



*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**

**August 12, 2014**

**5:00 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**

- a. July 8, 2014 Meeting

**IV. New Business**

- a. **APPLICATION # V 14-06-01:** Out Parcel Holdings, LLC requests a variance from Section 1509 regarding sign height and structure of freestanding signage in District 3 for property located at 1607 Chandler Road (Tax Parcel #MS61000053000).
- b. **APPLICATION # V 14-07-03:** Hendley Properties requests a variance from Section 1509 regarding sign setback in sign District 1 for property located at East Grady Street and South Mulberry Street (Tax Parcel #S29000009000).
- c. **APPLICATION # SE 14-06-03:** Mose Mobley III requests a special exception to allow a small hair salon in the R6 (Single Family Residential) District on property located at 12 Carver Street (Tax Parcel # S09000017000 & S09000016000).

**V. Announcements**

**VI. Adjourn**

**STATESBORO PLANNING COMMISSION**

**July 8, 2014**

**5:00 P.M.**

**City Hall Council Chambers**

**Meeting Minutes**

**Present:** Planning Commission Members: Rev. E. Charles Lee, April Stafford, and Holmes Ramsey. 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: Jim Benton, Rick Barr, and Nick Propps.

Motion made by Commissioner Ramsey; second by Commissioner Lee to appoint Commissioner Stafford as Interim Chairman due to the absence of Chairman Propps. Motion Carried 3 to 0.

**I. Call to Order**

Commissioner Stafford called the meeting to order.

**II. Motion to Approve Order of the Meeting Agenda**

Motion made by Commissioner Lee; second by Commissioner Ramsey to approve order of the meeting agenda. Motion carried 3 to 0.

**III. Approval of Meeting Minutes**

- a. March 11, 2014 Meeting
- b. April 8, 2014 Meeting
- c. May 13, 2014 Meeting
- d. June 10, 2014 Meeting

Motion made by Commissioner Ramsey; second by Commissioner Lee to approve minutes for the March 11<sup>th</sup>, 2014<sup>th</sup>, April 8<sup>th</sup>, 2014<sup>th</sup>, May 13<sup>th</sup>, 2014<sup>th</sup> and June 10<sup>th</sup>, 2014<sup>th</sup> meetings .  
Motion carried 3 to 0.

Commissioner R. Jeremy Ragan arrived at 5:13 P.M.

**IV. New Business**

- a. **APPLICATION # V 14-06-01**: Polestar Development, LLC requests a variance from Article X, Section 1003 (D) Side Building Setback line and (E) the minimum required setback between buildings for the property located at 349 Brampton Avenue (Tax Parcel # MS74000198A007).

Mandi Cody presented the variance and answered questions from the Commissioners and adjacent property owner Ashley Ellis. Representative Ben Carroll spoke in favor and answered questions.

After all questions were clarified, there was no opposition.

Staff recommended approval with the following conditions:

1. This variance regarding side yard setbacks and building separation shall apply only as shown for internal lot lines as illustrated on the concept in Exhibit C to provide for a singular attached retail development. Variances shall not apply to adjacent properties not participating as an applicant in this case.
2. Public access to the proposed parcel shall be granted through Council's requirement of one of the following options:
  - i. Archway Drive must be improved to City standards and dedicated to the City of Statesboro as a public right of way; or
  - ii. A cross-access easement must be platted and filed for recording in the real estate records.

Commissioner Ramsey made a motion to recommend approval with the condition that Archway Drive must be improved to City standards and dedicated to the City of Statesboro as a public right of way; seconded by Commissioner Ragan. Motion carried 4 to 0.

**V. Announcements**

There were no announcements.

**VI. Adjourn**

Motion was made to adjourn the meeting by Commissioner Ragan; seconded by Commissioner Ramsey. Motion carried 4-0.

---

**Chair – Nick Propps**

---

**Secretary – Mandi Cody**  
**Director of Planning and Development**



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

**V 14-07-03**  
**VARIANCE REQUEST**  
**East Grady Street & South Mulberry Street**

**LOCATION:** East Grady Street & South Mulberry Street

**REQUEST:** Variance from Section 1509, Subsection C, Table 3 regarding the required sign setback of five (5) feet.

**APPLICANT:** Hendley Properties

**OWNER(S):** Albert Buie Green Jr.  
C/O John Ray Hendley

**LAND AREA:** .79 acres

**PARCEL TAX MAP #s:** S29000009000

**COUNCIL DISTRICT:** District 2 (Lewis)



**BACKGROUND/PROPOSAL:**

The subject site is zoned R4 (High Density Residential District) it fronts East Grady Street and South Mulberry Street and contains newly constructed duplex units known as The Fountain at Mulberry. The applicant is requesting a variance from Article VX, Section 1500 of the *Statesboro Zoning Ordinance* regarding the 5 foot required setback for signage. (See Exhibit A-Location Map & Exhibit B-Sign Plan)

**SURROUNDING LAND USES/ZONING:**

ZONING:		LAND USE:
<b>NORTH:</b>	R4 (High Density Residential)	Single family houses and apartment houses
<b>SOUTH:</b>	R4 (High Density Residential)	Apartments and telephone service provider
<b>EAST:</b>	R4 (High Density Residential)	Apartment houses
<b>WEST</b>	LI (Light Industrial)	Vacant, railroad and McTell Trail

The subject property is located in a residential area surrounded by apartments and single family dwellings within walking proximity of neighborhood, commercial and personal service uses.

**COMPREHENSIVE PLAN:**

The subject site lies within the "Urban Core" character area identified by the City of Statesboro Future Development Map within the *City of Statesboro Comprehensive Plan*. The "Urban Core" character area is identified as the downtown core of the city and should remain the activity and cultural hub of the region. The long-term vision for the Urban Core area is that the existing central business district may extend beyond its current boundaries to accommodate more commercial and high density residential development.

Appropriate land uses for the established character area are: Neighborhood-scale retail and commercial destinations, civic uses, neighborhood services, loft, mixed use, urban residential, multistory buildings. The development of this site is compatible with the appropriate land uses identified by the comprehensive plan and actively support the vision for this character area.

