

Variance Petition No. 22-02

1120 Union Street
(minimum setback)

Staff Report
John Hunter
Director
Planning, Development & Codes

City of Brunswick
Planning and Appeals Commission
Public Hearing
June 8, 2022

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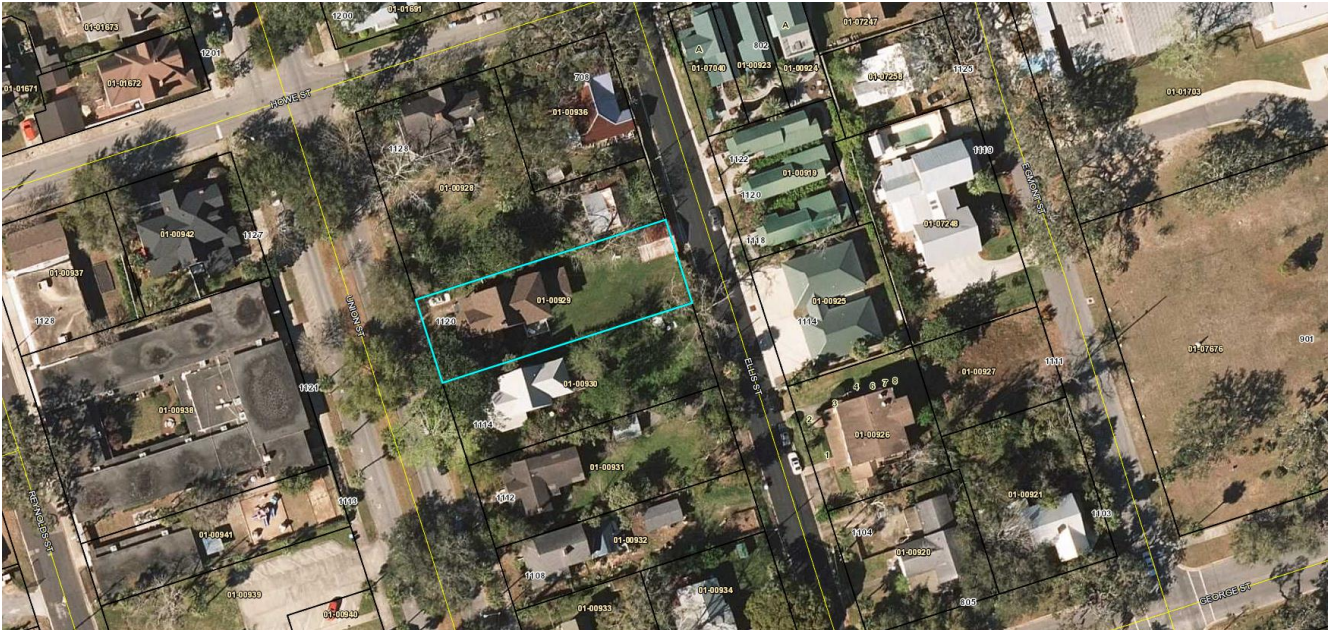
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Variance Request

Jay Cason, owner, requests a decrease of the minimum side setback requirement from 5 feet to 3'8".

Existing Development

The subject parcel is .25 acres and is zoned General Residential (GR). It contains a 3,316 square foot residence built circa 1890, and a garage that abuts the Ellis Street Right of Way constructed in the 1960s. The parcel is outlined in blue on the map below:



location map

Proposed Variance

Within City of Brunswick Zoning Ordinance, GR zoning, Minimum Side Setback is established as 5 feet (Sec. 23-6-4 (g)). The variance is proposed to allow a reduction to 3'8".

Variance Criteria

The City Commission may grant variances to the requirements listed in the zoning ordinance "...where, owing to special conditions, a literal enforcement of the provisions of the Ordinance will result in unnecessary hardship in the individual case (Sec. 23-26-56)." The Planning and Appeals Commission is directed to consider the following criteria (Sec. 23-26-66) in considering a variance application:

- (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;
- (b) The application of this Code to this particular piece of property would create an unnecessary hardship; and

- (c) There are conditions that are peculiar to the property which adversely affect its reasonable use or usability as currently zoned.
- (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Code.
- (e) There must be a proved hardship by showing beyond a doubt the inability to make a reasonable use of the land if the zoning ordinance were applied literally.
- (f) The hardship cannot be self-created; e.g., as in a case where the lot was purchased with the knowledge of an existing restriction.

The demolition of the existing garage is due to continued flooding during storm events. This section of Ellis Street has been recognized by City Engineering as a problem area. Adding to the Ellis Street flooding, water from Union Street is funneled down the existing driveway across the property toward Ellis Street. The proposed solution will be to remove the curb cut on Union and the existing driveway, and add fill to the yard closest to Ellis Street, in addition to building a small retaining wall at the Ellis Street property line. This necessitates the demolition of the existing garage, which is situated on the Ellis Street property line and 3’8” from the northern property line. After elevating the grade, the applicant proposes to move the garage off the Ellis Street Property line 15 feet. However, to keep the building aligned with the existing curb cut, he proposes to maintain the existing 3’8” distance from the northern property line.

Staff Recommendation

Excess storm water from city infrastructure has created a hardship that is necessitating changes to the property and buildings. Due to this staff recommends approval of the variance.



Photograph of site from Ellis Street

Appendix A - variance application

Appendix B - correspondence from the public



CITY OF BRUNSWICK, GEORGIA



VARIANCE APPLICATION

APPLICANT: READ PART A COMPLETELY, THEN ANSWER EACH ITEM IN PART B. PLEASE PRINT OR TYPE. DO NOT WRITE IN PART C. PLANNING STAFF WILL HELP YOU, IF NECESSARY. YOU MUST FILE THIS APPLICATION AND ALL REQUIRED MATERIALS WITH THE PLANNING & DEVELOPMENT AND CODES DEPARTMENT AT LEAST 20 DAYS BEFORE THE PLANNING COMMISSION MEETING AT WHICH IT WILL BE CONSIDERED. **A \$200 FEE IS REQUIRED TO BE SUBMITTED FOR THE APPLICATION TO BE CONSIDERED COMPLETE.**

PART A GENERAL INFORMATION

YOU ARE ENCOURAGED TO READ APPLICABLE SECTIONS OF THE ZONING ORDINANCE IF YOU ARE REQUESTING A VARIANCE. A VARIANCE IS A "LOOSENING" OF THE REQUIREMENTS OF THE ZONING ORDINANCE TO RELIEVE A HARDSHIP. A VARIANCE CAN ONLY BE GRANTED BECAUSE A HARDSHIP BEYOND YOUR CONTROL IS BEING CAUSED BY A DIMENSIONAL REQUIREMENT, THAT IS, ONE DEALING WITH DISTANCE, AREA, HEIGHT OR SOME OTHER DIMENSION OF YOUR LAND OR BUILDING. PLEASE NOTE THAT A VARIANCE DOES NOT ALLOW YOU TO START A NEW USE IN A ZONING DISTRICT WHERE IT IS PRESENTLY NOT PERMITTED. IN OTHER WORDS, YOU COULD NOT PUT A GROCERY STORE IN A RESIDENTIAL NEIGHBORHOOD. ONCE YOU HAVE FILED A COMPLETE APPLICATION WITH THE PLANNING DIRECTOR, YOUR REQUEST WILL BE ADVERTISED. THE PLANNING COMMISSION WILL THEN HOLD A PUBLIC HEARING. AT THE MEETING YOU WILL TELL THE PLANNING COMMISSION WHY YOU NEED THE VARIANCE AND YOUR NEIGHBORS MAY ASK QUESTIONS AND MAKE COMMENTS. THE PLANNING COMMISSION WILL THEN MAKE A DECISION ABOUT THE VARIANCE. THE VARIANCE IS VALID FOR ONE YEAR.

