

MINUTES

Valdosta-Lowndes Zoning Board of Appeals

Valdosta City Hall Annex Multi-Purpose Room

300 North Lee Street, Valdosta, Georgia

January 10, 2023, 2:30 p.m.

MEMBERS PRESENT

Nathan Brantley
Nancy Hobby
John "Mac" McCall
Marion Ramsey
Dr. Samuel Clemmons
Victoria Copeland
John Hogan

MEMBERS ABSENT

Allan Strickland

STAFF PRESENT

Lauren Hurley
Denada Jones

VISITORS PRESENT

Kerry Watts
John Coursan
Anthony Coursan

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.

Chairman McCall

Ladies and gentlemen, let me call this January meeting of the Zoning Board of Appeals to order to everyone in attendance. So, please make sure and sign in on the attendance sheet at the back of the room. Before we begin the meeting, we'll explain the process for the meeting. We will call each case on a case-by-case name and number. The city or county representing staff will come to the lecture to present the facts of the case. After presentation, the board may or may not ask staff questions. 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 else who wishes to express support for the case. 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 a chance to hear from all sides on the matter and ask any questions, we feel are necessary, then we will render a decision. If we do not feel that the necessary information is available to render a 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 the variance applications for the zoning codes of Lowndes 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. All right, we will begin with the first case of the day.

Variance Request by JOTAYCO, LLC:

File # APP-2022-19:

1201 N. Oak Street

Lauren Hurley

Good afternoon, everybody. Our first application is a variance. Well, there's two variances. We could split it up into three, but the first variance is the table 214 one as it pertains to a minimum heated floor area. The second, the variances table as it pertains to the development standards for the residential zoning district. So, the first one, you can do the aerial right there from the cemetery and that is the zoning. So around it is residential districts. Besides the permanent residence across the street, the property contains a 1750 1 sqft. Single family rental house it's located at, which is being converted into a Duplex. Duplexes are permitted in the district by right.

So, one side of the Duplex will be 1058 sqft, with two bedrooms and two bathrooms. The other side will be 693 sqft, with one bedroom and one bathroom. This variance is requested for the minimum square footage which is 800 for a Duplex. So, 800 sqft. Is what the minimum square footage is for duplexes or any other structure for that matter. As you can see, it's about 17ft. So 17ft as is from the rear property line, and it is 12ft from the side property line that will be affected by this next variance request.

The house sits 17ft from the rear property line. The addition of the rear cover, of course, would be setback 13ft from the rear parcel line. The rear yard setback in R-6 is the

request would be a seven-foot variance and the rear yard setback. The next will be for the side, and you can see it on this layout, too. There's a covered patio, concrete patio, and then there's another covered patio on this side. You can see the footprint right there. The structure sits 12ft from the side parcel line. The side yard patio would protect 4ft from the structure, leaving 8ft between the parcel line and the structure. The side of setback and R-6 on a corner lot is 15ft.

The request would be a seven-foot variance to the side. There's already a port parking right there. I think from the Historic Preservation Commission meeting that Mr. Forrest had. He would approve that service. It. Then there's another one on the other side for parking. I don't know if any of you visited over there, but Mr. Fortune can talk a little bit more about what's going to happen with the exterior of the property. This also went before the historic reservation commission and they approved the construction of the porches on the side as a rear of the house, knowing that he would need to get a variance for those. They went ahead and gave him approval for those porches. The variances are intended to release situations in which strict application of the regulations prohibit reasonable development or usage of the property. The configuration of the home lends itself to the design with the dividing wall splitting the structure, making the conversion feasible without the variance. So, staff recommends approval of the variance for the square footage of the duplex. Does anybody have any questions for me?

