



ZBOA Agenda Item #2

JUNE 6, 2023

Variance Request by Little Angels Pre-School & Child Care Center File # APP-2023-03

Little Angels Pre-School & Child Care Center is asking for a variance to LDR Section 230-9 (E)(6)(a) as it pertains to Variable Message Boards in an O-P (Office Professional) zoning district. The subject property is located at 512 N. Barack Obama Boulevard in Valdosta.

The property currently contains a commercial daycare business. The daycare currently has a sign but is requesting a replacement sign that is a variable message board. This property was approved as a Planned Development (VA-2021-11) on June 10, 2021. Approval was granted for a mixed-use Child Daycare and School facility and is split-zoned Office Processional (O-P) and Single-Family Residential (R-6). The majority of the daycare facility remains in the O-P portion of the site. Condition number 5 on the Certificate of Land Use Decision for the Planned Development (attached) states, "Permanent freestanding signage at the East Adair Street access point shall be unlit and limited to a maximum of 3 feet in height and 6 square feet in area." The proposed sign is not on East Adair Street.

The sign that is requested is located on the N. Barack Obama Street frontage measuring 19.84 graphic square feet. The structure will be 6 feet tall and 7 feet wide. In the O-P zoning district, monument signs are allowed a maximum height of 8 feet and a maximum sign area of 36 square feet. The proposed sign is under the maximum allowed measurements. Variable message boards are only permitted in the C-C (Community Commercial) and C-H (Highway Commercial) zoning districts, therefore the need for a variance. It is worth noting the sign will be directly adjacent to an M-1 (Light Industrial) zoning district containing vacant warehouses of the Crackin' Good bakery and O-P (Office Professional) zoning district containing a church.

Variances are intended to relieve situations in which strict application of the regulations prohibits reasonable development or usage of the property.

Staff Recommendation: Find inconsistent with the Variance Review Criteria and **deny** the Variance request as presented.

Variance Review Criteria

The following criteria shall be applied in evaluating and deciding any application for a Variance. No application for a Variance shall be granted by the Zoning Board of Appeals unless satisfactory provisions and arrangements have been made concerning each of the following criteria, all of which are applicable to each application.

(1) The need for the variance arises from a condition that is unique and peculiar to the land, structures, and buildings involved.
<i>Applicant: The need for a commercial type sign on a planned development for a daycare.</i>
<i>Staff: The variances arises from zoning district in which the commercial business is placed.</i>
(2) The variance is necessary because the particular physical surroundings, the size, shape or topographical conditions of the specific property involved would result in unnecessary hardship for the owner, lessee or occupants; as distinguished for a mere inconvenience, if the provisions of the LDR are literally enforced.
<i>Applicant: Not applicable.</i>
<i>Staff: The variance is necessary based on the zoning district and sign regulations.</i>
(3) The condition requiring the requested relief is not ordinarily found in properties of the same zoning district as the subject property.
<i>Applicant: Planned Developments range in uses. Our Planned Development is a commercial daycare facing a previous industrial use. (Crackin' Good bakery and a church).</i>
<i>Staff: Commercial signage is not typical for an Office Professional zoning district.</i>
(4) The condition is created by the regulations of Title 2 of the LDR and not by an action or actions of the property owner or the applicant.
<i>Applicant: This condition is created by the development of a commercial business.</i>
<i>Staff: The property owner currently has a sign that fits within the Office Professional zoning district but would like a commercial sign.</i>
(5) The granting of the variance will not impair or injure other property or improvements in the neighborhood in which the subject property is located, nor impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety or substantially diminish or impair property values within the neighborhood.
<i>Applicant: This variance will enhance the property and our communication with parents. No harm will result from this variance</i>
<i>Staff: The variance will not endanger the public safety.</i>
(6) The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structures.
<i>Applicant: Correct.</i>
<i>Staff: The proposed sign is within the size requirements for the zoning district. The variable message board is the reason for the variance request.</i>
(7) The requested variance will not be inconsistent with the general spirit and intent of the LDR or the purpose and intent of the Comprehensive Plan.
<i>Applicant: Correct. A commercial building with a commercial sign.</i>
<i>Staff: The requested variance will be inconsistent with the zoning district but consistent with the use of the property.</i>

Relevant Development Standards in the LDR that are “Significant” to the Proposal

(6) Variable Message Boards.

- (a) Variable message boards will only be permitted in the C-C or C-H zoning districts, and only in conjunction with a legally permitted freestanding sign or billboard.
- (b) Each message shall remain fixed for a minimum of ten (10) seconds.
- (c) When a message is changed, such change shall occur within three (3) seconds.
- (d) Messages shall not be illuminated by blinking, scrolling, intermittent, or flashing lights.
- (e) Submittal of a complete sign application and receipt of proper permit in accordance with Section 230-5.
- (f) A billboard owner may apply for approval of one variable message billboard sign face after the removal of at least four (4) existing billboard sign faces and their related sign structures from the City of Valdosta. Such sign shall be considered a replacement billboard and shall be subject to the requirements of Section 230-9(E)(5)(a) and (d). Furthermore, such replacement billboard shall be placed no closer than 5,000 feet from another such billboard containing a variable message board, measured in a radius from the nearest other billboard containing a variable message board. The sign area of the new variable message board may not exceed the sign area of the largest of the billboard sign faces that were removed. Billboards removed under this provision shall be deleted from the City’s inventory of billboards and shall not be replaced other than as provided in this paragraph (6).
- (g) Illumination of a variable message sign face shall not exceed the following brightness limits measured as candelas per square foot:

Color	Candellas / square foot	
	Day	Night
Red Only	200	67
Green Only	400	133
Amber Only	300	100
Blue Only	500	210
Full color	400	170

The City Engineer may require an applicant for a variable message board to provide a letter from an electrical engineer licensed in the state of Georgia, that these light levels will not be exceeded by the applicant’s variable message board sign prior to issuing a permit for such sign.

