



VALDOSTA-LOWNDES COUNTY ZONING BOARD OF APPEALS

Staff Report

MEETING DATE: August 6, 2024

VAR-2024-10

Parkstone/Lynnhaven – Lynnhaven Rd

The applicant is the property owner and is requesting a Variance to Section 6.03.04 C of the Lowndes County Unified Land Development Code (ULDC) as it pertains to Sanitary Sewer System Requirements. The subject properties are located at 2101 & 2097 Lynnhaven Road, Map & Parcel 0087 195G & 195F, and consists of 2 total acres (1 acre lots each) currently zoned R-1 (Low Density Residential),

The distance to the sewer line on James Road is at least 600' away, and the properties are located near the border of the 1,000-foot buffer. The existing dwellings in this neighborhood were developed with septic tanks.

The TRC staff heard and considered this request (during their regularly scheduled meeting) and ultimately voted for approval of the request, based on criteria D, E, & F.

A variance may be granted upon a finding by the ZBA that one (1) of the following conditions has 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 that 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.

Parkstone Construction LLC

Jake & Cole Parker
3350 Noble Way, Suite A,
Valdosta GA 31605
(229) 302-5800

Lowndes County Zoning Board of Appeals
327 North Ashley St, 3rd Floor,
Valdosta, GA 31601

To Whom It May Concern:

This letter is regarding the properties that we (as Parkstone Construction LLC) recently purchased at:

- 0087 195G / 2101 LYNNHAVEN RD
- 0087 195F / 2097 LYNNHAVEN RD

When considering the purchase of the property, we were led to believe – by ignorance or intent – that the lots were immediately ready for new construction with little to no infrastructure challenges or atypical expenses. Given that all the surrounding neighbors – both on our side of Lynnhaven Rd and across the road in the cul-de-sacs – were clearly running off septic tanks, this seemed perfectly plausible, and we proceeded with the purchase.

We have since discovered that – since we are within 1,000 feet of a manhole – we are expected to absorb the significant cost of traveling the ~800 feet to tie into that line rather than installing independent septic systems at each of our two lots. We contend that this is an unexpected and unreasonable requirement for these specific lots given that the entire surrounding community seemingly was/is not held to this standard.

The variance request conforms to any/all of the following requirements in Section 9.02.01:

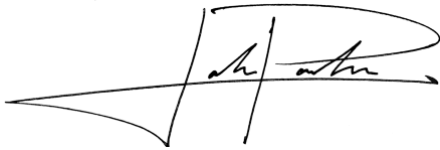
- C. The application of this ULDC to this particular piece of property would create an unnecessary hardship;
- D. Relief, if granted, will not cause substantial detriment to the public good or impair the purposes and intent of this ULDC;
- E. A literal interpretation of the provisions of this ULDC would 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;

- 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.

Our request is simply to allow our lots to be treated as the rest of the properties in the neighborhood, granting septic systems to be installed despite the (distant) proximity to a manhole. Rather than being treated as extraordinary, exceptional, or peculiar, we are only requesting our lots to be treated as normal to their immediate surroundings. Allowing this variance would cause zero detriment to the neighborhood, any involved parties, or the public good at large and would instead help us to improve the properties, neighborhood, and public good.

Thank you for your time and consideration, and feel free to contact us with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jake Parker', with a large, sweeping horizontal stroke extending to the left.

