)**. Under Article XXX, the applicant would normally have been required to replant approximately twenty to thirty trees with a minimum of a four — 4" caliper shade tree classification, which would have been detrimental to the health of the trees.

ZONING VARIANCE CONSIDERATIONS

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. A variance may not be granted for the use of land that is not permitted by zoning regulations."

Section 1801 states that the Mayor and Council [should] consider if the following are true in its consideration of a variance request:

- 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 special conditions and circumstances do not result from the actions of the applicant;**

The applicant did remove protected significant trees without written approval from the City of Statesboro as required under Article XXX, Section 3012(E)(e).

- The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**

Per Article XXX of the *Statesboro Zoning Ordinance*, the applicant would have been required to replant a much larger number of trees, which would have risked the health of the trees by placing such a large number of 4" caliper shade trees within a confined area, such as the subject property.

- 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 the variances requested by application **V 19-08-06** with the following condition(s):

- (1) Approval of this variance does not grant site and/or building plan approval as submitted. Project will be required to meet all City Ordinances and applicable building codes.
- (2) Development shall adhere to the design standards for the Downtown District, specifically the regulations of Article XXX of the Statesboro Zoning Ordinance.
- (3) Staff Approval of the Landscape Plan prepared by Parker Engineering and dated August 12, 2019.
- (4) Prior to the final issuance of a certificate of occupancy, staff shall inspect and approve of all landscaping improvements per the approved landscaping and tree plan.

EXHIBIT A: LOCATION MAP



EXHIBIT B: FUTURE DEVELOPMENT MAP

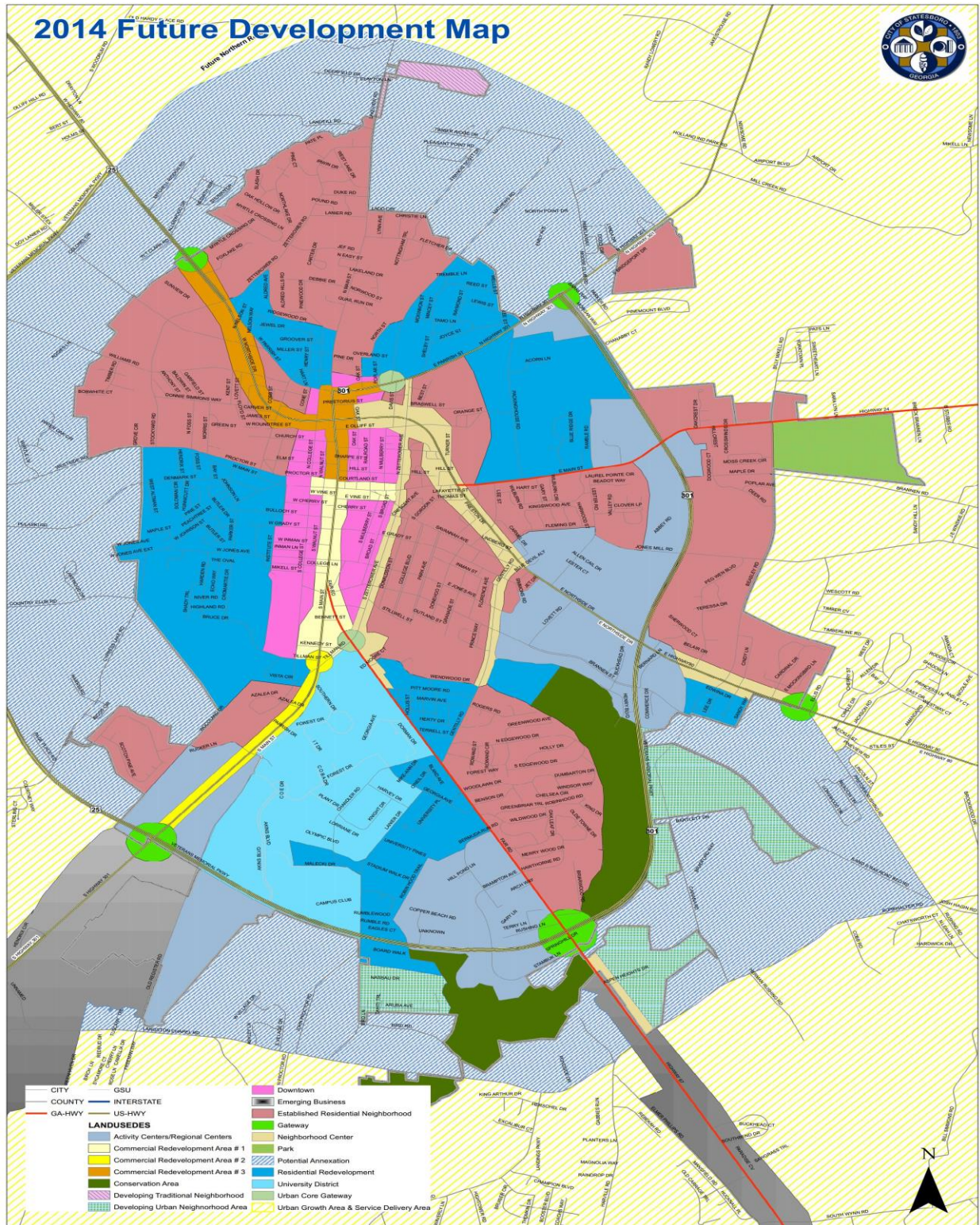


EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS

Picture 1: View of the subject site, looking west from South Walnut Street. Also, a view of the area where **V 19-08-06** is being requested.



