

STATESBORO PLANNING COMMISSION  
July 10, 2012  
5:00 p.m.  
City Hall Council Chambers

MEETING AGENDA

1. Call to Order.
2. Motion to Approve Order of the Meeting Agenda.
3. Approval of Minutes
  - a. June 12, 2012 meeting.
4. New Business
  - a. **APPLICATION # V 12-06-08**: GSU Development, LLC, requests a variance from Section 703 of the Statesboro Zoning Ordinance regarding density for property located at 111 Rucker Lane (Tax Parcel #s MS52000002A000 and MS52000002002).
  - b. **APPLICATION # V 12-06-09**: Hendley Properties requests a variance from Section 603 and 2203.1 of the Statesboro Zoning Ordinance regarding building size, lot size, and set back requirements for property located in Sagebrush (Tax Parcel # MS74000076000).
5. Adjourn

STATESBORO PLANNING COMMISSION

June 12, 2012

5:00 P.M.

City Hall Council Chambers

Minutes

Present: Planning Commission Members: Jonathan McCollar, Teresa Concannon, Nick Propps, Andrew Hanson, Rick Barr, and Ray Hendley. City of Statesboro staff: Director of Planning and Development Mandi Cody, City Manager Frank Parker, Development Clerk Cindy Steinmann, and Debra Wiese, Administrative Assistant.

Absent: Brian Hulse, PC Member

1. Approval of Meeting Minutes

a. May 8, 2012 meeting.

Teresa Concannon commented that ad in paper for RZ 12-01-01 Akins zoning map amendment was not seen. She stated this was an open records issue and that she would like a copy of the local zoning procedures adopted locally by Statesboro and available/presented to the public. Mandi Cody stated that all ordinances are located at municode.com.

Jonathan McCollar asked that minutes be amended adding his name to members present.

Motion to approve minutes with stated correction given by Commissioner Barr; second by Commissioner McCollar. Motion carried 6 to 0. Minutes approved with correction.

2. New Business

- a. **APPLICATION # RZ 12-05-05:** Godbee Enterprises, Inc., requests a zoning map amendment from CR (Commercial Retail) to HOC (Highway Oriented Commercial) for property located at 612 South Zetterower Avenue (Tax parcel Number S31000021004).

Cindy Steinmann presented staff report to Planning Commission and took questions. Applicant, Mr. John Godbee, spoke in favor of the request, stating that he agreed with the staff's recommendation in the matter

Commissioner Concannon made motion; second by Commissioner Barr to deny requested proposed rezone to HOC but allow modification of CUV 02-04-05 to permit sale of used vehicles in front of business property line, as recommended by the staff. Motion carried 6-0.

### 3. Announcements

Mr. Frank Parker answered Commissioner McCollar's question regarding City of Statesboro website status stating that Bryant Tatum is working on security issues and fiber cable with website.

Commissioner McCollar inquired on the City Council's denial of RZ 12-01-01 Park Avenue for Akins zoning map amendment. Mr. Frank Parker stated that opposition was with the Howards and a lot of citizens. Chairman Propps stated that the Planning Commission approved initially, but that if further information from the neighborhood had been presented vote may have been turned out differently. Mr. Parker stated there were misconceptions in that light industrial (LI) zoning adds buffer to Mr. Howard's property. LI also qualifies as multi-family, which must deal with different setbacks. Also means the Akins family could build upward instead of one-story single family.

No further comments made.

### 4. Adjourn

Chairman Nick Propps called the meeting adjourned.

These minutes were adopted by the City of Statesboro Planning Commission at its July 10, 2012 meeting.

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Chair – Nick Propps

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Secretary – Mandi Cody, Director of  
Planning and Development

DRAFT





City of Statesboro – Department of Community Development  
**DEVELOPMENT SERVICES REPORT**

P.O. Box 348  
 Statesboro, Georgia 30458

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

**V 12-06-08  
 VARIANCE REQUEST  
 111 RUCKER LANE**

**LOCATION:** 111 Rucker Lane

**REQUEST:** Variance from Sections 703 of the *Statesboro Zoning Ordinance* to increase maximum density from 688 bedrooms to 710 bedrooms.

