

# MINUTES

## Valdosta-Lowndes Zoning Board of Appeals

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

June 5, 2018

2:30 p.m.

### MEMBERS PRESENT

Nathan Brantley  
Victoria Copeland  
Nancy Hobby

John D. Holt  
John "Mac" McCall  
Allan Strickland

### MEMBERS ABSENT

Paul Alvarado  
Gretchen Quarterman

### STAFF PRESENT

Jason Davenport  
Mike Fletcher  
Matt Martin  
Tracy Tolley  
Debra Tulloch

### VISITORS PRESENT

Glennie Bench  
Doran Bland  
Peggy Bland  
Coleman Brice  
Ben Bush  
Mitch Cothron  
Mitchell Cothron

Keri Eason  
Greg Fielding  
Julie Fielding  
Phillip Holbrook  
Keith Hubbard  
Pam Hubbard  
Thomas Humphrey

Laura Hutchinson  
Scott Orenstein  
Cary Scarborough  
Bill Slaughter  
Stacy Stubbs  
Beverly Underwood

### 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.

### Agenda Item # 2: Welcome of New Member: John D. Holt

Chairman Strickland welcomed John D. Holt as a new member of the Zoning Board of Appeals.

## CITY OF VALDOSTA CASES

### Agenda Item # 3: APP-2018-03 — Federal Heath & Advantage (2112 W Hill Avenue, Valdosta)

Chairman Strickland announced the case. Chairman Strickland stated the case was tabled from last month at the applicant's request. Ms. Tolley stated that the applicant submitted a sign application package to include a freestanding sign, canopy signage, and wall signage in February of this year. The canopy and wall signage were too big to permit, so the applicant proceeded with the freestanding signage application, and was able to get that permitted while the canopy and wall signage was going through the variance process. Ms. Tolley stated that the applicant decided to alter the schematics, so submitted the request to table until the June meeting. Ms. Tolley stated she received the updated schematics a week prior to the meeting, and was able to review the schematics, and email out an updated packet to ZBOA members. On the morning of the meeting, at about 12:30 AM, Ms. Tolley stated she received an email from an attorney with questions regarding the case, which she read after 8 AM, and was unable to answer the email prior to the meeting due to other obligations. Ms. Tolley stated that a multi-tenant facility, currently being remodeled to include a convenience store/gas station and restaurants, is located at 2112 W. Hill Avenue in a C-H zoning district. The neighboring properties are commercially developed. Ms. Tolley stated that the request pertained to several different things—the size and number of fuel canopy signs, as well as the size of wall signs. Ms. Tolley outlined the three different methods for wall signage allowances—a 1 square foot of signage per 1 foot of building elevation formula, 5% of the building area formula, or 50 square feet per tenant formula. Ms. Tolley stated she utilized the 50 square feet per tenant formula as the different tenants did not have set tenant

spaces, but that no matter which formula was used, that the proposed signage was over the allotted square footage. Ms. Tolley stated that two of the three tenants had signage that met the 50 square feet formula, but that the Sun Stop signage, at 138.57 square feet, is too large to permit. Ms. Tolley stated that no matter which method used to determine a cap, there was too much signage to permit. Ms. Tolley stated that the second set of variances requested was for canopy signs—both the number and the size. The applicant is asking for four signs, one on each side of the canopy, when only one at 16 sq. ft is allowed on only one canopy. Two signs are 14 sq. ft, one is 39 sq. ft, and the last is 43.2 sq. ft. Staff reviewed the request, and determined there is no hardship. Therefore, staff recommends for denial.

Chairman Strickland asked if there were any questions. Mrs. Hobby stated that the applicant had updated their package from the initial package, and Mrs. Hobby wondered how close this package came to meeting the regulations. Ms. Tolley stated that they were closer with the wall signs with the initial package, but this proposed package was about 35 square feet bigger than the initial package. Mrs. Hobby questioned how staff determined which formula to use when determining how much wall signage the applicant is allowed. Ms. Tolley stated it was a judgement call on staff's part, but in this case utilizing the 5% method would allow the facility to have the most signage, at about 179 square feet, when the applicant is asking for 200 square feet. Mr. McCall asked if the Sun Stop signage was over the allotment, with the other wall signs being within permitting parameters. Ms. Tolley stated yes, that was true. Mr. McCall asked if staff considered the line in the Sun Stop signage towards the square footage totals. Ms. Tolley stated that she did not include the line but just the lettering in the square footage totals. Chairman Strickland stated that the applicant had submitted a letter stated they had voluntarily reduced the wall signage size where possible, and had voluntarily reduced the size of the freestanding sign. As a multi-tenant facility, a 125 square foot sign is allowed but permitted 98 square feet of freestanding signage.

