

MINUTES

Valdosta-Lowndes Zoning Board of Appeals
*Valdosta City Hall Annex Multi-Purpose
Room 300 North Lee Street,
Valdosta, Georgia*

Tuesday December 3, 2024, 2:30 p.m.

MEMBERS PRESENT

John “Mac” McCall
Allen Strickland
Keith Godfrey
Victoria Copeland
Nathan Brantley
Nancy Hobby
John Hogan

MEMBERS ABSENT

Marion Ramsey

STAFF PRESENT

Lauren Hurley
Margaret Torres
Trinni Amiot
Jason Davenport
Paige Dukes

VISITORS PRESENT

Kit & Leann Robinson (Homeowners)
Jesse Cowart (property owner of Country Estates)
Stacy Touchton (Realtor)
Darren Rife (Property Owner)
Cody Califf w/ Innovate
George & Joan McPherson (Homeowners)

CALL TO ORDER

John “Mac” McCall

Calling of meeting to order at 2:30 p.m. and explanation of meeting process to all those in attendance.

CITY OF VALDOSTA CASES:

APP-2024-011-Eric and Soyna Peeler (707 W. Park Ave) Request for a Variance to LDR Section 218-7 (G) as it pertains to accessory use standards in the R-15 Zoning District. The subject property is located at 707 W. Park Ave in Valdosta GA (all or part of Tax Parcel 0115A-206).

Lauren Hurley presents case showing aerial. Homeowner would like to build 16x20 ft pergola. There is a 20 ft alley at the rear of the property. They would like to build the pergola within 1 ft of the property line. The structure would be 21 ft from adjacent neighbors behind them with the alley. Staff is recommending approval.

Nancy Hobby asks if it makes any difference that it is an open structure.

Lauren states that because it is an open walled structure, zoning standards are a little more lenient since setbacks are usually from the wall of the structure.

Chairman McCall if there are any other questions for staff. Then asks if the applicant or applicant's representation would like to speak.

David Williams the contractor stands at the podium and reiterates what was presented by staff and that he would be the one building the structure for the applicant.

John Hogan asks him to state his name and address for the record.

Chairman McCall asks if staff has any questions. He then asks if there is anyone who is opposed that would like to address the board. No one comes forward so he asks if anyone would like to make a motion.

John Hogan makes motion to accept as presented. Nancy Hobby seconds the motion. Vote is unanimous.

Lowndes County Cases:

VAR-2024-12-Kit & Leann Robinson (4783 Ben Salem Way) Request for Variance to Table 5.02.01 (D) (9) of the ULDC as it pertains to Maximum Floor Area for an accessory building. The subject property is located at 4783 Ben Salem Way (all or part of Tax Parcel 0070-155).

Trinni Amiot presents case. They are allowed 1500 sq ft at 1 acre and then 500 sq ft per acre above 1 acre. Customer will need a variance for additional 500 sq ft. They are proposing 2000 sq ft building in rear of lot. TRC reviewed and recommends approval.

Chairman McCall asks if there are any questions for staff.

Nancy Hobby asks if they are allowed to put conditions on appearance that it would need to be in keeping with the neighborhood.

Trinni confirms that it conditions could be put on it.

Chairman McCall again asks if there are any further questions for staff. He then asks if the applicant or applicant representation would like to come forward.

Mr Robinson steps to the podium and states that he intends to use the building to store his equipment and that he intends to make the exterior nice in appearance consistent with the house.

Allan Strickland asks what the height of the building is.

Mr Robinson states that it would be 16 ft in height.

Allan Strickland asks if there are any height restrictions for the structure like there is in the City.

Trinni states that she doesn't think there are.

Chairman McCall asks if there are any character area requirements.

Trinni states that there is not.

Chairman McCall asks if there are any more questions for staff. He then asks if there is anyone in opposition.

George McPherson who lives at 4778 Ben Salem Way comes forward and states that the property owner owns 2 other lots adjacent to this one. He states that there are covenants in effect in the neighborhood and that he feels that a variance cannot be allowed outside of zoning rules. He states that he doesn't think he should be able to build this structure in the subdivision and that it would devalue his property.

Nathan Brantley asks if he is just opposed to the building in general.

George states that he is. He again says that he feels it would devalue the property. He thinks he should be able to put it on the parcels he owns outside the subdivision.

Nancy asks if there is a current HOA.

George states that he doesn't want it place in the neighborhood.

Chairman McCall states that they cannot enforce covenants.

Nancy has a question for Trinni and asks what happens in the case that there is no HOA but there are active covenants.