**APPLICANT:** GSU Development, LLC

**OWNER(S):** GSU Development, LLC

**LAND AREA:** 11.92 acres

**PARCEL TAX MAP #s:** MS52000002002 & MS52000002A000

**COUNCIL DISTRICT:** 2 (Lewis)

**CURRENT ZONING:** R 4 (High Density Residential)



**PROPOSAL:**

The applicant is requesting a variance from Section 703 of the *Statesboro Zoning Ordinance* for property located at 111 Rucker Lane (see Exhibit A) to allow an increase in the number of permissible bedrooms from 688 to 710.

**BACKGROUND:**

The 11.92 acre subject site of this request is formerly known as The Varsity Apartments. The Varsity Apartments consisted of approximately 200 - one bedroom apartment units. City Council's decision to grant a height and density variance in May, 2011 allowed for the redevelopment of the property and construction of apartment buildings at a maximum height of 55' (or four stories) and capped the density at 29 dwelling units per acres with a maximum of 688 bedrooms for the proposed student oriented multifamily apartment complex.

**SURROUNDING LAND USES/ZONING:**

	ZONING:	LAND USE:
<b>NORTH:</b>	R4 (High Density Residential) & PUD (Planned Unit Development)	Multifamily residential.
<b>SOUTH:</b>	R4 (High Density Residential); CR (Commercial Retail); and HOC (Highway Oriented Commercial)	Mixed residential and commercial use along transitional corridor.
<b>EAST:</b>	Exempt	Georgia Southern University campus.
<b>WEST:</b>	R25 (Residential, Bulloch County)	Residential located in Bulloch County.

The site is surrounded by a mix of uses including the GSU campus, multifamily student oriented housing, and various commercial developments.

#### **COMPREHENSIVE PLAN:**

The *City of Statesboro Comprehensive Master Plan* includes the subject site within the "Established" character area for the City of Statesboro. The *Plan* recognizes that "some neighborhoods within this area are facing decline or even worse, issues with blight. These neighborhoods may require extra attention to return them to viable neighborhoods." *Community Agenda*, page 14. The development at this site is in decline and is in need of extra attention to return it to a viable residential area.

Suggested implementation strategies for the established character area include the following:

- Foster[ing] the establishment of public/private partnerships to redevelop large tracts as appropriate for the character area.
- Streets, especially thoroughfares, should incorporate context sensitive solutions to provide traffic calming and protect community character.
- Evaluate the benefits and potential of urban redevelopment plan(s) for declining neighborhoods. Such plans can provide incentives and access to resources to revitalize these neighborhoods.

In addition to identifying appropriate land uses and suggested development and implementation strategies for the individual character areas within the City, *The Statesboro Comprehensive Plan* also identified issues and opportunities for the City of Statesboro that should be addressed in future development. 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 benefits 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.
- Creating community pride in seeing a detriment turn into an asset.
- 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.

Decline of multi-family housing units was also recognized by the *Plan* as an issue facing the City of Statesboro. *Community Agenda*, page 40. Prior to this development effort, the subject site has suffered from decline and lack of proper maintenance over the years until the recent demolition for construction of new units.

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

The subject property is served by all City services including water, sewer, natural gas, sanitation, and public safety. There are no known issues related to the City's ability to provide public services and utilities to this site or the project contemplated within these applications.

#### **ENVIRONMENTAL:**

The subject site does not lie within a wetland or special flood hazard zone. No environmental impact is expected as a result of the variances requested herein or the project anticipated by applicant.

#### **ANALYSIS:**

The applicant has requested a variance from Section 703 regarding density of the *Statesboro Zoning Ordinance* to increase the previously approved development cap of 688 bedrooms to 710 bedrooms for proposed development at 111 Rucker Lane. Section 703 of the *Statesboro Zoning Ordinance* limits developments within R4 high density residential districts to 12 dwelling units per developable acre. However, after the recent grant of 29 dwelling units per acre (344 dwelling units), the development was capped at 688 bedrooms (assuming 2 bedrooms per unit).

Although the Rucker Lane project is allowed 344 dwelling units total, they were only permitted for 192 units with 688 bedrooms total accumulating approximately 58 bedrooms per acre. The request to increase the number of bedrooms to 710 would allow approximately 60 bedrooms per acre with an aggregate of approximately 197.5 units per acre (assuming 4 bedrooms per unit), an increase of 5.5 units per acre from that which was permitted.

