

MINUTES

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

Tuesday August 20, 2024, 2:30 p.m.

RESCHEDULED from August 6, 2024

MEMBERS PRESENT

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

MEMBERS ABSENT

John Hogan
Allen Strickland
Marion Ramsey

STAFF PRESENT

Lauren Hurley
Margaret Torres
Trinni Amiot
Jason Davenport

VISITORS PRESENT

Elton Redding
John L. Redding
Lana Hall
Julia Bass
Beatrice Major (Unified Land Development)
Jabari Hadley
Toni Lewis
Diane Guess
Serina Taylor
Brian Mitchell
Jeffrey Dunn
Cindy Dunn
Greg Haugen
Scott Bennett

Jean Redding
Kimberly Alexander
Terry Richards (Valdosta Daily Times)
Matt Mitchell
Eva Freeman
Jimmy Carter
Betty Williams
Tracey Hall
Britanny DiGammarino
Cole Parker (Parkstone Const)
Jake Parker (Parkstone Const)
Calvin Harris

CALL TO ORDER

John “Mac” McCall

Calling of meeting to order at 2:31 p.m. and explanation of meeting process to all those in attendance.

Lowndes County Case:

VAR-2024-07 Matthew Mitchell-Hall Webb Rd-Father-in-law of property owner requesting Variance to Sections 4.04.04 C E 1. The subject property is located at 7365 Hall Webb Rd, Map & Parcel 0011 020D, and consists of 20 acres currently Zoned E-A (Estate Agriculture). The parent tract was originally divided by survey in 2020, using the family ties allowance, creating one lot at 1.25 acres. In 2022, the parent tract was subdivided again, creating four tracts, using the minor subdivision classification. The applicant is asking for a variance to the one-time usage of the Family Ties Exemption.

Jason Davenport presents case. They are requesting to allow additional variance to family ties rule. The current property owner is wanting to cut out 1 acre for their father-in law. It is currently zoning E-A. The current zoning regulations were adopted in 2006. In 2005, there was 1 large parent tract and in 2020, they used their family ties to cut out the current parcel of land that the property owner is requesting to cut out 1 acre. They can either cut out a 5 acre parcel with no variance required or request rezoning which they have opted not to do. Staff recommendation is to approve variance request.

Nathan Brantley asked if delaying would risk violating regulations.

Jason stated that the advertisement must run 30 days per state law and letters are sent out to adjacent properties.

Nancy asked what the original tract size was and was it to family ties

Jason stated that the original family times was used on the 1.25 acres that was cut out of the larger parcel in 2020

Chairman McCall asked for verification that this is why they are hearing the case is because it is smaller than 5 acres.

Jason confirmed that the property owners chose to seek a variance first.

Chairman McCall asked if they could refile with 5 acre tract. Ask if the 1st family tie was done earlier.

Jason verified that it was.

Chairman McCall asked if there were any further questions for staff.

Nancy Hobby if family ties is only allowed once, then why is staff requesting approval.

Jason stated that in 2020, they could have done 5 lots but chose not to at that time and now they are needing it for their family to be close by.

Chairman McCall asked if there are any other questions and then asked for applicant to come to the podium.

Holly Mitchell stated that her father passed away 4 months ago. She stated that she has lived on

the property her whole life. It was left to them and now she wants to bring her father-in-law onto the property so her children will have their grandfather close. She stated that it would not be affecting the neighbors or the adjacent properties.

Brian Mitchell stated that he did not have any need to purchase more than 5 acres and would be building a substantial home to be closer to his children and grandchildren.

Chairman McCall asked about a triangular piece and what the reason was.

Brian stated that it was because of the topography of the land.

Chairman McCall asked if anyone had any questions for the applicant. Then asked if anyone was in opposition.

Elton Redding (7649 Webb Rd) stated that he owns the large acreage to the South of this property. He feels that this would be spot zoned and that keeping it agricultural would be best. He stated that he feels this would change the character of the area and if approved would set precedent. He feels his due process was violated and that his only alternative is Superior Court. He also stated that he was not properly notified of this. He stated he did not receive his notice, the signs were posted with incorrect information and that it was posted in the paper incorrectly. He stated he would like this brought back before the TRC and Lowndes County Commission and would like copies in writing.