Trinni states that if there are no zoning violations, they do not get involved and it becomes a civil matter.

Nathan Brantley states that he has not reviewed the covenants. There may be covenants on the front piece but not the parcel to the rear. He stated that he would have to do some further research into it, but that ZBOA was not the place to do that.

John Hogan asks what Mr Robinsons thoughts were.

Mr. Robinson states that he was told by the builder that covenants were no longer in effect and that he only added the additional land so he could move his drain field.

Nancy Hobby asks him if he can put the building on the new parcel.

Mr Robinson states that he doesn't want to put the building there because that parcel is wet, and it stays wet.

Chairman McCall states that the survey is in the packet that was given.

Nathan Brantley asks the owner to point out where the building would be.

Mr Robinson points out the location on the overhead.

Allan Strickland asks if it has been replatted.

Trinni Amiot states that they do have a recorded plat.

Allan Strickland if he has had it surveyed.

Nathan Brantley asks if the building will be visible from the road.

Mr Robinson states that it will be.

Chairman McCall asks if there are any further questions or if there was anyone else in opposition.

Nathan Brantley asks if there only reason for variance is to ask for the additional 500 ft.

Trinni states it is. She also states that in the County, the maximum height for buildings is no higher than 35 ft.

Chairman McCall asks if anyone would like to make a motion.

Nancy Hobby makes motion to approve with conditions that the style of the building must be in keeping with the style of the home. Seconded by Allan Strickland. Vote is unanimous.

VAR-2024-13-Darren & Sharla Rife (5441 Covey Trail) Request for Variance to Table 5.02.01 (D) (9) of the ULDC as it pertains to Maximum Floor Area for an accessory building. The subject property is located at 5441 Covey Trail (all or part of Tax Parcel 0239-036).

Trinni presents case that homeowner is wanting to build a larger building of 2400 sq ft. Will need variance of around 900 sq ft. Current building used for his inflatables business was destroyed in storm. Would like to build larger building to contain the inflatables for his business. TRC reviewed and had no objections.

Chairman McCall asks if there are any questions for staff.

John Hogan asks what the height of the building would be.

Trinni Amiot states that the height is capped at 35 ft.

Nathan Brantley asks where he is planning to place the building.

Trinni states that they are placing behind the home.

Chairman McCall asks if the applicant or applicants wish to speak.

Mr. Rife states that he is needing the building to put the many inflatables that he has for his business. His current building was destroyed, and he needs somewhere to house them.

Chairman McCall asks how tall the building will be.

Mr Rife states that it will be 15 ft at the peak.

Chairman McCall if staff has any questions for the applicant.

Allan Strickland asks if he has any plans to enclose it.

Mr Rife states possibly in the future.

Chairman McCall asks if there is anyone in favor or in opposition who would like to address the board. He then asks if anyone would like to make a motion. Keith Godfrey makes motion to approve. Seconded by John Hogan. Vote is unanimous.

VAR-2024-14-Country Estates West Section XX (Woodcliff Drive) Request for Variance to Chapter 4.04.03 (D) of the ULDC as it pertains to the design standards for blocks, easements, and lots (all subdivision lots shall have frontage on and access

to an existing or proposed paved public street; Request for a Variance to Chapter 6.01.02 (d)(1) of the ULDC as it pertains to Streets and Right-of-Way (each lot within a subdivision shall front a paved street within a minimum width of 60 contiguous feet.). The subject property is located along Woodcliff Drive (all or part of Tax Parcel 0064-001).

Trinni Amiot presents case. Variance for road paving requirements. Applicant has submitted a preliminary subdivision plat for 17 lots. There are 100 lots in the neighborhood. The paving requirement has been in place since 1972, but was not enforced until 2006 when the ULDC was adopted. The former developer was not required to pave in the past. Trinni showed layout to staff. TRC reviewed and is recommending denial. Many people called their office with issues about the quality of the current roads.

Chairman McCall asks if there is a well

Jesse Cowart the property owner states from audience that there is community water and septic.

Chairman McCall asks to confirm that all of the proposed lots would be facing existing roads and what is the past interpretation and would they expect the standards of previous contractors.

Trinni states that they would be expected to pave for this new development

Nancy Hobby asks for clarification if they have to go back and pave up to the subdivision.

Chairman McCall asks if paving would be required just in front of these houses or would it be all.

Jason Davenport states that the minimum would be Woodcliff to Clyattville Nankin and where you would expect driveways. He states that they would not require the entire subdivision.

