

# MINUTES

## Valdosta-Lowndes Zoning Board of Appeals

Valdosta City Hall Annex Multi-Purpose Room  
300 North Lee Street, Valdosta, Georgia

October 4, 2016

2:30 p.m.

### MEMBERS PRESENT

Paul Alvarado  
Nathan Brantley  
Dr. Willie Houseal  
John "Mac" McCall

### MEMBERS ABSENT

Gretchen Quarterman  
Allan Strickland  
John Hogan, III  
Satrina Plyler

### STAFF PRESENT

Carmella Braswell  
Tracy Tolley

### VISITORS PRESENT

Nicole Brown  
Elijah Caldwell  
Ben Carroll  
Chris Peoso  
Eric Roush  
Trip Singletary

### Agenda Item # 1: CALL TO ORDER

The meeting was called to order by Chairman Strickland at 2:30 pm and it was determined that a quorum of members was present. Chairman Strickland thanked everyone for coming and reviewed the meeting procedures with those in attendance today.

### LOWNDES COUNTY CASES

### Agenda Item # 2: VAR-2016-19--- Eric Roush (3470 Bemiss Knights Academy Road, Valdosta GA)

Mrs. Braswell stated that the applicant, Eric Roush, is asking for a variance from Sections 6.03.03 and 6.03.04 of the ULDC as the sections relate to the County's water and sewer system connection requirements. The subject property is located at 3470 Bemiss Knights Academy Road, in a R-A zoning district. Section 6.03.03 requires that all development, when the County's water system is within 1000 feet radius of the parent tract of the new subdivision/development, is required to connect to a public water system. Section 6.03.04 requires that all development connect to the County's sewer system when the sewer system is within 1000 feet radius of the parent tract of the new subdivision and/or development. The applicant wants to develop the tract with a single family residence, using a private well and septic system. The applicant states that it is cost prohibitive to connect to the County's water and sewer systems, and is asking for a variance to both requirements. The closest water and sewer lines are at Bemiss Knights Academy Road's intersection with Butler Woods Drive, approximately 250 feet away as measured by staff. While the applicant cites costs as the primary reason for the variance request, staff reviewed the request and ultimately concluded that there is no variance criteria to support the requested variance. Staff contended that water and sewer is available and can be accessed readily through the right-of-way. Therefore, staff recommended denial of the request.

Chairman Strickland asked the Board if they had questions for staff. Mr. Brantley asked where Mr. Roush's house would be situated. Mrs. Braswell stated it would be located in a cleared area on the property. Mr. Brantley asked if the applicant would have to run down the right-of-way, then across his property to connect water and sewer to his house. Mrs. Braswell stated yes, that was true. Chairman stated that if the applicant needed to run the connections across a neighbor's property, he would need to obtain easements first. Mrs. Quarterman asked what the property was zoned. Mrs. Braswell stated it was zoned Residential Agriculture (R-A) with a minimum of 2.5 acre parcels. Dr. Houseal asked how many houses could be placed on this property. Mrs. Braswell stated very few, maybe a couple, due to the limited road frontage of the parcel, unless he built a road. Mrs. Quarterman asked when this parcel was

subdivided. Mrs. Braswell stated in 2013, and it was noted on the plat that connection to water and sewer would be required.

There being no other questions for staff, Chairman Strickland asked if anyone would like to speak on behalf of the application. Mr. Eric Roush, 3470 Bemiss Knights Academy Road, stated that his grandparents owned the original parcel, and he wanted a piece of the property to build a house on, and there would be no other homes built on the parcel. He identified on the screen where he wanted to build his house at. Mr. Roush stated he would have to bore under a creek and a roadway to access water and sewer. He stated he got an estimate of \$17,100 for the labor itself, not including supplies, to tap into water and sewer, and that a well and septic costs were significantly lower. Mr. Roush stated that his parcel was subdivided off in 2013, and his parents had suggested he might want 25 acres, but he decided that he wanted 10 acres, so his tract is 10.91 acres. Mrs. Quarterman asked when water was run close to Mr. Roush's property. Mrs. Braswell said it was run to Crestwood Subdivision in about 2006.

There being no further discussion, Chairman Strickland asked if there was anyone else who would like to speak on behalf of the application. Chairman Strickland noted that Mrs. Roush was in the audience in support.

There being no one else to speak on behalf of the application, Chairman Strickland asked if anyone would like to speak in opposition. There being no one to speak, Chairman Strickland asked if anyone had contacted the Zoning office. Mrs. Braswell stated no one had called.

Chairman Strickland asked if the applicant would pay from the tap all the way to his house, or if he paid from his property line to his house. Mrs. Braswell stated that the applicant must pay from the tap to his house.