Nathan Brantley asked if he received notice by certified mail.

Elton Redding stated that he did not.

Nathan Brantley asked for him to show him his property on the map

Elton Redding shows him his property on the map.

Chairman McCall asked for the packet of information that Mr Redding wanted them to see. Mr. Redding gave packet of information to the board.

Chairman McCall asked if anyone else was in opposition to the case.

Scott Bennett (5057 Hammock Trl) stated that he owns adjacent property and feel that the rules should be followed. He feels the family ties has been used.

Nathan Brantley asked if he received notice

Scott Bennett stated that he had received notice.

Tracy Hall (7295 Hall Webb Rd.) stated that she is the owner of the property of the 1.25 acres that was cut out in 2020. She stated that the area is agricultural and that she feels it needs to be a 5 acre tract.

Nancy Hall asked if she was one of the children.

Tracy stated that she was. She also stated that she was told that once the house is built, that the

property is going to be deeded back to Matt and Holly.

Nancy asked Nathan Brantley if failure to advertise correctly justify ruling on the case.

Chairman McCall asked him if the case could be tabled and readvertised correctly.

Nathan Brantley stated that he felt they ran the risk of violating rules and feels that tabling and readvertising the case would ensure it is done properly. He stated that he understood it is not desirable to postpone but with the opposition, it may be safer.

Chairman McCall stated that if they table the case, to meet the 30 days given to advertise that the case would not be heard until October.

Jason Davenport stated that they have evidence of certified mail and does not feel that all the opposition is valid. He did state that he was unaware until this meeting that the address was published incorrectly.

Chairman McCall asked if they would be charged another advertising fee

Jason stated that they would not charge them another advertising fee.

Elton Redding steps again to the podium and stated that he feels the damage has been done and that he takes it personal. He spoke several times of a Windy Hill subdivision that had been proposed in the past that he was in opposition to.

Jason stated that he was not familiar with Windy Hill Subdivision.

Nathan Brantley stated that the property owners have the right to bring their case to be voted on.

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

Nathan Brantley made motion to table the case until staff could make the corrections. Nancy Hobby seconds the motion. Vote Unanimous 4-0

VAR-2024-08-Good Samaritan Healthcare Services-3515 Cherokee Trl-Applicant represents the property owner and is requestion a variance to the design standards for the establishment of a Family Personal Care Home. The subject property consists of 0.48 acres and is located at 3515 Cherokee Trl, in an R-10 (Suburban Density Residential) zoning district.

Trinni Amiot steps to the podium and presents the case. The owners are wanting to use the existing home for a personal care home and are requesting variance to current setback standards for personal care home. The house is centrally located and would have 18-20' on either side. The current rear would be setback standards. She stated that the case was heard by TRC and had no objectionable comments. Based on criteria D, I and J, staff recommends approval.

Nancy Hobby asked how many employees verses residents would there be.

Trinni stated that was not a zoning requirement. Zoning only regulated the number of residents and that they must still meet supplemental standards.

Chairman McCall asked if there were any other questions for staff. Then asked if the applicant or applicants would speak.

Kimberly Alexander stated that she has 31 years' experience. The care home would be staffed 24/7. Her goal is to bring individuals from facilities into a home like environment.

Nancy Hobby stated that she is concerned about the employee to residential ratio. She also stated that she is concerned about parking. She stated that she is aware of other care homes that have had complaints about the parking.

Kimberly stated that the staff would park in the rear and visitor parking in the front.

Nancy asked what the lot size was.

Info was given that it is 0.48 acres

Nathan Brantley asked how many bedrooms the house was.

Kimberly stated that it is a 3 bedroom house.

Victoria Copeland asked if there would be anyone living there with them or would this facility be just for the residents.

Kimberly stated that staff would be in shifts, but someone would be there with the residents 24/7.

Chairman McCall asked if there was anyone in opposition to the case.

Britanny DiGiammarino (3519 Cherokee Trl) Stated that she is a mother and worried about the safety of her children. She is also concerned about traffic flow in the area as the children in the neighborhood like to ride their bikes and play outside. She stated that she has concerns about poorly run and regulated care homes and feels that it would affect her family's safety and decrease her property value.

