

# MINUTES

## Valdosta-Lowndes Zoning Board of Appeals

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

December 3, 2019 2:30 p.m.

### MEMBERS PRESENT

Nathan Brantley  
Victoria Copeland  
Nancy Hobby  
John Hogan, III

John Holt  
Gretchen Quarterman  
Allan Strickland

### MEMBERS ABSENT

John "Mac" McCall

### STAFF PRESENT

Trinni Amiot  
Steve Stalvey  
Tracy Tolley  
Debra Tulloch

### VISITORS PRESENT

Leslie Bius  
Michael Bland  
Sunnie Bland  
Bert Craven  
Ruth Craven  
Franky DePasture  
Diane Dees  
Layton Dees  
Barbara Herring

Grant Harvey  
Will Kemp  
Mike Lansdell  
Janet Lineberger  
Sandra Miles  
Danny O'Neal  
Gary O'Neal  
Lonnie O'Neal  
Tonya O'Neal

Bryan Reno  
John Sineath  
Barbara Southall  
Dan Stevenson  
Mike West  
Charles Wetherington  
Joseph Wetherington  
Dolores Zipperer

<Three Illegible Names>

### Agenda Item # 1: CALL TO ORDER

The meeting was called to order by Vice Chairman Strickland. 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.

### LOWNDES COUNTY CASE

### Agenda Item # 2: VAR-2019-14 — Oliver Family Timberlands, LLLP (Old Clyattville Road & Madison Highway)

Vice Chairman Strickland announced the case. Mrs. Tulloch apologized for not having a PowerPoint for today's meeting. Mrs. Tulloch stated that the applicant is requesting a Variance to Section 4.04.02(F)(G) of the ULDC (Lowndes County Unified Land Development Code) as it pertains to general requirements for potable water system and general requirements for public sewer system. The subject properties consist of approximately two thousand acres and are located on Lineberger Road, Old Clyattville Road, Madison Highway, and Hart Road, Valdosta, Georgia, in an E-A (Estate Agricultural) and CON (Conservation) zoning districts. Mike Lansdell, real estate agent, is acting as the liaison for both the seller, Oliver Family Timberlands, LLLP, and purchaser, Olin Wooten. Mr. Lansdell, will also serve as the designated agent to speak on behalf of the buyer, Mr. Wooten, throughout the variance process. Mr. Wooten proposes to subdivide tracts #1 and #2 located on the west side of the Southern Railroad track into various sized residential lots ~5 to ~10 acres; the land area of both tracts total ~281 acres. The remnant portion of the land east of the railroad track will be subdivided into larger lots of ~200+ acres in size for outdoor recreational use. Per the ULDC all development within 1,000 feet of existing county water and sewer utilities are required to connect to the public system at the expense of the developer. The applicant considers the above requirement an economic hardship and seeks relief through the variance process to forego the ULDC's regulation and have each newly created lot served with individual wells and septic tanks. Thus, a variance request to Section 4.04.02(F)(G) of the ULDC as it pertains to development of property within 1,000 feet of existing county water and sewer systems must connect to the existing utilities. TRC staff heard and considered this request during several scheduled meetings; the same resulted in a unanimous decision to oppose the developer's request as presented. Staff is of the

opinion that the granting of a variance in this matter would not support the purpose and intent of the ULDC as it pertains to existing county utility services in this area of south Lowndes.