The *Statesboro Comprehensive Plan* also lists strategies that should be considered throughout all of the character areas of the city. One of those strategies is to encourage infill, new, and redevelopment opportunities close to the streets and sidewalks, and to maintain a diverse balance of office, commercial, and residential development as a key factor in future growth of the city. Another strategy of the Comprehensive Plan is to provide for a variety of residential types and densities with the most compact development in or near the urban core. Growth strategies should continue to provide resources that support revitalization of neighborhoods and encourage harmonious mixture of housing types and uses (*Statesboro Comprehensive Plan*, pages 71-72).

#### **TRANSPORTATION:**

The project site takes vehicular and pedestrian access from East Grady Street and South Mulberry Street.

No negative impact on transportation or transportation facilities are anticipated by the grant of the requests contemplated herein.

#### **COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):**

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

#### **ENVIRONMENTAL:**

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

#### **HISTORIC AND CULTURAL RESOURCES:**

There are no known historical or cultural resources on or adjacent to the subject property that would be affected by the request.

#### **ANALYSIS:**

The subject site is zoned R4 (High Density Residential District), consists of .79 acre lot located at the corner of East Grady Street and South Mulberry Street and contains newly constructed duplex units known as The Fountain at Mulberry. Section 1509, Subsection C of the *Statesboro Zoning Ordinance* regulates the dimensional standards of signage by sign district. The subject site is located within Sign District 1. Table 3: Sign District 1 Dimensional Standards requires a five (5) foot setback from the public right of way (See **Exhibit C**). The subject site is also required by V 13-09-01 to reserve eight (8) feet of property from the curb on all street frontages for future sidewalk construction, making the total required setback for the subject site thirteen (13) feet from the public right of way property line. The applicant is requesting to eliminate the additional sign setback of five (5) feet.

As shown by photographs of the subject site (See **Exhibit D**), during construction of the current duplex units a brick monument for signage was built just below the duplex entrance located on East Grady Street to match the brick exterior of the duplexes. The monument sign was constructed on the public right of way property line just outside of the required eight (8) foot setback reserved for future sidewalks; therefore, not meeting the additional sign setback of five (5) feet. The setback encroachment was discovered during the standard permitting procedures. There is currently a sidewalk on the opposite side of East Grady Street from the location of the monument sign. The current placement of the monument sign does not create sight restrictions or cause any safety concerns as shown in Exhibit D.

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, Section 1801, 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

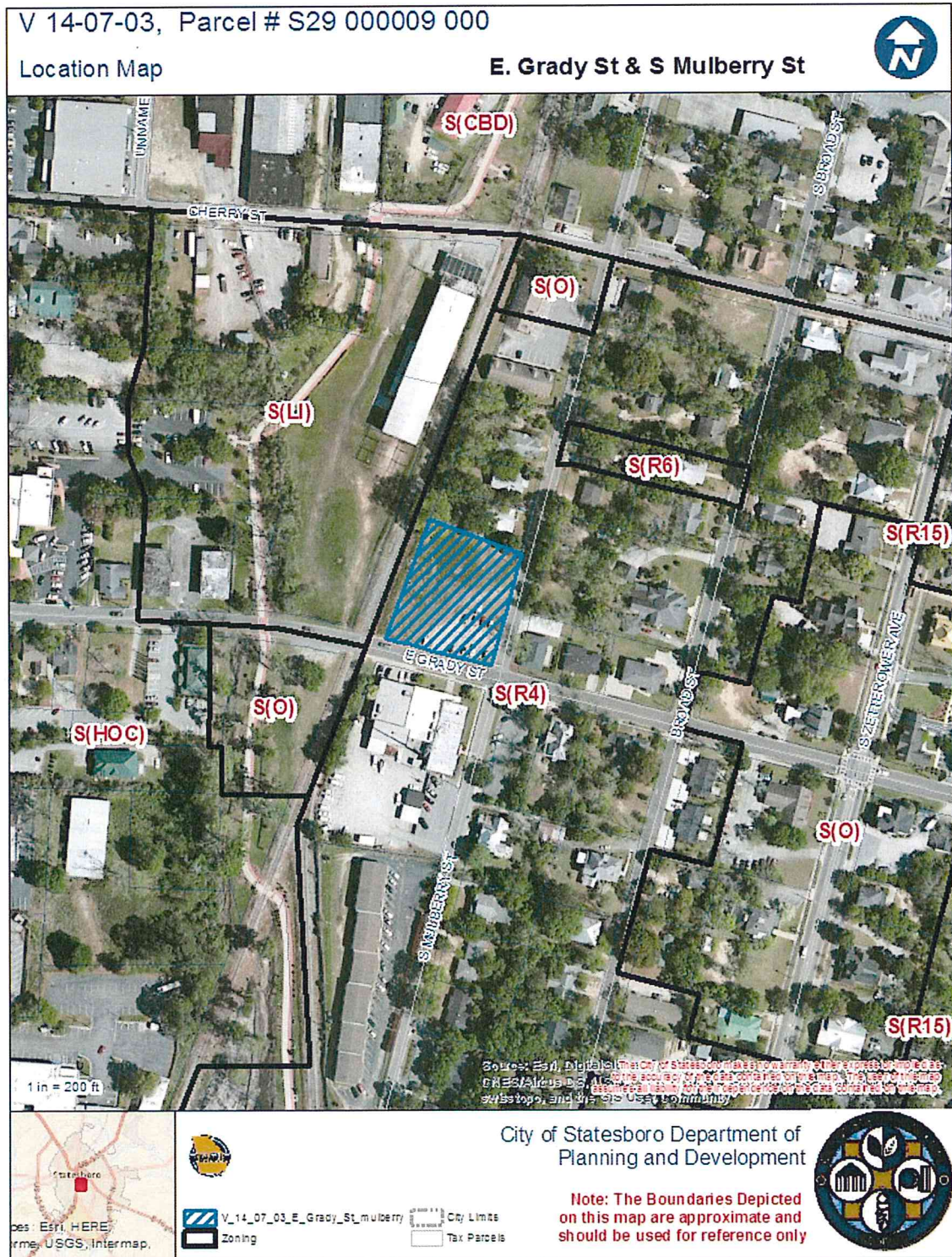
welfare secured, and substantial justice done” and states that the Mayor and Council [should] consider if the following are true in its consideration of a variance request:

- (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;**
  - Although the subject site is not irregularly shaped, it is smaller than an acre.
- (2) **The special conditions and circumstances do not result from the actions of the applicant;**
  - The small size is the result of the interception of the railroad right of way onto subject property.
  - The site is required by V 13-09-01 to reserve eight (8) feet of property from the curb on all street frontages for future sidewalk construction.
- (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 request, if granted, would not cause substantial detriment to the public good.
  - The sign is located outside of the public right of way.