There being no further discussion, Chairman Strickland asked for a motion. Mrs. Quarterman made a motion to approve as presented, with the one condition being that there be only one house developed/built on the property. Dr. Houseal seconded the motion. The motion passed with a vote of 5 to 0.

**Agenda Item # 3: VAR-2016-20---Trip Singletary DBA Mineola Self Storage (Old US Highway 41 North, Valdosta, GA)**

Mrs. Braswell stated that the applicant, Trip Singletary, is asking for three variances for the development of a new self-storage facility and two speculative lots. The subject property consists of 8.69 acres and is located along Old US Highway 41 North, currently known as the Mineola Mobile Home Park and is currently zoned P-D. The property is currently undergoing the rezoning process to be potentially rezoned to C-G (General Commercial). The applicant is asking for three variances. Table 4.03.21(F) sets supplemental design standards for self-service storage facilities. There is a maximum acreage requirement of 5 acres. The parcel designed for self-storage is 6.94 acres. Table 4.03.21(F) also requires a buffer yard of 1.5 times the buffer yard required by Section 4.07.06. In this instance, there would be a buffer required along an abutting property to the north—the Lowndes County Fire Rescue Station, due to its current E-A zoning district. The buffer yard standards would be 45 feet wide and contain 4 shade trees and 25 shrubs every 100 linear feet on two sides of the abutting property. The property is in the Corridor Road Overlay District, which requires lots along a corridor road to be at least 250 wide. There are three proposed lots; two of the three are 180 feet wide. Therefore, the applicant is requesting variances for maximum acreage, buffering, and lot width. Staff is satisfied with the development as proposed, and recommends approval of all three variances because granting the variances will not cause a substantial detriment to the public good.

Chairman Strickland asked if the interconnectivity between Dollar General and these parcels would be maintained. Mrs. Braswell stated yes. He asked if there would be interconnectivity between these parcels and the parcel to the north. Mrs. Braswell stated yes. Mrs. Braswell stated Mr. Singletary did intend to buffer against the residential property, and was requesting relief only from the Lowndes County Fire Rescue Station. Mr. Alvarado asked when the road was going to be widened. Mrs. Braswell stated that, while she was not sure, the plans were more short-term than long-term. Mr. Brantley asked why the property was being rezoned from P-D to C-G. Mrs. Braswell stated that the mobile home park was zoned P-D when the ULDC was adopted, but commercial uses were not permitted in this specific P-D, so the applicant requested a rezoning to C-G. Mrs. Braswell stated he could amend the P-D, but would have to go through a very similar process to rezoning. Mrs. Quarterman asked if consideration of the variances was premature. Mrs. Braswell stated no, she did not believe so. Mr. Alvarado stated that there was quite a bit of commercial around that area. Mrs. Braswell stated that there was still a lot of residential development around the area as well. Dr. Houseal asked if the rezoning request would be considered spot zoning. Mrs. Braswell stated no, that there was commercial zoning across the street, as well as to the south. Mr. Brantley asked if the applicant was bound to this site plan. Mrs. Braswell stated no, unless ZBOA made that a condition of approval. Mrs.

Quarterman asked, with the paving of Stewart Circle, would there be a back entrance? Mrs. Braswell stated there was not a back entrance proposed at this time, but may develop an emergency exit along the rear.

There being no further discussion, Chairman Strickland asked if anyone would like to speak in support of the application. Trip Singletary, 1108 N Lakeshore Drive, spoke on behalf of the application. Mr. Singletary stated that two lots were for speculative commercial uses, with the third for self-storage units. Mrs. Quarterman asked if the parcels had two front yards. Mrs. Braswell stated yes, it was a through lot. Mrs. Quarterman expressed concern over the speculative nature of the uses for two of the parcels in terms of parking, and asked Mr. Singletary if he could provide adequate parking on those two lots for commercial uses. Mr. Singletary stated that the proposed lots were bigger than some parcels on Ashley and Baytree. Mrs. Quarterman stated that these parcels would be developed under current rules, and some of those parcels on Ashley and Baytree were developed under a prior set of regulations. Mr. Singletary stated there were no prospective uses for those lots at this point. Chairman Strickland asked if parking might be an issue, was Mr. Singletary willing to rearrange parking layouts to meet current regulations? Mr. Singletary said he would.

There being no further questions for Mr. Singletary, Chairman Strickland asked if anyone else would like to speak in support of the application. There being no one else to speak, Chairman Strickland asked if there was anyone to speak in opposition. There being no one to speak in opposition, Chairman Strickland asked Mrs. Braswell if anyone had contacted her office. Mrs. Braswell stated there were no calls regarding the variance requests, but there were calls with questions about the rezoning.

