



VALDOSTA-LOWNDES COUNTY ZONING BOARD OF APPEALS
Staff Report - MEETING DATE: Tuesday, November 6, 2018

VAR-2018-19
James Hilton Miller (ETAL)

This request is for a Variance to Section 6.01.02(D)(1) as it pertains to Access. The subject property is located on Old Radar Site Road. It consists of ~17.31 acres within the MAZ III (Moody Activity) zoning district.

Section 6.01.02(D)(1) contained in the (ULDC) Lowndes County Unified Land Development Code requires that each lot within a subdivision shall front a paved public street a minimum width of sixty (60) contiguous feet. In this case, the applicants (heirs to Mr. Miller's Estate) desire to subdivide the subject property into five individual tracts. Each of the proposed five tracts will be a minimum of ~3.4 acres. Lots 2B and 2C both have a minimum lot frontage of ~120 +/- feet. The lots in which a Variance is being requested for are lots 2A, 2D and 2E each of these three lots have a minimum of ~20 feet lot frontage. **Thus, a Variance of 40' feet is being requested for lots 2A, 2D and 2E as depicted on the submitted plat of survey.** Per the applicant, there are no current plans for anyone to develop or improved the properties at this time, the family simply desire to dissolve the real estate matter accordingly by the submittal of a plat of survey for recordation purposes.

6.01.02 Streets and Rights-of-Way

- A. The location, arrangement, extent, width, and grade of all streets shall conform to the Lowndes County Thoroughfare Plan, and shall be considered in relation to existing and planned streets, topographical conditions, public safety and convenience, and proposed use of land to be served by the streets. The layout of a subdivision shall conform to the requirements and design principles described in this ULDC.
- B. The location, design, and construction of all streets shall comply with the Lowndes County Technical Standards Manual and the Georgia Department of Transportation (GDOT) standards for streets.
- C. Streets signs designating the approved name of each street shall be placed in accordance with County standards.

D. Access

1. 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.

The subject properties are depicted within the Moody Activity Zone character area on the Future Development Map. The Moody Activity Zone (MAZ) reflects the area surrounding Moody Air Force Base (MAFB). The MAZ serves to protect the Base from incompatible uses, which could inhibit the Base's mission.

To that end, the TRC is recommending approval with no conditions as the request does not appear that it will cause substantial detriment to the public good.

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; ~~and~~*
- 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.*

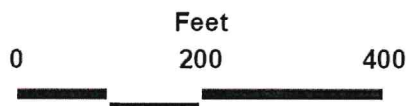
VAR-2018-19

WRPDO Site Map

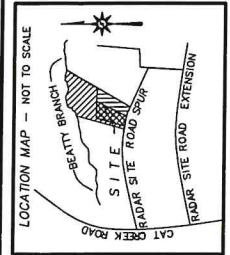
Legend

- Roads
- Railroads
- Park
- City Limits
- Crashzone
- Crashzone West
- Urban Service Area
- Open Water
- Valdosta Airport
- Wetlands
- 100 Yr Flood
- Hydrology
- Drastic
- Recharge Areas
- Parcels

MILLER ESTATE Variance Request



2011-09-22 submitted plat



*1. CERTIFY THAT ALL MEASUREMENTS ARE CORRECT AND WERE PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION; *2. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1" IN 27,164' *3. ANGLE POINTS AND WORK OF 7" SECONDS PER ANGLE POINT *4. THIS PLAT HAS BEEN CALCULATED AND CHECKED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1" IN 156,752' *5. MONUMENT & PIN LOCATIONS ARE AS IDENTIFIED ON THIS PLAT *6. EQUIPMENT USED: LEICA TCRP 1203 ELECTRONIC TOTAL STATION *7. THE FIELD SURVEY THAT THIS PLAT IS BASED UPON WAS PERFORMED IN NOVEMBER OF 2011 & JULY 2017.

