

City of Statesboro Department of Planning and Development Memorandum

50 East Main Street

P.O. Box 348

» (912) 764-0630

Statesboro, Georgia 30458

Statesboro, Georgia 30459 » (912) 764-0664 (Fax)

Statesboro Planning Commission January 13, 2015 3:00 P.M. **City Hall Council Chamber**

Meeting Agenda

- I. Call to Order
- II. Motion to Approve Order of the Meeting Agenda
- III. **Approval of Minutes**
 - 1) December 17, 2014 Called Meeting Minutes
 - 2) October 14, 2014 Meeting Minutes

IV. **New Business**

1) APPLICATION # RZ 14-10-01: Estate of Martha C. Benson c/o Dr. Robert M. Benson, Jr., Executor requests a zoning map amendment for 4.41 acres of property located at 1301 Fair Road from R3 (Medium Density Multiple Family Residential) zoning district to CR (Commercial Retail) zoning district to permit the use of the property for a free standing fuel dispensing station with convenience store to be owned and operated by Enmark Stations, Inc. and for development of a hotel/motel or other use compatible with the Enmark Station (Tax Parcel Number MS62000054B000).

APPLICATION # V 14-10-02: Estate of Martha C. Benson c/o Dr. Robert M. Benson, Jr., Executor requests a variance from Section 1002 regarding building height from the allowed 35' or three (3) story building height to four (4) stories for property located at 1301 Fair Road (Tax Parcel Number MS62000054B000).

- 2) APPLICATION # RZ 14-11-03: Brason Investments LLC requests a zoning map amendment for .38 acres of property located at 101 Hawthorne Road from R20 (Single Family Residential) zoning district to O (Office) zoning district to utilize the existing single family residence as an office (Tax Parcel Number MS74000085000).
- 3) APPLICATION # RZ 14-11-05: Asia World Co. Inc Charles Tsang requests a zoning map amendment to 2 acres of property located at 400 Knight Road from R4 (High Density Residential) zoning district to CR (Commercial Retail) zoning district for the purpose of developing a commercial retail center (Tax Parcel Number MS62000005B000).

- 4) APPLICATION # RZ 14-12-01: John Ray Hendley requests a zoning map amendment for .31 acres of property located at South College Street from R20 (Single Family Residential) zoning district to R3 (Medium Density Multiple Family Residential) zoning district to allow for the development of single family duplexes (Tax Parcel Number S21000003000).
- 5) <u>APPLICATION # SE 14-10-03:</u> Rick Mock requests a special exception be granted pursuant to the Statesboro Zoning Ordinance to allow the operation of a used car dealership in the CR (Commercial Retail) zoning district (Tax Parcel Number MS43000018000).
- 6) APPLICATION # V 14-11-01: Statesboro Hospitality requests a variance from Article XV of the Statesboro Zoning Ordinance to increase the sign height and style from the required (8) eight foot monument sign to a (15) fifteen foot freestanding pole sign for the parcel's southern property line that fronts the Veteran's Memorial Parkway. (Tax Parcel Number MS75000007001).
- 7) APPLICATION # V 14-11-02: Suites at Market District. LLC requests a variance from Article XV of the Statesboro Zoning Ordinance to allow for an additional monument style ground sign for businesses located within a PUD/CR (Planned Unit Development) zoning district. (Tax Parcel Number MS74000198A10A).
- 8) APPLICATION # V 14-11-04: Connections Ministries of Statesboro, Inc., requests a variance from Article XV of the Statesboro Zoning Ordinance to increase the aggregate building sign square footage from the permissible eighty (80) square feet aggregate allowance to an aggregate of 300 square feet for a nonresidential use within Sign District 1 (Tax Parcel Number 107000005004).
- V. Announcements
- VI. Adjourn



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Statesboro, Georgia 30458 Statesboro, Georgia 30459 » (912) 764-0664 (Fax)

Statesboro Planning Commission December 17, 2014 2:00 P.M. City Hall Council Chamber **Meeting Minutes**

Present: Planning Commission Members: Rev. E. Charles Lee, Rick Barr, David McLendon, Jeremy Ragan, and Nick Propps. City of Statesboro Staff: Director of Planning and Development Mandi Cody.

Absent: Planning Commission Members Holmes Ramsey and April Stafford.

- I. Call to Order Commissioner Propps called the meeting to order.
- II. Discussion and motion to consider recommendation of approval of the 2014 Updated Comprehensive Land Use Master Plan.

Director of Planning & Development Mandi Cody presented the item and took questions from members of the Planning Commission and the audience. Commissioner McLendon made a motion to approve the 2014 update to the City of Statesboro Comprehensive Land Use Master Plan. Commission Ragan made the second. The motion was approved by a vote of 5 to 0.

Discussion and motion to consider recommendation of approval of the 2014 Draft III. District No. 1 Tax Allocation Redevelopment Plan.

Director of Planning & Development Mandi Cody updated the Planning Commission regarding the adoption and approval of Tax Allocation District #1 by the City Council.

- IV. General discussion was held to change the time of the regularly scheduled January meeting to 3:00 pm.
- V. Adjourned at 3:10.

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STATESBORO PLANNING COMMISSION October 14, 2014 5:00 P.M.

City Hall Council Chambers

Meeting Minutes

Present: Planning Commission Members: Rev. E. Charles Lee, Rick Barr, and Nick Propps. City of Statesboro Staff: Director of Planning and Development Mandi Cody, Development Project Manager Cindy Steinmann, and Development Clerk Cindy Clifton.

Absent: Planning Commission Members: Holmes Ramsey and Jeremy Ragan

I. Call to Order

Commissioner Propps called the meeting to order.

II. Motion to Approve Order of the Meeting Agenda

Commissioner Lee made a motion to approve the order of the meeting agenda; seconded by Commissioner Barr. Motion carried 3 to 0.

III. Approval of Meeting Minutes

Motion made by Commissioner Barr; second by Commissioner Lee to approve minutes for the September 9th, 2014 meeting. Motion carried 3 to 0.

IV. New Business

1. <u>APPLICATION # RZ 14-08-03</u> Hendley Properties requests a zoning map amendment to rezone .916 acre of property from O (Office) district to R4 (High Density Residential) district for Lots 4, 5, 6 & B located on Walnut Street to allow the development of the proposed duplex concept plan (Tax Parcel Number S19 000035 002).

Commissioner Propps disclosed that he was a commissioned real estate agent in regards to the sale of this property, but he was not involved in any way with the rezoning request. Mandi Cody recommended Commissioner Propps to vote and she would disclose his interest regarding the property to City Council.

Commissioner April Stafford arrived at 5:11 P.M. just as the presentation had begun.

Mandi Cody presented the rezone and answered questions from the Commissioners. Representative John Dotson of Maxwell Reddick and Associates spoke on behalf of the applicant and answered questions.

Applicant Bryan Davis of Hendley Properties addressed the commission in regards to the staff recommended condition that the developer construct sidewalk along South Walnut Street. Mr. Davis stated that during the Right Start meeting for this project the only required sidewalk discussed was for the development sidewalk to have interconnectivity with the existing sidewalk on Grady Street.

Ms. Cody stated that the applicant was correct; however, the Engineering department added the additional condition requiring sidewalk on South Walnut Street after reviewing the staff report.

There was no opposition.

After discussion, Commissioner Stafford made a motion to recommend approval with the staff recommended conditions with the exception of installing sidewalk along Walnut Street. Commissioner Barr seconded the motion and it carried 4 to 0.

2. **APPLICATION # AN 12-05-01**:

- a. W & L Developers, LLC requests annexation by the 100% method; and rezoning of 13.05 acres of property located at 665 S&S Railroad Bed Road from R25 (Single Family Residential Bulloch County) to R10 (Single Family Residential) (Tax Parcel Number 107 000007 000).
- W & L Developers, LLC requests annexation by the 100% method; and rezoning of 1 acre
 of property located at 665 S&S Railroad Bed Road from R25 (Single Family Residential –
 Bulloch County) to R10 (Single Family Residential) (Tax Parcel Number 107 00006A 000).

Mandi Cody presented the annexation application and the proposed concept plan. She then answered questions from the Commissioners.

Commissioner Propps voiced his concern about buffers not being required as a condition. He explained the need to protect the property value and how buffers are a way to provide that protection. The other members agreed.

There was no opposition.

After discussion, Commissioner Stafford made a motion to recommend approval with the staff recommended conditions and amend to require the Developer to provide a buffer along the property boundary line with the exception of the frontage boundary line along the S&S Railroad Bed Road. Commissioner Barr seconded the motion and it carried 4 to 0.

V. Announcements

Mandi Cody announced that the vacant Planning Commission seat would be on the City Council agenda for October 21, 2014. She also stated a November case had been submitted by Dr. Benson requesting a zoning map amendment for property located on Fair Road.

VI. Adjourn

Motion was made to adjourn the meeting by Commissioner Stafford. Commissioner Barr seconded the motion and it carried 4-0.

Chair – Nick Propps		
 Secretary – Mandi Cody		
Director of Planning and Development		



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

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

RZ 14-10-01 & V14-10-02 ZONING MAP AMENDMENT & VARIANCE REQUEST 1301 FAIR ROAD

LOCATION: 1301 Fair Road

Rezone from R3 (Medium Density Family

REQUEST: Residential) to CR (Commercial Retail); and variance from Section 1002 regarding

building height.

APPLICANT: Estate of Martha C. Benson c/o Dr. Robert M.

Benson, Jr., Executor

OWNER(S): Estate of Martha C. Benson c/o Dr. Robert M.

Benson, Jr., Executor

ACRES: 4.41 Acres

PARCEL TAX

MAP #:

MS62000054B000

COUNCIL

DISTRICT:

4 (Riggs)



PROPOSAL:

The applicant is requesting a zoning map amendment for 4.41 acres located at 1301 Fair Road from the R3 (Medium Density Family Residential) zoning district to the CR (Commercial Retail) zoning district as well as a variance from Section 1002 regarding building height from the allowed 35' or three (3) story building height to four (4) stories. The applicant seeks to use the property for the development of a convenience store with a free standing fuel dispensing station to be owned and operated by Enmark Stations, Inc. and for development of hotel or other compatible use with the Enmark Station. (See **Exhibit A** – Location Map & **Exhibit B** – Concept Plan)

BACKGROUND:

This lot has not had any past zoning map amendments or variances granted.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R20 (Single Family Residential) EXPT (Georgia Southern University)	Single Family Homes, GSU
SOUTH:	R4 (High Density Residential)	Student Housing, Church
EAST:	R20 (Single Family Residential)	Single Family Homes/ Established Neighborhoods
WEST	R3 (Medium Density Residential), R4 (High Density) EXPT (Georgia Southern University)	Single Family Homes, Student Housing (high density), GSU

The subject property is located along a commercial / Transitional Corridor adjacent to GSU's Garden of the Coastal Plain within a mixed use area consisting of a church, East Georgia Regional Medical Center, and commercial uses to

the south of the subject property and a green space buffering Georgia Southern's Campus from the corridor to the north. High density student oriented apartments are located to the west (rear) of the property and established single family neighborhoods are located to the east and across the transitional corridor from the property. Please see **Exhibit A** – Location Map and **Exhibit D**-Photos of Subject Site.

COMPREHENSIVE PLAN:

The subject site lies within the "University District" character area as identified by the City of Statesboro Future Development Map within the *City of Statesboro Comprehensive Plan*. The "University District" character areas are identified as being anchored by Georgia Southern University. Developing areas should focus heavily on pedestrian accessibility, as well as transit. There are residential areas within this district, primarily oriented to student housing. Multi-family, duplex, and single-family are all found in this district while student-oriented commercial uses are found along primary arteries, including restaurants/bars and nightclubs.

Neighborhood-scaled retail, services, higher education facilities, multi-family, single-family, and mixed use are all identified in the plan as appropriate land uses for properties within the University District character areas. Some suggested development and implementation strategies for the University District character area include the following:

- Encourage future growth within the academic core.
- Ensure adequate bicycle and pedestrian facilities for students commuting to and from GSU campus.

Statesboro Comprehensive Plan, Community Agenda pages 20-21.

As noted, the property is located along Georgia Highway 67 (Fair Road), identified in the Comprehensive Plan as a Transitional Corridor. Transitional Corridors provide a gradient from the urban corridors into suburban commercial and predominantly residential areas. Pedestrian and bicycle facilities remain important, but may be accommodated in less urban areas. Suggested development and implementation strategies for Transitional Corridors include:

- Infill and redevelopment along these corridors should occur according to a master plan that allows for mixed uses, transportation choices, and urban design that mitigates the appearance of auto-dependence (such as screening parking lots or locating parking areas primarily to the sides and rear of buildings).
- Future developments and highway improvements within these areas should include pedestrian and bicycle facilities
- Connect these areas with existing and proposed networks of bicycle paths, sidewalks, and multi-use trails;
- Plant shade trees along corridors and adjacent to sidewalks
- Vegetation medians, shared driveways, and other access management features should be incorporated in to the roadway design to maintain mobility in the corridor.
- Statesboro Comprehensive Plan, Community Agenda pages 25-26.

Applicable Vision Statement(s) from the Plan:

Develop and implement a balanced and forward thinking land use policy that provides for a sustainable
community of thriving neighborhoods, business areas, and civic places that comprise an outstanding quality
of life and physical environment. The City will expand in a manner which conserves the natural land
resources and integrates new developments in ways which minimize negative impacts and provides for a
healthy ecosystem. Walkable, neighborhood commercial areas will be supported; pedestrian and bike
connections will be emphasized; office and business development will be a priority.

Applicable Issues and Opportunities from the Plan:

- The potential for "infill and redevelopment" was recognized as an opportunity by the *Plan* stating that "vacant or underutilized sites can become an eyesore and also lead to problems with vandalism or other criminal behavior." The benefit of infill and redevelopment are many, including:
 - Utilizing existing infrastructure, including water, sewer, and roads.
 - Maximizing local government investment in infrastructure.
 - Increasing the value of such properties and in turn the overall tax base.
 - Supports existing businesses which have already invested in the area.
 - Reinvestment of capital in established areas.
 - Enhancing opportunities for employment, shopping, residential, etc. in established neighborhoods; and

 Preserving green space and minimizing or negating additional storm water runoff associated with new development."

Community Agenda, page 35.

The *Plan* also recognizes great community support for pedestrian and bicycle facilities and connection of these facilities with each other and major points of destination. *Community Agenda, page 43.* Therefore, it is highly encouraged that the proposed project considers intra-connectivity on the subject site as well as with adjacent student housing, and particularly the campus of Georgia Southern University. These issues were discussed with the applicant in the Right Start meeting and are reflected in the recommended conditions.

Applicable Quality Community Objectives from the Plan:

- Traditional Neighborhood: "Traditional Neighborhood development patterns should be encouraged, including use of more human scale development, mixing of uses within easy walking distance of one another, and facilitating pedestrian activity... Given the high level of student activity, the university district should also strive to incorporate traditional neighborhood patterns to reduce reliance on the automobile." Community Agenda, page 31.
- Infill Development. "Communities should maximize the use of existing infrastructure and minimize the conversion of undeveloped land at the urban periphery by encouraging development or redevelopment of sites closer to the downtown or traditional urban core of the community." *Community Agenda, page 31*.

Applicable General Strategy(ies) from the Plan:

• In response to the "strong public support...demonstrated for certain characteristics throughout the City", the Comprehensive Plan recognizes the protection of existing neighborhoods as a general implementation strategy for the City and states that "preservation of existing single family residential neighborhoods should remain a high priority." The plan states that "commercial encroachment into residential neighborhoods seems to be less of a current concern, but as Statesboro continues to grow, the potential for this conflict increases. Commercial, retail, and office uses can co-exist compatibly in residential areas if the design of the establishment is properly considered. The conversion of former homes to professional offices along Zetterower Avenue provides a model for how to accommodate nonresidential uses as streets begin to carry more traffic and residential uses become less desirable. Any new structures should be located on the lot with similar setback as surrounding development and designed in a way which complements the existing immediate area." Community Agenda, page 7-8.

Applicable Goal(s) from the Plan:

Strengthen Neighborhoods: Consider the use of urban conservation areas which are zoning overlay districts
that includes specific zoning requirements and/or general code amendments which apply to specific
neighborhoods, with the intent of addressing issues specific to the neighborhood.

Applicable Policies from the Plan:

- We will promote development that is sensitive to the land and gives consideration to adjoining, existing, and planned development as well as the overall community.
- We will express the community's intent with regard to the future locations of land uses by frequently
 referencing the future development map and narrative as part of the zoning and development process.
- We will support opportunities for residential and non-residential in-fill development that positively impacts the character of existing neighborhoods.
- · Our city and urban core gateways and major corridors will create a "sense of place" for our community.
- We will guide appropriate residential and non-residential in-fill development and redevelopment in a way that complements surrounding areas.

(Please Note: The 2014 update to the City of Statesboro Comprehensive Plan is currently underway. This analysis was performed under the 2009 version of the Plan and may be affected by adoption of the 2014 update.)

COMMUNITY FACILITIES:

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

The subject site takes access from Georgia Avenue, Martha's Lane, and Fair Road/Highway 67. As shown on attached Exhibit B, the right of way for Georgia Avenue is shallow with a steep curve unsuitable for the volume of

traffic that a commercial development of this nature would require. Therefore, should the request herein be granted, a reservation of right of way is necessary in order to accommodate future improvements and is suggested as a possible condition of rezoning. See Exhibit C for more detail.