Vice Chairman Strickland asked where the closest water/sewer was. Mrs. Tulloch stated that she would defer to Steve Stalvey, the Utilities Director, to answer that question. Mr. Stalvey stated there is a force main that runs along Old Clyattville Road, and a lift station would probably need to be put in, and that the closest water is about 3,800 feet from this property. Mr. Stalvey stated there is water and sewer running across the parent property. Mrs. Hobby asked where the lift station might be put in. Mr. Stalvey stated that would need to be engineered. Vice Chairman Strickland verified that there was sewer along Old Clyattville Road and along Madison Highway. Mr. Stalvey stated that it was not all the way along Madison Highway, but is within 1,000 feet of the property line, and that it ran from Wild Adventures to the Interstate. Vice Chairman Strickland asked if there was a water main along Old Clyattville Road. Mr. Stalvey said there was not. Mr. Stalvey stated it ran out to the pecan plantation, and was about 3,800 feet from this property. Vice Chairman Strickland asked if the applicant could have a private well. Mr. Stalvey stated that was a possibility, but if it was on the parent tract, then a connection would be a requirement. Vice Chairman Strickland verified that the water was on the northeast corner of the property. Mr. Stalvey stated that was true. Mrs. Quarterman asked if the parent tract was subdivided, how did that affect the parent tract? Mrs. Tulloch stated that once the parent tract was altered, then additional parent tracts were created. Mrs. Tulloch stated that if they subdivided the property today, it is considered development, and the ULDC must be adhered to. Mrs. Quarterman asked how long a parent tract exists. Mrs. Tulloch stated it lasts as long as nothing is done to it. Vice Chairman Strickland stated they could not develop the property without it being served by water and sewer. Mrs. Hobby verified the boundaries of this property, and the locations of water and sewer. Mr. Stalvey verified the distances of the water and sewer from different portions of the property. Vice Chairman Strickland stated that the water was near I-75, but not near Madison Highway. Mr. Stalvey stated that Madison Highway was near the 1,000 ft. buffer. Mr. Stalvey utilized the Board's maps to show them where water was. Mrs. Hobby asked what the recreational use was. Mrs. Tulloch stated that Mr. Lansdell was available for questions, and that was the proposal for the properties along the eastern side. Mr. Brantley asked if this was a requirement for any subdivision. Mrs. Tulloch stated it was.

There being no further discussion among the Board, Vice Chairman Strickland asked if anyone would like to address the Board on behalf of the application. Mike Lansdell, 947 Lake Shore Drive, spoke in support of the application, on behalf of Mr. Wooten. Mr. Lansdell stated that Mr. Wooten intends to develop about 200 acres of the property residentially, and the bulk of the property as timberland recreation. Vice Chairman Strickland asked if that was hunting, riding four-wheelers, and similar activities. Mr. Lansdell stated that was a possibility. Mrs. Quarterman asked if the property was in a conservation. Mr. Lansdell stated it was, for fifteen years. Mrs. Quarterman asked how the properties would be advertised for sale. Mr. Lansdell stated that they would be advertised for recreational use. Mrs. Quarterman stated that people who were interested in recreational uses often wanted cabins, and water and sewer would be needed. Vice Chairman Strickland asked if there was any regulation that would preclude building a house. Mrs. Tulloch stated that some recreational uses allowed houses. Mrs. Quarterman stated they would have to connect to water and sewer. Mrs. Quarterman asked if they could grant variances to one section of the property but not another section. Mrs. Tulloch stated they could. Vice Chairman Strickland asked if the flag lots met road frontage requirements. Ms. Barbara Herring stated they did.

Vice Chairman Strickland asked if anyone would like to speak in support of the application. Ms. Barbara Herring, Southeastern Surveying, 601 N St Augustine, stated that putting in lift stations and a force main took time and money. Mr. Hogan asked if she was in opposition. Ms. Herring stated she was in support of the application, but wanted to make the point that improvements took time and money.

Vice Chairman Strickland asked if anyone else would like to speak in support of the application. No one spoke. Vice Chairman Strickland asked if anyone would like to speak in opposition of the application. No one spoke. There being no further discussion, Vice Chairman Strickland called for a motion. Mrs. Quarterman made a motion to approve as presented, citing criteria "c." Mrs. Hobby seconded the motion. The motion was called and carried unanimously with a vote of 6 to 0.

