

MINUTES

Valdosta-Lowndes Zoning Board of Appeals
Valdosta City Hall Annex Multi-Purpose Room
300 North Lee Street, Valdosta, Georgia
November 1, 2022, 2:30 p.m.

MEMBERS PRESENT

Nathan Brantley
Nancy Hobby
John "Mac" McCall
Allan Strickland
Dr. Samuel Clemmons

MEMBERS ABSENT

John Hogan III
Victoria Copeland
Marion Ramsey

STAFF PRESENT

Lauren Hurley
Denada Jones

VISITORS PRESENT

Janak N. Patel
Lawrence Tobey
John Sineath
Jason Wisenbaker

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.

CITY OF VALDOSTA CASES:

Agenda Item # 2: APP-2022-14 – Janakkumar N. Patel (1197 N. St Augustine Road)

Ms. Lauren Hurley, Zoning Administrator, presented the case and stated the applicant is requesting a variance to LDR Section 218-13 (Q) as it pertains to Drive-Through Facilities. The subject property is located at 1197 N. St Augustine Road. Drive-thru facilities shall provide a minimum of six (6) stacking spaces (within the site) for a single lane order board or a minimum of three (3) stacking spaces for each lane or order board in the case of multiple drive-thru, in a line before the order board or transaction window where the order is placed.

For redevelopment of existing drive-thru facilities, fewer stacking spaces may be allowed upon approval of an Administrative Variance. The drive-thru stacking spaces for the site have room for 3 stacked cars currently and with the renovation. Variances are intended to relieve situations in which strict application of the regulations prohibits reasonable development or usage of the property. The Exit 18 Liquor store renovation does not allow a reasonable amount of stacking spaces currently required by the Land Development Regulations. The entrance backs directly to North St. Augustine Road.

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Ms. Hurley stated that Mr. Patel is doing a renovation to the drive-through window to expand the building. The site plan will move the drive through window to the east according to the site plans presented. This will eliminate traffic and any future traffic accidents due to the entrance directly backing to North St. Augustine Road. The Staff did review the case; however, it was not considered as administrative due to the redevelopment being on North St. Augustine Road being extremely busy. Ms. Hurley explains the severity of the current placement of the drive-through window, and how the stacking of spaces is crucial. The staff did not find recognizable hardship with the property that justifies the variance in this case. The property doesn't have a reasonable amount of stacking spaces per the current requirements. Therefore, staff recommends the board find the request inconsistent with the Variance Review Criteria and deny the Variance request as presented.

Mrs. Nancy Hobby stated to Ms. Hurley that the way the property is currently recessed that it could easily accommodate 3 stacked cars. However, once the development is extended and make the property of more of a rectangular building, there would be less space to even have 3 stacking spaces.

Mr. Hurley references how the site plan shows the drive-through window configuration lines up with the entrance of the property and expresses concern over the placement of the drive-through window.

Chairman McCall emphasizes concern that customers stack cars in the drive-through completely blocking the entrance to the property coming off North St. Augustine Road. He further states that if there are cars blocking the entrance to the property, the cars would essentially block all movement into and out of the property.

Ms. Hurley concurs with Chairman McCall's statement and expresses that this was also Staff's concern when submitting their recommendation.

Chairman McCall states that the only way for cars to get into the property would be from the back of the property.

Chairman McCall calls Mr. Patel or the applicant's representation to address the board.

Mr. Patel states that he is applying for a variance to move the drive through window from the front to the back of the property. The window will move about 24 ft from the present location. He expresses that he has been at the property 14 years and has never had any issues that created an obstacle for traffic purposes in and out of the property. He further emphasizes that there are never more than 2 cars in the drive-through that would deter traffic.

Chairman McCall states that according to the submitted floorplans that are included within the site plan that Mr. Patel would only be extending his service counter down to the end so that the 1 personnel would be working the service counter and the drive-through simultaneously.

Mr. Patel states that there will be 2 personnel working both drive through and the counter.

Chairman McCall asks Mr. Patel if he considered maneuvering his service counter sideways so that the drive through could be pushed down the exterior wall instead of directly in the front of the property.