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:

The entire 4.41 acre site is currently zoned R3 (Medium Density Family Residential). The applicant's request to rezone the property from R3 (Medium Density Family Residential) to CR (Commercial Retail) would allow for the proposed development of a free standing fuel dispensing station with convenience store to be owned and operated by Enmark Stations, Inc. and for development of hotel or other use compatible with the Enmark Station.

R 3 — Medium Density Multiple Family Residential District uses are restricted to single and two family residential structures and the district is intended to maintain the desirable benefits of residential areas of this nature. The Commercial Retail district allows for general retail, wholesale, office, and personal service establishments and health care uses. This district allows for more intense and less dense development than the Commercial Business District of downtown, but allows for uses that are not as automobile dependent as the Highway Oriented Commercial District in which the principal use of land is for establishments offering accommodations, supplies or services to motorist and the traveling public and require more land area.

1. Rezoning Request

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 two (2) primary land use policies: The *Statesboro Comprehensive 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 CR (Commercial Retail) zoning district for commercial retail uses as set forth in the *Statesboro Zoning Ordinance*.

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.** Adjacent property is part of the GSU campus and is exempt from zoning. Other nearby properties on the same side of Fair Road are zoned R3- medium density residential. Property to the rear is zoned R 4-High Density Residential.
 - b. Properties across Highway 67/ Fair Road from the subject site are zoned R 20- single family residential and are built out as established traditional neighborhoods.
- (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 property may not be viable for residential development given its frontage on a commercial corridor and the changes that have occurred in the area since the property was zoned residentially.
- (5) The suitability of the subject property for the zoned purposes.
 - a. The property can be developed in accordance with the zoning and other development regulations of the Commercial Retail and/or the R3 Medium density residential district standards.
 - b. The Georgia Department of Community Affairs Model Zoning Ordinance recommends convenience stores as permissible uses in all of its commercial zones, including the Neighborhood Commercial Zone, which is similar in nature to the City of Statesboro's Commercial Retail Zone.
- (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.
 - The property contains one vacant residential structure.

- (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. Adjacent property owners have sent written objection to application arguing that a grant of the requested zoning map amendment and variance would negatively impact living conditions, traffic, and the character of nearby neighborhoods. See Exhibit E & Exhibit F.
- (8) Consistency with other governmental land use, transportation, and development plans for the community.
 - Appropriate infill within established areas of the City is supported by the Comprehensive Plan.
 However, the plan also supports that the placement and scale of infill compliment surrounding
 uses and zones and requires it to occur in a manner which protects established residential
 areas. A finding of fact should be made regarding whether zoning the subject site Commercial
 Retail (with or without conditions) is consistent with the City of Statesboro Comprehensive
 Plan.

<u>Previously reviewed cases under 2009 Comprehensive Plan request zoning map amendments from Low or Medium residential density to Commercial Retail:</u>

- A. RZ 13-04-03 and RZ 13-04-04 (companion cases). Rezone from R 15 to CR for convenience store at Herty Drive and Catherine Drive at Fair Road denied in 2013.
- B. RZ 12-12-01 Gentilly Gardens. Rezone from R 15 to CR Approved.
- C. RZ 09-08-02 Lindberg Street. Request to rezone from R 15 to CR denied.

2. Variance Request

The proposed variance request from Section 1002 regarding building height from the allowed 35' or three (3) story building height to four (4) stories should only be considered and/or permitted if the rezone from Section 2007 is granted. Section 1801 of the *Statesboro Zoning Ordinance* lists four factors that the Mayor and City Council should consider to be true when determining whether to grant a variance:

- There are special conditions pertaining to the land or structure in question because of its size, shape, topography, or other physical characteristic and that condition is not common to other land or buildings in the general vicinity or in the same zoning district;
 - There are no known physical conditions pertaining to the land in question due to its size, shape, topography, or other physical characteristics that is not common to other land or buildings in the general vicinity or in the same zoning district.
 - Council could make a finding that the area of the subject site is in transition, which could satisfy this consideration.
- The special conditions and circumstances do not result from the actions of the applicant;
- The application of the ordinance to this particular piece of property would create an unnecessary hardship; and
 - o For a variance to be granted, a showing of hardship that is particular- as distinguished from a mere inconvenience or a desire to make a profit- should be shown by the applicant.
- Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.
 - Staff has received written comments and at least six (6) phone calls from the public requesting that the application be denied. If council makes a finding that a grant of the request would negatively impact the character of adjacent neighborhoods, then a grant of the application would impair the purposes and intents of the zoning ordinance and should be denied.
 - This request, if granted, should not cause substantial detriment to the public's safety as the Statesboro Fire Department can provide adequate life safety provisions for a four (4) story building.
 - Multiple variances have been granted for four (4) story buildings; however, none of those have been on this corridor frontage.

Similar Height Variances Considered:

- A. V 11-04-01 Rucker 111 granted a 20' variance (to 55') for a four story building.
- B. V 07-12-03: Hill Pond Lane/Campus Crest granted a 20' height variance (to 55').
- C. V 05-09-08: Tillman Park Condominiums granted a 13' height variance (to 48').
- D. RZ 05-03-05: The Grove at Brampton Avenue awarded a 5' height variance (to 40').
- E. V 10-11-03: The Forum at Highway 301 South awarded a 3' height variance (to 38').
- F. V 14-07-04: The Hamptons at Rucker Lane awarded a 10' height variance (to 45').

STAFF RECOMMENDATION:

Should council should determine that the standards are met to warrant the zoning map amendment and variance request submitted herein, the following are suggested as conditions that could serve to mitigate impacts and protect nearby properties:

- Internal sidewalk connectivity must be provided through the development to the standards of the City of Statesboro standards and specifications as administered by the City Engineer.
- Developer must be provide and construct sidewalk connectivity and crosswalks from both portions of the development to both Georgia Avenue and Fair Road.
- Developer must provide a buffer along the property boundary line that is adjacent to residential properties in conformance with the standards of the Statesboro Zoning Ordinance.
- Landscaping shall be used to guide pedestrians and direct foot traffic away from the parking lot in accordance with the recommendations of the Safe by Design program of the Statesboro Police Department.
- Development of the property shall be in conformance with the development regulations of the City of Statesboro including but not limited to the Drainage Ordinance and the Statesboro Tree Ordinance.
- Any outdoor storage shall be limited to the rear of the building and screened.
- All sanitation and recycling facilities shall be screened in accordance with the specifications and standards
 of the City of Statesboro's Public Works Department.
- Uses of the property shall abide by shared parking and driveway arrangements and shall follow the provisions of Article XVI of the Statesboro Zoning Ordinance in this regard.
- Developer shall reserve through a dedication to the City of Statesboro an area of right of way along the
 curve of Georgia Avenue for future roadway improvements, as shown on the attached Exhibit C. The area
 to be reserved extends 8 feet behind the existing back of curb on the ends, and extends to 22 feet behind
 the existing back of curb in the middle.



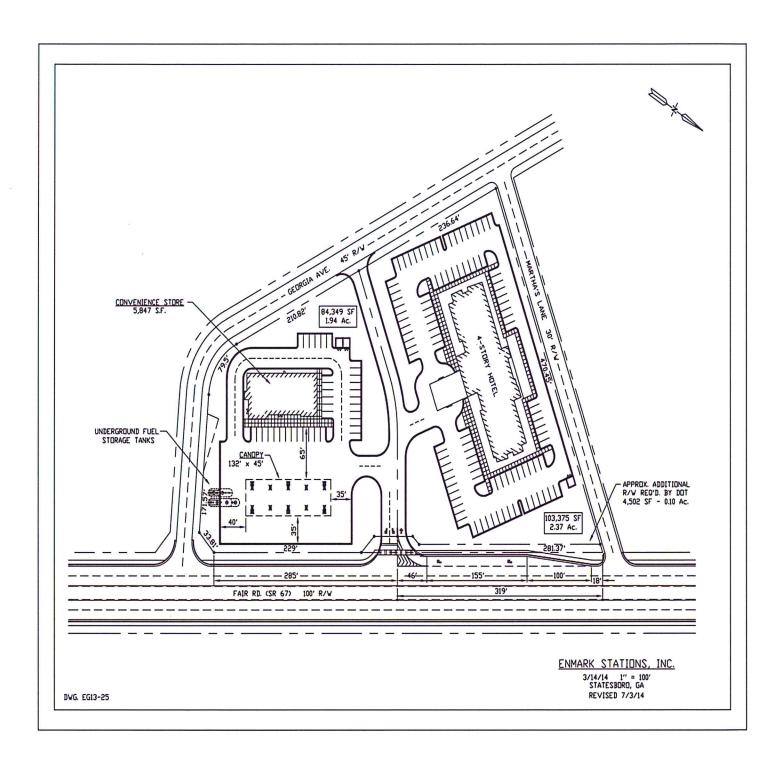




EXHIBIT D: PHOTOS OF SUBJECT SITE & SURROUNDING PROPERTIES

Photo 1&2: Subject Site. Wooded along Fair Road and Georgia Avenue and has vacant open interior.



Photo 3 & 4: Church's wooded property adjacent to the south of subject site from Georgia Avenue that students use as a walking path. The subject site is wooded along all directions of Georgia Avenue and can be seen in the background of picture number 4.

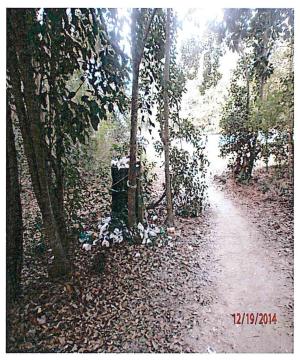








Photo 7: Wooded area to the adjacent south across from Georgia Avenue, separating the church and subject site. To the rear of this wooded area is where students have created a walking path.



Viewpoints

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Letters to the editor

Chamber wants accountability for local bars

Editor:
Our community suffered a tragdeath of Georgia Southern student Michael Gatto, His untimely death has brought to light what appears to be a significant problem with the provision of alcohol to minors in our community as well as an unac-ceptable level of alcohol-related violence and illness. We urge our Mayor and City Council to imme-diately undertake deliberate and meaningful review of the city's alcohol ordinance over the next few weeks. We hope they can determine what elements, if any, are contribut-ing to the serious situation that we as a community are facing.

We are also asking the citizens of Statesboro and Bulloch County to become engaged in this process. As a community, we need to put first and foremost the safety of our young people, and require enforcement from our public safety officers. The support of our elected officials of this type ordinance will be necessary to accomplish this

The Chamber of Commerce is charged with supporting a business environment that protects and nurtures economic viability for our law-abiding members. The ordi-nance should identify and define

alcohol, i.e., retail package, restaurants and bars. With targeted ordinances for each entity which secures a license, we can set clear expectations and encourage better protection of their patrons as well as our citizens. Ideally, an ordinance of this type should follow best practices as identified by other commu-nities facing similar objectives, such as Athens, Georgia, which includes training and credentialing of serv-ers, dedicated law enforcement and a strong violation schedule. To this end, the eager participation of our business members in the hospitality and retail industries is strongly encouraged.

Ordinance changes that prevent hazardous environments are long overdue. We applaud the recent efforts of our community leaders to protect our citizens, their families and local businesses from facing unruly and intimidating alcohol offenders. It is time to identify bars as they are and for our City Council to create specific stipulations in regulating their existence. With regular enforcement and punishments lev-ied for offenders, we should be steps doser to a safer Statesboro.

Phyllis H. Thompson, president on behalf of the Statesboro-Bulloch Chamber of Commerce Board of Directors

Woodland Terrace resident opposes zoning change

Editor: To the citizens of the City of

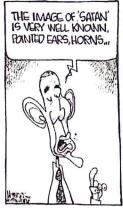
A request for a zoning change from R3 (Medium Density Multiple Family Residential) to CR (Commercial Retail) for the proper-ty at 1301 Fair Road has been made. I am a property owner in Woodlawn Terrace Subdivision, which is directly across Fair Road from the Benson property, Woodlawn Terrace Subdivision is totally residential and is one of the nicest subdivisions

within the city of Statesboro.

The reason for the requested change is to allow an Enmark Station and Convenience Store as well as a three or four-story hotel or motel. We neither want nor need this type of commercial use of the property. The traffic on Fair Road is

already too heavy and this would make it worse. We urge any and all citizens of Statesboro to voice their

Anita C. Masters





Obama's mandate remains

President Obarna did something extraordinary, perhaps unprece-dented, in his news conference immediately after the midterm elections: He claimed a mandate on behalf of voters who didn't vote.

"To everyone who voted, I want you to know that I hear you," the president said. "To the two-thirds of voters who chose not to participate in the process yesterday, I hear you,

What did that mean? What did

What did that mean! What did those non-voters say? It would probably be more use-ful to ask what the president heard. And apparently Obama heard expressions of support from non-voters across the land.

The president explained that many more voters turned out when he was elected, and then re-elected, than in the midterms that left Republicans firmly in control of the House and Senate. "One of the things that I'm very proud of in 2008 and 2012, when I ran for office, was we got people involved who hadn't been involved before," Obama said. "Part of what I also think we've got to look at is that two-thirds of people who were eli-gible to wote just didn't vote."

Of course, more than one-third of the people who were eligible to vote in Obama's two presidential elections didn't vote then, either. But Obama's message to Republicans was unmistakable: My mandate is bigger than your man-

Certainly presidential-year turnout is larger than midterm turnout; that's the way the system works. But Obama's reaction was born out of

Everyone knew, going into the midterms, that Democrats were desperate to reassemble the vaunted Obama coalition of 2008 and 2012 If that combination of minorities,

women and young people came to the midterm polls in the same numbers they did in presidential years, Obama's party would do very

But that didn't happen — a result the president does not seem prepared to fully acknowledge. Facing the reality of a huge Republican victory, Obama spoke at his post-defeat news conference as if the voters who supported him in '08 and '12 had made a sort of virtual trip to the polls in 2014, delivering a silent but more powerful message than the one sent by Americans who actually turned out

Perhans Ohama felt as if he had to read the results that way. After all, a more reality-based look at what happened would have been a humbling experience for a man who in the past has known great success with voters.

Remember that a month before the midterms, Obama declared that his policies "are on the ballot, every single one of them." Then Americans actually cast those ballots, and Obama's party lost deci-sively. A reasonable interpretation would be that voters broadly rejected the president's policies. So Obama looked for another way to

read the results.

Mentally, the president appears stuck in 2012, a year when he won re-election and had a chance to enact a second-term agenda. Back then, he hoped for victories on gun control, immigration and the envi-ronment. But he got very little done. Now, having lost big in his second midterms, Obama is trying to remind everyone that he used to be

The problem is that presidential terms last four years, but presiden-tial mandates don't. George W. Bush won re-election in 2004 and used his victory to try to enact Social Security reform. He failed, and two years later paid for the unpopularity of his policies most notably, the Iraq war — with a huge defeat in the 2006 midterms.

By the time Bush lost Congress, his mandate was gone, and he was reduced to exercising the core con stitutional powers of the presidency. Bush would have been laughed out of the room if, in his famous "thumping" post-election news conference of Nov. 8, 2006, he had pointed to his victories in 2000 and 2004 as evidence of some sort of virtual mandate bequeathed by voters who hadn't actually shown up at the midterm polls.
Instead, Bush's acceptance of

defeat was a model of reality-based politics. "I'm obviously disappointed with the outcome of the election, and as the head of the Republican Party, I share a large part of the responsibility," Bush said. "Look, this was a close election. If you look at it race by race, it was close. The cumulative effect, however, was not

too close. It was a thumping." Obama didn't come anywhere near that sort of acknowledgment. Several days later, he conceded some responsibility for the results, but if in time he doesn't fully accept what happened in the midterms, the nation could be in for two years of a president living in the past, pointing to a mandate that is long past its sell-by date.

Byron York is chief political corre-spondent for The Washington Examiner



First Presbyterian Church 1215 Fair Road Statesboro, Georgia 30458

PHONE: 912-681-2053 FAX: 912-681-2399 office@fpcstatesboro.org www.fpcstatesboro.org Established 1891

November 6, 2014

City of Statesboro Department of Planning and Development 50 East Main Street P. O. Box 348 Statesboro, Georgia 30459-0348

Re: **Zoning Applications**

RZ-14-10-01 and V-14-10-02

Dear Commission Members and Council Members:

Having received notice regarding applications RZ-14-10-01 and V-14-10-02 scheduled for action before the Planning Commission on November 12, 2014 and the City Council on November 18, 2014, the Session of First Presbyterian Church of Statesboro, Georgia, Inc., as the governing body of the local Church, wishes to register its unanimous opposition to these rezoning applications. As detailed below, we have numerous significant concerns about these applications.

First, and most significantly, this commission and City Council denied a previous application for a similar fueling station development at the intersection of Fair Road and Herty Drive. This location is in a similarly situated and heavily residential area, and even though its proximity to Georgia Southern University and Hanner Fieldhouse provide a more commercial look to the area, the rezoning request was denied at both levels. It is inconceivable that either of these bodies would now abandon this position by approving an application in an area that is clearly more residential in nature than the previously denied application.

Next, the character of the surrounding properties is clearly residential in nature. The impacted area of Fair Road (from Bermuda Run Road to Pitt-Moore Road) consists of large lots with significant green space and thick vegetation. These lots, which clearly predominate the area, all have minimal structural and hard surface coverage. Besides being out of place in an otherwise residential area, this development will significantly impact light pollution levels through the bright lights associated with a fuel station, thereby negatively impacting the residential character.