SURVEY DATA NOTE:
THE SOURCE OF THE TITLE DESCRIPTION FOR THE SUBJECT PROPERTY HEREIN IS:
DEED BOOK 3422 PAGE 179; GRANTEEES THEREIN ARE JAMES HILTON MILLER, DAVID LEE MILLER JR., CARLTON LEE MILLER, RUTHER CAROL MILLER DELOACH, DIANA MILLER MCKEITHEN, GLORIA MILLER LEE and IRENE MILLER.

WE, THE UNDERSIGNED OWNERS OF THE FAMILY TIES PROPERTY DIVISION for RUTH CAROL DELOACH, GLORIOUS ANN LEE & RUTHER CAROL MILLER DELOACH, DO HEREBY DEDICATE AND OR RESERVE FOR PUBLIC USE THE RIGHTS OF WAYS, EASEMENTS, AND OTHER GROUND SO SHOWN ON THIS PLAT.

OWNERS	DATE
OWNERS	DATE
OWNERS	DATE
OWNERS	DATE
OWNERS	DATE
OWNERS	DATE
OWNERS	DATE

AS REQUIRED BY SUBSECTION (d) OF O.C.G.A. SECTION 15-6-87, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED AND RECORDED IN ACCORDANCE WITH THE REQUIREMENTS OF THE GEORGIA SURVEYING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING OF THE STATE OF GEORGIA. THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLES WITH THE MINIMUM REQUIREMENTS OF THE GEORGIA SURVEYING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING OF THE STATE OF GEORGIA. LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-87.

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.

APPROVED BY	DATE
OWNERS COUNTY UNIFIED LAND DEVELOPMENT CODE APPROVAL CHAIRMAN	DATE
APPROVED BY THE DEPARTMENT OF PUBLIC HEALTH, LOWNDES COUNTY, GEORGIA	DATE
SIGNED	DATE
HEALTH DEPT. REPRESENTATIVE	DATE
APPROVED BY THE COUNTY ENGINEER	DATE
SIGNED	DATE
COUNTY ENGINEER	DATE

THE APPROVAL SIGNATURES ABOVE WERE NOT IN PLACE WHEN THIS PLAT WAS ASSIGNED AND ARE TO BE PROPERLY OBTAINED PRIOR TO RECORDATION.

PRELIMINARY FOR REVIEW

GEORGIA SURVEYING BOARD

GRAPHIC SCALE 1"=200'

0 200 400 600

SHEET #1 of 1
DRAWING NUMBER: 2011-09-22.dwg
CORRECTIONS: 05/29/11 MILLER, 2017/2018

BEARINGS WERE CALCULATED FROM REFERENCE TO THE MAIN MERIDIAN BEARING TAKEN FROM PLAT OF SURVEY FOR KENNETH A. KELLY & DAVID K. KELLY BY STAN FOLSOM DATED 08 JUNE 1984 & RECORDED IN PLOSB BOOK 377 PAGE 263.

ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR LOWNDES COUNTY, GA & INCORPORATED AREAS EFFECTIVE DATE SEPTEMBER 26, 2008 DETERMINED THAT THIS PROPERTY IS IN FLOOD ZONE "X" AN AREA WITH A FLOOD RISK INSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

