

MINUTES

Valdosta-Lowndes Zoning Board of Appeals
Valdosta City Hall Annex Multi-Purpose Room
300 North Lee Street, Valdosta, Georgia
August 6, 2019 2:30 p.m.

MEMBERS PRESENT

Nathan Brantley
Victoria Copeland
Nancy Hobby
John Hogan, III

John "Mac" McCall
Gretchen Quarterman
Allan Strickland

MEMBERS ABSENT

John Holt

STAFF PRESENT

Trinni Amiot
Tracy Tolley
Debra Tulloch

VISITORS PRESENT

Laru Painter
Ryan Peters

Agenda Item # 1: CALL TO ORDER

The meeting was called to order by Chairman McCall at 2:30 PM. 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-2019-09 — Tycor Farms (6734 Georgia Highway 376, Lake Park)

Chairman McCall announced the case and stated that Mrs. Hobby would recuse herself from the case. Mrs. Hobby sat in the audience. Mrs. Tulloch stated that the applicant is requesting variances to the ULDC (Lowndes County Unified Land Development Code) as follows: (1) Section 4.07.04 as it pertains to General Landscape Standards; (2) Table 4.07.06(C) as it pertains to Buffer Area Standards; (3) Table 5.02.03(B) as it pertains to the location of a chain link fence in a front yard; and (4) Section 5.02.03(G)(3) as it pertains to the maximum height of a fence in a front yard. The subject property is located at 6530 Georgia Highway 376, Lake Park, Georgia, in an R-1 (Low Density Residential, 1 acre) zoning district. The applicant is requesting a variance to both Section 4.07.04 as it pertains to General Landscape Standards and Table 4.07.06(C) as it pertains to the minimum required buffer standards. The minimum landscape and buffer requirements must encompass the applicable leased area only. The (ULDC) provides that at least ten (10) percent of the total gross land area of a development site shall be landscaped and at least four (4) shade trees per acre shall be provided, which may include existing trees, trees required for buffers or trees required for parking lot landscaping. The applicant will be leasing a land area of 31.7 acres to establish a Solar Energy Generation Facility ("Solar Farm"). A commercial use of this nature will necessitate compliance to the general landscape requirements; specifically, a land area of 138,085 square feet of ground cover will be required as well as a minimum of 127 trees. Likewise, a 30 foot wide buffer will be required along the eastern and southern lot lines of the two existing lots on the eastern side of the leased area. The shared eastern lot line is a distance of 744.01 linear feet and requires a minimum of 30 trees and 186 shrubs per 100 linear feet. The south lot line of the second parcel (rear yard) is a distance of 455.66 linear feet and requires a minimum buffer yard of 18 trees and 114 shrubs per 100 linear feet. Subsequently, the ULDC will require a minimum of 25% of the required trees are canopy trees; thus, a total of 32 canopy trees and 95 shade trees are required and 300 shrubs. The applicant is

also seeking a variance to Table 5.02.03(B) as it pertains to the location of a chain link fence in a front yard. This table within the ULDC stipulates that a chain link fence can be erected on the side yards and rear yard. However, the applicants desire to erect a chain link fence in the front yard parallel to Georgia Highway 376. Additionally, the applicant is requesting a variance to Section 5.02.03(G)(3) as it pertains to the maximum height of a fence in a front yard. This section of the ULDC provides that the maximum height of a fence in a front yard is six feet. The applicant is asking for a variance of one foot in the front yard in order to erect a seven-foot fence around the entire leased area (front, sides and rear). The applicant desires to erect a seven-foot fence around the leased perimeter because the ULDC does not allow barbed wire to be placed on fencing in an R-1 zoning district. While the ULDC does not require a buffer yard along the north lot lines (front yard), the applicant is proposing to establish an additional 30 feet wide buffer along the length of the front yard of the leased area to act as a shield/buffer from the traveling public on Georgia Highway 376 (north lot line). They are also proposing twenty-three (23) trees and one hundred forty-four (144) shrubs along the southeastern lot line is a 228.34-acres tract utilized for agricultural farming purposes, of which the applicant is proposing to lease 31.7 acres to establish a solar farm. The TRC {Technical Review Committee} reviewed the variance request and recommended approval.

