

# MINUTES

Valdosta-Lowndes Zoning Board of Appeals  
*Valdosta City Hall Annex Multi-Purpose Room*  
*300 North Lee Street, Valdosta, Georgia*  
**February 7, 2023, 2:30 p.m.**

**MEMBERS PRESENT**

Nathan Brantley  
Nancy Hobby  
John “Mac” McCall  
Allan Strickland  
Dr. Samuel Clemmons  
John Hogan III  
Victoria Copeland

**MEMBERS ABSENT**

Marion Ramsey

**STAFF PRESENT**

Lauren Hurley  
Denada Jones  
Lowndes County  
Staff – Trinni  
Amiot

**VISITORS PRESENT**

George Hannah  
Craig Tolson  
Alex Alvarez  
Jesse Walker  
William Strickland Jr.

**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.

All right, ladies and gentlemen, when we call this February meeting of the Valdosta to Lowndes County Zoning Board of Appeals to order, everyone in attendance will please make sure and sign in on the attendance sheet outside the room. Before we begin, I will explain the process for the meeting. I will call each case on a case-by-case name and number. The city or county representing staff will come to the Lectern to present the facts of the case. After presenting, the board may or may not ask questions of the staff. Once the board has heard the case and asked all questions necessary of staff, we will move to hearing from either the applicant or the applicant's representation. After hearing from the applicant, we will hear from anyone who wishes to express support for the case after hearing. Finally, we will hear from anyone who wishes to express opposition to the case. Anyone addressing the board will please come to the Lectern and give their name and address for the record.

For clarity and respect, we ask that only the person at the Lectern address the board and that the audience give them an uninterrupted chance to be heard. If there is important information that you feel we need to consider, then please come to the Lectern when it is your turn, and you are called. In the interest of time, though, the board asks that you keep your comments brief and to the point. Please do not come to the Lectern only to restate the same information we have already been given by someone else. Once the board has had the chance to hear from all sides on the matter and ask any questions that we feel are necessary, then we will render a decision. If we do not feel that the

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necessary information is available to render decision today, then we may decide to table the case for the next meeting. Please be aware that the board is here today only to address variance applications to the zoning codes for Lounge County and the City of Valdosta. This is the only matter on which this board has been given the power to render a decision we cannot and do not have the power to address. Any other matters that are not covered by the zoning codes of Lowndes County or the City of Valdosta.

**CITY OF VALDOSTA CASES:**

**Agenda Item # 2: APP-2023-01 –Alex Alvarez (200 East College Street) Request for a Variance to LDR 214-1 as it pertains to Setbacks for Front Facing Garage in a R-10 (single family residential) Zoning District (all or part of Tax Parcel 0116A 017)**

**Chairman McCall:** We will begin with the first case. APP-2023-01 Alex Alvarez, 200 East College Street.

**Lauren Hurley:** Good afternoon, everyone. Our first variance of the day is APP-2023-01. The applicant is Alex Alvarez from Old School Ventures, LLC. He is requesting a variance to LDR section 214 that pertains to the setback for a front facing garage. Subject property is 200 East College Street. The property currently contains a 2645 square foot house that was formerly a fraternity house. It was purchased by the applicant in 2022. The renovations are underway on the rear. The structure is a renovated 910 square foot addition that predates the land development regulation. The applicant would like to convert the structure to a garage. There are two driveways for the property, both on Slater Street. It's surrounded by residential on all sides. You can't see this very well in PowerPoint, but this is a site plan that is in your packet. It shows that the curb is 18ft from the structure. The house is oriented towards East College Street. LDR 214 states that the street with a higher functional classification shall be the front yard. Both Slater Street and East College Street are local streets. If both streets are the same functional classification, then the front lot shall be deemed to be the side of the most street frontage. Even though the house sits and faces East College Street, by today's standards, Slater Street is technically the front yard. This is a historic home. But the setback is measured from its technical front yard which is Slater Street. Front facing garages have a minimum setback of 30ft from the right of way line and this is from the curb to the structure of 18ft. The actual right of way on Slater Street is 40ft wide. The right of way extends seven and a half feet behind the curb leaving eleven and a half feet between the building and the right of way. So, the variance is for 18ft and a half feet. Applicant would like to put garage doors on the Slater side where the driveway leads up to the street. Those yellow lines are where the garage doors are proposed to go. It may have been a garage before and is being converted back into a garage. This project went for the Historic Preservation Commission and was approved for all those criteria it had to meet. Variances are intended to relieve situations in which the regulations prohibit reasonable development of the usage of the property. In that case I find it consistent with the variance review criteria and recommend approval.