**STAFF RECOMMENDATION:**

*(Please note: Unless otherwise stated in any formal motion by City Council, staff considers the conceptual building sketch 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 A: LOCATION MAP



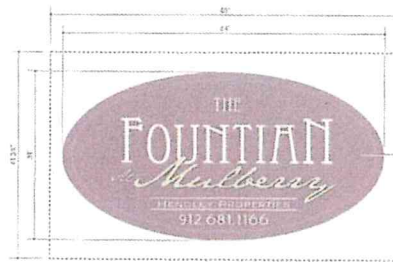
# EXHIBIT B: SIGN PLAN



Photo Context  
Date: N/A

\* Sign location  
on the (panel)

Brick Monument  
(existing).



Front  
Scale: 3/4" = 1'-0"

Side  
Scale: 3/4" = 1'-0"

\* Sign (W x L) panel  
2.83' x 7' only  
34"  
84"  
19.81

## Colors & Finishes

Colors shown are for informational purposes only. Colors may vary slightly due to lighting and other factors. Colors are subject to change without notice. Colors are not to be used for other purposes.

C-1	100
C-2	100
C-3	100
C-4	100
C-5	100

## Construction Specifications

1. Sign Structure
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

WB  
WHITFIELD  
SIGNS  
41 Remond Lane  
Statesboro, GA 30458  
Office 912.681.6338

Project: 14-06-01  
Client: City of Statesboro  
Address: 41 Remond Lane  
City: Statesboro, GA 30458  
Phone: 912.681.6338  
Fax: 912.681.6339  
Email: info@whitfieldsigns.com

Product: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Material: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Finish: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Color: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Size: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Weight: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Volume: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Perimeter: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Surface Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Volume: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Perimeter: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Surface Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Volume: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Perimeter: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Surface Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Volume: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Perimeter: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Surface Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Volume: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Perimeter: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Surface Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Volume: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Perimeter: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Surface Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Volume: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Perimeter: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Surface Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Volume: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Perimeter: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Surface Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Volume: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Perimeter: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Surface Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Volume: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Perimeter: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Surface Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Volume: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Perimeter: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Surface Area: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

Volume: 1. Sign Structure  
2. 1/2" High Density Synthetic Plastic with Color in Backer Graphics

City of Statesboro  
Planning & Development Dept

JUN 30 2014

Main ID

1

Received

EXHIBIT C: TABLE 3. SIGN DISTRICT 1

Table 3. Sign District 1 Dimensional Standards

TABLE INSET:

SIGN DISTRICT 1 (As defined in subsection 1509[A.1])	RESIDENCE ON AN INDIVIDUAL LOT*	RESIDENTIAL DEVELOPMENT OR SUBDIVISION**	NONRESIDENTIAL USE
<b>AGGREGATE SIGN AREA***:</b>			
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.
<b>FREESTANDING SIGNS****:</b>			
2. Freestanding Sign Maximum Square Feet	4 ½ 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 of two (2) such signs
<b>BUILDING SIGNS:</b>			
1. 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. \$\$\$	One per building elevation with street frontage. \$\$\$
<p>*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.</p> <p>**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.</p> <p>***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.</p> <p>****Limited to monument and standard informational signs where permitted by Table 2. Billboards and stanchion signs prohibited as provided in Table 2 herein.</p> <p>*****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).</p> <p>\$\$\$ 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.</p> <p>(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.)</p>			

**EXHIBIT D: PHOTOS OF SUBJECT SITE**

**Note:** Orange Flags in Photos are Marking the Required 8 Ft. Right of Way Setback.

**Photo 1: Monument sign from East Grady Street Duplex Driveway**



**Photo 2: Monument sign from Stop Sign at South Mulberry Street**



**EXHIBIT D: PHOTOS OF SUBJECT SITE**

**Note:** Orange Flags in Photos are Marking the Required 8 Ft. Right of Way Setback.

**Photo 3: Monument Sign from Frontier**



**Photo 4: Monument Sign from Railroad on Mulberry Street**





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

**REQUEST FOR VARIANCES**

**V 14-04-01**

**1607 Chandler Road**

**LOCATION:** 1607 Chandler Road

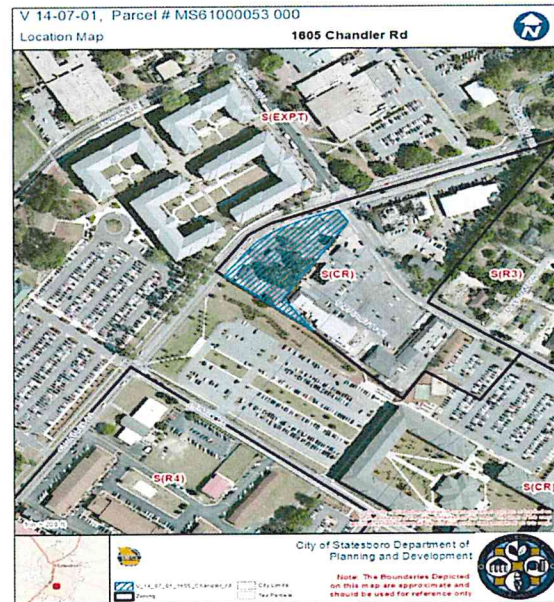
**REQUEST:** Variance from Section 1509 regarding sign height and structure of freestanding signage in District 3.

