



VALDOSTA-LOWNDES COUNTY ZONING BOARD OF APPEALS
Staff Report - MEETING DATE: May 2, 2017

VAR-2017-06
Odessa Denton Estate
Clyattville Nankin Road, Valdosta, Georgia

This is a request for a Variance to the ULDC provisions for Family Ties Land Divisions. The subject property consists of ~19 acres and is located on Clyattville Nankin Road, Valdosta, Georgia, in an E-A (Estate Agriculture, 5 acres) zoning district.

Section 4.04.04 (C,4) contained in the ULDC provides standards for Family Ties Land Divisions. In this case, the Last Will and Testament of Odessa G. Denton divides her estate in a manner that does not meet the ULDC's standards as it pertains to the remnant property. The proposed division does not meet the standard that provides "*the remainder of the parent parcel after creation of lots under the Family Ties Land Division process shall meet the minimum lot area requirements set forth in Table 4.01.01 (G).*" Table 4.01.01 (G) provides that the minimum lot area for the E-A district shall be 5 acres. All of the proposed lots are ~3.82 acres. **Therefore, a Variance is being requested to the Family Ties Land Division process for minimum lot area required for the remnant/parent tract.**

Section 4.04.04 (C) Design Standards for Lots to be Conveyed

1. *All lots created under the Family Ties Land Division process shall comply with all design standards for the Zoning district in which the lots are located, except as specifically provided in this section.*
2. *The minimum lot area is one (1) acre.*
3. *All lots created under the Family Ties Land Division process shall meet one (1) of the following requirements for access:*
 - a. *Have sixty (60) feet of frontage on a paved public right-of-way and meet the lot width requirements set forth in Table 4.01.01(G); or*
 - b. *Share one (1) access driveway that provides access to all lots.*
 - i. *The access driveway shall be sixty (60) feet wide, shall begin at a public road, and shall be recorded as an easement with access rights to all lots.*
 - ii. *The access driveway shall be an all-weather road with a minimum clearance of twenty (20) feet in width and twelve (12) feet in height.*
4. *The remainder of the parent parcel after creation of lots under the Family Ties Land Division process shall meet the minimum lot area requirements set forth in Table 4.01.01(G).*

In an effort to satisfy and honor the written Last Will and Testament of Odessa G. Denton, a survey was prepared to subdivide the property – thus, creating 5 lots that are equivalent in size, ~3.82 acres. The applicant was offered another zoning option for which staff suggested to be a more risky request – an option to rezone the subject property to R-A (Residential Agriculture, 2.5 acres). As communicated to the applicant, either option to rezone or request a Variance will be risky. One of staff's concern with the Variance option is the precedent that will be set and the property's ability to meet the provisions for the family ties land divisions. Other considerations included the proposed subdivision will not be out of scale or character with the existing development pattern.