Jake Parker
President, Parkstone Construction LLC

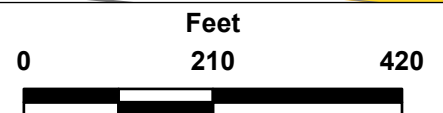
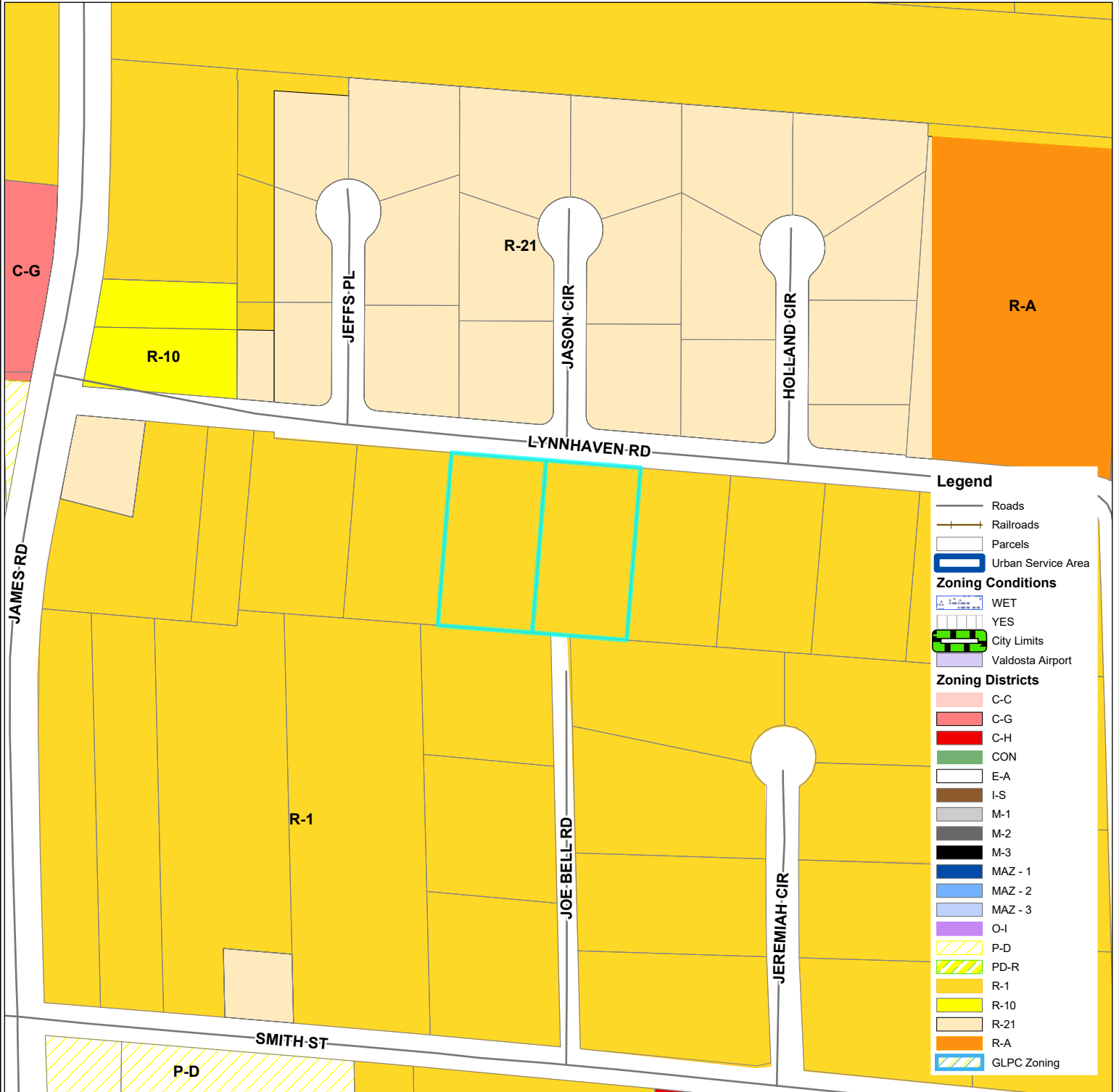
A handwritten signature in black ink, appearing to read 'Cole Parker', with a large, sweeping horizontal stroke extending to the left.