**APPLICANT:** Out Parcel Holdings, LLC

**LAND AREA:** 1.33 acres

**PARCEL TAX MAP #s:** MS61000053000

**COUNCIL DISTRICT:** District 4 (Riggs)



**BACKGROUND / PROPOSAL:**

The subject site was the original location of the very first Zaxby's ever opened. Since, it has been the location of several different retail and food service establishments and in most recent years was turned into a private pay parking lot. Out Parcel Holdings, LLC purchased the lot and is currently in the process of constructing a Zaxby's restaurant at the 1607 Chandler Road location. The applicant seeks variances from sections 1502 and 1509 of the *Statesboro Zoning Ordinance* regarding signage. See Exhibit A & B.

**SURROUNDING LAND USES/ZONING:**

ZONING:		LAND USE:
<b>NORTH:</b>	EXPT (Exempt from zoning provisions)	Owned by University Board of Regents
<b>SOUTH:</b>	EXPT (Exempt from zoning provisions)	Owned by University Board of Regents
<b>EAST:</b>	CR (Commercial Retail)	Various Commercial Uses.
<b>WEST</b>	EXPT (Exempt from zoning provisions)	Owned by University Board of Regents

Properties to the north, south, and west of the subject site are all owned by the University Board of Regents and are exempt from the City of Statesboro zoning provisions. The properties to the north-east and east are zoned CR (Commercial Retail) and include a mix of restaurants and retail sales sites. The subject site itself is a fast food restaurant and is considered a permissible use as a "food service facility".

## 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, including restaurants/bars and nightclubs. 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
- Multit-Family
- Mixed use retail/office/residential buildings.

(Community Agenda, Pages 20-21)

## TRANSPORTATION:

The project site takes vehicular and pedestrian access from Chandler Road.

No negative impact on transportation or transportation facilities are anticipated by the grant of the requests contemplated herein.

## COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject property is serviced by city utilities and served by the City's public safety and sanitation departments. There are no known issues related to the City's ability to provide services to this site should the requests herein be granted.

## ENVIRONMENTAL:

There are no known environmental concerns regarding this property.

## HISTORIC AND CULTURAL RESOURCES:

There are no known historical or cultural resources on or adjacent to the subject property that would be affected by the request.

## ANALYSIS:

The Applicant is requesting the following variances:

- I. **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 structure 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 signs within the district. Table 2 regulates dimensional regulations for signs for "individual establishment on an individual lot". 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." See **Exhibit C** Subsection C, Table 5 permits only monument style signs with in Sign District 3 and states that stanchion (pole) type freestanding signs are prohibited in the district. See **Exhibit D**. 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). 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).

The property is zoned CR (Commercial Retail) and the applicant is currently in the site phase of beginning construction of a Zaxby's fast food restaurant. The property has two road frontages, Chandler Road and Georgia Avenue. The front of the restaurant will orient toward Chandler Road. The existing property entrance currently on Chandler Road will be used as the only ingress/egress for the restaurant. The rear of the building will face University Plaza located on Georgia Avenue. The applicant wishes to erect a 20' freestanding stanchion style sign to the right of the building front just passed the entrance. 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. Surrounding commercial retail uses in the immediate vicinity on Chandler Road and the directly adjacent property located on Georgia Avenue currently have stanchion style signs ranging in height from 13' to 35'. See **Exhibit E – Photos**. The only monument style signs in this area are for high density residential uses. In District 2, where stanchion style signs are allowed, the maximum height for a “sign for an individual establishment on an individual lot” is 20' on a State or Federal road frontage or 8' on a Local road frontage. Section 1509, C Table 4. Chandler is classified as a local road.

The subject property is located on a curving road front leading to a highly congested signaled intersection containing a crosswalk at Chandler Road and Georgia Avenue. This intersection is the main walking route for students who live in student housing and surrounding high density residential areas. It is the entrance to the central heart of campus living containing student services such as the Food Commons, University Bookstore, Post Office, and the Russell Student Union. It is also the main entrance for commuting students containing large parking lots and drivable access to many areas of the campus. Allowing the requested variance would aid in making this already congested area a safer road way for all travelers by eliminating the added visual obstruction that would be created by a road side monument style sign that would be a solid structure from the ground up to 8 feet tall. Allowing a stanchion style sign, as requested, that is mounted on a pole or other vertical support such that the bottom of the sign face is elevated above ground level creating no visual obstruction other than the vertical support between the ground and the bottom of the sign face would by far be the safer type sign for this location.

It should be noted that discussion was held between the applicant and the City of Statesboro Development Team during a scheduled Right Start meeting regarding possible alternative signage arrangements. After a review of the site, and engineering's consideration of safety issues, it was determined that a stanchioned pole sign being at least 20 feet in height would be the safest sign type for this location due to sight hazards caused by monument style signs. Engineering also recommended that all freestanding style signage permitted for the subject site be located no closer than 10 feet from the curb to the closest edge of each sign. By ordinance the location is allowed double aggregate of the total sign square footage because it is located on a double road frontage lot, making the allowed total sign area 300 square feet. The sign application submitted, including the 20 foot high stanchioned pole sign and all other signage, is only 178.83 square feet, well under the allowed 300 square feet.

Section 1503 (G), as amended effective July 21, 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 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;**
  - o The subject property is located on a curve leading to a highly congested signal intersection and major walk crossing of Chandler Road and Georgia Avenue.
2. **The special conditions and circumstances do not result from the actions of the applicant;**
  - o The curving structure of the road frontage, signaled intersection, and cross walk were not created by the applicant.
  - o The high vehicular and pedestrian congestion are not conditions caused by this development.
3. **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**

- Application of the ordinance to this property would not cause a hardship to the applicant. However, application of the ordinance would create a line of sight safety hazard.
- 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, does not substantially deter the public good or impair the purposes and intent of the zoning regulations.
  - The subject site is surrounded by signs of a similar nature.