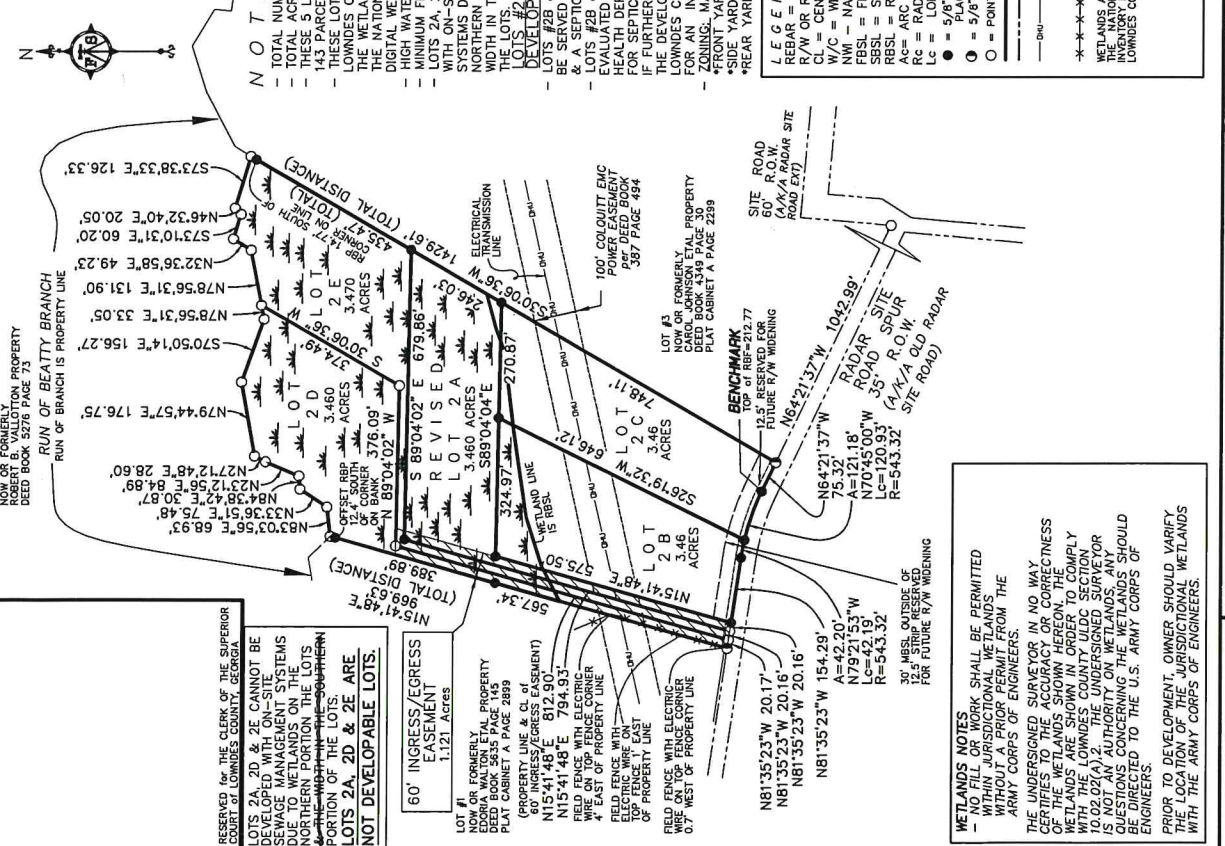
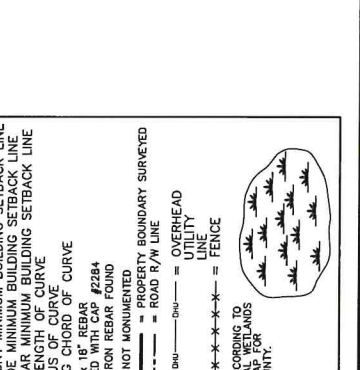
NOTES

- TOTAL NUMBER OF LOTS = 5 LOTS.
- TOTAL ACREAGE = 17.310 ACRES.
- THESE 5 LOTS COMPRISE TAX MAP 143 PARCEL 172B.
- THESE LOTS CONTAIN WETLANDS PER LOWNDES COUNTY'S VALOR GIS WEBSITE. THE WETLANDS SHOWN HEREON ARE FROM THE NATIONAL WETLAND INVENTORY (NWI) HIGH WATER ELEVATION DATA.
- MINIMUM FINISHED FLOOR ELEVATION = 187.0
- LOTS 2A, 2D & 2E CANNOT BE DEVELOPED WITH ON-SITE SEWAGE MANAGEMENT SYSTEMS DUE TO WETLANDS ON THE NORTHERN PORTION OF THE LOTS & THE WIDTH IN THE SOUTHERN PORTION OF THE LOTS.
- LOTS 2A, 2D & 2E ARE NOT DEVELOPABLE LOTS.
- LOTS #2B & #2C ARE INTENDED TO BE SERVED BY AN INDIVIDUAL WELL & A SEPTIC SYSTEM.
- LOTS #2B & #2C HAVE NOT BEEN EVALUATED BY THE LOWNDES COUNTY HEALTH DEPARTMENT FOR SOIL SUITABILITY FOR SEPTIC SYSTEMS.
- THE DEVELOPER'S ELEMENT IS TO OCCUR IN ACCORDANCE WITH THE LOWNDES COUNTY HEALTH DEPARTMENT FOR AN INDIVIDUAL SITE EVALUATION.
- ZONING: MAZ-3 (RESIDENTIAL)
- *FRONT YARD SETBACK = 60' FROM CL OF R/W
- *SIDE YARD SETBACK = 10'
- *REAR YARD SETBACK = 30'

