



VALDOSTA-LOWNDES COUNTY ZONING BOARD OF APPEALS
Staff Report - MEETING DATE: July 2, 2019

VAR-2019-08

Pastor Michael Frazier on behalf of Grace Baptist Church of South Georgia

The applicant is requesting a Variance to Section 4.07.04 of the ULDC (Lowndes County Unified Land Development Code) as it pertains to General Landscape Standards and Table 4.07.06 (C) as it pertains to Buffer Area Standards. The subject property is located at 6749 U.S. Highway 84 East, Naylor, Georgia, in an E-A (Estate Agriculture, 5 acre) zoning district and consists of 4.22 acres.

Grace Baptist Church is seeking relief to the general landscape requirements and the buffer area standards in their entirety. It is the church intent to utilize the existing trees and vegetation on the lot. The church property is surround by agricultural zoning districts, which will require a minimum buffer width of twenty feet. 0.422 acres and/or 18,382 square feet of ground cover must be provided. The West lot line will require a minimum of sixteen (16) trees and one hundred (100) shrubs. The north lot line will require 21 trees and/or 134 shrubs, lastly, the East lot line will require sixteen (16) trees and/or one hundred (100) shrubs. Per the applicants it will be financially difficult for the church to meet the ULDC's landscaping and buffering regulations. **Thus, the applicants are seeking relief in its entirety through the Variance process to both Section 4.07.04 and Table 4.07.06(C) as it pertains to the minimum landscape standards and the minimum required buffer standards.**

The TRC (Technical Review Committee) reviewed the Variance request and no department had any issues with the applicants request.

A variance may be granted upon a finding by the ZBA that all 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.