**STAFF RECOMMENDATION:**

Based on the factors of consideration given 1801 of the *Statesboro Zoning Ordinance*, as applied to this request and the adopted policies of the *Statesboro Comprehensive Plan*, Staff recommends the following:

Approval with conditions of V 14-07-01 granting a variance from Section 1509 C Table 5 regarding sign height and Section 1509 B, Table 2 regarding sign style to allow a stanchion style sign up to 20' in height at the subject site based on the following conditions:

**CONDITIONS**

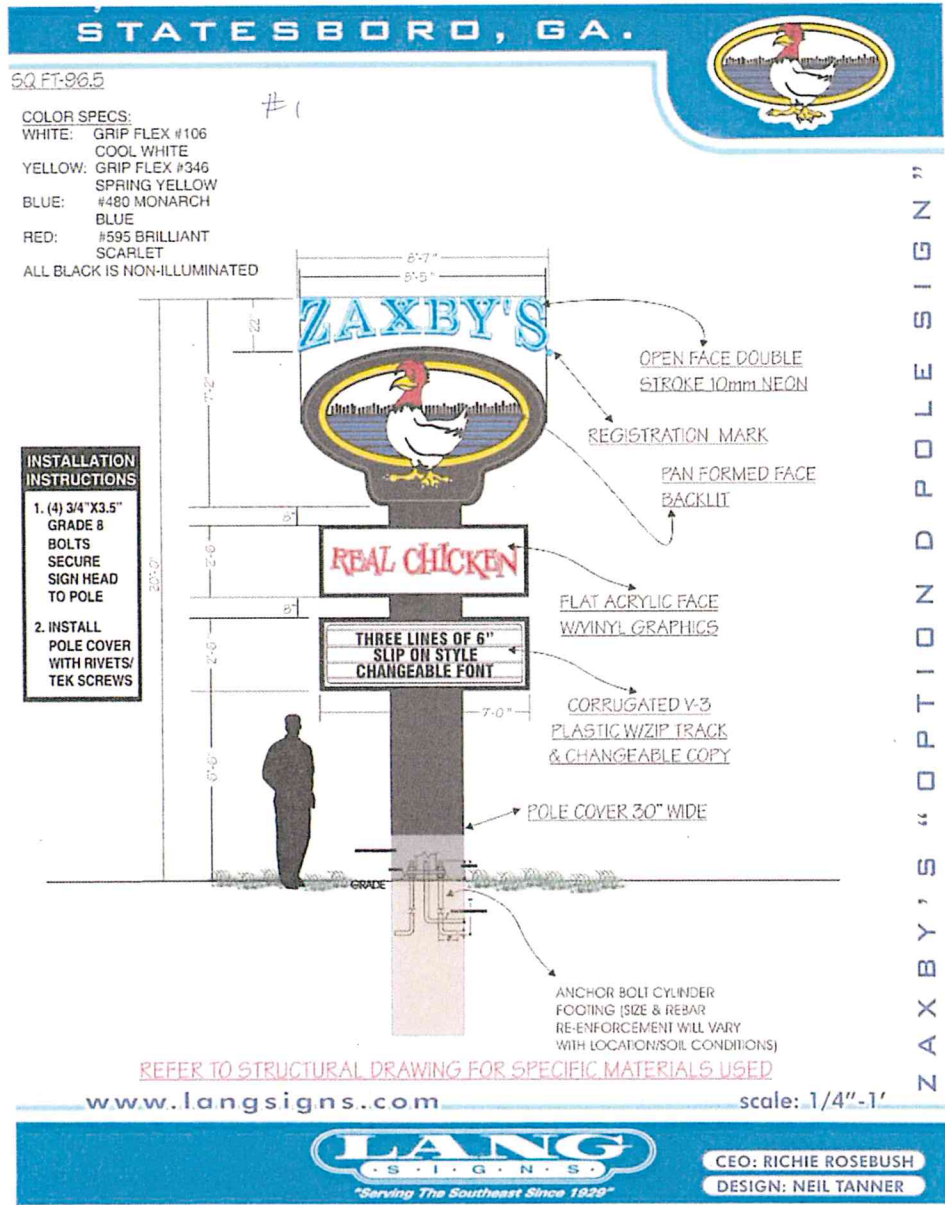
- Approval of this request is exclusive to the site plan submitted for consideration (Exhibit B). If any changes are made to the site plan, another variance will be required.
- All freestanding type signage must be located no closer than 10 feet from the curb to the closest edge of the sign, not the pole.