Additionally, the residential nature of private property ownership of the surrounding property makes it highly unlikely that any change will occur in the usage of any of the surrounding areas in the near future. The commercial areas and residential areas are clearly delineated along this major artery, and it is clear that granting approval for these zoning changes could be considered nothing more than spot zoning the subject property for a use that is clearly out of character with its surroundings as there is no probability that a case could be made that the land usage patterns are trending toward commercial usage of property in the immediate area.

Further, the complicated road and driveway configurations in this area already create traffic safety issues and congestion in the area surrounding the subject property. This development, if approved, will significantly increase traffic congestion in the area, necessitating installation of a traffic signal. We believe this expense must be shouldered by the developer of this proposed development and not by the taxpayers of the City of Statesboro.

Exacerbating the traffic safety issues and congestion is the dangerous curve where Georgia Ave intersects with Fair Road. This dangerous curve borders the subject property which will pose complications with ingress and egress to and from the subject property. We oppose any ingress/egress points on Georgia Avenue in proximity to this curve.

Moreover, numerous fueling stations with convenience stores already exist nearby this area. In fact, the new Parkers and the new Walmart Neighborhood Market have just opened or are slated to open shortly, and another similar structure is not needed in this area.

Also, the subject property's proximity to several churches (First Presbyterian Church, Second St. John's Baptist Church, and Pittman Park United Methodist Church) raises concerns about alcohol sales and adverse activity in close proximity to these religious institutions. And, given recent concerns about the convenient availability of alcohol to underage individuals adjacent to the Georgia Southern University campus we believe that this facility will contribute to escalation, rather than the reduction, of the problem. A better solution would entail limiting alcohol sales within such close proximity to campus rather than providing additional outlets for such activity.

In addition to our unease with alcohol sales in the immediate area, we are concerned regarding the crime that already occurs in the nearby apartments and think that this development will only attract and encourage further criminal activity, loitering, and other activities which are adverse to the peaceful residential nature of the neighborhood.

Finally, we are concerned that, if the application was approved and either of the proposed uses for the property were to fall through, that the other allowed uses within this zoning classification would be even more detrimental to the character of the area.

This request for variance is completely out of character for the area and any structure, especially a fueling station, convenience store, and a four story hotel would negatively impact the residential nature of this area, which in turn would negatively affect the property values of surrounding properties.

We respectfully request that both the Planning Commission and the City Council deny the application for rezoning of the subject property and also deny the request for variance. We appreciate your support in protecting and maintaining the quality of life that area residents and property owners enjoy.

With kindest regards,

Session, First Presbyterian Church

Dan Lewis, Pastor and Moderator of Session



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

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

RZ 14-11-03 ZONING MAP AMENDMENT 101 Hawthorne Road

LOCATION:

101 Hawthorne

REQUEST:

Rezone from R20 (Single-Family Residential)

to O (Office)

APPLICANT:

Brason Investments LLC

OWNER(S):

Brason Investments LLC

LAND AREA:

.38 Acres

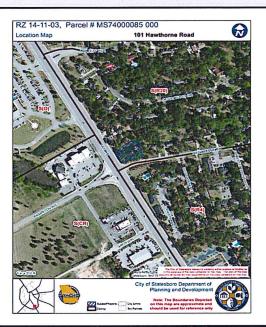
PARCEL TAX

MAP #s:

MS74000085 000

COUNCIL DISTRICT:

District 5 (Chance)



PROPOSAL:

The applicant is requesting the rezoning of .38 acres of property located at 101 Hawthorne Road from R20 (Single-Family Residential) District to O (Office) District in order to utilize the existing structure as an office building. (See **Exhibit A** – Location Map & **Exhibit B** – Survey)

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R20 (Single Family Residential)	Single-Family Residential
SOUTH:	R4 (High Density Residential)	Residential Duplexes
EAST:	R20 (Single Family Residential)	Single-Family Residential
WEST:	CR (Commercial Retail)	Retail; Food Services

The subject property fronts Fair Road and Hawthorne Road with residential uses along the north, east and south property lines. The western property line fronts Fair Road with commercial uses such as restaurants, banks, offices and personal services to the adjacent side of Fair Road. The site takes singular vehicle access from Hawthorne Road. (See Exhibit A & C)

COMPREHENSIVE PLAN:

The subject site lies along the transition I between the "Activity Center" character area and the "Developing" character area as identified by the 2009 City of Statesboro Future Development Map adopted by the City of Statesboro

Comprehensive Plan. See Exhibit D. The "Developing" character areas are identified as being primarily residential, but are under pressure to grow in a suburban manner. Development patterns should be evaluated to maximize opportunities for appropriate blending of residential, office, and commercial development. Small to mid-size retail and commercial, office, single family, and multifamily residential are all appropriate land uses for properties within the Developing character areas. The pattern of blending residential and commercial are made even more evident with the growing commercial and office uses that are adjacent to this site within the "Activity Centers" character area. Some suggested development and implementation strategies for the area include the following:

- Large new developments should be master-planned to include mixed-uses wherever appropriate.
- Promote street design that fosters traffic calming such as narrower residential streets, on-street parking, and addition of bicycle and pedestrian facilities.
- There should be strong connectivity for pedestrians between residential and mixed use areas.

Statesboro Comprehensive Plan, Community Agenda pages 16-17.

Suggested land uses of the Developing character area include:

- Neighborhood-scaled retail
- Offices and Services
- Single and Multi-Family Residential
- Mixed use retail/office/residential buildings

The Activity Center character area "will evolve into pedestrian-oriented shopping, office, and entertainment places." Small, mid-size, and regional retail commercial, including big box stores, are identified as appropriate land uses for this character area. Adopted development strategies for this character area include inter-parcel connectivity, especially along major thoroughfares, and encourage land uses that are suitable for the immediately surrounding area. It also states that parking in this area should be evaluated to encourage shared parking provisions.

Suggested land uses of the Activity Center Character area include:

- Small and Midsize regional retail and commercial
- Office
- Medical
- Multi family

(Community Agenda, Pages 20-21)

Applicable goal(s) of the Plan:

Protection of Existing Neighborhoods: Commercial encroachment into residential neighborhoods seems to be less of a current concern, but as Statesboro continues to grow, the potential for this conflict increases. Commercial, retail, and office uses can co-exist compatibly in residential areas if the design of the establishment is properly considered. The conversion of former homes to professional offices along Zetterower provides a model for how to accommodate non-residential uses as streets begin to carry more traffic and residential uses become less desirable. 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.

Applicable Vision Statement(s) from the Plan:

 Develop and implement a balanced and forward thinking land use policy that provides for a sustainable community of thriving neighborhoods, business areas, and civic places that comprise an outstanding quality of life and physical environment. The City will expand in a manner which conserves the natural land resources and integrates new development in ways which minimize negative impacts and provides for a healthy ecosystem. Walkable, neighborhood commercial areas will be supported; pedestrian and bike connections will be emphasized; office and business development will be a priority. Applicable Policy(ies) from the Plan:

- We will promote development that is sensitive to the land and gives consideration to adjoining, existing, and planned development as well as the overall community.
- We will guide appropriate residential and non-residential in-fill development and redevelopment in a way that complements surrounding areas.

(Please Note: The 2014 update to the City of Statesboro Comprehensive Plan is currently underway. This analysis was performed under the 2009 version of the Plan and may be affected by adoption of the 2014 update.)

COMMUNITY FACILITIES:

The subject site is currently served by city utilities including water and sewer, sanitation, and public safety services. No significant impact is expected on community facilities as a result of this request. The property takes access solely from Hawthorne Road and is served by the recently installed traffic signal at its intersection with Fair Road (at Brampton).

ENVIRONMENTAL:

The subject property does not contain wetlands or flood zones.

ANALYSIS:

The entire .38 acre site is currently zoned R20 (Single Family Residential) and contains a 2,269 square foot single family residence with a paved driveway and a paved parking area. The parcel takes singular access from Hawthorne Road. The applicant's request to rezone the property from R20 (Single Family Residential) to O (Office) would allow for the utilization of the existing structure to be used as an office. The R20 zones limits uses within the district to single family residential, religious, educational, and governmental uses. The requested Office zone allows for those same uses, but also includes professional and business offices; agencies, studios, and schools; social or fraternal lodges or clubs; financial institutions; undertaking establishments; and health care facilities, to include hospitals and nursing homes as permissible uses by right within the district.

The subject property fronts Fair Road- a Transitional Corridor- which moves traffic from urban uses into suburban commercial and residential uses. Although the Office and Commercial Retail zones are across the street from the site, and R4 High Density Multi Family zone is across Hawthorne Road from the site, all of the property adjacent to and nearby the subject site off of Hawthorne road (and fronting Fair Road) is zoned R20- Single Family Residential with minimum lot sizes of almost one-half acre (20,000 square feet). Therefore, this zoning request raises the significant possibility that to rezone the subject site as requested would be an act of spot zoning. Spot zoning is the application of a zoning district (usually to allow a more intense use) to a single parcel where the immediate areas surrounding that parcel are governed by a different land use classification (zoning) which is generally less intense in nature. (creating an island of more intense use, generally for private gain). Spot zoning is generally considered to be in contradiction of a City's comprehensive plan (vision for its future) as well as the basic tenant of its zoning ordinance (separation of uses). In order to overcome the argument of spot zoning, a showing should be made that the zoning request is compatible with the City's vision for its future as articulated within its Comprehensive Plan. The concern that this request, if granted, would result in spot zoning has been raised with the applicant. The applicant's response is attached hereto as Exhibit E.

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 two (2) primary land use policies: The *Statesboro Comprehensive 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 O (Office) zoning district for residential uses only as set forth in the *Statesboro Zoning Ordinance*.

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;
 - o Immediately adjacent properties are zoned R20 Single Family Residential.

- Properties across Fair Road from the site are zoned Office (utilized as East Georgia Regional Medical Center) and Commercial Retail.
- Properties across Hawthorne Road are zoned R4- High Density Residential Development.
 Hawthorne Road serves as the dividing line for the zoning districts between Single Family and Multi Family in this area.
- Rezoning of this site to Office may constitute spot zoning.
- 2. The extent to which property values are diminished by the particular zoning restrictions.
 - Given its frontage on a Transitional and high volume corridor, the property has likely lost desirability for use as a single family residential structure.
- 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.
 - Office is considered a more compatible adjacent use to single family zones than commercial and can be considered an appropriate transition zone from single family to multifamily.
- 5. The suitability of the subject property for the zoned purposes.
 - The site could be developed in accordance with the provisions of the *Statesboro Zoning Ordinance*.
- 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.
 - o The property is not vacant. It is currently being utilized as a single family structure.
- 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;
 - The proposed use is not expected to have a negative impact on population density, community facilities, living conditions, traffic patterns or property values, and is not expected to be negative or burdensome to the general public or surrounding property owners as offices of this size are generally considered to be low intensity uses.
 - Office use is considered to be a low intensity utilization of property.
- 8. Consistency with other governmental land use, transportation, and development plans for the community.
 - The subject site is located along a transition from Developing character area to Activity Center character area.
 - The subject site is located along the district line between single family residential zoning and multifamily zoning.

STAFF RECOMMENDATION: Staff suggests that a zoning map amendment would be appropriate in this case if Council were to make a finding that the area around the subject site is changing and that the requested rezone would be in line with present conditions and the projected future needs of the City. Otherwise, staff suggests that Hawthorne Road acts as a zoning boundary between single family and multifamily uses and that commercial and office uses are currently restricted to the opposite side of Fair Road. Therefore, without a finding of changing conditions making the zoning appropriate, grant of the zoning change would result in spot zoning and would act contrary to the Statesboro Zoning Ordinance and the City's Comprehensive Plan.

(Please note: Unless otherwise stated in any formal motion by City Council, staff considers the conceptual site plan submitted on behalf of the applicant for this request to be illustrative only. Approval of the application does not constitute approval of any final building or site plan).

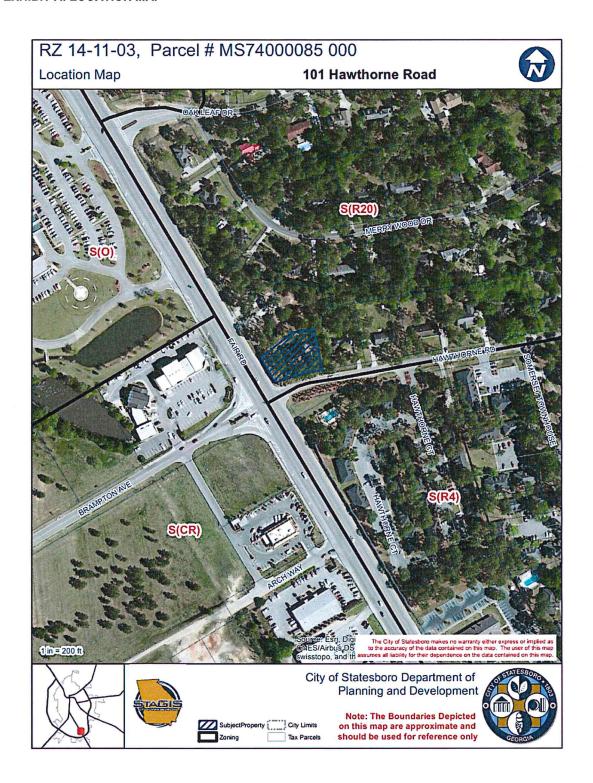


EXHIBIT B: LAND SURVEY

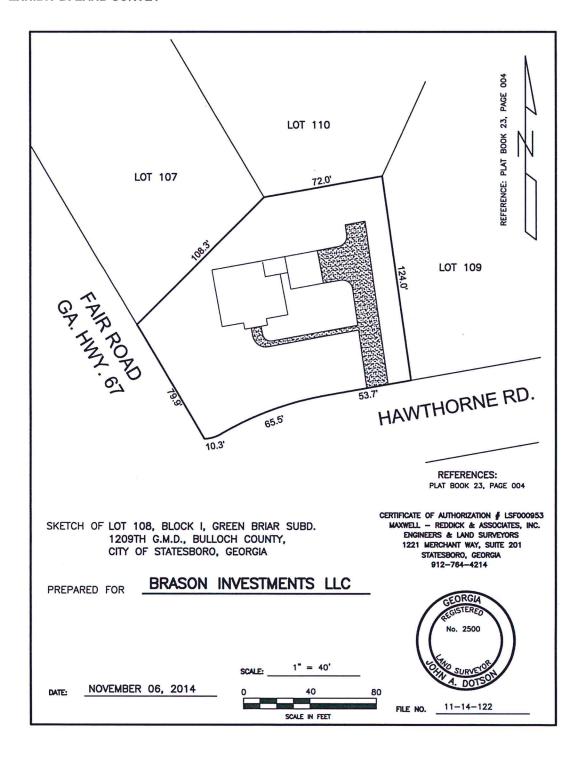


EXHIBIT C: PHOTOS OF SUBJECT SITE AND GENERAL VICINITY

Photo 1: Subject Site from Hawthorne Road



Photo 2: Subject Site from Fair Road



Photo 3: Subject Site driveway, parking and sidewalk to front entrance



Photo 3: Commercial Retail to the West of Subject Site



Photo 5: Property to the South of Subject Site



Photo 6: Property to South West of Subject Site



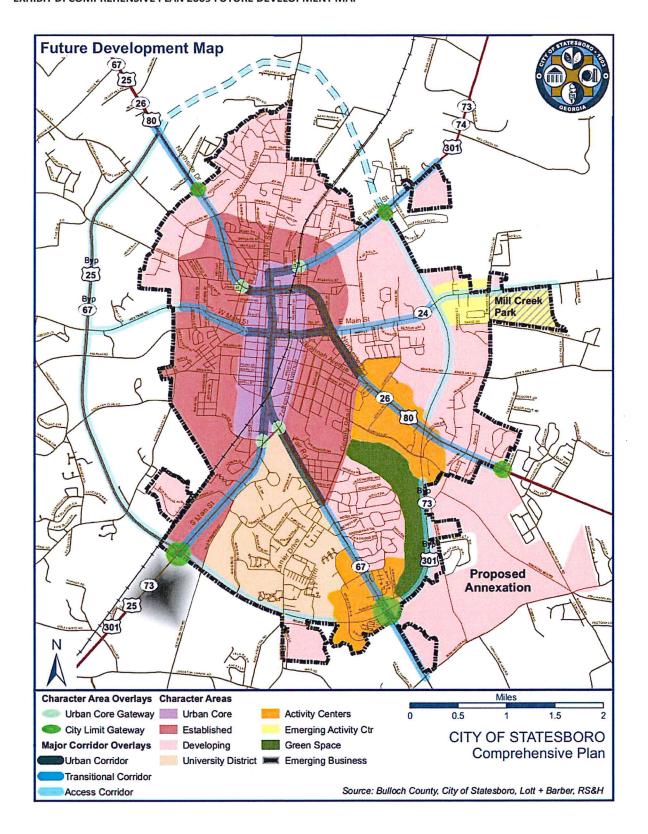


EXHIBIT E: APPLICANT RESPONSE LETTER



City of Statesboro Planning & Zoning Department P.O. Box 348 Statesboro, GA 30459 Attention: Cindy Clifton

RE: Brason Investments, Hawthorne Road, Statesboro, Georgia

Dear Cindy:

The area is which the subject property is located has transformed over the past 12 years, from its original primary uses as residential and agricultural to today's uses of commercial, office, institutional, multi-family and single family residential.