LEGEND

- REBAR: CONCRETE REINFORCING BAR
- R/W OR R.O.W. = RIGHT OF WAY
- CL = CENTERLINE
- W/C = WITH PLASTIC CAP
- NMI = NATIONAL WETLAND INVENTORY
- FBSL = FRONT MINIMUM BUILDING SETBACK LINE
- RSBL = REAR MINIMUM BUILDING SETBACK LINE
- PC = PARABOLIC CURVE
- LC = LONG CHORD OF CURVE
- = 5/8" x 18" REBAR
- = 5/8" x 18" IRON REBAR FOUND
- = POINT NOT MONUMENTED
- = PROPERTY BOUNDARY SURVEYED
- - - - - = ROAD R/W LINE
- Dashed line with 'u' = OVERHEAD UTILITY
- ***** = FENCE

WETLANDS ACCORDING TO NATIONAL WETLANDS INVENTORY MAP FOR LOWNDES COUNTY.



PLAT DATE: 15 JUNE 2011
REVISED 21 NOVEMBER 2011 TO COMPLY WITH THE PLAT REVISION ITEMS OF COMPLIANCE NOTICE MSD-2011-07
REVISED 11 FEBRUARY 2013:
REVISED NAME FOR LOT 2A
REVISED ??? JULY 2017:
ADDED LOTS 2D & 2E

MILLER FAMILY TIES PROPERTY DIVISION:

LOT #2A - RUTH CAROL DELOACH
LOT #2B - GLORIOUS ANN LEE
LOT #2C -
LOT #2D -
LOT #2E -

LOCATED IN LAND LOT 142 of the 11th LAND DISTRICT of LOWNDES COUNTY, GEORGIA

FOLSOM SURVEYING, LLC
ROLAND STAN FOLSOM
GEORGIA RLS #2284
COA LSF000218
1311 HASTINGS DRIVE
REMERTON, GA, 31601
229 - 244 - 2920

WETLANDS NOTES

- NO FILL OR WORK SHALL BE PERMITTED WITHIN JURISDICTIONAL WETLANDS BY THE U.S. ARMY CORPS OF ENGINEERS.
- THE UNDERSIGNED SURVEYOR IN NO WAY CERTIFIES TO THE ACCURACY OR CORRECTNESS OF THE WETLANDS SHOWN HEREON. THE WETLANDS ARE SHOWN IN ORDER TO COMPLY WITH THE LOWNDES COUNTY ULDC SECTION 15-6-87. THE SURVEYOR HAS NO AUTHORITY OR JURISDICTION TO ANSWER ANY QUESTIONS CONCERNING THE WETLANDS SHOULD BE DIRECTED TO THE U.S. ARMY CORPS OF ENGINEERS.
- PRIOR TO DEVELOPMENT, OWNER SHOULD VERIFY THE LOCATION OF THE JURISDICTIONAL WETLANDS WITH THE U.S. ARMY CORPS OF ENGINEERS.

