

Subdivision Petition No. 22-01

**(Parcel # 01-03425 & #01-03423
Addition to 607 M Street)**

**Staff Report
John Hunter**

*Director
Planning, Development & Codes*

**City of Brunswick
Planning & Appeals Commission
March 9, 2022**

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Requested Subdivision

XXXX owner, has requested a re-subdivision to parcels #01-03425 & #01-03423 in the New Town subdivision.

Existing Conditions

Both parcels currently contain a single residence. The 997 square foot residence at 607 M Street is on an 1,800 square foot parcel. The 1,132 square foot residence at 2307 Union Street is on an 5,400 square foot parcel. Both parcels are zoned General Residential (GR).

location map



Proposed Subdivision

The request is to resubdivide the parcels in order to provide a rear yard for 607 M Street as part of a real estate transaction. As designated on the attached plat, a 15' x 30' portion of Parcel 01-03425 (2307 Union Street) would be added to Parcel # 01-03423 (607 M Street). As a result, Parcel 01-03425 would be 4,950 square feet, and Parcel 01-03423 would be 2,250 square feet.

Combined Preliminary Plat and Final Plat Approval

This public hearing will comprise the City's public hearing requirements for both preliminary plat and final plat approval.

Staff Recommendation

Typically, the goal of a re-subdivision is to provide relief for an encroachment or to divide a large parcel into multiple parcels that still meet our prescribed minimum standards. However, as much of Brunswick was developed prior to the establishment of zoning regulations in 1929, the PAC is asked to consider a unique situation that will impact parcels that do not meet minimum standards, and the resulting re-subdivision will not bring the sub-standard parcel into compliance. Our Subdivision Regulations in Appendix B, Article IX, Section 902 contemplate this by allowing the PAC to vary from the minimum standards:

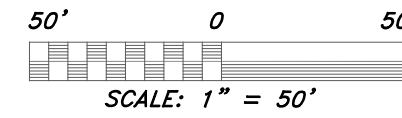
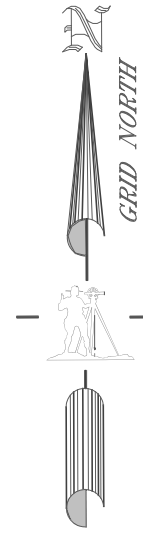
"These subdivision regulations are the minimum standards for the protection of the public welfare. However, where a regulation would cause demonstrably unique and undue hardship as it applies to any particular subdivider's property, the Planning Commission, by an affirmative vote of at least five (5) of its total membership, or the Commissioners of the City of Brunswick on appeal may grant the subdivider a variance from the strict application of the regulation if such variance will not nullify the objectives of these subdivision regulations.

In granting a variance, the Planning Commission or the Commissioners of the City of Brunswick on appeal may impose conditions that will substantially secure the objectives of the particular regulation that is varied. A complete record of the reasons for the approval of any variance must be entered in the official minutes of the Planning Commission, or the official minutes of the City of Brunswick on appeal."

In this instance, the increase in the size of Parcel 01-03423 is substantial – 25%. In examining surrounding conditions, there is no feasible way to increase the parcel further without infringing on others private property rights or without creating another sub-standard lot. Staff believes that requiring Parcel 01-03423 (607 M St) to meet the minimum lot size of 4,500 square feet is an undue hardship, and not in the best interest of the public welfare. Increasing the parcel size as much as practical makes the parcel more marketable, and more attractive as a single family residence – which benefits the entire community.

Because the ability to vary from the minimum standards exists within our Subdivision procedures, there are no advertising or notification requirements needed to allow the PAC to take this action.

Staff recommends approval of SD 22-01, and recommends that as outlined in Section 902 any motion to approve include a statement that "SD 22-01 is approved with a Variance to the minimum lot size requirement as enforcement of this standard is infeasible and creates an undue hardship".



BEARINGS AND COORDINATES SHOWN HEREON ARE RELATED TO THE STATE OF GEORGIA COORDINATE SYSTEM (EAST ZONE) NAD83, USING A SPECTRA PRECISION (EPOCH 50) GPS SYSTEM IN REAL TIME KINEMATICS MODE, ALL OBSERVATIONS WERE MADE DURING TIME PERIODS WHEN EIGHT OR MORE SATELLITES WERE AVAILABLE.



VICINITY MAP
NOT TO SCALE

RESERVED FOR THE CLERK OF SUPERIOR COURT

SURVEYOR'S NOTE 1:

SOME RESEARCH HAS BEEN DONE, OR DEEDS WERE PROVIDED OR THIS PROPERTY WAS SURVEYED UNDER THE DIRECT SUPERVISION OF THE PERSON ORDERING THE SURVEY. HOWEVER, THIS SURVEYOR DOES NOT GUARANTEE TITLE. CONSULT YOUR TITLE ATTORNEY TO BE CERTAIN THIS PROPERTY HAS A CLEAR TITLE.