The introduction of the new traffic signal to serve the Wal-Mart Neighborhood Grocery Center will transform the intersection, which the subject property is part of, and effectively create a non-desirable residential location for the homes located at or near the intersection.

The existing traffic volumes and commercial uses, as well as the travel distance to GSU, has transformed the area along Fair Road to a rental market for residential, which in its self promotes commercial uses. With everything considered, the highest and best use at the intersection is commercial and or office.

The applicant /property owner is currently renting the property as residential. The property adjacent to this site and the property on the south side of Hawthorne Road are being used as rental housing. The property located on the west side of Fair Road (GA. Hwy 67) is zoned CR and Office and is being used as fast food restaurants, offices, retail and hospital/medical. The applicant desires to change the use to office (O) which would be a more desirable use for the neighborhood than commercial.

Please give me a call if you have any questions.

Sincerely,



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

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

RZ 14-11-05 ZONING MAP AMENDMENT 400 Knight Drive

LOCATION:

400 Knight Drive

REQUEST:

Rezone from R4 (High Density Residential) to

CR (Commercial Retail)

APPLICANT:

Asia World Co. Inc. Charles Tsang

OWNER(S):

Asia World Co. Inc. Charles Tsang

LAND AREA:

2 acres

PARCEL TAX

MAP #s:

MS62000005B000

COUNCIL

DISTRICT:

4 (Riggs)



PROPOSAL:

The applicant is requesting rezoning of a 2 acre lot that contains five (5) apartment buildings, with a total of twenty six (26) units located at 400 Knight Road from R4 (High Density Residential) District to CR (Commercial Retail) District for the purpose of building a retail center. (See **Exhibit A** – Location Map & **Exhibit B**- Survey/ Concept Plan)

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R4 (High Density Residential), CR (Commercial Retail) , Exempt (Georgia Southern University)	Student Housing, Student Services, GSU
SOUTH:	R4 (High Density Residential),Exempt (Georgia Southern University)	Student Housing
EAST:	R4 (High Density Residential) , Exempt (Georgia Southern University)	Student Housing
WEST	R4 (High Density Residential), O (Office) Exempt (Georgia Southern University)	Student Housing, GSU Offices

The subject property is surrounded by mixed uses created by the Georgia Southern University Campus such as student housing, academic and administrative buildings, ancillary buildings and parking lots with commercial retail and food services nearby.

COMPREHENSIVE PLAN:

The subject property lies within the "University District" character area as defined by the *Statesboro Comprehensive Plan.* This character area is anchored by Georgia Southern University. Academic and administrative buildings, residence halls and dorms, student activity centers, cafeterias, performing arts venues, and ancillary buildings are found in the campus core, which are all organized around an internal pedestrian circulation system. Development within the area, whether on campus or nearby, should focus heavily on pedestrian and bike accessibility, as well as transit. In addition to the GSU campus, there are residential areas primarily directed toward student housing and student-oriented commercial uses along the primary arteries. A goal of this character area is to bridge the physical gap between downtown and the university.

Suggested land uses of the University District character area includes:

- Neighborhood-scaled retail
- Services
- Multi-Family Residential
- Mixed use retail/office/residential buildings.

(Community Agenda, Pages 20-21)

Suggested development and implementation strategies from the Plan include:

- Strengthen enforcement of code violations for private property, including property maintenance, parking, and structural conditions.
 - Ensure adequate bicycle and pedestrian facilities for students commuting to and from GSU campus.

Applicable goals of the Plan:

• Maximize Economic Development Opportunities (2014 Update Draft)

Applicable Vision statements from the Plan:

"Throughout this document, mixed use is listed as a preferred development strategy. True mixed use developments place a high priority on scale and design to create places which encourage pedestrian activity through relationships between buildings, interesting streetscapes, and appropriate treatment of parking. Simply placing one use next to another does not constitute mixed use. The components must be evaluated in context with their surroundings for mixed use to be successful."

(Community Agenda, Page 8).

(Please Note: The 2014 update to the City of Statesboro Comprehensive Plan is currently underway. This analysis was performed under the 2009 version of the Plan and may be affected by adoption of the 2014 update.)

COMMUNITY FACILITIES:

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

ENVIRONMENTAL:

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

ANALYSIS:

The entire 2 acre site is currently zoned R4 (High Density Residential) and contains five (5) apartment buildings with a total of twenty six (26) units totaling 32 bedrooms (4- 4 bedroom units and 22- 1 bed units). The applicant's request to rezone the property from R4 (High Density Residential) to CR (Commercial Retail) would allow for construction of a retail center.

The legislative intent of the R-4 (High-Density Residential) is as follows:

"to encourage the logical and timely development of land for apartment and other high density residential purposes in accordance with the objectives, policies, and proposals of the future land use plan..., to assure the suitable design of apartments in order to protect the surrounding environment of the 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." (Article VII, Sec 700)

The applicant is requesting the zoning designation be changed to CR (Commercial Retail). The legislative intent for this district is shared with the CDB (Central Business District) and states:

"to provide for the orderly development of a major business and commerce area of the City of Statesboro in accordance with the objectives, policies and proposals of the future land use plan of the city. The development of this district shall be directed as to the plans and redevelopment proposals heretofore shown in the future land use plan and studies which subsequently follow. The district proposes to permit a uniformity of design to ensure the orderly arrangement of buildings, land uses, and parking areas and all construction hereafter proposed for this area shall be related to this objective." (Article VIII, Sec. 800)

The subject property is located within an area containing several multi-family residential complexes. The majority of these residents are students attending Georgia Southern University. The subject property currently contains the Eagle Walk apartment complex containing a total of 26 apartments built in 1983. If the proposed zoning change is approved the existing apartments would be considered an existing non- conforming use. High Density Residential uses would not be considered permissible uses for the sight in the future. It should also be noted that the City of Statesboro has been studying the Knight Dr./ Chandler Rd. Intersection for some time for safety reasons and eventually delineators may be installed at this intersection, which would prevent one of the vehicle turn movements.

STAFF RECOMMENDATION:

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 two (2) primary land use policies: The *Statesboro Comprehensive 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 CR (Commercial Retail) zoning district for residential uses only as set forth in the *Statesboro Zoning Ordinance*.

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;
 - Existing uses and zoning of nearby property are zoned for high density residential, commercial, and educational uses.
- 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.
 - The Statesboro Comprehensive Master Plan places the subject property in the "University" district and promotes the development of neighborhood scale retail. The location would provide residents of the surrounding apartment complexes and educational buildings access to retail goods and services located within walking distance from their homes.

- 5. The suitability of the subject property for the zoned purposes.
 - o The proposed land use could be developed within the provisions of the *Statesboro Zoning Ordinance* and other development requirements of the City of Statesboro.
- 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.
 - o The property is not vacant. It contains 26 apartments built in 1983.
- 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;
 - The requested zoning map amendment would reduce the population density in the area by 26 living units.
 - o The area is not suffering from a lack of housing opportunity and the student oriented housing market is maximized for the near future.
 - No significant impact is expected on environment aspects, existing or future land use patterns.
- 8. Consistency with other governmental land use, transportation, and development plans for the community.
 - The property could be developed in conformance with the City of Statesboro's development regulations.
 - This request is consistent with City of Statesboro Comprehensive Master Plan and the 2035 Bulloch County/City of Statesboro Long Term Transportation Plan.

STAFF RECOMMENDATION:

Should the Council determine to rezone the property, staff recommends the following conditions/development standards be applied. These conditions were drawn from strategies identified throughout The City of Statesboro Comprehensive Plan.

- Permissible uses shall be restricted to those uses permissible by right in the Central Business District for the City of Statesboro.
- Restaurants may include outdoor seating areas, but are limited to sit down service or walk up service only. Drive through facilities are not permissible.
- Convenience or general merchandise stores are permissible, but gasoline or fuel pump stations are prohibited.
- An independent parking lot is not considered a permissible use by right for this parcel or any subdivision thereof.
- 5) Each tenant space shall be limited in square footage not to exceed 15,000 square feet.
- 6) This area shall be subject to Sign District 3 for the City of Statesboro for a planned unit development.
- 7) This property should not be buffered or separated from the adjacent residential areas, but shall be connected by pedestrian walkways/paths internally and to the adjacent residential area.
- 8) Accessory structures are prohibited.
- 9) The pedestrian areas shall be planted with street trees in accordance with the Statesboro Tree Ordinance and be furnished with street furniture, including but not limited to benches, litter receptacles, light poles, etc.
- 10) All outdoor storage shall be screened.
- 11) A consistency of high quality architecture shall be used throughout the development.
- 12) If multi stories are developed on the site, large display windows should be employed on ground floor storefronts. Display windows should be framed to visually separate the ground floor from the second floor.
- 13) All buildings with a flat roof should have a decorative cornice at the top of the building; or eaves when the building is designed with a pitch roof.
- 14) Minimum lot size shall be 10,000 square feet. Maximum front setback shall be 10'.
- 15) No less than 50% of parking spaces shall be to the rear or side of buildings.
- 16) Landscaping shall meet the requirements of the Statesboro Tree Ordinance.
- 17) Sidewalk connectivity to and along Knight Drive must be provided.
- 18) All other applicable development regulations of the City of Statesboro shall apply unless exempted herein.



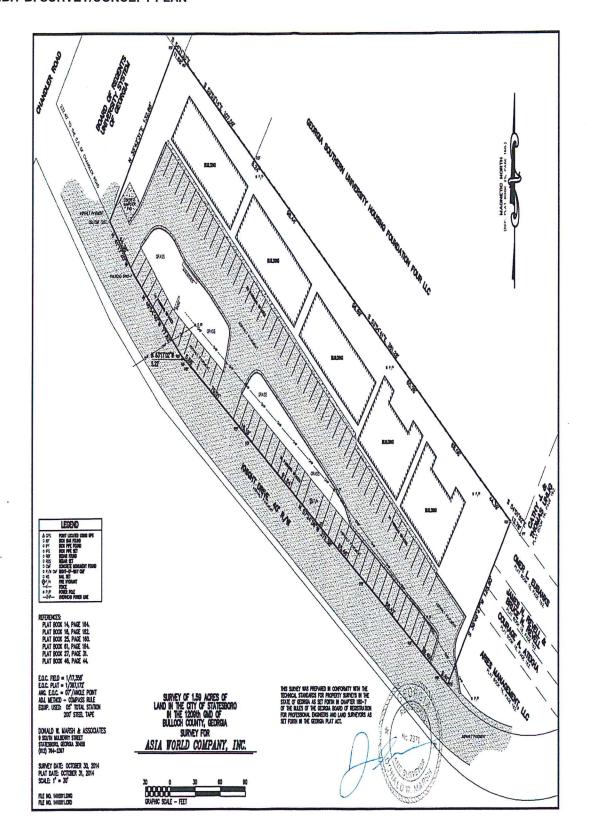


EXHIBIT C: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY.

Photo 1: Subject Site



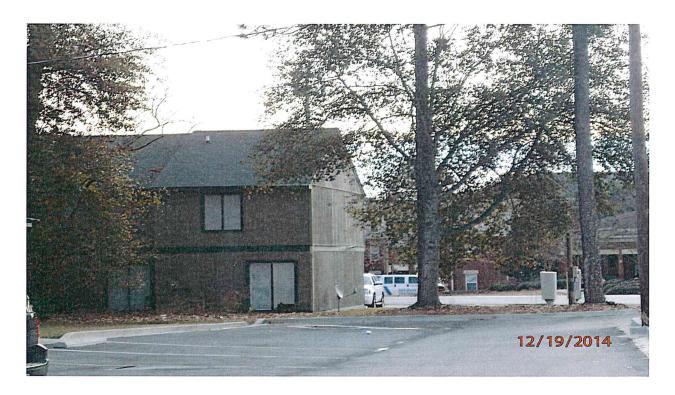
Photo 2: Student Housing to West of Subject Site



Photo 3: Student Housing to the adjacent North and East property line of Subject Site



Photo 4: Student Housing to the South of Subject Site





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

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

RZ 14-12-01 ZONING MAP AMENDMENT South College Street

LOCATION: South College Street

Rezone from R20 (Single-Family Residential)

REQUEST: to R3 (Medium Density Multiple Family

Residential)

APPLICANT: John Ray Hendley

OWNER(S): John Ray Hendley

LAND AREA: .31 acres

PARCEL TAX

MAP #s:

S21 000003 000

COUNCIL

DISTRICT:

District 2 (Lewis)



PROPOSAL:

The applicant is requesting a zoning map amendment of .31 acres of property located at South College Street from R20 (Single-Family Residential) District to R3 (Medium Density Multiple Residential) District to construct a two (2) family duplex unit on the site connecting this site with the newly renovated adjacent property that is also owned by the applicant (See **Exhibit A** – Location Map & **Exhibit B** – Sketch Plan & **Exhibit C**-Proposed Duplex Design).

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R20 (Single Family Residential)	Single-Family Residential
SOUTH:	R20 (Single Family Residential)	Single-Family Residential
EAST:	R4 (High Density Residential)	Duplexes
WEST:	R20 (Single Family Residential)	Single-Family Residential

The subject property is located in a residential use area with commercial uses within walking distance to the direct east such as gas station, used car sales, restaurants etc. (See Exhibit A & D)

COMPREHENSIVE PLAN:

The subject site lies within the "Urban Core" character area as identified by the City of Statesboro Future Development Map within the City of Statesboro Comprehensive Plan. The "Urban Core" character areas are identified as the activity and cultural hub of the region and support a wide range of acceptable uses. As a major gateway into downtown, traditional development patterns of buildings along the sidewalk and a lively streetscape are respected and promoted, while encouraging retail uses with large storefront windows at street level.

Neighborhood-scaled retail and commercial, arts and entertainment venues, civic centers, office, neighborhood services, lofts and urban residential including single-family residential along secondary streets, mixed use, multi-story buildings with retail on the street and office/residential above are all appropriate land uses for properties within the Urban Core character area. Some suggested development and implementation strategies for the area include the following:

- Encourage mixed-use infill and redevelopment.
- New development should respect historic context of building mass, height and setbacks.
- Economic development strategies should continue to nurture thriving commercial activity.
- Develop sites within the southern portions of the character area (especially along South Main, generally from Grady Street to Fair Road) in a manner that promotes the functional and aesthetic objectives of the character area while providing a greater physical linkage between Georgia Southern University and downtown. Statesboro Comprehensive Plan, Community Agenda pages 12-13.

Applicable Vision Statement(s) from the Plan:

 Develop and implement a balanced and forward thinking land use policy that provides for a sustainable community of thriving neighborhoods, business areas, and civic places that comprise an outstanding quality of life and physical environment. The City will expand in a manner which conserves the natural land resources and integrates new development in ways which minimize negative impacts and provides for a healthy ecosystem. Walkable, neighborhood commercial areas will be supported; pedestrian and bike connections will be emphasized; office and business development will be a priority.

Applicable Policy (ies) Statement(s) from the Plan:

- Development shall provide for a variety of residential types and densities.
- We will stimulate infill housing development in existing neighborhoods by ensuring that development regulations will promote the appropriate size lots and types of homes.
- We will encourage efficient urban residential densities in the Urban Core and Established areas.

DSDA Master Plan:

The subject site is adjacent to the boundaries of the DSAD district and its *Statesboro Downtown Master Plan*. Although the parcel is not part of the boundary of neither the district nor its plan, it is sufficiently close enough in proximity to warrant consideration. The site itself is just beyond zone 9 of the plan – an area deemed to be a supporting element to the master plan. "Improvements in this area should be market driven and a product of activities occurring in areas deemed as primary importance level. The creation of appropriately scaled residential uses is the focus in this zone. Focus should be on "implementation of neighborhood residential revitalization and stabilization programs to improve and maintain housing stock." *Statesboro Downtown Master Plan, page 73.*

The land use strategy in the *Statesboro Downtown Master Plan* further states that sites in the vicinity of College and Bulloch Streets offer potential locations to develop a significant amount of urban housing. Within that area high-density housing would comprise buildings which are two to four-stories in height with a density of 8 to 12 units per acre. These sites would be potential locations for development in the near-term:

- Underutilized or vacant parcels including a significant number of sites that accommodate infill, high-density construction.
- Amenities proximate to transit (when available or planned), new parks, retail and services within short walking distances. Statesboro Downtown Master Plan, Land Use Strategy page 41.

South Main Redevelopment Plan:

The subject site also lies adjacent to the recently adopted Tax Allocation District #1. The goal of the TAD is to encourage the private redevelopment of outmoded, highway-oriented commercial development into pedestrian friendly, mixed use centers to achieve the vision set forth in the 2011 Downtown Statesboro Master Plan and the City's Comprehensive Plan. Areas within the boundaries are considered to be blighted and underdeveloped with redevelopment potential. Although this site is not located within the boundary, it is almost surrounded by the TAD's boundaries and its principles of redevelopment merit consideration in this request.

(Please Note: The 2014 update to the City of Statesboro Comprehensive Plan is currently underway. This analysis was performed under the 2009 version of the Plan and may be affected by adoption of the 2014 update.)

COMMUNITY FACILITIES:

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

ENVIRONMENTAL:

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:

The .31 acre site is currently zoned R20 (Single Family Residential) and is vacant. The applicant's request to rezone the property from R20 (Single Family Residential) to R3 (Medium Density Multiple Family Residential) would allow for the development of a single-family duplex units connecting this site with the newly renovated adjacent property that is also owned by the applicant giving the two sites a small neighborhood feel.