Picture 3: Historical Property Photo taken prior to land clearing and demolition activities, looking south from West Jones Avenue.



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)

Picture 3: View of the subject property (Rick's Glass Building), looking east from South Main Street.



Picture 4: View of the surrounding properties to the west of the subject site, a single family residence.



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)

Picture 5: View of the surrounding properties to the northwest of the subject site, commercial retail and single family uses.



Picture 6: View of the surrounding properties to the north of the subject property, currently a vacant commercial building and associated site improvements.



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)

Picture 7: View of the surrounding properties to the northeast of the subject site, currently commercial retail uses.



Picture 8: View of the surrounding properties to the east of the subject property located along South Main Street, currently an apartment building.

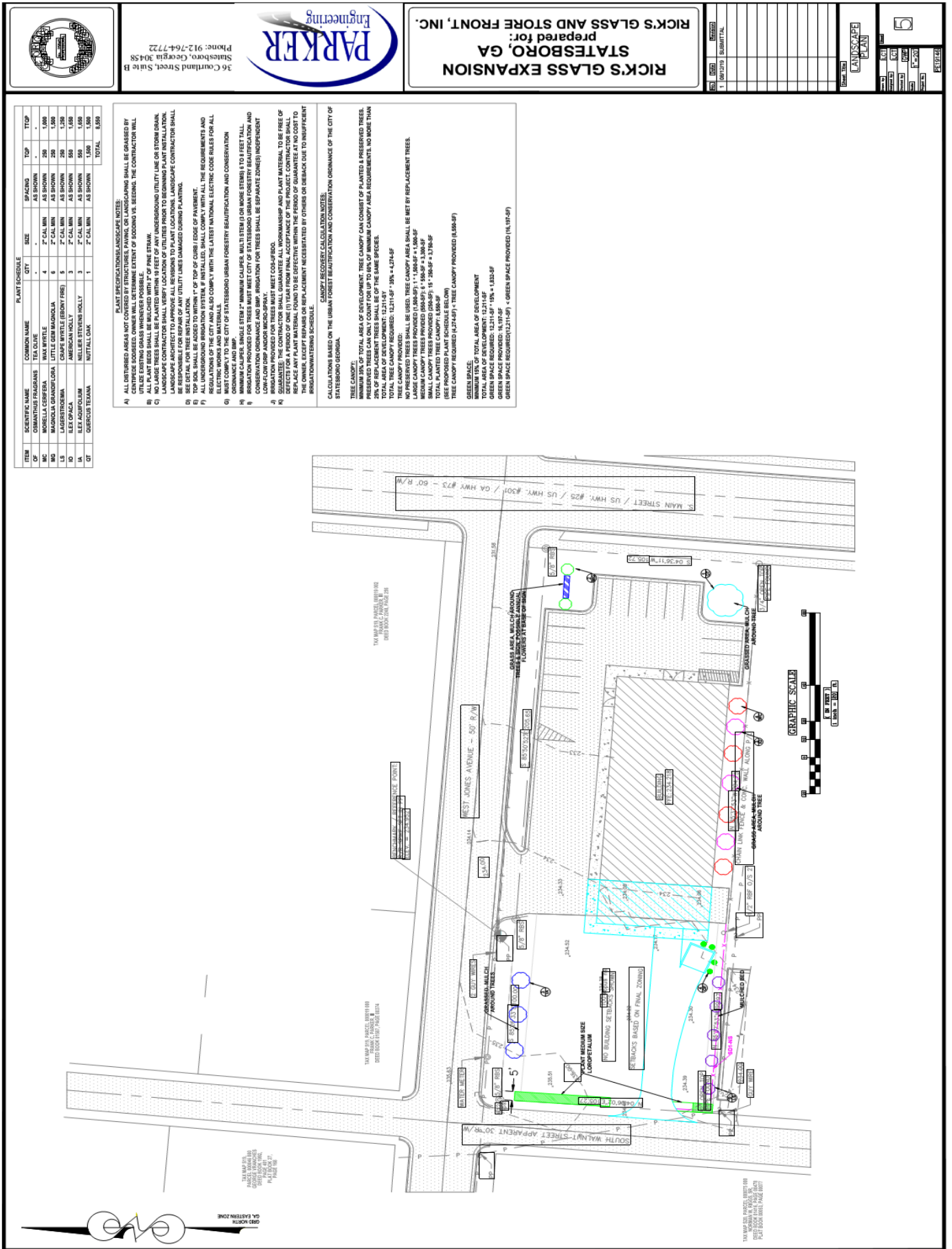


EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)

Picture 9: View of the adjacent property to the south of the subject site, currently the Georgia Department of Labor and Workforce Solutions Offices.



