

MINUTES

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

Tuesday June 4, 2024, 2:30 p.m.

MEMBERS PRESENT

John “Mac” McCall
Nancy Hobby
Marion Ramsey
Keith Godfrey
Allan Strickland
Nathan Brantley
Victoria Copeland
John Hogan

MEMBERS ABSENT

None

STAFF PRESENT

Lauren Hurley
Margaret Torres
Trinni Amiot
J.D. Dillard

VISITORS PRESENT

Matt Phelps (Pace-Civil Engineer)
Jennifer Backstrom (owner-Anchor Auto Center)
Daryle Mayor (owner-Anchor Auto Center)
Bo Miller (Boone Company)

CALL TO ORDER

John “Mac” McCall

Calling of meeting to order at 2:36 p.m. and explanation of meeting process to all those in attendance.

Lowndes County Case:

VAR-2024-06 Anchor Auto Center (2277 US Hwy 84 West) Request for a Variance to Table 6.03.03 of ULDC as it pertains to Potable Water System Requirements in the C-H (Highway Commercial) zoning district (Tax Map 0088C Parcel 118) & (Tax Map 0087 Parcel 143 & 144)

Trinni Amiot stepped to the podium and presented case. The applicant is the property owner and is requesting a Variance to Sections 6.03.03 D of the Lowndes County ULDC as it pertains to Potable Water System requirements. The subject property is located at 2277 US Hwy 84W, Map & Parcel 0087 143, 144 & 0088C 118, and consists of 3.04 acres currently zoned C-H (Highway Commercial), and with the US Hwy 84W Corridor Overlay district. The parent tract was divided by survey in 2023, creating two legal lots of record. At that time, a not was placed on the plat (as a result of staff plat review, and ultimately recorded) stating: "As the proposed development is within the connection requirements found in ULDC Chapter 6.03.03 for County Water and the connection requirements for County Sewer found in ULDC Chapter 6.03.04 any future development will be required to connect to both water and sewer services." The property was purchased by the applicant in March of 2024 and the deed references the recorded plat (discussed above). She stated that the TRC staff heard and discussed this request during their regular scheduled meeting and ultimately voted for denial to the request.

Trinni stated that the subject property is Tract 1. County rules state that if they are within 1000 ft of County water connections that they must connect to County water and Sewer. This was notated on the plat, and they were aware of this when they recently purchased the property.

Nathan Brantley asked how far it is from the front of the property across. Trinni stated that it is approximately 700 feet. John Hogan asked who would pay for them to connect to County. Trinni stated that the applicant would. Nancy Hobby asked if there were any developments on the horizon on the South side of Hwy 84 and if there is going to be water lines run under Hwy 84. Trinni stated that if there are, she is not aware of any. Nancy stated that she didn't know if there was any in the vicinity of Austin's. She also asked what kind of water system the Elk's Club has because they are right there. Trinni stated that she was not sure and that she did not know if they were a utility customer or not.

Chairman McCall asked if there were any other questions for staff. He then asked if the applicant or applicant's representation would like to address the board.

Matt Phelps with Pace Engineering stepped to the podium. He addressed questions that Nancy asked. He stated that the Elk's Club is on a private well. He also stated that properties on both sides of the road are on private wells and the connection on Smith is about 300 feet.

Nathan Brantley clarified that that is the one they would have to tie into, not the one to the West. Matt Phelps confirmed that is correct and that the service line is from that well which is out by the highway. He also stated that he had recently found out that that is the old water supply for the old Coke bottling plant which is a pretty deep well and that it supplies water for properties on either side of the road so the surrounding area and the whole area is on private wells right now. He stated that the well that is on the subject property, he is not sure when it was installed, but it served one of those bulk ice machines.

Chairman McCall stated that to be clear, that the well he is referencing is not on this subject property. Matt Phelps stated that is actually on Tract 2, but they have permission from the owner of Tract 2 to utilize that well. Chairman McCall again stated that to be clear, there is not an existing well on this subject property. Matt Phelps stated that was correct that it is not on Tract 1.

Nancy Hobby asked how deep the well is. Matt Phelps stated that he is not sure.

Matt Phelps confirms that the business is within the 1000 ft of the County connections by the County ordinance but that there are a lot of things within just a couple hundred feet that are still utilizing wells. The owners are a small business that is wanting to move over to a new piece of property that will allow them to expand and grow their business than where they are now and since the well is there that it seems like an appropriate thing to let them use it until such time that County Water does come down the highway in the future and if something goes wrong with the well that they would hook on at that time. He stated that they are asking for some relief. He also stated that there is sewer on 84 and that they would be connecting to that as part of the project, but the water is just a far reach.

John Hogan asked if there is any reason why they would object to connecting across the street on Hwy 84. Chairman McCall clarified that the closest connection is at Smith St. Matt Phelps responded that it would cost \$50,000 with a minimum 8-inch diameter water main and all they have planned is a 900 sq ft office with a bathroom with 1 sink and 1 toilet. He stated that they need the minimum ¾ inch connection, and they don't need an 8 inch water main that costs that much. John Hogan reconfirmed that that was the closest they had. Matt Phelps confirmed that it was.

Allan Strickland asked if there was any discussion with Lowndes County about assisting with the cost. He also stated that if they are not needing an 8-inch line, but County is requiring an 8 inch, that they would share the cost of installing that with the applicant. Matt Phelps stated that he had not discussed that with the County Utility Director. He stated that he has seen them do that in the past, but that he has not discussed it with them. He stated that he has spoken with the Health Department to make sure that the connection to well is acceptable from their perspective to use the well and they said that it was.

Marion Ramsey confirmed again that they would be hooking up to the County sewer. Matt Phelps stated that they would be.

