

MINUTES

Valdosta-Lowndes Zoning Board of Appeals

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

May 2, 2017

2:30 p.m.

MEMBERS PRESENT

Paul Alvarado
Nathan Brantley
John Hogan, III
Dr. Willie Houseal

John "Mac" McCall arrived
at 2:35 PM
Gretchen Quarterman
Allan Strickland

MEMBERS ABSENT

Nancy Hobby

STAFF PRESENT

Ted Bilak
Carmella Braswell
Jason Davenport
Tracy Tolley

VISITORS PRESENT

Greg Blais
Rae Wentz Odom

Felix Vayner
Jennifer Walker

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.

LOWNDES COUNTY CASES

Agenda Item # 3: VAR-2017-06 --- Rodney Tenery, Jr. on behalf of Odessa G. Denton c/o Lonnie M. Denton (5838 Clyattville Nankin Road, Valdosta)

Chairman Strickland stated that the applicant requested that this item be tabled until the regularly scheduled June 2017 ZBOA meeting. Chairman Strickland asked if someone would make a motion. Mr. Alvarado made a motion to table the case until the June 2017 regularly scheduled ZBOA meeting. Mr. Hogan seconded the motion. The motion was called and carried unanimously with a vote of 6 to 0.

Agenda Item # 2: VAR-2017-05 --- Lower Lowndes, Inc.—Jennifer Walker (6671 Brookridge Drive, Hahira)

Chairman Strickland announced the case. Mr. Brantley stated he would recuse himself from this case due to a coworker representing the applicant. He left the table and sat in the audience.

Mrs. Braswell stated that the applicant was asking for a variance to ULDC Table 4.01.01(G) to the lot width for a particular parcel at 6671 Brookridge Drive, Hahira. The parcel consists of 1.06 acres and is zoned R-1. The subject property was initially created as one of several subdivided parcels on an unrecorded survey plat in 1993. The challenge is that the subject property lacks the minimum lot width at the existing house; the lot is 113 feet wide rather than the required 120 feet wide, which is why the applicant is asking for a seven foot variance. The requested variance is needed to separate this particular parcel from the parcel immediately adjacent so each parcel can be described individually by a metes and bounds legal description, and will allow a survey plat to be recorded independently of each other. Staff found this request to be reasonable as the homes are already developed to meet the minimum building setbacks and are utilizing an approved individual private sanitary sewer system. As such, the TRC recommended approval, citing criteria "d."

There being no questions for staff from the Board, Chairman Strickland asked if anyone would like to speak on behalf of the application. Jennifer Walker, an associate with Dover, Miller, Karras, and Langdale, 701 N. Patterson Street, spoke on behalf of the application. Ms. Walker stated the issue with the lot width was not created by the current owner, and a plat could not be recorded with the current layout, causing hardship for the owner. Mr. Alvarado asked if the house was occupied. Ms. Walker stated she did not believe anyone was living in the house currently.

Chairman Strickland asked if there was anyone else in support of the application. No one spoke. Chairman Strickland asked if anyone would like to speak in opposition of the application, or if anyone had questions. No one spoke. Chairman Strickland asked if anyone had contacted Mrs. Braswell's office. Mrs. Braswell stated that when she posted the sign on the property, the tenant came out to ask what was going on. Mrs. Braswell believed the tenant was in the process of moving out at that point. Other than that, no one inquired about the case.

Mrs. Quarterman asked how the house was permitted when the lot width regulation existed at the time of permitting. Mrs. Braswell stated the error was discovered when the survey was reviewed after the house was built. Mr. Alvarado asked how large the property was. Mrs. Braswell stated the parcel was 1.06 acres. Mr. Alvarado stated he saw a date of 1992 on a survey. Mrs. Braswell stated that was when lots 5—the particular parcel in question--and 6 were combined.

There being no further questions, Chairman Strickland opened the floor for a motion. Mr. Alvarado made a motion to approve the request as presented citing criteria "d." Mr. McCall seconded the motion. The motion was called and carried with a vote of 5-0-1, with Mr. Brantley abstaining.

Agenda Item # 4: VAR-2017-07 --- Stacy Rountree (6119 Shiloh Road, Valdosta)

Mr. Brantley resumed his seat at the table.

Chairman Strickland announced the case. Mrs. Braswell stated the applicant was asking for side yard variances for three accessory buildings. The property is located at 6119 Shiloh Road in an E-A zoning district and consists of approximately 14 acres. Table 5.02.01(D)(8) requires that setbacks for accessory buildings in non-residential zoning districts such as E-A zoning districts are the same as front, side, and rear setbacks for the principal structure. In this instance, there are three existing accessory structures—two barns and a shed—that were constructed after adoption of the ULDC and are too close to the side property line. The side setback for the principal structure in the E-A zoning district is 20 feet. Therefore, variances of 14.5 feet for a barn, 9.5 feet for a barn, and 10 feet for a shed are being requested. The TRC reviewed the request and had differing opinions. Planning & Zoning recommended to approve a ten foot variance for all of the accessory structures that do not comply with current standards. Overall, the TRC ultimately recommended for the variances as presented.

