

**MINUTES**

Valdosta-Lowndes Zoning Board of Appeals  
*Valdosta City Hall Annex Multi-Purpose  
Room 300 North Lee Street,  
Valdosta, Georgia*

**Tuesday July 2, 2024, 2:30 p.m.**

**MEMBERS PRESENT**

John “Mac” McCall  
Nancy Hobby  
Keith Godfrey  
Allan Strickland  
Nathan Brantley

**MEMBERS ABSENT**

John Hogan  
Victoria Copeland  
Marion Ramsey

**STAFF PRESENT**

Lauren Hurley  
Matt Martin  
Rick Mefford

**VISITORS PRESENT**

Jeff Summers  
Stephanie Summers  
Don McCrary  
Brant McDonald (neighbor)  
Blake & Olivia Summers (neighbors)  
Kimberly Graham (neighbor)  
Tim Carroll (Councilman)  
Jud Moritz (Son of Homeowner)

**CALL TO ORDER**

**John “Mac” McCall**

Calling of meeting to order at 2:30 p.m. and explanation of meeting process to all those in attendance. He explained that the only case is an appeals case and that the process is a little bit different than a normal variance case. He explained that they would first hear a case history from staff and then will hear from the appellate and hear the application for the appeal. Then if the board wishes to hear from others in the audience, the board may decide to open it up to others. He also explained that the board is not bound to hear from others in the audience. They are only there to hear and rule on the facts of the case. They will then ask questions that will help them to

rule on the case. He explained that this case in an appeal to a ruling that was given on this case. This case is only to determine whether this is determined to be an accessory building or a garage. Any other issues should be addressed separately in separate applications.

**Valdosta Case:**

**APP-2024-08 Brant McDonald, Kimberly Graham & Blake & Olivia Summers**  
Request for an Appeal to LDR Section 218-7 & 214-7 as it pertains to Accessory Buildings in the R-15 (Single Family Residential) Zoning District. The subject property is located at 3014 Country Club Drive in Valdosta GA (all or part of Tax Parcel 0078B-139).

Lauren Hurley steps to podium and presents the case to staff describing the case. The property in question at 3014 Country Club is in R-15 zoning district. The case is addressing an accessory building in the rear replacing and accessory building that was damaged in hurricane Idalia. Zoning approval for an accessory building was given on February 22, 2024, and permit was purchased for an accessory building measuring 30x30 (900 sq ft). The contractor then updated the zoning approval form on May 2, 2024, for square footing measuring 30x35 (1050 sq ft). She explains that the contractor went through the inspections process, receiving a passed final inspection on June 21, 2024. The building measures 17 feet in height and the house on the property measures 17 ft at its tallest point. The building also has a lean-to portion on the rear measuring 10x25 on the rear which are the 250 sq ft. She goes over the pictures of the completed building and the information detailed in the appeal packet with the board. She goes over the definition of an accessory building and garage according to the LDR and regulations laid out by the LDR for accessory buildings. The principal dwelling is 4100 sq ft. She also explained that contained in the packet is a petition signed by 13 of the neighbors stating that they do not have an issue with the building. The house sits on 3.1 acres. The area is R-15 residential. She then shows photos of the building from all angles and explains the front of the building is not metal but is board and batten.

Chairman McCall asked if there were any questions for staff.

Nancy Hobby asks for clarification on the definition of garage in respects to housing vehicles. Lauren clarifies that the definition states that a garage is for solely housing vehicles and other accessories such as lawn equipment. Nancy states that what she is saying is that there is a difference on what is included in “vehicles” and opposed to “automobiles” which would include boats or any means of transportation. Lauren states that she pulled up the definition of automobiles which does not include boats.

Chairman McCall clarifies regarding the height that zoning staff did go out and measure the building and that it is not higher than the house and it is not taller than the house. Lauren states that is correct.

Chairman McCall asks if there are any other questions for staff.

Nathan Brantley states that he is particularly concerned about the section that the accessory structure must be residential in appearance. He asks for this zoning type, what finishes were allowed for residence. He asked if a metal façade would be allowed. Lauren states that there is a regulation about metal façade on buildings as specified in section 214-7. She explains that it states except for in M-1 and M-2, that metal facades are not allowed on sides of the buildings facing the front yard. She states that this is the only regulation that we have regarding metal siding.