Mrs. Quarterman asked if these requirements were related to the R-1 zoning. Mrs. Tulloch stated that was correct. Vice-Chairman Strickland asked if the fence was proposed to be a minimum of seven feet, or a maximum of seven feet. Mrs. Tulloch stated it was proposed to be a maximum of seven feet in height. Mrs. Quarterman asked why the applicant did not want to rezone the property. Mrs. Tulloch stated that solar farms were permitted in most zoning districts in Lowndes County.

There being no more questions for staff, Chairman McCall asked if there was someone who would like to speak on behalf of the application. Mr. Ryan Peters, 1819 Peachtree Road, Atlanta, spoke on behalf of the application. He stated he was with Solar America and an environmental engineer. He stated that the electrical code required a seven foot fence. Mr. Peters stated they would like to use the existing landscaping/vegetation to meet the landscaping requirements. Mrs. Quarterman noted that the applicant intended to use wax myrtle and holly, and she appreciated the use of native vegetation. Vice-Chairman Strickland asked how close their panels would be to the fence, vegetation, and property line. Mr. Peters stated they would strategically plant their vegetation far enough away and maintained well enough to where it would not impede the solar panels' ability to function. Mr. Hogan asked what the height was of the panels. Mr. Peters stated his panels, which they referred to as "trackers" because they follow the sun throughout the day, were about eight to nine feet in height, and they rest at six feet tall at night. Chairman McCall asked how long their lease was for. Mr. Peters stated they had a thirty-five year lease. Chairman McCall asked if they were required to decommission the property at the end of the lease. Mr. Peters said they were required to remove the equipment at the end of the lease. Mrs. Quarterman suggested that the Board may want to tie the term of the lease to the variance approval, if the Board so chooses.

There being no more questions for the applicant, Chairman McCall asked if anyone else would like to speak on behalf 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. Tulloch stated there was no contact to the office.

There being no further discussion, Chairman McCall called for a motion. Vice-Chairman Strickland made a motion to approve the variance requests as presented for the duration of the lease, and that if the lease was not renewed, the variances would become null and void. Mrs. Quarterman seconded the motion. The motion was called and carried with a vote of 5-0-1, with Mrs. Hobby abstaining.

OTHER BUSINESS

Agenda Item # 3: Approval of Minutes: July 2, 2019

Mrs. Hobby resumed her seat with the Board.

Chairman McCall asked if any changes needed to be made to the draft minutes. There being none, Chairman McCall called for a motion regarding the July 2, 2019 meeting minutes. Vice-Chairman Strickland made a motion to approve the minutes as presented. Mrs. Hobby seconded the motion. The motion was called and carried with a vote of 6-0.

Agenda Item # 4: Welcome of New Member John Hogan

Chairman McCall welcomed John Hogan, III, to the Board as a new County appointee.

Chairman McCall asked if anyone had anything else they need to discuss. Ms. Tolley stated that Mr. Brantley had applied for reappointment and Valdosta City Council would consider the appointment at that night's Council meeting.

Chairman McCall stated he had talked to City and County staff about keeping track of attendance through a spreadsheet or some other method. Mr. Hogan mentioned that an attendance policy may need to be adopted. Mrs. Quarterman stated that the Board has an attendance policy in the By-Laws, and that she could look through her information to see if she had a copy. Ms. Tolley stated she thought she had seen a copy of the By-Laws, but did not know when or if they had officially been adopted, but the Board could further discuss after staff located what was existing in terms of By-Laws.

Agenda Item # 5: Adjournment

There being no further business, the meeting was adjourned at 2:49 p.m.

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

September 10, 2019
Date