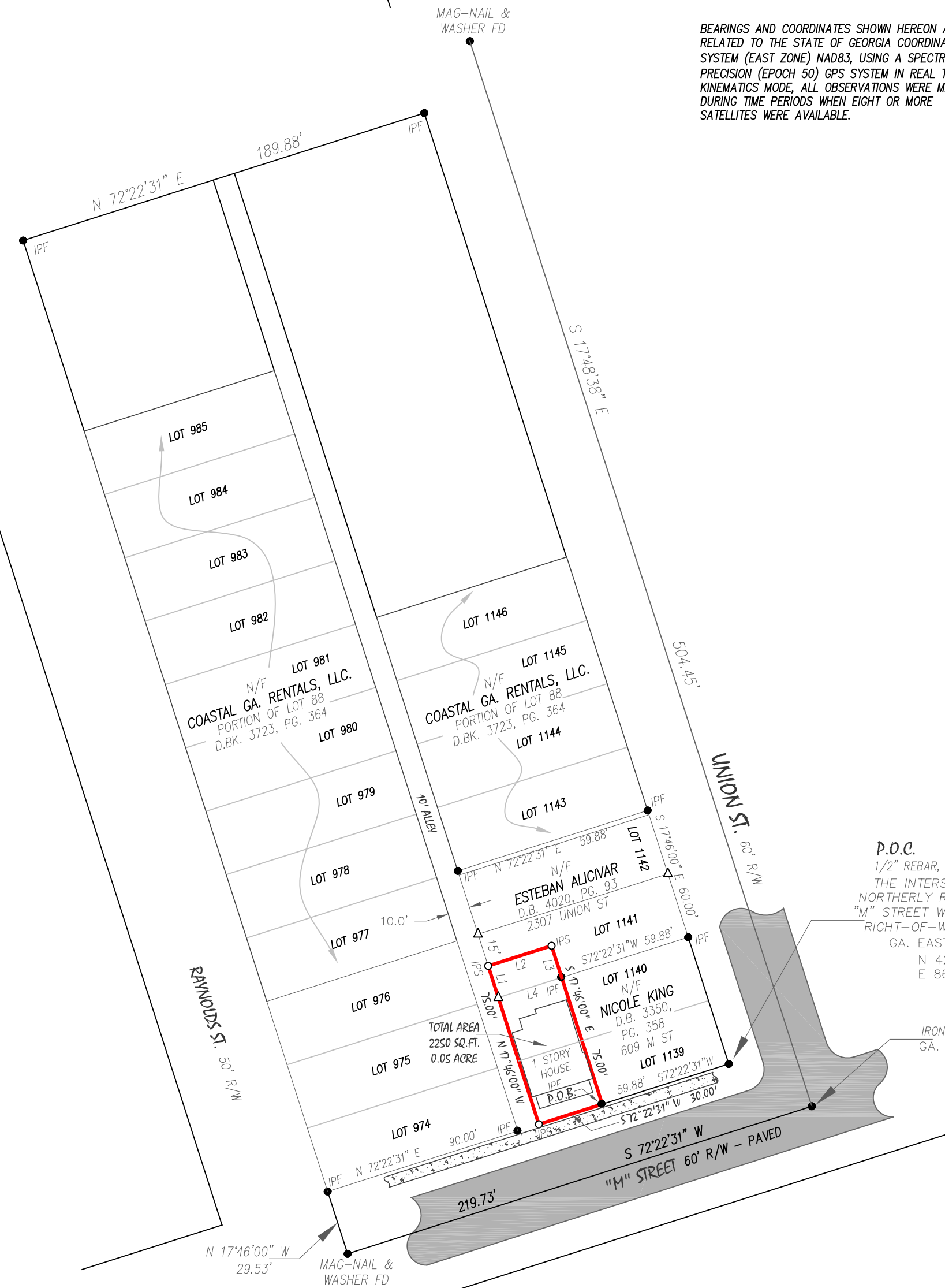
SURVEYOR'S NOTES:

1. THIS SURVEY WAS DONE UNDER THE DIRECTION OF WILLIAM LIGON, THIS SURVEY DOES NOT MAKE ANY GUARANTEES, EITHER EXPRESSED OR IMPLIED, AS TO THE OWNERSHIP OF THE LANDS SURVEYED.
2. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE ABSTRACT. ALL DOCUMENTS OF RECORD REVIEWED ARE NOTED HEREON. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT MAY AFFECT THIS SURVEY
3. THERE MAY EXIST ADDITIONAL RESTRICTIONS LYING OVER SUBJECT PROPERTY THAT ARE NOT SHOWN HEREON WHICH MAY BE RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY.
4. NO ATTEMPT HAS BEEN MADE TO DETERMINE WETLAND AREAS OR OTHER ENVIRONMENTAL ISSUES, IF ANY, THAT MAY AFFECT THE SUBJECT PROPERTY.
6. PLEASE REFER TO THE CITY OF BRUNSWICK ZONING REGULATIONS FOR BUILDING SETBACK REQUIREMENTS.
7. PIONEER LAND SURVEYING, AND THE LAND SURVEYOR WHOSE SEAL IS AFFIXED HERETO DOSE NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN
8. EXCEPT AS SHOWN, UNDERGROUND FEATURES WERE NOT LOCATED. WHEN UNDERGROUND FEATURES ARE SHOWN, OTHERS MAY BE PRESENT BUT NOT SHOWN. UTILITY COMPANIES SHALL BE CONTACTED PRIOR TO ANY EXCAVATION.
9. ALL INFORMATION SHOWN ON THIS SURVEY ARE BASED ON THE FIELD WORK AND THE MONUMENTS FOUNDED AT THE TIME OF THIS SURVEY.
10. CURRENT OWNERS & VESTING DEEDS: PARCEL ID 01-03423 AND 01-03425 ESTEBAN ALICIVAR D.B.K. 4020, PG. 93 OF THE PUBLIC RECORDS OF GLYNN COUNTY.
11. THIS PROPERTY IS SHOWN TO LIE IN FLOOD HAZARD ZONES "X" (UN-SHADED) AS PER F.I.R. MAPS, COMM. PANEL No. 13127C0236H, MAP No. 236, DATED JAN 05, 2018, FOR GLYNN COUNTY, GEORGIA.
12. ALL LOTS WILL BE SERVICED BY COUNTY WATER & SEWER (JWSC)

SURVEYOR'S NOTE 2:

IT IS THIS SURVEYOR UNDERSTANDING THAT THE SURVEYED PROPERTY SHOWN HEREON THIS SURVEY (A PORTION OF LOTS 1139, 1140 AND A PORTION OF LOT 1141) OF THE TOWN COMMONS SUBDIVISION, WILL BE ALL COMBINED IN TO ONE PARCEL.

LINE TABLE		
LINE	LENGTH	BEARING
L1	15.00'	N 17°46'00" W
L2	30.00'	N 72°22'31" E
L3	15.00'	S 17°46'00" E
L4	30.00'	S 72°22'31" W



P.O.C.
1/2" REBAR, FOUND
THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF "M" STREET WITH THE WESTERLY RIGHT-OF-WAY OF UNION ST
GA. EAST ZONE (NAD83)
N 422589.1540
E 865541.9700

IRON BAR FOUND @ CL-CL
GA. EAST ZONE (NAD83)
N 422589.1540
E 865541.9700

A MAP TO SHOW A BOUNDARY SURVEY OF PARCEL ID # 01-03423 BEING THE WESTERLY 30 FEET OF LOTS 1139, 1140 OF THE TOWN COMMONS SUBDIVISION AND A RE-SUBDIVISION OF LOT 1141 BEING A PORTION OF PARCEL ID # 01-03425, ALL IN THE CITY OF BRUNSWICK IN THE 26th G.M.D., GLYNN COUNTY, GEORGIA

FIELD DATE: JANUARY 15, 2022

SURVEYOR'S CERTIFICATION:

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A REGISTERED LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVAL OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUMS TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN AS SET FORTH IN O.C.G.A. SECTION 15-6-67.



PREPARED BY:
PIONEER LAND SURVEYING
963 WHOOPING CREEK ROAD
CARROLLTON, GEORGIA 30116
PHONE: 770-838-1919
FAX: 888-838-7789
Pioneer Land Surveying is
a DBA for PLSWG, Inc.
www.plswg.net

CLOSURE STATEMENT

The field data upon which this plat is based has a closure precision of one foot in 37,249 feet, and an angular error of 3.0 sec. per angle point. and was adjusted using the Least Square Method.

This plat has been calculated for closure, and is found to be accurate within one foot in 330,000 feet.

This survey was made using a Trimble 5600 Total Station, which reads distances to the nearest 0.007 foot and with direct reading to 3 seconds for angular measurement.

SURVEY FOR:

THE LIGON LAW FIRM

27TH G.M. DISTRICT – GLYNN COUNTY – GEORGIA

PLAT DATE: FEB 20, 2022

FIELD S.M.	DRAFTER SAM	PROJECT NO. J22-483-A
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REVISIONS

NOTE: THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREON. THIS FIRM ASSUMES NO LIABILITY TO THE PERSON, PERSONS, OR ENTITY NOT NAMED HEREON, AND ANY USE BY UNNAMED PARTIES WILL DO SO AT THEIR OWN RISK.

01-30-2022
SURVEYOR: LESTER E. BELL, LS002935 DATE