The R 20- Single Family Residential district limits land uses to single family lots with a minimum size of almost one half of an acre (20,000 square feet) and religious, educational, and governmental uses. The expressed legislative intent of the zone is "to establish reasonable standards of performance and selection of uses permitted therein, in order to maintain and protect the desirable benefits which single family detached residential uses have throughout the community." The R 3 zone permits all the uses of R20, but also includes single family detached dwellings (excluding mobile homes and trailers) and two family duplexes. The stated declaration of intent for this zone is "to establish reasonable standards of performance and selection of permitted uses therein, in order to maintain and protect the desirable benefits which single, twin and duplex residential uses have throughout the community." The subject site is .31 acres in size (approximately 13,504 square feet). Pursuant to the minimum lot size of the R3 zone, only one roof top (with 2 doors) could be constructed on the site.

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 policy: The *Statesboro Comprehensive Plan* as well as its supplemental planning documents, the *2035 Bulloch County/City of Statesboro Long Range Transportation Plan, The DSDA Master Plan*, the *City of Statesboro Tax Allocation District #1 South Main Redevelopment Plan*; and the potential for the property to develop in conformance with the requirements of the proposed R3 (Medium Density Multiple Family Residential) zoning district for residential uses only as set forth in the *Statesboro Zoning Ordinance*.

The subject site is .31 acres in size (approximately 13,504 square feet). Pursuant to the minimum lot size of the R3 zone, only one roof top (with 2 doors) could be constructed on the site.

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;
 - Existing uses and zoning of nearby property range from high density residential to single family residential homes.
 - Adjoining property uses as well as uses across South College Street are similar.
 - Nearby properties have recently been rezoned to accommodate similar request.
 - Some adjacent uses are zoned single family, but contain multi-family structure or multiple structures. Other nearby properties are both zoned and utilized as single family structures.
 - The property is adjacent to railroad right of way.
- 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.

- 5. The suitability of the subject property for the zoned purposes.
 - The proposed land use could be developed in conformance with R3 (Medium Density Multiple Family Residential) Standards.
- 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 lot is vacant.
- 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. The proposed use is limited in size and is therefore not expected to have a negative impact on population density, community facilities, living conditions, traffic patterns and property values in adjacent areas.
- 8. Consistency with other governmental land use, transportation, and development plans for the community.
 - The requested zoning map amendment is consistent with the policies articulated within the 2035 Bulloch County/City of Statesboro Long Range Transportation Plan.
 - The Statesboro Comprehensive Plan adopts a goal of "promot[ing] infill and redevelopment" stating that "infill development, which consists of developing vacant lots dispersed in developed areas, strengthens neighborhoods and reinvests money into infrastructure which is already in place". (Community Agenda, page 51). The requested utilization of the subject site would achieve this goal.
 - O Use of the property as medium density residential is consistent with the vision and guiding principles of the "Urban Core" character area as articulated within the *Statesboro Comprehensive Plan* which promotes new developments to include mixed uses such as small to mid-size retail, single family residential, and multifamily residential.
 - Rezoning of the site is consistent with the guidance provided in the DSDA Master Plan and the South Main Redevelopment Plan.

STAFF RECOMMENDATION: Due to the proximity of the subject site to other similar zones and uses and the ability of the property to develop in conformance with the City's Comprehensive Plan, the *DSDA Master Plan*, and the *South Main Street Redevelopment Plan*, staff recommends approval of the zoning map amendment.

(Please note: Unless otherwise stated in any formal motion by City Council, staff considers the conceptual site plan (Exhibit B) submitted on behalf of the applicant for this request to be illustrative only. Approval of the application does not constitute approval of any final building or site plan).



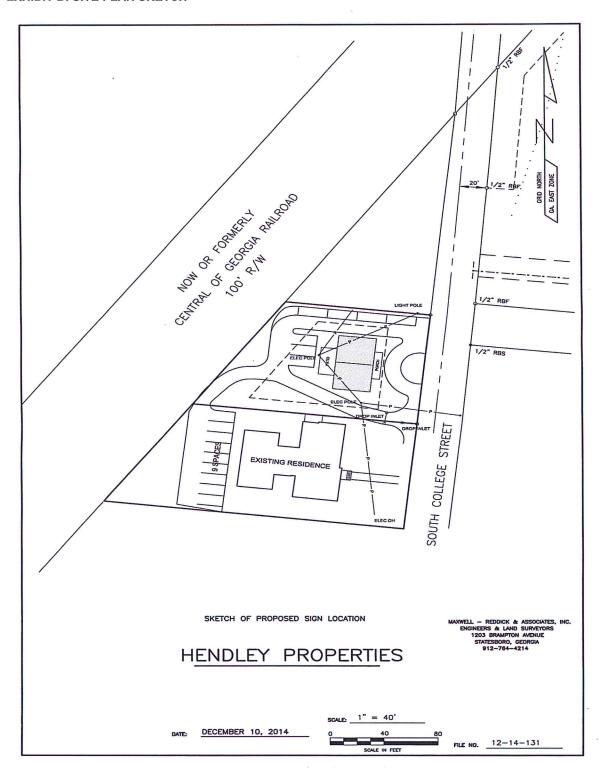


EXHIBIT C: PROPOSED DUPLEX DESIGN



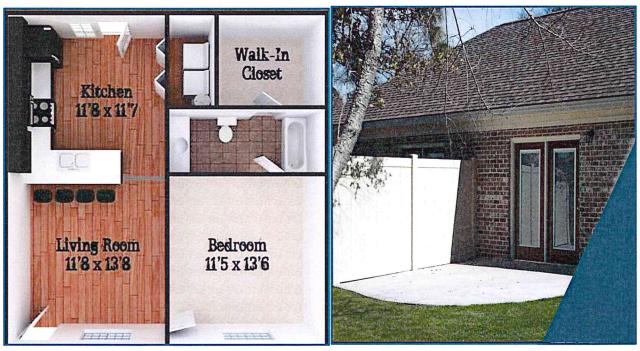


EXHIBIT D: PHOTOS OF SUBJECT SITE AND GENERAL VICINITY

Photo 1: Subject Site from College Street



Photo 2: Rear Property Line of Subject Site backs the CRX Railroad Tracks



Photo 3: Adjacent Property to the South of the Subject Site that is owned and currently being Renovated by the Applicant.

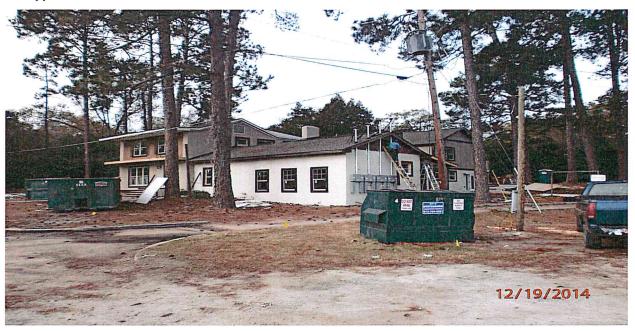


Photo 4: Adjacent Property to the North of the Subject Site that is owned and was recently renovated by the Applicant.



Photo 5: Adjacent Property to the direct East of Subject Site.

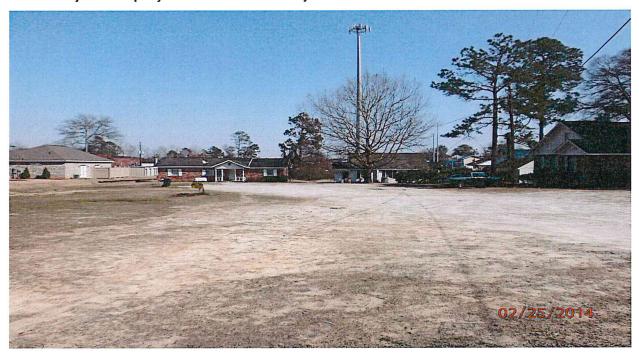


Photo 6: Adjacent Property to the North East of the Subject Site, also Owned by the Applicant.





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

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

SE 14-10-03 SPECIAL EXCEPTION REQUEST 1044 South Main Street

LOCATION: 1044 South Main Street

Special Exception to allow a used car lot

REQUEST: within the Cr (Commercial Retail) zoning

district.

APPLICANT: Rick Mock

OWNER(S): Thomas D. Lambie

LAND AREA: 1 Acre

PARCEL TAX

MAP #s:

MS43000018 000

COUNCIL

DISTRICT:

District 3 (Britt)



PROPOSAL:

The applicant requests a Special Exception to allow for the utilization of the vacant property located at 1044 South Main Street as a car dealership and various other retail and person services. The subject site is zoned CR (Commercial Retail), which does not permit car dealerships by right. (See **Exhibit A** – Location Map)

BACKGROUND:

This 1 acre lot contains a 4,275 square foot concrete block building that was built in 1987 and was the original home of Dive South. After being vacant for several years, City Council approved SE 09-04-03 on May 5, 2009, allowing Wayne's Mobile Home Supplies, LLC to utilize the property for a building material supply business.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	CR (Commercial Retail) and R4 (High Density Residential)	Commercial Retail Undeveloped; Student Housing
SOUTH:	CR (Commercial Retail) and EXPT (Exempt)	Commercial Retail
EAST:	EXPT (Exempt)	Georgia Southern University
WEST	CR (Commercial Retail)	Commercial Retail and Food Services

The subject property is located at the periphery of the municipality's boundary with the property's western property line fronting a gas station and northern property line fronting Highway 301. Surrounding uses include high density student housing, food services, commercial retail and a church along with the eastern and western property lines fronting property owned by Georgia Southern University which is exempt from the *Statesboro Zoning Ordinance*. (See Exhibit B)

COMPREHENSIVE PLAN:

The subject site lies within the "Established" character area along a "Transitional Corridor" as identified by the City of Statesboro Future Development Map within the *City of Statesboro Comprehensive Plan*. Established character areas are generally traditional neighborhoods built in the late 19th to mid-20th centuries though they can include a wide variety of different development types. Transitional corridor character areas provide a gradient from the urban corridors into suburban commercial and residential areas. Current development in this area is not typical of the development normally found in Established neighborhoods though new development should follow the guidelines for them. Any new development should be in the form of neighborhood-scale retail and commercial uses, small scale office developments and small lot single family residential development.

The subject property also lies within a "Gateways - City Limits" character area. The intersection at Highway 301 South and Veterans Memorial Highway just a few hundred feet south of the subject property is a major gateway into the City. The *Statesboro Comprehensive Plan* instructs that the City's gateways should be developed so that the visitor is clear that they are entering the City. Careful attention should be given to development standards, signage, landscaping and similar elements in order to present the City in a favorable-light. The presence of a sign easement on the subject property for the placement of a "Welcome to Statesboro" sign (see Exhibit B) indicates the importance of this property as a visitor's first-look at the City.

Uses of the type proposed by the applicant are generally not intended for the Established and Transitional Corridor character areas. Uses such as "building material supply sales," "automotive service and allied sales," etc. often require extensive amounts of space for display of merchandise, and typically provide for outdoor storage of materials and parts. Rather, such development is promoted within the *Statesboro Comprehensive Plan* in the "Activity Center" character areas.

Statesboro Comprehensive Plan, pages 14 -25.

(Please Note: The 2014 update to the City of Statesboro Comprehensive Plan is currently underway. This analysis was performed under the 2009 version of the Plan and may be affected by adoption of the 2014 update.)

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

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

ENVIRONMENTAL:

The subject property lies within a wetland area, but it has been developed for years. Any potential issues will be brought forth and discussed during standard permitting and review process.

ANALYSIS:

The applicant is requesting a Special Exception to permit the property to be utilized a as car dealership (and various other retail outlets) within the CR (Commercial Retail) district. Special Exceptions allow for land uses that are not permitted as right within a zoning district but which may be granted where the requested use makes a special showing of particular circumstances affecting the subject property that merit taking it out of the general legislative rules of zoning and where that use may be deemed appropriate and compatible with the surrounding neighborhood. In this case, a car dealership is not a use permitted by right within the CR (Commercial Retail) zoning district; thus necessitating this request for approval of the proposed use by the Mayor and Council.

Section 1802 of the *Statesboro Zoning Ordinance* outlines the qualifications needed to grant a special exception to the zoning ordinance. These include uses that are consistent with the purpose and intent of the zoning ordinance and district in which the use is proposed to be located; uses that do not detract from neighboring property; and uses that are consistent with other uses in the area. In order to meet these qualifications, approval of any special exception for the proposed use at the subject parcel should (if necessary) include conditions that will ensure that development along this corridor remains consistent with the *Statesboro Comprehensive Plan* and the *Statesboro Zoning Ordinance* and that serve to mitigate negative effects of the use to the surrounding area's character, uses, and zones.

Section 2406 of the *Statesboro Zoning Ordinance* lists seven (7) factors that should be considered by Mayor and City Council "in determining compatibility" of the requested use with adjacent properties and the overall community for considerations of Conditional Use Variances, or Special Exceptions as follows:

- A. Adequate provision is made by the applicant to reduce any adverse environmental impact of the proposed use to an acceptable level.
 - Staff is unaware of any environmental impacts this request would cause.
- B. Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered.
 - The proposed use is not expected to cause a negative impact on vehicular traffic and pedestrian movement on adjacent streets.

- C. Off street parking and loading, and the entrances to and exits from such parking and loading, will be adequate in terms of location, amount, and design to serve the use.
 - The subject site will use the existing driveway shared with Flash Foods.
 - The proposed use requires one (1) parking space per every 1000 square feet of customer space. The site currently has a paved parking area. The paved parking area must be striped pursuant to the Statesboro development regulations.
 - Alternate surface may be used for employee parking.
 - All inventory must be parked on a paved surface.
 - Space for parking is limited after the required employee and customer parking. Inventory space will be limited.
- D. Public facilities and utilities are capable of adequately serving the proposed use.
 - The building was renovated in 2009. However, a site visit to the site indicates that major repairs will be
 required for the building to meet the necessary life safety and building codes to qualify for an occupational
 tax certificate (business license).
 - A Right Start Meeting was conducted and the applicant is aware of the changes that may be required in the permitting stage.
 - Signage at the location may be located within the South Main Right of Way.
- E. The proposed use will not have significant adverse effect on the level of property values or the general character of the area.
 - The proposed use is not expected to have an adverse effect on property values in the area given the uses of surrounding structures.
- F. Unless otherwise noted, the site plan submitted in support of an approved conditional use shall be considered part of the approval and must be followed.
 - No site plan was required to be submitted for this request.
- G. Approval of a proposed use by the mayor and council does not constitute and [an] approval for future expansion of or additions or changes to the initially approved operation. Any future phases or changes that are considered significant by the planning commission and not included in the original approval are subject to the provisions of this section and the review of new detailed plans and reports for said alterations by the governing authority.
 - This request, if approved, is personal to the applicant. Any future changes to this proposal must be approved by City Council.
 - Special Exception granted in 1009 for mobile home supply sales.

Additionally, § 2406 also requires consideration of the following factors given for standards for determination in a zoning change in "balancing the promotions of the public health, safety, morality [morals] and general welfare against the right of unrestricted use of property" given in § 2007 of the *Statesboro Zoning Ordinance*":

- 1. Existing uses and zoning or [of] property nearby.
 - Surrounding properties are zoned CR (Commercial Retail), R4 (High Density Residential), EXPT (Exempt), HOC (Highway Oriented Commercial) and uses range from high density student housing to commercial retail and food services.
- 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.
- 5. The suitability of the subject property for the zoned purposes.
 - This property may be able to develop in conformity with the zoning regulations set forth by the *Statesboro Zoning Ordinance* and other development regulations of the City of Statesboro, but will likely be cost prohibitive for the proposed use of this applicant.
 - Utilization of property is reserved for HOC zones and higher which are generally reserved for the edges of the municipal boundary. This site does lie at the current edge of the municipal boundary.

- 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.
 - Surrounding developed properties are occupied. The subject site has been vacant for several years.
- 7. The extent the proposed change would impact population density in the area, community facilities, living conditions in the area, traffic patterns and congestion, environmental aspects, existing and future land use patterns, and property values in adjacent areas.
 - The proposed use should not negatively impact any of the above.

STAFF RECOMMENDATION:

Based on the factors of consideration for Special Exceptions given in Section 2406 of the *Statesboro Zoning Ordinance* and the *Statesboro Comprehensive Plan*, staff would recommend the application of the below mitigating factors, should an award of a special exception be granted.

- Location of existing signage should confirm to be on subject site and not within the right of way for South Main Street / Highway 301 South. If signage is located within the public right of way, it shall be removed and any future signage shall be located on the subject site and shall be in conformity with the Statesboro Zoning Ordinance.
- Building permits and occupational tax certificates (business license) shall be secured from the City of Statesboro.
- 3. No outside storage of materials or merchandise (other than car lot inventory).
- 4. The grant of this special exception shall be for a term of six (6) months. In the event that the special exception is not exercised within that time frame and evidenced by the issuance of a certificate of occupancy and occupational tax certificate by the City of Statesboro, said grant shall expire.



EXHIBIT B: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY.

Photo 1: Structure Entrance and Parking. Structure is surrounded by wood thickets on the north and east sides. From South Main Street





Photo 2: Site Entrance Shared with Flash Foods and small paved parking area. Veteran's Memorial Parkway crossing South Main in Background.



Photo 3: Rear of Subject Site





Photo 4: Northern View of Subject Site.



