

**Subdivision Petition No. 24-03**  
**Variance Petition No. 24-01**

**(Parcel # 01-00841  
1400-14110 Prince Street)**

**Staff Report**  
**John Hunter**  
*Director*  
*Planning, Development & Codes*

**City of Brunswick**  
**Planning & Appeals Commission**  
**April 10, 2024**

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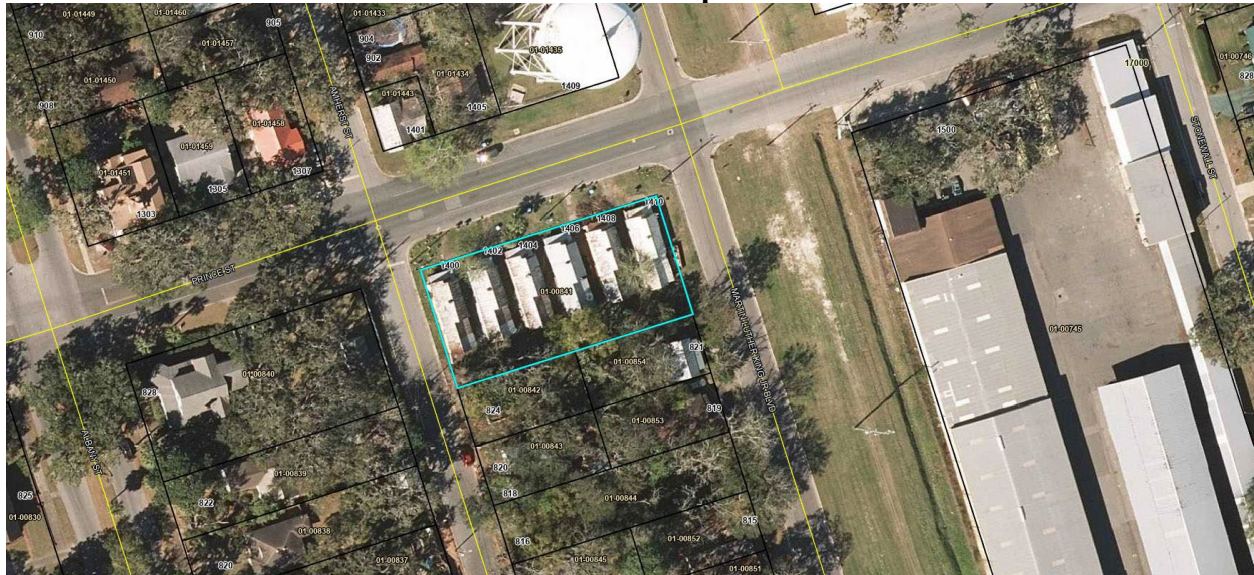
## Requested Subdivision

John Laurens, owner, has requested a subdivision to parcel #01-00841 in the Old Town subdivision.

## Existing Conditions

The 16,200 square foot parcel is Lot 542 of Old Town, and to our knowledge has never been subdivided. It currently contains six residences. Each residence is 818 square feet in size, and all were built circa 1908. All are currently vacant and have been since 2016. The parcel is zoned General Residential (GR).

location map



## Proposed Subdivision

The request is to subdivide the parcel into 6 individual lots. This will allow for each home to be rehabilitated and then sold as individual units. One lot would be 26' x 90'; 3 would be 30' x 90'; one 31' x 90'; and one 33' x 90'.

## Variances

The minimum lot size in Old Town is 8,100 square feet. This varies from our typical GR zoning standard of 4,500 square feet. This restriction in GR in Old Town was created in the early 2000s with the intention of protecting the existing density and historic character of Old Town. The established Setbacks for lots within General Residential is Front: 15 feet; Sides 5 feet; Rear 10 feet.

However, as much of Brunswick was developed prior to the establishment of zoning regulations in 1929, situations do occur where following the modern development standards for new construction do not match the reality on the ground. Constructed almost 20 years prior to the

creation of Zoning Law in Georgia, these homes are legally non-conforming, but do not meet Front Setback requirements or Side Setbacks for Corner Lots. The resultant subdivision would require the following Variances:

- 1) Variance to Minimum Lot Size of 8,100 square feet.
- 2) Variance to Front Setback of 15 for all 6 parcels.
- 3) Variance to the Side Setback of 10 feet to allow a Setback of 0 feet for Lot 542A;
- 4) Variance to the Side Setback of 10 feet to allow a Setback of 9 feet for Lot 542F.