**Agenda Item # 3: VAR-2019-15 — TBD Solar Project (Wetherington Lane)**

Vice Chairman Strickland announced the case. Mrs. Tulloch stated that the applicant is requesting a variance to Section 4.07.00 of the ULDC (Lowndes County Unified Land Development Code) as it pertains to general requirements for landscaping, buffers and tree protection. The subject property consists of 274 acres located on Wetherington Lane, Valdosta, Georgia, in an E-A (Estate Agricultural) and CON (Conservation) zoning districts. Ryan Sanders, partner of Beltline Energy Company has entered into a land lease agreement with property owner, Mr. Robert C. Wetherington, to establish a solar farm. Beltline Energy will lease 10 to 30 acres. During the initial phase of obtaining the ULDC's regulations to establish this use, Mr. Sanders was advised of the required landscaping and buffer area requirements. Mr. Sanders stated the ULDC regulations would be a hardship to adhere to, as this project requires the energy of the sun as its main source to operate. Beltline Energy is not requesting to forego the requirements in their entirety; they are proposing a vegetative buffer to consist of a single row of 1-gallon evergreen shrubs along the perimeter fence of the solar energy project. As such, the applicants are requesting a variance to Section 4.07.00 of the ULDC as it pertains to the minimum requirements for Landscaping and Buffer Area standards. TRC staff heard and considered this request during their scheduled meetings and unanimously gave support to the developer's request as presented. Likewise, staff is of the opinion that the applicants are attempting to put forth a good faith effort in meeting the county's requirement, as well as, being a friendly neighbor to nearby parcels. To that end, staff believes that the granting of a variance in this case would be in line with the purpose and intent of the ULDC as it pertains to required landscaping and buffer area standards.

Vice Chairman Strickland asked if there were any questions for staff. Mrs. Hobby asked how many linear feet, total, were around the solar field. Mrs. Tulloch stated the applicant could answer that question. Mrs. Hobby expressed a concern about the one-gallon plants that the applicant was proposing in some areas of the project. Mr. Brantley asked about the buffering requirements. Mrs. Tulloch stated that the buffering depends on what zoning is adjacent to the property, and the landscaping numbers were different than the buffering requirements. Mr. Brantley asked if it was triggered by the proposed use. Mrs. Tulloch stated it was.

There being no more questions for staff, Vice Chairman Strickland asked if anyone would like to speak in support of the application. Dan Stevenson, Beltline Energy, 154 Krog Street, Atlanta, spoke in support. Mr. Stevenson stated Beltline Energy had entered into an agreement between Beltline Energy, Georgia Power, and Mr. Wetherington to generate solar energy. Mr. Stevenson stated they were requesting the variance to prevent shade from the shade trees from inhibiting the panels' ability to generate solar energy. They also wanted to utilize evergreen trees around the edges of the property, and utilize a chain link fence. Mr. Stevenson stated there was a concern regarding water running off of the property during construction. Mr. Stevenson stated that silt fences would be utilized during construction and all applicable regulations would be followed during construction. There would also be a decommissioning clause in the contract, to require removal of the equipment at the end of the lease. Mr. Stevenson stated that the sound generated by the panels were about 58 decibels, about the level of a library. Mrs. Hobby asked about the chain link fence, when an opaque fence is required. Mr. Stevenson stated that they wanted to use a chain link fence and evergreens. Mrs. Hobby stated that a chain link fence and one gallon evergreens would not take the place of an opaque fence. Mrs. Hobby asked how many panels they would have. Mr. Stevenson stated it could be hundreds, maybe over a thousand, but he would have to get back to ZBOA on that. Mrs. Hobby stated that there were a lot of residences nearby, and she was unsure how many of the adjacent residents would want to see the panels, and asked if they could leave the shade trees to

