

# **Conditional Use Petition No. 21-04**

**(1102 L St)**

**Staff Report**

**John Hunter**

*Director*

*Planning, Development, and Codes*

**Planning and Appeals Commission**

**Public Hearing**

**December 8, 2021**

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## Requested Conditional Use

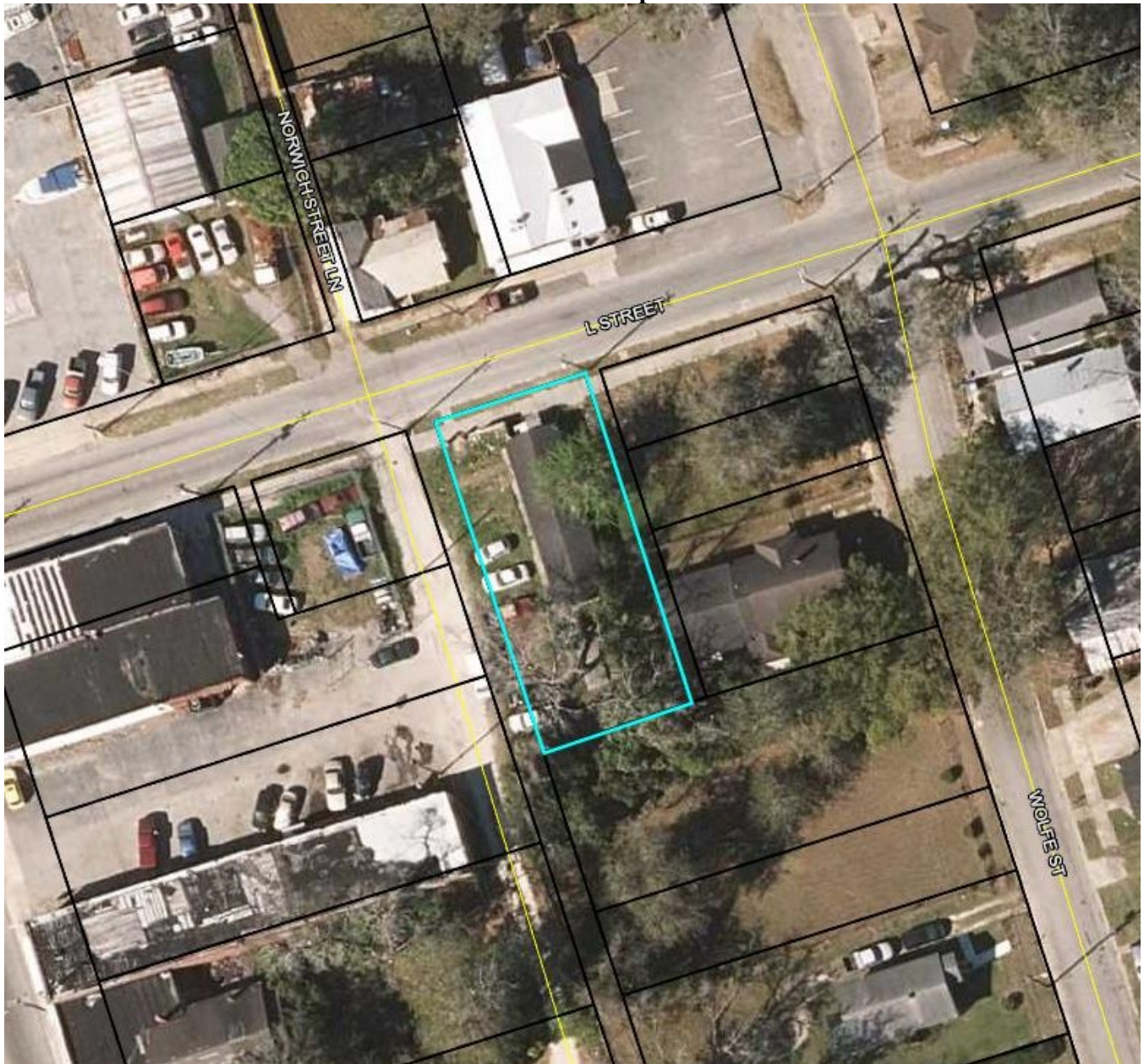
Susan Weeks is petitioning for a Conditional Use for 1102 L St. The location will be used for storage for UHaul Truck rentals.

## Existing Conditions

The subject parcel is .16 acres ± in size with an 806 square foot building and limited parking. The location has been used in the past for retail.

The subject parcel is shown outlined in blue on the following location map.