## Variance Criteria

Variance 1, the reduction to the Minimum Lot Size, is addressed in our Subdivision Regulations separately. Our Subdivision Regulations in Appendix B, Article IX, Section 902 contemplate this Variance 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.”*

The below criteria should apply to Variances 2-4 – which all pertain to Setbacks.

Persons may seek relief from compliance with the zoning-related requirements of this Code pursuant to this chapter when the strict application would create a particular and unique hardship, by filing an application for variance with the director for consideration by the planning and appeals commission in accordance with this chapter. Such relief may be granted only to the extent necessary to alleviate such unnecessary hardship and not as a convenience neither to the applicant nor to gain any advantage or interest over similarly zoned properties. (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.

## Staff Analysis

This application presents one of the more unusual aspects of Zoning – how to properly address non-conforming properties that not only predate an existing ordinance, but predate the existing of our entire zoning structure that was created in 1929. It is also highly unusual for 6 residences to have been built on a single lot, let alone a lot in Old Town that maintains its original size of 16,200 square feet. The six homes also appear to have always been rental properties.

In regards to Variance 1 – Minimum Lot Size – this seems to be the exact situation that the language of Article IX, Section 902 of the Subdivision Regulations was contemplating. In staff's opinion, denial of the Variance would cause a demonstrably unique and undue hardship as it locks the properties only option to be rental homes, or to request demolition from the Historic Preservation Board and build new homes. In a city struggling with the availability of affordable housing, workforce housing, and a home ownership rate of under 35%, unlocking the potential of this property is in the best interest of the public welfare of the city as a whole.

If Variance 1 is approved, then Variances 2-4 should be approved accordingly. Following the criteria

- (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography; ***A 16,200 square foot lot with 6 dwellings is a very unusual condition;***
- (b) The application of this Code to this particular piece of property would create an unnecessary hardship; and; ***Applying the setbacks to existing dwellings would require either removal of 6- 116 year old structures, or moving all of them to gain compliance with current ordinances – the expense of this is an undue hardship and unnecessary.***
- (c) There are conditions that are peculiar to the property which adversely affect its reasonable use or usability as currently zoned. ***As currently zoned, these conditions could feasible prevent the rehabilitation of 6 historic structures***
- (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Code. ***Relief would not cause substantial detriment as it recognizes existing conditions that have been in place for 116 years.***

## 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**

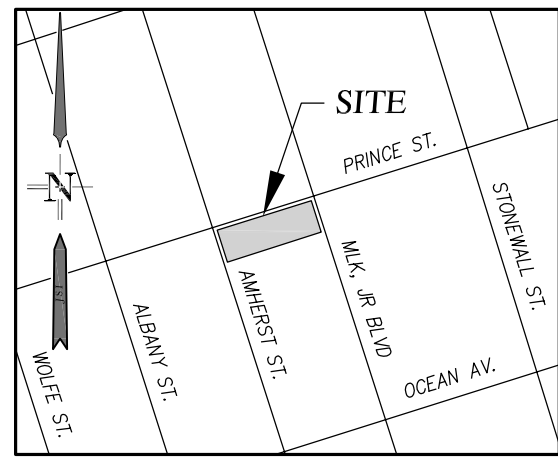
Our Subdivision Regulations in Appendix B, Article IX, Section 902 contemplate this by allowing the PAC to vary from the minimum standards, and our standard variance procedures allow us to address the setback issues.

Because of the technical nature of Article IX, Section 902, staff recommends approval of SD 24-03, and recommends that as outlined in Section 902 any motion to approve include a statement that “SD 24-03 is approved with a Variance to the minimum lot size requirement as enforcement of this standard is infeasible and creates an undue hardship”.