block the view of the panels. Mr. Stevenson expressed concerns about the trees shading the panels. Vice Chairman Strickland asked where on the property they wanted to place the panels. Mr. Stevenson showed them on the drawings the approximate section of the property that would be utilized. Mr. Hogan asked if the lines on the map were solar panels. Mr. Stevenson stated that the lines were rows of solar panels. Mr. Hogan asked if they knew how many solar panels would be placed. Mr. Stevenson said he did not know. Vice Chairman Strickland stated that the request stated ten to thirty acres, and he would consider the maximum of thirty acres for the variance purposes, and if they ended up using less acreage, then the variance should be impacted minimally if at all. Vice Chairman Strickland asked what buffering would be required by the zoning at this point. Mrs. Tulloch stated that a thirty foot buffer would be required by commercial zoning. Mr. Hogan asked what the height requirement of the opaque fence is. Mrs. Tulloch stated that the maximum height would be eight feet, or six feet in the front yard. Mrs. Quarterman verified that they were discussing a variance for buffering. Mrs. Tulloch stated that was true. Mrs. Quarterman asked if the variance ran with the property. Vice Chairman Strickland stated it did run with the property but they could have the variance cease at the end of the lease if so desired. Mrs. Hobby stated that the solar panels seemed to be placed at the highest point on the property, and that the property had wetlands and small ponds on the property. Mrs. Quarterman stated that silt fences would be required to help with runoff. Mr. Hogan asked how many inverters would be used. Mr. Stevenson stated he was not sure, and that he would have to get back to them. Mrs. Hobby expressed concern about the number of items that Mr. Stevenson stated he would have to get more information for the Board. Vice Chairman Strickland stated they could table, but if they tabled, then the people here today for this case would have to come back.

Vice Chairman Strickland asked if anyone else would like to speak in support of the application. Charles Wetherington, 3014 US Highway 84 W, stated that this was his property, and had been in his family for years. The property is currently a pecan orchard with tall vegetation, and the orchard has not been in production for several years. Mr. Wetherington stated it was his job as a family man to utilize this property to the best of his abilities. Mr. Wetherington stated this was the third solar panel company that send him information, and he decided to study it further. He has talked to his neighbors. Mr. Wetherington stated it is a proposal only at this point, and it is Beltline's job to come up with a proposal for Georgia Power to determine if it is feasible to provide them with electricity. Mr. Wetherington stated that they cannot tell how many panels will be on the property until the electrical study is completed. Mr. Wetherington stated he intends to sell part of the parcel to his neighbors, because he has a good relationship with his neighbors. Mr. Wetherington stated that Beltline has a contract to lease out a minimum of ten acres and a maximum of thirty acres, and he understands that his neighbors have concerns about the number of panels. Mr. Wetherinton stated that Mrs. Hobby had asked about whether the pine trees would be cut, and that there was a contract for the pine trees to be cut but because of the drop in timber prices, the pine trees had not been cut yet. Mr. Wetherington stated he understood his neighbors' concern, but the canopy trees are a hardship because of the shade impacting solar panels. Mr. Wetherington stated that there are several solar farms/panels in the County, with chain link fences and no canopy trees. Mrs. Hobby asked about the buffering requirements of canopy trees, whether they must be shade trees. Mrs. Tulloch stated the ULDC requires 25% of all trees required through landscaping or buffering requirements must be canopy trees. Mrs. Quarterman stated that Leland Cypress trees could be 49 feet within fifteen or sixteen years. Mr. Wetherington said he would not want to plant Leland Cypress. Mrs. Hobby asked if the solar panels were six to eight feet tall. Mr. Stevenson stated yes, that was true. Mrs. Quarterman stated that if two rows of shrubs were planted, the panels would not be visible.

There being no further discussion, Vice Chairman Strickland asked if there was anyone who would like to speak in opposition. Mike Bland, 3029 Pecan Plantation Rd, spoke. Mr. Bland stated he was the landowner immediately south, and stated that the neighbors had a good relationship, but he was opposed to the variance request. Mr. Bland stated that they were buying some of the property from Mr. Wetherington. Mr. Bland showed a short video of where the panels are proposed to be placed, and stated he was concerned about runoff. Mr. Bland stated it would be difficult to return the property to its original condition once the panels were removed. Mr. Bland stated it was a relatively new technology, and did not feel they were aware of all the hazards related to solar panels. Mr. Bland did a rough calculation, and