PART-B APPLICANT ONLY

- THIS IS AN APPLICATION ASKING THE BRUNSWICK PLANNING, DEVELOPMENT & CODES DEPARTMENT TO GRANT A VARIANCE FROM THE REQUIREMENTS OF THE (CHECK ONE): ZONING ORDINANCE SUBDIVISION REGULATIONS
- NAME: John & Casey Cason PHONE: 912-269-1230
ADDRESS: 1120 Union St. EMAIL: jaycason@att.net
- LOCATION OF PROPERTY: STREET 1120 Union St.
PARCEL NO. 01-00929 LOT NO. _____
- THIS LAND IS ZONED: R-9 R-6 GR GR-C OC LC GC GC-C HC BI GI
 CP PD-G PD-TN MH LM LI CR US 17 OTHER: _____
- PLEASE DESCRIBE THE TYPE OF VARIANCE YOU NEED. EXAMPLE: REDUCTION OF FRONT YARD SETBACK FROM 15 FT TO 10 FT.
Side setback of 1'6" off back left property corner.
- ALL THE FOLLOWING CONDITIONS MUST APPLY TO YOUR SITUATION FOR THE VARIANCE TO BE GRANTED. DESCRIBE HOW YOU MEET EACH CONDITION (ATTACH PAGES IF NEEDED):
 - SPECIAL CONDITIONS OR CIRCUMSTANCES OVER WHICH I HAVE NO CONTROL, AFFECT MY PROPERTY.
See attached documentation & explanations.
 - BECAUSE OF THE SITUATION, I DO NOT HAVE THE SAME PROPERTY RIGHTS AS MY NEIGHBORS OR AS OTHER PROPERTY OWNERS IN THE SAME ZONING DISTRICT DO. See attached documentation & explanations
 - THE VARIANCE WOULD NOT SIGNIFICANTLY DEFEAT THE PURPOSES OF ANY CITY PLAN, POLICY ORDINANCE
See attached documentation & explanation
 - THIS IS THE MINIMUM VARIANCE WHICH WOULD RELIEVE MY HARDSHIP. yes. see attached documentation & explanation
- ATTACH THESE TO THIS APPLICATION:
 - A SIMPLE MAP SHOWING LOCATION OF THE PROPERTY, ITS DIMENSIONS, LOCATION OF EXISTING AND PROPOSED STRUCTURES, AND THE NEAREST PUBLIC ROAD.
 - A LIST OF NAMES AND ADDRESSES OF ALL ADJACENT PROPERTY OWNERS.
- SIGNED: [Signature] DATE: 5/11/2022

PART-C STAFF ONLY

- DATE COMPLETE APPLICATION WAS FILED: _____
- PUBLIC HEARING DATE: _____ DATE APPLICANT WAS NOTIFIED: _____
- APPROVED: _____ DENIED: _____ PAC CHAIR SIGNATURE: _____

05/13/2022

To: City of Brunswick Planning, Development & Codes Department

RE: 1120 Union Street, Brunswick, GA Setback Variance Request

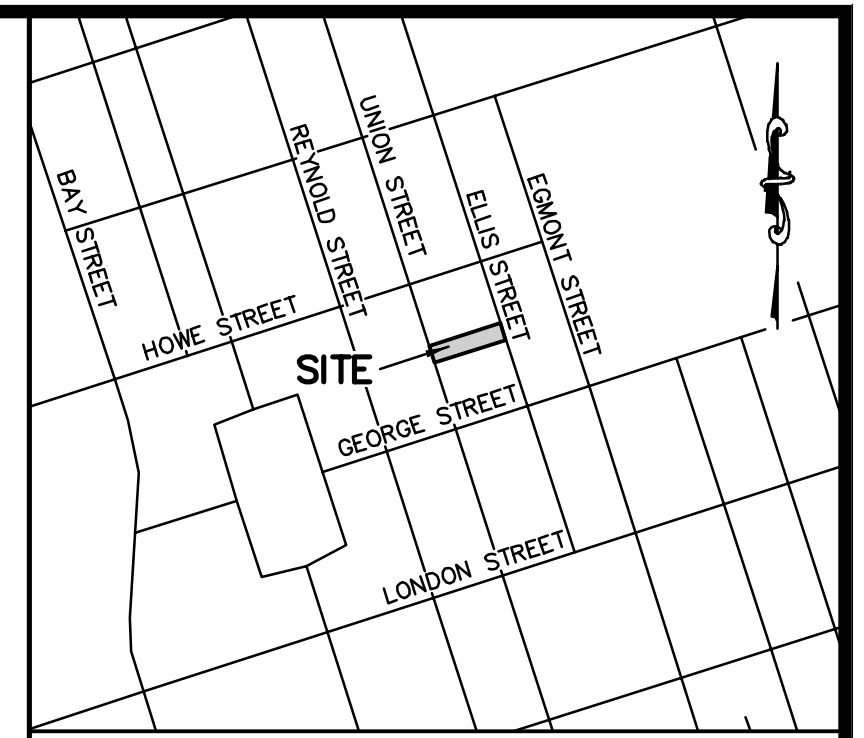
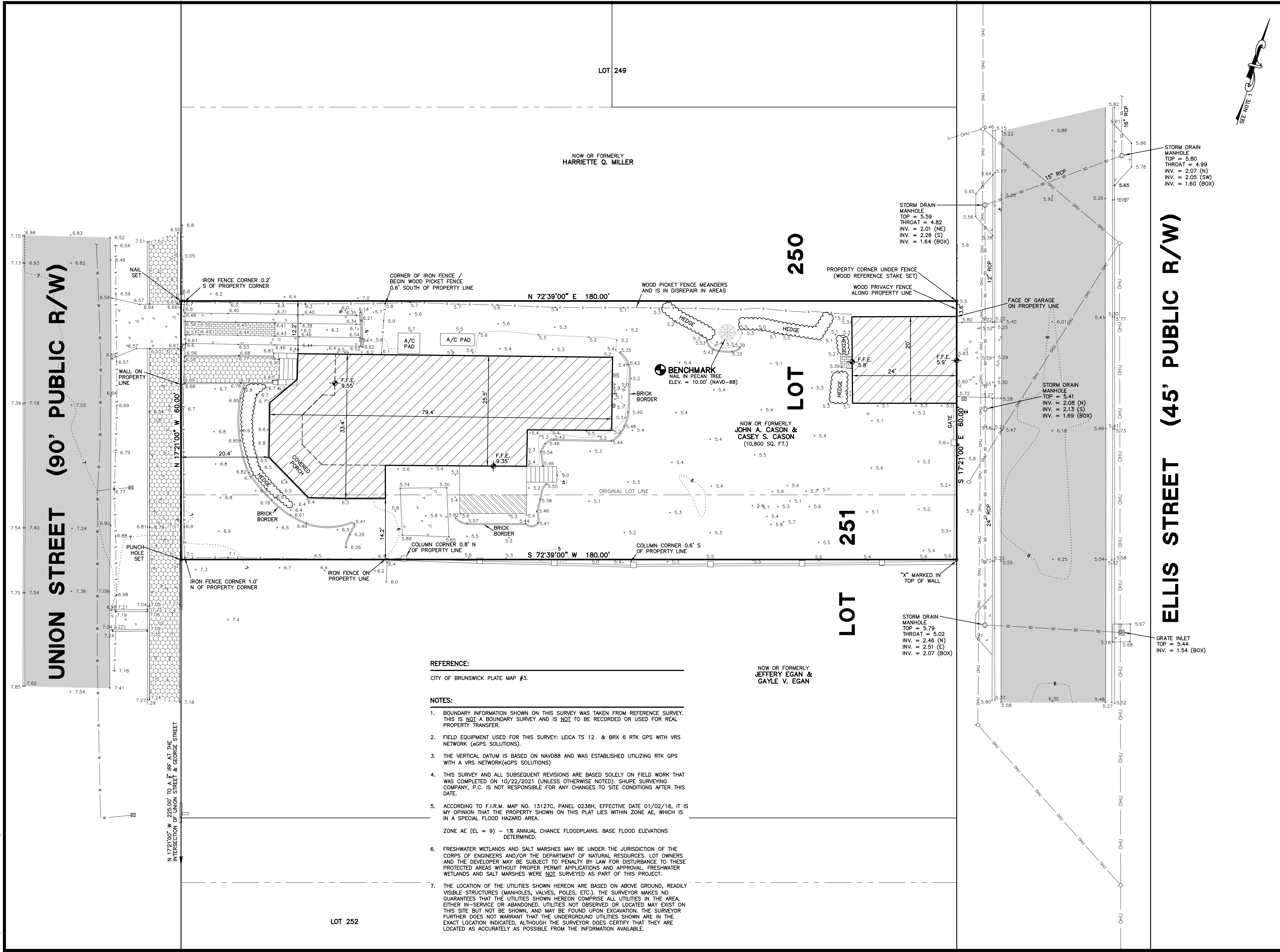
To whom it may concern,

