

Conditional Use Petition No. 22-01

(2120 Newcastle Street)

Staff Report

John Hunter

Director

Planning, Development, and Codes

Planning and Appeals Commission

Public Hearing

May 11, 2022

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Requested Conditional Use

Joe Stalvey is petitioning for a Conditional Use for 2120 Newcastle St. The location will be used for used for the sale of portable buildings.

Existing Conditions

The subject parcel is 1.16 acres ± in size and has been vacant for a number of years. The subject parcel is shown outlined in blue on the following location map.

Location Map



Existing Zoning

The subject parcel is zoned Highway Commercial (HC). Parcels across Newcastle Street Ln are zoned GR Residential. Properties to the north and south are zoned Highway Commercial (HC). To the west is Basic Industrial (BI).



Proposed Development

The property is currently vacant. The applicant proposes to create a parking area accessed from L Street and erect a small office. Portable buildings for sale would be stored on site.

Staff Analysis

Conditional Use

The following uses shall be permitted on a conditional basis in any HC 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 recommends the following conditions:

1. Fencing currently adjacent to Newcastle Street Lane should remain in place and have screen added, or suitable planting to separate the use from the adjoining residential properties.

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 HC (Highway Commercial) zone district.

Staff Recommendation

Staff recommends in favor of granting the requested conditional use with the following conditions:

1. Fencing currently adjacent to Newcastle Street Lane should remain in place and have screen added, or suitable planting to separate the use from the adjoining residential properties.

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)

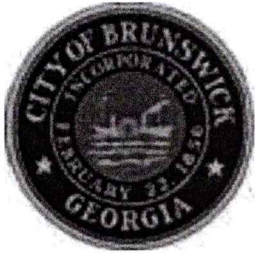
Sec. 23-26-14. - Additional criteria to consider for conditional use permit applications.

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 Joe Stalvey PHONE NUMBER 229.375.3157
ADDRESS _____ EMAIL: jstalvey83@gmail.com
- 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 2120 Newcastle St. Brunswick, Ga
PARCEL NO. 01-03648 Lot No. 468-480 ZONING MAP NO. _____
- PRESENT ZONING HC
- OWNER OF PROPERTY, IF NOT YOU: NAME _____
ADDRESS _____ PHONE _____
- PROPOSED USE OF PROPERTY Portable Building lot
- 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.

SIGNATURE _____ DATE 3/11/2022

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: _____



- 500 - Ramkabil, LLC
- 2123 - Tommie Shadron
- 2119 - 2119 Rental St, LLC
- 2115 - Suncoast Homes, Inc
- 2111 - Southeastern Educational Services, Inc.
- 2106 - Obuchowski Stanley + Frankie Trust + David Quarterman
The Summit of UpTown

01-02721

Appendix C – correspondence from the public

(none)