**PLANNING COMMISSION RECOMMENDATION:**

EXHIBIT A: LOCATION MAP



EXHIBIT B: SIGN & SITE PLAN



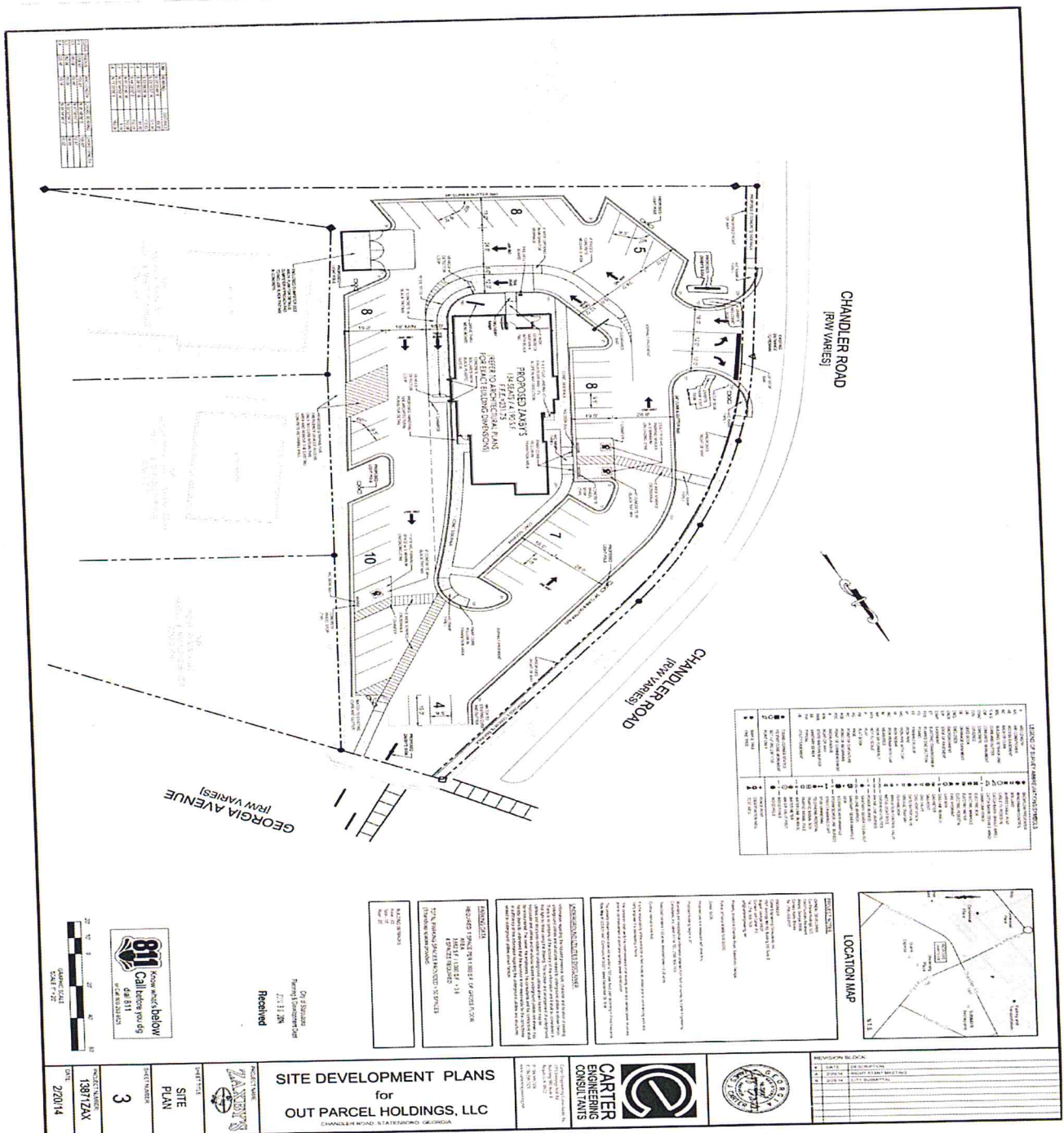
**EXHIBIT B: SIGN & SITE PLAN CONT'D**

EXHIBIT C: TABLE 2. PERMITTED SIGNS BY TYPE AND SIGN DISTRICT.

SIGN TYPE	SIGN DISTRICT 1			SIGN DISTRICTS 2 & 3	SIGN DISTRICT 4
	Residence on an individual lot	Residential development or subdivision	Nonresidential property		
<b>FREESTANDING:</b>					
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
<b>BUILDING:</b>					
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
Window	No permit needed	No permit needed	No permit needed	No permit needed	No permit needed

**EXHIBIT C: TABLE 2. PERMITTED SIGNS BY TYPE AND SIGN DISTRICT. CONT'D**

<b>MISCELLANEOUS**:</b>					
Banner	Prohibited	Needs a permit	Needs a permit	Needs a permit	Needs a permit
Flag***	No permit needed***	No permit needed***	No permit needed***	No permit needed***	No permit needed***
Portable****	Prohibited	Prohibited	Prohibited	Prohibited	No permit needed****
Temporary	Prohibited	Needs a permit	Needs a permit	Needs a permit	Needs a permit
<p><i>*Roof signs, where permitted, shall be subject to the provisions of section 1508 (8).</i></p> <p><i>**Signs listed as "miscellaneous" within this Table do not form part of the "aggregate sign area" for a parcel as defined in section 1501, or Tables 3, 4, 5 and 6 as provided within this article.</i></p> <p><i>***Flags shall be subject to the provisions of section 1506(A).</i></p> <p><i>****Portable signs, where permitted, shall be subject to the provisions of section 1506(C).</i></p>					

EXHIBIT D: TABLE 5 SIGN DISTRICT 3 DIMENSIONAL STANDARDS.

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
<b>AGGREGATE SIGN AREA*:</b>			
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
<b>FREESTANDING SIGNS**:</b>			
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
<b>BUILDING SIGNS:</b>			
1. Maximum Number of Total Square Feet	Wall length of 100 feet or less: 50 square feet. Wall length of greater than 100 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
<p><i>*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.</i></p> <p><i>**Limited to monument and standard informational signs. Billboards and stanchion signs prohibited as provided in Table 2 herein.</i></p> <p><i>*** 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.</i></p>			

**EXHIBIT E – PHOTOS**

**PHOTO 1: Subject Site from corner of Chandler Road and Georgia Ave.**



**PHOTO 2: Existing Entrance on Chandler Road**



EXHIBIT E-PHOTOS CONT'D

PHOTO 3: Curving Road Frontage / Left side View of Existing Entrance.



PHOTO 4: Sign Location / Right side View of Existing Entrance



EXHIBIT E-PHOTOS CONT'D

PHOTO 5: Surrounding Stanchion Style Signage



Adjacent from Subject Site on Georgia Ave.



Corner of Chandler Rd. & Georgia Ave.



On Chandler Rd. down from Subject Site



On Chandler Rd. down from Subject Site

EXHIBIT E-PHOTOS CONT'D

PHOTO 6: Intersection & Crosswalks at Chandler Road & Georgia Ave.





