

MINUTES

Valdosta-Lowndes Zoning Board of Appeals

Valdosta City Hall Annex Multi-Purpose Room

300 North Lee Street, Valdosta, Georgia

June 4, 2019 2:30 p.m.

MEMBERS PRESENT

Paul Alvarado
Victoria Copeland
Nancy Hobby

John "Mac" McCall
Gretchen Quarterman
Allan Strickland

MEMBERS ABSENT

Nathan Brantley
John Holt

STAFF PRESENT

Trinni Amiot
Molly Stevenson
Tracy Tolley
Debra Tulloch

VISITORS PRESENT

Paul Antonoplos
Rob Barber
Michael Carson
Laurie Chaney
Andrea Clairmont
Lynne Cook
Nathan Dierkes
Donna Dimick
Belinda Eudy
Roddy Evans
Lindsay Faircloth
Matt Faircloth
Catherine Falkenhausen
Bobby Fletcher
Charles Francis

Mary Beth Francis
Danny Fudge
Adam Gayle
James Grant
Arthur Hanks
Tiffany Holley
Kelsey Howell
David Howell
Thomas Iricitano
Adam Khail
Angela Knudson
Felicia Knudson
Haley Knudson
Wayne Marcum
Austin McCauley

David McCauley
Kelly Montgomery
Rich A. Hagar Nestor
Laura Peppler
Greg Phillips
Charles Ray
Fredonia Ray
Tommy Reid
Jonathan Robson
Josh Robson
Eric Rousch
Mary Beth Summerlin
Anson Swindel
Albert Umpleby
Brandi Umpleby

Justin Von Schaffel
Chris Wall
Megan Wall

Agenda Item # 1: CALL TO ORDER

The meeting was called to order by Vice Chairman Strickland at 2:50 p.m. as Chairman McCall stated he would abstain and sat with the crowd. It was determined that a quorum of members was present. Vice Chairman Strickland thanked everyone for coming and reviewed the meeting procedures with those in attendance today. Chairman Strickland stated that this Board would consider variance requests only, not any rezoning issues.

LOWNDES COUNTY CASE

Agenda Item # 2: VAR-2019-04 — Knudson & Son Outdoor Activities (3435 Bemiss Knights Academy Road, Valdosta)

Vice-Chairman Strickland announced the case. Mrs. Tulloch stated that Joshua Knudson is asking for variances to Table 4.03.23(D) Standards for Outdoor Recreation Facilities; Chapter 4.07.04 General Landscape Standards; Chapter 4.07.06 Buffer Requirements and Table 6.01.03(A) Parking Space Requirements for an Outdoor Recreation Use. The applicant's family members will reside in the existing single-family dwelling and the outdoor recreation use will be situated in the rear and side yard of a portion of the property. Mr. Knudson is seeking a variance to the minimum required setback of 150' feet to the front yard (eastern lot line), the rear yard (western lot line) which abuts the Georgia Southern & Florida Railroad right-of-way, and a side yard (southern lot line). Specifically, Mr. Knudson proposed a front yard setback of 100 feet, thus a variance of fifty feet (50') was requested, a rear yard setback of fifty feet (50') thus, a Variance of 100 feet was requested and a side yard setback of fifty feet (50') thus, a variance of 100 feet was requested. A variance to Chapter 4.07.04 in its entirety is being requested as it pertains to the minimum required Landscape Standards. Per the ULDC, a total of 3.638 acres and/or 158,471 square feet of the development site must be sodded or covered with ground cover and a total of 146

trees are required based on the parcel acreage. A variance to Chapter 4.07.06 in its entirety is being requested as it pertains to the minimum required Buffer Requirements. The buffer yard is required to be a minimum of forty-five feet (45') in width along both the north and south side yard property lines. The required plantings along the North lot line are 93 trees and 583 shrubs. The required plantings along the south lot line are 95 trees and 597 shrubs. A variance to Table 6.01.03(A) is being requested as it pertains to the minimum required number of parking spaces necessary to establish an Outdoor Recreation Use of this caliber. The TRC reviewed the request and had no objectionable comments, but recommends the following condition—that should the need for additional parking become evident, the applicant will provide the same on-site according to county staff recommendation.

