

# MINUTES

## Valdosta-Lowndes Zoning Board of Appeals

Valdosta City Hall Annex Multi-Purpose Room  
300 North Lee Street, Valdosta, Georgia

February 5, 2018

2:30 p.m.

### MEMBERS PRESENT

Paul Alvarado  
Nathan Brantley  
Nancy Hobby  
John D. Holt

John "Mac" McCall  
Gretchen Quarterman  
Allan Strickland

### MEMBERS ABSENT

Victoria Copeland

### STAFF PRESENT

Carmella Braswell  
Tracy Tolley  
Debra Tulloch

### VISITORS PRESENT

Ryan Adams  
Mr. & Mrs. Wiley Myers  
Rachel Thrasher  
Renee Vila

### Agenda Item # 1: CALL TO ORDER

The meeting was called to order by Chairman McCall at 2:30 p.m. and it was determined that a quorum of members was present. Chairman McCall thanked everyone for coming and reviewed the meeting procedures with those in attendance today.

### LOWNDES COUNTY CASE

### Agenda Item # 2: VAR-2019-02 — Ryan Adams (5734 Long Pond Road, Lake Park)

Chairman McCall announced the case. Mrs. Braswell stated that the applicant is seeking relief for side yard setbacks to reduce it from ten feet to four feet. The property is located at 5734 Long Pond Road, Lake Park, and consists of 0.39 acres and is zoned R-10. The applicant is asking for a variance to ULDC Sections 5.02.01 and Table 4.01.02 (E). The applicant built a deck that encroached into the setbacks, and was able to get an administrative waiver from the southern parcel line to allow the new deck at a minimum distance of eight feet, but the applicant was unable to meet that distance, and is asking for a variance for four feet from the parcel line. Staff reviewed the application and determined that there were no objectionable comments to the variance request.

Chairman McCall asked if the Board had any questions. Mr. Brantley asked if there were any issues with the height of the deck. Mrs. Braswell stated there were no issues with the height. Mrs. Hobby stated the lots were very narrow in this area, and it was hard to apply today's ULDC to houses and structures that existed prior to the ULDC's adoption. Mrs. Hobby stated that the new dock appeared to be placed near where the old dock was, and that privacy was minimal in this area due to the narrowness of the parcels. Mrs. Braswell stated that the structures were legal nonconforming, but new construction would be required to meet today's requirements.

There being no further questions, Chairman McCall asked if anyone would like to speak on behalf of the application. Mr. Ryan Adams, 951 S. Broadway Street, Lake Park, spoke on behalf of his application. Mr. Adams stated he was unaware of the Zoning requirements before he built his deck. He stated that the deck would never sag, because he built it with more wood than was required. He built his dock low, and in the same position as the original dock was. Mr. Adams stated he would like to build a twelve foot privacy fence on his property similar to a neighbor's privacy fence.

Mrs. Quarterman asked if a twelve foot fence can be built. Mrs. Braswell stated an eight foot fence is the maximum. Mrs. Quarterman asked if the applicant asked for a variance for fence height. Mrs. Braswell

stated he did not. Vice-Chairman Strickland asked if they would have to re-advertise. Mrs. Braswell stated that would be her advice, to meet the letter of the law. Mrs. Quarterman suggested a buffer, such as cypress, that would grow to twelve feet, but did not need a variance. Mrs. Hobby stated that there was not enough space to place a Leland Cypress there. Mrs. Quarterman stated that they may want to look at other natural buffering. Mrs. Hobby stated this location, near a lake, was a perfect location for snakes. Mrs. Hobby asked if a fence of that height, extended down to the lake, would keep him from being seen by his neighbors. Mr. Adams stated it would. Mrs. Quarterman asked if a fence would impede visibility of the neighborhood as a whole. Mrs. Hobby stated there is no panoramic view of the area, unless you are standing at one end of the neighborhood or the other. Chairman McCall asked if Mr. Adams if this was a rental. Mr. Adams stated it was a weekend home for him, and his neighbors were permanent residents. Mrs. Hobby asked if he had received any comments from his neighbors. Mr. Adams stated he had only received positive comments.

There being no further questions for the applicant, Chairman McCall asked if anyone else would like to speak in support of the application. No one spoke. Chairman McCall asked if anyone would like to speak in opposition of the application. No one spoke. Chairman McCall asked if anyone had contacted the office. Mrs. Braswell stated they had gotten a couple of phone calls.

There being no further discussion, Chairman McCall called for a motion. Mrs. Hobby made a motion to approve the request as presented, and asked what the Board wanted to do about a fence. Mrs. Braswell stated that the Board had discussed several different heights, but they may want to hold off on making a decision on the fence until after it was advertised, and that eight feet was the maximum height that the ULDC allowed for fencing. Vice-Chairman Strickland that they could stipulate a height for the fence, but the slope of the land affected the fence as well. If twelve feet was stipulated, the fence would be very tall on one end of the property. Vice-Chairman Strickland state if it was six feet higher than the deck, and ran straight out, that would potentially negate issues with the slope of the property, even though it wouldn't solve the problem of being taller than eight feet. Mrs. Quarterman asked how tall the shed was. Chairman McCall stated it was eight to nine feet. Mrs. Quarterman suggested making the fence eight feet tall at the corner with the shed, and maintaining that levelness towards the lake. Mrs. Hobby amended her motion to approve the variance as presented, citing criteria "d" with the condition that a privacy fence be placed no taller than 8 feet. Vice-Chairman Strickland seconded the motion. The motion was called and carried with a vote of 6 to 0.