Variances 2-4 are recommended for approval, and in a motion should be stated as follows:

“Motion to approve the following Variances in VP 24-01:

- 1) Variance to Front Setback of 15 for all 6 parcels.
- 2) Variance to the Side Setback of 10 feet to allow a Setback of 0 feet for Lot 542A;
- 3) Variance to the Side Setback of 10 feet to allow a Setback of 9 feet for Lot 542F.”



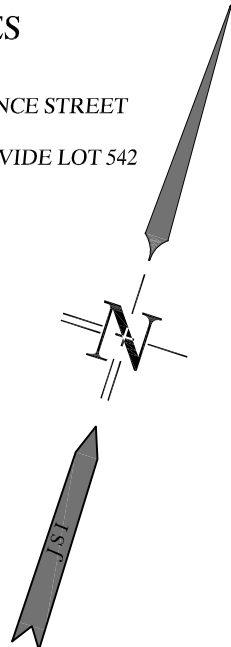
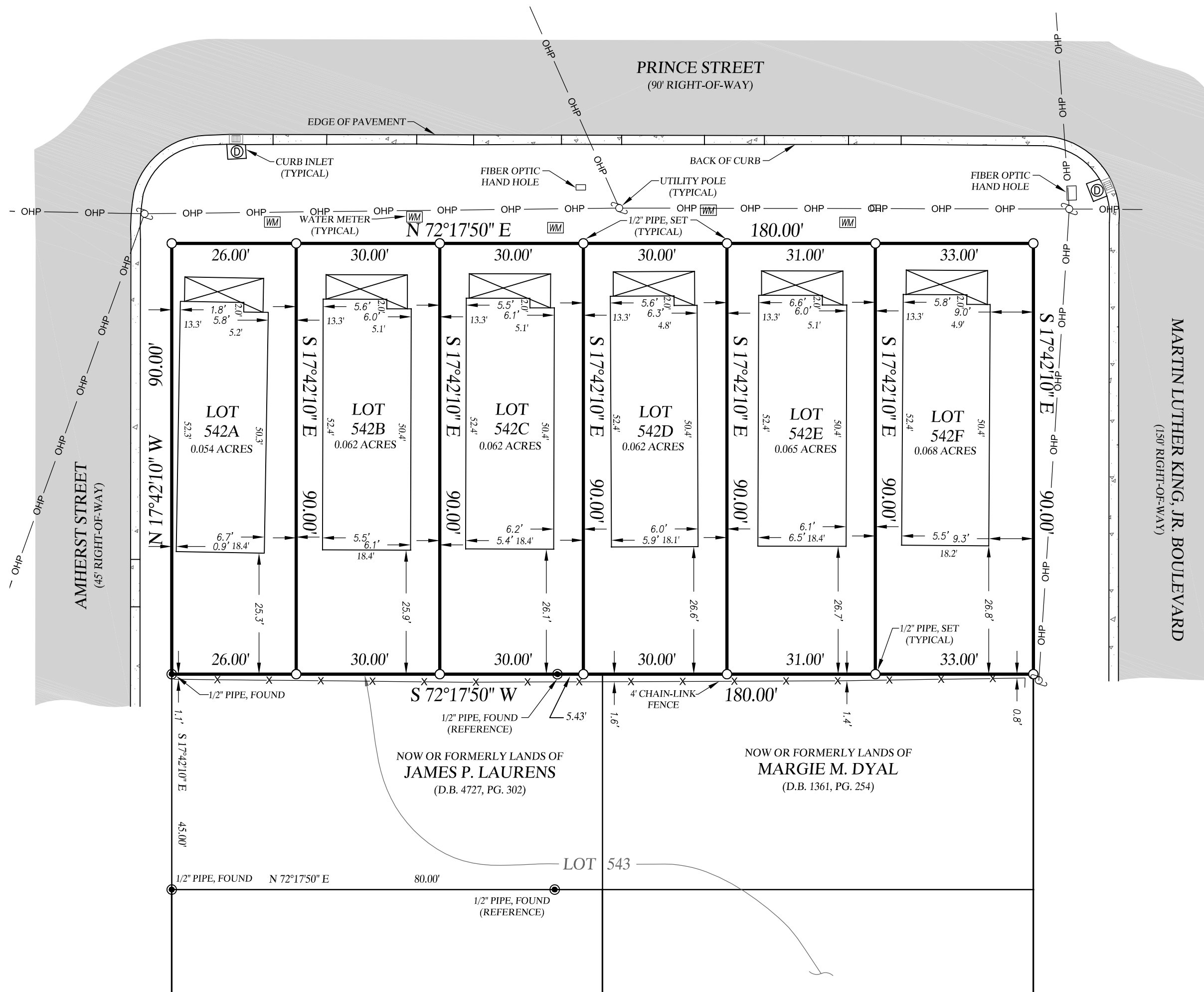
VICINITY (N.T.S.) MAP

