

MINUTES

Valdosta-Lowndes Zoning Board of Appeals

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

January 8, 2018

2:30 p.m.

MEMBERS PRESENT

Nathan Brantley
Victoria Copeland
Nancy Hobby

John "Mac" McCall
Gretchen Quarterman
Allan Strickland

MEMBERS ABSENT

Paul Alvarado
John D. Holt

STAFF PRESENT

Carmella Braswell
Tracy Tolley
Debra Tulloch

VISITORS PRESENT

Jim Fowler
Sharron Fowler
Wayne Lorenzo
Glynda Zaun

Agenda Item # 1: CALL TO ORDER

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

LOWNDES COUNTY CASE

Agenda Item # 2: VAR-2019-01 — Stoker Development (Mulligan Road & Coventry Drive, Valdosta)

Chairman McCall announced the case. Vice-Chairman Strickland stated he had a conflict and needed to abstain from the case and moved from the Board table. Mrs. Tulloch stated that the applicant is seeking relief for two Planned Developments (P-D) off Mulligan Road and Coventry Drive. Planned Developments are master planned and approved by the Lowndes County Board of Commissioners, and are often planned with creativity and flexibility. ULDC Section 4.06.01 provides standards for Planned Developments in terms of requirements relating to land area, access, building setbacks, open space, etc. in order to ensure compatibility and tailoring within an urban and/or rural settings. Mrs. Tulloch stated she would like to present the requests separately. The applicant, Mr. Jerry Stoker, is asking for a setback variance to the side yards in the Coventry Villas Subdivision—to possibly decrease them from eight feet to five feet for the entire subdivision development.

Chairman McCall asked if the Board had any questions. Mrs. Quarterman asked if eight feet was standard or if it was unique to this development. Mrs. Tulloch stated it was unique to the Coventry Drive development and was set/approved during the rezoning process. Mr. Brantley stated he had noticed a requirement for a fence was a part of the approval process. Mr. Brantley asked if Mrs. Tulloch was familiar with the specifics of that request. Mrs. Tulloch was not familiar with why that condition was set as a part of the approval and that Mrs. Braswell may want to speak to that. Mrs. Hobby asked if there was a minimum side yard setback that the Fire Department would find acceptable. Mrs. Tulloch stated that she had heard of five feet side yard setbacks that were acceptable to the Fire Department.

Mrs. Tulloch presented the second variance request. The applicant is asking for a ten feet minimum building setback from Mulligan Road in the Coventry Subdivision for lots Number 19 and 20; the ULDC set the setback at thirty feet from the property line. The property was rezoned in 2016 for the PD. Mrs. Tulloch stated she had spoken to Mrs. Braswell to see if there were other options, and that an administrative waiver for twenty percent waiver was available for a 24 feet setback, but the applicant wanted more of a variance. Staff reviewed the request, and no objectionable comments were received from the TRC. Mrs. Hobby verified that an administrative waiver could authorize 24 feet. Mrs. Tulloch stated that 24 feet was the most an administrative waiver could give.

There being no questions for staff, Chairman McCall asked if anyone would like to speak on behalf of the application. Mr. Matt Phelps, 4560-F Valnorth Drive, spoke on behalf of the application. Mr. Phelps stated he was the engineer representing Mr. Stoker. He stated he had heard a question regarding the fencing requirement that was a part of the rezoning, and it was a fencing requirement for the rear yard of the houses, and as long as the Fire Department had at least five feet in the side yards to work with, they were OK with that. Mrs. Hobby asked what year Glen Laurel was developed. Mr. Phelps stated it was recorded in 2012. Mrs. Hobby asked what year the ULDC was adopted. Mrs. Tulloch stated it was adopted in May of 2006. Mr. Brantley asked if this request was to get a larger house in. Mr. Stoker stated it was to try to get a house with a one car garage in. Mrs. Quarterman asked why a smaller side yard setback wasn't requested when the PD was adopted. Mr. Phelps stated there was a lot of discussion at that time. Mrs. Quarterman asked why the property didn't go through the rezoning process to amend the PD approval. Mr. Phelps stated the ULDC required that the request come through ZBOA for variances rather than the Board of Commissioners. Mrs. Hobby asked, when Glen Laurel was developed, were the side yard setbacks originally set as five feet? Mr. Phelps stated they were. Mrs. Quarterman stated that when the PDs were developed, they identified what the setbacks were going to be, so they could have accounted for the setbacks at that time. Mr. Phelps stated that was true, but that the plats showed a ten foot setback rather than the thirty foot setback. He stated he was not the engineer at the time, so he was playing catch-up and trying to determine what had happened. Mrs. Tulloch stated that staff should have caught that before the plat was recorded. Mrs. Hobby asked why the setback was set at thirty feet. Mrs. Tulloch stated she was not sure. Mr. Phelps stated that there were many unique things about this subdivision, that didn't follow the traditional PD requirements, and they were asking to follow the plat as recorded.