We are requesting a setback variance for a proposed garage structure at 1120 Union Street, Brunswick, GA. Currently, we have a detached garage this is 3.6 feet off the side property line and on the rear property line (see copy of survey provided). Our plan is to tear down the existing garage and replace it with a new detached garage. A copy of the proposed site plan is provided along with the application. The new garage will have a driveway off Ellis Street that will result in the new garage being approximately 10 feet off the rear property line. The proposed garage will have a more net positive overall impact on the setbacks than the existing garage. Given that we are replacing an existing structure with a like kind proposed structure and the net setback impact will be more favorable than what it is currently, we are requesting the setback variance to approved for the construction of the proposed garage.

Respectfully,

John A. Cason IV and Casey S. Cason

Y:\Project Files\89212\DWG\89212-DS.dwg, 12/16/2021 5:16:33 PM



VICINITY MAP (NOT TO SCALE)

THIS DOCUMENT AND ALL REPRODUCIBLE COPIES OF THIS DOCUMENT ARE THE PROPERTY OF SHUPE SURVEYING COMPANY, P.C. REPRODUCTION OF THIS DOCUMENT IS NOT PERMITTED WITHOUT WRITTEN CONSENT OF SHUPE SURVEYING COMPANY, P.C. UNLESS THIS DOCUMENT BECOMES A MATTER OF PUBLIC RECORD, ALTERATIONS TO THIS DOCUMENT ARE NOT PERMITTED.

LEGEND

F.F.E.	FINISH FLOOR ELEVATION
⊗	WATER METER
⊕	WATER SERVICE
⊞	CATCH BASIN
⊚	STORM DRAIN MANHOLE
⊙	SEWER CLEAN-OUT
⊕	SEWER VALVE
⊞	ELECTRICAL BOX
⊙	UTILITY POLE
⊕	GAS METER
⊙	SPOT ELEVATION
⊞	CONCRETE
⊞	CONCRETE PAVERS
⊞	BUILDING
⊞	ASPHALT
⊞	BRICK
—	FENCE
—	OVERHEAD UTILITIES
—	WATER LINE
—	STORM DRAIN LINE
—	UNKNOWN UNDERGROUND UTILITY

CHRISTOPHER M. YOUNG
 CHRISTOPHER M. YOUNG, PLS. #2226

NO.	REVISION	BY	DATE

DEVELOPMENT SURVEY OF:

A PORTION OF LOT 250 & LOT 251 OLD TOWN

26TH G.M.D.
 CITY OF BRUNSWICK,
 GLYNN COUNTY, GEORGIA

PREPARED FOR:
 JOHN A. CASON &
 CASEY S. CASON

SHUPE SURVEYING COMPANY, P.C.
 3837 DARIEN HIGHWAY
 BRUNSWICK, GA 31525
 912-265-0562
 CERTIFICATE OF AUTHORIZATION: LSF317

SCALE 1" = 10'

DRAWING DATE 12/16/2021

FILE 89212 DRAWN BY JCH

DRAWING 89212-DS.DWG CREW CHIEF BE

SHEET 1 OF 1

REFERENCE:
 CITY OF BRUNSWICK PLATE MAP #3.

NOTES:

- BOUNDARY INFORMATION SHOWN ON THIS SURVEY WAS TAKEN FROM REFERENCE SURVEY. THIS IS NOT A BOUNDARY SURVEY AND IS NOT TO BE RECORDED OR USED FOR REAL PROPERTY TRANSFER.
- FIELD EQUIPMENT USED FOR THIS SURVEY: LEICA TS 12 & BRX 6 RTK GPS WITH VRS NETWORK (eGPS SOLUTIONS).
- THE VERTICAL DATUM IS BASED ON NAVD88 AND WAS ESTABLISHED UTILIZING RTK GPS WITH A VRS NETWORK (eGPS SOLUTIONS).
- THIS SURVEY AND ALL SUBSEQUENT REVISIONS ARE BASED SOLELY ON FIELD WORK THAT WAS COMPLETED ON 10/22/2021 (UNLESS OTHERWISE NOTED). SHUPE SURVEYING COMPANY, P.C. IS NOT RESPONSIBLE FOR ANY CHANGES TO SITE CONDITIONS AFTER THIS DATE.
- ACCORDING TO F.I.R.M. MAP NO. 13127C, PANEL 0238H, EFFECTIVE DATE 01/02/18, IT IS MY OPINION THAT THE PROPERTY SHOWN ON THIS PLAT LIES WITHIN ZONE AE, WHICH IS IN A SPECIAL FLOOD HAZARD AREA.
 ZONE AE (EL = 9) - 1% ANNUAL CHANCE FLOODPLAINS. BASE FLOOD ELEVATIONS DETERMINED.
- FRESHWATER WETLANDS AND SALT MARSHES MAY BE UNDER THE JURISDICTION OF THE CORPS OF ENGINEERS AND/OR THE DEPARTMENT OF NATURAL RESOURCES. LOT OWNERS AND THE DEVELOPER MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE PROTECTED AREAS WITHOUT PROPER PERMIT APPLICATIONS AND APPROVAL. FRESHWATER WETLANDS AND SALT MARSHES WERE NOT SURVEYED AS PART OF THIS PROJECT.
- THE LOCATION OF THE UTILITIES SHOWN HEREON ARE BASED ON ABOVE GROUND, READILY VISIBLE STRUCTURES (MANHOLES, VALVES, POLES, ETC.). THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN HEREON COMPRISE ALL UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. UTILITIES NOT OBSERVED OR LOCATED MAY EXIST ON THIS SITE BUT NOT BE SHOWN, AND MAY BE FOUND UPON EXCAVATION. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE.