EXHIBIT D: PROPOSED LANDSCAPE PLAN (Dated August 12, 2019)





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

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V 19-08-08, RZ 19-08-09 & RZ 19-08-10 ZONING VARIANCE AND ZONING MAP AMENDMENT REQUESTS 110 & 116 Bulloch Street		
LOCATION:	110 Bulloch Street & 116 Bulloch Street	
REQUEST:	Zoning map amendment from R-8 (Single Family Residential) to R-4 (High Density Residential); Variance from Article VII, Section 703(A) side yard regulations.	
APPLICANT:	Josh Whitfield	
OWNER(S):	Robert Stewart Marion & Martha Stewart	
ACRES:	0.43 acres & 1.06 acres	
PARCEL TAX MAP #:	S19 000119 000 (0.43 acres) S19 0000117 000 (1.06 acres)	
COUNCIL DISTRICT:	District 2 (Jones)	

PROPOSAL:

The applicant requests a zoning map amendment from the R-8 (Single Family Residential) zoning district to the R-4 (High Density Residential) zoning district in order to develop multi-unit residential buildings, which is not an allowed use in the existing zoning designation. Additionally, this zoning map amendment request will require a zoning variance as the side yard setbacks are more strictly regulated in the R-4 district than the subject property's current R-8 zoning designation. The 110 Bulloch Street property contains an existing multi-unit residential building, which currently encroaches into the side yard setback under the R-8 zoning regulations (See **Exhibit D – Conceptual Site Plan**). If this parcel were to be re-zoned to the R-4 district, this building would encroach even further into the side yard setback, thus requiring the approval of a variance prior to the applicant's requested zoning map amendment. The developer is proposing to combine a 0.43 acre parcel (Tax ID# S19 0000119 000) and a 1.06 acre parcel (Tax ID#S19 000117 000) in order to allow for the construction of single-family and two-family residential dwellings serving the West District Development project. The developer is proposing a total of fourteen (14) new residential units.

Therefore, the applicant has requested the following:

- (1) Application **V 19-08-08**, a variance from Article VII: Section 703(A) to reduce the left side yard setback from 20 feet to 13.96 feet;
- (2) Application **RZ 19-08-09 & RZ 19-08-10**, zoning map amendments from the R-8 (Single Family Residential) zoning district to the R-4 (High Density Residential) for two parcels of land in order to allow the construction of residential units to serve the West District Development.

BACKGROUND:

Both parcels are currently occupied by various single family structures, which include two-family dwellings, a detached single family dwelling, carports, and storage sheds. Per the Bulloch County tax assessor’s website, the residential buildings were built between 1925 and 1960.

SURROUNDING LAND USES/ZONING:

ZONING:		LAND USE:
NORTH:	LI (Light Industrial)	Whitfield Signs Building and the West District Development
SOUTH:	R-8 (Single Family Residential)	The City of Statesboro Police Department
EAST:	R-8 (Single Family Residential)	Single Family Residence
WEST:	R-8 (Single Family Residential)	Single Family Residence.

The subject property is located within the R-8 (Single Family Residential) district. The subject property is primarily surrounded on either side by single family residential uses, the West District Development, and the Statesboro Police Station (See **Exhibit A** – Location Map, **Exhibit B** — Future Development Map, & **Exhibit C** —Photos of Subject Site).

ATTACHMENTS: **Exhibit A** (Location Map #1 & #2), **Exhibit B** (Future Development Map), **Exhibit C** (Photos of Subject Site), **Exhibit D** (Conceptual Site Plan), **Exhibit E** (Architectural Renderings)

COMPREHENSIVE PLAN:

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

“Urban Core/Downtown”	
Vision:	Downtown is the historic core of the city and should remain the activity and cultural hub 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:	<ul style="list-style-type: none"> • Appropriate land uses include: (1) Range of housing styles and price points, (2) Multifamily Residential; (3) Loft, mixed use, and urban residential, including small lot single-family residential along secondary streets. • New developments that contain a mix of residential, commercial and/or community facilities at small enough scale and proximity to encourage walking between destinations should be encouraged. • Encourage mixed-use infill and redevelopment. Uses should typically transition across the rear of properties instead of across the street to soften the transition and maintain appropriate streetscapes. • Economic development strategies should continue to nurture thriving commercial activity. • Redevelop warehouses for major employment/tenant to build critical mass downtown. <p style="text-align: right;"><i>Statesboro Comprehensive Master Plan, Community Agenda pages 14-16.</i></p>

The subject area lies between “Commercial Redevelopment Area #1” and the “Residential Redevelopment” character areas.

<u>“Commercial Redevelopment”</u>	<u>“Residential Redevelopment Area”</u>
<p><i>Vision:</i> The Commercial Redevelopment areas are currently in decline with vacant or underutilized properties. These areas are characterized by a high degree of access by vehicular traffic; onsite parking; and a low degree of open space. It is the desire of the community to identify and target these areas for redevelopment and investment, thus returning these areas to their intended state of a thriving commercial and/or mixed use district. .</p>	<p><i>Vision:</i> This character area has most of its original housing stock in place, but has worsening 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.</p>

As the subject property is located in the **Urban Core/Downtown** character area, the “Future Development Map & Defining Narrative” section of the 2014 Comprehensive Plan states the following:

“It is envisioned that the existing central business district may extend beyond its current boundaries to accommodate more commercial and high density residential development. Promotion walkability and vibrant street life should be a high priority in downtown.”