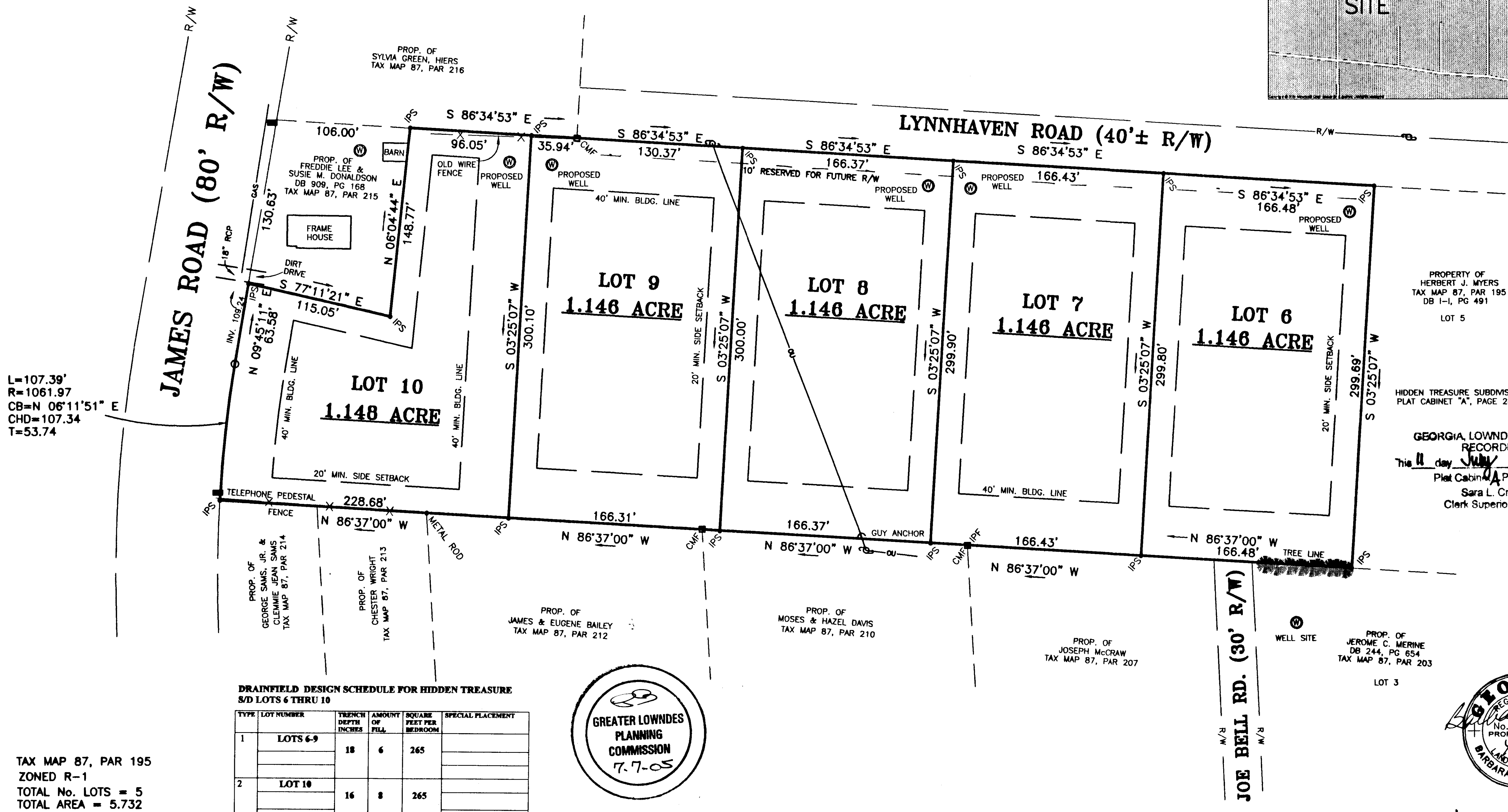
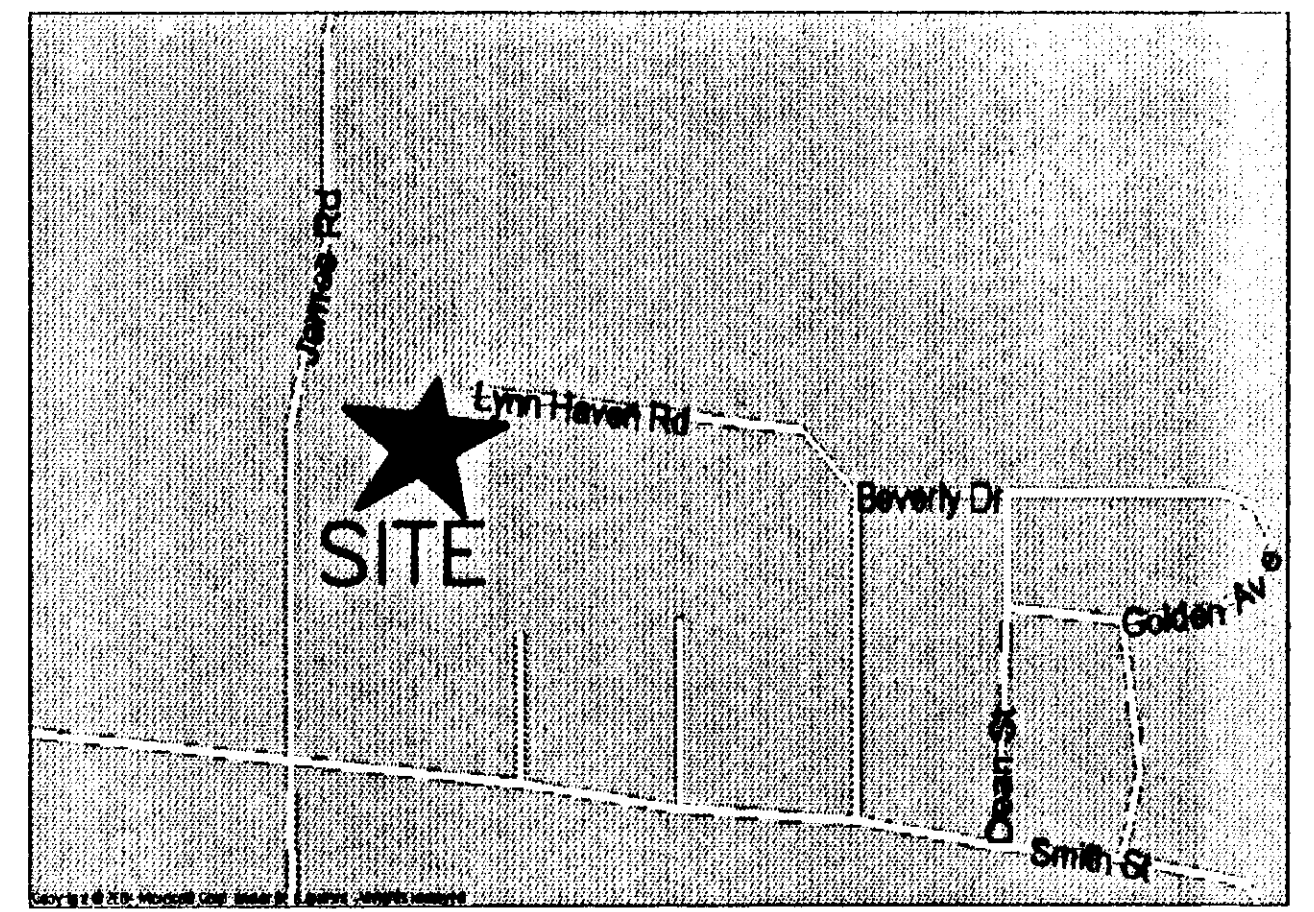
Cole Parker
Vice President, Parkstone Construction LLC