NOW OR FORMERLY
HARRIETTE Q. MILLER

LAND DESIGN
ASSOCIATES, INC.

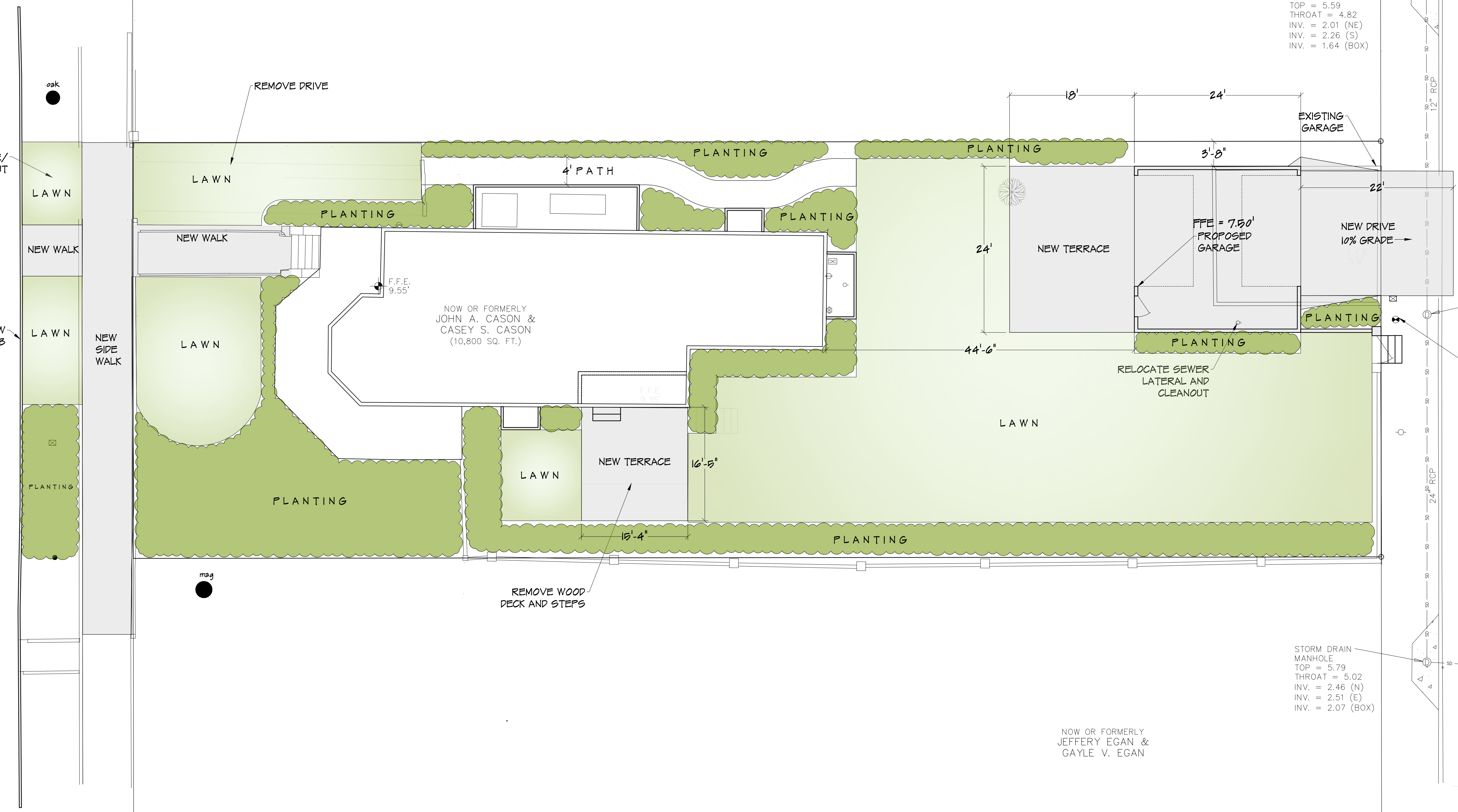
LANDSCAPE
ARCHITECTURE
DESIGN/BUILD
PLANNING

228 REDFERN VILLAGE #203
ST. SIMONS ISLAND, GA 31522
912.571.1137
LandDesignAssociates@gmail.com

UNION STREET (90' PUBLIC R/W)

ELLIS STREET (45' PUBLIC R/W)

Schematic Landscape Plan
Cason Residence
1120 Union Street Brunswick, Georgia



STORM DRAIN
MANHOLE
TOP = 5.59
THROAT = 4.82
INV. = 2.01 (NE)
INV. = 2.26 (S)
INV. = 1.64 (BOX)

STORM DRAIN
MANHOLE
TOP = 5.41
INV. = 2.08 (N)
INV. = 2.13 (S)
INV. = 1.69 (BOX)

STORM DRAIN
MANHOLE
TOP = 5.79
THROAT = 5.02
INV. = 2.46 (N)
INV. = 2.51 (E)
INV. = 2.07 (BOX)

NOW OR FORMERLY
JOHN A. CASON &
CASEY S. CASON
(10,800 SQ. FT.)

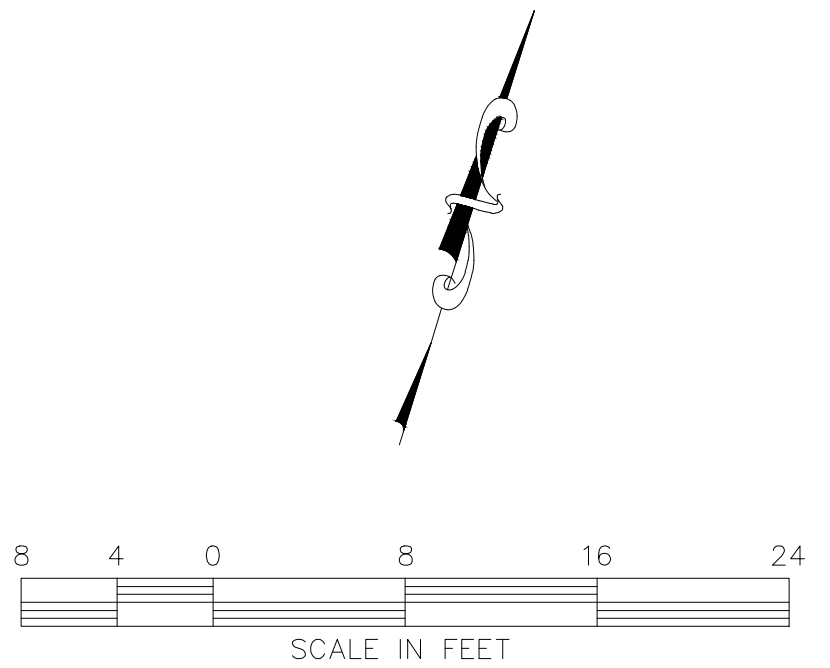
NOW OR FORMERLY
JEFFERY EGAN &
GAYLE V. EGAN

SYMBOL KEY

- (169) 16" OAK TREES TO BE REMOVED
- UP LIGHT ON TREE
- DOWN LIGHT IN TREE
- PATHLIGHT
- FENCED TREE PROTECTION AREA
- IRRIGATION LIMITS
- 4" WELL - 50 PSI @ 20GPM
- IRRIGATION MAIN LINE AND ZONE VALVE
- SOD
- NATURALLY VEGETATED AREAS TO REMAIN

