

August 7, 2017

Zoning Board of Appeals
327 N. Ashley Street
3rd Floor
Valdosta, GA 31601

Re: ULDC Variance Application for MP 0243-002

Dear Zoning Board of Appeals:

We are writing to request a variance, pursuant to Lowndes County Unified Land Development Code Section 9.02.00, for property located at 7040 Herring Road, Lake Park, Georgia, Map & Parcel Number 0243 002, more particularly described in Exhibit "A" attached. A preliminary plat of the property is attached as Exhibit "B."

We would like to request a variance to ULDC Section 4.04.04, the Family Ties Land Division provision. The Family Ties provision allows a parcel to be subdivided and conveyed to a grandparent, parent, spouse, stepparent, adopted parent, sibling, child, stepchild, adopted child, or grandchild. It is our intent to subdivide our parcel and convey approximately 6.789 acres to our niece, Donna H. Owen, and keep approximately 1.458 acres for our own use. Although nieces are not covered in the relationships under the Family Ties provision, we believe that this conveyance is in keeping with the spirit and intent of the ULDC. Many of our family members live on Herring Road. We have a close and well-established relationship with our niece, and we desire to convey part of our property to her as a close family member. This variance, if granted, will be in harmony with the purpose and intent of the ULDC—allowing close family members to convey property to each other without some of the stringent requirements of other rezoning or subdivision provisions of the ULDC. Granting this variance will not impair the purposes and intent of the ULDC; on the contrary, this variance would promote the intent of the ULDC.

Further, we would also like to request a variance to the ULDC provision that requires 60 feet of road frontage to a property parcel. Willie Albert Herring purchased the parent property in 1987, and the property lies on an unpaved private lane that is 20 feet wide. This lane has existed ever since Albert purchased the property, and these special circumstances were not something we created. This private lane is owned by neighbors and has been used by ourselves and our neighbors for years. In order to use the properties after they are subdivided, a variance will have to be granted allowing the 20 foot lane to be sufficient for both the parent property and the 1.458 acre carve-out. Further, the request for a variance in order to subdivide did not create this particular issue—the parent property would still require a variance for frontage in order to get a building permit. Pursuant to the ULDC Section 9.02.03, the variance, if granted, will not cause substantial detriment to the public good or impair the purposes and intent of the ULDC. Further, granting the variance