There being no further questions for staff, Chairman Strickland asked if there was anyone to speak on behalf of the application. Ben Bush, an attorney, 1300 Thomaswood Drive, Tallahassee, spoke on behalf of the application. Mr. Bush handed out updated schematics. Chairman Strickland asked if this was different than what had been received earlier. Mr. Bush stated yes, it was different. Mr. Bush asked Ms. Tolley how the Sun Stop square footage was calculated. Ms. Tolley stated it was calculated using the length and height given by the sign contractor. Mr. Bush asked how much Ms. Tolley had calculated for the Planet Smoothie signage. Ms. Tolley stated she had calculated that at 26.3 square feet. Ms. Tolley stated that she had calculated the Moe's to be at 38.5 sq. ft., the Sun logo to be 38.47 sq. ft., the Sun Stop words to be 100.1 sq. ft, for a total of 203.37 sq. ft. Mr. Bush asked how Ms. Tolley determined the calculations. Ms. Tolley stated she used the dimensions provided, by multiplying length by width. Mr. Bush stated he could not find anything in the code which directed staff to utilize a blocking method. He stated that for the circular sun logo, that the formula for square footage of a circle ( $\pi \times r^2$ ). Ms. Tolley stated that is the formula she used. Ms. Tolley stated it was a judgement call—that she would use the dimensions provided by the sign contractor and determine a shape to ascertain total square footage of a sign, and that rarely, she would have the sign contractor use their CAD system to measure curves, and other more technical dimensions for something that has more white space or is irregularly shaped. Mr. Martin stated that shapes, such as rectangles or square or circles, were commonly used, and that the LDR stated that the verbiage and the background should be used for the totality of the signage. Mr. Martin stated that it got a little more challenging with cursive type signage, but it was still common to use a shape of some sort. Chairman Strickland stated he understood, but that if you took four different people and gave them the same graphics, it is a possibility to get four slightly different answers, and he wanted to avoid disagreements about measurement methods due to time constraints. Mr. Bush stated the Board had been given updated dimensions. Chairman Strickland stated the Board just received the updated graphics, and he had not had time to review them. Mr. Bush stated that some of the signs had a lot of white space that was included in the square footage total calculations. Mr. Bush stated they needed the variances because the building was further off of the road than neighboring buildings, and the property had trees and a billboard that impede visibility of their signage. Mr. Bush stated that other adjacent properties had billboards and own signs, but very few had trees. Mr. Bush stated that the regulations were the reason they needed the variances, and that if the signage was visible, then travelers would not have to slow down to navigate to the Moe's or Planet Smoothie, and would not be as likely to cause an accident. Mr. Bush stated they are asking for the minimum variances to compete with their neighbors, and are not asking for any special treatment. Mr. Bush stated the Citgo next door had more canopy signs than allowed, and had multi-million dollar marketing budgets while the Inland did not have the millions to work with for marketing. Chairman Strickland stated that the signs may not have been permitted or that variances might have been granted. Mrs. Hobby asked what the differences were between the Citgo and the Inland. Mr. Martin was not sure. Mr. Bush stated the aeriels he provided showed proportionally where they were in relationship to each other. Mrs. Hobby stated there was a requested variance of 28.37 square feet between what Inland was requesting and what they could have. Mr. Martin stated that was correct. Chairman Strickland asked how much they were over in regards to canopy signs. Ms. Tolley stated they could have one canopy sign by right, 16 square feet or smaller,

and they wanted four signs, two of which were larger than allowed. Mr. Bush stated that any signs visible from the road did not require permits, and one of the canopy signs was not visible from the road. Mr. Martin stated that while that was true, the LDR also stated that canopy signs required permitting—which these signs do being canopy signs. Mr. Brantley asked if they were within code on the freestanding sign. Chairman Strickland stated they were, and that had already been permitted.