‘Housing should be strongly encouraged and supported in the Downtown area to increase downtown destination points and night time population.’

“There are also three former warehouse areas within downtown which offer great opportunity for redevelopment and adaptive reuse, These warehouse could provide the ideal site for locating major employers in the downtown area and for introducing live/work units or loft-style residential units. Specific visions and redevelopment strategies could be identified through the creation of a downtown master plan.”

Per Article VII, Section 700, the *City of Statesboro Zoning Ordinance* states:

High density residential purposes shall be “in accordance with the objectives, policies, and proposals of the future land use plan; to permit a variety of housing; to assure the suitable design of apartments in order to protect the surrounding environment of adjacent and nearby neighborhoods; and to insure that the proposed development will constitute a residential environment of sustained desirability and stability and not produce a volume of traffic in excess of the capacity for which access streets are designed”.

ANALYSIS

COMMUNITY FACILITIES AND TRANSPORTATION:

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:

Per Exhibit D and Bulloch County GIS, the subject property does not contain wetlands. 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 R-4 (High Density Residential) 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 R-4 (High Density Residential) district as set forth in the *Statesboro Zoning Ordinance*.

Current Zoning	Requested Zoning
<p>The R-8 (Single Family Residential) zoning district can accommodate single-family detached residential, educational, religious, municipal, and some accessory uses. However, “High Density Residential”, is not listed as a permissible use allowable by right in the R-8 district. Those uses are explicitly permitted in the R-4 district.</p>	<p>The R-4 (High Density Residential) district allows for detached and attached single-family/two-family residential dwelling units, which is the applicant’s intended land use for the subject property.</p>

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. **The surrounding lots are zoned LI (Light Industrial), R-8 (Single Family Residential), and CBD (Central Business District)**, and are occupied by the Whitfield Signs Building, West District Development, Two-family residences, Single Family Residences, and the City of Statesboro Police Department.
- (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.**
- (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 currently be occupied by single family detached dwelling units, educational institutions, municipal uses, and professional offices/home occupations. However, high density residential developments are specifically restricted to R-4 zoned properties. Under the proposed zoning, the applicant would be able to develop a high density residential project. This request gives the applicant an opportunity to serve members of the community and neighborhood by contributing additional housing options in the Downtown area, which will assist in increasing downtown destination points and night time population as encouraged by the *Comprehensive Plan*.
- (5) The suitability of the subject property for the zoned purposes.**
 - a. The residential buildings abutting Bulloch Street are encroaching into the front yard setback area (regulated at 20 feet from the property line) per the property’s current R-8 (Single Family Residential) zoning district regulations. The requested R-4 zoning has an identical front yard setback requirement of 20 feet, therefore the requesting zoning map amendment would not require a front yard setback variance as both the requested and current zoning district have identical front yard setback requirements. If either residential building were to propose improvements further encroaching the front yard setback area, then a variance would be required prior to construction commencement. The side yard variance for the 110 Bulloch Street property is necessary as the applicant’s requested R-4 zoning district has a more restrictive side yard setback as the subject site shares a side property line with a residential district.

- (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. The property is currently occupied by residential dwelling units and accessory structures.
- (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. Proposed land use change would cause an increase in population density.
 - c. Positive impact on the existing and future land use patterns as the proposed use is compatible with the surrounding area as well as consistent with the 2014 Future Development Map and the *Statesboro Comprehensive Plan*.
- (8) **Consistency with other governmental land use, transportation, and development plans for the community.**
- a. Use of the property as high density residential is consistent with the vision and guiding principles of the “Urban Core/Downtown” character area as articulated within the *Statesboro Comprehensive Plan* which promotes new developments that contain a mix of residential and commercial.

VARIANCE ANALYSIS

- I. **Application V 19-08-08: Variance from Article VII, Section 703(A): Area, width and yard regulations. The lot area, lot width, yard requirements and building coverage requirements for single-family detached dwellings, two-family twins and two-family duplexes shall be the same as required in the R-3 medium density residential district, Article VI.**

The applicant is requesting a variance from **Article XI: Section 1102(C)** to reduce the **minimum left side yard setback from 20 feet to 13.96 feet**. This variance is specifically being requested to allow for a zoning map amendment change in order to utilize an existing residential building for a high density residential use. A portion of the residential building will be located in the area where the normal 20 foot building setback would be regulated in the R-4 (High Density Residential) zoning district.

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. A variance may not be granted for the use of land that is not permitted by zoning regulations.”

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;**

The applicant is requesting a zoning map amendment, which requires the approval of zoning variance.

3. **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**

The existing residential buildings were constructed between 1925 and 1960. Since these buildings were constructed, the City of Statesboro’s zoning map has been revised, thus creating a non-conforming structure on the parcel addressed 110 Bulloch Street. In order for the existing residential building to be classified under a different zoning district and for the applicant’s proposed development

of the subject property, then the applicant will require the approval of a zoning variance and a zoning map amendment to do so.

