

# MINUTES

## Valdosta-Lowndes Zoning Board of Appeals

*Valdosta City Hall Annex Multi-Purpose Room*

*300 North Lee Street, Valdosta, Georgia*

**December 1, 2020 2:30 p.m.**

### **MEMBERS PRESENT**

Nathan Brantley  
Victoria Copeland  
Nancy Hobby

John "Mac" McCall  
Marion Ramsey  
Allan Strickland

### **MEMBERS ABSENT**

John Hogan III  
John Holt

### **STAFF PRESENT**

Trinni Amiot  
JD Dillard  
Matt Martin  
Tracy Tolley

### **VISITORS PRESENT**

Sanee Ali  
John Courson  
Jadon Dean  
Russ Hedgecock

Annie McLendon  
Clayton Milligan  
Jerry Palmer  
Edward Scott  
Mike Scott

### **Agenda Item # 1: CALL TO ORDER**

The meeting was called to order by Chairman McCall. 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 CASES**

### **Agenda Item # 2: VAR-2020-08 — 3833 Inner Perimeter Road Storage Facility (3833 Inner Perimeter Road.)**

Chairman McCall announced the case and indicated that the case had been tabled from the November 2020 ZBOA meeting. Mr. Dillard stated that the applicants are asking for a variance from ULDC Table 4.03.21(F) as it pertains to the maximum site area for a self-service storage facility. The ULDC sets the maximum site area for a self-storage facility at five acres; this particular site is 7.41 acres. Mr. Dillard noted that the applicants are also asking for a rezoning, as the property is currently zoned R-10. Mr. Dillard explained that there would be buffering along the property, near the adjacent residentially zoned property. Mrs. Hobby asked if the applicant wanted to remove the natural vegetation and replace with a fence. Mr. Dillard stated they wanted to leave as much of the existing vegetation as possible. Mrs. Hobby asked what the width of the buffer needed to be. Mr. Dillard stated the requirement was about forty feet, and could be reduced, with a fence, to twenty feet. Mr. Brantley asked how tall the fence would be. Mr. Dillard stated eight feet. Mr. Brantley asked about the rezoning. Mr. Dillard stated that the County Commission would hear the rezoning at their next meeting. Mrs. Hobby asked if they were proposing to reduce the buffering width in order to further develop the property. Mr. Dillard stated that was correct. Vice-Chairman Strickland asked if they were planning on putting the fence on the property line with the landscaping inside. Mr. Dillard stated that was correct.

There being no further discussion, Chairman McCall asked if anyone would like to speak on behalf of the application. Clayton Milligan, 3998 Inner Perimeter Road, stated that they would be able to accommodate the full buffer with no fence and did not intend to thin the existing vegetation. Mr. Milligan stated that the variance requested was for the size of the property. Mrs. Hobby verified that the buffer would be forty feet with no fence. Mr. Milligan stated that was correct.

Chairman McCall asked if anyone else would like to speak in support. No one spoke. Chairman McCall asked if anyone would like to speak in opposition to the request. No one spoke. Chairman McCall asked if anyone had contacted the office. Mr. Dillard stated they had had some contact from people who thought the property was within the Valdosta City limits.

Vice Chairman Strickland asked if the property was rezoned, if the development would still need a variance. Mr. Dillard stated the property would still need the variance. Chairman McCall suggested that if the Board chose to make a motion to approve, then they may want to make it contingent upon the rezoning being approved. Vice Chairman Strickland stated that if the zoning was denied, then the variance would be a moot point, because they cannot develop it with self-storage without the rezoning. Mr. Brantley stated that the issue was the size of the parcel and if the variance was granted, the property could not be developed without the rezoning.

There being no further discussion, Chairman McCall called for a motion. Mr. Brantley made a motion to approve as presented with a condition of a forty foot buffer along the rear of the property with no option for a twenty foot buffer and fence, citing criteria "d." Vice-Chairman Strickland seconded the motion. The motion was called and carried unanimously with a vote of 5 to 0.

**Agenda Item # 3:    VAR-2020-11 — Hedgecock Seven 28 Thirty Three LLC (5942 Seville Drive, Lake Park)**

Chairman McCall announced the case. Mr. Dillard stated that the applicant is asking for a variance from ULDC Section 5.02.01(E) as it relates to accessory structures. The property is located at 5942 Seville Drive in Lake Park. The applicant is asking for three variances---to the location, the size, and to the setbacks. Accessory structures are required to be in the side or rear yard, not the front. The applicant is asking for relief from the ten foot setbacks. The applicant is also requesting a size variance, to allow a 660 sq. ft. building rather than the 600 sq. ft. maximum. Mr. Dillard stated that the house predates the ULDC and is too close, per the ULDC, to the property lines. Mr. Ramsey verified that the structure is too large to permit without a variance. Mr. Dillard stated that it was about 60 feet too large, and that the property was very narrow. Vice-Chairman Strickland stated that most residents in the area considered the lake to be the front yard.