There being no more questions for Mr. Bush, Chairman Strickland asked if anyone else would like to speak. Ms. Glennie Bench, 1711 E. Shutwell Street, Bainbridge, spoke in support of the application. Ms. Bench apologized for the lateness of distributing the information. Ms. Bench stated that they want to be a nationally recognized design, and have spent about \$350,000 in designing the signs. The store is a multi-tenant site, consisting of one canopy and about 7500 square feet of building. The store doesn't quite fit into the convenience store model, nor the travel center model, and it sits further off of the interstate. Ms. Bench stated there were small discrepancies between the sizes of the canopy signs and the total square footages listed. Ms. Bench stated they prided themselves on delicious food and clean stores, and they intend to hire about 25 people, if it does well. Ms. Bench stated the image could very well determine their success.

There being no further discussion or questions for Ms. Bench, Chairman Strickland asked if anyone else would like to speak in support of the application. There being no one else, Chairman Strickland asked if there was anyone to speak in opposition. No one spoke. Chairman Strickland asked if there had been any contact to the office. Ms. Tolley stated there had been no contact.

There being no further questions, Chairman Strickland called for a motion. Mrs. Hobby made a motion to approve the wall signs as presented, at a total of 203.37 square feet for a variance of 28.37 square feet, and to approve the canopy signage as presented at 110.2 square feet total. Mr. Holt seconded the motion. The motion was called and carried with a vote of 5 to 0.

**Agenda Item # 4: APP-2018-04 — J. Michael Orenduff (120 N Patterson St., Valdosta)**

Mr. Holt stepped out due to work related obligations.

Chairman Strickland announced the case. Mr. Martin stated that Mr. and Mrs. Michael Orenduff are requesting variances from LDR Section 218-13(TT) as it pertains to the supplemental standards for a motel facility. The subject property is zoned C-D and is located at 120 N Patterson Street, and contains an existing 2 story building. The property contains an existing café and bookstore on the first floor, and the applicant's private residence on the second floor. The applicant is proposing to rent out three bedrooms on the first floor for temporary lodging, as a motel. The property is also going through the CUP process for a motel facility in C-D zoning, and is going through HPC to add a window to the exterior wall along Bennie's Alley for the purpose of providing a second means of egress for one of the lodging rooms. Motels have supplemental regulations that they must meet. This particular use does not meet two of the five supplemental regulations—that each guest room shall have a minimum of 300 square feet, and for motels three stories or less, or containing no more than 130 rooms, that the roof pitch must be 4:12. The guest rooms are between 136 and 175 square feet, and there is no roof pitch on the building. Staff realizes that the supplemental regulations are intended for larger motel facilities in typical commercial areas, not for smaller facilities in the city's downtown. Therefore, staff recommends approval of the request with two conditions--(1) Approval shall be granted in the name of the applicant only for a motel facility in the currently existing building, not to exceed 3 lodging rooms, and with minimum room sizes as indicated on the submitted floorplan. (2) Final room sizes and floorplan layout shall be determined by the City Fire Marshal and Building Official, with all permitting requirements being in compliance and up to date. Mr. Brantley asked if the owner and the applicant were different people. Mr. Martin stated that the owner and applicant were the same people, and that they lived on-site. Mr. Brantley asked why the use should be tied to the specific applicant. Mr. Martin stated that if the property changed hands, each future owner should have to plead their own case. Mr. Brantley asked if the use would carry over to a new owner. Mr. Martin stated the variance would not.

There being no further questions for staff, Chairman Strickland asked if anyone would like to speak on behalf of the application. Mr. Michael Orenduff, 120 N. Patterson St., spoke on behalf of his application. Mr. Orenduff distributed pictures of the guest rooms. Mr. Orenduff described each of the guest rooms and bathrooms. Mrs. Hobby asked if Room C had its private bath. Mr. Orenduff stated it would have its own bath, and there is a public bath across the hall.