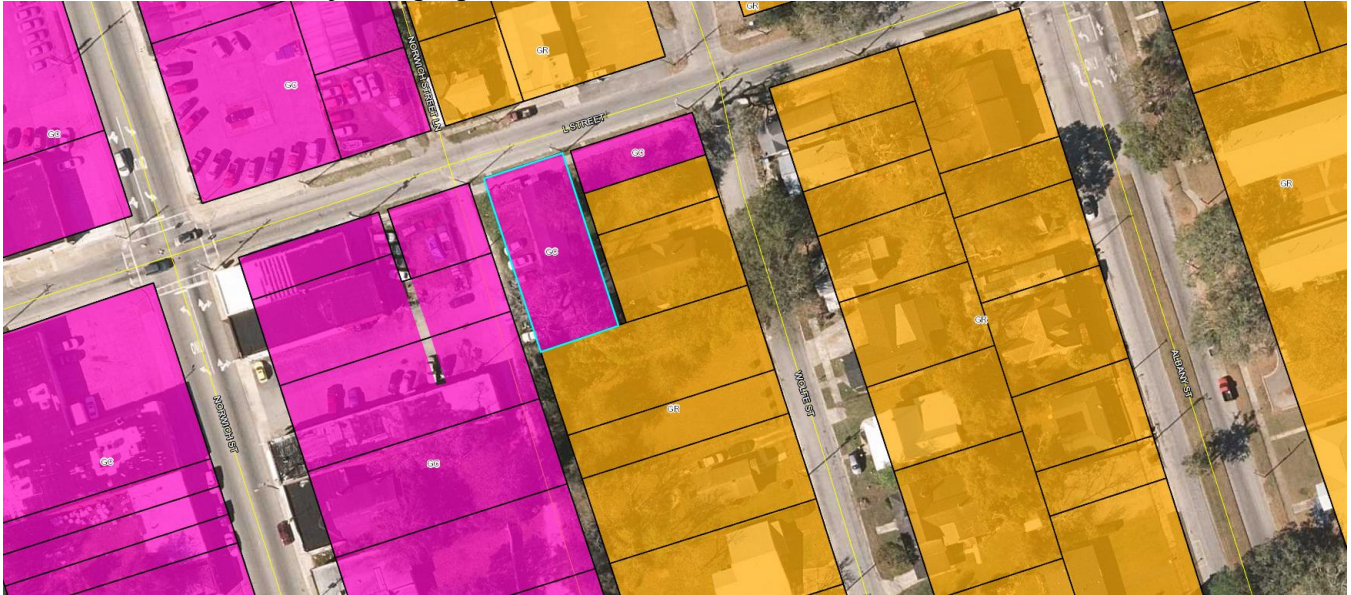
**Location Map**





## Existing Zoning

The subject parcel is zoned General Commercial (GC). Parcels across Norwich Street Ln are zoned GC. Parcels across L Street are zoned General Residential (GR). Adjacent parcels to the east are a mix of GC and GR. with other adjacent properties zones GC.



## Proposed Development

The property currently contains building that was formerly retail but has been vacant for some time. The applicant states that her office is on Community Road and that this location would be for rental vehicle storage and drop off. They do not indicate any use for the building.

## Staff Analysis

### ***Conditional Use***

The following uses shall be permitted on a conditional basis in any GC zoning district, subject to conditions set forth in section 23-25-4.

“(f) Open yard use for the sale, rental and/or storage of materials or equipment excluding junk or other salvage, provided that such uses are separated from adjoining residential properties by a suitable planting screen, fence, or wall at least six feet in height above finish grade.”

The conditional use process allows the City Commission to place conditions on a parcel to make certain that the proposed uses are compatible with surrounding uses.

Staff notes that the permit authorizing a conditional use will only be valid for that particular conditional use and will expire if the conditional use or operations pertaining thereto ceases for more than six continuous months for any reason. If the conditional use expires, the property can still be used for any of the permitted uses in the underlying GC (General Commercial) zone district.

## Staff Recommendation

Staff recommends in denying the Conditional Use request. The .16 acre lot is insufficient in size to accommodate the storage of vehicles. The only vehicle access is from an unpaved Lane, and does not provide sufficient ingress and egress from the property.

Code Enforcement has pursued the applicant since April 2020 to rectify the zoning violation. It was only upon issuance of a citation that the applicant responded to requests remove the vehicles or to apply for a Conditional Use and Business License. While the applicant estimates four trucks and three trailers to be stored at the property, UHaul is a by-reservation business that will lead to more vehicles being scheduled for pick up or drop off than the parcel can accommodate. Additionally, rental vehicles have continually been parked within the Lane and on adjacent property, which provides more evidence that the property is insufficiently sized to accommodate the proposed activity.



## Appendix A – conditional use standards

Sec. 23-26-12. - Criteria to consider for applications.