Photo 5: Properties to the North and West



Photo 6: Properties to South and West



EXHIBIT C: LETTER TO THE MAYOR & CITY COUNCIL FROM APPLICANT

10/20/2014

000

Rick Mock NCR Auto Brokers 404 South Zetterower Avenue Statesboro, Georgia 30458

The Honorable Jan Moore, Mayor of Statesboro and Members of the Statesboro City Council

Dear Mayor Moore and City Council Members,

ful

I am requesting a special exception rezoning for the property at 1044 South Main Street in Statesboro. This property was formally known as Dive South. The reason for this request is so that I may move my current business, NCR Auto Brokers, to that location. NCR is currently located at 404 South Zetterower Avenue. This move would allow us to expand or inventory and would be better suited for our use.

I am a lifelong citizen of Statesboro and Bulloch County and chose Statesboro for my home and my business. If granted I intend to do several improvements to the property over the next few months. This will include new signage, landscaping and painting. Like all of you I care deeply for the City of Statesboro. My intentions for this property is to present it in a way that beautifies the area along South Main. I appreciate your consideration on this matter.

Sincer

Rick Mock President

NCR Auto Brokers

City or Statesboro Planning & Development Dept

Laf 2 9 2014

Received



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

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

V 14-11-01 VARIANCE REQUEST 126 Rushing Lane

LOCATION: 126 Rushing Lane

REQUEST: Variance from Article XV regarding sign

height.

APPLICANT: Statesboro Hospitality, Inc.

OWNER(S): Statesboro Hospitality, Inc.

LAND AREA: 2.38 acres

PARCEL TAX

MAP #s:

MS75000007 001

COUNCIL

DISTRICT:

District 5 (Chance)



PROPOSAL:

The applicant is requesting a variance from Article XV to allow for the installation of a 15' freestanding stanchion (pole) sign height rather than the required eight (8) monument style sign fronting Veterans Memorial Parkway. (See **Exhibit A** – Location Map, and **Exhibit B** – Sign Rendering)

BACKGROUND:

The subject site is currently zoned HOC (Highway Oriented Commercial) with no case history.

SURROUNDING LAND USES/ZONING:

ZONING:		LAND USE:	
NORTH:	CR (Commercial Retail)	Retail and Food Services	
SOUTH:	PUD/R4/CR (Planned Unit Development with Commercial Retail& High Density overlay)	Retail, Food Services and high density housing	
EAST:	HOC (Highway Oriented Commercial)	Retail and Doctor Offices	
WEST	CR (Commercial Retail)	Retail and Food Services	

The subject property is located in a commercial area surrounded by uses that include restaurants, commercial retail, doctor offices and convenient stores/gas stations.

COMPREHENSIVE PLAN:

The subject site lies within the "Activity Centers" character area as identified by the City of Statesboro Future Development Map within the City of Statesboro Comprehensive Plan. The "Activity Centers" character areas are identified as areas that incorporate (or will incorporate) a wide range of land uses, but have historically developed in a manner that is auto-oriented with an abundance of large surface parking lots. The long-term development pattern preferred for Activity Centers is to incorporate features that mitigate these expanses of surface parking by incorporating new landscaping, framing parking areas with street-oriented infill construction, and include features that support other transportation options.

The *Statesboro Comprehensive Plan* also lists strategies which should be considered throughout the City, regardless of character area. One of those strategies is to reduce visual clutter of signs by incorporating uniform design features. Additionally, the *Statesboro Comprehensive Plan* indicates that "development decisions should be fair and predictable, relying on well-crafted development regulations."

(Please Note: The 2014 update to the City of Statesboro Comprehensive Plan is currently underway. This analysis was performed under the 2009 version of the Plan and may be affected by adoption of the 2014 update.)

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject site is currently served by city utilities including water and sewer, sanitation, and public safety services.

ENVIRONMENTAL:

The subject property does not contain wetlands. No environmental impact is expected as a result of this request.

ANALYSIS:

- Variance from Section 1509 C Table 5: Sign District 3 Dimensional Standards of the Statesboro Zoning Ordinance regarding sign height for an individual establishment on an individual lot; and
- II. Variance from Section 1509 B Table 2 regarding sign type for a parcel within Sign District 3.

The subject site is located within Sign District 3 as identified by the *Statesboro Zoning Ordinance*. Article 1509 of the *Statesboro Zoning Ordinance* regulates signage by permissible sign type and maximum dimensional standards for all freestanding and building signs within the district. Table 5 regulates dimensional regulations for building / wall and freestanding signs for "individual establishment on an individual lot". See **Exhibit D**. Subsection B of Section 1509 regulates sign type by district stating that "signs may be erected in those districts where the applicable sign type is allowed as identified in Table 2." Table 2 allows monument style signs in Sign District 3 and states that stanchion (pole) type freestanding signs are prohibited in the district. See **Exhibit E**.

The proposed use wishes to erect a freestanding sign along its boundary with Veteran's Memorial Bypass. Section 1509, B Table 2 and C Table 5 require that such freestanding signage be monument in style and be limited to eight (8) feet in height. The *Statesboro Zoning Ordinance* defines a monument sign to be "a freestanding sign which forms a solid structure from the ground to the top of the sign." Section 1501 (17). Applicant has requested this variance to allow a stanchion style sign, 15' in height, to be erected on the parcel at its frontage on Veterans Memorial Bypass. A stanchion sign is defined as a "freestanding sign that is mounted on a pole or other vertical support such that the bottom of the sign face is elevated above ground level and there is no visual obstruction other than the vertical support between the ground and the bottom of the sign face." Section 1501 (31)..

Much like other sites along Veteran's Memorial Parkway, the subject site contains uneven topography and sits back off from the Parkway limiting the visibility of the property from the adjacent access corridor. Many of the surrounding developments have historically been permitted for taller signs due to the visibility and topography issues created by the bypass, some in the direct area include Locos, Kitching Chiropractic, and BB&T. It should be noted that the applicant's total square footage of signs including this request yields an aggregate sign area of 97 square feet which is well under the allowed area of 300 square feet.

Section 1503(G), as amended effective July 1, 2009, states that no variances shall be permitted from the terms of Article XV regarding signs in the *Statesboro Zoning Ordinance*. It continues to state that "specifically, no variances under Article XVIII (regarding consideration and approval of variances) of this ordinance shall be applicable to the standards contained within this Article [XV]." However, Article XV regarding signs is part of the *Statesboro Zoning Ordinance*, which provides for the award of variances by the City Council from the zoning regulations stating that "approval of a variance must be in the public interest, the spirit of the ordinance must be observed, public safety and welfare secured, and substantial justice done" and Section 1801 states that the Mayor and Council [should] consider if the following are true in its consideration of a variance request:

- (1) There are special conditions pertaining to the land or structure in question because of its size, shape, topography, or other physical characteristic and that condition is not common to other land or buildings in the general vicinity or in the same zoning district;
 - Much like other parcels in the area, this subject site has uneven topography, limiting the visibility of a monument style sign from Veterans Memorial Parkway.
- (2) The special conditions and circumstances do not result from the actions of the applicant;
 - This property has an uneven topography in relation to Veterans Memorial Parkway, experiencing a downward slope from the Parkway.
 - The topography is not the result of the applicant.
 - This topography is common in the general area.
- (3) The application of the ordinance to this particular piece of property would create an unnecessary hardship; and
 - Applying the ordinance to the site would result in a lack of visibility to the site from the nearby access corridor due to the change in elevation between the property and the Parkway.
 - Other signs in the surrounding area are approximately fifteen (15) to twenty (20) feet in height.
- (4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.
 - This request, if granted, would not cause substantial detriment to the public good or impair the intent of the zoning regulations.
 - o The preamble of Article XV (Signs) states that the intent of the sign ordinance is to avoid "the interference with the ability of property owners to enjoy or use their property without undue visual obstruction, distraction or hazard".
 - Much of the commercial signage height and style in the immediate area is in line with the applicant's request.
 - o This site fronts Rushing Lane and Veteran's Memorial Parkway, therefore allowing two freestanding signs and a double aggregate sign area of 300 square feet.
 - The applicant's total requested square footage of signs for the site (including this request) yields an aggregate sign area of 97 square feet which is well under the area of 300 square feet allowed by the ordinance.

Given concerns that a staff denial to present an applicants' variance request for a hearing and consideration before the governing body poses a potential violation of an applicants' right to due process, the requested variance regarding sign style and height for Sign District 3 has been included in this report and presented for Council consideration despite Article XV's stated prohibition against variances.

STAFF RECOMMENDATION:

Staff recommends granting of the variance based on a finding of special conditions related to the property's topography that could result in a hardship if the ordinance were applied to the site; similar variances have been granted in the area; and the applicant's stated intention to achieve the vision of the Comprehensive Plan in reducing visual clutter by staying well under the allowed aggregate sign area.

(**Please note:** Unless otherwise stated in any formal motion by City Council, staff considers the conceptual site plan (**Exhibit B**) submitted on behalf of the applicant for this request to be illustrative only. Approval of the application does not constitute approval of any final building or site plan).

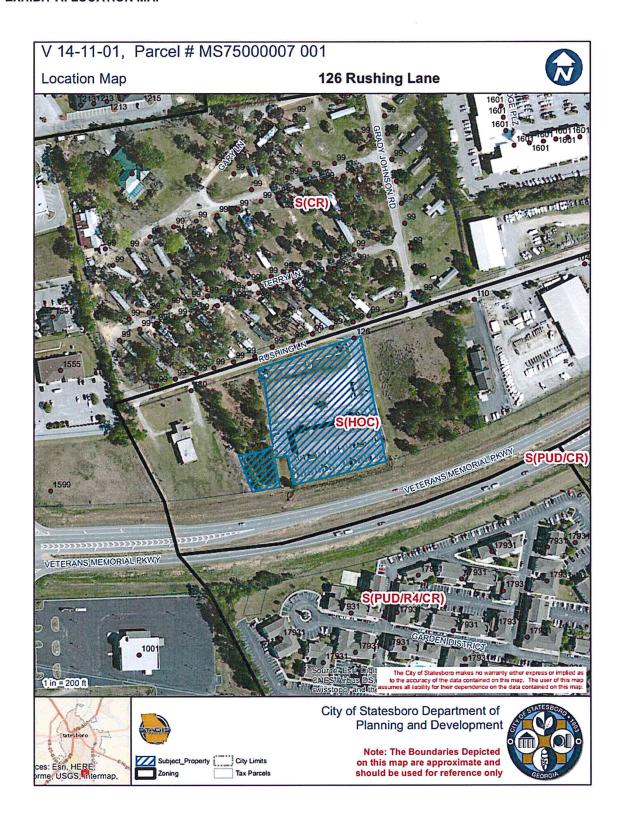


EXHIBIT B: PROPOSED SIGN RENDERING/VETERAN'S MEMORIAL PARKWAY FRONTAGE

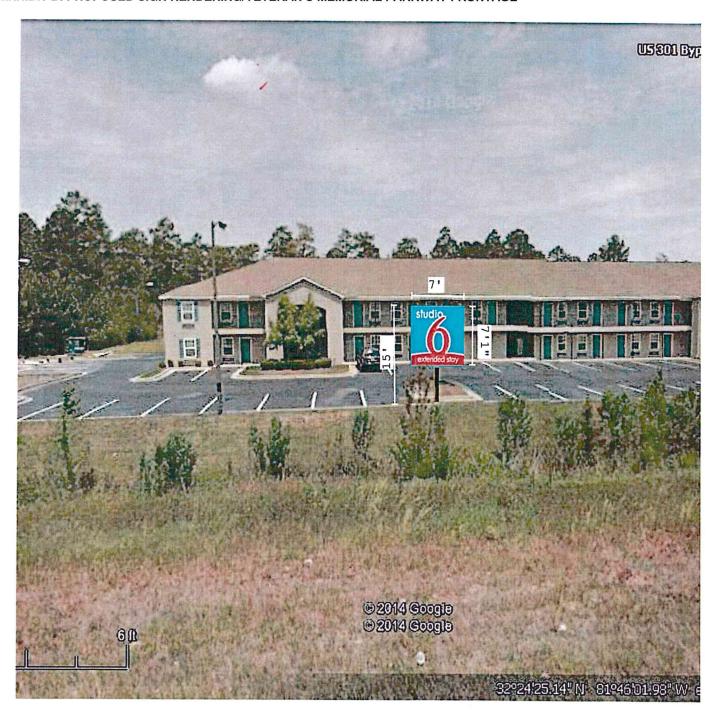


EXHIBIT C: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES

Photo 1: Existing signage on Rushing Lane frontage

Photo 2: Adjacent property on Rushing Lane.



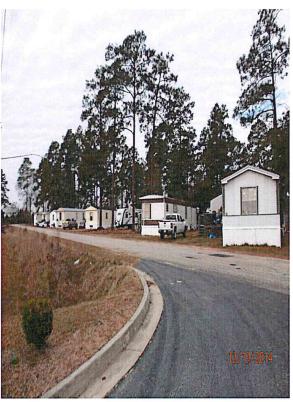


Photo: 3 Fronts Veterans Memorial Parkway



Photo 4: Proposed new sign location



Photo 5 & 6: Subject Site frontage on Veteran's Memorial Parkway shows land elevation.



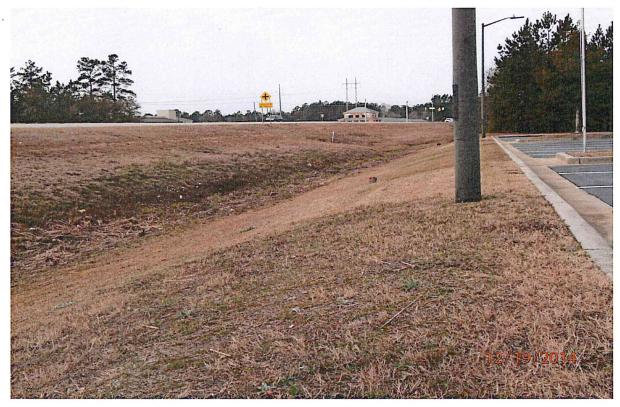


Table 5. Sign District 3 Dimensional Standards

TABLE INSET:

SIGN DISTRICT 3 (As defined in subsection 1509[A.3])	SIGN FOR AN INDIVIDUAL ESTABLISHMENT ON AN INDIVIDUAL LOT	MAJOR SIGN FOR PLANNED COMMERCIAL OR INDUSTRIAL CENTER OR DEVELOPMENT	BUSINESS SIGN FOR AN INDIVIDUAL ESTABLISHMENT, SHOP, ETC., WITHIN A PLANNED COMMERCIAL OR INDUSTRIAL CENTER OR DEVELOPMENT
AGGREGATE SIGN AREA®:			
1. Maximum Number of Total Square Feet (SF)	150 square feet including freestanding and building signs	Size is based upon the overall floor space of the center as follows: 0-50,000 sf = 100 sf > 50,000 sf = 150 sf	Not applicable
FREESTANDING SIGNS**:			
2. Freestanding Sign Maximum Square Feet 60 square feet		Varies per overall floor space of the center (See "Aggregate Sign Area" herein)	Not applicable
3. Maximum Height	8 feet	15 feet	Not applicable
4. Setback Requirement	5 feet from property line	5 feet from property line	Not applicable
5. Number of Signs Allowed	One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two (2) such signs	One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two (2) such signs	Not allowed
BUILDING SIGNS:			
1. Maximum Number of Total Square Feet Wall length of 100 feet or less 50 square feet. Wall length of greater than 10 feet: 100 square feet.		60 square feet -	The greater of 60 sf or 5% of wall areas, allotted to the individual establishment
2. Maximum Height	Building elevation	Building elevation	Building elevation
3. Number of Building Signs Allowed*** One per elevation		One sign per common entrance	One per building elevation per tenant

^{*}As provided in Section 1501 and Table 2 herein, "aggregate sign area" includes all freestanding or building signs regardless of whether or

XV-16

^{*}As provided in Section 1501 and Table 2 herein, "oggregate sign used includes an presidentially of building signs regarded by most a permit for a particular type of sign is required.

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

*** Two (2) per building elevation where one (1) sign is in the form of a canopy/awning, and where the cumulative square footage of both does not exceed the "maximum number of total square feet" for building signs.

- 4. Sign District 4 is the Central Business District.
- B. Location by sign district. Signs may be erected in those districts where the applicable sign type is allowed as identified in Table 2.

Table 2. Permitted Signs by Type and Sign District

TABLE INSET:

	SIGN DISTRICT 1				
SIGN TYPE	Residence on an individual lot	Residential development or subdivision Nonresidential property		SIGN DISTRICTS 2 & 3	SIGN DISTRICT 4
FREESTANDING:					
Incidental	No permit needed	No permit needed	No permit needed	No permit needed	No permit needed
Billboard	Prohibited	Prohibited	Prohibited	Needs a permit in Area 2; Prohibited in Area 3	Prohibited
Monument	Prohibited	Needs a permit	Needs a permit	Needs a permit	Needs a permit
stanchion	Prohibited	Prohibited	Prohibited	Needs a permit in Area 2; Prohibited in Area 3	Prohibited
Standard informational sign	No permit needed (Subject to provisions contained in Table 3)	Prohibited	Prohibited	Prohibited	Prohibited
BUILDING:					
Canopy	Prohibited	Prohibited	Prohibited	Needs a permit	Needs a permit
Incidental	Prohibited	No permit needed	No permit needed	Needs a permit	Needs a permit
Marquee	Prohibited	Prohibited	Prohibited	Needs a permit	Needs a permit
Projecting	Prohibited	Prohibited	Prohibited	Prohibited	Needs a permit
Roof*	Prohibited	Prohibited	Prohibited	Needs a permit*	Needs a permit*
Suspended	Prohibited	Prohibited	Prohibited	Prohibited	Needs a permit
Wall	Prohibited	Needs a permit	Needs a permit	Needs a permit	Needs a permit
ndow	No permit needed	No permit needed	No permit needed	No permit needed	No permit neede

City of Statesboro, Georgia Zoning Ordinance

XV-12



City of Statesboro – Department of Planning and Development

DEVELOPMENT SERVICES REPORT

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

V 14-11-02 VARIANCE REQUEST 1201 Brampton Ave

LOCATION:

1201 Brampton Ave

REQUEST:

Variance to allow installation of a ground sign for an individual business within a planned

commercial development.