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\*RECORDING RESUMES

Allan Strickland asks if this is an accessory building or is it a garage. If determined to be a garage, then it does not meet the requirements for being a garage. He clarifies he is not talking about height, but physical footprint.

Nathan Brantley states what if they were to agree that zoning was correct in calling the structure an accessory building but does not agree that it is residential in appearance.

Allan Strickland responds that that is not what is in the appeal. The appeal only states that she erred in saying it was an accessory building.

Lauren interjected that it was posed in the appeal, but that the building was not completed at that time. Mr Strickland agreed that at that time, they did not know what it was until completed. He again stated that the appeal was staged on that it was not an accessory building.

Nathan Brantley states that in the scenario of it being called an accessory building, what would be the responsibility then of it being made residential in appearance.

Lauren stated that there was a case like this in the past where the neighbors saw the building going up and did not like it. The contractor was asked to bring in elevation drawings with landscaping. She stated that she did pose that question to the contractor to bring in elevation drawings with a plan for landscaping but that never happened. But now they are stuck in appeal phase, and she cannot decide on whether it looks residential until it is heard with all these questions being posed at the same time.

Nathan Brantley asks if they must first decide it is an accessory building or a garage and then a second decision is made on whether it is residential in appearance. Lauren states that the building had a final inspection on June 21, 2024, which was after the appeal had already been filed. She also stated that she had every intention of bring elevation drawings.

Nancy Hobby asks if there is a reason of why the contractor did not come forth with any landscape plans. Lauren states that she had posed the question because it would be obviously helpful in this scenario.

Jud Moritz states that they are going to plan trees, but he is not going to let his mother spend another dime on the building until a decision is made.

Rick Mefford the Building official states that if they were to have to tear it down and depending on what the situation is. He also states that they are trying to meet the code that it is now by the

building being safe and getting a CO. Jud Moritz states again that it is just dirt around the building now, but that he does plan to landscape around it. He also states that there was not a certain number of trees or bushes that would be required. They were just going to do some landscaping around it.

Chairman McCall asks for clarification that there are no landscaping requirements by the zoning ordinance. Rick Mefford confirms that is correct.

Kimberly Graham asks if the board is to deem it an accessory structure, is it then allowed to be used...\*\*\*\*INTERRUPTION IN RECORDING-DEVICE FAILURE

## **\*\*RECORDING RESUMES**

Matt Martin clarifying the appeals process to staff.

Chairman McCall clarifies that he will not be made to tear building down if he has an application in process. Matt clarifies that even if he fails to comply that that would then start a code enforcement process with a citation and summons to physical court which would be subject to the Municipal Court Judge's review and issuance of an order.

Chairman McCall asks for clarification that whatever the ruling there that if there are further issues with it then from there it goes to court, it does not come back before the ZBOA board.

Matt Martin states that if there is an appeal to the ZBOA board decision or variance in the future, then that goes to Superior Court.

Jud Mortiz states that he wants to make clear that there is no paved driveway going to this building and that there never will be. He also states that there was a fence back there that was torn up in the hurricane that also will need to be put back up that separates it out from her residence.

Chairman McCall asks if there are any questions from staff. He then asks if anyone would care to make a motion.

Nathan Brantley makes a motion to deny the appeal to Lauren's decision. He clarifies that basically it is he decision that it is an accessory structure and not a garage. Allan Strickland seconds the motion. Vote 4-0. Appeal is denied.

## **OTHER BUSINESS:**

### **Minutes:**

Chairman stated that minutes were sent out and asked if anyone needed any changes. Called for a motion to accept. Motion made by Allan Strickland to accept as presented. Motion seconded by Keith Godfrey. Vote 4-0. Minutes Accepted.

### **Attendance Review:**

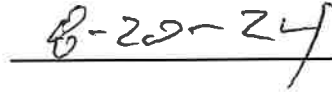
Victoria Copeland out of town, Marion Ramsey on a job site out of town and John Hogan is ill. Absences excused.

**Adjournment:**

Meeting adjourned at approximately 2:59pm

A handwritten signature in black ink, appearing to read "John McCall", written over a horizontal line.

John "Mac" McCall, Chairman

A handwritten date "8-29-24" written in black ink over a horizontal line.

Date