ULDC APPLICATION

Required Approvals	Contact Number	Contact Made & Date
Lowndes County Zoning Office	(229) 671-2430	
Lowndes County Board of Health	(229) 245-2314	
Lowndes County Utilities Department	(229) 671-2500	
Lowndes County Engineering Department	(229) 671-2424	
Valdosta/Lowndes County Inspections Department	(229) 259-3561	
Lowndes County Planning Division	(229) 671-2430	
Lowndes County Fire/Rescue	(229) 671-2730	
Valdosta-Lowndes Zoning Board of Appeals	(229) 671-2430	
Moody Air Force Base	(229) 257-1110	
Valdosta - Lowndes Airport Authority (VLD)	(229) 333-1833	
Greater Lowndes Planning Commission	(229) 671-2430	
Lowndes County Board of Commissioners	(229) 671-2400	
Type of Application*	Fees*	Case Number
*For Application Types and Associated Fees Please See the ULDC Processing Sheet on Page 4		
Variance	\$ 483.75	VAR-2018-19

REASON FOR REQUEST: Variance to Section 6.01.02D as it pertains to access Additional Narrative Attached

PROJECT INFORMATION

Project Name: Miller Estate Property Address: Old Radarsite Rd

Map and Parcel Number: 0143-172B Property Size: 17.31

Current Deed and/or Legal Description Attached Current Survey Attached

Current Building Square Footage: NA Proposed Building Square Footage: NA

Current Impervious Surface %: NA Proposed Impervious Surface %: NA

Current Number of Lots: 1 Proposed Number of Lots: 5

Current Zoning District: MA23 Proposed Zoning District: NA

Is this property within a special or overlay district? No Yes

015

If this application is within a special or overlay district please specify which one: Moody
Activity Zone

Flood Zone: N/A Base Flood Elevation: N/A
(This information shall be based on the Flood Insurance Rate Maps)

Is this property within a water resource protection district? No Yes

If this application is within a water resource protection district please specify which one: Wetlands

Please circle one of the following: County Water Community Well Individual Well

Please circle one of the following: County Sewer Septic system Other

Property Depiction on Lowndes County Future Development Map: Moody Activity
Zone Additional Narrative Attached

Is this application a re-submittal? No Yes

If this application is a re-submittal, please provide file number, date of application, and action taken on all previous applications: _____

PROFESSIONAL TO CONTACT e.g. ENGINEER, SURVEYOR, ARCHITECT, OR LAWYER

Name: Folsom Surveying Address: 1311 Hastings Drive

City: Remerton ST: GA Zip: 31601

Phone #: 244-2920 Cell Phone #: _____ Fax #: _____

Email Address: Folsom22@bellsouth.net

OWNERSHIP INFORMATION

Property Owner: _____ Address: _____

City: _____ ST: _____ Zip: _____

Phone #: _____ Cell Phone #: _____ Fax #: _____

Email Address: _____

Michelle McKeithen 101 Jackson Drive 31601

Miller Estate
Old Radar Site Road
Valdosta, GA 31601

Lowndes County Zoning Office
P.O. Box 1349
327 N. Ashley Street
Valdosta, Ga 31603

To Lowndes Zoning Office,

The current access requirement for Lowndes County properties is 0.60. The Miller Estate currently has 0.20 access and is requesting for relief regarding variance to section 6.01.02D as it pertains to access. Relief, if granted, will not cause substantial detriment to the public good or impair the purposes and intent of this ULDC. 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.