The *Statesboro Zoning Ordinance* does not expressly regulate the number of bedrooms per acre. However, bedroom density is generally accepted as the better method of impact than unit density and the City has generally considered



4 bedrooms per unit in its density related development requests. The applicant is proposing a change in concept that would maintain the formerly approved development footprint, but exchange a previously planned indoor basketball court with dwelling units, resulting in an additional 22 bedrooms. More recent density variances for the R4 district have allowed density increases up to 29 dwelling units per acre considering 4 bedrooms per unit resulting in 116 bedrooms per developable acre. This request would not have an impact that large as the applicant is only asking for 710 bedrooms, an increase in 22 bedrooms, for the entire site rather than the 1,382.72 bedrooms (4 bedroom units) permitted by 29 dwelling units per acre at 11.92 acres. For example, V 11-07-03 granted Monarch Apartments development a density variance to 29 dwelling units per acre up to 579 bedrooms.

**Section 1801 of the *Statesboro Zoning Ordinances* authorizes the City Council to grant variances from provisions of 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 the following in its consideration of a variance request:**

- 1. There are special conditions pertaining to the land or structure in question because of its size, shape, topography, or other physical characteristic and that condition is not common to other land or buildings in the general vicinity or in the same zoning district;**
  - The onsite cell tower and Georgia Power utility easement reduces the amount of developable acreage on the site.
- 2. The special conditions and circumstances do not result from the actions of the applicant;**
  - Neither of the above encumbrances were placed on the property by the applicant.
- 3. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
  - Strict application of the ordinance to this particular piece of property would create an unnecessary hardship given the bedroom cap placed on the previous request did not assume 4 bedrooms, or a mix thereof, when calculating density. The applicant has met the bedroom cap through permitting but has only reached approximately 55% of the permissible dwelling units per acre.
- 4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**
  - Redevelopment of blighted properties in the character area supported by the *Comprehensive Plan*.
  - This request would only increase the number of units by approximately 5.5 units per developable acre while staying well within the original 29 dwelling units per acre (or 344 units).
  - The *Long Range Transportation Plan* rated this segment of Rucker Lane at a level of service of C indicating that “travel speeds are slightly lower than the posted speed with noticeable delay in intersection areas” while traffic counts for the immediate area (or thereby relative) were 12,940 trips both ways for the year 2011 (during Varsity Apartments operation). Rucker Lane is serviced by curbs, gutters, and a sidewalk (from Highway 301 South to the boundary of the subject site) due to recent improvements in intersection, signalization, and pedestrian crossing facilities. Additional forthcoming pedestrian improvements are expected.
  - An increase of 22 bedrooms should not have an impact on traffic volumes at this time. Review of such by the City of Statesboro Engineering Department for previous permits rendered no objection to the anticipated traffic at this intersection and felt that recent intersection and pedestrian improvements at Highway 301 South / Rucker Lane / Old Register Road will serve the needs of the community and meet the potential impact of this development - including the pedestrian traffic anticipated by the student oriented population expected for this project traveling to and from the GSU campus.
  - No additional significant impact is anticipated.