Chairman McCall asked if anyone would like to speak on behalf of the application. Mr. Russ Hitchcock, 5942 Seville Drive, spoke in support of the application. Mr. Hitchcock stated he had bought the property and renovated the house. Mr. Hitchcock stated that the accessory building would match the house. Chairman McCall asked if anyone else would like to speak in support of the case. No one spoke. Chairman McCall asked if anyone would like to speak in opposition to the case. No one spoke. Chairman McCall asked if anyone had contacted the office. Mr. Dillard indicated that no one had contacted the office.

There being no further discussion, Chairman McCall called for a motion. Vice-Chairman Strickland made a motion to approve as presented, citing criteria "d." Mrs. Hobby seconded the motion. The motion was called and carried unanimously with a vote of 5 to 0.

**Agenda Item # 4:    VAR-2020-12 — Doris B. Billingslea Property (Staten Road & Skipper Bridge Road)**

Chairman McCall announced the case. Mr. Dillard stated that the applicant was asking for a variance to ULDC Section 4.01.01(G) of the ULDC as it relates to the standards for lot area. Per the last will and testament of Dorris Williams Butler Billingslea, she wanted to split 14.7 acres among her four living children, for each child to have about 3.67 acres each. The ULDC requires that each lot is at least 5 acres in E-A zoning. The property could be rezoned, but would appear to be spot zoning, which is not supported. Mr. Brantley asked if this is being subdivided through family ties. Mr. Dillard stated it was.

Chairman McCall asked if anyone would like to speak in support of the application. Ms. Annie McClendon, 5991 Staten Road, spoke on behalf of the application. She stated her mother wanted the property divided up equally between her four living children. 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 to the request. No one spoke. Chairman McCall asked if there had been any contact to the office. Mr. Dillard indicated there was no contact.

There being no further discussion, Chairman McCall called for a motion. Mrs. Hobby made a motion to approve as presented, citing criteria "d." Mr. Ramsey seconded the motion. The motion was called and carried with a vote of 5 to 0.

**Agenda Item # 5: APP-2020-11 — Precision Tune Auto Care (1807 N Ashley Street)**

Chairman McCall announced the case. Ms. Tolley stated that the applicant was asking for a variance from LDR Section 218-7 as it pertains to the location of an accessory building and LDR Section 222-2(A) as it pertains to the minimum parking standards. The property is located at 1807 N Ashley Street, is zoned C-H, and consists of 0.34 acres. Ms. Tolley stated that the applicant has requested variances in order to add a 14 ft by 20 ft building to house lifts. The building as proposed is 7.15 feet too close to the rear property line; it is required to be at least 10 feet from side and rear property lines. The building also triggers parking compliance commensurate with the addition, which would mean 8 more parking spaces. (Note that the property is in the Urban Commercial Corridor Overlay District and needs a CUP-Conditional Use Permit—for the expansion. The CUP case will be heard by Valdosta City Council at their early December meeting.) Staff reviewed the case and found no hardship, but if the Board is considering approving the requests, staff recommends approval with two conditions—that the approval will be for this 40 ft by 21 ft building only and that the existing vegetation, including fencing, along the eastern property line must remain and be maintained.

Mrs. Hobby expressed concern about the space along the eastern property line, with the concern being that the space is minimal. Ms. Tolley stated that she understood that the space was minimal. Mrs. Hobby asked how far the lifts were from the property line. Ms. Tolley stated that she would guess maybe 3 or 4 feet, but that the applicant could better answer that question. Mr. Brantley asked if she counted the three parallel parking spaces along N. Ashley Street. Ms. Tolley stated she did not count those towards the parking totals because she did not believe they were dimensionally appropriate for parking spaces. Mr. Brantley asked what they were used for, and if anyone ever parked there. Ms. Tolley stated she had never seen anyone parked there, and believed that space to be utilized for customers getting in and out of the service bays. Mrs. Hobby asked what comments the Fire Department had regarding the proposed building being so close to the property line. Ms. Tolley stated she had received no comments other than the comments listed in the Board's staff report. Ms. Hobby noted Engineering's comments about down spouts, and asked who monitors that. Ms. Tolley stated that the Engineering Department would ensure requirements are met. Mr. Ramsey verified that for every bay, that 3 parking spaces were required. Ms. Tolley verified that for motor vehicular repair shops, that each bay requires 3 parking spaces and 1 space was required for every two employees. Mr. Ramsey verified that the applicant did not intend to add any employees. Ms. Tolley stated that the applicant indicated to staff that no new employees were to be added. Mr. Ramsey stated that the parcel could get busy, and asked if there were any additional parking onsite. Ms. Tolley stated that the applicant indicated that no new parking was to be added. Mrs. Hobby indicated that the Fire Department needed access to three sides, and they would not have enough room to access the side closest to the property line. Ms. Tolley stated that she could not speak on the Fire Department's behalf other than the comment that was listed in the staff report, but that the Fire Department may be able to access the other three sides.