Nathan Brantley asks how far from the SE corner to Clyattville Nankin

Jason states 1850 ft+ 2450 sq ft minimum

Nancy Hobby asks why it wasn't enforced in the past if this has been in place since 1972. She also states that she went out and there are currently 2 washouts on the road

Trinni states that she is not sure and they have been running into this a lot lately with other properties.

Nancy Hobby states her concerns about current and future washouts on the roads in the area

Nathan Brantley asks if the County is currently maintaining the roads

Jason Davenport states that the County does currently maintain them.

Chairman McCall asks that if they are developing an entire subdivision, would they require full curb and guttering.

Jason states that they would be required to that.

Chairman McCall asks if there are any other questions for staff. Then asks if the applicant or applicants would like to address the board.

Jesse Cowart states that he is the 3rd generation developer and develops all over the County. He states that this is not a new subdivision. They was something that was started by his grandfather in the 1970s. He states that lots have been platted quite a few times for tax purposes. He states that he was approached by Clayton Homes to do 1 acre lots. The size of this plat kicked him into new regulations. He states that if he was doing a brand new subdivision that he would be paving, but this is an older established subdivision. The County is already maintaining the roads. He is asking for them to allow him to do this last plat and would just like to finish out the subdivision.

Nathan Brantley asks if they already have water on all the streets.

Jesse Cowart states that there are stub ups for future development

Chairman McCall states that he had mentioned Clayton Homes and asked if he was planning on selling them.

Jesse Cowart stated that the individual lots would have homes put on them and that the new owners would either rent or purchase the lots

Nancy Hobby asked if these would be mobile homes going in and would there be any special requirements.

Jason Davenport states that they would be required to be double wide mobile homes.

Paige Dukes steps to the podium and states that the Cowarts have been a tremendous friends but they have significant concern over mobile homes on a dirt road. This would cause an increase in traffic in the area and they would have concerns about public safety traffic. Not paving would make it more difficult to maintain and harder

for emergency response vehicles. Road maintenance would cost a lot and would have to come from somewhere else.

Chairman McCall asks if there are any other comments

Nathan Brantley asks the number of lots that would trigger pavement.

Jason Davenport that they are allowed up to 5 lots from the parent parcel and that the 6th lot is what triggers it. Because this plat being 17 lots, it triggers traditional subdivision regulations.

Nathan asks if he were to split on just 5 lots, would he have to pave.

Jason Davenports states that they have already cut out of the parent parcel 4 times already so this would trigger.

Stacy Touchton asks if the County started maintaining the roads and are they taking care of the washouts.

Jason Davenport stated that they were, but the major factor for this is the number of lots that is triggering the paving.

Chairman McCall asks if there are any other questions.

Nancy Hobby asks if the ditches and the road are paved, where would the water go.

Jason Davenport states that Engineering would look at the slope and design of the road and they would look to see what would be required.

Jesse Cowart states that there is currently a drainage ditch in the rear and states that the cross drains are currently clogged with debris and that is what is causing the roads to wash out.

Chairman McCall asks if the roads are wide enough and would it be the applicant who would design the roads or if Engineering would do that.

Jason Davenport states that they would need a 60 ft ROW. If the developer is required to pave, he would design it and then Engineering would review it. The current road is on the paving list, but it is in the future. No date at this time.

Nancy Hobby directed question for Mr Cowart that if building custom homes instead of mobile homes on the lots, would that not make more money.

Jesse Cowart states that he would have to increase the price of the lots and doesn't think that he would earn a profit.

Chairman McCall asks if anyone would like to make a motion.

John Hogan makes motion to table until next meeting. Motion fails do to lack of second.

Chairman McCall asks if anyone else would like to make a motion.

John Hogan states that he would like to do more research on the finances. He is not wanting to cause a hardship for the applicant and would like to do more research in order to make a decision. He makes motion again to table decision until next meeting. Victoria Copeland seconds that motion. Vote 4 in favor and 2 against. Tabled until next meeting.

OTHER BUSINESS:

Meeting Minutes:

November minutes were not sent out. Will review both November and December minutes at next meeting.

2025 Meeting Calendar:

Chairman McCall asks if anyone has any problems with calendar presented. Board asks that July 1st be pushed to July 8th instead.

Chairman McCall then asks if anyone would like to make motion

John Hogan makes motion to accept calendar with changed to July date made. Nancy Hobby seconds motion. Vote is unanimous

Attendance Review:

Marion Ramsey absent due to work obligation. Absence excused

Adjournment:

Meeting adjourned at approximately 3:55 p.m.



John "Mac" McCall, Chairman

Date