

215 S. 11th Street
Special Use Permit Request
File No. 16-SUP-03

Applicant: Douglas R. Lane Jr.
Owner: Douglas R. Lane Jr.



Land Use Classification	Commercial
Current Zoning	Planned Commercial Development (PCD)
Proposed Use	Residential-Single Family
Parcel Size	0.12 +/- Acres
Tax Map, Block and Lot No.	011 18007
Board of Commissioner Member	David Brock, District 4
Planning and Zoning Member	Joanne Todd, District 4
Planning and Zoning Board	March 21, 2016
City Commission	April 12, 2016 Public Hearing
Citizen Notification	Legal Notice was run in the March 4, 2016 edition of the <i>Griffin Daily News</i> for the Planning & Zoning Board and for the City Board of Commissioners Public Hearing. A sign was placed on the proposed property, illustrating the purpose, date and time of both meetings (3-3-16).

Proposal:

The applicant, Doug Lane, is seeking approval of a Special Use Permit for 215 S. 11th Street. The applicant is requesting a special use permit to allow the use of a single family dwelling unit in the Planned Commercial Development (PCD) zoning district.

**Zoning Ordinance Sections applicable to this Application:**

The following sections of the City of Griffin Zoning Ordinance apply to the Special Use permit request:

Section 406
Section 714

Special Use Permit Provision
Planned Commercial Development (PCD)

Section 406 Special Uses:

ALL PROPOSED SPECIAL USES FOR PROPERTY SHALL BE EVALUATED IN LIGHT OF THE FOLLOWING STANDARDS:

1. IT MUST NOT BE DETRIMENTAL TO THE USE OR DEVELOPMENT OF THE ADJACENT PROPERTIES, OR TO THE GENERAL NEIGHBORHOOD SO AS TO ADVERSELY AFFECT THE HEALTH, SAFETY OR GENERAL WELFARE OF CITIZENS;

FINDINGS: Upon review and evaluation of the applicant's request, Planning Staff can not find any immediate detrimental impacts on adjacent properties or to the general neighborhood.

2. IT MUST NOT ADVERSELY AFFECT EXISTING PROPERTY AND USES AND IT MUST BE PROPOSED TO BE PLACED ON A LOT OF SUFFICIENT SIZE TO SATISFY THE SPACE REQUIREMENTS FOR THE USE;

FINDINGS: The proposed lot is an existing lot of record. The subject property is 0.12 acres and has a single family dwelling on the lot. The property is zoned Planned Commercial Development and has been utilized as a commercial office in the past. The property has been marketed for sale as a commercial property for nine (9) months with no interested buyers/renters. The owner has had several people interested in utilizing this property as a single family home.

3. GENERAL COMPATIBILITY OF THE PROPOSED SPECIAL USE WITH ADJACENT PROPERTIES AND OTHER LAND USES IN THE GENERAL AREA.

FINDINGS: The applicant's request to utilize this structure as a single family home at this location is compatible to adjacent properties and the use of those properties. The property is located on S. 11th St. between W. Taylor Street and W. Poplar Street. The house was constructed originally as a single family home and is surrounded by a mix of residential and commercial uses.

4. THE PROPOSED USE WILL NOT CONSTITUTE A NUISANCE OR HAZARD OR OTHERWISE ADVERSELY AFFECT THE PUBLIC INTEREST BECAUSE OF THE NUMBER OF PERSONS WHO MAY NORMALLY BE EXPECTED TO USE SUCH FACILITY OR TYPE OF PHYSICAL ACTIVITY.

FINDINGS: The use of this property as a single family dwelling will not adversely affect the public interest. The structure was originally constructed as a residential single family dwelling and should not constitute a nuisance. The proposed use, will not impact the public interest due to the number of people residing within the dwelling unit.

5. OTHER ITEMS THAT MAY BE CONSIDERED INCLUDE TRAFFIC FLOW, AVAILABILITY OF OFF-STREET PARKING, PROTECTIVE SCREENING, HOURS AND MANNER OF OPERATION OF THE PROPOSED USE, OUTDOOR LIGHTING, SIGNAGE AND INGRESS AND EGRESS TO THE PROPERTY.

FINDINGS: The use of the property as an owner occupied detached single-family residence under the special use permit will not generate any additional traffic along S. 11th Street.

6. THE APPLICANT MUST MEET ALL SPECIFIC REQUIREMENTS ESTABLISHED IN THIS ORDINANCE FOR THE PARTICULARIZED SPECIAL USE REQUESTED.

FINDINGS: This request is in compliance with all the Special Use Permit provisions under the City of Griffin Unified Development Code.

Planning Staff's Comments:

Planning Staff consulted with the City Attorney concerning the request to utilize the structure at 215 S. 11th Street as a single family home. The applicant has attempted to rent/lease the property with no interest from buyers while marketing as a commercial use. However, Mr. Lane has had interest from clients wanting to utilize the structure as a residence. Rather than advising Mr. Lane to apply for a rezoning, which would create a situation of spot zoning, staff and the city attorney felt the best option would be to allow a special use permit. The zoning will remain commercial, but will allow Mr. Lane to lease/sale the property as residential.

Planning Staff's Recommendation:

Staff recommends **Approval** of the Special Use Permit submitted by Doug Lane, to allow a single family structure to be utilized as a house in the PCD zoning district. However, if the property is vacate for a period of one year, then the special use will be voided.

Submitted by:

Jennifer G. Freeman
Associate Planner
Planning and Development Services