VAR-2024-10

Zoning Location Map

Parkstone/Lynnhaven Variance Request





L=107.39'
R=1061.97'
CB=N 06°11'51" E
CHD=107.34'
T=53.74'

PROPERTY OF
HERBERT J. MYERS
TAX MAP 87, PAR 195
DB 1-1, PG 491
LOT 5

HIDDEN TREASURE SUBDIVISION
PLAT CABINET "A", PAGE 2824

GEORGIA, LOWNDES COUNTY
RECORDED
This 11 day July 2005 11:20 AM
Plat Cabinet A Page 2918
Sara L. Crow
Clerk Superior Court

**DRAINFIELD DESIGN SCHEDULE FOR HIDDEN TREASURE
S/D LOTS 6 THRU 10**

TYPE	LOT NUMBER	TRENCH DEPTH INCHES	AMOUNT OF FILL	SQUARE FEET PER BEDROOM	SPECIAL PLACEMENT
1	LOTS 6-9	18	6	265	
2	LOT 10	16	8	265	

TAX MAP 87, PAR 195
ZONED R-1
TOTAL No. LOTS = 5
TOTAL AREA = 5.732



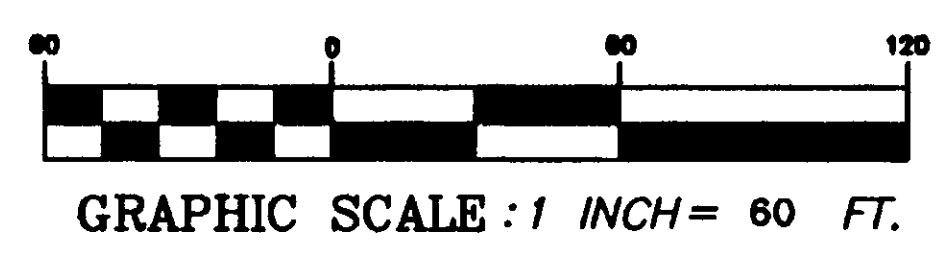
LEGEND

- I.P.S. - IRON PIN SET - 5/8" REBAR
 - I.P.F. - IRON PIN FOUND
 - G.P.S. - GALVANIZED PIPE SET
 - G.P.F. - GALVANIZED PIPE FOUND
 - C.M.S. - CONCRETE MONUMENT SET
 - C.M.F. - CONCRETE MONUMENT FOUND
 - R/W - RIGHT OF WAY
 - C/L - CENTERLINE
 - - NOT TO SCALE
 - ⊕ - POWER POLE
 - OU - OVERHEAD UTILITY
 - UE - UNDERGROUND ELECTRIC
- EQUIPMENT USED: LIETZ SET 44 "TOTAL STATION"
BEARINGS SHOWN WERE CALCULATED FROM FIELD ANGLES TURNED REFERENCED TO PLAT CABINET "A", PAGE 2824

FLOOD CERTIFICATION

I HEREBY CERTIFY THAT THIS PROPERTY IS LOCATED IN A "C" ZONE, WHICH IS DESIGNATED AS "AN AREA OF MINIMAL FLOODING" ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 130469-0095-B, DATED 6-1-82.

I CERTIFY THAT ALL MEASUREMENTS ARE CORRECT AND WERE PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION; THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 15,000+ FEET AND AN ANGULAR ERROR OF 1" PER ANGLE POINT, AND WAS NOT ADJUSTED. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,280,090 FEET; MONUMENT AND PIN LOCATIONS ARE CORRECTLY SHOWN BY THE SYMBOLS AS SHOWN ON THE LEGEND AND THE PINS ARE OF THE MATERIALS AS SHOWN ON THE LEGEND.



WE, THE UNDERSIGNED OWNER(S) AND/OR MORTGAGEE(S) OF THE HIDDEN TREASURE SUBDIVISION HEREBY OFFER TO DEDICATE, THE PUBLIC RIGHTS-OF-WAY AND EASEMENTS AS SHOWN ON THIS PLAT.

OWNERS: Herbert J. Myers DATE: 6-21-05 MORTGAGEE(S): _____ DATE: _____

APPROVED BY THE DEPT. OF PUBLIC HEALTH LOWNDES COUNTY, GA.

DATE: 6-21-05 SIGNED: Ted White
HEALTH DEPARTMENT REP.

APPROVED BY THE LOWNDES COUNTY ENGINEER

DATE: 7-7-05 SIGNED: [Signature]
LOWNDES COUNTY ENGINEER

APPROVED BY GREATER LOWNDES COUNTY PLANNING COMMISSION

DATE: 7-7-05 SIGNED: [Signature]
PLANNING DIRECTOR

Southeastern Surveying, Inc.
601 N. St. Augustine Rd. Telephone: 229-259-9455
Valdosta, GA 31601 Fax: 229-259-9926
E-mail: bherring@sesurveying.com

**HIDDEN TREASURE SUBDIVISION
LOTS 6 THRU 10**

LAND LOT # 17
12th LAND DISTRICT

SCALE: 1" = 60'
DATE: 4-7-2005
SHEET: 1 of 1
LOWNDES COUNTY, GEORGIA

VAR-2024-10 Parkstone Lynnhaven



County Service Line

Green shading is the 1,000' sewer connection requirement area