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arrived at a figure of 1600 panels per acre, to arrive at a total of 48,000 panels for thirty acres. Mr. Bland distributed a copy of an article from Forbes Magazine describing hazards relating to solar panel arrays. Mr. Bland stated that the article describes a hum related to the inverters. Mrs. Quarterman asked what height of trees and shrubs would be acceptable. Mr. Bland stated that he would much prefer that the variance not be granted, because the buffering and landscaping requirements were there for a reason. Mr. Brantley asked how wide the strip of property is that Mr. Bland is buying. Mr. Bland stated he was unsure.

Mrs. Copeland left at 3:46 PM.

Vice Chairman Strickland asked if anyone else would like to speak in opposition to the application. Leslie Bius, 2430 Meadowbrook Drive, and a member of Glory Hill Cowboy Church, stated that they have used the nearby church and pastor's home for weddings, events, trail rides, and other activities. Ms. Bius stated that Mr. Wetherington had been a good neighbor, but she had concerns about the impact of the panels upon the pastor's home life and the church ministry. She stated that a portion of their church's worship occurs outside throughout different activities, and she respectfully asks that the variance not be granted, and that the full buffering standards apply.

Vice Chairman Strickland asks if anyone else would like to speak in opposition. Lonnie O'Neal, 3023 Pecan Plantation Road, stated that his father bought his land with working several jobs to pay for the land. Mr. O'Neal stated that he loved the land, that he worked hard to build the lake. Mr. O'Neal stated that they built the private dump nearby, and even though they had tried to fight it, the dump was still able to locate there, and he does not want to look at solar panels. Mr. O'Neal stated that flies came onto his property from the dump, and that his lake never filled up properly because of the dump. Mr. O'Neal stated that they had the dump and the industrial park, and he and his neighbors hear noises from the industrial park. Mr. O'Neal stated that there are plants off of Exit 16 that would be great buffers, because you cannot see through it. Mrs. Quarterman asked if his property was higher than the property in question. Mr. O'Neal stated his property was higher.

Vice Chairman Strickland asked if anyone else would like to speak in opposition. Sunnie Bland, 3029 Pecan Plantation Road, stated that her husband and brother had already spoken, but she wanted to reiterate that this property was a part of her roots. Ms. Bland stated that her family of seven all lived on this property, and wanted to leave the property for their children. Ms. Bland stated they were buying the property from Mr. Wetherington to build a house on. Ms. Bland stated that her property would be blocked in on all three sides. Ms. Bland thanked the Board for their service, but she wants ZBOA to remember the roots of the community as well. Ms. Bland expressed concern about baptizing in the lake because of the potential of runoff from the solar panels

Vice Chairman Strickland asked if anyone else would like to speak in opposition of the application. No one else spoke. Seeing no one, Vice-Chairman Strickland stated the Board had several things to consider in making their decision. Mr. Hogan stated that after listening to both sides, the Board needed some answers, and his suggestion would be to table the request to see if anything could be worked out between the neighbors, and the Board needed more answers and facts. Mr. Brantley asked what questions he would like to see answers. Mr. Hogan stated he'd like to see the report from Georgia Power, a few more facts like numbers of panels, and some discussion among neighbors. Vice Chairman Strickland asked if thirty days would handicap anyone. Mr. Wetherington stated there was really nothing else for the neighborhood or the families to work out, but it comes down to the neighbors not liking what he wants to do with the land. Mr. Wetherington stated there was already a contract. Vice Chairman Strickland stated he thought that the Board may want more density in terms of the buffering.

There being no further discussion, Vice Chairman Strickland called for a motion. Mrs. Hobby stated she was ready to make a motion, but to keep in mind that she was a proponent for land owners, unless it negatively impacted neighbors. Mrs. Hobby made a motion to deny the request as presented, but adding the condition that instead of shade trees, to substitute the new and improved Leland Cypress. Mr. Holt

seconded the motion. The motion was called and carried with a vote of 4 to 1, with Mr. Brantley voting against.