MAP TO SHOW SUBDIVISION SURVEY OF  
**LOT 542, OLD TOWN, CITY OF BRUNSWICK,**  
**26th G.M.D., GLYNN COUNTY, GEORGIA**  
 (ACCORDING TO DEED RECORDED IN D.B. 4906, PG. 197 OF THE PUBLIC RECORDS OF SAID COUNTY)

FOR: JOHN LAURENS

TOTAL AREA: 0.372 ACRES

PARCEL ID: 01-00841  
 ADDRESS: 1400, 1402, 1404, 1406, 1408, 1410 PRINCE STREET  
 THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE LOT 542 INTO SIX (6) LOTS.

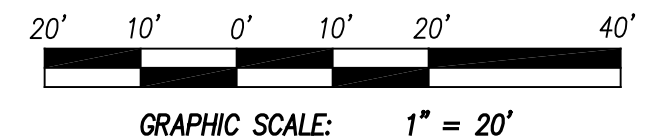


**NOTES:**

1. BEARINGS SHOWN HEREON ARE BASED ON GRID NORTH-NAD83 COORDINATE DATUM FOR THE GEORGIA EAST ZONE UTILIZING THE TRIMBLE VRS NETWORK.
2. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE ABSTRACT.
3. ACCORDING TO THE GLYNN COUNTY GIS THE SUBJECT PROPERTY IS ZONED GR WITH THE FOLLOWING BUILDING SETBACK REQUIREMENTS ACCORDING TO CITY OF BRUNSWICK ZONING ORDINANCE:
  - 3.1. FRONT: 15 FEET.
  - 3.2. SIDE: 5 FEET.
  - 3.3. REAR: 10 FEET.
4. THE SUBJECT PROPERTY IS SHOWN TO BE IN FLOOD HAZARD ZONE "AE" (EL. 9) AS PER F.I.R. MAPS, FOR GLYNN COUNTY, GEORGIA, DATED: JANUARY 5, 2018, MAP No. 13127C0238H, COMMUNITY No. 130093, PANEL No. 238, SUFFIX No. H.
5. THERE MAY EXIST RESTRICTIONS OR ENCUMBRANCES AFFECTING THE SUBJECT PROPERTY THAT ARE NOT KNOWN TO JACKSON SURVEYING, INC.

**CLOSURE STATEMENT:**  
 PROPERTY CORNERS SHOWN HEREON HAVE A POSITIONAL TOLERANCE OF 0.05 FEET  
 THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 325,000 FEET.  
 EQUIPMENT USED FOR FIELD MEASUREMENTS:  
 ANGULAR & LINEAR: TRIMBLE S5 & TRIMBLE R780

REVISED:  
 MARCH 19, 2024 - CORRECTED SETBACKS



DATE OF PLAT: MARCH 19, 2024  
 DATE OF FIELD SURVEY: MARCH 18, 2024

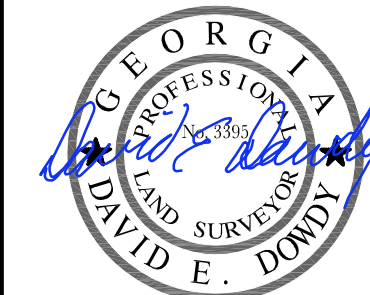
**CERTIFICATION OF APPROVAL BY THE BRUNSWICK PLANNING AND APPEALS COMMISSION**

PURSUANT TO THE SUBDIVISION REGULATIONS OF THE CITY OF BRUNSWICK, GLYNN COUNTY, GEORGIA, ALL REQUIREMENTS HAVING BEEN FULFILLED, THIS FINAL PLAT WAS GIVEN APPROVAL BY THE CITY OF BRUNSWICK PLANNING AND APPEALS COMMISSION ON \_\_\_\_\_, 20\_\_

