

# MINUTES

## Valdosta-Lowndes Zoning Board of Appeals

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

April 3, 2018

2:30 p.m.

### MEMBERS PRESENT

Paul Alvarado  
Nathan Brantley  
John Hogan, III

John "Mac" McCall  
Allan Strickland

### MEMBERS ABSENT

Victoria Copeland  
Nancy Hobby  
Gretchen Quarterman

### STAFF PRESENT

Carmella Braswell  
Tracy Tolley

### VISITORS PRESENT

Wayne Adams  
JoAnn Bartenhagen  
Jim Bartenhagen  
Derek Byrd  
Diane Carter  
Duane Carter

Jimmy Cone  
Ray Cone  
Glenda Cowart  
Richard Cowart  
Faye Fletcher  
Jimmy Fletcher

Rev. Andy Pearson  
Becky Pearson  
Becky Williams  
Lamar Williams

### Agenda Item # 1: CALL TO ORDER

The meeting was called to order by Chairman Strickland at 2:30 p.m. 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. Chairman Strickland announced that case VAR-2018-04 had been withdrawn by the applicant.

## LOWNDES COUNTY CASES

### Agenda Item # 2: VAR-2018-03 — Wayne Adams (3495 Washington Drive, Valdosta)

Chairman Strickland announced the case. Mrs. Braswell stated that this was a request to replace an existing manufactured home on a parcel located at 3495 Washington Drive on a one acre lot in a R-A zoning district. The applicant has owned the property for many years and wants to record a survey plat of the subject property; a survey was completed for the applicant in 2012 but was never approved and recorded. The submitted plat does not meet the ULDC standards (Section 6.01.02(D)) as it pertains to lot frontage, or the distance measured along a public street right-of-way. The applicant is proposing to continue to use an existing 10 to 20 foot driveway as their access that leads to the subject property. It is believed that the subject property was established via a deed in the 1970's and has always been accessed through a dirt driveway that commences at the end of Washington Drive. In reviewing the applicant's recorded deed, there is no record of an established ingress/egress easement and appears that a prescriptive easement may have been established through the continued use of the driveway for many years. Staff's primary concern is that of safety. Staff ultimately recommends approval of the variance as submitted.

Chairman Strickland asked what would happen if the neighboring property owner had issues with the applicant utilizing his property for access. Mrs. Braswell stated it would become a civil matter. Mr. Brantley asked who owned the adjacent properties. Mrs. Braswell stated that the Washington family, relatives of Mr. Adams, owned some adjacent property. Mr. Brantley asked when this parcel was created. Mrs. Braswell stated this parcel appeared to be created in the eighties. Mr. Adams' mother was deeded the property, and then the property was deeded to Mr. Adams.

There being no further discussion, Chairman Strickland asked if anyone would like to speak on behalf of the application. Wayne Adams, 3495 Washington Drive, spoke on behalf of the application. He stated the driveway/access had been used for probably forty years and he believes there is an access easement on the property. Chairman Strickland asked that the access be maintained for emergency vehicles. Mr. Adams stated that would not be a problem. Mr. Hogan asked if Wayne Washington was nearby. Mr. Adams stated there was not a Wayne Washington affiliated with the immediate area. Mr. Brantley asked who Willie Adams was. Mr. Adams stated that was his mother. Mr. Brantley asked if she had deeded the property to him. Mr. Adams stated she had.

Chairman Strickland asked if there was anyone to speak in opposition to the request. No one spoke. Chairman Strickland asked if there was anyone who had contacted Mrs. Braswell's office. Mrs. Braswell stated that there had been several calls, some with inquiries and some in opposition. Chairman Strickland asked if anyone had submitted letters in opposition. Mrs. Braswell stated that no letters had been submitted.

There being no further questions, Chairman Strickland called for a motion. Mr. McCall made a motion to approve the request as presented, citing criteria "d." Mr. Alvarado seconded the motion. The motion was called and carried unanimously with a vote of 4 to 0.

**Agenda Item # 3: VAR-2018-04 --- Russell & Christina Baker (9364 Georgia Highway 135, Naylor)**

This case was not heard as it was withdrawn by the applicant.

