



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

VAR-2017-19
Sumner Property
Maluda Road/Loch Laurel Road

This is a request for a Variance to the Lot Frontage/Lot Access requirement. The subject property consists of 2.74 acres, and is located at 2615 Maluda Road, in an R-A (Residential Agriculture, 2.5 acres) zoning district.

Sections 4.04.03(D) and 6.01.02(D) contained in the Lowndes County Unified Land Development Code (ULDC) both provide that lots shall have frontage and access to public streets. In this case, the subject property was subdivided as a landlocked property and created as a separate property via a warranty deed in 1994. At that time, a survey was performed and referenced in the deed, but was not submitted for review and approval. With the redevelopment of an adjacent subdivision, Laurel Run, the new developers have offered to deed the subject property twenty (20') feet of property that will extend to Loch Laurel Road for the purpose of access. While the addition of property will help the property owner, the width does not meet the County's minimum standard of sixty (60') feet. **Therefore, a Variance of forty (40') feet is being requested to the minimum Lot Frontage/Lot Access requirement.**

Chapter 4.04.03 (D) – Design Standards for Blocks, Easements, and Lots

“All subdivision lots shall have frontage on and access to an existing or proposed paved public street.”

Chapter 6.01.02 (D) - Access

“Except as provided in Section 6.01.02(E) below, each lot within a subdivision shall front a paved public street a minimum width of sixty (60) contiguous feet.”*

The subject property is located within the Urban Service Area, and within a Neighborhood Activity Center (NAC) Character Area as depicted on the Future Development Map of the Comprehensive Plan. The NAC character depiction supports general retail, service commercial, professional office, higher-density housing, and appropriate open and public spaces that are easily accessible by pedestrians.

In staff's research, the subject property was created during the time Lowndes County's regulations required lot frontage/lot access onto a public road. The subject property was part of a 12-acre parcel that had sixty (60') feet of road frontage along Loch Laurel Road. In 1994, the subject property was subdivided as a 2.74-acre tract and shown on an unrecorded survey plat. After a number of property transactions, the applicant subsequently bought the subject property in ~2011. A new survey has been drawn to convey 7,873 square feet of land area to the subject property, to provide access from Loch Laurel Road. Staff is pleased with the conveyance, however, a Variance is still needed. As with similar Variances, staff's primary concern is that of public safety i.e. responses to requests for emergency services. Ultimately, the TRC is recommending approval with no conditions – the following factors were considered: 1) the improvement of lot access/frontage as a result of the conveyance, 2) the Variance request is not a result of action by the applicant, and, 3) the Variance does not appear that it will cause substantial detriment to the public good.