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 the approval of zoning variance and zoning map amendment applications **V 19-08-08, RZ 19-08-09 & RZ 19-08-10** with the following condition(s):

- (a) Approval of this zoning variance and zoning map amendments does not grant site and/or building plan approvals as submitted. Project(s) will be required to meet all City Ordinances and applicable building codes.
- (b) For any new construction residential dwellings, the building height shall not exceed one-story with the exception of the existing residential building(s) constructed prior to September 3, 2019.
- (c) Density not to exceed 17 dwelling units.
- (d) Staff approval of the conceptual site plan prepared by Maxwell-Reddick & Associates and dated August 6, 2019.
- (e) Staff review and approval, and subsequent recording with the Bulloch County Clerk of Courts office of a combination plat of the parcels addressed 110 and 116 Bulloch Street prior to any construction commencement of the proposed development.

EXHIBIT A: LOCATION MAP #1



Development Services Report

V 19-08-08, V 19-08-08, RZ 19-08-09 & RZ 19-08-10 & RZ 19-08-10

EXHIBIT A: LOCATION MAP #2



EXHIBIT B: FUTURE DEVELOPMENT MAP

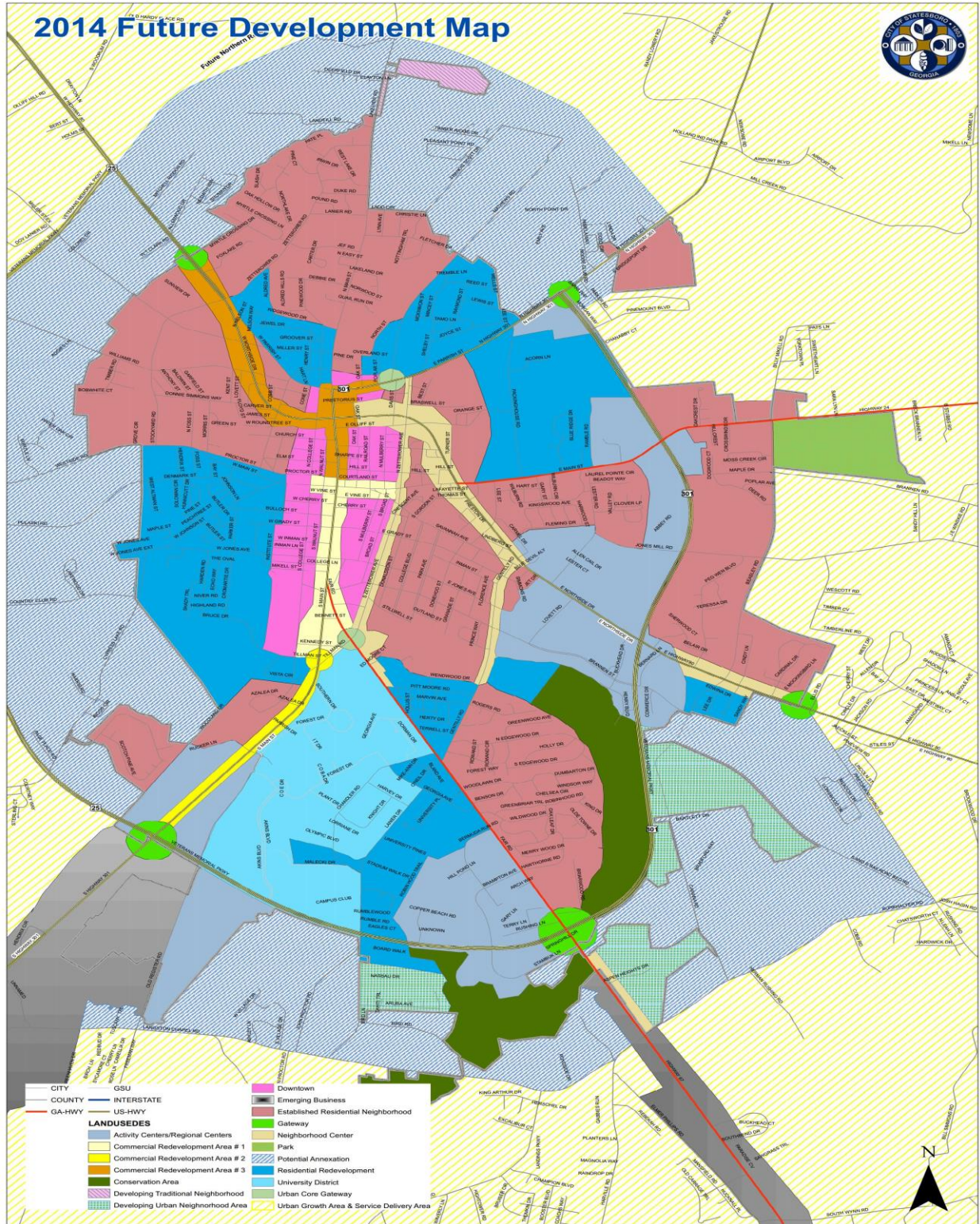


EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS

Picture 1: View of the subject property (110 Bulloch Street), looking south from Bulloch Street. Also, a view of the area where V 19-08-08 & RZ 19-08-09 are being requested.