**Chairman McCall:** Any other questions for staff thank you with the applicant or the applicants represent presentation wish to address the board.

**Alex Alvarez:** I'm one of the partners in this project. This is one of our preservation initiatives. This was a former Delta Chi house that will be converted back into residential. The garage that we want to put in is only 19 ft wide. It was a garage originally prior to the fraternity house so we are essentially just converting it back. The house is close to 4,000 sq ft. So, with the renovation were doing, it will improve

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the price point of the home to add the garage to home. We're trying to improve the overall tax revenue in that area too. Any other questions?

**Chairman McCall:** Any other questions? Thank you, sir. Anyone else here in support of the case? Anyone here in opposition to the case? Was your office contacted? (No) Unless there's any other questions or statements. Would someone care to make a motion to approve?

**Allen Strickland:** I'll make a motion to approve.

**Chairman McCall:** We have a motion. Do we have a second?

**John Hogan:** I'll second.

**Chairman McCall:** Okay, we have a motion to second. All those in favor? It is unanimous (7-0 vote). Thank you, sir. We will move on to the second case for the day. Lowndes County Case, VAR- 2023-02.

### **LOWNDES COUNTY CASES:**

**Agenda Item # 3:** VAR-2023-02 – Strickland Property 2761 New Statenville Hwy, Valdosta, Georgia: This request is an attempt to record a family ties survey plat, and multiple variances are needed before approval is given. The subject property consists of ~19 acres, and is located off New Statenville Hwy, in an E-A (Estate Agriculture, 5.0 acres) zoning district.

**Trinni Amiot:** The Strickland property located at 2761 New State Highway. It is EA zoning. The owner wants to subdivide the property. That's what prompted the variance request. He's asking for four variances, three of them for that road frontage requirements. The other variance is for design standards. We have a code that says your house must face the front of the road. I believe in 1992 when this mobile home was placed, they didn't know that. Today's rules are each house must face the front road. So, the applicant needs a variance for that.

If you look at the slide, that's his driveway. That's 38ft. He's never had 60ft of road frontage. He's never going to have 60ft. There's just no way on either side of it to get 60ft. So that's one of the requested variances. Today's rules say 60ft.

**Nancy Hobby:** Isn't that 60ft per lot? Per lot.

**Trinni Amiot:** Variance number one states that he needs 60ft. Variance number two comes in when you split each parcel. So, now this combined parcel needs 60ft. He doesn't have it. That's variance number two. Variance number three states it must have 60 ft of access to the road. Well, he can't. He would have needed 120 and it's just not there. So overall staff is supportive of this because to me, this is unusual circumstances. But back in the nobody really thought that survey was a benefit.

**John Hogan:** Does the applicant own all those parcels?

**Trinni Amiot:** It's all family property and he wants to divide and live on the family property.

**John Hogan:** It's not like multiple families on each part?

**Trinni Amiot:** No Sir, just his family on the farm currently.

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**Chairman McCall:** Family ties requires limitations and who the property can belong to. He still must comply with that is right?

**Trinni Amiot:** Yes, that's right. He'll have to sign an affidavit that says that this will go to whoever those people are, and it does.

**Chairman McCall:** Okay, so it belongs to senior, and junior is the one that wants to further subdivide and live there.

**Chairman McCall:** But once that requirement is met, that does not stop the people who it has been deeded to selling it in the future to someone else?