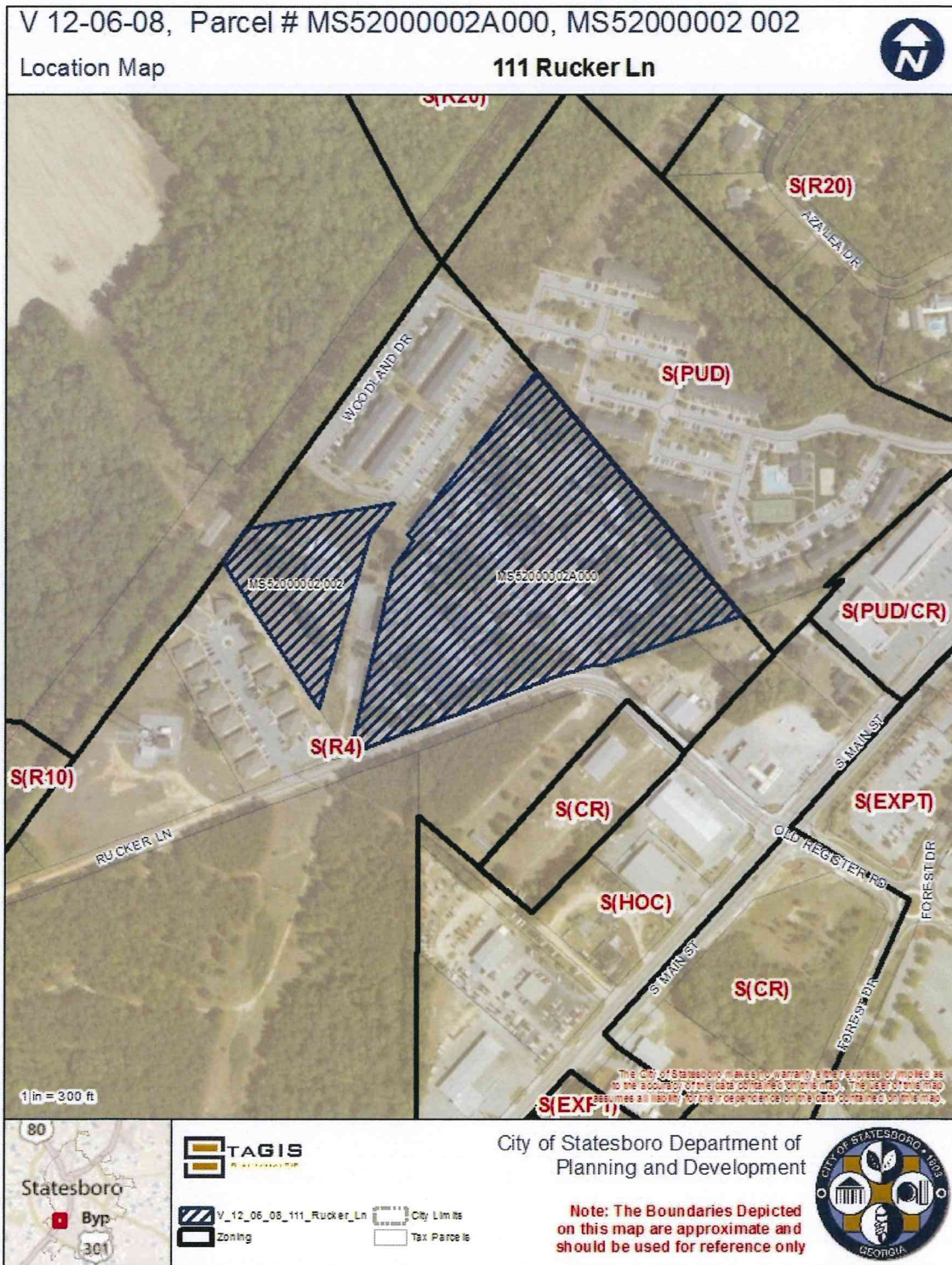
**STAFF RECOMMENDATION:**

Based on the factors of consideration given in Section 1801 as applied to this request, the adopted policies of the *Comprehensive Plan*, the public benefit in the redevelopment of the subject site, and past actions of the City Council, it is the recommendation of this report that **approval** of the requested variance from Section 703 of the *Statesboro Zoning Ordinance* be granted.

*(Please note: Sketch plan (Exhibit B) submitted for reference only. Approval of the variances requested herein does not constitute approval of any final site plan or variance).*