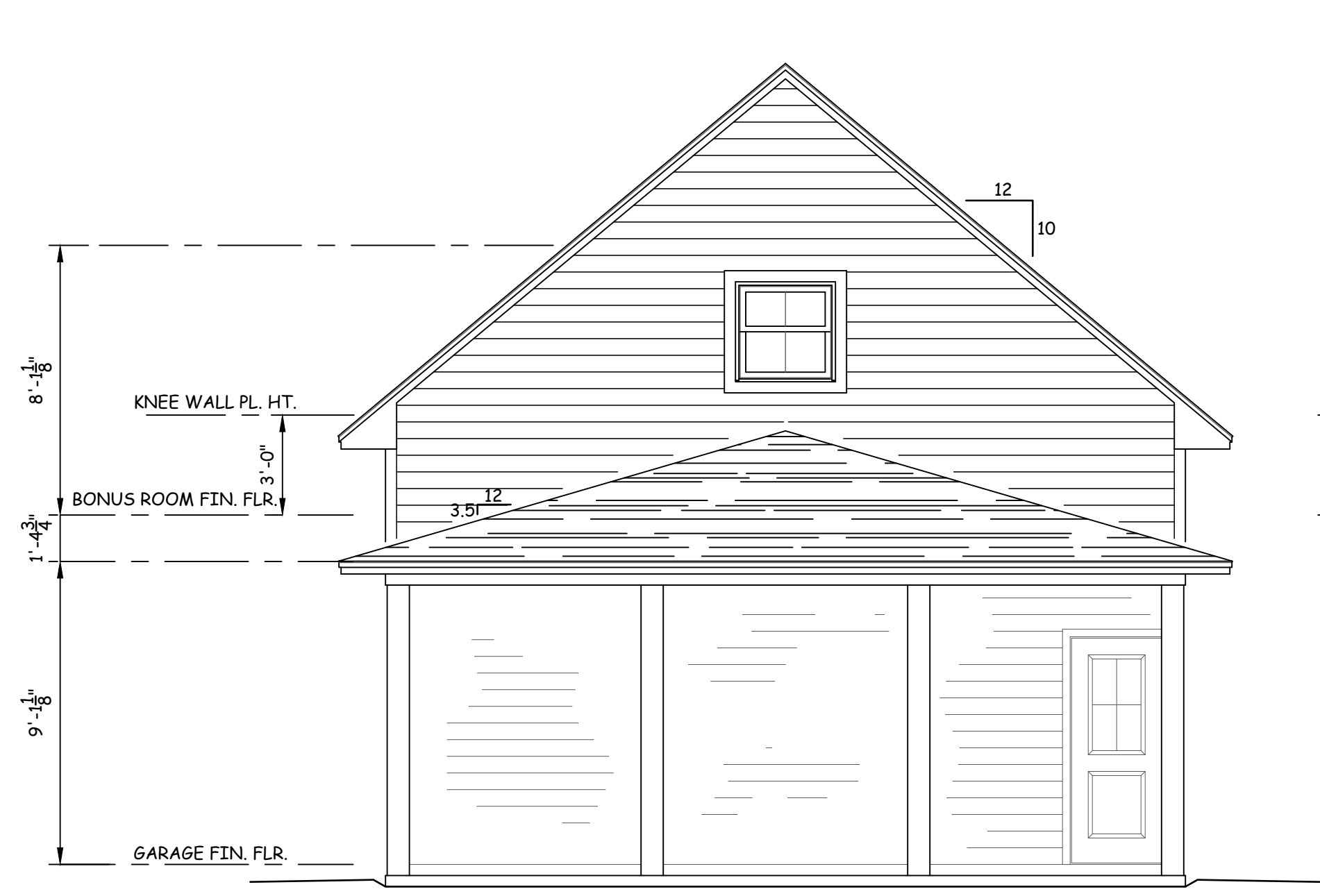
REFERENCE:

CITY OF BRUNSWICK PLATE MAP #3.