Mr. Patel expresses concern of prior theft issues that have deterred him from maneuvering his service counter. Additionally, he states that he did in fact have his service counter turned but was unable to see the layout of the property which consequently caused theft issues. However, Mr. Patel did express that he is open to maneuvering the service counter.

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Mr. Allan Strickland asks Mr. Patel if he had any additional assistance during at the property.

Mr. Patel states that his wife, 1 other employee, and himself are all at the property during business hours.

Mr. Allan Strickland states that in between the assigned personnel that Mr. Patel could have one of them moving throughout the store to assist with customers and to eliminate the stacking of cars at the drive-through.

Mr. Patel states that he in fact does have his personnel moving throughout the store during business hours, but that the business doesn't get that busy due to customers already knowing what they want prior to arriving at the drive-through window. Mr. Patel states that because of this, they can move customers more quickly.

Mr. Allan Strickland states that while he agrees with Mr. Patel and the flow of cars through the drive-through window, but the drive-through window needs to be moved down towards the back of the property. He expresses concern over cars stacking to get to the drive-through window, and a possible accident taking place on North St. Augustine Road. Untimely, if an accident were to occur, this would create additional stacking that could halt traffic for hours for clean-up alone.

Mr. Patel agrees and states that he would consider the window being moved and address the concerns to his contractor.

Mr. Allan Strickland asks Mr. Patel if the board's decision to move the window further down would be a concern in the future.

Mr. Patel states that he would consider the decision if it was made.

Chairman McCall states that if the drive-through window was moved further down, Mr. Patel would not need the variance.

Chairman McCall asks the board if there are any additional questions for the Mr. Patel.

Mr. Nathan Brantley states that he may still need a variance Per current regulations, drive-thru facilities shall provide a minimum of six 6 stacking spaces (within the site). With the possible renovation, he would come up short leaving only 5 stacking spaces.

Mr. Allan Strickland states that if the board saw fit to put into stipulation that the window be moved further down, that his concerns would be eliminated. There would be no issue with traffic movement in and out of the property. He further states that even with Mr. Patel coming up short, the fifth car would still be left on North St. Augustine which could potentially cause a traffic accident.

Chairman McCall asks if there are any other questions for the Mr. Patel, or if there was anyone who wished to comment in favor or against Mr. Patel's request for a variance as it pertains to Drive-Through Facilities.

There being no further discussion, Chairman McCall then called for a motion.

Mrs. Hobby made a motion to deny the requested variance. Mr. Allan Strickland seconded the motion, and it was called and carried unanimously (4-0 vote).

Agenda Item # 2: APP-2022-15 Valdosta- Lowndes County Family YMCA (1004 Slater Street)

Ms. Lauren Hurley, Zoning Administrator, presented the case and stated the applicant is requesting a variance to LDR Section 230-9 Section 230-9 (6) (a) as it pertains to Variable Message Boards and LDR Section 230-9 (3) (c) as it pertains to Sign Standards. Valdosta-Lowndes County Family YMCA is asking for a variance to LDR Section 230-9 (6)(a) as it pertains to Variable Message Boards and LDR Section 230-9 (3)(c). The subject property is located at 2424 Gornto Road and is zoned R-P (Residential Professional).

The YMCA sits on two parcels. There are 4 signs between the two parcels. The existing monument sign that can act as a message board is the proposed location for the new proposed sign. The sign that the YMCA has proposed is a variable message board monument sign that measures 10 feet tall and 9 feet wide totaling 90 square feet.

LDR Section 230-9 (6)(a) states that variable message boards will only be permitted in the C-C or C-H zoning districts, and only in conjunction with a legally permitted freestanding sign or billboard. LDR Section 230-9 (3)(c) states that a monument sign in the R-P zoning district can have a maximum height of 8 feet and a maximum sign area per lot of 36 square feet. Therefore, the applicant is seeking two variances: One variance for to allow a variable message board and another variance for the sign requirements.

Ms. Lauren Hurley states variances are intended to relieve situations in which strict application of the regulations prohibits reasonable development or usage of the property. The YMCA has proper signage but would like to have the convenience of a variable message board.