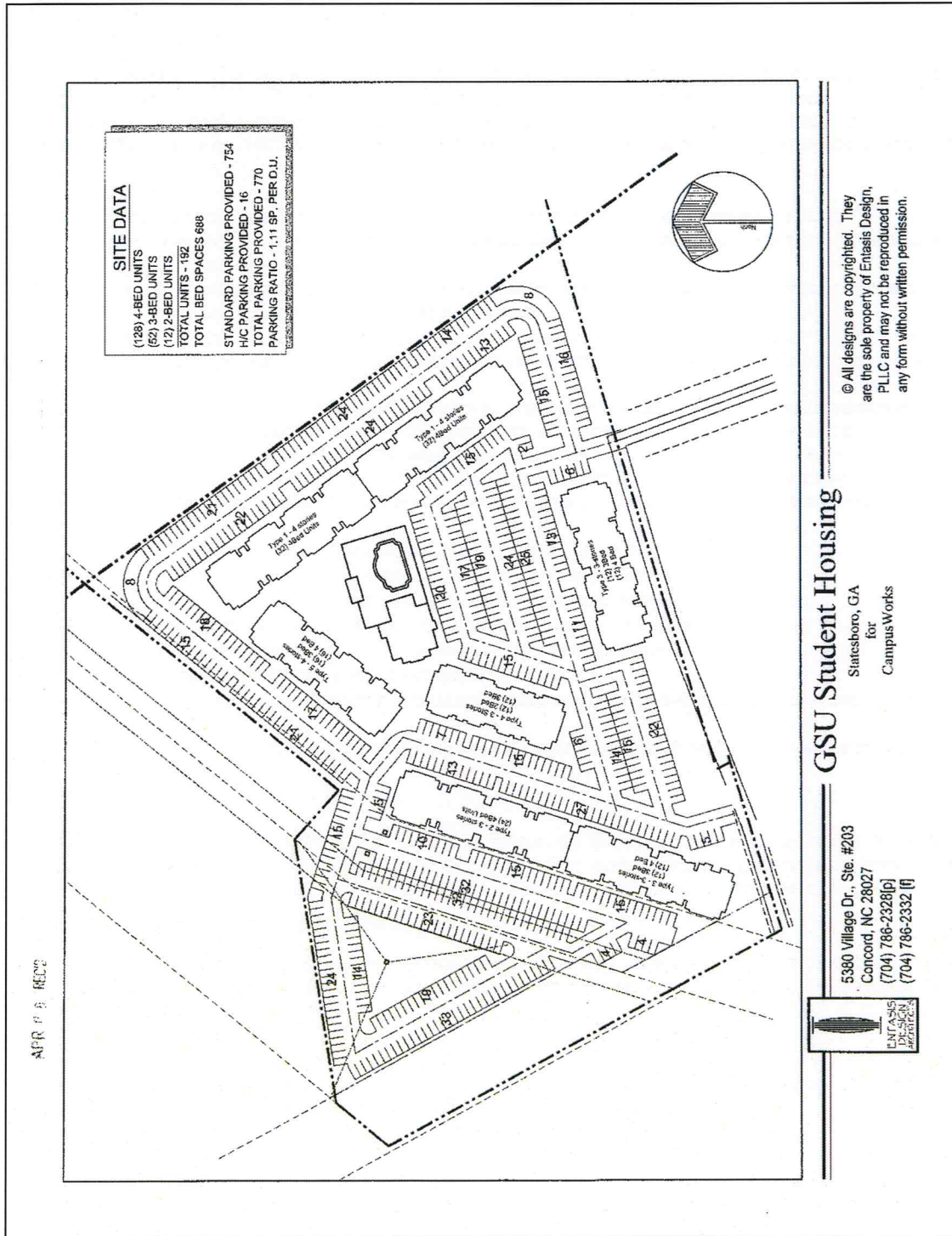


EXHIBIT A: LOCATION MAP





**EXHIBIT B: ORIGINAL SKETCH PLAN**



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



**Figure 1: Subject Property – Under Construction.**



**Figure 2: Intersection of Rucker Lane and Highway 301 South – viewed from Rucker Lane.**





City of Statesboro – Department of Community Development  
**DEVELOPMENT SERVICES REPORT**

P.O. Box 348  
 Statesboro, Georgia 30458

» (912) 764-0630  
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**V 12-06-09  
 VARIANCE REQUEST  
 SAGEBRUSH**

**LOCATION:** Sagebrush

**REQUEST:** Variance from Section 603 regarding lot size and setback requirements, and variance from Section 2203.1 regarding minimum size dwelling.

**APPLICANT:** Hendley Properties

**OWNER(S):** Hendley Properties

**LAND AREA:** Approximately .067 acres of 1.29 acre site.

**PARCEL TAX MAP #s:** MS74000076000

**COUNCIL DISTRICT:** District 5 (Chance)

V 12-06-09, Parcel # MS74000076 000

Location Map

Sagebrush



Statesboro By: [Signature] City of Statesboro Department of Planning and Development

**PROPOSAL:**

The applicant is requesting a variance from the requirements of Section 603 regarding lot size and setbacks and from Section 2203.1 of the *Statesboro Zoning Ordinance* regarding minimum size dwellings for approximately .067 acres of a 1.29 acre lot located in Sagebrush in anticipation of subdividing the parcel into a 2,900 square foot lot to construct a single family studio home. See **Exhibit A** for existing and proposed lot.