# 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 14-06-03 SPECIAL EXCEPTION REQUEST 12 Carver Street

**LOCATION:** 12 Carver Street

**REQUEST:** Special Exception to allow a small hair salon in the R6 (Single Family Residential) District.

**APPLICANT:** Mose Mobley III

**OWNER(S):** Mose Mobley III

**LAND AREA:** .28 Acres (.14 acres per lot)

**PARCEL TAX MAP #s:** S09 000017 000 & S09 000016 000

**COUNCIL DISTRICT:** District 2 (Lewis)



### PROPOSAL:

The applicant requests a Special Exception to allow for the utilization of the vacant lot located at 12 Carver Street (S09 000017 000) as a hair salon and the adjoining vacant lot (S09 000016 000) as a parking area for the requested use. The subject site(s) is zoned R6 (Single Family Residential), which does not permit hair salons by right. If the requested special exception is approved the applicant proposes to construct a 12 X 50 metal structure with a paved parking area. (See Exhibit A – Location Map & Exhibit B – Proposed Metal Building Plans)

### BACKGROUND:

There is no past zoning history on this property. The .14 acre lot(s) are vacant and owned by the applicant. The two small lots are fenced and take the appearance of a singular lot. The lot is located on Carver Street which is a no outlet street.

### SURROUNDING LAND USES/ZONING:

ZONING:		LAND USE:
<b>NORTH:</b>	CR (Commercial Retail)	Businesses and Single Family Homes
<b>SOUTH:</b>	R6 (Single Family Residential)	Single Family Homes
<b>EAST:</b>	R6(Single Family Residential),CR (Commercial Retail) & HOC (Highway Oriented Commercial)	Single Family Homes, Offices, and Businesses
<b>WEST</b>	R6 (Single Family Residential)	Single Family Homes and a Church

The subject property is located close to a transition point between commercial retail and single family homes to the north and the east. The southern and western property lines are surrounded by predominately single family homes. (See Exhibit C-Photos)

## COMPREHENSIVE PLAN:

The subject site lies within the "Established" character area as identified by the City of Statesboro Future Land Development Map adopted by the *City of Statesboro Comprehensive Plan*. The "Established" character areas are identified as being traditionally residential in nature. Some neighborhoods within this character area are facing decline and issues with blight. Extra efforts should be made to return them to viable neighborhoods. Neighborhood-scaled retail, personal services, small-scale office, neighborhood services, and small-lot single family residential are all appropriate land uses for properties within the Established character area. *Statesboro Comprehensive Plan, Community Agenda* pages 14-15.

The *Comprehensive Plan* also lists mixed use as a preferred development strategy but also recognizes that utilizing the subject site in a less intensive personal services manner contributes to the goals set forth in the implementation strategies and corresponds with the surrounding uses. Furthermore, the *Comprehensive Plan* also adopts the strategies of protecting existing residential neighborhoods and their character. The plan recognizes that small neighborhood-scaled services and residential uses can co-exist in residential areas if the design of the establishment is properly considered. *Statesboro Comprehensive Plan, Community Agenda* page 7.

## COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

City services including water, sewer, sanitation, and public safety are currently available at this site. No significant impact is expected on city services as a result of this request.

## ENVIRONMENTAL:

The subject property does not contain wetlands and is not located in a special flood hazard zone. Any potential issues will be brought forth and discussed during standard permitting and review procedures.

## ANALYSIS:

Both .14 acre sites are currently zoned R6 (Single Family Residential) and are vacant. The R6 (Single Family Residential) district has a stated purpose of establishing reasonable standards of performance and selection of uses permitted in order to maintain and protect the desirable benefits that single family residential uses have throughout the community. Although the subject site is zoned residential, it is located in a transitional area with CR (Commercial Retail) zoning and uses on the opposite side of the street (Carver Street) as well in the surrounding northern areas (Northside Drive).

The *Statesboro Zoning Ordinance* allows for the operation of home occupations in the R6 (Single Family Residential) district by specifically listing the permissible uses. However, the ordinance also states that beauty salons and barbershops are not permitted or defined as a home occupation. Regardless, the applicant does not intend to live in the proposed structure that the salon will be operated from; therefore, this use could not be considered as a home occupation.

The applicant is requesting a Special Exception to permit the use of a hair salon in the proposed 12' X 50' metal structure that will be located in the R6 (Single Family Residential) district. Special Exceptions allow for a land use that are not permitted as right within a zoning district but which may be granted where the requested use may be deemed appropriate and compatible with the surrounding neighborhood. In this case, a hair salon is not a use permitted by right within the R6 (Single Family Residential) zoning district; thus necessitating this request for approval of the proposed use by the Mayor and Council.

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 in the proposed 12' X 50' structure is not expected to cause a significant impact on vehicular traffic.
  - Paved offstreet parking would be provided on the property as regulated by Article XVI of the *Statesboro Zoning Ordinance*.

- 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.**  
According to Article XVI of the *Statesboro Zoning Ordinance*, the applicant must have one (1) parking space for every 500 square feet of area accessible to patrons. This site has adequate room for the required parking. This site also contains a vacant adjoining lot that can be utilized for over flow parking.
- D. **Public facilities and utilities are capable of adequately serving the proposed use.**
- The applicant intends to hire a licensed contractor to construct the proposed building and install a handicap accessible bathroom and handrails.
  - Building Inspections by the Building Official and Fire Department will be conducted during the building permitting stage.
  - The facilities must comply with the rules for Cosmetology Salon/Shop for sanitation, health and disinfectants required by Chapter 130-5 of the *Rules of Georgia State Board of Cosmetology*.
  - Applicant must register and obtain Individual and Salon/Shop licenses for the proposed use as required by the Georgia State Board of Cosmetology.
- E. **The proposed use will not have significant adverse effect on the level of property values or the general character of the area.**
- It is undetermined whether the proposed use is not expected to have an adverse effect on property values in the area given the uses of surrounding structures.
  - The proposed structure may not be compatible with surrounding structures (See Exhibit C-Photos). As the site is further into the residential area of the transition point than the commercial zoned utilized areas.
- 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 has been submitted at this time, only the proposed building plans.
- 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 property must be approved by City Council.