There being no further questions for staff, Chairman McCall asked if anyone would like to speak on behalf of the application. Mr. Edward Scott, 1807 N. Ashley Street, spoke on behalf of the application. Mr. Scott indicated that three sides of the proposed building would be accessible to the Fire Department. Mr. Scott indicated that the adjacent neighbor's accessory building was only a couple of feet from the mutual property line. Mr. Scott indicated that they needed room between the two buildings to maneuver cars in and out of both buildings. Mr. Scott stated they had an informal shared parking agreement with the financial business immediately next door for employees to park.

Chairman McCall asked if there was anyone else who would like to speak in support of the application. Mr. Mike Scott, a partner in the business, 906 Sunday Circle, stated that he was involved when the building was initially built years ago. Mr. Scott stated that when the building was initially built, the bays were counted towards the parking totals. Mr. Scott stated that pulling cars in the bays frees up parking spaces on the parcel.

Chairman McCall asked if there was anyone else who would like to speak in support of the application. No one spoke. Chairman McCall asked if there was anyone who would like to speak in opposition to the application. No one spoke. Chairman McCall asked staff if anyone had contacted the office. Ms. Tolley indicated there had been no contact to her office.

There being no further discussion, Chairman McCall called for a motion. Vice Chairman Strickland made a motion to approve as presented, with two conditions—that the approval be for the 40 ft by 21 ft building only and that the existing vegetation, including fencing, along the eastern property line must remain and be maintained. The motion was called and carried unanimously with a vote of 5 to 0.

**Agenda Item # 6: APP-2020-12 — Raceway (1406 N St Augustine Road)**

Chairman McCall announced the case. Ms. Tolley stated that the applicant is asking for a variance from LDR Section 230-9(D)(4)(a) as it pertains to the height of a freestanding sign and the size of its panel. The property is located at 1406 N St Augustine Road, is zoned C-H, and consists of 2.05 acres. The property currently contains one freestanding sign that is 33 feet 9 inches tall and 119.35 square feet in size. The applicant is proposing a sign that is 35 feet tall and 254.7 feet in height. The LDR allows single tenant signs to be no taller than 24 feet in height and no larger than 75 square feet in size, and the site is eligible for a second freestanding sign (due to two road frontages) and potentially a high rise sign. Staff reviewed the request, found no hardship, and recommends denial. However, if the Board decides to approve the request, staff recommends conditioning the approval with the condition that no other freestanding sign is to be allowed, to include no other freestanding sign and no other high rise.

Mrs. Hobby asked why the current sign was larger than what the LDR allowed. Ms. Tolley stated the sign predated the LDR. The LDR became effective in January of 2009, and the sign was permitted prior to that, as well as prior to Ms. Tolley's assuming her position 12 and a half years prior. Ms. Tolley stated she did not believe she had reviewed any sign permits for this location during her tenure with the City. Mrs. Hobby asked if this was the first variance request for this property. Ms. Tolley stated she believed so. Mr. Brantley asked if they wanted to put the new sign where the existing sign is. Ms. Tolley stated that was correct. Mr. Ramsey asked if they had indicated whether they wanted to get any other signage permitted. Ms. Tolley stated she had asked the applicant if they intended to update any other signage—wall signs, canopy signs, etc. and the applicant stated they did not intend to do so at this time. Mr. Brantley stated that the applicant had referred to the QuikTrip variance, and asked for a reminder as to what ZBOA had granted. Ms. Tolley stated that the Board had granted variances for the Quik Trip property, for 2 freestanding signs consisting of 83 and 84 square feet respectively, one canopy sign of 29.75 square feet, 4 directionals of 4 square feet each, 1 building sign at 182 square feet, and 1 high rise at 451 square feet, and between 45 to 100 feet in height. Mr. McCall asked if the freestanding signs were in compliance. Ms. Tolley stated that the freestanding signs were a little bit bigger compared to the 75 sq. ft. maximum, but that Quik Trip could have had three freestanding signs because of three road frontages. Ms. Tolley stated that the maximum for a high rise sign was 250 square feet and that the Board had approved 451 square feet. Vice-Chairman Strickland stated that the Board had limited the site to two freestanding signs, no more. Ms. Tolley stated that the Board had conditioned the approval with the condition that no additional signage be approved. Mrs. Hobby asked why staff recommended denial. Ms. Tolley stated there was no hardship. Mrs. Hobby asked if there was hardship with the proposed Quik Trip development. Ms. Tolley stated that no plans had been submitted and no permits had been issued. Vice-Chairman Strickland stated if they don't condition the potential approval, then the applicant can put up additional signs. Mr. Brantley said the hardship appears to the competition next door. Ms. Tolley said that staff doesn't consider hardship as the competition next door. Mr. Brantley said the Board could.