Mr. Wetherington expressed concern regarding the expense of the new and improved Leland Cypress, and stated that he would have been better off not asking for the variance. Mrs. Hobby stated that she wanted something thick. Vice Chairman Strickland stated that the motion had been made, seconded, and the motion was called and carried with the condition. Mr. Stevenson expressed concern about the buffering and landscaping requirements. Mrs. Tulloch reiterated the difference between buffering and landscaping, and cited the requirements. Mr. O'Neal asked if the solar panels had already been approved. Vice Chairman Strickland stated that the use was permitted by right. Mr. O'Neal stated he did not attend a public hearing for the solar panels. Mrs. Quarterman stated that the solar panels were allowed by right. Vice Chairman Strickland stated that this was purely a variance request for buffering. Mr. O'Neal expressed concern that the plants at Exit 16 were more appropriate for the buffering. Vice Chairman Strickland stated that was an invasive species, and that the use was allowed by right.

**Agenda Item # 4: VAR-2019-16 — Hogan (2900 US Highway 41 South)**

Vice Chairman Strickland announced the case. Mrs. Tulloch stated that the applicant is requesting a variance to Section 4.03.12 of the ULDC (Lowndes County Unified Land Development Code) as it pertains to general development standards for junk yards or salvage yards. The subject properties consist of a cumulative total 8.01 acres and are located on U.S. Highway 41 South and Wellman Place, Valdosta, Georgia, in an R-1 (Low Density Residential), E-A (Estate Agricultural) and M-1 (Light Manufacturing) zoning districts. Mike West, in his capacity as Office Manager for Frank's Wrecking, submitted the variance application seeking relief from the ULDC's development regulations shown in the above table. Per Mr. West, Frank's Wrecking has been located at its current location for 20+ years. It has been a junk yard/salvage yard from the time of its inception. Currently, the use is deemed as a nonconforming use. Mr. West is attempting to bring the properties into compliance with the local governmental rules and regulations as they pertain to development standards and zoning classification. Additionally, he will be combining the three parcels into one lot and having the same properly recorded. Also, a rezoning application has been submitted to obtain a zoning classification that will allow for a junk yard/salvage yard as a matter of right. Consequently, following through with the rezoning process will be contingent upon the result of the variance request. Mr. West stated the hardship the company faces is the economic feasibility of submitting variances for any future improvements made on-site. As such, a variance to Section 4.03.12 of the ULDC as it pertains to development standards for a junk yard or salvage yard is requested. TRC staff heard and considered this request during their scheduled meetings and unanimously gave support to Mr. West's request as presented with the following conditions: (1) The variance on the property will remain in effect continuously with the junk yard/salvage yard use only; (2) The applicant must repair and/or replace the opaque fencing around the perimeter of the lot.

Mrs. Quarterman asked if this was a nonconforming property. Vice Chairman Strickland verified that this is a nonconforming use because it predates the ULDC.

Vice Chairman Strickland asked if anyone would like to speak on behalf of the request. Mike West, 2900 US Highway 41 South, spoke on behalf of the application. Mr. West stated the service had operated for approximately the last forty years. He stated that they were rezoning to make it more appropriate for the use. Mr. West said he found out there was a five hundred foot setback, but could not meet that because his property was not large enough. Mr. West stated they wanted to expand as well. Vice Chairman Strickland asked what he meant by expand. Mr. West stated they did not want to buy additional property, but potentially add more buildings and improve the existing property. Mrs. Quarterman stated she visited the property, and made note of the requirement for the fencing, but did not want the existing vegetation disturbed.

Vice Chairman Strickland asked if anyone else would like to speak on behalf of the application. No one spoke. Vice Chairman Strickland asked if anyone else would like to speak in opposition to the application.