**Agenda Item # 4: VAR-2018-05 — Swilley Hill Church of God (4333 Hickory Grove Road, Valdosta)**

Chairman Strickland announced the case. Mrs. Braswell stated that the applicant was asking for two variances--to the minimum side yard setbacks and to the required number of parking spaces as a result of a proposed addition to an existing church. The church is located at 4333 Hickory Grove Road in a R-A zoning district. The applicant is proposing an addition that will be ten feet from the east lot line instead of the required setback of 20 feet. Additionally, the applicant is required to improve 29 parking spaces; the applicant is proposing to improve 15 parking spaces, therefore requesting a variance of 14 parking spaces. The property contains plenty of open space for parking and other outdoor recreational activities. The applicant desires to protect and preserve the open areas as much as possible. Staff discussed both variances, and ultimately recommended approval for the requested ten foot variance and the request to improve 15 parking spaces rather than the full required 29 spaces. To note, though, Planning and Zoning did not support the variance to the number of parking spaces required to be improved. Considerations were given to the minimum amount of variance needed to accomplish the applicant's needs.

Mr. McCall stated that it looks like the addition is encroaching on the front yard setbacks. Mrs. Braswell stated that the applicant had applied for an administrative variance for the front yard setback variance. Mr. Brantley asked why there was a larger parcel surrounding the smaller parcel. Mrs. Braswell stated that was a tax map, and that sometimes tax maps and true parcel lines conflict.

There being no further discussion, Chairman Strickland asked if anyone would like to speak on behalf of the application. Jimmy Cone, architect, 1806 Plum Street, spoke on behalf of the application. He stated the Pastor and some of the congregants were in the audience, and the Pastor would like to speak. Mr. Cone stated he was available if there were any questions.

Chairman Strickland asked if anyone else would like to speak on behalf of the application. Reverend Andy Pearson, 3863 Dasher Road, Lake Park, spoke on behalf of the application. Reverend Pearson asked those affiliated with the church to stand. He stated the church was established in 1923, and wants to build a new sanctuary and update existing bathrooms. Reverend Pearson stated they want to asphalt some of the property for parking, but would like to keep a portion of the property as grass, for additional parking as well as for outdoor recreation activities.

There being no further discussion, Chairman Strickland asked if anyone would like to speak in opposition of the application. No one spoke. Chairman Strickland asked if anyone had contacted staff's office. Mrs. Braswell stated no one had contacted her office.

There being no further discussion, Chairman Strickland called for a motion. Mr. Alvarado made a motion to approve both variances as requested, citing criteria "d." Mr. McCall seconded the motion. The motion called and carried unanimously with a vote of 4 to 0.

**Agenda Item # 5: VAR-2018-06 — James & Joann Bartenhagen (6542 Bemiss Road, Valdosta)**

Chairman Strickland announced the case. Mrs. Braswell stated that James and JoAnn Bartenhagen were requesting variances on property located at 6542 Bemiss Road, that consists of 4.1 acres, and is zoned MAZ-I and MAZ-II. The applicants want to replace three existing nonconforming accessory structures with two proposed nonconforming accessory structures that exceed the maximum floor area allowance for accessory buildings. The accessory structures are a total of 3300 square feet, when only 3000 square feet are allowed. The applicants

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propose that one structure be used for a garage and one for a shop with some storage. Staff, in conjunction with staff from MAFB, reviewed the case and recommend approval for both variances. MAFB states it has no strong objections to the requested variances.

There being no questions for staff, Chairman Strickland asked if anyone would like to speak in support of the application. Mr. Jim Bartenhagen, 6542 Bemiss Road, spoke in support of the application. Mr. Bartenhagen stated he and his wife moved from Iowa to a property they thought they could put buildings on but found out they couldn't without variances.

Chairman Strickland asked if anyone else would like to speak on behalf of the application. Mr. Bartenhagen his wife was in attendance. There being no one else, Chairman Strickland asked if anyone would like to speak in opposition. Derek Byrd, 3045 Georgia Street, Moody Air Force Base, spoke, but stated he was not in opposition. Mr. Byrd stated that Moody had no strong objections to the request.

Chairman Strickland asked if there was any contact to staff's office. Mrs. Braswell stated there was no response to her office. Being that there was no more discussion, Chairman Strickland opened the floor for a motion. Mr. McCall made a motion to approve as presented, citing criteria "d." Mr. Hogan seconded the motion. The motion was called and carried unanimously with a vote of 4 to 0.

### **OTHER BUSINESS**

#### **Agenda Item # 6: Approval of Minutes: February 6, 2018**

Chairman Strickland asked if there were any concerns with the draft minutes. There being none, he called for a motion. Mr. Brantley made a motion to approve the minutes as presented. Mr. Alvarado seconded the motion and it was called and carried with a vote of 5 to 0.

#### **Agenda Item # 7: Adjournment**

There being no further business, the meeting adjourned at 2:54 p.m.

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

May 1, 2018  
Date