



VALDOSTA-LOWNDES COUNTY ZONING BOARD OF APPEALS
Staff Report - MEETING DATE: June 6, 2017

VAR-2017-07
Stacy Rountree
6119 Shiloh Road, Hahira, Georgia

(Note: This request was tabled from the ZBA’s May meeting in order to allow the applicant to consider options). This application is a request for a Variance to the Minimum Building Setback requirement for Accessory Structures. The subject property consists of ~14 acres and is located at 6119 Shiloh Road, Hahira, Georgia, in an E-A (Estate Agricultural, 5 acres) zoning district.

Table 5.02.01(D)(8) provides for Setback Standards for Accessory Structures as outlined below:

Table 5.02.01(D)(8). Setback Standards for Accessory structures.

	Standard
Setbacks for accessory buildings in residential zoning districts <ul style="list-style-type: none"> • From side property lines • From rear property lines • Side or rear property lines on a corner lot 	<ul style="list-style-type: none"> • Same setback as required for the principal structure • 10 feet • Setback from the centerline a distance equal to 75 percent of the front yard setback
Setbacks for accessory buildings in non-residential zoning districts	Same as front, side, and rear Setbacks for the principal structure

In this case, there are 3 existing accessory structures that do not meet the minimum side yard building setback requirement – these structures have been highlighted on the attached site plan. These structures were constructed several years ago and after the adoption of the ULDC (‘2006). The minimum side yard building setback requirement for the E-A zoning district is twenty (20’) feet. The applicant is seeking a Variance so that they may keep the accessory structures as depicted on the survey. **Therefore, a Variance of 14.5 feet is being requested for the structure identified as a “barn”; a Variance of 9.5 feet is being requested for the structure identified as “barn”; and, a Variance of 10 feet is being requested for the structure identified as a “shed”.**

The subject property is located in an Agricultural/Forestry Character Area on the Future Development Map of the Comprehensive Plan. This character depiction is for lands in open and/or cultivated states or sparsely settled. Moderately and high-density residential subdivisions are not encouraged and should be severely limited.

The TRC has reviewed this request and ultimately had differing opinions as reflected in the table below. Planning and Zoning made a recommendation to approve a ten (10’) feet Variance for all of the accessory

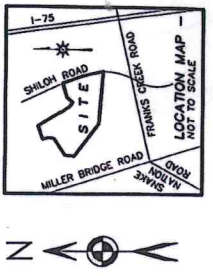
structures that do not comply with the current standards. Overall, the TRC is ultimately recommending approval for the Variance as presented. Considerations were given to the sufficiency of the existing building setback distance from the established property line. As follows:

	Planning	Zoning	Engineering	Utilities
Division with Recommendation	Approval of 10' Variance	Approval of 10' Variance	Approval as presented	Approval as presented
	Board of Health	Fire/Rescue	Inspections	Moody AFB
	Approval as presented	Approval as presented	Approval as presented	n/a
Recommended Conditions with (Source)	N/A			
Other Comments with (Source)	N/A			

The ULDC provides that variances may be granted upon a finding by the ZBA that one the following conditions have been met:

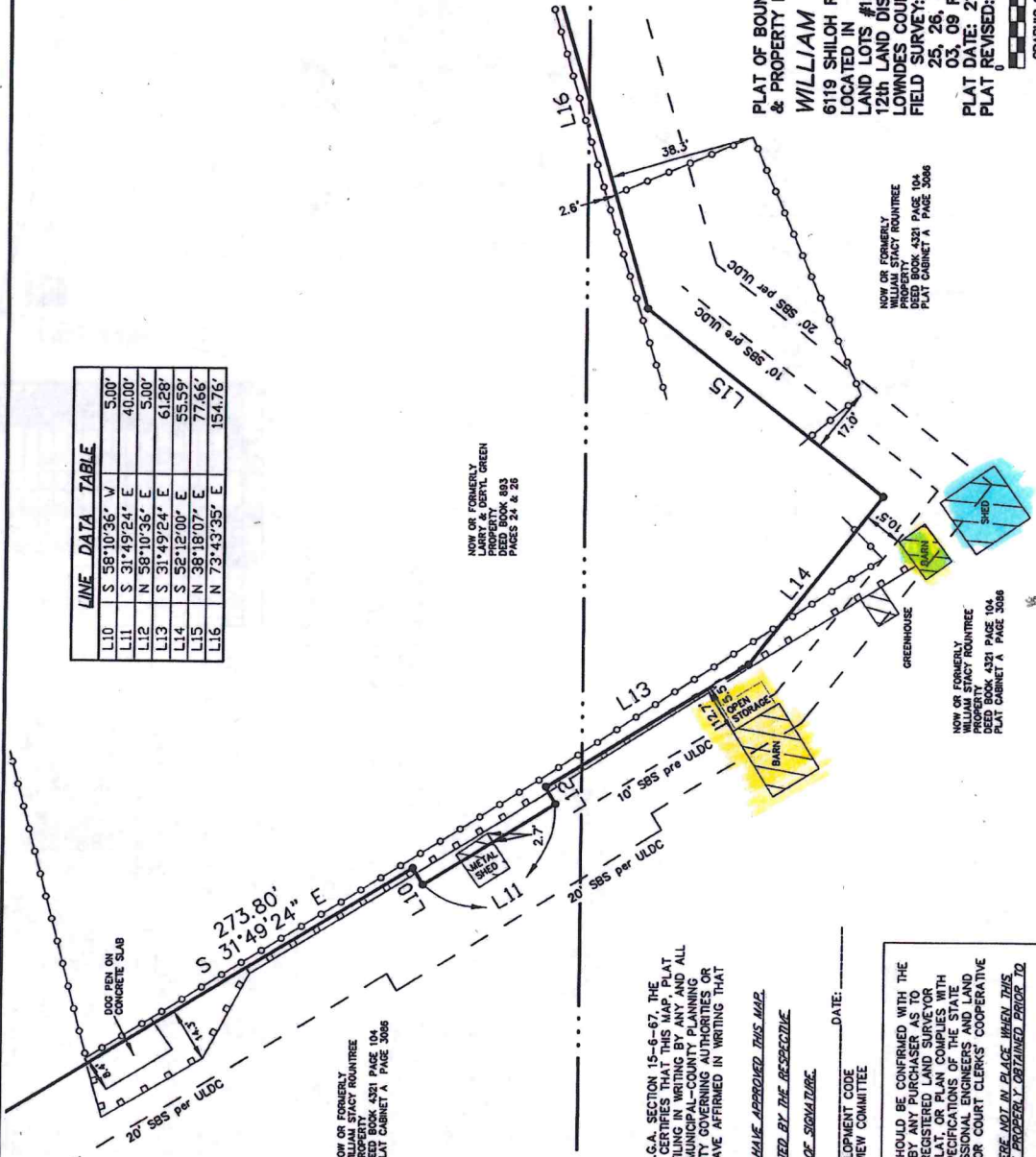
- A. *There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;*
- B. *Such conditions are peculiar to the particular piece of property involved;*
- C. *The application of this ULDC to this particular piece of property would create an unnecessary hardship;*
- D. *Relief, if granted, will not cause substantial detriment to the public good or impair the purposes and intent of this ULDC;*
- E. *A literal interpretation of the provisions of this ULDC would deprive the applicant of rights commonly enjoyed by other properties of the zoning district in which the property is located;*
- F. *Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the zoning district in which the applicant's property is located;*
- G. *The requested variance will be in harmony with the purpose and intent of this ULDC and will not be incompatible with the neighborhood or to the general public welfare;*
- H. *The special circumstances are not the result of the actions of the applicant;*
- I. *The variance requested is the minimum variance that will make possible the legal use of the land or structure;*
- J. *The variance is not a request to permit a use of land or structures which are not permitted by right in the zoning district involved;*
- K. *The extension of said nonconforming use will not further injure a permitted use on the subject property or on adjacent property*
- L. *The design, construction, and character of the nonconformance is not suitable for uses permitted in a district in which the nonconformance is situated; and*
- M. *The nonconforming use is similar to the prior nonconforming use.*