Picture 2: Additional view of the subject property (110 Bulloch Street), looking south from Bulloch Street.



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)

Picture 3: View of the adjacent property to the west of the subject site, currently a single family residence located at 116 Bulloch Street. Also, this adjacent property is requesting a zoning map amendment under **RZ 19-08-10**.



Picture 4: View of the adjacent property to the east of the subject site, currently a single family residence regulated by the R-8 (Single Family Residential) zoning district.



Development Services Report

V 19-08-08, V 19-08-08, RZ 19-08-09 & RZ 19-08-10 & RZ 19-08-10

EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)

Picture 5: View of the surrounding properties, looking north from Bulloch Street and the subject site.



Picture 6: View of surrounding property to the west of the subject site (116 Bulloch Street), currently a single family residence.



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)

Picture 7: View of the adjacent property to the south of the subject property, currently the Statesboro Police Department.



EXHIBIT D: Conceptual Site Plan V 19-08-08 Highlighted in RED

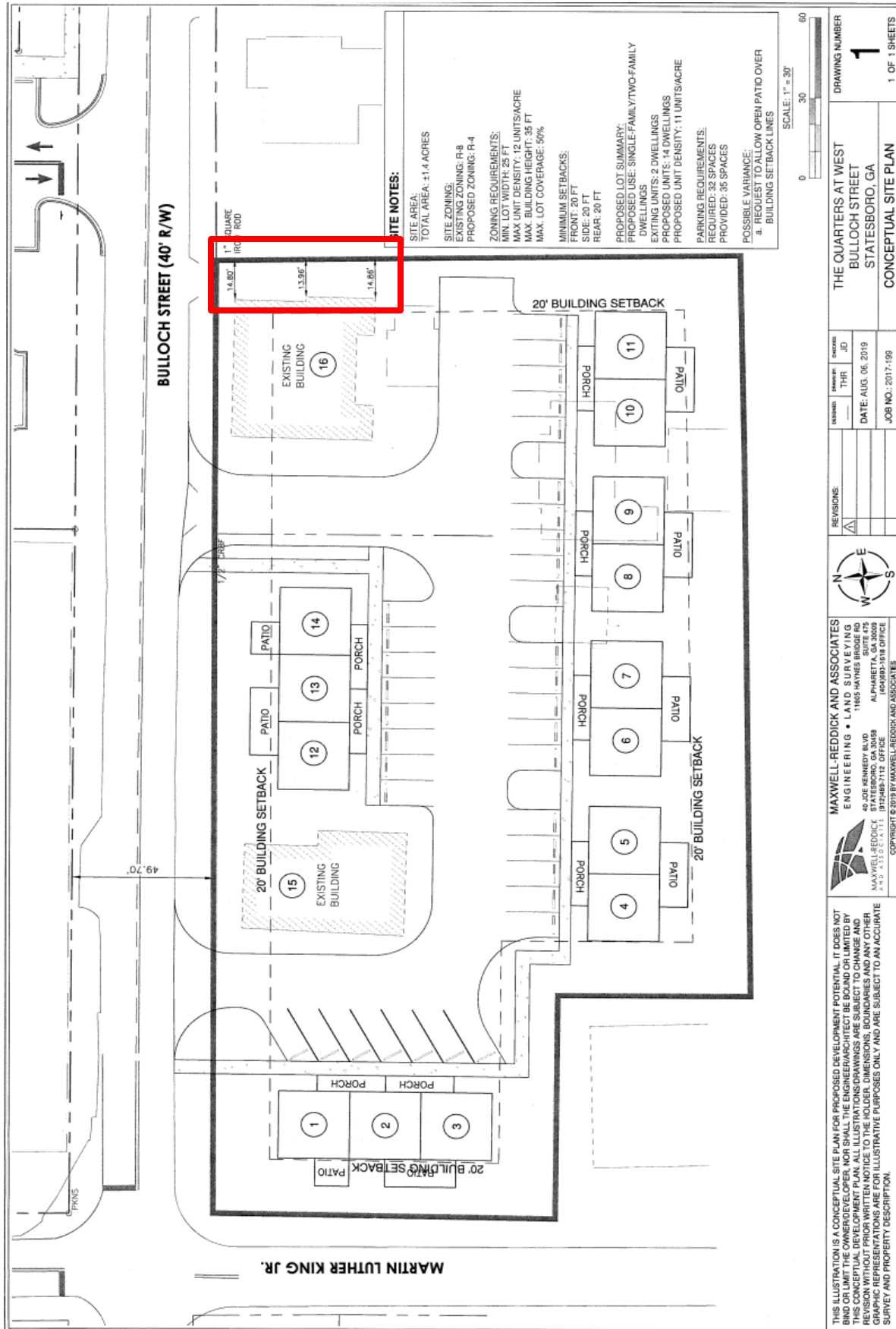


EXHIBIT E: Proposed Architectural Renderings



THE QUARTERS - EXTERIOR CONCEPTS



City of Statesboro – Department of Planning & Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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SUB 19-08-11
Major Subdivision Preliminary Plat
Continental Road, LLC Subdivision Phase I
7130 Veterans Memorial Parkway