The planning and appeals commission and the governing body shall consider the following standards in considering any rezoning, zoning amendment, or Conditional Use Permit application, giving due weight or priority to those factors that are appropriate to the circumstances of each proposal:

- (a) Is the proposed use compatible with the purpose and intent of the comprehensive plan?
- (b) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?
- (c) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?
- (d) Are there substantial reasons why the property cannot or should not be used as currently zoned?
- (e) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?
- (f) Is the proposed use supported by new or changing conditions not anticipated by the comprehensive plan or reflected in the existing zoning on the property or surrounding properties?
- (g) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

(Ord. No. 1055, § 3(Exh. A), 3-21-2018)

Sec. 23-26-14. - Additional criteria to consider for conditional use permit applications.

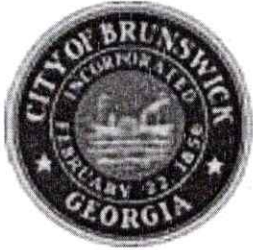
The planning and appeals commission and the governing body shall consider the following standards in considering any conditional use permit application, giving due weight or priority to those factors that are appropriate to the circumstances of each proposal:

- (a) The type of street providing access to the subject property is adequate to serve the proposed conditional use permit.
- (b) Access into and out of the property adequately provides for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles.
- (c) Public facilities such as schools, water or sewer utilities, and police or fire protection are adequate to serve the conditional use permit.
- (d) Refuse, service, parking and loading areas on the property are located and screened to protect other properties in the area from such adverse effects as noise, light, glare or odor.
- (e) The hours and manner of operation of the conditional use permit have no adverse effects on other adjacent or surrounding properties.
- (f) The height, size and location of the buildings or other structures proposed on the property are compatible with the height, size or location of buildings or other structures on neighboring properties.

(Ord. No. 1055, § 3(Exh. A), 3-21-2018)



## **Appendix B – conditional use application**



# CITY OF BRUNSWICK, GEORGIA

## CONDITIONAL USE PERMIT APPLICATION

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THIS APPLICATION MUST BE FILED WITH THE PLANNING, DEVELOPMENT & CODES DEPARTMENT 20 DAYS BEFORE THE PLANNING AND APPEALS COMMISSION MEETING AT WHICH IT WILL BE HEARD. THE BRUNSWICK PAC WILL HOLD AT LEAST ONE PUBLIC HEARING AND MAKE A RECOMMENDATION ABOUT YOUR REQUEST WITHIN 65 DAYS OF THE DATE YOU FILE A COMPLETE APPLICATION. THE CITY COMMISSION WILL THEN ISSUE OR DENY THE PERMIT. YOU ARE ENCOURAGED TO READ SECTION 23-26-2 OF THE ZONING ORDINANCE REGARDING CONDITIONAL USE PERMITS. A **\$200 FEE** IS REQUIRED FOR THE APPLICATION TO BE CONSIDERED COMPLETE.

TO BE COMPLETED BY THE APPLICANT

- YOUR NAME Susan Weeks PHONE NUMBER (912) 399-9661  
ADDRESS 3725 Community Dr. Brunswick, Ga. 31520
- THE PLANNING DIRECTOR INFORMED ME THAT A SPECIAL USE PERMIT IS REQUIRED AT THE TIME I APPLIED FOR: CHECK ONE ( ) BUILDING PERMIT ( ) A ZONING AMENDMENT (REZONING)
- STREET ADDRESS 1102 L Street  
PARCEL NO. \_\_\_\_\_ Lot No. \_\_\_\_\_ ZONING MAP NO. \_\_\_\_\_
- PRESENT ZONING \_\_\_\_\_
- OWNER OF PROPERTY, IF NOT YOU: NAME Hershall Thomas  
ADDRESS \_\_\_\_\_ PHONE (912) 506-4318
- PROPOSED USE OF PROPERTY Thrift store / Uhaul rental  
My office is on Community and trucks are stored on L street
- PLEASE ATTACH A SIMPLE MAP SHOWS THE NAMES OF ALL ADJACENT PROPERTY OWNERS AND THE TYPES OF EXISTING LAND USES WITHIN 300 FEET OF YOUR PROPERTY.

Susan Weeks \_\_\_\_\_ 10-26-2021  
SIGNATURE DATE

TO BE COMPLETED BY THE PDC DIRECTOR OR DESIGNEE

- HAS THE CORRECT FEE BEEN PAID? ( ) YES ( ) NO AMOUNT \$ \_\_\_\_\_
- DATE COMPLETE APPLICATION WAS FILED: \_\_\_\_\_
- LIST ATTACHMENTS:  
( ) SIMPLE MAP WITH ADJACENT PROPERTY OWNERS' NAMES AND EXISTING USES  
( ) SITE PLAN
- PUBLIC HEARING  
DATE APPLICANT WAS NOTIFIED: \_\_\_\_\_  
DATE HEARING WAS ADVERTISED: \_\_\_\_\_  
DATE HEARING WAS HELD: \_\_\_\_\_
- PLANNING COMMISSION RECOMMENDED: ( ) APPROVAL ( ) DENIAL  
CONDITIONS OF APPROVAL OR REASONS FOR DENIAL: \_\_\_\_\_
- CITY COMMISSION: ( ) APPROVAL ( ) DENIAL  
CONDITIONS OF APPROVAL OR REASONS FOR DENIAL: \_\_\_\_\_
- DATE APPLICANT WAS NOTIFIED OF FINAL ACTION: \_\_\_\_\_