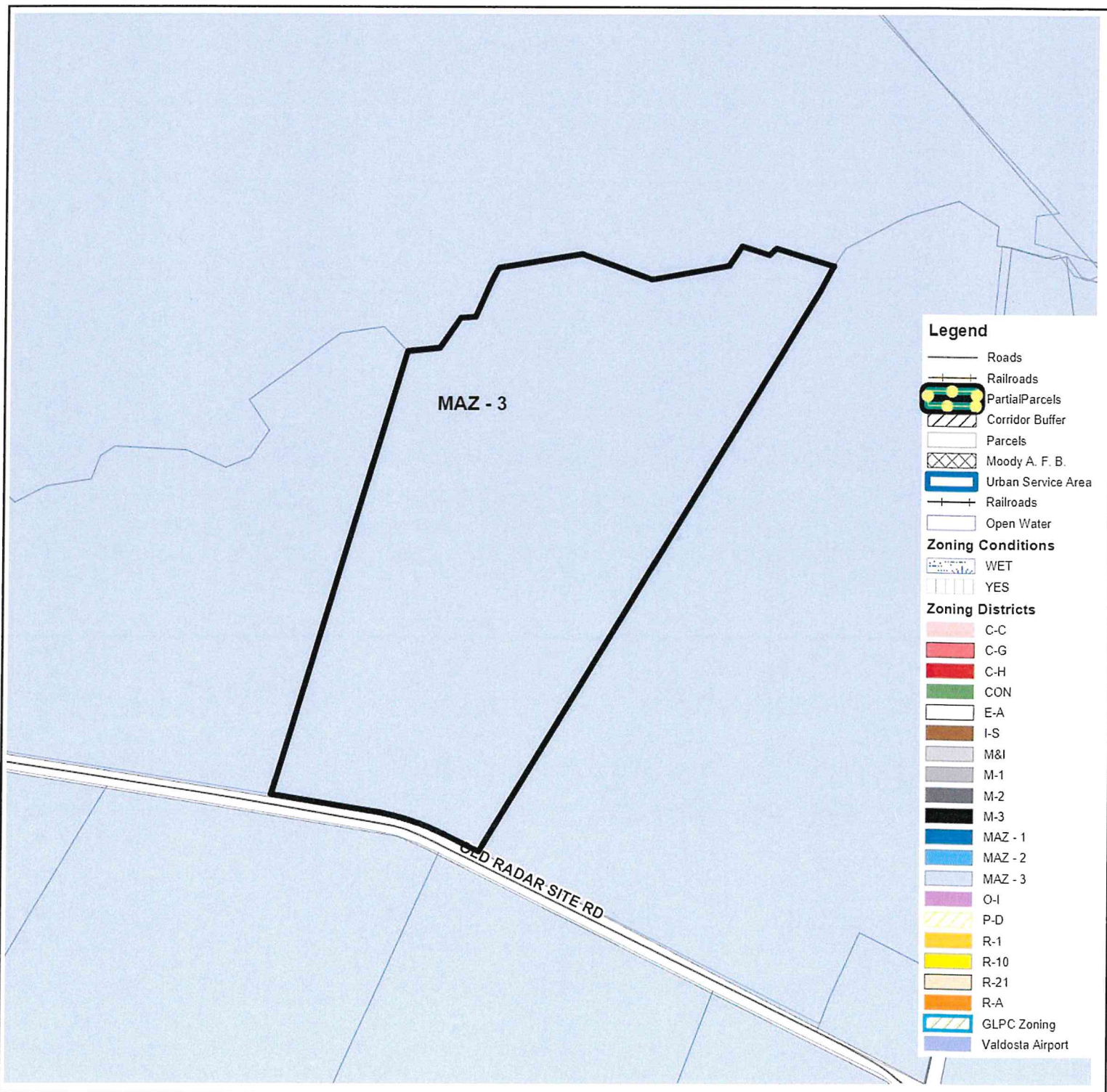
Thank you in advance for your consideration and approval. Please direct any questions to Michelle McKeithen, the representative who will be attending the hearing.