APPLICANT:

Suites at Market District, LLC

OWNER(S):

Connor Realty LLC

LAND AREA:

.12 Acres

PARCEL TAX

MAP #s:

MS74000198A10A

COUNCIL

DISTRICT:

District 5 (Chance)



PROPOSAL:

The applicant is requesting a variance from PUD/CR (Planned Unit Development with Commercial Retail overlay) sign regulations to allow for an additional monument style ground sign at the subject site. The proposed sign is six (6) feet in height and eight (8) feet wide that includes two 2'X5' signs on it for two individual businesses within the planned commercial development. See Exhibit A- Location Map & Exhibit B- Proposed Sign Rendering.

BACKGROUND:

The subject site is currently zoned PUD/CR (Planned Unit Development with Commercial Retail overlay). At the time of the rezoning request for PUD no waivers or variances of the sign regulations were requested, so sign district 3 regulations regarding planned unit developments, which restrict the development to a single ground sign per road frontage apply.

On February 5, 2008, City Council approved V 08-01-02 allowing for an increase in the number of ground signs permitted along Brampton Avenue from one to three for the individual businesses located at 1201, 1203 & 1205 Brampton Avenue (located within the Suites at Market District). This variance limited the sign dimensions to 4' X 6' each or 24 square feet each for a total display of 72 square feet for all three (3) businesses. It also limited the maximum height of each sign to be 5' and required that the signage be separated by approximately 180' apart. See Exhibit C- V 08-01-02 Staff Report & City Council Approval Letter

Following approval, the business located at 1205 Brampton Avenue (Sea Island Bank) obtained a sign permit and installed an individual ground sign meeting the requirements of V 08-01-02. **See Exhibit D**- Sea Island sign specification. No other sign permits were obtained and there was no extension requested for V 08-01-02. Per Section 1807 of the *Statesboro Zoning Ordinance*, the variance expired as it was not exercised within six (6) months. Due to the expiration of V 08-01-02, the applicant is reapplying for a new variance to allow for a ground sign for two businesses that share common office space located at 1201 Brampton Avenue.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	Commercial Retail, High Density Residentia	Commercial Retail; office; food service; apartments
SOUTH:	Planned Unit Development/ Commercial Retail	Commercial Retail; office; food service
EAST:	Commercial Retail	Commercial Retail; office; food service
WEST	Commercial Retail	Commercial Retail; office; food service

The subject property is located within a planned unit development and is surrounded by mixed uses including restaurants, shopping centers, offices, health care providers and high density apartments.

COMPREHENSIVE PLAN:

The subject site is located within the Activity Center / Regional Center character area as identified by the 2009 City of Statesboro Comprehensive Master Plan Future Land Development Map. The Plan states that this character area "will evolve into pedestrian-oriented shopping, office, and entertainment places." Small, mid-size, and regional retail commercial, including big box stores, are identified as appropriate land uses for this character area. Adopted development strategies for this character area include inter-parcel connectivity, especially along major thoroughfares, and encourage land uses that are suitable for the immediately surrounding area. It also states that parking in this area should be evaluated to encourage shared parking provisions.

(Please Note: The 2014 update to the City of Statesboro Comprehensive Plan is currently underway. This analysis was performed under the 2009 version of the Plan and may be affected by adoption of the 2014 update.)

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject site is currently serviced by city utilities including water and sewer, sanitation, and public safety services.

ENVIRONMENTAL:

The subject property does not contain wetlands. Any potential issues related to such can be resolved during the standard permitting processes.

ANALYSIS:

This site was approved as a PUD allowing for the individual ownership of buildings and common ownership of the parking and landscaped areas. The development has a total of twelve buildings served by shared parking areas. There are two access points on Brampton Avenue and one on Merchants Way, an extension of Bermuda Run.

At the time of the rezoning request, no waivers or variances of the sign regulations were requested, so Sign District 3 regulations for planned unit developments apply to the subject site. As such, individual businesses in a planned commercial development are not allowed independent ground signs. The development as a whole is allowed one ground sign per road frontage and each building is allowed 60 square feet of sign area to be mounted on the building wall.

On February 5, 2008 City Council approved V 08-01-02 allowing three (3) ground signs to be permitted along Brampton Avenue for the individual businesses located at 1201, 1203 & 1205 Brampton Avenue within the Planned Unit Development. Following approval of the variance, the business located at 1205 Brampton Avenue (Sea Island Bank) obtained a sign permit and installed a ground sign. The other two locations granted the variance did not apply for sign permits and as there was no extension requested for V 08-01-02, the variance expired within six months pursuant to Section 1807 of the Statesboro Zoning Ordinance. The applicant is now reapplying to allow for a 48' monument style ground sign to be located at 1201 Brampton Avenue.

The Market District Architectural Review Committee originally requested that if approved, the sign be required to meet the regulations set in V 08-01-02, which allowed for 24 square feet of total signage, a maximum height of 5 feet and required a separation distance between signs of 180 feet, and placement in line with the existing Sea Island Bank sign. The Market District Review Committee (which is not a party to this application) also requested that the

sign regulations in V 08-01-02 be made permanent for 1201, 1202 & 1203 in order to avoid this conflict in the future. See **Exhibit E**- Emails.

Since the inception of this case, the applicant and the private Architectural Review Board for the Market District have reached an agreement of 30 square feet in ground signage for the request, if such is approved by the City Council.

Sign District 3 Regulations	V 08-01-02 Granted	Request	ARC Approved
One Ground Sign 3 Ground Signs		2 Ground signs	2 Ground signs
		(in addition to 1 installed)	(in addition to 1 installed)
60 sq ft per tenant wall			
	24 sq ft each total size	30 sq ft total size	30 sq ft total size
	5' maximum height	6' maximum height	6' maximum height
*sign district 3 regulations for	180' distance separation		To be placed in parking lot island
property NOT in a PUD allows 60'	***		
sq ft of size with max height of 8'			To be placed in line with
~			Sea Island Bank sign

It should be noted that Section 1503 (G), as amended effective July 21, 2009, states that "no variances" shall be permitted from the terms of the terms of Article XV regarding Signs in the *Statesboro Zoning Ordinance*. It continues to state that "specifically, no variances under Article XVIII (regarding consideration and approval of variances) of this ordinance shall be applicable to the standards contained within this Article [XV]." However, Article XV regarding signs is part of the *Statesboro Zoning Ordinance* which provides for the award of variances by the City Council from the zoning regulations stating that "approval of a variance must be in the public interest, the spirit of the ordinance must be observed, public safety and welfare secured, and substantial justice done" and states that the Mayor and Council [should] consider if the following are true in its consideration of a variance request and Mayor and Council have previously granted variances from Article XV.

Section 1801 of the *Statesboro Zoning Ordinance* lists the following four (4) factors that the Mayor and Council [could] consider to be true in its consideration of a variance request:

- (1) There are special conditions pertaining to the land or structure in question because of its size, shape, topography, or other physical characteristic and that condition is not common to other land or buildings in the general vicinity or in the same zoning district;
 - There are no special conditions pertaining to the land in question because of its size, shape, topography, or other physical characteristic that is not common to other land or buildings in the general vicinity or the same zoning district.
- (2) The special conditions and circumstances do not result from the actions of the applicant;
 - The application for consideration is the result of the actions of the applicant.
- (3) The application of the ordinance to this particular piece of property would create an unnecessary hardship; and
 - Application of the ordinance to this particular piece of property would not create an unnecessary hardship in terms of land use and ordinance application.
- (4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.
 - Relief, if granted, would not cause substantial detriment to the public good nor would it impair the purposes and intent of the zoning regulations.

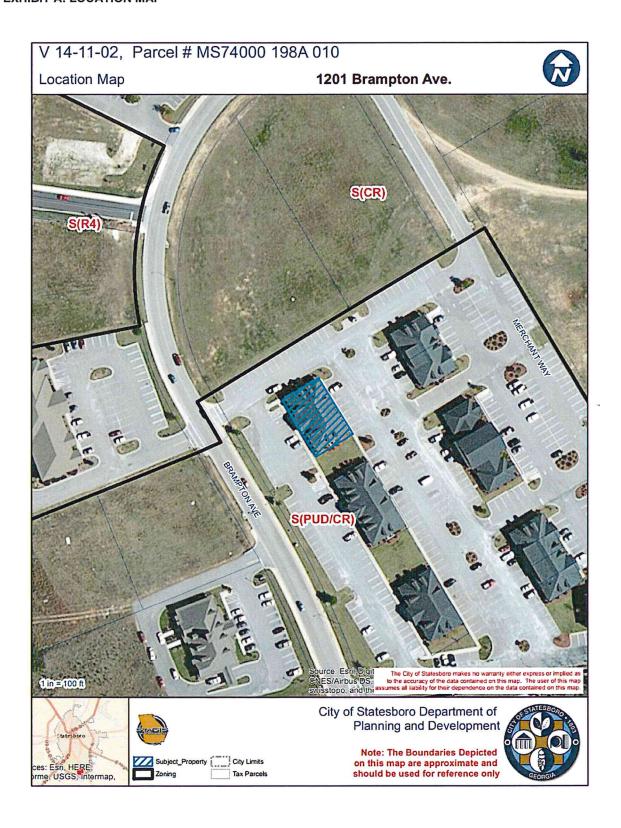
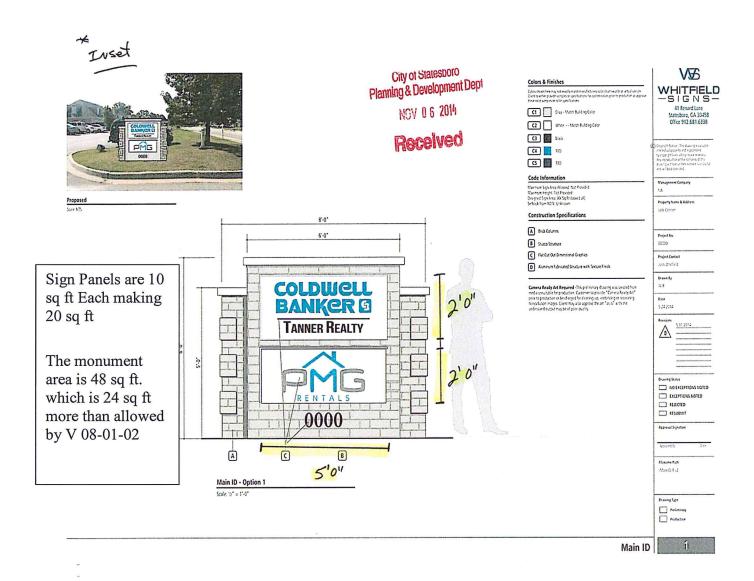


EXHIBIT B: PROPOSED SIGN RENDERING



V 08-01-02

STAFF REPORT VARIANCE REQUEST

LOCATION: 1201, 1203, 1205 Brampton Avenue

REQUEST: A variance to increase the limit of ground signs for a planned

commercial development from one to three

APPLICANT: Suites at Market District, LLC

OWNER: Suites at Market District, LLC

LAND AREA: 6.36 acres

ZONING: PUD/CR (Planned Unit Development with a Commercial Retail

overlay)

ADJACENT ZONING AND LAND USES:

NORTH: CR (Commercial Retail) / Undeveloped SOUTH: CR (Commercial Retail) / Commercial EAST: CR (Commercial Retail) / Commercial

WEST: PUD/CR (Planned Unit Development with a Commercial Retail overlay) /

Commercial

ANALYSIS

This site was approved as a PUD so the individual buildings or portions of buildings could be sold and the parking and landscaped areas could be under common ownership. The development has a total of twelve buildings served by shared parking areas. There are two access points on Brampton Avenue and one on Merchants Way, an extension of Bermuda Run.

At the time of the rezoning request, no waivers or variances of the sign regulations were requested, so the CR regulations apply. As such, individual businesses in a planned commercial development are not allowed their own ground sign. The development as a whole is allowed one ground sign per road frontage. The sign area is based on the overall floor space of the development. A floor area of up to 50,000 square feet is permitted 100 square feet of sign area. A floor area of more than 50,000 square feet, which may be the case for this development, is permitted 150 square feet of sign area. In addition, each building is allowed 60 square feet of sign area to be mounted on the building wall. The philosophy behind these regulations is that one ground sign is used to identify the development, such as "The Office Suites at Market District". A portion of

Statesboro Planning Commission

January 8, 2008

EXHIBIT C: V 08-01-02 STAFF REPORT & CITY COUNCIL APPROVAL LETTER

V 08-01-02

the sign could also be used to identify individual tenants. Tenants would advertise their address and the fact that they are in The Office Suites at Market District. Once someone finds the development with the ground sign, it takes only a few minutes to drive through the development to find the desired tenant by their wall sign.

The applicant's request is for a variance to increase the number of ground signs permitted along Brampton Avenue from one to three. The signs are to be four feet by six feet or 24 square feet for a total display area of 72 square feet. The maximum height of the proposed signs will be five feet and they are to be spaced approximately 180 feet apart.

The overall sign area requested is less than allowed for one sign. However, the issue becomes visual clutter – three signs versus one sign. Staff is also concerned that once these three signs are installed other tenants of the development will want a sign as well. Tenants without street frontage have a strong argument for a sign next to the street since they do not have the visibility that others have.

Staff is not aware of any exceptional or extraordinary conditions that apply to this property and is not aware of any hardship that would be created if the ordinance was followed.

RECOMMENDATION

Staff recommends denial of the requested variance.

Statesboro Planning Commission

January 8, 2008

2

CITY OF STATESBORO

COUNCIL
Thomas N. Blitch
Joe R. Brannen
William P. Britt
Gary L. Lewis
Travis L. Chance



William S. Hatcher II, Mayor George A. Wood, City Manager Judy McCorkle, City Clerk Sam Brannen, City Attorney

50 East Main Street • P. O. Box 348 Statesboro, Georgia 30459-0348

February 5, 2008

Donald Nesmith 325 Dogwood Trail Statesboro, GA 30461

RE: V 08-01-02, Variance application

Mr. Nesmith:

At its meeting on February 5, 2008, the Statesboro City Council approved the following request that you submitted:

Suites at Market District, LLC requests a variance to increase the limit of ground signs for a planned commercial development from one to three for property located at 1201, 1203, and 1205 Brampton Avenue.

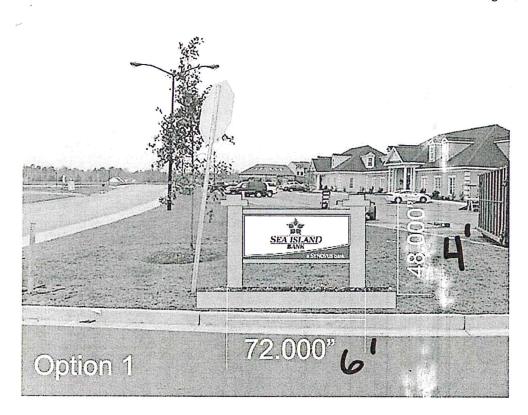
In accordance with Section 1807 of the City of Statesboro Zoning Ordinance, the variance will expire six months from the date of approval if a building permit is not obtained or an extension is not requested and approved by the City Council.

Should you have any questions prior to the meeting, please do not hesitate to contact me by calling 912-764-066 or by sending email to bwaldron@statesboroga.net.