Nancy Hobby addressed Trinni Amiot and asked if they have to drill under the highway and install an 8-inch pipe, then would other businesses up and down Hwy 84 be able to hook up to that. Trinni stated that Matt Phelps may be able to answer that better than she would. Matt Phelps stated that yes, they would and that if they are made to do this that they would have to deed the water main that they paid for to the County for public access for anyone else that wants to connect to it. Nancy Hobby stated that the applicants would be the ones footing the bill. Matt Phelps stated that is correct.

Allan Strickland asked what happens if the property behind them is sold or developed for some other purpose and the well goes with that property, what would they do about water then. Matt Phelps stated that they have an agreement in writing the use of that well for their tract. Allan Strickland stated that is what he is talking about, if the current owner sells, then what happens. Matt Phelps stated that would have to pass forward to the future owner. Allan Strickland stated that he has seen a case that it didn't. Matt Phelps stated that they would have to take care of that legally in writing, but he felt that would be a hypothetical situation.

Chairman McCall stated that if a main is put in, would they have any problem connecting to that. Matt Phelps stated that he did not feel they would have any issues connecting.

Chairman McCall asked if there are any other questions for the applicant. He then asked if anyone else would like to speak in favor of the application. None stepped forward. He then asked if anyone would like to speak in opposition. He then asked if the County's office was contacted. Trinni stated that it wasn't.

Chairman McCall asked if there were any other questions. Nancy Hobby stated she had a question and asked if in making a motion on this if they could put a stipulation in about future lines that if lines are run by the County under the road, that they would have to hook up at that time. Trinni stated that may be a question for the Attorney on the panel and she would think that it would be ok. Nathan Brantley asked for confirmation that if the County were to run lines down the road, they would require them to connect. Chairman McCall stated that the problem they would run into is that the County would not run water down both sides of the road, that it would come down one side or the other. He stated that given it is already on Smith St side, that it is likely to be run on that side instead of the side that the applicant is on, so the problem will be that people will be asking to not have to connect because they are not wanting to have to boar under the road much less run the pipe distance. He also stated that nowhere in the City or County, if the water is right in front of you, do you not have to connect whether you have to boar under the road or not. It is a consideration that you must connect. Matt Phelps stated that typically what happens when a water main is run through a neighborhood, they will provide a service connection where you are able to connect or stub out for the residents or businesses to connect to. He also stated that would probably part of a project the County does then it would be a matter of the customer paying a meter fee and connecting in.

Chairman McCall then readdressed the original question that once the line is in and certified by the County and up and running and usable that they would be a stipulation in there that they would have a certain amount of time to connect (ex. 60 days) or otherwise they would not be in compliance. Nathan Brantley stated that you can put that condition on there, but asked how that would be monitored. He stated they would be operating with a well and the only reason they would ever need to do anything would be if that well fails. He stated that that would be the only thing that would trigger them having to connect. Chairman McCall stated that is correct short of the County building it and sending them a notice requiring them to connect at that time. Nathan Brantley stated that you could make them do either one. He gave 2 scenarios that either when the County provides water, you could make them connect or if the well fails they would then be required to connect. John Hogan asked if the County would notify the properties in the area to let them know they are running water to that area to let them know it is time to connect. Nathan Brantley stated that they would probably want to connect at that time because you would have better water pressure and such, but unless you have a well and would not have to pay a fee to the County in the way of a bill. He also stated that he wasn't sure if that is something that the County does to notify all residents in the area that there is water now available. Trinni stated that at some point the Health Department weighs in. At less than 200 feet, they will not give a well and septic. She stated she is not sure if the County sends out mass mail, but if their well fails and they go to pull a permit for a new well or septic, the Health Department will let them know that they have County water close enough and they will not give them a well. She stated that that may be the

better motion that if the customer's well goes out, that at that time, they will have to connect. Chairman McCall referenced when the City took over the islands, they sent out notices to all the residents of the islands that they were providing water and sewer and they were going to have to connect. Allan Strickland stated that if your well and septic tank was still working, that you could keep it, but if it were to fail, then you would have to connect at that time. He stated that repairs to an existing well are allowed, but if the well fails, then you would be required to connect to water and sewer. Chairman McCall stated that they would tie it to that, or the applicant is saying they are will to tie in once it is there. He stated you could stipulated either one which would be obviously contingent on them receiving notice that it is there.

Nancy Hobby made a motion to approve with 2 stipulations. One: that if the well fails, they would be required to connect at that time or Two: Once the County provides water to that area, they would need to connect at that time. John Hogan seconded the motion.

Chairman McCall calls for a vote. Vote Unanimous. Variance Passed 7-0

OTHER BUSINESS:

Minutes:

Chairman stated that minutes were sent out and asked if anyone needed any changes. Called for a motion to accept. Motion made by Allan Strickland to accept as presented. Motion seconded by Marion Ramsey. Vote 6 in favor, 1 abstained. Minutes Accepted.

New Board Member:

Lauren Hurley stated that Dr. Clemons term was up, and new member Rodney Keith Godfrey has been appointed to replace him. She gave Mr. Godfrey the floor to introduce himself to the board.

Mr. Godfrey stated that he is the owner/operator of Godfrey Funeral Home in Valdosta. He stated he is glad to be a part of the board and looks forward to his time with the board. Chairman McCall stated that his service is appreciated along with his time and commitment. He stated that if he has any questions or need anything explained, he is welcome to reach out to the board or staff.

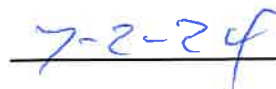
Attendance Review:

None Absent

Meeting adjourned at 2:59pm



John "Mac" McCall, Chairman



Date