There being no further discussion from the Board, Chairman McCall asked if anyone would like to speak in support of the application. Mr. Jerry Stoker, 4836 Oak Arbor Drive, spoke in support. Mr. Stoker acknowledged Wayne Lorenzo, Jim and Sharron Fowler, and Glenda Zaun in the audience, stating that their properties back up to Coventry Villas. Mr. Stoker stated there has been a lot of discussion over the years regarding these PDs. Mr. Stoker stated that he had put in sidewalks and parking areas, as well as playgrounds. Mr. Stoker stated that one problem was that people from other communities were using the playgrounds because of the parking areas in close proximity to the playgrounds. Mr. Stoker stated that if the variances were not granted, then he would be required to build smaller, shot-gun type houses, and the reaction he always got was that additional Blue Pool type housing was not wanted.

Chairman McCall asked if there was anyone else who would like to speak in support of the application. Jim Fowler, 4148 Mulligan Road, spoke in support of the application. He stated he had lived there for 27 years, and didn't want small houses. He understood about the concerns with the playgrounds. He would rather see a larger house than a smaller, shot-gun type house. Mr. Stoker stated that Mr. Fowler was a retired fire chief from Moody Air Force Base. Chairman McCall asked if anyone else would like to speak. Ms. Glenda Zaun, 3888 Old Pine Road, spoke in support of the application. She has lived there since 1987, and was the previous owner of the property, and supports a larger home. She does not want a Blue Pool home back there.

Mrs. Hobby asked if the variance was approved, what would be the difference in square footage be? Mr. Stoker stated a two story house could be built, but it wasn't approved. For a one story house, it would be between 1250 and 1325 square feet. With a two car garage if the variance was approved, the house would be between 1375 to 1545 square feet. Mrs. Quarterman stated she would like to know if the Commission approved eight feet. Chairman McCall stated that if that information is needed, tabling the request might be the way to go. Mrs. Braswell stated that the Commission approved eight feet because that is what was presented, not five feet. Mrs. Quarterman asked if five feet was ever presented to staff. Mrs. Braswell stated that five feet may have been discussed between the previous planner and Mr. Stoker, and the planner recommended eight feet. Mrs. Hobby stated she was curious as to why the previous planner recommended eight feet. Mrs. Braswell stated she cannot answer that question. Mrs. Quarterman asked how much amending the PD cost. Mrs. Braswell stated about \$600. Mrs. Quarterman asked how much the variance request cost. Mrs. Braswell stated about \$550. Mrs. Quarterman stated it was about the same. Mr. Stoker stated that we had people who made decisions who had a "want" list, and were non-developers, and that if it was in black and white that a five foot setback was doable, then it should be done, rather than an eight or ten foot setback. Chairman McCall asked if Mrs. Quarterman felt she had the information to make a decision. Mrs. Quarterman stated yes, she did. Chairman McCall asked if anyone else had any questions. There were no more questions. Chairman McCall asked if there was anyone who wanted to speak in opposition. No one spoke. Chairman McCall asked if anyone had contacted the Planning and Zoning office. Mrs. Braswell stated there were calls asking about what the variance was for.

Chairman McCall asked if anyone would like to make a motion. Mr. Brantley made a motion to approve the variance request for Coventry Villas conditioned upon the fence requirement as required by the County Commission citing criteria "d." Mrs. Hobby seconded the motion. Chairman McCall asked for a vote on the motion for Coventry Villas. The motion was approved with a vote of 4-0-1, with Vice-Chairman Strickland abstaining.

Chairman McCall called for a motion on Coventry Subdivision. Mrs. Hobby made a motion to approve a variance of ten feet, with the setback being twenty feet from the property line. Mrs. Quarterman seconded the motion. Chairman McCall called for a vote. The vote failed with a motion of 2-3-1, with Mr. Brantley and Mrs. Copeland voting against, Chairman McCall breaking a tie and voting against the motion, with Vice-Chairman Strickland abstaining. Chairman McCall called for a second motion. Mr. Brantley made a motion to approve as presented, citing criteria "d" with Mrs. Copeland seconding the motion. Chairman McCall called for a vote. The motion was called and carried with a vote of 3-2-1, with Mrs. Hobby and Mrs. Quarterman voting against, Chairman McCall breaking a tie, and Vice-Chairman Strickland abstaining.

CITY OF VALDOSTA CASE

Agenda Item #3: APP-2018-09 — Wiley Myers (2528 Melrose Drive)

Vice-Chairman Strickland resumed his seat at the Board table.

Chairman McCall called the second case. Vice-Chairman Strickland noted that the applicant was not in the audience. Ms. Tolley stated that the applicant was aware of the meeting date and time, and that he needed to be there. Vice-Chairman Strickland stated that in the past, the Board preferred the applicant attend the meeting for any questions. Mrs. Quarterman stated she had questions, and made a motion to table the request. Mr. Brantley seconded the motion. The motion was called and carried unanimously with a vote of 5 to 0.

OTHER BUSINESS

Agenda Item # 4: Approval of Minutes: December 4, 2018

Ms. Tolley stated that the draft minutes were not available by meeting time, but would be ready for the February meeting.

Agenda Item # 5: Adjournment

There being no further business, the meeting was adjourned at 3:30 p.m.

/s/ John McCall
John "Mac" McCall, Chairman

April 2, 2019
Date