Chairman Strickland asked if anyone else would like to speak in support of the application. No one spoke. Chairman Strickland asked if anyone would like to speak in opposition of the application. No one spoke. Chairman Strickland asked if there was any contact to the office. Mr. Martin stated there was no contact.

There being no further discussion, Chairman Strickland called for a motion. Mr. McCall made a motion to approve both variances as requested, with two conditions: (1) Approval shall be granted in the name of the applicant only for a motel facility in the currently existing building, not to exceed 3 lodging rooms, and with minimum room sizes as indicated on the submitted floorplan. (2) Final room sizes and floorplan layout shall be determined by the City Fire Marshal and Building Official, with all permitting requirements being in compliance and up to date. Mr. Brantley seconded the motion. The motion was called and carried with a vote of 4-0-1. (Mr. Holt was not present.)

**Agenda Item # 5: APP-2018-05 — Deep South Sanitation (205 Tucker Road, Valdosta)**

Chairman Strickland announced the case. Mr. Martin explained that this was a case related to Deep South Sanitation, LLC, at 205 Tucker Road, which is zoned M-2, in which the applicant is asking for a variance to LDR Section 218-13(LLL) as it pertains to an accessory solid waste transfer station which is related to their existing solid waste hauling station. The property is about 5.44 acres and is the southern half of a 10.88 acre parcel. The applicant received several variances in February 2018 (APP-2018-02). The supplemental regulations require a solid security fence at least 8 feet in height parallel to all property lines and placed on the interior side of the required landscaped buffer, with a site line study to be submitted to the Director for approval. The applicant is proposing to use their newly constructed building that encloses the solid waste transfer facility (in ground loading dock) as a substitute for the fencing requirement. The primary use of this business is still a solid waste hauling business; the solid waste transfer station is an accessory to the primary use of the property and occupies a small portion of the site. With the previous variance request, the new building enclosure did not exist and was not indicated on the site plan. In order for the business to comply, they would have to fence in the new building that encloses the transfer station, which seems redundant. They would also need to prepare and submit a site line study for the enclosure, which seems unnecessary because it is about 600 feet from Gil Harbin Industrial Blvd. Therefore, staff recommends approval of the request with conditions: (1) Approval shall be granted in the name of the applicant only -- for a Solid Waste transfer station in M-2 zoning which is accessory and subordinate to the primary use of the property as a solid waste hauling operation. (2) The facility shall handle municipal solid waste or natural vegetation debris only, and maintain compliance with all applicable Georgia EPD permit requirements. The solid waste transfer facility shall be in the form of truck-to-truck transfer only, with only one truck loading dock. There shall be no deposition of municipal solid waste on the property and there shall be no handling of hazardous materials on site. (3) Vehicular access and any additional paving on the property shall be at the discretion of the City Engineer. Mrs. Hobby asked what the fence would be made out of—a privacy fence, a wooden fence, etc. Mr. Martin stated no materials are specified. The only requirement is to be solid. Mrs. Hobby asked what purpose the gates at the ends serve. Mr. Martin stated they provide security. Mr. McCall asked if this property was next to the County maintenance yard. Mr. Martin stated it was.

Chairman Strickland asked if anyone would like to speak on behalf of the application. Mr. Cary Scarborough spoke on behalf of the application. He stated he had priced fences, but the building was close to the same cost as a fence. He put the gates up to provide security. Mrs. Hobby asked if there was a problem with a cross breeze. Mr. Scarborough stated that there was no problem with a cross breeze, that the truck was able to back deep into the building, but before the building, there was a problem with breeze. Mr. Martin stated there was no trash within the building, just trucks.

Chairman Strickland asked if anyone else would like to speak in support. No one spoke. Chairman Strickland asked if anyone would like to speak in opposition to the request. No one spoke. Chairman Strickland asked if there was any contact to staff's office. Mr. Martin stated there was no response to his office. Being that there was no more discussion, Chairman Strickland opened the floor for a motion. Mr. Brantley made a motion to approve as presented, with the following conditions: (1) Approval shall be granted in the name of the applicant only -- for a Solid Waste transfer station in M-2 zoning which is accessory and subordinate to the primary use of the property as a solid waste hauling operation. (2) The facility shall handle municipal solid waste or natural vegetation debris only, and maintain compliance with all applicable Georgia EPD permit requirements. The solid waste transfer facility shall be in the form of truck-to-truck transfer only, with only one truck loading dock. There shall be no deposition of municipal solid waste on the property and there shall be no handling of hazardous materials on site. (3) Vehicular access and any additional paving on the property shall be at the discretion of the City Engineer. Mr. McCall seconded the motion. The motion was called and carried with a vote of 4-0-1. (Mr. Holt was not present.)