LOCATION: 7130 Veterans Memorial Parkway
REQUEST: Phase I Preliminary Plat
APPLICANT: Continental Road, LLC
OWNER(S): Continental Road, LLC
LAND AREA: 33.348 Acres
PARCEL TAX MAP #s: MS42 000007 000
COUNCIL DISTRICT: Projected - District 2 (Jones)



PROPOSAL:

The applicant is requesting approval of the proposed Preliminary Subdivision Plat for Phase I of the Continental Road, LLC Subdivision. As shown in the Preliminary Subdivision Plat (See **Exhibit B**), the first proposed phase will allow for the development of five (5) commercial lots and a “stormwater management area” lot. The Phase I proposed lots will be regulated by the CR (Commercial Retail), HOC (Highway Oriented Commercial), and the R4 (High Density Residential) zoning districts. The preliminary subdivision plat is exhibiting approximately 1.019 acres of proposed public right-of-way shown as Proposed Road “B” and Proposed Road “C” per **Exhibit B**. As the commercial subdivision is built out and the subdivision plan for proposed “Lot #5” has been submitted for staff review and approval, the developer will be required to obtain preliminary plat approval again from City Council for Phase II of this commercial subdivision.

BACKGROUND:

The parcel is currently undeveloped land with some site construction work activity current underway. The subject property was previously occupied by Great Southern Sawmill, which has ceased operations. In April 2019, the City received an annexation and zoning map amendment application (**AN 19-04-02 & RZ 19-04-03**) to annex and rezone 33.35+/- acres; 20.33 +/- acres was rezoned to CR (Commercial Retail), 10.31 +/- acres was rezoned to R4 (High Density Residential), and the remaining 2.76 acres is proposed to be public right-of-way area. In May 2019, the city approved the annexation and zoning map amendment request under Ordinance #2019-07. In July 2019, the applicant rezoned a 4.74 acre portion of CR (Commercial Retail) zoned property to HOC (Highway Oriented Commercial) to allow for the construction of a car dealership on proposed “Lot #2”.

In August 2019, City staff conditionally approved the civil engineering plans for phase I of the Continental Road commercial subdivision. In May 2019, the developer received approval for driveway construction

and right-of-way encroachment activities from the Georgia Department of Transportation. In August 2018, the Georgia Soil and Water Conservation Commission approved the subject property's erosion, sediment, and pollution control plans.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject site does not currently have City water and sewer utilities located nearby. However, the developer will be required to sign a water/sewer agreement with the City of Statesboro prior to receiving those utility connections and/or extensions. This property is already receiving public safety services from the City of Statesboro. No significant impacts are expected on community facilities or services as a result of this request.

The subject property's entire front yard/property line is located entirely along Veterans Memorial Parkway. A review of the *Bulloch County/Statesboro 2035 Long Range Transportation Plan (LRTP)* suggests no expected capacity deficiencies on Veterans Memorial Parkway.

ENVIRONMENTAL:

Per the preliminary subdivision plat, the subject property does contain wetlands, but it should not impact any future development requests. Any potential issues will be brought forth and discussed during standard permitting and review procedures.

STAFF RECOMMENDATION:

Staff recommends the approval of the proposed preliminary subdivision plat and application **SUB 19-08-11** with the following conditions to be met during the site construction and final plat processes for Phase I:

1. Subdivision, design, and development of the property shall be in conformance with the requirements of all City of Statesboro Development Regulations, including the City of Statesboro Subdivision Regulations, Drainage Ordinance, Tree Ordinance, and all other development standards of the City of Statesboro.
2. Two percent (2%) of the property acreage (approximately 0.667 acres) shall be reserved for open greenspace areas reserved for community use, but shall be privately maintained by the owner, developer, or appropriate association. Open greenspace areas shall include uses such as village greens, commons, picnic areas, community gardens, trails and similar low-impact passive recreational uses. Land devoted to stormwater detention facilities may not be counted toward the open space minimum requirement unless the facility is a permanent lake or pond, and is designed and intended for recreational access and use by the occupants of the development. The aforementioned open greenspace area requirement shall strictly adhere to the area proposed as "Lot #5".
3. Final staff approval of the subdivision plat.
4. Final staff approval of the by-laws and restrictive covenants. A copy of the recorded subdivision plat and by-laws and restrictive covenants will be required to be submitted to the Department of Planning & Development staff prior to any construction commencement on the proposed lots.
5. All site improvements shall be constructed per the conditionally, approved civil engineering plans from Maxwell-Reddick & Associates and dated July 23, 2019.
6. Utility easements including but not limited to public rights-of-way, water, sewer, gas, etc. must be granted to the City as deemed necessary by the Department of Engineering.
7. The final plat shall adhere to all requirements of Article 3 of the *City of Statesboro Subdivision Regulations*.
8. All other conditions of the previous zoning and annexation approvals (**AN 19-04-02, RZ 19-04-03, & RZ 19-06-09**) for this property must be met, provided that they are not in conflict with any of the conditions listed herein for application **SUB 19-08-11**.