**Trinni Amiot:** That's an unfortunate part of family ties. We don't have any follow up in any way to really police that, but yes, you're right. In three years, they could. They could and we wouldn't know. So, while we are recommending approval, I would like to recommend a condition with that any other houses that are built, that they let the county know of changes. Any future houses that are built, they will have the option to turn the home the way they like. It's so far back in there. I mean, it's not going to make much difference which way they turn their house. That's just a requirement in our code.

**Allen Strickland:** If you don't know that there is something back there, you wouldn't.

**Trinni Amiot:** That's right. I went by it four times before I found it.

**Chairman McCall:** Any other questions for staff? Thank you. With the applicant or the applicant's representation wish to address the board.

**William Strickland Jr.** My father is the one who gave me the property. It can't be recorded without the variance. We've got a lot of work to do out there, and this is just one of those roads we must cross to accomplish this.

**Trinni Amiot:** That's how this started. He came in with the survey plat, and we realized that it wasn't conventional, so we applied for the variance to be heard today. So, if approved, once he gets a decision today, we'll follow that up. There may be some minor differences to it, but overall, that's the design.

**Chairman McCall:** Okay. Any questions for the applicant?

**Nathan Brantley:** Are you fine with the requirement that the houses face the interior of the lot?

**Trinni Amiot:** Not a requirement or a condition.

**Nathan Brantley:** We put a condition on that.

**William Strickland Jr.** Okay. As it's drawn, I would like to place the house toward the pond.

**Nathan Brantley:** Yeah. That's one of the things we're going to review.

**William Strickland Jr.** I would have to modify the survey. I will get with the surveyor so that he can modify the survey to accommodate. He was unaware that he stopped the 60 ft easement too short. He just didn't have time through the week.

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**Allen Strickland:** The only reason I'm specifying that is if the time comes down the road, they're going to try to sell them. If it doesn't have a deed, you or whoever is trying to buy whoever trying to sell that last lot, you're going to be boxed in because you don't have legal access to get to it.

**William Strickland Jr:** I understand, and I will have it corrected.

**Chairman McCall:** Any other questions for the applicant? All right, anyone here in support of the case?

**Georgia Hanna:** I own 2.8 acres right here, and I need to be assured that my septic tank won't be affected. That's the only access I had from the road. I want to be promised that when it rains a lot, the septic tank will be able to drain the water off my lot on his land. Otherwise, it will flood my land if they cover it during construction. They already have proposed covering a ditch that drains the water from my yard. The only way I can fix it is put another ditch on that side of my property to help with flooding. When it rained last April, my yard was filled with about eight inches of water. I can't afford to keep dealing with those issues. I want to be promised that nobody will cover that ditch. But if they cover that ditch all the way, my septic tank can't drain.

**William Strickland Jr.** He's asking for those conditions. But me personally, how can someone give him those conditions? It's my land that he has a house on. But I mean, as far as backing up, as far as water and stuff, I will try to accommodate to help him out. But, the drainage issue, that has never been brought to my attention prior to today's meeting.

**Chairman McCall:** Just make sure we are staying on the right track. Does this have anything to do with the variances today? We're talking about something that's irrelevant right now. We were asking for people in support of the case. Are you saying that if you can get what you want, you are in support?

**George Hanna:** Yes, I'm supportive of the case.

**Chairman McCall:** Thank you. Was there anything else that you had? Sir, are you in support of the case or are you in opposition to the case?

**Jesse Walker:** My name is James Walker. Is this being a driveway coming in? I live on Board Pond, and from my understanding that's not going to get paved. I would like to pave mine all the way down to Board Pond, too. Also, is this going to be a subdivision? Is there going to be some type of music event?

**Trinni Amiot:** That's not a public road, so it will not be paved.

**Chairman McCall:** It'll be a privately owned access drive to these properties.

**Jesse Walker:** Where does the power come in? Is there a power line that goes down that road?

**Chairman McCall:** If there is a power line that goes down the road, you would have to talk to the power company about whether the power comes down through there.

