

# MINUTES

## Valdosta-Lowndes Zoning Board of Appeals

*Valdosta City Hall Annex Multi-Purpose Room*

*300 North Lee Street, Valdosta, Georgia*

**July 12, 2022, 2:30 p.m.**

### MEMBERS PRESENT

Allan Strickland  
John Hogan III  
Nancy Hobby  
Nathan Brantley  
Dr. Samuel Clemons  
Victoria Copeland

### MEMBERS ABSENT

John "Mac" McCall  
Marion Ramsey

### STAFF PRESENT

Lauren Hurley

### VISITORS PRESENT

Kendall Jackson  
Scott Colosi  
Barbara Milhous

### Agenda Item # 1: CALL TO ORDER

The meeting was called to order by Vice Chairman Strickland at 2:30 pm. 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 CASES:

### Agenda Item # 2: APP-2022-09- June Colosi (314 E. Park Ave.)

Ms. Hurley presented the case. Ms. June Colosi is asking for a variance to LDR Section 218-7 G as it relates to the setbacks for an accessory building. The property is located at 314 E. Park Avenue west of E. Park Avenue's intersection with N. Ashley Street. The property consists of 0.31 acres and is zoned DR-10. The applicant is asking for a rear yard setback variance of two feet for a 363.5 sq. ft. accessory building. Accessory buildings have size and location requirements. The accessory building cannot be any larger than 1200 square feet, nor larger than 50% of the square footage of the house. The house is 1920 square feet and would allow a building no larger than 960 square feet. The building must be in the side or rear yard, no closer than 15 feet to the house and at least 10 feet from side and rear property lines. The building meets the size requirements and location requirements EXCEPT for the distance from the rear (northern) property lines. The accessory building is located 8 feet from the rear property line rather than the required 10 feet. There is an existing concrete slab, as well as water and sewer for the accessory building. The slab and utilities existed prior to the placement of this accessory building. Variances are intended to relieve situations in which strict application of the regulations prohibits reasonable development or usage of the property. Staff understands that water, sewer, and the concrete slab was present prior to the location of the accessory building, however, the parcel has reasonable development without the variance. The applicant has some room to meet the locational requirements and still have an accessory building. Staff finds no hardship. Staff finds the request inconsistent with the Variance Review Criteria and deny the Variance request as presented. Mrs. Hobby asked how deep the slab is. Ms. Hurley stated that the concrete slab is 15 feet in depth and the accessory building is 11 feet in depth so there is 4 feet of concrete slab remaining in front of the slab.

With no other questions of staff, Scott Colosi spoke as authorized by the applicant. Mr. Colosi stated that he wanted to keep the accessory building where it was placed because there is open water and sewer lines in the concrete slab and the building covers the open water and sewer lines. He stated that the open water and sewer lines are a hazard and to dig the lines up would be extensive work and costly. He stated that if he moved the building, the water and sewer lines would then be exposed. Mr. Strickland asked if Mr. Colosi is planning on using the water and sewer lines. Mr. Colosi stated, no, not at this time. Mr. Strickland asked if Mr. Colosi was planning on using the water and sewer in the future. Mr. Colosi said, no, not at this time. Mr. Colosi said that he uses it for storage. Mr. Strickland asked if the water and sewer lines are above the slab or flush with the concrete. Mr. Colosi stated there are water lines sticking out of the slab. He said that you would have to break up the concrete to cap those lines. He said that the water lines were leaking so he got a plumber to come out to the property and turn off the water lines from a valve. He said that if he were to break up the slab for the pipes to be removed it would be extensive. Mrs. Hobby asked if he put the building there. Mr. Colosi said that there was a building there prior to his purchase of the property and the homeowner removed the building leaving the slab. He confirmed that he purchased the new building and had it put on the slab. Mrs. Hobby asked if he knew that the pipes were there at that time. He confirmed that he did. Mrs. Hobby asked if there was a reason why he did not move the building closer to the front of the slab which would have kept him from needing the variance. Mr. Colosi said that he originally believed that the only requirement was to be 15 feet from the house. Then when the inspector came out, he explained that Mr. Colosi needed to call into the Planning and Zoning Office as the building was too close to the property line and needed to be 10 feet from the rear property line. He said that he called the company that sold and placed the accessory building on the lot to come back out to move the building and that they would not come back out to move the structure. He then stated that he applied for an Administrative Variance, but it was denied so he is now here to ask for the variance. Mrs. Hobby stated that she does not understand why he would go through all of that when he could simply slide the accessory building up as there is 4 feet of concrete slab remaining in front of the accessory building. Mr. Strickland asked if the sewer line is open or capped off. Mrs. Colosi stated that it is an open sewer line. He stated that he is just putting a structure where a structure once was. Mr. Strickland asked if Mr. Colosi would have a problem moving the accessory building up and pouring concrete in the sewer pipe or abandoning the pipes. Mr. Colosi said that there is more to it than that and the water lines would remain. Mr. Strickland stated that the water lines could be useful if he wanted to put a hose in his backyard. Mr. Colosi said that he would not want to pour concrete down the sewer lines because it could create problems in the sewer system including messing with the exhaust of the sewer. He said he has conformed to the best of his ability to the regulations and that he is not asking for a lot, he is asking for two feet. Mr. Strickland explained that the board's role is to assist him in conforming to the Land Development Regulations as much as possible and it is possible for him to move the building up two or more feet and he would then not need a variance. Mr. Colosi confirmed and added that he would still have the sewage line and water line there. He added that pouring concrete down the sewer line is not going to solve the problem. Mr. Colosi said that there is a separate water line that was put there by the city, so it had to have been inspected by the city at some point. Mr. Strickland stated that it might have been prior to the current regulations in which case it was a grandfathered in non-conformity. Mr. Colosi stated that once the water line was put it, it is permanent unless the city removes it. Mr. Strickland stated that the non-conforming use stays with the property, but the structure is gone. Mr. Colosi stated that he does not want to use the water and sewer right now, he wants to cover it. Mrs. Hobby stated that it seems that covering it with a building is not a permanent fix but actually capping the sewer and water lines is what should be done. Mr. Colosi stated that it appears that the structure that used to be there was removed, and the pipes were cut and crimped. Mr. Hogan asked what method the building supplier used to deliver the building to the parcel and place it on the slab. Mr. Colosi stated that they delivered it on a truck and then drug it up to the slab. In the process it was stuck in the street. They used a bobcat type machine with long metal arms and drug the building to its location. Mr. Hogan asked if Mr. Colosi could move the building up. Mr. Colosi said that he tried and could not get it to move. He stated