Ms. Lauren Hurley states that there is an existing monument sign that can act as a message board, but it is manual. The sign that the YMCA has proposed is a variable message board. The sign that they have now is 8 feet by 8 feet, and the variable message board is an inch bigger. The YMCA was there prior to the neighborhood developments being constructed, and there are commercial properties in the surrounding area. The YMCA would like to use the variable message board to promote their programming.

Chairman McCall asks for clarity in relation about the existing sign being 8 ft by 8 ft and the variable sign being an inch bigger in each dimension.

Ms. Lauren Hurley clarifies his question by agreeing that the variable sign is not that much larger than the existing sign.

Allan Strickland asks how big of a sign the YMCA could have with commercial zoning.

Ms. Lauren Hurley states that the sign that the YMCA is requesting is allowed without a variance.

Lawrence Tobey states that the YMCA has been a pivotal stance in the community and strives to continuously provide people of all ages, backgrounds and walks of life the opportunity to reach their full potential with dignity.

Allan Strickland states that the light will reflect as the cars are passing by.

Lawrence Tobey agrees that there is a possibility that lights could reflect on cars as they are passing but doesn't think that it will cause a nuisance because of where the sign sits.

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Dr. Samuel Clemmons asks is there anything that controls the brightness of the lights in during the daytime and particularly at night.

Ms. Lauren Hurley states there is no way to effectively monitor that without being physically present.

Lawrence Tobey states the YMCA is able to increase and decrease the lights, so if they do receive complaints, they are able to automatically adjust from anywhere.

Nancy Hobby asks how the board can make sure that they are following protocol with the dimming of the lights at night to not bother residences or cars along the road.

Lawrence Tobey states that they have not had many complaints in the past, and that they have been diligent in addressing all request with neighboring residences and commercial businesses.

Allan Strickland states that there are multiple signs that YMCA has already and asks if a request will be made in the future about another variance to change to a variable sign.

Lawrence Tobey states that that sign will be torn down and will not be in use. The other boards on the property will be torn down, and the variance board will be utilized to get the YMCA's message to the public while minimizing the use of multiple boards.

Nathan Brantley asks that about dimming and if the variable sign can be programed to turn down at during the evening times.

Jason Wisenbaker states it can be programed to be dimmer during the evening times. The signs do not need to run all night, and the YMCA will properly adjust to citizens' concerns.

Nathan Brantley addresses concerns about the sign creating a possible accident from the variable sign constantly changing. It could easily distract drivers that could cause an accident.

Jason Wisenbaker states that the YMCA will be careful to not broadcast signs that may distract drivers in oncoming traffic. The YMCA is aware of the severity of elaborate signs with messages that may cause distractions. The messages enough on the eyes to not cause distractions.

Chairman McCall asks if there are any further questions regarding the variance.

There being no further discussion, Chairman McCall then called for a motion.

Allan Strickland made a motion to approve the requested variance as presented, with a recommendation that they follow protocol with the dimming of the sign during the evening. Nancy Hobby seconded the motion, and it was called and carried unanimously (4-0 vote).

Chairman McCall stated that if Mr. Patel wanted to reapply under a different under a different site plan, that he could.

Agenda Item # 5: Approval of Minutes – September 13, 2022

Chairman McCall asked if any edits were needed for the draft minutes. No changes or corrections were noted. Mr. Brantley made a motion to approve these minutes as presented. Mr. Strickland seconded the motion and it was called and carried unanimously (4-0 vote).

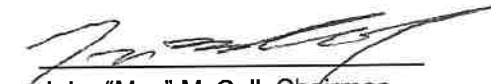
Agenda Item # 6: Attendance Review

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Chairman McCall noted that only Dr. Clemmons was absent from today's meeting. Ms. Hurley stated that he contacted staff in advance and said he would be out-of-town today, and therefore we will consider this an excused absence.

Agenda Item # 7: Adjournment

There being no further business, the meeting was adjourned at 3:34 p.m.



John "Mac" McCall, Chairman

12-6-22
Date