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**LOWNDES COUNTY CASES**

**Agenda Item # 6: VAR-2018-09 — Indo-American Cultural Society of South Georgia (2117 Westside Road, Valdosta)**

Chairman Strickland announced the case. Chairman Strickland stated this case was tabled from last month due to no one being present to represent the case. Mrs. Tulloch stated the applicant wanted to build a religious facility at 2117 Westside Road and was requesting variances to the buffering requirements and to parking lot related landscaping requirements. Mrs. Tulloch stated the applicant is requesting relief to the buffer requirements along the east, south, and portions of the western lot lines. The applicant is proposing to use gravel rather than impervious surfaces and would like to maintain the subject property's rural character. Staff is recommending the following: 1) the existing vegetation along the exterior of Tax Map 0087 Parcel 220 that abuts the subject property shall remain undisturbed; 2) a buffer yard shall be required along the property line of Tax Map 0087 Parcel 219; and, 3) the required internal landscaping for the proposed parking lot to consist of 1,535 square feet plus 3 trees shall be relocated near the proposed religious facility. Mrs. Hobby asked where the existing gravel driveway was. Mrs. Tulloch stated it was along the eastern lot line. Mrs. Hobby stated that particular driveway was not gravel. Chairman Strickland stated this was not the access the religious facility was not going to use. Mrs. Hobby asked what the current buffering was. Mrs. Tulloch stated there were existing trees. Mr. McCall asked if the road was in a recorded easement. Mrs. Tulloch stated she was not knowledgeable about that particular road. Mr. McCall stated this was utilized to access people's homes. Chairman Strickland stated he believed it was an easement but it was not related to this request.

There being no further questions for staff, Chairman Strickland asked if anyone would like to speak on behalf of the application. Mr. Thomas Humphrey, 5553 Watkins Rd., landscape architect, spoke on behalf of the application. Mr. Humphrey stated they would have had to landscape against the residences and remove the existing vegetation, and that the residences were accessed by an easement. Mr. Humphrey stated he understood they had been approved to utilize gravel which would be difficult to put islands of plantings in.

Chairman Strickland asked if anyone else would like to speak in support of the application. No one spoke. Chairman Strickland asked if anyone would like to speak in opposition. No one spoke. Chairman Strickland asked if there had been any contact to the office. Mrs. Tulloch stated there was not. Chairman Strickland called for a motion. Mr. McCall made a motion to approve as presented, citing criteria "d" with the following conditions: 1) the existing vegetation along the exterior of Tax Map 0087 Parcel 220 that abuts the subject property shall remain undisturbed; 2) a buffer yard shall be required along the property line of Tax Map 0087 Parcel 219; and, 3) the required internal landscaping for the proposed parking lot to consist of 1,535 square feet plus 3 trees shall be relocated near the proposed religious facility. Mrs. Copeland seconded the motion. The motion was called and carried with a vote of 4-0-1. (Mr. Holt was not present.)

**Agenda Item # 7: AAD-2018-01— Cothron (5310 Tucker Road, Valdosta)**

Chairman Strickland announced the case. Chairman Strickland stated that the application was appealing the decision of the Zoning Administrator, and that the case had been tabled from the previous month's meeting. Mrs. Tulloch stated she did not have much additional information, but did distribute a list of home occupations from 2017, as well as a copy of Mr. Cothron's business license. Chairman Strickland stated that Mrs. Quarterman had requested a listing of home occupations from 2017 and the first quarter of 2018. Chairman Strickland stated that there is a listing of other septic tank businesses in the County, but he was not sure that they were using port-a-potties as well. Chairman Strickland stated that the question was if the Zoning Administrator made a reasonable decision. Mr. Brantley asked if the other septic services were home occupations. Mrs. Tulloch stated they were. Mrs. Hobby asked why septic tank businesses were in the same classification as port-a-potties when the only commonality was human waste. Mrs. Hobby stated she does not see the comparison. Mrs. Hobby asked if the septic businesses listed were doing both septic business and port-a-potty business. Mrs. Tulloch stated she was not sure. Mrs. Hobby stated if they were not, then they were comparing apples to oranges.