Mrs. Quarterman asked if they could use already existing landscaping towards the landscaping requirements. Mrs. Tulloch stated they could, but the applicant was asking for relief towards buffering, and that she did not know if the existing trees were enough to count towards the requirements of the ULDC triggered by the new development request.

There being no more questions for staff, Vice Chairman Strickland asked if anyone would like to speak on behalf of the application. Josh Knudson, 5133 Rocky Ford Road, spoke on behalf of his application. Mr. Knudson stated there were many trees on site. His goals were to bring recreation to the area, but not to leave a large environmental footprint. Mr. Knudson stated he did not want to cut down trees for fencing or buffering. Mr. Alvarado asked what the hours of operation would be. Mr. Knudson stated he would like to be open on Fridays from 5 to 9:30 for some laser tag, Saturdays from 9 to 7, and Sundays from 1 to 6. He will work with the lighting so it does not encroach on neighboring property. Mr. Alvarado asked what kind of lighting he would use. Mr. Knudson stated it would be green, like fog lights to simulate night vision, at least 500 feet from the property lines. Mrs. Quarterman asked how electricity would reach the lights. Mr. Knudson stated solar power might be an option, but if he used electricity, he would utilize electricity. Mrs. Hobby asked about the noise level. Mr. Knudson stated that silenced weapons were louder than the guns used his recreation facility. Mrs. Hobby asked why there was a netting required. Mr. Knudson stated they served as a visual barrier. Mr. Knudson stated that some of these facilities were located in commercial areas, and some closer to residential areas. Mr. Alvarado asked how far these guns could shoot. Mr. Knudson stated it varied, but no more than half a football field, and that netting would prevent the projectiles from going onto other properties. Vice Chairman Strickland asked if the netting would be anchored to the ground. Mr. Knudson stated they would be staked to the ground. Vice Chairman Strickland asked if it would be netted on all four sides. Mr. Knudson stated it depended on ZBOA's decision today, but he did not plan to. Vice Chairman Strickland asked if the other facilities he visited were netted on all four sides. Mr. Knudson stated they were not. Mr. Alvarado asked if the bullets were biodegradable, if they would dissolve in the rain. Mr. Knudson stated they would require that participants would purchase the bullets from him, and they would use only biodegradable bullets. Mrs. Quarterman asked what they were shooting at. Mr. Knudson stated they would shoot at each other. Mrs. Quarterman asked if they hurt. Mr. Knudson stated if they were next to each other, it could hurt, but with this much space, they would not be on top of each other. Mr. Alvarado asked how much of the property would be used for the actual game. Mr. Knudson stated that out of 36 acres, they proposed to use 18 acres. Mr. Knudson identified areas on the site plan where he would park his customers, where they would play the game, and where his family would live. Mrs. Quarterman stated they were considering only the variances for setbacks, buffering, and parking. Mrs. Quarterman asked if the variances ran with the property. Mrs. Tulloch stated they did. Vice Chairman Strickland asked if they could condition approval of the variances to the applicant. Mrs. Tulloch stated they could. Mrs. Hobby asked if they were regulated or inspected by any agency. Mr. Knudson stated he believes that the Lowndes County staff would be the only staff to inspect him. Mr. Knudson stated that any weapons brought to the facility would be brought in a bag, then placed in the bags before leaving, and inspected by his staff. Vice Chairman Strickland stated that the pro-shop would be close to the parking, and the visitors would obtain access to the property through the pro-shop. Mr. Knudson stated that was true. Mr. Alvarado asked if had insurance, and if they would have to sign a waiver. Mr. Knudson stated that once it opened, they would have insurance. Vice Chairman Strickland asked how wildlife would be addressed. Mr. Knudson stated he would prefer not to net the whole property, just the areas near residences/neighbors. Mrs. Quarterman asked what would happen if