that his plan was to put trim around the bottom of the accessory building so that nothing could get into the space and possibly get into the water or sewer lines and to keep it insulated.

With no other questions for the applicant, Mr. Strickland asked if there was anyone else in support of the application. Brian Nelson, the neighbor from 312 E. Park Avenue, stated that he is in support of the application. He was there the day that the structure was delivered. He stated that when the property was sold, the drain pipe was open and the previous owners stuffed rags down in them. He stated that the pipes are a hazard and that someone could trip over them.

Mr. Strickland asked for any opposition. Mrs. Barbara Milhous, another neighbor from 311 Rosedale Place, spoke. She stated that her property backs up to the rear of the subject property. She said that her storage building backs up close to the back of the property. Mrs. Milhous stated that she does not have a problem regarding where the building is located. She said that her storage house hides what is there. She stated that her issue is that there is a nice wooden fence on the rear of the property and on the east side of the property there is a nice vinyl fence that backs up to her property and is part of the group home that was placed there. She said that the side of the fence that she looks at is an eyesore and would like for it to be painted. She stated that she is not in opposition of the placement of the accessory building. Mr. Strickland stated that the Zoning Board of Appeals does not have the authority to request that her neighbor paint her side of the fence. Mr. Colosi stated that he would paint the fence.

With no further citizens in opposition, Mr. Strickland asked if the Planning and Zoning office was contacted regarding the application. Ms. Hurley stated that the only call was from Mrs. Milhous. Mr. Strickland asked for a motion. Mr. Brantley made the motion to approve the variance as requested. Dr. Clemons seconded the motion. Mr. Strickland asked for all in favor. No one raised their hands. Mr. Strickland asked for all opposed. Mrs. Hobby, Mrs. Copeland and Mr. Hogan were opposed. Mr. Strickland stated that the motion did not pass and was defeated 3 to 2. Mr. Strickland suggested that Mr. Colosi contact the Planning and Zoning office regarding his options. Mr. Colosi asked if Mr. Strickland voted. Mr. Strickland stated that he is a chairman and votes only to break a tie. Mr. Colosi stated that he would still paint Mrs. Milhous' fence.

**Agenda Item # 4: Review of Minutes**

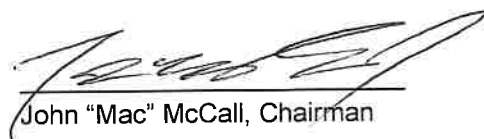
Vice Chairman Strickland asked if any edits were needed for the draft minutes. No changes or corrections were noted. Mr. Brantley made a motion to approve the minutes as presented. Mrs. Copeland seconded the motion. The vote was called and carried with a vote of 5-0.

**Agenda Item #6: Attendance Review**

Chairman McCall is on vacation and Mr. Ramsey is working in Thomasville.

**Agenda Item #7: Adjournment**

There being no further business, the meeting was adjourned at 3:23 PM.

  
John "Mac" McCall, Chairman

9-13-22  
Date