Chairman McCall

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

John Courson

Happy to answer any questions. Lauren, as she always does, did a good job explaining it. The first thing about the square footage. The reason is it would be very hard to change the wall. I can show you all this if this will help, but this is the way that it's built now. So, what I propose to do is use this example existing wall, because it's kind of a natural cut and they should start giving up square footage on this side. So that's the reason that it's under 800ft. I can move this wall, but it would be it's got to be a firewall and it would be expensive. All I'm trying to do is give the tenants a nice place to be outside out of range, right? And so, when I went historic, they did not want me to have anything on the front, Oak Street side. I was going to put a porch on this side right there, and then just I think it was a seven-foot porch on the back, just a cover. It would just be two posts and a roof structure. That just gives a tenant somewhere to sit outside.

Nancy Hobby

So, your plan is to put a porch right here on this end?

John Courson

If you look at the floor plan is that in the packet?

Lauren Hurley

Yeah.

Chairman McCall

We don't have the floor plan, or we don't have any of that paperwork in the site plan. And here's the floor plan, and here's elevation, projected elevation. Did he answer your question? Well, I got to go back now that I'm looking at a picture. Okay. Can you bring up the picture that shows looking down the back side of the building? There's another one that's kind of looking straight down the back there. There is currently a covered shed attached to the back side of the building. It's in your existing it's documented in your existing survey plan. It is not currently shown in this new floor plan. It comes right off this back area back here. I basically took that exact same picture about 20 minutes ago. It's got that door standing open right there. Is that coming off?

John Courson

Going away? Okay, there's no need for that. There's no mechanical or anything in there. It's just a storage room that's in poor condition is leaked over the years.

Chairman McCall

Okay. So, what I'm trying to get a grasp of is how far out this new roof extension over this porch. So, you're going to tear off that shed and tear off that roof extension, but then come out here over this paved area and put an extended roof out over that?

John Courson

That's my proposal. Yes, sir.

Chairman McCall

Okay. Trying to get a grasp as to looking is that roughly as far out as that existing roof is off the back side of the building? I don't know exactly. Here's another picture that shows that shed.

John Courson

Right.

Chairman McCall

And that's what I'm trying to get an idea of. So, you're infilling essentially that whole bump out right there.

John Courson

That's right.

Chairman McCall

And it says you're coming an additional 4ft out beyond 5ft. So, what I'm trying to get an idea. So, your new roof line will be essentially as far off the back of the existing building as that existing current shed roof line is, is that correct?

John Courson

That's correct.

Chairman McCall

Okay. As far as the roof goes, in your elevations, you're showing it unsupported, but in your floor plans, you're showing it columns going up and supporting it. Are you going to have columns out there?

John Courson

I've had some trouble with my architect as far as getting some revised drawings. Proposed is there would be a hole. On the corner columns like what you're showing there.

Chairman McCall

And there are absolutely no plans to ever infill or enclose these porches?

John Courson

No, sir. Not any plans to enclose. It's just going to be a concrete slab. There's concrete there now on that one side. But It would not be close. It's going to step down out of the house. It's just an outside space.

Chairman McCall

Okay. Any other questions for the applicant?

Nancy Hobby

That would just be a concrete patio. This unit porch will be right here.

Chairman McCall

This is a two bedroom. Yes, ma'am. And this is where they would be outside. So, this is where they would be their backyard, so to speak, for their porch. And this is on the big street. That would be their front porch. It'll just be a grade level concrete. No cover on this one. This one will be covered. That's my proposal. Now, I think she said they recommend not doing that, but either way, it's going to be a patio with the variants.

Nancy Hobby

So, this is not an issue one on the end? No Corring a patio. No issue at all? No. A covered porch on the end. On the end street.

Chairman McCall

Can you show the picture of the front of the building? Okay. Right there. So, the existing entrance to the existing building. So again, I'm concerned between your floor plan and your elevation and the existing pictures, you seem to be showing a new stoop out on the Oak Street side, out in front of the the existing and you're showing two columns going up. There's a stoop there, but the roof is just the existing roof line.

John Courson

The Historical Preservation Committee will not allow me to put that stoop there. But the floor plane didn't change. He didn't take that off.