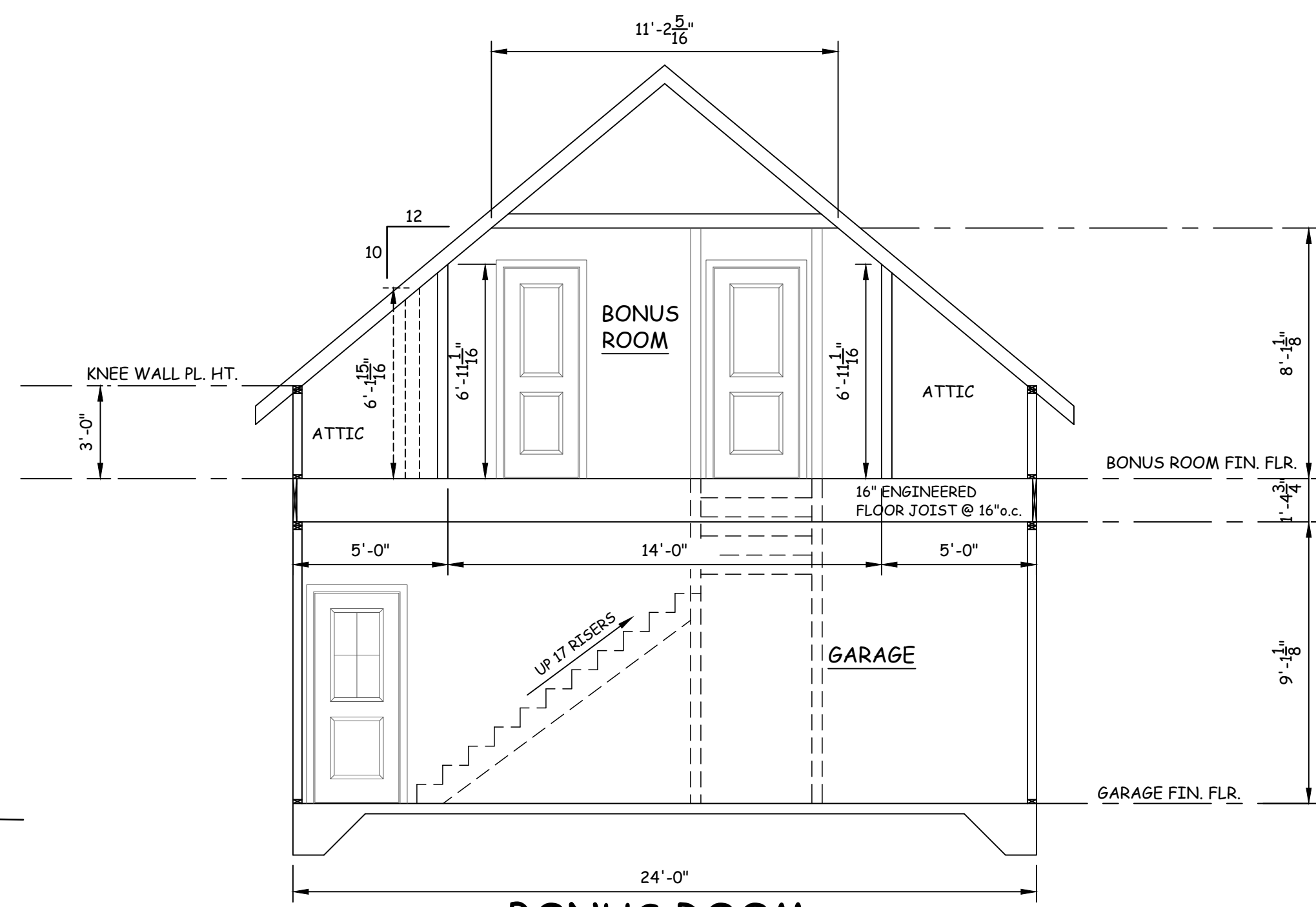


Rev:
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Scale: 1/8"=1'-0"
Sheet L.1

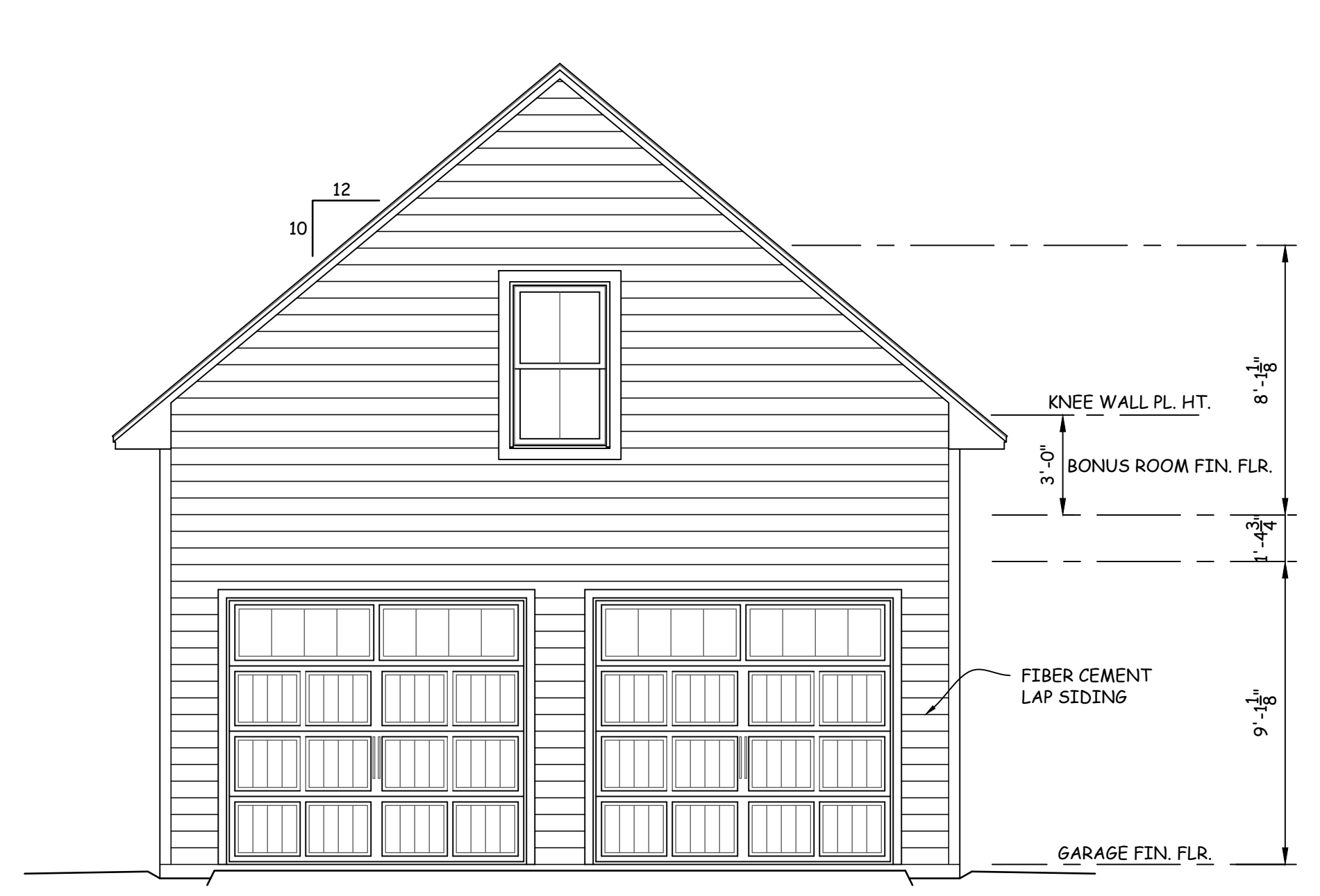




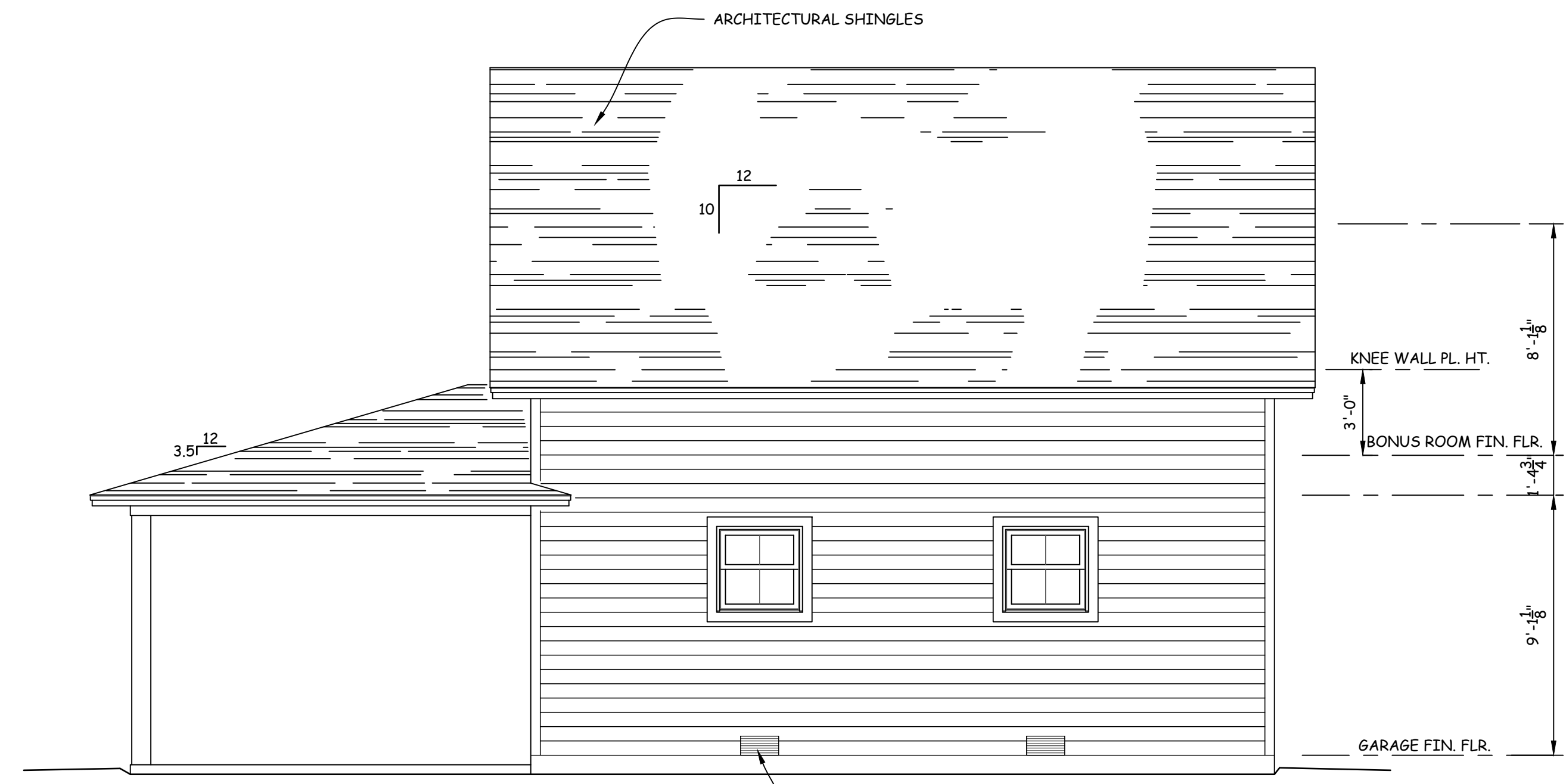
REAR ELEVATION
SCALE: 1/4" = 1'-0"