There being no further questions, Chairman Strickland called for a motion. Mr. Alvarado made a motion to approve as presented, citing criteria "d." Mr. McCall seconded the motion. The motion passed with a vote of 5 to 0.

### **CITY OF VALDOSTA CASES**

#### **Agenda Item # 4: APP-2016-07---Mayur Patel (4196 Bemiss Road, Valdosta, GA)**

Ms. Tolley stated that the applicant, Mayur Patel, was asking for wall signage and freestanding signage variances for a grocery store and gas station under development, located on the corner of Guest Road and Bemiss Road at 4196 Bemiss Road. The property is zoned C-C (Community Commercial) and consists of 9.83 acres. The applicant submitted a sign permit application, and upon review, staff determined variances for wall signage and freestanding signage were needed. The property can have two freestanding signs, due to having two road frontages. One freestanding sign can be no taller than 24 feet and 75 square feet for the primary frontage, as determined by the tenant, with the signage for the secondary frontage sign being no taller than 24 feet and 37.5 square feet. Both signs, as proposed are 144 square feet and 24 feet tall. Wall signs can be calculated two ways—either 1 square foot of copy area per 1 linear foot of building elevation, or 5% of the wall area, whichever is larger—but no more than 400 square feet per elevation. The calculation using 5% of the wall area allowed the most copy area at 254.2 square feet; the applicant is asking for 321.84 square feet. During the variance process, the applicant and tenant chose to apply for a sign package—consisting of freestanding signs, wall signs, and canopy signs—that met code in order not to delay sign installation if the variances were not granted. Staff was able to approve the sign permit application. The permit was purchased on September 14, 2016. Staff reviewed the request, and found it to be more design based than hardship based and recommended denial of the request.

Chairman Strickland asked if staff had discussed an option to have one larger freestanding sign, potentially with a variance, rather than two larger signs, both with variances. Ms. Tolley stated that had not been discussed. Mr. Brantley asked what the dimensions of the freestanding signs that were approved were. Ms. Tolley provided the drawings from the sign permit package showing the freestanding signs that were approved. (The drawings included dimensions.) Ms. Tolley stated that the wall signage approved as a part of the permit package are the exact same as what's being considered for the variance, just smaller to meet code.

Chairman Strickland asked if anyone would like to speak on behalf of the application. Mr. Ben Carroll, 736 Cherry Street, Chattanooga, TN, spoke as a part of the development team for the grocery store and gas station. Mr. Carroll stated that this was the prototypical, standard sign package that they used for most of the stores, and had built in several places in Georgia, as well as all over the country, including in Waycross, Statesboro and Savannah. Mr. Carroll stated the freestanding signs were bigger, due to trying to get the WalMart name and gas prices on the signs. Mr. Carroll said, in response to Chairman Strickland's question regarding one bigger freestanding sign, potentially with a variance, versus two freestanding signs, that the tenant wanted a sign on each road frontage. Mr. Carroll stated they did submit a permit package so that could be approved so it would not delay the process of

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turning over the keys. Mr. Carroll stated they had different sizes of freestanding signs to choose from, depending on each particular site and the permitting jurisdiction's requirements, including a 149 square ft. sign, a 107 square ft. sign, and a 74 square ft. sign, which is their smallest.

Chairman Strickland noted that there was no one in the audience to speak in support or in opposition of the request. Chairman Strickland asked Ms. Tolley if anyone had contacted her office. Ms. Tolley stated no, there had been no contact.

Mr. Brantley stated he was concerned about the signage on Guest Road, that the signage seemed large when Guest Road did not seem to be a major thoroughfare. Chairman Strickland stated, that if Mr. Brantley made a motion, he was not bound by the applicant's request nor staff's recommendation, that he could mix and match if necessary. Mrs. Quarterman stated that we have the ULDC and LDR so that signage is consistent and has parameters—so that we do not end up with a tenant with a big sign, and a tenant next door with a really small sign. Chairman Strickland stated that, sometimes, ZBOA grants a variance that is more than what is allowed by regulations but not as much of a variance as the applicant wanted.

There being no more discussion, Chairman Strickland called for a motion. Mrs. Quarterman made a motion to deny the variances as requested. Mr. Alvarado seconded the motion. The motion passed with a vote of 5 to 0.

**OTHER BUSINESS**

**Agenda Item #5:      Approval of Minutes:    September 13, 2016**

Chairman Strickland asked if there were any concerns with the minutes. There being none, he opened the floor for a motion. Mr. Alvarado made a motion to approve the minutes as presented. Mrs. Quarterman seconded the motion. The motion was adopted with a vote of 5 to 0.

**Agenda Item # 8:      Adjournment**

There being no further business, the meeting adjourned at 3:26 PM.

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/s/ Allan Strickland, IV  
Allan Strickland, IV Chairman

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November 1, 2016  
Date