people shot wildlife. Mr. Knudson stated he did not think the wildlife would be hurt. Mr. Alvarado asked what would happen if the wildlife ate the pellets. Mr. Knudson stated the pellets were biodegradable, so it should not be a problem. Mr. Alvarado asked if the netting was camo. Mr. Knudson stated it was black. Vice Chairman asked staff if there were trees in the net, would that count towards the buffering. Mrs. Tulloch stated that buffering was purposely situated against the perimeter, not in the net. Mrs. Quarterman asked if a natural forest was landscaping, because the forest consisted of trees. Mrs. Tulloch stated yes, that was correct. Mrs. Quarterman stated that they did not need landscaping because they trees were already there. Mrs. Tulloch stated that landscaping was triggered because of new development. Mrs. Quarterman stated that existing trees could serve as landscaping. Vice Chairman Strickland stated that shrubs or sod could experience wear and tear from the activities on the property. Mr. Knudson stated that he had spoken to some of the neighbors, and even had one home owner buy his house, knowing that Mr. Knudson intended to locate there. Mr. Knudson stated the zoning was in place for his recreation facility. Mrs. Hobby asked if the property was rezoned. Mr. Knudson stated it was not. Mr. Knudson stated that 22 acres were already zoned appropriately for his recreation facility, but they wanted to utilize some of the remaining acreage for his facility, and that remaining property was what was being rezoned. Mr. Knudson stated he had people sign in support of his facility. Mrs. Hobby stated that some of those people lived in Ray City and Lake Park, and were customers, not living next to the facility.

There being no further questions, Vice Chairman Strickland asked if anyone else would like to speak in support. Jonathan Robson, 3865 Brookfield Drive, spoke. He stated it would be great to have some place like this close by, and he'd played airsoft for his entire life. He stated that most of the people who lived near this property were military, and were probably very familiar with weapons.

Vice Chairman Strickland asked if anyone else would like to speak in support of the application, and reminded the crowd that the Board could consider only the variances before them. Anson Swindel, 2940 Dogwood Circle, spoke. He stated that Valdosta doesn't have activities like this for young children. He stated he has PTSD, and is not triggered by this activity.

Rob Barber, 3908 Barker Road, stated that Mr. Knudson is interested in protecting the neighborhood. Mr. Barber stated that air soft got young folks active, helps them to connect with other young folks and teaches them leadership skills, and more respect for veterans.

Angela Knudson, 795 Plantation Drive, Adel, spoke on behalf of Josh's father, who is a veteran of Desert Storm and taught his children to be safety conscious. Mrs. Knudson stated they would be living in the house on the property. She stated they wanted to be a blessing to the area.

Daniel McCauley, 2309 Pine Needle Drive North, spoke in support of the application. He stated that he'd known Mr. Knudson for several years, and was involved with paint ball, a similar sport. Mr. McCauley stated one of the big concerns was safety, and Mr. Knudson is concerned with safety.

There being no one else to speak in support of the application, Vice Chairman Strickland asked if anyone would like to speak in opposition to the application.

Adam Gayle, 3473 Farmer's Way, stated his property abutted the property. Mr. Gayle stated there was a lot of information stated that did not have anything to do with the variance request, but he would speak strictly regarding the variance request. Mr. Gayle noted the variance review criteria, and stated that this request would cause property values to decline. Mr. Gayle stated that additional fencing and buffering should be required. Mr. Gayle stated there were several houses nearby. Mr. Gayle stated there were many deciduous trees, with leaves that fall during the autumn season, increasing visibility and noise. Mr. Gayle was concerned about additional people behind his home. He expressed concern about the protection of a net, that it may not be enough protection. Vice Chairman Strickland reiterated that Mr. Knudson can still use a portion of the property without the variances, and that Mr. Knudson would be required to meet all of the supplemental regulations.

Laura Peppler, 3497 Farmers Way, spoke against the application. Ms. Peppler stated there were several gaps in the treeline. Ms. Peppler is worried about the lights impacting her property. Ms. Peppler stated that she has a fence between her property and this property, but would appreciate the applicant being required to fence his property. She would not have brought the house with a business like this near them. Ms. Peppler stated this would not help her sell her home.

Danny Fudge, 3320 Bemiss Knights Academy Road, expressed concern about speeding. Mr. Fudge stated that every veteran experiences things differently.

Eric Rousch, 3470 Bemiss Knights Academy Road. Mr. Rousch stated he did have a discussion with Mr. Knudson, because he wanted to know what Mr. Knudson was doing, and he never said it would not affect values in the area. Mr. Rousch had concerns regarding visibility.