Chairman Strickland stated that it was the Board's goal to determine if the Zoning Administrator made an appropriate decision or not. Chairman Strickland stated that Mr. Brice would have time to talk, but needed to keep emotions out of the discussion. Mr. Coleman Brice, 910 N. Patterson St., stated that the septic tank businesses listed may not be comparable to what Mr. Cothron is doing. Additionally, close to twelve neighbors have concerns about this particular business. Additionally, there is no testimony that any other of the septic tank businesses had committed a felony. Chairman Strickland reiterated that the question the Board needed to answer was whether

the Zoning Administrator had made an appropriate decision or not. Mr. Brice stated that the aquifers in the area could be contaminated by run-off. Mr. Brice stated that this use was not clearly incidental to the residential nature of the property. Mr. Brice stated that the pump trucks and port-a-potty storage did change the residential nature of the property. Mr. Brice stated that when Mrs. Braswell made her decision, she went solely on the business license application, rather than doing any more investigation, when considering whether to approve the business license application or not. Mr. Brice stated that Mr. Cothron had acknowledged that the use and accessory building would pose a nuisance by stating he would build a buffer to mitigate a nuisance, and that home occupations were not to cause nuisances to adjacent properties. Chairman Strickland stated that the question that ZBOA was to answer whether Mrs. Braswell made an appropriate decision or not. Mr. Brice stated that Mrs. Braswell did not make an appropriate decision because Mr. Cothron did not abide by all the home occupation standards. Chairman Strickland stated that Mrs. Braswell did not have that information at the time she made her decision. Mrs. Hobby stated that she thought when Mr. Cothron moved from Lake Park to Tucker Road, that that's what triggered the business license application, which triggered this application. Chairman Strickland stated that was right. Mrs. Hobby stated that Mrs. Braswell saw it as a home occupation, and that the Board could determine it was not a home occupation. (Mr. Holt arrived back at the meeting.) Chairman Strickland stated that the Board was tasked with the decision of making the decision that Mrs. Braswell made an appropriate decision, or that she did not. Mrs. Hobby stated there was no mention of a port-a-potty business in the home occupation listing. Chairman Strickland stated that Mrs. Braswell had a little bit of discretion when making the determination whether something was a home occupation or not. Mr. Brice stated that if Mr. Holt decided to vote on this matter, he would like to go over everything he stated at the previous meeting so Mr. Holt was aware of what went on. Chairman Strickland stated he would rather Mr. Holt would not vote, because he was not present at the meeting where the variance was discussed, nor at the previous meeting where this case was initially discussed. Mr. Brice stated he appreciated that. Mr. Brice stated that Mrs. Braswell stated a tone was set, and that it was acceptable for outside employees to work for a home business as long as they did not come to the home, but met at the job site, and that there should not be a variance requested if a tone had been set. Mr. Brantley asked what complaints Mr. Brice had made for violations of the home occupation standards. Mr. Brice stated that Mr. Fielding and Mr. Bland had voiced their concerns to staff. Mr. Brantley stated the ZBOA was not an enforcement authority. Mr. Brice stated that the neighbors would have to babysit their neighbor and report any future violations. Chairman Strickland reiterated that the Board was tasked with whether the Zoning Administrator made an appropriate decision or not. Mr. McCall stated he felt they were getting off track. Mr. McCall stated that Mrs. Braswell was given paperwork and she made a decision based on this paperwork. Mr. McCall stated that he thought that Mr. Brice was asking the Board to not classify Milo Septic as a home occupation rather than all septic and port-a-potty businesses as home occupations. Mr. Brice stated that was correct, that the neighbors of other septic businesses could address any issues on their own. Mrs. Hobby stated that she didn't think they could group a port-a-potty business in with a septic tank business. Mr. McCall stated he agreed, but that was not what ZBOA was being tasked with. Mr. Brantley stated that they needed to make that decision, with the understanding that port-a-potties could not be stored on site, so it would be for a port-a-potty business with no port-a-potties on site. Chairman Strickland reiterated that the Board's decision was to determine if Mrs. Braswell made an appropriate decision at the time the business license was submitted. Mr. Brice stated he feels that does a great disservice to the neighbors to not take into account all the information, including information that was discovered after the license was submitted. Mr. Brice stated an error was made in the making the decision and also may have made a decision in interpreting his application; his application was meant to challenge the decision made for this home occupation on this property. Chairman Strickland stated a decision should be made today, that either staff erred, or staff made the correct decision. Mr. Brantley stated he believes it to boil down to an enforcement issue, that ZBOA is unable to enforce the ULDC. Mr. Brice stated that would mean that the neighbors would be required to babysit, watch the property, and call staff when issues arose. Chairman Strickland stated they were getting off track. Mr. Brice stated he would step down.