Chairman McCall

Okay, so what you're intending is leaving the Oak Street side looking exactly as it is now. You won't be making any roof changes or anything like that to that. The only change that you'll see from that side would be that chimney will go away. That's the only change. I got to put the windows back the same. It'll still have that vertical siding, and there should be concrete siding, but there will not be a stoop coming off. They did not want that at all. Selene was adamant that she just wanted it to stay the same way it is now.

Chairman McCall

Okay.

John Courson

That's when I pivoted to have that side have a place outside covered in the back, because that was not on my plan when I stored it. That was just something that kind of evolved. We have a lot of rental properties, and we just like to give a tent and outside space. It's hot down here this summer. If you can just get in the shade, you know. So that's my goal. We own the properties next to me. I say we my dad owns the properties on Anne Street and on Oak Street. So, on both sides. So, I don't think that he's going to fight me, I guess, if you come here and talk against it. We're going to take that fence down. We're gonna take all these trees down. It's not the big oak tree now, but it's just going to be nice and clean.

Chairman McCall

You're taking the pine tree in the front down?

John Courson

Yes, sir. Yeah, the pine trees are coming out. That big, huge oak tree staying there.

Chairman McCall

The fence on the back, is that staying out on the back side? That is a very tight piece of property between you and the driveway side of the people next door. And there's a blue tarp or something in their driveway.

John Courson

That's not a permanent thing. But if you want a fence to stay, we could replace the fence, but that fence can't stay.

Chairman McCall

I agree. But part of our concern is this property is already encroached upon the setbacks quite substantially, and then we're kind of encroaching even further. Right? Correct. You all might not always own this piece of property, and we must be considerate of what we allow as to what we require for people going forward that might potentially own it in the future. My concern is just encroaching even further into the setback and taking the fence down creates. I will think a lot of privacy issue between two places that are very close if we allow further encroachment up right up to that property line. So, I just I have a concern about that.

John Hogan

Would you rather just like, if you're going to take the fence down, just like I say, put a better fence.

John Courson

We can put another fence up. The fence is just in such bad condition that I think we were talking about, some are college students, and so safety is a big concern. And so, we put a lot of lights up there and keep it clean and easy to see in and out. If you go by there at night, you can see everything else rounded up around there. But if the fence is something that helps me get the board, then we can put a fence back.

Chairman McCall

Any intention of adding landscaping or anything like that around the existing building?

John Courson

Yes, sir. It would be professional. Landscape lighting, cameras. I mean, there's a lot of money going into this property, not just going to halfway redo it. I could paint it inside and do it like that.

Chairman McCall

So, you're intending to bring it up to something closer to the White Houses that are just down next to it on Oak Street?

John Courson

Yes, sir. I mean, it's going to be nice. I mean, we're talking about granite tops, we're talking about with ceilings, walk in closets, tiles, showers and all that. But I've done this in my dad's done on Oak Street there.

Marion Ramsey

So, with your concrete patio, how far would the beginning of your concrete patio?

John Courson

I think it's a seven-foot variance in the rear.

Chairman McCall

Any other questions for the applicant? Anyone else here in support of the case? Anyone here in opposition to the case? Was your office contacted?

Lauren Hurley

No.

Chairman McCall

Okay. All right, unless anybody has any other comments or questions someone care to make a motion?

John Hogan

I make a motion. I make a motion that we grant both variants request as presented. I don't see any criteria on here.

Chairman McCall

We've had a motion to accept. Do we have a second? We have a motion. A second. All those in favor? It is unanimous. Thank you. All right, we will move on to the second and last case for the day APP-2002-20 Kerry Watts, 3806 Sedge field Drive.

Variance Request by Kerry L. Watts

File # APP-2022-20

3806 Sedge field Drive

Lauren Hurley

All right, Mr. Watts is requesting a variance to LDR Section 218-7H, as it pertains to accessory standards. Subject property is 3806 Sedge field Drive. There is aerial zoning. As you can see, it's set back in a neighborhood, and it is surrounded by other residential steel family homes. The property currently contains a 1952 square foot single family house. The applicant is proposing to build a carport slash shop on the property that will sit back 10ft from the main structure rather than the 15ft required for accessory building. The proposed accessory structure will measure 640. It meets the side and rear setbacks of 10ft. There's not much more to say than that. There are photos that were taken if you drove by there looks like a retention wall on the side. Mr. Watts can explain a little bit more what the work that has been done, but essentially, this is just a variance to the 15ft between the structures.

