



**VALDOSTA-LOWNDES COUNTY ZONING BOARD OF APPEALS**  
**Staff Report - MEETING DATE: Tuesday, May 1, 2018**

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**VAR-2018-08**  
**William T. Graham, Jr.**

This is a request for a Variance to the Lowndes County Unified Land Development Code (ULDC) as it pertains to Access & Lot Frontage. The subject property consists of 2.54 acres, and is located at 4544 Loch Laurel Road in an R-1 (Low Density Residential) zoning district.

Sections 6.01.02 (D) and 4.04.03 (D) contained in the (ULDC) provides standards for Access as follows:

*“**Access.** Except as provided in Section 6.01.02(E) below, each lot within a subdivision shall front a paved public street a minimum width of sixty (60’) contiguous feet.”*

***Design Standards for Blocks, Easements, and Lots (Chapter 4.04.03 [D])***

*“All subdivision lots shall have frontage on and access to an existing or proposed paved public street.”*

In this case, the subject property is currently on the real estate market. Previously, the subject property was a part of a ~30-acre estate for which the applicant was appointed as the administrator. In ~1993, the estate was subsequently divided into nine (9) lots (of which the subject property is one) and conveyed to the decedent’s relatives via deeds that have been recorded. While a survey was completed to depict the divisions, the survey was not reviewed and approved by the staff of Lowndes, neither recorded in the Clerk’s office. As depicted on the survey, the subject property is landlocked and is proposed to be accessed from an ingress/egress easement, as agreed upon by the heirs of the estate. The 1993 survey plat did not meet Lowndes County previous standards and does not meet the ULDC current standards as it pertains to Access (lot frontage). Lot frontage as defined is the distance measured along a public street right-of-way. The applicant is proposing to continue to use their existing easement as agreed upon by the heirs of the estate. **Therefore, a Variance of sixty (60’) feet is being requested to the minimum Access requirement as required by the ULDC.**

The subject property is located in a Suburban Area (SA) Character Area on the Future Development Map of the Comprehensive Plan. The Suburban Area Character depiction indicates areas where typical suburban residential subdivision development have occurred OR where pressures for such type of development are greatest due to the availability of public water and/or sewer services. In reviewing this Variance request, staff’s primary concern is that of public safety – adequate responses to requests for emergency services. Staff ultimately is recommending approval of the Variance request as submitted. Overall, the TRC concurs that the request does not appear that it will cause substantial detriment to the public good. It should be noted that prior to the issuance of any building permit, an updated survey will be required for review, approval, and recordation.

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;*