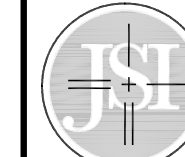
DATE \_\_\_\_\_ CHAIRMAN, BRUNSWICK PLANNING AND APPEALS COMMISSION

**SURVEYOR'S CERTIFICATION**

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS 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 MINIMUM 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 O.C.G.A. SECTION 15-6-67.



DAVID E. DOWDY  
 GA. PROFESSIONAL SURVEYOR No. 3395



**JACKSON SURVEYING, INC.**  
 Surveyors and Land Planners  
 LSF001244

207 ROSE DRIVE  
 BRUNSWICK, GEORGIA 31520  
 email: info@brunswicksurveyor.com

Ofc. (912) 265-3856

DWN. BY: D.E.D.  
 DWG. NO.: C1025\_03-00-24

CKD. BY: K.C.J.  
 FB. 150, PG. 10



# 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 Laurens PHONE: 912-230-4622  
ADDRESS: 123 Dodge Rd SSI GA 31522 EMAIL: John.Laurens@crossco.com
- LOCATION OF PROPERTY: STREET 1400-1410 Prince St BwK GA 31520  
PARCEL NO. 01-00841 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: R-3
- PLEASE DESCRIBE THE TYPE OF VARIANCE YOU NEED. EXAMPLE: REDUCTION OF FRONT YARD SETBACK FROM 15 FT TO 10 FT.  
Subdivide Parcel into 6 individual Parcels
- 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.  
Economy of scale, Age, wear, location, lack of profit, 6 on 1 Parcel
  - 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. Correct Costs are too high as 6 on 1 and would lead to Tear down
  - THE VARIANCE WOULD NOT SIGNIFICANTLY DEFEAT THE PURPOSES OF ANY CITY PLAN, POLICY ORDINANCE  
Correct
  - THIS IS THE MINIMUM VARIANCE WHICH WOULD RELIEVE MY HARDSHIP. Correct subdivide 6/1 to 6
- 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: 3/10/24

### PART C STAFF ONLY

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



Brunswick City Planners and Stewards of our Community,

Thank you for the opportunity to communicate with you in regard to this matter. For more than 25 years, I have looked at The Sidney Six ( 1400-1410 Prince St. ) and lovingly admired them, hoping for their eventual rehabilitation. From the time I attended Glynn Academy to now raising a family in this community; I have seen several individuals and companies purchase the property. They begin to do some work, get a little bit done, and then do not finish. This provided hope and then dashed it upon the ground for the community members and neighbors who want to see this corner beautified as well.

Moving back to town from Savannah; I saw them again and could tell that now the opportunity to repair them is vanishing as they have no roofs. We looked at several options for the property and none provide the return necessary to allow for this level of project across 6 homes and the grounds. This seems to be why it has been continually left to rot and be seen as blight upon our beautiful town. Knowing this we are wanting to move forward with subdividing this one parcel into six individual parcels to allow for Workforce Housing that is affordable. If we can subdivide the parcel in to six individual parcels, we believe a business case can be made to allow local investors to complete this project. Once completed, we would have six houses in the community available for purchase anywhere from \$180,000 to 210,000 further increasing our tax base while removing blight. This would allow for affordable housing or rentals at a reasonable rate.

If we kept it together in one parcel, they would end up being rented and sold as an investment to an out-of-town or institutional investor who would then have them rented at \$2300 a month or more. It is our belief that it is in the best interest of the city that these units be made available as affordable housing for our community. Thank you for this opportunity to work with you on removing this blight from our beautiful city and rehabilitating The Sidney Six.

Thank you and please connect with any questions or concerns so we may move forward before these Historic beauties are rendered to dust.

Sincerely,

A handwritten signature in black ink, appearing to be 'John Laurens', written in a cursive style.

John Laurens

912-230-4622

John.Laurens@Crossco.com