EXHIBIT A: LOCATION MAP



EXHIBIT B: PRELIMINARY SUBDIVISION PLAT (dated August 8, 2019)

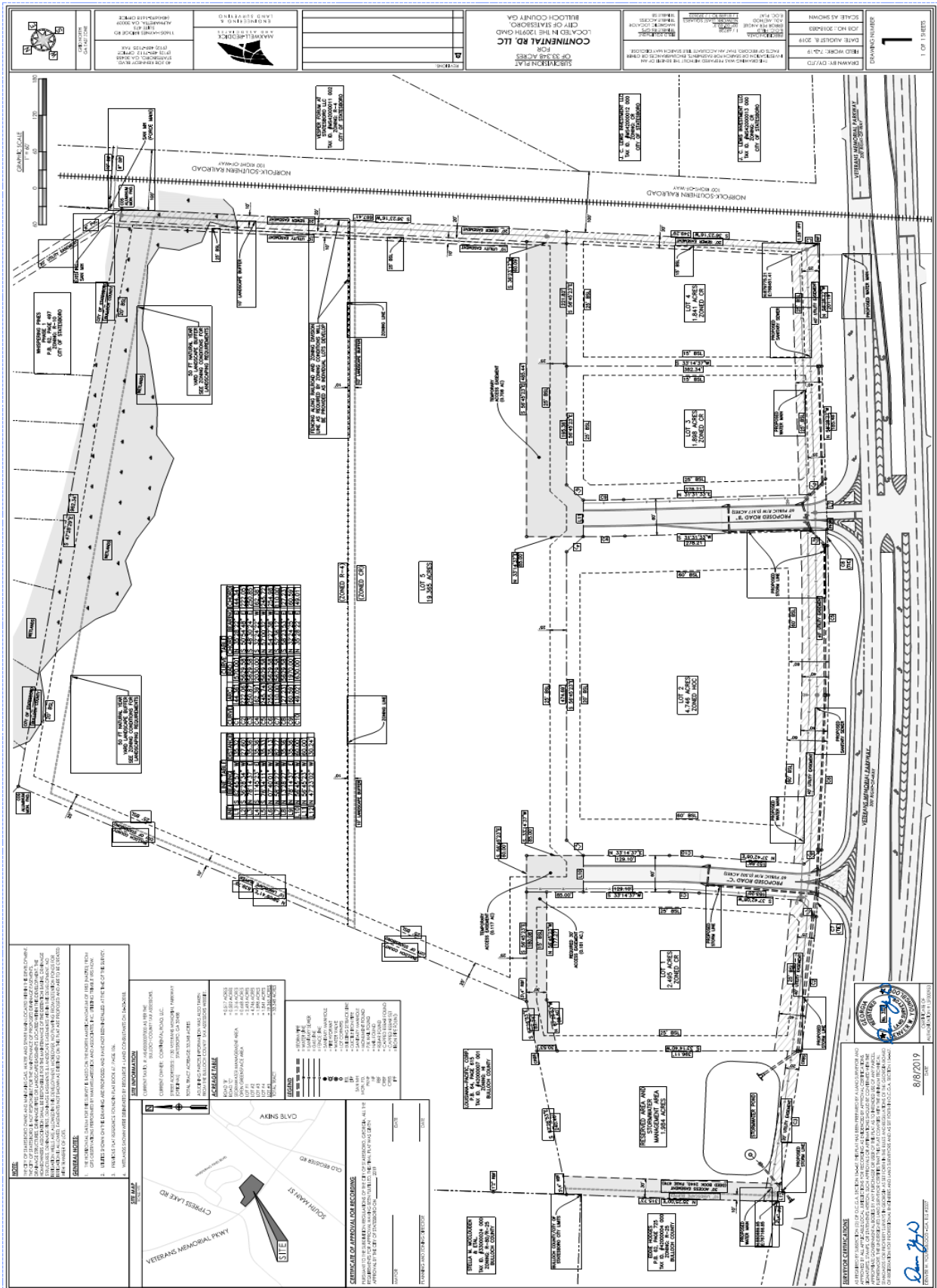


EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS

Picture 1: View of the subject property and **SUB 19-08-11**, looking north from Veterans Memorial Parkway.



Picture 2: View of the subject property, looking north along the subject site's eastern property line boundary.



Picture 3: View of the subject property, looking west along the subject site's rear property line boundary.



Picture 4: View of the subject property, looking north along the subject site's western property line boundary.



Picture 5: Looking north from Veterans Memorial Parkway, a view of the western portion of the subject site and **SUB 19-08-11**.



Picture 6: Looking south from the subject site, currently vacant/undeveloped land.



Picture 7: Looking southwest from the subject site, currently commercial retail – Family Dollar Store, Advanced Autoparts, and other commercial retail uses.



Picture 8: View of the surrounding properties bordering the northern property line of the subject site, currently Whispering Pines Residential Subdivision.



Picture 9: View of the surrounding properties bordering the eastern property line of the subject site, currently JC Lewis Ford Dealership.