**BACKGROUND:**

The subject area of this request is located in Sagebrush off of Fair Road and is currently zoned R4 (High Density Residential). Sagebrush is an apartment extension of Hawthorne, which has been subdivided for the construction of several apartments, duplexes, and single family homes.

**SURROUNDING LAND USES/ZONING:**

	ZONING:	LAND USE:
<b>NORTH:</b>	R4 (High Density Residential)	Residential and Retirement Inn
<b>SOUTH:</b>	CR (Commercial Retail)	Church and Medical Facility
<b>EAST:</b>	R20 (Single Family Residential)	Vacant
<b>WEST</b>	CR (Commercial Retail)	Medical Offices and Carwash

The subject property is located in a primarily residential use area with the property's northern property line surrounded by parcels zoned R4 (High Density Residential) and utilized by Hendley Properties as residential facilities. Southern Manor Retirement Inn resides just to the northwest of the subject property. The southern parcels are zoned CR (Commercial Retail) and houses a church and medical facility, while the parcels to the west are also zoned CR (Commercial Retail) and are being utilized medical offices, carwash, etc. The parcels to the east are zoned R20 (Single Family Residential) but currently remain vacant. (See **Exhibit D**)

## 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 being dominated by auto-oriented design which will evolve into pedestrian-oriented shopping, office, and entertainment places that may also accommodate high-density residential development.

Small, mid-size, and regional retail and commercial, office, medical, entertainment, multifamily, and mixed uses are all appropriate land uses for properties within the Activity Centers character areas. Some suggested development and implementation strategies for the area include the following:

- Encourage infill, new, and redevelopment to build close to the street.
- Focus on redevelopment in areas of disinvestment.
- Include community gathering places, such as squares, plazas, etc. into commercial and mixed use developments.

*Statesboro Comprehensive Plan, Community Agenda pages 17-18.*

As illustrated in the *Comprehensive Plan*, mixed use in this area is favorable. Utilizing the subject site as a single family residential home inside of a planned apartment development promotes the mixed use goal set forth by the *Comprehensive Plan* with the subject site being surrounded by high density residential, single family residential and commercial retail. See **Exhibit A**.

## COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

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:

The subject property does not contain wetlands and is not located in a flood zone. 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 subject site is currently zoned R4 (High Density Residential) with a minimum lot size of 8,000 square feet for single family detached dwellings. The applicant is requesting a variance from Section 603 of the *Statesboro Zoning Ordinance* to allow for a lot area of 2900 square feet with a reduction in setback requirements from 20 feet to 10 feet for front, side, and rear yards. The applicant is also requesting a variance from Section 2203.1 which requires that each single family detached dwelling have at least 1,050 square feet. The applicant is requesting a reduction in this requirement to allow for a minimum size dwelling of 400 square feet.

The *Statesboro Zoning Ordinance* authorizes City Council to grant variances from provisions of 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". The request for variances from Sections 603 and 2203.1 should be considered in light of the four factors for determination of variances given in Section 1801 of the *Statesboro Zoning Ordinance*:

- (1) There are special conditions pertaining to the land or structure in question because of its size, shape, topography, or other physical characteristic and that condition is not common to other land or buildings in the general vicinity or in the same zoning district;**
  - The subject site is a portion (approximately .067 acres) of a 1.29 acre parcel that is irregular in shape and size making development in conformance with all standards of the *Statesboro Zoning Ordinance* difficult. See **Exhibit A**.
  - The proposed 2,900 square foot portion of the existing parcel is the only developable area of the entire parcel.
- (2) The special conditions and circumstances do not result from the actions of the applicant;**
  - The minimum size and setback reductions are necessitated by the small lot size.
- (3) The application of the ordinance to this particular piece of property would create an unnecessary hardship;**
  - Due to the shape and size of this lot, application of the ordinance to this particular piece of property has a different impact and effect on development than to a more regular shaped parcel.
  - A lot size variance, if granted, would hinder the applicant's ability to meet all setback requirements while forcing a reduction in building size; therefore, it is vital to consider reducing the setback requirements and building size as well when allowing a smaller lot than required by the ordinance.