Staff Review Comments:

Engineering & Stormwater Department: Addressing:

Fire Department:

Police:

Inspections:

Plan Review:

Public Works:

Utilities:

Fire Department:

GIS:

Public Works:

Landscape:

Attachments:

- Zoning Map
- Aerial Map
- Proposed sign schematics
- Photos

APP-2023-03 Zoning Location Map

Little Angels Pre-School & Child Care Center 512 N. Barack Obama Blvd
Variance Request

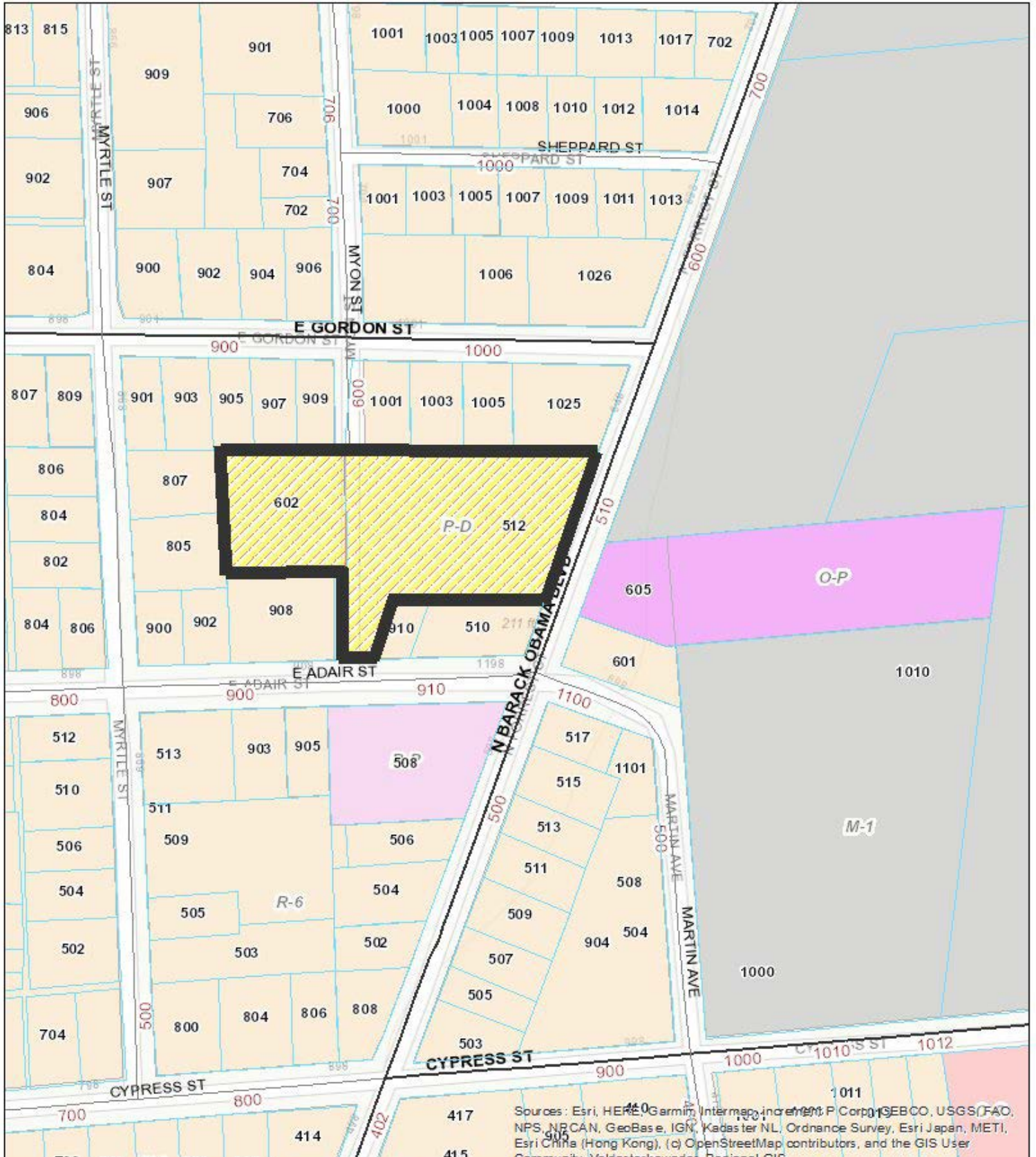
Current Zoning: P-D

Tax Map: 0118B Parcel: 232



** Map NOT to scale

Map Data Source: VALOR GIS November 2022



APP-2023-03 Aerial Location Map

Little Angels Preschool & Child Care Center 512 N. Barack Obama Blvd
Variance Request

Current Zoning: P-D

Tax Map: 0118B Parcel: 232



** Map NOT to scale

Map Data Source: VALOR GIS November 2022



May 18, 2023 at 8:19:45 AM
512 Barack Obama Blvd
Valdosta GA 31601
United States

Little Angels
Pre-School &
Child Care Center
Nights & Weekends • 6am to Midnight • Drops Ins Welcome
253-0083
NOW ENROLLING FOR STP
RISING K & REK
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