REVISED 03/07/2017 PRELIMINARY PLAT



- LEO = 1/2" CONCRETE REINFORCING ROD
- R/W or R.O.W. = RIGHT OF WAY
- BS = FRONT MINIMUM BUILDING SETBACK
- RS = REAR MINIMUM BUILDING SETBACK
- RS = REAR MINIMUM BUILDING SETBACK
- BM = BENCHMARK
- = 5/8" x 18" IRON REBAR WITH 12" SPACING
- = 1/2" x 12" IRON REBAR WITH 12" SPACING
- = 3/4" x 12" IRON REBAR WITH 12" SPACING
- = 3/4" x 12" IRON REBAR WITH 12" SPACING
- = FOUND AT LAND LOT CORNER
- = POINT NOT MONUMENTED
- = BOUNDARY LINE
- - - = RIGHT OF WAY LINE
- - - = WIRE FENCE
- - - = CHAIN LINK FENCE
- - - = WOOD PRIVACY FENCE

LINE DATA TABLE	
L10	S 38°10'36" W 5.00'
L11	S 31°49'24" E 40.00'
L12	N 38°10'36" E 5.00'
L13	S 31°49'24" E 61.28'
L14	S 52°12'00" E 55.59'
L15	N 38°18'07" E 77.66'
L16	N 73°43'35" E 154.76'



PLAT OF BOUNDARY RETRACEMENT SURVEY for
 & PROPERTY DIVISION SURVEY for
WILLIAM STACY ROUNTREE
 6119 SHILOH ROAD
 LOCATED IN
 LAND LOTS #131, #132, #145 & #146 of the
 12th LAND DISTRICT of
 LOWNEDES COUNTY, GEORGIA
 FIELD SURVEY:
 25, 26, 31 JANUARY &
 03, 09 FEBRUARY of 2017
 PLAT DATE: 21 FEBRUARY 2017
 PLAT REVISED: 07 MARCH 2017

GRAPHIC SCALE
 1" = 20'
 0 20 40 60
 FOLSOM SURVEYING, LLC
 ROLAND STAN FOLSOM
 GEORGIA R.L.S. #2284
 L.S.F. 000218
 1311 HASTINGS DRIVE
 REMERTON, GA, 31601
 229 - 244 - 2920
 DRAWING: J254-S ROUNTREE 2.dwg
 CORDS: J254-S ROUNTREE.crd

THIS BLOCK RESERVED FOR THE
 CLERK OF THE SUPERIOR COURT

NOW OR FORMERLY
 PROPERTY
 DEED BOOK 4321 PAGE 104
 PLAT CABINET A PAGE 3086

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 PROPERTY
 DEED BOOK 493
 PAGES 24 & 25

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 PROPERTY
 DEED BOOK 4321 PAGE 104
 PLAT CABINET A PAGE 3086

NOW OR FORMERLY
 PROPERTY
 DEED BOOK 4321 PAGE 104
 PLAT CABINET A PAGE 3086

AS REQUIRED BY SUBSECTION (c) O.C.G.A. SECTION 15-6-67, THE REGISTERED LAND SURVEYOR HEREBY CERTIFIES THAT THIS MAP, PLAT OR PLAN HAS BEEN APPROVED FOR FILING IN WRITING BY ANY AND ALL APPLICABLE LOCAL, STATE OR FEDERAL AGENCIES, COUNTY PLANNING COMMISSIONS OR MUNICIPAL OR COUNTY COMMISSIONS, AND THAT SUCH GOVERNMENTAL BODIES HAVE AFFIRMED IN WRITING THAT APPROVAL IS NOT REQUIRED.

THE FOLLOWING GOVERNMENT BODIES HAVE APPROVED THIS MAP, PLAT OR PLAN FOR FILING AS INDICATED BY THE RESPECTIVE SIGNATURES BELOW WITH THE DATE OF SIGNATURE.

LOWNEDES COUNTY UNIFIED LAND DEVELOPMENT CODE APPROVAL, CHAIRMAN, TECHNICAL REVIEW COMMITTEE _____ DATE: _____

SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER AS TO INTENDED USE OF ANY PARCEL. THE REGISTERED LAND SURVEYOR THE HEREIN STATES THAT THIS MAP, PLAT, OR PLAN COMPLIES WITH THE REQUIREMENTS OF THE REGULATIONS OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE SUPERIOR COURT CLERKS COOPERATIVE AUTHORITY. THE APPROVAL SIGNATURES ABOVE WERE NOT IN PLACE WHEN THIS SURVEY WAS ISSUED AND ARE TO BE PROPERLY OBTAINED PRIOR TO RECORDING.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 18 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.