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

- This request, if granted, would not cause substantial detriment to the public good; however, it is recommended that the private access drive entering Sagebrush from Fair Road be redesigned to meet access standards due to current safety concerns.
- Section R304 of *The International Residential Code* states that every dwelling unit shall have at least one habitable room that shall not have less than 120 square feet of gross floor area. As shown in **Exhibit "B"**, the applicant's minimum size dwelling request over exceeds these requirements.
- Although the required minimum lot size for the subject property is 8,000 square feet, many of the surrounding parcels are similar in size to the applicant's request.
- Traffic counts for the immediate area (and thereby relative to the subject property) were not recorded for the year 2011 while the *Long Range Transportation Plan* rated Fair Road at this segment at a level of service of D, which is considered deficient; however, no significant impact on traffic volume, safety, or capacity is expected as a result of this request.
- This segment of Fair Road is currently being served by sidewalks, curb, and gutters.

**STAFF RECOMMENDATION:**

Based on the factors of consideration for a variance given in Section 1801, *The Long Range Transportation Plan*, and *The Comprehensive Plan*, staff recommends approval of the variances requested by V 12-06-09 with the following condition:

1. The private drive entering Sagebrush from Fair Road must be redesigned to meet the 20 foot access standard.

*(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 A: LOCATION MAP

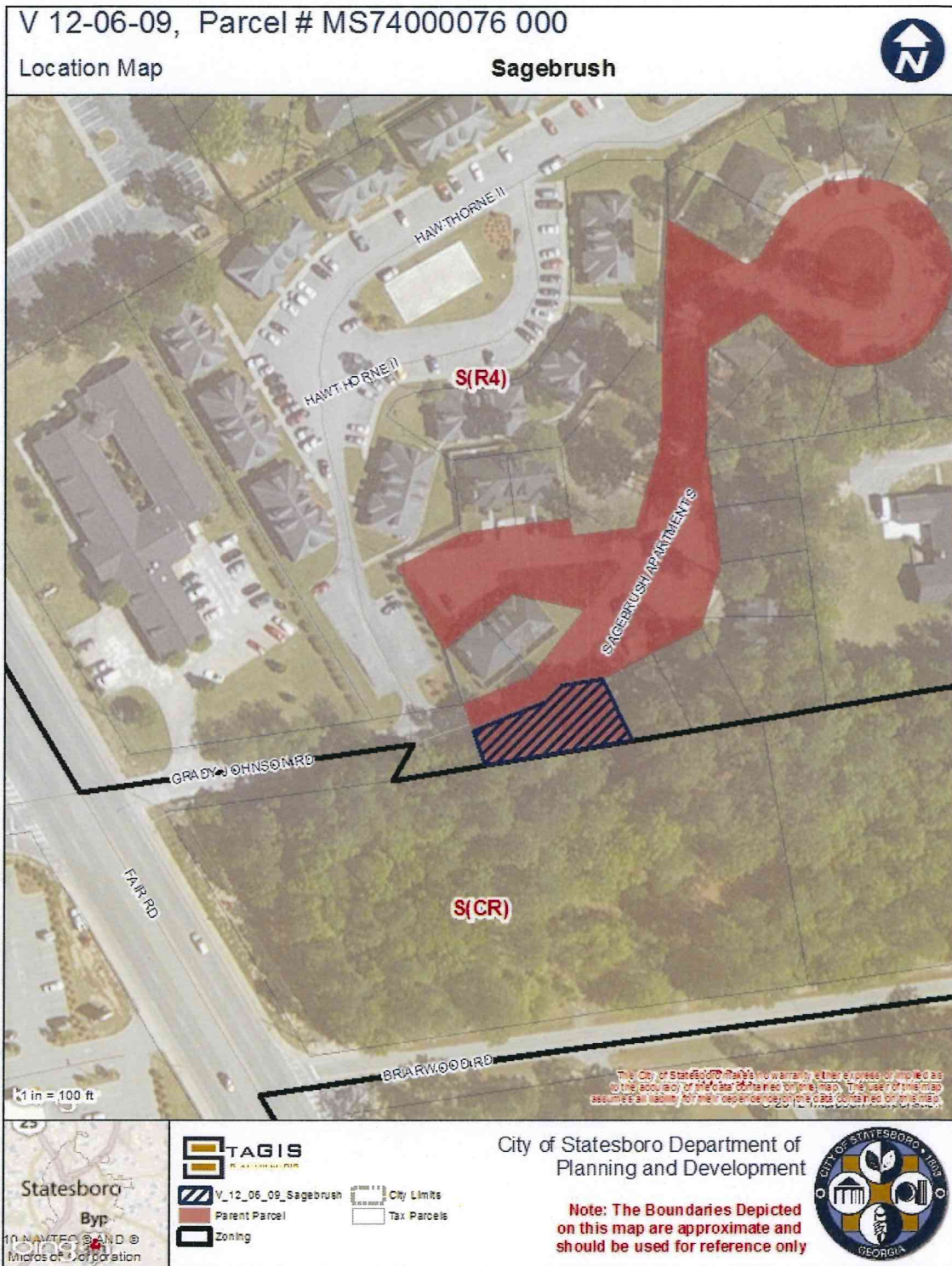
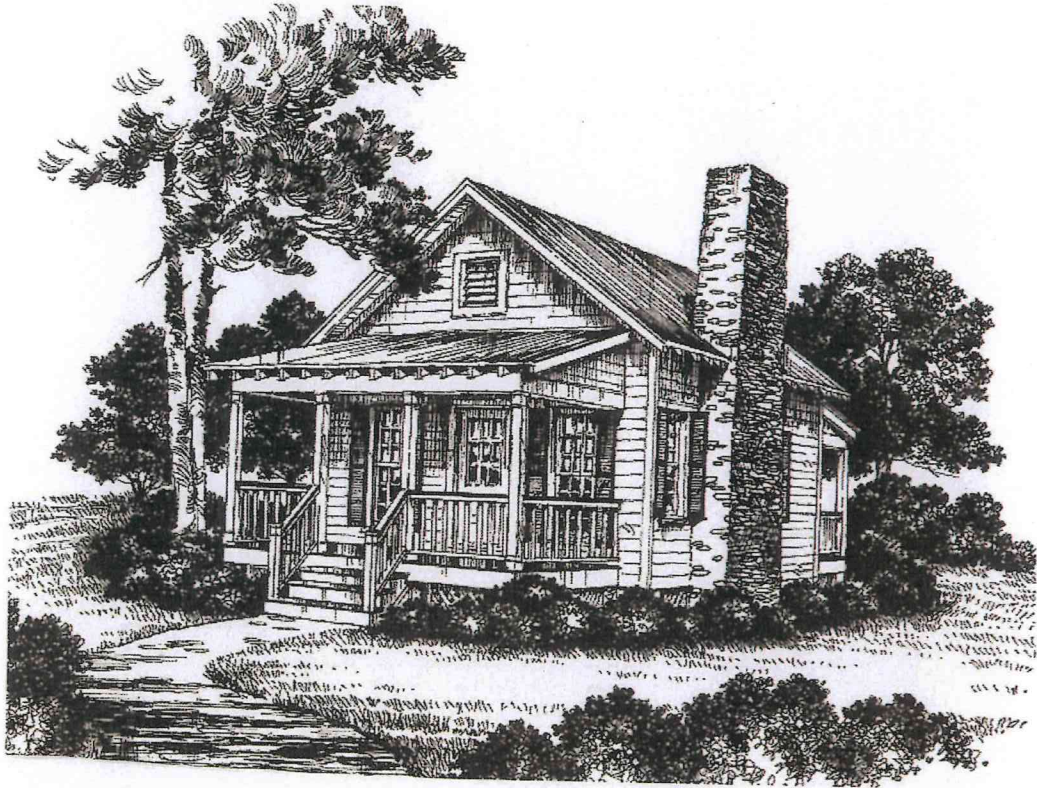






EXHIBIT C: MODEL HOME

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



**Figure 1: Entrance to Subject Property.**



**Figure 2: Subject Property.**

**EXHIBIT D: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY (CONT.).**



**Figure 4: Hawthorne II – Across from the Subject Property.**



**Figure 5: Exiting the Subject Property.**



**EXHIBIT D: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY (CONT.).**



**Figure 6: Southern Manor Retirement Inn adjacent to the Subject Property.**



**Figure 7: Medical Center across Fair Road from the Subject Property.**