Chairman McCall

Okay. Any questions for staff?

Nancy Hobby

He wants to put this 10ft from the main structure, but he needs to put it 15. If he puts it 15 as required, what is that going to do to the side and rear yard setbacks? Will they not be met at that point?

Lauren Hurley

Probably not. Think the size that he wants and the configuration, and I think he's gone through this and then multiple versions of what he wants and how it can be configured.

Nancy Hobby

So, the main problem is the size of the building?

Lauren Hurley

Well, yes. If he made it smaller, then it would be farther away. If he were to keep that right back corner at the same location, if he made it smaller, then he possibly could get that 15ft that is required from the main structure to the accessory structure. But that's not what was requested.

Nancy Hobby

Why is there a 15-foot requirement to be up from the main structure?

Lauren Hurley

So, the fire department has requirements on how our buildings must be from each other. The land development regulations say that they must one structure, a full-on building with four walls and enclosed and a roof, and everything must be 15ft from each other. The fire code, I believe, is 10ft. It basically is so that if every neighbor had one that was right on top of each other, their fire started at one person's house, that would just take the whole neighborhood out. Basically. That is the intent.

Chairman McCall

Any other questions for staff? Thank you. Will the applicant or the applicant's representation wish to address the board.

Kerry Watts

My name is Kerry Watts. Okay. I'm just proposing to build a two-car carport with a shop on the back of it. I must stay 10ft off the neighbor's property on this side, 10ft from the house. If I do that, I won't have a usable structure, so it won't give me what I need. I've looked at orienting the building in numerous ways. I think you can tell there's a large live pretty good size live oak that I really don't want to lose. I serve on the Velocity Tree commission. I kind of like having trees. I don't want to turn the building the other way. I look at attaching the building, but that presents a different problem because I have more road frontage on Cambridge than I do on Sedgefield. So, the Cambridge by the law, Cambridge is the front of my lot. So, my neighbor on this side would be the back of the property. Then in that case, I would have to stay 25ft off. So, attaching it is not an option. Turning it the other way, I lose live oak, but if I'm going to build it, I need for it to be useful. Any questions back? I plan on making the building match my house. It's not going to be some metal building. I wanted to look nice when I leave there. I plan on going to McLean's, but you never know. So, I want it to look good for me, for my lifetime and for my heirs after that. I want to be a good neighbor to everybody I've talked with. Several of my neighbors and everybody says, we don't care what you do on the property.

Chairman McCall

Thank you, sir. Anyone else here in support of the case? Anyone here in opposition to the case? Was your office contract contacted?

Lauren Hurley

Yes, but it looks mainly to see what was happening. As you can see from the pictures, they were curious as to what happened going on right there. But no one showed up.

Chairman McCall

All right, unless there's any other comments or questions, someone care to make a motion?

John Hogan

I'll make a motion.

Chairman McCall

We have a motion to accept the variance. Do we have a second?

Marion Ramsey

I second that motion.

Chairman McCall

We have a motion to second. All those in favor? It is unanimous. Thank you, sir. All right, that was the last case today. We will move on to other business. Everybody's got a copy of the meeting minutes. I know they were sent out, right? Okay. All right. Can we get a motion to approve the meeting minutes? Okay, we have a motion. A second. All those in favor? It is unanimous. Attendance review? I can't remember if we had any. I don't think we had anybody out last time that we needed to address, and the only person out this time is Mr. Strickland. Okay, so work related. So, he's excused. Unless there's any other comments or questions, we are adjourned. Thank you all.



John "Mac" McCall, Chairman

2-7-23

Date