There being no further discussion, Chairman McCall asked if anyone would like to speak on behalf of the application. Saneer Ali, 200 Galleria Parkway, Atlanta, spoke on behalf of the application. Mr. Ali went through a PowerPoint provided by the applicant. Mr. Ali stated the proposed sign would replace their current sign, and showed a proposed elevation showing the proposed sign. Mr. Ali stated the competition was their impetus for the proposed new sign, as Quik Trip had been approved for several variances, the largest being about 450 square feet in size. Mr. Ali's concern is that their current sign would not give them equal, fair competition. Mr. Ali stated they would not be requesting additional signage. Mr. Ali stated they would like to consolidate what signage they are allowed to have into the one proposed sign. Mr. Ali stated that Raceway wanted to have the same visibility that Quik Trip had to have the same advantage. Mr. Ali stated that consolidating signs would be aesthetically advantageous as well and that their signage would not be detrimental to the general public. Mr. Brantley stated he understood their argument. Mr. Brantley stated that the Board's potential decision was to allow the sign under the condition that the Quik Trip development comes to fruition, and asked Mr. Ali how he felt about that. Mr. Ali stated he did not want that condition, as he would rather be able to start construction as soon as the variance was approved, if it was approved. Mr. Ali stated that Quik Trip did not have any hardship either.

Chairman McCall asked if anyone else would like to speak in support of the application. Jerry Palmer, 1200 W Park Avenue, spoke in support of the application. Mr. Palmer stated he understood staff's stance. Mr. Palmer stated that if Quik Trip stepped out, and someone else stepped in to develop the property, he wondered how it would affect the applicant's property. Mr. Palmer was not sure if the variances ran with the property or the client that applied for the variances.

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 to the request. No one spoke. Chairman McCall asked if anyone had contacted staff's office. Ms. Tolley indicated there were no inquiries.

There being no further discussion, Chairman McCall called for a motion. Mrs. Hobby made a motion to approve as presented, with the condition that no other freestanding signs be permitted for the property to include freestanding signs or high-rise signage. Mr. Ramsey seconded the motion. The motion was adopted with a vote of 4 to 1, with Vice-Chairman Strickland voting against.

**Agenda Item # 7:      Approval of Minutes:   November 3, 2020**

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 November 3, 2020 meeting minutes. Mr. Brantley 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 Vice Chairman Strickland abstaining.

**Agenda Item # 8:      Nomination/Election of Chairman and Vice-Chairman**

Chairman McCall opened the floor for nominations for Chairman and Vice-Chairman for 2021. The Board discussed keeping the same slate with Chairman McCall as Chairman and Vice-Chairman Strickland as Vice-Chairman. Being that there were no other nominations, Mr. Brantley made a motion to close the floor for nominations. Mr. Ramsey seconded the motion. The motion was called and carried unanimously at 5 to 0.

Chairman McCall called for a motion to accept the slate for Chairman and Vice-Chairman. Mr. Ramsey made a nomination to accept the slate for Chairman McCall to be Chairman and Vice-Chairman Strickland to be Vice-Chairman for 2021. Mr. Brantley seconded the motion. The motion was called and carried unanimously with a vote of 5 to 0.



**Agenda Item # 9:     Attendance Review**

Chairman McCall noted that Mr. Holt was not in attendance due to work-related issues. Chairman McCall also noted that Mr. Hogan was not in attendance due to family sickness.

**Agenda Item # 10:     Adjournment**

There being no further business, the meeting was adjourned at 3:30 PM.

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

February 2, 2021  
Date