10/26/2021

Susan Weeks is  
a tenant at 1102 L St  
and is authorized  
to use the property  
for thrift/resale  
purposes and to rent  
and store Uhaul  
rental equipment

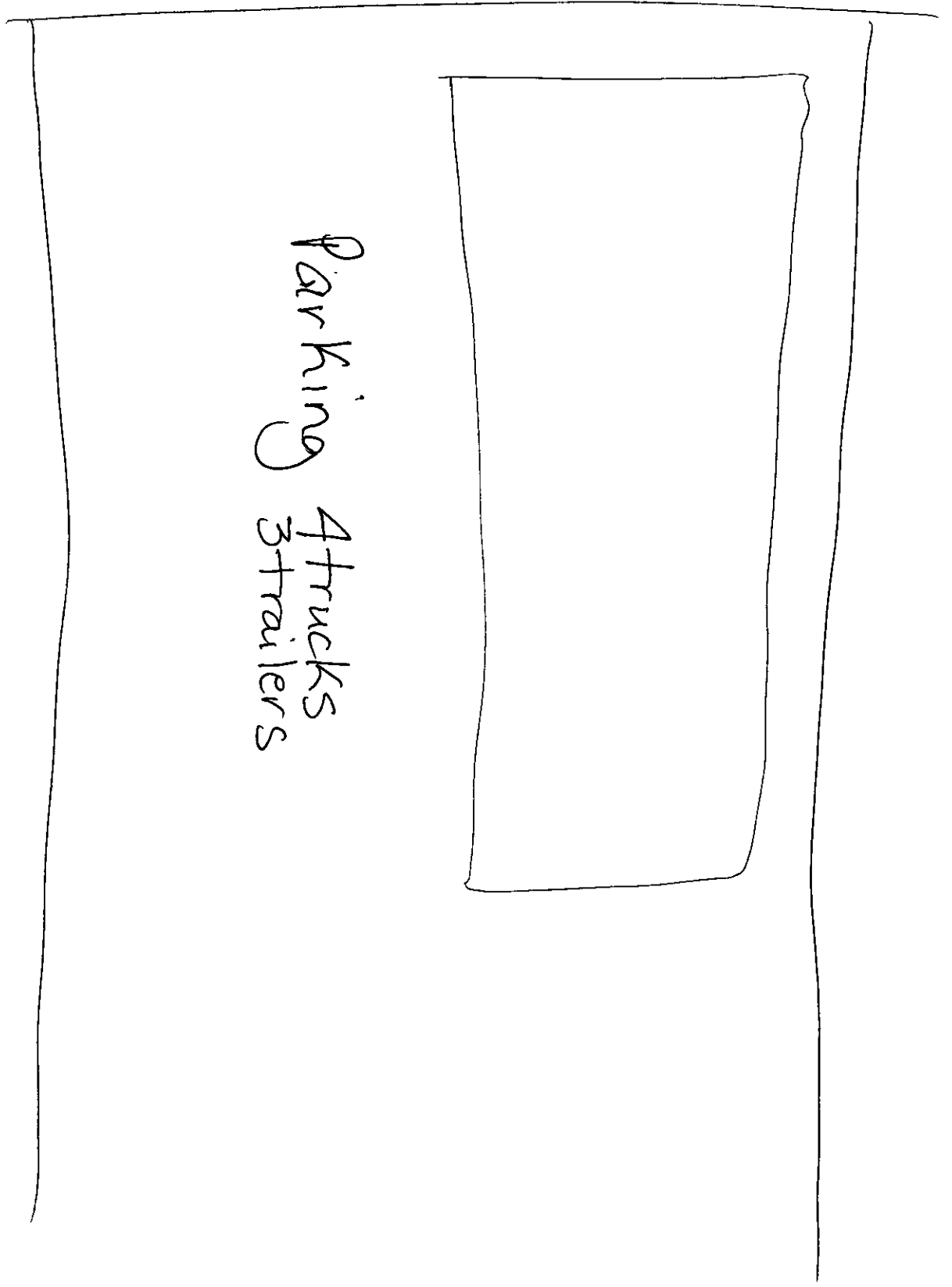
Hershall Thomas  
912 506-4318

\* Susan Weeks signed for  
Hershall Thomas,

L St

Parking  
4 Trucks  
3 Trailers

Norwich St Ln



## **Appendix C – correspondence from the public**

*(none)*