



VALDOSTA-LOWNDES COUNTY ZONING BOARD OF APPEALS
Staff Report - MEETING DATE: Tuesday, October 3, 2017

VAR-2017-15
Adkins Property – Con’t

Concerning the subject property, the Future Development Map of the Comprehensive Plan depicts the property as being within the Rural Service Area and within a “Rural Residential” Character Area. As defined, this character area contains rural and undeveloped lands likely to face development pressures for lower density (2 ½ acres) residential development, and should be maintained while accommodating rural cluster or conservation subdivisions with significant amounts of open space. While the Comprehensive Plan’s guidance for R-1 zoning being listed as a permissible zoning within the Rural Residential Character Area, it has been staff’s experience, via public hearings, that this area is not quite ready for any zoning districts with a higher density. (2006 & 2012, see attachments) Where appropriate, staff will consider supporting lower density residential development within the Rural Residential Character Area, depending on both the zoning pattern and the development pattern.

One of the primary debates among staff was the appropriateness of the Variance request versus a rezoning request to R-1 (Low Density Residential, 1-acre). In staff’s opinion, the request for a Variance challenges the foundational platform for why zoning districts exists. Ultimately, the consensus of staff was that either request (rezoning OR variance) will challenge the criteria set for granting Variances and the adopted policies of the Comprehensive Plan for developments. A Variance, as defined, is “*a grant of relief from the requirements of the ULDC which permits construction in a manner otherwise prohibited by this ULDC where specific enforcement would result in unnecessary hardship.*” The current zoning, R-A, has a minimum lot area of 2 ½ acres. What the applicants are proposing is prohibited by the ULDC, and can be accomplished given the current land area. This Variance request undermines the integrity and the design standards that are set to encourage the most appropriate use of land, buildings, and structures. Staff believes that the enforcement of establishing the minimum lot area in this case will assure that land is developed in conformity with the Comprehensive Plan and uphold the foundational purpose and intent of the ULDC. Lastly, it has been staff’s experience, via public hearings, that this area is not quite ready for R-1 zoning as attempted a few years ago already. (2006 & 2012)

Where appropriate, staff will support lower density residential development (i.e. R-1 zoning) if the area is consistent with the R-1 development pattern and/or the R-1 zoning pattern. While staff is sympathetic to the applicant’s request, the Variance request cannot be supported considering the existing development pattern in this area. With these factors in mind, the TRC ultimately recommends denial of the request as submitted. The requested Variance will be incompatible with the neighborhood and not in harmony with the purpose and intent of the ULDC.

	Planning	Zoning	Engineering	Utilities
Division with Recommendation	Approval	Approval	Approval	Approval
	Board of Health	Fire/Rescue	Inspections	Moody AFB
	Approval	Approval	Approval	n/a
Recommended Conditions with (Source)	n/a			
Other Comments with (Source)	N/A			