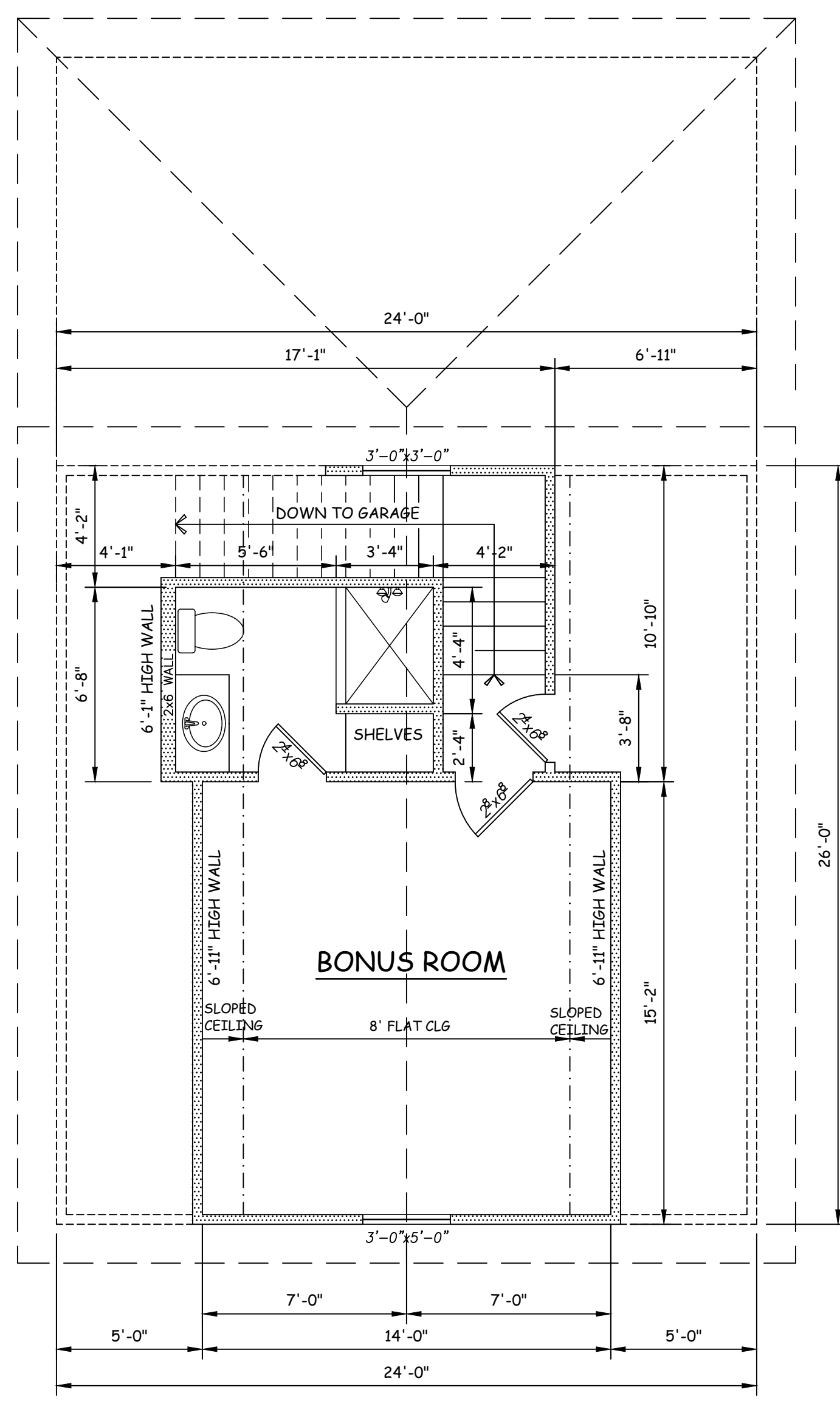
BONUS ROOM
SCALE: 1/4" = 1'-0"