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 R6 (Single Family Residential), CR (Commercial Retail) and HOC (Highway Oriented Commercial) and uses range from single family residential, a church, businesses, and offices.
  - Property is close to a transition point where the area moves from Commercial Retail uses and zones to Single Family Residential uses and zones.
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.**
  - This request gives the applicant an opportunity to serve members of the community and neighborhood while contributing to the mixed use feel with a neighborhood services use as encouraged by the *Comprehensive Plan*.
  - Personal and Neighborhood Services uses in a residential area should consider compatibility with the character of the surrounding area.
5. **The suitability of the subject property for the zoned purposes.**
  - This property should meet the zoning regulations set forth by the *Statesboro Zoning Ordinance* as necessary.
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 lot(s) are currently vacant and have been for several years.
  - Surrounding properties appear to be developed; some are in declining condition and appear vacant.

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 significantly impact any of the above.

**STAFF RECOMMENDATION:**

**PLANNING COMMISSION RECOMMENDATION:**

EXHIBIT A: LOCATION MAP



**EXHIBIT B: Proposed Metal Building Plans**

**Example Picture, Colors may be different**

**Applicant will not use roll up doors, there will be an entry door way with possible windows on each side.**



# EXHIBIT B: Proposed Metal Building Plans Cont'd

Jul 01 14 10:30a

Steel Buildings

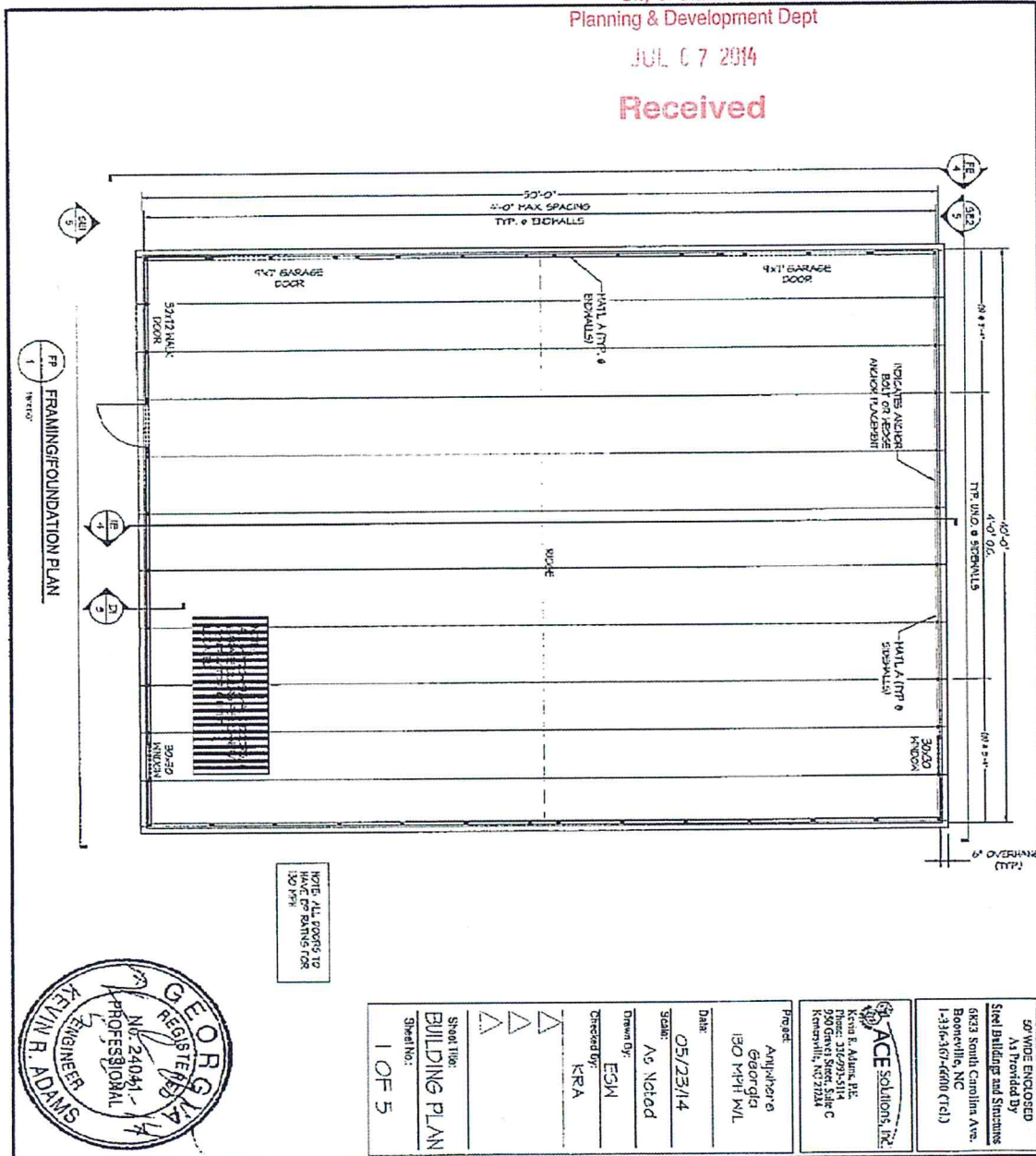
13363676900

p.1

City of Statesboro  
Planning & Development Dept

JUL 07 2014

Received





p.2



p.5



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

**PHOTO 1: Facing Subject Site from Carver Street**



**PHOTO 2: Northern view of Subject Site from Carver Street**



**EXHIBIT C: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY CONT'D.**

**PHOTOS 3: Adjacent North & North West of Subject Site.**



**North West in R6 (Single Family Residential)**



**Direct North in CR (Commercial Retail) District**

**PHOTOS 4: Small Motor Repair located to the Adjacent North of Subject Site located in CR (Commercial Retail) District that fronts Carver St. and Northside Drive.**



**Northside Drive View**



**Carver Street View**

**EXHIBIT C: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY CONT'D.**

**PHOTO 5: Other Retail Stores located to North East of Subject Site.**



**PHOTOS 6: Residential Properties to the Direct West & East of the Subject Site.**



**Direct West, R6**



**Direct East, R6**