### **CITY OF VALDOSTA CASES**

#### **Agenda Item #3: APP-2018-09 — Wiley Myers (2528 Melrose Drive)**

Chairman McCall called the case. Ms. Tolley stated that the applicant is requesting a variance to LDR Chapter 214 Table 1 as it relates to rear yard setbacks for an addition. The property is located at 2528 Melrose Drive, consists of 0.23 acres, and is zoned R-10. The parcel has a house with an attached garage as well as a concrete patio and a brick fireplace/chimney in the back yard. There is an existing accessory structure as well. The applicant wants to extend the roof over the patio in the back. The rear yard setback in R-10 is 25 feet; the applicant wants to encroach into the rear yard setback by 13 feet 5 inches, being 11 feet 7 inches from the rear property line. Staff reviewed the request, found no hardship, and recommends denial. Chairman McCall asked if there was a previous application for the brick chimney structure, and if it should be within setbacks. Ms. Tolley stated there was no previous application, and it should be within setbacks. Mr. Brantley asked if Mr. Myers wanted to extend the roof to the chimney structure. Ms. Tolley stated yes.

There being no further questions for staff, Chairman McCall asked if anyone would like to speak on behalf of the application. Mr. Wiley Myers, 2528 Melrose Drive, spoke. Mr. Myers stated it was too cold in the winter to use the patio, but that putting the roof over the patio would make the patio more usable. Mrs. Quarterman asked if the fireplace met side yard setbacks. Ms. Tolley stated she believed it did. Mrs. Quarterman asked if this was a variance to the rear yard setbacks. Ms. Tolley stated yes, it was. Mrs.

Quarterman asked if any variances were needed for the room addition. Vice-Chairman Strickland stated no variances were needed for the room addition. Mrs. Quarterman asked how much of a variance was being asked for. Vice-Chairman Strickland stated basically fourteen feet. Mrs. Quarterman asked if he intended to entertain in it year-round. Mr. Myers stated yes. Mr. Brantley asked if the applicant intended to enclose it. Mr. Myers stated yes, but he may want to enclose it in the future by using sliding shutters. Vice-Chairman stated that if it was enclosed, that was not what was asked for or advertised in the variance request. Mr. Myers stated he could do without the shutters if he had to. Vice-Chairman Strickland stated that what was asked for and advertised was not an enclosed room, but for the roof-line extension. Mr. Myers stated that the room addition was going to be enclosed. Ms. Tolley stated that room addition met setbacks, and the potential enclosure was not mentioned until now. Mrs. Hobby asked if this would be picked up in a building process application. Ms. Tolley stated it should be picked up during the permitting process. Mrs. Quarterman asked if electricity would be run to this part of the house. Mr. Myers stated it would, and it would be run down from the roofing.

Chairman McCall asked if anyone else would like to speak in support of the application. No one spoke. Chairman McCall asked if anyone would like to speak in opposition of the application. No one spoke. Chairman McCall asked if anyone had contacted the office. Ms. Tolley stated no one had contacted her office.

There being no more discussion, Chairman McCall called for a motion. Vice-Chairman Strickland made a motion to approve the variance for the roofline extension/addition only as presented. Mr. Alvarado seconded the motion. The motion was called and carried with a vote of 5 to 1, with Mrs. Quarterman voting against.

**Agenda Item #4: APP-2019-01 — Dalton Signs (3645 Inner Perimeter Road)**

Chairman McCall announced the case. Ms. Tolley stated that the Friendly's Express, located at 3645 Inner Perimeter Road in C-H zoning on 1.71 acres, is applying for signage variances, specifically canopy sign variances. The applicant applied for freestanding, wall, and canopy signage, and it was determined that variances were needed for the second freestanding sign as well as for the canopy signs. The applicant applied for additional wall signage, and the canopy signs. However, the wall signs did not need variances, and could be permitted on their own. The applicant is applying for too many canopy signs (canopy signs on three different elevations when signage is allowed on only two elevations), canopy signs that are too large (ranging from 24.5 sq. ft to 64.35 sq. ft) when a maximum 16 sq. ft of canopy signage is allowed. Staff reviewed the request, and no hardship was found. Therefore, staff recommends denial of the variances. Mr. McCall asked if this was part of the same chain that had a location across from the Volkswagen dealership. Ms. Tolley stated yes, and this location was in the County. Mr. Brantley asked why the application was turned in late November and was heard at the February 2019 meeting. Ms. Tolley stated that the deadlines were the 25<sup>th</sup> of each month. This application made it after the November 25<sup>th</sup> deadline for the January meeting, so the application fell to the February 2019 meeting agenda. Ms. Tolley explained that the cases were required to be advertised in the newspaper, with public hearing signs, and were reviewed by staff as well.

There being no additional questions for staff, Chairman McCall asked if anyone would like to speak on behalf of the application. Renee Villa, Dalton Signs, 610 N. Lee Street, Kingsland, spoke in support of the application. She stated that the applicant had decided not to ask for a variance for the second freestanding sign but decided to ask for additional wall signage. Ms. Villa stated they were competing against other convenience stores such as Shell and Citgo. Vice-Chairman Strickland asked if the sign on Inner Perimeter met regulations. Ms. Tolley said it did, and the maximum could be 75 square feet, with the secondary sign being no larger than 37.5 square feet.

Chairman McCall asked if anyone else would like to speak on behalf of the application. There was no one. Chairman McCall asked if anyone would like to speak in opposition. There was no one who spoke.