Sincerely,

Bruce R. Waldron City Planner

> Georgia Municipal Association City of Excellence • Certified City of Ethics Telephone: (912) 764-5468 • Fax: (912) 764-4691 • email: cityhall@statesboroga.net



Total sign is 24 square feet as required by V 08-01-02.

http://www.thefittscompany.com/files/PROPOSED_IMAGES/4780-A.monument.option.1... 12/6/2007

EXHIBIT E: EMAILS FROM THE MARKET DISTRICT ARCHITECTURAL REVIEW COMMITTEE

11/20/2014

City of Statesboro Mail - Fwd: Market District Sign



Cindy Clifton <cindy.clifton@statesboroga.gov>

Fwd: Market District Sign

1 message

Doug Lambert <doug1088@aol.com> To: cindy.clifton@statesboroga.gov Thu, Nov 20, 2014 at 11:26 AM

Cindy, Andy Burns asked that I forward you the attached correspondence. We will keep you in the loop from now on. Thanks, Doug

Douglas H. Lambert SouthEastern Hospitality Services, Inc. PO Box 25 Statesboro, GA 30459 912-681-2525

—Original Message—

From: Doug Lambert <doug1088@aol.com>
To: jackconner <jackconner@frontiernet.net>

Cc: dpnesmith <dpnesmith@bulloch.net>; andyabums <andyabums@hotmail.com>; billswainesboro

Sent: Mon, Nov 17, 2014 4:33 pm Subject: Market District Sign

Jack, The Market District Architectural Review Committee has reviewed your sign request. We approve the sign design, composition and materials, however the sign is larger than permitted for the PUD. The ARC has limited sign sizes in this area to 4 feet high and 6 feet wide. This is the size requirement we placed on other occupants including the Sea Island Bank. (Please see the attached sign checklist approved in 2006.) Please resubmit the design in the smaller scale for final approval. Thanks, Doug

Douglas H. Lambert SouthEastern Hospitality Services, Inc. PO Box 25 Statesboro, GA 30459 912-681-2525

MarketDistrict_Building_Sign_Checklist_112206.doc

EXHIBIT E: EMAILS FROM THE MARKET DISTRICT ARCHITECTURAL REVIEW COMMITTEE

11/21/2014

City of Statesboro Mail - Fwd: Variance request



Cindy Clifton <cindy.clifton@statesboroga.gov>

Fwd: Variance request

1 message

Doug Lambert <doug1088@aol.com>

Fri, Nov 21, 2014 at 2:29 PM

To: cindy.clifton@statesboroga.gov

Cc: andyaburns@hotmail.com, dpnesmith@bulloch.net, leonardblount@yahoo.com, billswainsboro@bellsouth.net

Cindy,

Attached is an email I just received from Jack Conner. He seems to think the old approval is still valid. I noticed it was the old application immediately because it was in my handwriting. The Market District Architectural Review Board's position is that we are OK with the five feet high by six feet wide provided he agrees to eliminate and discontinue the practice of installing temporary stick in the ground signs his rental company has been using. We would also like to stipulate that the new sign be in the parking lot island and line up with the Sea Island Bank sign in terms of distance from the street etc. We would also like to request pre approval for the site for the third sign as stipulated in the initial application by Donald Nesmith. Finally we would like to request that the City make the variance for these three signs permanent which would permit the installation of the third sign and allow future owners to change signs as long as they are in the same location. Call if you have any questions. Thanks, Doug

Douglas H. Lambert SouthEastern Hospitality Services, Inc. PO Box 25 Statesboro, GA 30459 912-681-2525

——Original Message—
From: Jack Conner <jackconner@frontiemet.net>
To: 'Doug Lambert' <doug1088@aol.com>; dpnesmith <dpnesmith@bulloch.net>
Cc: andybums <andybums@hotmail.com>
Sent: Fri, Nov 21, 2014 11:32 am
Subject: Variance request

Suites @ Market District ACC,

I would like to request a variance to the sign being placed in front of my office located at 1201 Brampton Ave in Statesboro Ga (Coldwell Banker Tanner Realty) per your prior email stating the sign could not be over 4 foot tall. Attached is a copy of the variance from the city allowing a five foot sign along with the designs approved by the city and a letter from Sea Island Bank stating they have no objection to the variance allowing a five foot sign. I appreciate your consideration and assure you I would not construct anything to the detriment of the area. I am concerned about the ascetics and practical feasibility of restricting the sign to four feet. Please do not hesitate to contact me with any questions and I hope all of you have a great thanksgiving.....

Jack Conner Broker/Owner Coldwell Banker Tanner Realty 1201 Brampton Avenue Statesboro, GA 30458 912-764-5485 office

https://mail.google.com/mail/?ui=2&ik=47ef4b2b97&view=pt&search=inbox&th=149d3d509a82cb17&siml=149d3d509a82cb17

1/2

EXHIBIT E: EMAILS FROM THE MARKET DISTRICT ARCHITECTURAL REVIEW COMMITTEE

11/21/2014

City of Statesboro Mail - Re: Variance request



Cindy Clifton <cindy.clifton@statesboroga.gov>

Re: Variance request

1 message

Doug Lambert <doug1088@aol.com>

Fri, Nov 21, 2014 at 2:39 PM

To: jackconner@frontiernet.net, dpnesmith@bulloch.net

Cc: andyburns@hotmail.com, cindy.clifton@statesboroga.gov, dpnesmith@bulloch.net, leonardblount@yahoo.com, billswainsboro@bellsouth.net

Hey Jack. We got your request for a sign variance. I don't know if you noticed but the application to the City was in my handwriting and was presented by Donald Nesmith in 2008 to install three 4X6 Signs. While the City staff did not recommend approval, the City Council did approve the variance for 6 months, which has long expired. So I'm not sure what the City's position is going to be. From the Architectural Review Board, we are OK with the 5 feet high by 6 feet wide sign if you will agree to stop using the temporary stick in the ground yard signs around your office. In addition the ARB approval is contingent on the sign being located in the parking lot island in front of your office and lined up with the Sea Island Bank sign in terms of location in the island and distance from the road. You will need to locate the sign on a drawing and send it to us for approval. This being said, you will still need approval from the City. Best Wishes, Doug

Douglas H. Lambert SouthEastern Hospitality Services, Inc. PO Box 25 Statesboro, GA 30459 912-681-2525

---Original Message---

From: Jack Conner < jackconner@frontiernet.net>

To: 'Doug Lambert' <doug1088@aol.com>; dpnesmith <dpnesmith@bulloch.net>

Cc: andybums <andybums@hotmail.com>

Sent: Fri, Nov 21, 2014 11:32 am Subject: Variance request

Suites @ Market District ACC,

I would like to request a variance to the sign being placed in front of my office located at 1201 Brampton Ave in Statesboro Ga (Coldwell Banker Tanner Realty) per your prior email stating the sign could not be over 4 foot tall. Attached is a copy of the variance from the city allowing a five foot sign along with the designs approved by the city and a letter from Sea Island Bank stating they have no objection to the variance allowing a five foot sign. I appreciate your consideration and assure you I would not construct anything to the detriment of the area. I am concerned about the ascetics and practical feasibility of restricting the sign to four feet. Please do not hesitate to contact me with any questions and I hope all of you have a great thanksgiving.....

Jack Conner Broker/Owner Coldwell Banker Tanner Realty 1201 Brampton Avenue Statesboro, GA 30458 912-764-5485 office 912-536-6460 cell 912-489-2584 fax cbtannerrealty.com

1/2

EXHIBIT F-PHOTOGRAPHS OF SUBJECT SITE AND SURROUNDING PROPERTIES

Photo 1: Subject Site



Photo 2: Proposed Site for Monument Sign



Photo 3: Monument Signs to the adjacent South of the Subject Site



Photo 4: Adjacent property to the South of the Subject Site





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

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

V 14-11-04 VARIANCE REQUEST 1342 Cawana Road

LOCATION: 1342 Cawana Road

REQUEST: Variance from Article XV regarding

permissible wall signage square footage.

APPLICANT: Connection Ministries of Statesboro, Inc.

OWNER(S): Connection Ministries of Statesboro, Inc.

LAND AREA: 13.6 acres

PARCEL TAX

MAP #s:

107 000005 004

COUNCIL

DISTRICT:

District 5 (Chance)



PROPOSAL:

The applicant is requesting a variance from Article XV of the Statesboro Zoning Ordinance to increase the permissible wall sign square footage from the allowed eighty (80) square feet aggregate allowance to an aggregate of 200 square feet for a nonresidential use within Sign District 1 (Tax Parcel Number 107000005004). (See **Exhibit A** – Location Map, and **Exhibit B** – Sign Rendering)

BACKGROUND:

In June of 2013 the subject site was annexed into the City of Statesboro by the 100% method and rezoned from AG-5 (Agricultural and Residential – Bulloch County) to R15 (Single Family Residential). The site remains in the R15 (Single Family Residential) zoning district and is currently under construction as the new worship center for Connection Church Ministries.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:	
NORTH:	R40 (Single Family Residential-Bulloch County)	Undeveloped	
SOUTH:	R15 (Single Family Residential)	School	
EAST:	R10 (Single Family Residential)	Under Development/Duplexes/Town Houses	
WEST	R15 & R20 (Single Family Residential)	Undeveloped and vacant	

The subject parcel's property lines are surrounded by property that is zoned for single family uses located in both Bulloch County and City of Statesboro. Actual uses range from single family homes to undeveloped with Sallie Zetterower elementary school located adjacent to the subject property inside the municipal limits.

COMPREHENSIVE PLAN:

The subject site lies within the "Developing" character area as identified by the City of Statesboro Future Development Map adopted by the City of Statesboro Comprehensive Plan. The "Developing" character areas are identified as being primarily residential, but are under pressure to grow in a suburban manner. Development patterns should be evaluated to maximize opportunities for appropriate blending of residential, office, and commercial development. Small to mid-size retail and commercial, office, single family, and multifamily residential are all appropriate land uses for properties within the Developing character areas. Churches are considered permissible and appropriate uses for this zoning and character area.

Statesboro Comprehensive Plan, Community Agenda pages 16-17.

(Please Note: The 2014 update to the City of Statesboro Comprehensive Plan is currently underway. This analysis was performed under the 2009 version of the Plan and may be affected by adoption of the 2014 update.)

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject site is currently under construction and will be served by city utilities including water and sewer, sanitation, and public safety services.

ENVIRONMENTAL:

The subject property does not contain wetlands. No environmental impact is expected as a result of this request.

ANALYSIS:

I. Variance from Section 1509 C Table 3: Sign District 1 Dimensional Standards of the *Statesboro Zoning Ordinance* regarding dimensional standards.

The applicant is requesting a variance from Article XV regarding building sign aggregate square footage. The subject site is located in the R15 (Single Family Residential) zoning district and is regulated by the dimensional standards of Sign District 1. See attached **Exhibit D**. The applicant's intention is to increase the aggregate sign area from the permissible eighty (80) square feet aggregate to an aggregate of 200 square feet. The applicant wishes to utilize this square footage with a 152 square foot wall sign on the church, to face Cawanna Road, and two roadside entrance signs that are 19.94 square feet each. It should be noted that one of the roadside entrance signs will be for the future addition of a second driveway.

The property is located with a Single Family Residential zoning district. Permissible uses within the district are limited to single family detached homes; educational, religious, or philanthropic uses; public utility facilities; nursery greenhouses (noncommercial uses); and municipal, county, state, or federal uses. The subject site is adjacent to an elementary school and a single family housing (both detached and proposed attached). However, the site is visible from the Veteran's Memorial Parkway.

Sign District 1 governs dimension standards and styles for both residential and non-residential uses within the zone. Sign District 1 limits nonresidential uses in the district to 80 square feet of aggregate sign area to be evenly divided between wall signage and freestanding signage. However, the district makes no allowance for sign dimensions based on the size of the parcel or structure in question. Here, the applicant is requesting 152' of front wall signage for a single structure located on 13.6 acres. The structure itself is approximately 219 feet across with 35, 935 square feet of interior space. That being said, the request is for more than twice the amount of signage allowed in the City's commercial sign districts (125' wall signage in Sign District 2; and 100' wall signage in Sign District 3 if the applicable wall length is more than 100' across).

Section 1503(G), as amended effective July 1, 2009, states that no variances shall be permitted from the terms of Article XV regarding signs in the *Statesboro Zoning Ordinance*. It continues to state that "specifically, no variances under Article XVIII (regarding consideration and approval of variances) of this ordinance shall be applicable to the standards contained within this Article [XV]." However, Article XV regarding signs is part of the *Statesboro Zoning Ordinance*, which provides for the award of variances by the City Council from the zoning regulations stating that "approval of a variance must be in the public interest, the spirit of the ordinance must be observed, public safety and welfare secured, and substantial justice done" and Section 1801 states that the Mayor and Council [should] consider if the following are true in its consideration of a variance request:

- 1. There are special conditions pertaining to the land or structure in question because of its size, shape, topography, or other physical characteristic and that condition is not common to other land or buildings in the general vicinity or in the same zoning district;
 - Staff is unaware of any special conditions pertaining to the land that is not common to other land in the general vicinity.
 - o The parcel and structure of this application are arguably larger than those contemplated by the ordinance governing sign district 1.
- 2. The special conditions and circumstances do not result from the actions of the applicant;
- 3. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and
- 4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.
 - This application is requesting more than twice the signage than is allowed in the City's commercial districts and is located within a single family zoning district and surrounded by such uses.

Given concerns that a staff denial to present an applicants' variance request for a hearing and consideration before the governing body poses a potential violation of an applicants' right to due process, the requested variance regarding sign style and height for Sign District 3 has been included in this report and presented for Council consideration despite Article XV's stated prohibition against variances

STAFF RECOMMENDATION:

Staff is unaware of any special condition or hardship present in these circumstances that would in the application of the ordinance to be unduly burdensome or unreasonable to the property. However, if Council is inclined to grant a variance regarding dimension standards for this application, staff recommends that the variance grant no more than 100 square feet in sign area – which is the area permissible for wall signs in Commercial Sign District 3 for buildings with wall length of greater than 100 feet.

(Please note: Unless otherwise stated in any formal motion by City Council, staff considers the conceptual site plan (Exhibit B) submitted on behalf of the applicant for this request to be illustrative only. Approval of the application does not constitute approval of any final building or site plan).

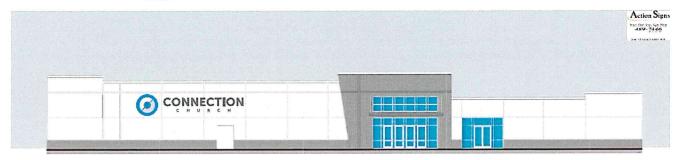


152 sq. ft. TOTAL BUILDING SIGN

PROPOSED BUILDING SIGN



Building is approx 25' tall by 214' wide which is 5,350 sq ft 5 percent of the space is 267.50 sq ft. if this was zoned HOC



30" x 30" sign logo

6.25 sq ft.

34" x 58" area of signage 13.69 sq ft.

CONNECTION **CHURCH**

1342 Cawana Road

CONNECTION-CHURCH.COM 0 132" W 36" W CONNECTION CHURCH 69" H 60" H 1342 Cawana Road **CONNECTION-CHURCH.COM** 9" H

144" W

19.94 sq ft of signage per side

They have a need for one roadside sign now. With a future need of another one once the back lane is cut in (Future use)

EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES

Photo 1: Subject Site from Cawana Road



Photo 2: Proposed location for Building Sign from Cawana Road



Photo 3: Sight Distance from Subject Site to Veterans Memorial Parkway



Photo 4: Adjacent Property to the South of Subject Site



Photo 5: Adjacent Properties to the North of Subject Site have wooded boundaries



Photo 6: Wooded boundary of the Adjacent Residential Property to the direct North West of the Subject Site



Table 3. Sign District 1 Dimensional Standards

TABLE INSET:

	Property of the second second second		CONTRACTOR OF A PROPERTY OF THE PROPERTY OF TH
SIGN DISTRICT 1 (As defined in subsection 1509[A.1])	RESIDENCE ON AN INDIVIDUAL LOT*	RESIDENTIAL DEVELOPMENT OR SUBDIVISION**	NONRESIDENTIAL USE
AGGREGATE SIGN AREA***:			
1. Maximum Number of Total Square Feet (SF)*	12 square feet	Varies (All signs within a residential development or subdivision must be constructed of brick, stone, masonry, wood, or equal architectural material)	80 square feet including freestanding and building signs.
FREESTANDING SIGNS***:			
2. Freestanding Sign Maximum Square Feet	4½ square feet	40 square feet (Per development entrance sign) 18 square feet (Per sign identifying a development common area or facility)	40 square feet
3. Maximum Height	3 feet	6 feet	8 feet
4. Setback Requirements	5 feet	5 feet****	5 feet
5. Number of Signs Allowed	One	Two (2) sign structures per entrance to the development or subdivision.****	One sign structure per road frontage not to exceed the maximum allowable square footage & a total o two (2) such signs
BUILDING SIGNS:			
Maximum Number of Total Square Feet	N/A	18 square feet	40 square feet
2. Maximum Height	N/A (Window signs only)	Building Elevation	Building Elevation
3. Number of Building Signs Allowed	N/A	One per building serving as the principal structure in a common area or facility. SSS	One per building elevation with street frontage. \$55

"Per the purposes of this article, "residences on an individual lot" refers to any individual lot principally serving as a single-family residential dwelling [attached, detached, townhouse, etc.] or a duplex.

(NOTE: Illumination of building or freestanding signs is prohibited on any individual lot principally serving as single-family residential dwelling [attached, detached, townhouse, etc.] or a duplex. Land uses within Sign District 1 which may otherwise utilize illumination, shall not incorporate internal illumination.)

City of Statesboro, Georgia Zoning Ordinance

XV-14

^{**}Per the purposes of this article signage related to a "residential development or subdivision" includes all common entry signage into the development, and all signage related to common areas and facilities.

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

^{****}Limited to monument and standard informational signs where permitted by Table 2. Billboards and stanchion signs prohibited as provided in Table 2 herein.

^{******}Unless incorporated into the street right-of-way as part of landscaped entryway feature — in which case only one (1) sign structure may be located at the entrance, and such sign placement, and maintenance agreements, shall have been approved as part of the major subdivision approval process established in Appendix B of the Statesboro Code of Ordinances (Statesboro Subdivision Regulations).
\$\$\$ Two (2) per building elevation where one (1) sign is in the form of a canopy/awning, and where the cumulative square footage of both does not exceed the "maximum number of total square feet" for building signs.

(NOTE: Illumination of building or freestanding signs is prohibited on any Individual lot principally serving as single-family residential