Nathan Dierkes, 3461 Farmers Way, stated that the pellets could be projected 375 feet, and could take up to a year to deteriorate. Mr. Dirks expressed concern regarding his kids playing in his back yard, and that his business may be larger than what he's anticipating. He also expressed concerns regarding property values.

Charles Ray, 3652 Guest Road, stated he was against all the variances. He stated he had concerns about the lights, that electrical lines would need to be run, and that variances were allowed even before the hearing. Vice Chairman Strickland stated he had the right already to operate, just under the ULDC regulations, and that no variances had been granted. Mr. Ray stated that deaths had occurred from paint ball facilities and they looked like SWAT teams. Mr. Ray stated he knew the property because he used to hunt in the area. Mr. Ray stated it was his opinion that it needed to be as hard as possible. Vice Chairman Strickland stated that that was not the intent of the Board. Mr. Ray stated he would be worried if his grandkids came to visit.

Mary Beth Summerlin, 4339 Summerlin Lane, stated that woods didn't stop her kids from wandering onto this property and getting hurt. Ms. Summerlin asked if the Board was going to enforce the regulations, including kids wandering onto this property. Vice Chairman Strickland stated that enforcement was complaint driven. Ms. Summerlin asked if the fence was temporary or permanent. Vice Chairman Strickland stated he may have caused some confusion over the fence, and that a fence was a requirement. Ms. Summerlin stated she had blueberry bushes that the neighborhood kids picked the blueberries, and would sneak in there to try to play air soft.

Wayne Marcum, 3632 Cattle Crossing, expressed concerns about safety, that they shoot between 300 to 800 feet per second, and those can kill squirrels, and potentially hurt a child. Mr. Marcum has experience with weapons through twenty years of experience in the military. Mr. Marcum is concerned about children being hurt, as well as potentially damaging automobile windows.

Roddy Evans, 3467 Farmer's Way, expressed concerns about the facility. Mr. Evans stated there was the possibility of criminal mischief, and they would be picking the pellets out of their yards and living rooms because they broke a window.

Charles Francis, 4339 Summerlin Drive, expressed concerns about the parking. Mr. Francis stated that anything that required 800 parking spaces should be in a commercial district, and that Bemiss Knights Academy Road is not equipped to handle that much traffic daily. Mr. Francis stated there were covenants regarding the property, and he was unsure what they said. Chairman Strickland stated that ZBOA had no enforcement capabilities when it comes to properties. Mr. Alvarado stated he could get them at the courthouse.

Kelsey Howell, 3455 Farmers way, stated that she was worried about strangers on her property. Ms. Howell stated that with her chain link fence, she can see through to this property, including the goats. Ms.

Howell stated she would have to install cameras for safety, and that she would much prefer to have a fence.

Jay Blanche, 4245 Wiregrass Circle, spoke. He expressed concerns about the increase in traffic.

There being no one else to speak in opposition, Vice Chairman Strickland asked if anyone had any further questions. There being none, Vice Chairman Strickland called for a motion. Mrs. Quarterman made a motion to deny the various variance requests to Table 4.03.23(D) Standards for Outdoor Recreation Facilities; Chapter 4.07.04 General Landscape Standards; Chapter 4.07.06 Buffer Requirements and Approved the Motion for a Variance to Table 6.01.03(A) of the ULDC as it pertains to the minimum required number of parking spaces. The parking spaces required for an Outdoor Recreation Use that consist of ~18 acres is 800 parking spaces, the motion was approved for a minimum of 200 parking spaces. Mr. Alvarado seconded the motion. The motion was called and carried with a vote of 4-0.

OTHER BUSINESS

Agenda Item # 3: Approval of Minutes: May 7, 2019

Chairman McCall resumed his seat with the Board.

Vice Chairman Strickland asked if any changes needed to be made to the draft minutes. There being none, Vice Chairman Strickland called for a motion regarding the May 7, 2019 meeting minutes. Mr. Alvarado made a motion to approve the minutes as presented. Mrs. Hobby seconded the motion. The motion was called and carried with a vote of 4-0-1, with Chairman McCall abstaining.

Agenda Item # 4: Adjournment

There being no further business, the meeting was adjourned at 4:28 p.m.

/s/ John "Mac" McCall
John "Mac" McCall, Chairman

July 2, 2019
Date