Heirs of the Miller Estate

VAR-2018-19

Zoning Location Map

MILLER ESTATE
Variance Request



0

Feet
1,000



Visit VALOR on the web at: WWW.VALORGIS.COM

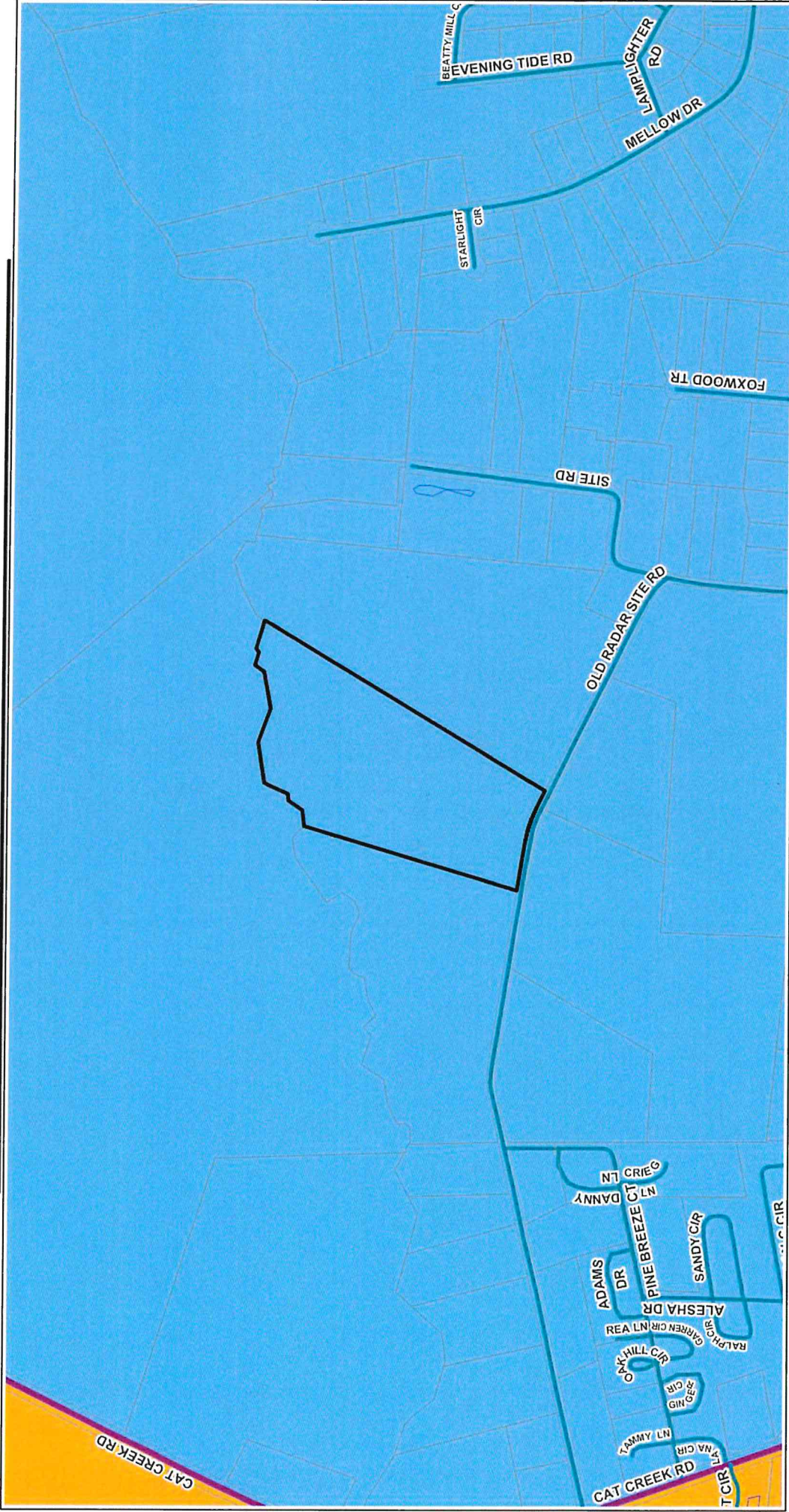
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VAR-2018-19

Future Development Map

MILLER ESTATE
Variance Request



0 1,000 2,000 Feet

Urban Service Area
City Limits
Parcels
Railroads
Open Water

Roads
Functional Classification
1. INTERSTATE
3. OTHER PRINCIPAL-ARTERIAL
4. MINOR-ARTERIAL
5. MAJOR COLLECTOR
6. MINOR COLLECTOR
7. LOCAL

Character Areas
Agriculture / Forestry
Community Activity Center
Downtown
Established Residential
Industrial Activity Center
Industrial Area
Institutional Activity Center
Linear Greenspace/Trails
Mill Town
Moody Activity Zone

Neighborhood Activity Center
Neighborhood Village
Park/Recreation/Conservation
Public / Institutional
Regional Activity Center
Rural Activity Center
Rural Residential
Suburban Area
Transitional Neighborhood
Transportation/Communication/Utilities

VALOR
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