Mr. Greg Fielding, 5332 Tucker Road, spoke. Mr. Fielding stated that he had discussed his concerns several times with different staff, and if Mrs. Braswell had any questions, she could have asked him. Mr. Fielding stated that enforcement was not fit or proper for this particular situation. Chairman Strickland stated the Board was tasked with deciding if her decision was correct or not.

Mr. Mitch Cothron, 5310 Tucker Road, asked if he could speak. Chairman Strickland stated that this was purely an appeal to determine if Mrs. Braswell had made an appropriate decision or not. Mr. Cothron stated that the decision was made in February to grant the business license. Mr. Cothron stated as long as he was compliant, there was no problem. Mr. Brantley asked if he was compliant. Mr. Cothron stated he was.

Chairman Strickland stated it was time for a motion. He asked that Mr. Holt abstain as he had not been privy to the prior discussions regarding this location. Chairman Strickland stated he needed a motion to identify whether Mrs. Braswell made an appropriate decision, or not. Mrs. Hobby asked if they had to cite one of the criteria for home occupations. Chairman Strickland stated that if they felt an error was made, identify why the error was made. Mrs. Hobby stated that she would like to make a motion that Mrs. Braswell erred in her decision, because she incorrectly grouped it in with a septic tank business, citing home occupation criteria "h" that home occupations should not affect other properties, and this type of business has equipment that generates odor and probably leakage. Chairman Strickland called for a second. The motion died because it was not seconded.

Chairman Strickland called for another motion. Mr. Brantley made a motion that Mrs. Braswell was correct in determining that a septic tank/portable toilet business generally can be considered a home occupation. Mr. McCall seconded the motion. Chairman Strickland called the vote. The vote was 2-2-1 with Mrs. Copeland and Mrs. Hobby voting against the motion and Mr. Holt abstaining. Chairman Strickland stated it was his duty to break the tie, so he voted with the motion that Mrs. Braswell made an appropriate decision, which made the final vote 3-2-1,

Mr. Brice asked if he could reserve the right to appeal this decision. Chairman Strickland stated that if he wished to appeal this decision, it would need to be through the court system.

**Agenda Item # 8: Harry S. Stubbs on behalf of Ashley Browning (6125 Union Road, Hahira)**

Chairman Strickland announced the case. Mrs. Tulloch stated that the applicant is proposing to develop property at 6125 Union Road with self storage facilities. The property consists of about 12 acres and is in a proposed C-G zoning district. (The property is currently undergoing the rezoning process.) Table 4.03.21 in the ULDC has supplemental standards for self-storage facilities, and the applicant is seeking variances from five of those standards. The supplemental standards require that self-storage properties be no larger than 5 acres. The applicant is proposing an 8 acre development. Staff is recommending approval of this with the condition that the maximum site area does not exceed 8 acres. The supplemental standards require that access be from a major or minor arterial. Union Road is classified as a collector. Staff recommends approval of this request. The supplemental standards require the front yard setback to be 75 feet and a rear yard setback of 25 feet. The applicant is asking for a front yard setback of 20 feet and a rear yard setback of 20 feet. The supplemental standards allow that no more than 25 percent of the building area of the site shall be devoted to outdoor storage. The applicant is proposing to develop 50 percent or more of the building site for outdoor storage. Staff recommends approval with a condition that the outdoor storage area does not exceed 50% of the building area of the site. The supplemental standards require that minimum traffic lane widths shall be 25 feet. The applicant is proposing traffic lanes with a width of 20 feet. Staff recommends approval of the variance as requested with a condition that the proposed traffic lanes are marked as "one-way" lanes.