**Jesse Walker:** But the power poles would be on private property. They're not on a public right of way in any way? I'm saying that is power lines are down that road, it should be paved. My driveway is down that road and it should be paved.

**Chairman McCall:** Yes, sir. And if that's the case, you'd have to talk to Georgia Power. Are you in Georgia Power or EMC? Then you'd have to speak with EMC about your power and making sure that you have access and that the power coming down through there would be continuous. But technically those power lines are on private property.

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**Jesse Walker:** Well, that's fine. Georgia power is going to want that public and they're going to want a road with power and they're going to want that paved. They're going to want the extension. So, is there is going to be a subdivision or something going to be going back there.

**Chairman McCall:** Okay, so let me clarify quick. He cannot put a subdivision back there without coming back before us and filing for a subdivision, plat and filing this as a subdivision. This is not a subdivision, and it cannot be a subdivision. As far as the road goes, he is not required to pave the road. There is nothing here that meets a requirement that it is paved. If he decides to pave it, that's his decision. He's not required in any way to pave the road. Georgia Power cannot require him to pave the road. It's private property. If there's an easement that affects this property, and there may be a power line easement specification in there then you would have to contact Georgia Power for clarification. Then they may consider paving the road, but this case currently is not required to do so. Okay, so just to be clear, you had stated previously you didn't know whether you were in support. Are you in support of the case or opposition to the case.

**Jesse Walker:** I'm not sure. I need to get further information.

**Chairman McCall:** All right. Anyone else here in support of the case or opposition to the case? Was your office contacted?

**Trinni Amiot:** No, sir.

**Chairman McCall:** Unless there are other questions or comments, would someone care to make a motion?

**Allen Strickland:** Well, I got a question. Do we need to have two different variances, one for the frontage and one for house positions.

**Trinni Amiot:** I'm still learning, but I don't think that the county functions that way. You could make a recommendation. Your recommendation could, for example, say, I make a recommendation to approve the variances with the condition, and that would cover all of them.

**Allen Strickland:** Okay, well, that's what I'm saying. I didn't know whether we needed two or three to make a motion.

**Chairman McCall:** All right. Would someone care to make a motion?

**John Hogan:** I'll make a motion that we accept the various requests as presented, citing a condition that all future structures face the interior.

**Chairman McCall:** We have a motion. Do we have a second?

**Allen Strickland:** I'll second.

**Chairman McCall:** All those in favor? It is unanimous (7-0 vote). Thank you. That was the last case of the day. We will move on to other business.

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**Agenda Item # 4: Approval of Minutes – February 7, 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 (7-0 vote).

**Agenda Item # 5: Attendance Review**

Chairman McCall noted that only Marion Ramsey was absent from today's meeting. Ms. Hurley stated that he contacted staff in advance, and therefore we will consider this an excused absence.

**Lauren Hurley:** Mr. Bradley and I went to the GAZA conference. It's the Georgia Association of Zoning Administrators. It was the first time I've been to one. I highly recommend that a member goes each year. It's quite the experience. The next one is in the summer. Whoever may be interested, please let me know. I know Nathan received credits for his attendance.

**Nathan Brantley:** I got some continuing legal education credits, so I got the state board of proof.

**Lauren Hurley:** It could apply to whatever you all are doing if there's some kind of continuing credits that you need. But it was very interesting. I learned a lot, and I met a lot of other Zoning Administrators across the state. It was a great experience.

**Nathan Brantley:** We kind of broke off and Lauren went into the section on making staff reports, and I went in and talked about reviewing staff reports and what standards you must use to review them. I thought it was very insightful, so I would recommend attending. It was time well spent. Plus, it was pretty nice place to go. We didn't have any time to do anything but go to the conference, but it was good.

**Chairman McCall:** Do they make information available from the presentations or anything like that?

**Lauren Hurley:** We could share, and then it would be if anyone was interested, they could look at it.

**Agenda Item # 7: Adjournment**

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

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John "Mac" McCall, Chairman

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Date