Ms. Barbara Southall, 3870 Ben Hill Road, stated she lived across the street from this property, and expressed concerns about the fencing. Mrs. Quarterman stated that one of the conditions was to fix the fence.

Vice Chairman Strickland asked if there had been any contact to the office. Mrs. Tulloch stated they had calls asking about the signage, and wondering what the request was. Mrs. Tulloch asked the Board, that if they chose to approve, to add a time frame to have the conditions met by.

There being no further discussion, Vice Chairman Strickland called for a motion. Mrs. Quarterman made a motion to approve as presented, with the conditions that the variance on the property will remain in effect continuously with the junk yard/salvage yard use only, that the applicant must repair and/or replace the opaque fencing around the perimeter of the lot within six months. Mr. Hogan seconded the motion. The motion was called and carried unanimously with a vote of 5 to 0.

**Agenda Item # 5: VAR-2019-17 — Reno's Add On (2421 Highway 41 South)**

Vice Chairman Strickland announced the case. Mrs. Tulloch stated that the applicant is requesting a variance to Section 9.01.03 of the ULDC (Lowndes County Unified Land Development Code) as it pertains to nonconforming structures. The subject property consists of 1.59 acres and is located at 2124 U.S. Highway 41 South (NE corner of U.S. Highway 41 South and Davis Road East), Valdosta, Georgia, in a C-H (Highway Commercial) zoning district. Bryan Reno, owner/operator of Reno's Quality Collision and Repair, LLC, proposes a 60' x 30' addition on the western side of the existing building. Mr. Reno explained the additional work space would allow him to bring in updated vehicle repair equipment. He explained that his current hardship is that he does not have the updated equipment necessary to repair newer model vehicles and has to either give the job to other companies or split repair cost for their equipment use. Mr. Reno said that the addition will be similar in material with what is currently existing today. The current building does not meet the ULDC setbacks off Davis Road East, (East Lot Line), which deems the same as a nonconforming structure. As such, Mr. Reno is requesting a variance to enlarge and/or expand a nonconforming use. TRC staff heard and considered this request during their scheduled meetings and unanimously gave support to Mr. Reno's request as presented.

Vice Chairman Strickland asked for clarification on the specific variance requested, as he thought it might be a setback variance. Mrs. Quarterman stated it was a nonconformity variance request. Mrs. Tulloch stated it was a request to enlarge a nonconforming use. The current setbacks of the building on Davis Road side does not meet the ULDC requirements; thus, the structure is deemed as nonconforming. The setbacks should be 150 feet from the center line of ROW on US Highway 41 South, or fifty feet from the property line. On Davis Road East, the setback is 120 feet from the center line of ROW or 90 feet from the property line. Bryan Reno, 2124 US Hwy 41 S, stated that he did not meet the setbacks and was a nonconforming use, and was asking for the variance to expand his business.

Vice Chairman Strickland asked for those to speak in favor. No one spoke. Vice Chairman Strickland asked for those to speak in opposition. No one spoke.

There being no further discussion, Vice Chairman Strickland called for a motion. Mr. Hogan made a motion to approve as presented, citing criteria "d." Mrs. Quarterman seconded the motion. The motion was called and carried with a vote of 4 to 1, with Mr. Brantley voting against.

**Agenda Item # 6: Approval of Minutes: November 5, 2019**

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 November 5, 2019 meeting minutes. Mr. Holt made a motion to approve the minutes as presented. Mr. Hogan seconded the motion. The motion was called and carried with a vote of 4-0-1, with Mrs. Quarterman abstaining.

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**Agenda Item # 7: Attendance Review**

Vice Chairman Strickland asked if there was any discussion about attendance. The determination was made to discuss attendance at the following meeting if necessary.

Vice Chairman Strickland reminded the Board that the Holiday dinner was Thursday night at 7:30 at Mom and Dad's Restaurant. Ms. Tolley stated that the reservations were in her name.

**Agenda Item # 8: Adjournment**

There being no further business, the meeting was adjourned at 4:44 p.m.

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

January 7, 2019  
Date