Mr. Brantley asked what setbacks staff was recommending. Mrs. Tulloch said staff was recommending 20 feet for each setback. Mrs. Hobby asked if buffering was required along the interstate. Mrs. Tulloch stated that buffering was proposed along the interstate and the Union Road side. Mr. Brantley asked what vegetation was required. Mrs. Tulloch stated it was normally 4 trees and 25 shrubs. Mr. Brantley asked if travel lanes could be placed in the buffering. Mrs. Tulloch stated they were not allowed in the buffering. Chairman Strickland stated that the applicant was going to be 30 feet from the property line to the building, with 10 feet of buffering and 20 feet of drive. Stacy Stubbs, applicant, stated that buffering would be placed between the drive and Union Road, and there would be woods near Frank's Creek. Mr. Stubbs stated this was a first step draft site plan. Mr. Stubbs said there would be a buffering along the northern side. Mrs. Tulloch stated that GLPC required 10 feet of buffering along the Union Road and I-75 property lines. Mr. Martin stated that GLPC is a recommending body only, and that an official decision would be made at the Lowndes County Commission meeting. Mr. Brantley stated that the ZBOA can set buffering requirements of its own. Mrs. Hobby asked why the ZBOA was considering this case when the rezoning had not been approved. Mrs. Hobby stated there was no other commercial business in this area other than a landscaping business. Mr. McCall asked if she would like the case to be tabled. Mrs. Hobby stated that she would like this case tabled. Mrs. Tulloch stated that most applicants liked to keep the time lines as tight as possible. Mrs. Hobby stated that there were several variances involved. Mr. Brantley asked why there was a five acre maximum for self-storage facilities. Mrs. Tulloch stated she was not sure. Chairman Strickland stated that the ULDC was a living, breathing document that could be amended as needed, and that the five acres was probably a compromise.

Chairman Strickland asked Mr. Stubbs if he wanted to speak. Mr. Stubbs, 6125 Union Road, spoke. He stated that Stone Creek and Grove Pointe were large near-by subdivisions that could not store items such as boats or RVs in their yards, and this proposed facility would serve those property owners. Mr. Brantley asked what the reason was for the proposed size of eight acres; Mr. Stubbs stated it would give him plenty of room for expansion or growth, to store RVs and larger items. Mr. Brantley asked if they tabled the case, would the site plan be further along? Mr. Stubbs said it probably would. Mr. Brantley asked if there was strong opposition to tabling the case. Mr. Stubbs stated he did not have strong opposition to tabling.

Chairman Strickland asked if there was any one else to speak in support. No one spoke. Chairman Strickland asked if anyone would like to speak in opposition. No one spoke. Chairman Strickland asked if any contact had been made to the office. Mrs. Tulloch stated no contact had been made.

Chairman Strickland called for a motion. Mrs. Hobby made a motion to table the case until the July 2018 meeting. Mrs. Copeland seconded the motion. The motion was called and carried with a vote of 5 to 0.

**OTHER BUSINESS**

**Agenda Item # 6: Approval of Minutes: May 2018**

Chairman Strickland stated he understood the draft minutes needed some editing. Ms. Tolley stated she understood that there may be a few grammatical errors or spelling errors in the draft minutes, that the Board may want to table until the next month, or approve with those errors fixed. Chairman Strickland asked the Board what they would like to do. Mr. McCalll made a motion to table consideration of the minutes until the July 2018 ZBOA meeting to give staff time to rectify the errors. Mrs. Hobby seconded the motion. The motion was called and carried with a vote of 5 to 0.

**Agenda Item # 7: Adjournment**

There being no further business, the meeting adjourned at 5:39 p.m.

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

July 10, 2018  
Date