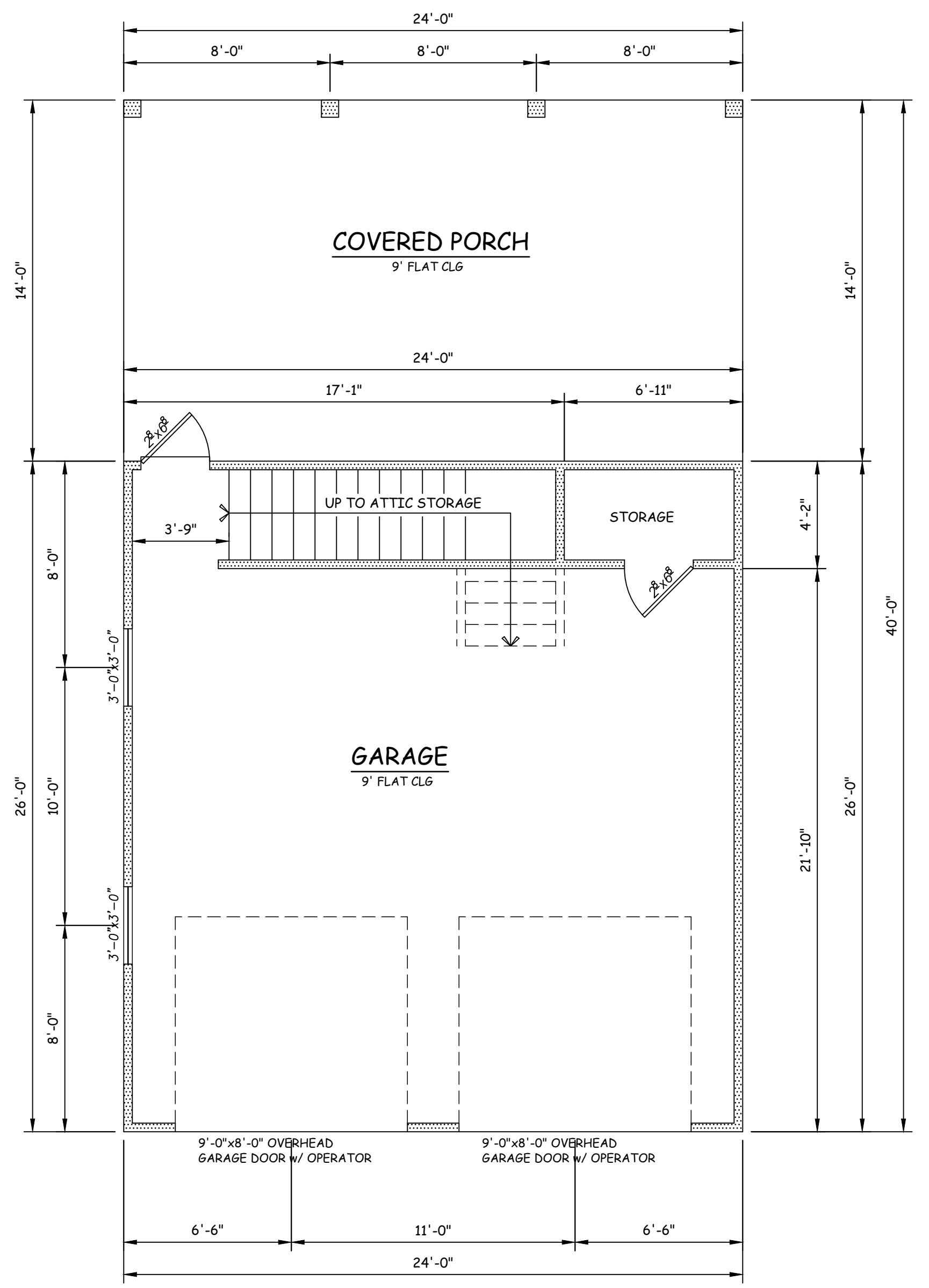
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



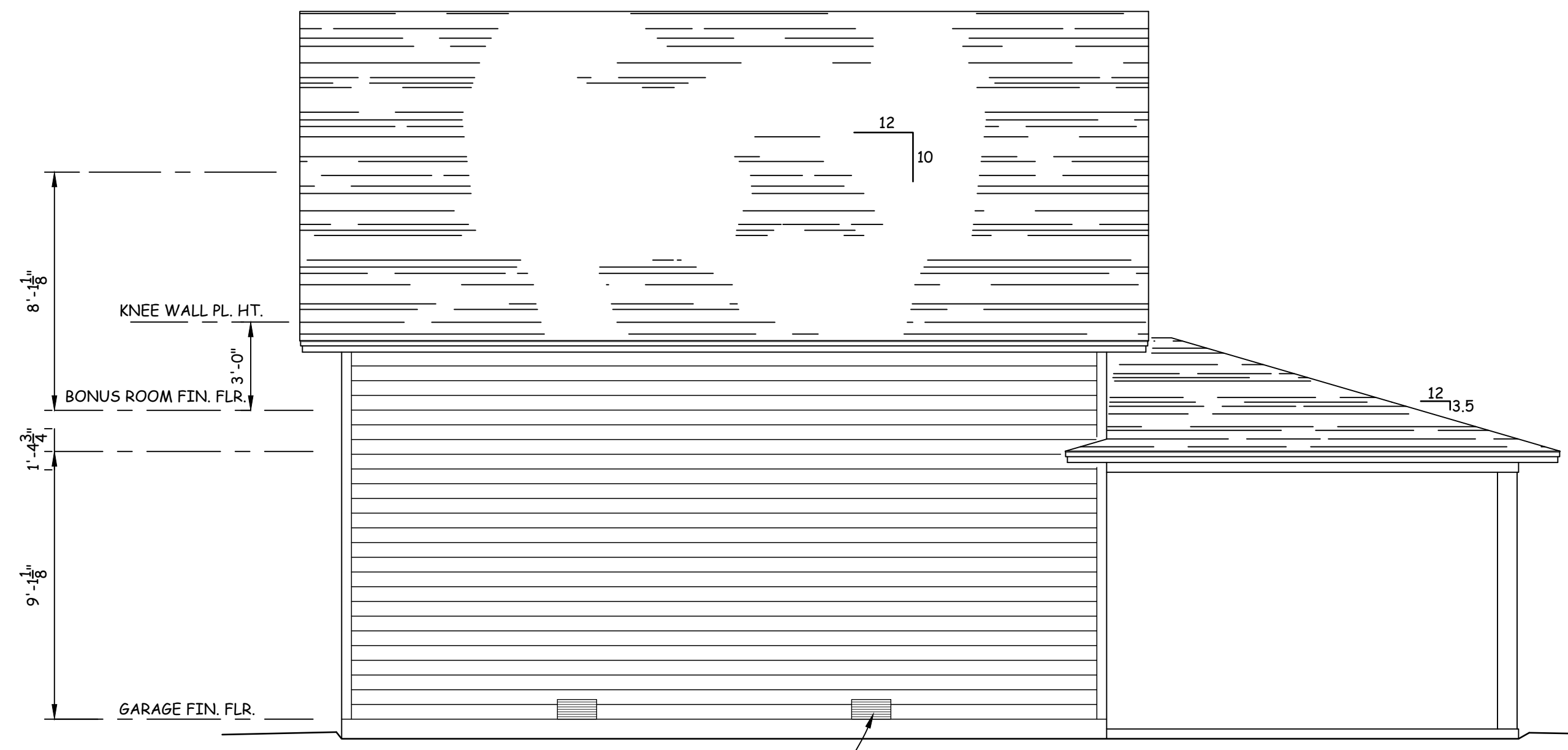
LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



BONUS ROOM FLOOR PLAN
SCALE: 1/4" = 1'-0"



FLOOR PLAN
SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"

ATTENTION CONTRACTOR:
VERIFY ALL DIMENSIONS PRIOR TO START.
VERIFY SUBSTITUTIONS PRIOR TO START.
BUILD ACCORDING TO ALL STATE & LOCAL CODES.
ALL DRAWINGS AND DESIGNS SHOWN ARE THE PROPERTY OF PREMIER DESIGN SERVICES & CONSULTING, INC. THESE DRAWINGS AND DESIGNS ARE FOR THE CONSTRUCTION OF ONE UNIT FOR THE CLIENT SPECIFIED. ANY DUPLICATION IN WHOLE OR IN PART IS PROHIBITED.

Design Services By:
Premier Designs & Consulting, Inc.
310 Hendry Street, Blackshear, Georgia 31516
(912) 614-6620
email: kcmrander@gmail.com

SCALE: 1/4" = 1'-0" | DATE: 05/12/2022
DRWN BY: Kevin | FILE: 2022
BONUS ROOM HTD. SF.: 292
GARAGE SF.: 624
COVERED PORCH: 336
TOTAL SQ.FT. UNDER ROOF: 1252

A Garage Plan for:
Jay Cason
1120 Union Street
Brunswick, Georgia 31520