Nathan Brantley asked which home she was.

Britanny stated that she is the house directly next door to this one.

Chairman McCall asked if anyone else was in opposition.

Greg Haugen (3527 Cherokee Trl) stated that this is a smaller neighborhood with a lot of small children. He stated his concern for the safety of the small children in the neighborhood. He also had concern about parking in the rear of the property and congestion on the street. He had concerns about even having 2 patients and 4 staff with it being a small residence.

Nancy Hobby asked if the driveway was a single or double car width and addressed the owner as to the square footage of the home.

Kimberly stated that it is a 1200 sq ft home. Her son stated that he drives a school bus and sometimes parks it in the driveway with room for another vehicle.

Chairman McCall asked if anyone else was in opposition.

Beatrice Major (3508 Cherokee Trl) stated that she lived in the house directly across the street from this property. She stated that her friend lived in the house so she knows that it is very small and has small rooms. She voice concern of not knowing what kind of people would be coming in. She feels they have a safe community with no drugs . She stated that his house only has a single car driveway. She stated she has been in the neighborhood for 30 years and feels that a care home would jeopardize the safety of the neighborhood. She feels this group home would not be good in a residential and mostly retired neighborhood. She stated that she worked in the medical field for 40 years and just does not feel this area would be appropriate. There is a history of a handicapped individual who would knock on doors. She feels that at this time in her life, she doesn't want her peace disrupted.

Calvin Harris (3514 Cherokee Trl) stated that he is against this. He has young children and is concerned about their safety. He stated that as far as back yard parking, once it rains, it would not be feasible to park back there. He stated that he just wanted to say that he is against it.

Male in audience stated that alcohol addition and drug addiction are both disabilities and asked if this would be a rehab facility or would this be a home for mentally handicapped people.

Chairman McCall asked if there was anyone else in opposition.

Jeff Dunn (3518 Cherokee Trl)-stated his home was built 32 years ago and he raised his children in this neighborhood. He has 4 grandchildren that comes to his home regularly. He also stated that they have a peaceful neighborhood. He voice his concern that the neighborhood would be turned like Woodrow Wilson Dr where homes have been turned into businesses. He feels like they would have to uproot and change their lives in order to allow businesses to come into their peaceful neighborhood.

Chairman McCall asked if there was anyone else in opposition. He then asked if anyone would care to make a motion.

Nancy Hobby made motion to deny based on house and lot size. Nathan Brantley seconded the motion. Vote 3 in favor of denial, 1 in opposition. Variance Denied.

VAR-2024-10-Parkstone Construction-Lynnhaven Rd-The applicant is the property owner and is requesting a variance to Section 6.03.04 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 Rd, Map & Parcel 0087 195G & 195 F, and consists of 2 total acres (1 acre lots each) currently zoned R-1 (Low Density Residential).

Trinni Amiot presents case. She stated that the distance to the sewer line on James Rd is at 600 ft distance and the properties are located near the border of the 1000 ft buffer. The existing dwellings in this neighborhood were previously development with septic tanks. The TRC staff heard and considered this request and ultimately voted for approval of the request based on Criteria D, E, and F.

Chairman McCall asked for the applicant to present their case.

Jake Parker stated that it is his intent to build houses on these lots and is requesting for relief. He stated that he would connect to County water.

Nathan Brantley asked if this request is just for septic.

Chairman McCall stated that James Rd is the closest.

Nathan Brantley asked if the other houses in the area are on septic.

Trinni Amiot stated that the existing houses in the area were built before the lines were run.

Chairman McCall asked if there were any other questions for the applicant.

Jake Parker stated that he would be building nice houses on the lot and will tap into the County water across the road. He added that it would be a major undertaking and significant cost to tap into the sewer system.

Chairman McCall asked if there was anyone in opposition. Then asked for a motion

Keith Godfrey made motion to approve as presented. Victoria Copeland seconded the motion. Vote unanimous 4-0

OTHER BUSINESS:

Attendance Review:

Allen Strickland had another meeting, Marion Ramsey on a job site and John Hogan is going out of town for his anniversary. Absences excused.

Adjournment:

Meeting adjourned at approximately 3:52pm



John "Mac" McCall, Chairman

9-3-24

Date