Mrs. Quarterman asked if the current owner built the structures. Mrs. Braswell stated that they could find the building permit for one of the structures, and the owner at the time built the structure. Mrs. Quarterman asked if the building permit listed the setbacks. Mrs. Braswell stated the zoning approval letter did.

There being no further questions, Chairman Strickland asked if there was anyone to speak on behalf of the application. No one spoke. Chairman Strickland asked if there was anyone to speak in opposition to the application. No one spoke. Chairman Strickland asked if anyone had contacted Mrs. Braswell's office. Mrs. Braswell stated there had been no contact.

Mrs. Quarterman asked if anyone was present to represent the applicant. There was no one. Mr. Brantley asked if there was a variance requested for the metal shed. Mrs. Braswell stated there was not because the owner was going to remove that particular shed. Mr. McCall stated that it appeared that staff had recommended that the open storage portion of the barn be removed. Mrs. Braswell stated that was Planning and Zoning's recommendation. Chairman Strickland asked if the applicant was aware of staff's recommendation. Mrs. Braswell stated no. Chairman Strickland asked what options the applicants had if they disagreed with that recommendation. Mrs. Braswell stated they could wait a year and reapply, or move the buildings. Chairman Strickland asked what the County's advice would be if the Board granted a variance of ten feet to the applicants if they indicated they wanted to wait a year and reapply. Mrs. Braswell stated they would advise the applicant to remove the structures and reapply in a year. Chairman Strickland stated the Board could choose to vote on the request or table the request to give the applicant a month to understand what their options are.

There being no further discussion, Chairman Strickland called for a motion. Dr. Houseal made a motion to table the request until the regularly scheduled June 2017 meeting. Mrs. Quarterman seconded the motion. The motion was called and carried with a vote of 5 to 1, with Paul Alvarado voting against the motion.

Agenda Item # 5: VAR-2017-08 --- Gregory R. Blais on behalf of Jinni P. Worn, Jr. (4729 Woodland Point, Valdosta)

Chairman Strickland announced the case. Mrs. Braswell stated that this case is a request for a variance to the minimum side yard setback requirement. The subject property is located in Stone Creek Subdivision, zoned P-D, consists of 0.65 acres, and is addressed as 4729 Woodland Point, Valdosta. In this particular phase, the recorded subdivision plat depicts a side yard setback of 15 feet. The applicant is proposing an approximately 1000 sq. ft. addition to the existing house that is 10 feet from the side property line and is therefore requesting a variance of 5 feet to the side yard setback. (The applicant had originally requested a more substantial variance, but revised it to a lesser request.) Staff reviewed the request and ultimately determined that the proposed variance would not cause substantial detriment to the public good or impair the purpose and intent of the ULDC, and recommends approval for the revised variance for the addition only.

Mr. Alvarado asked about how far away the addition would be from the house next door. Mrs. Braswell stated the addition would be about thirty feet from the house next door. Mr. Brantley asked how the house next door aligned with the subject property's house. Mrs. Braswell stated the house next door appeared to be a little closer to the road than the subject house.

There being no further questions for staff, Chairman Strickland asked if anyone would like to speak on behalf of the application. Greg Blais, 4729 Woodland Point, has been a Stone Creek resident since 2001. He bought the house the week after the application was due, or his name would be the applicant's name. Mr. Blais stated it was at least 30 feet, and closer to 40 feet, from the neighbor's house. He has met with the HOA, which has tabled his application for the addition until ZBOA makes a decision on his application. Once that decision has been made, then the HOA will consider his application. Chairman Strickland asked what the purpose of the addition was. The addition will be a garage and additional storage with a second story for a gym and yoga studio. Dr. Houseal asked if there were any photos or drawings. Mr. Blais stated he had some artist renderings he could show. Mr. Blais stated it would be connected via a hallway of approximately seven feet. Mr. Blais stated he had a petition in support from his neighbors. Chairman Strickland stated they could make the petition a part of the minutes.

There being no further questions for Mr. Blais, 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 to the application. No one spoke. Chairman Strickland asked Mrs. Braswell if anyone had contacted the office. Mrs. Braswell stated that the president of the HOA called to inquire about the case.

There being no further questions, Chairman Strickland called the question. Mr. Hogan made a motion to approve the variance as requested, citing criteria "d." Mr. Alvarado seconded the motion. The motion was called and carried with a vote of 6 to 0.

OTHER BUSINESS

Agenda Item # 6: Approval of Minutes: April 4, 2017

Chairman Strickland asked if there were any concerns with the draft minutes. There being none, he called for a motion. Mr. McCall made a motion to approve the minutes as presented. Mrs. Quarterman seconded the motion and it was called and carried with a vote of 5-0-1, with Mr. Brantley abstaining.

Chairman Strickland asked if there was any new or old business. Mrs. Braswell thanked Dr. Houseal on behalf of the Board for his years of service by presenting him a plaque of recognition.

Agenda Item # 5: Adjournment

There being no further business, the meeting adjourned at 3:04 p.m.

Allan Strickland, IV, Chairman

Date