



VALDOSTA-LOWNDES COUNTY ZONING BOARD OF APPEALS
Staff Report - MEETING DATE: August 6, 2019

VAR-2019-09

SolAmerica Energy, LLC (Tycor Farms, LLC)

Of Note: *The acting agent, SolAmerica Energy, LLC, has a land contract to lease ~31.7 acres from current property owners, Tycor Farms, LLC.*

The applicant is requesting Variances to the ULDC (Lowndes County Unified Land Development Code) as follows: (1) Section 4.07.04 as it pertains to General Landscape Standards; (2) Table 4.07.06(C) as it pertains to Buffer Area Standards; (3) Table 5.02.03(B) as it pertains to the location of a chain link fence in a front yard; and (4) Section 5.02.03(G)(3) as it pertains to the maximum height of a fence in a front yard. The subject property is located at 6530 Georgia Highway 376, Lake Park, Georgia, in an R-1 (Low Density Residential, 1 acre) zoning district.

The applicant is requesting a Variance to both Section 4.07.04 as it pertains to General Landscape Standards and Table 4.07.06(C) as it pertains to the minimum required Buffer standards. The minimum landscape and buffer requirements must encompass the applicable leased area only. The (ULDC) provides that *at least ten (10) percent of the total gross land area of a development site shall be landscaped and at least four (4) shade trees per acre shall be provided, which may include existing trees, trees required for buffers or trees required for parking lot landscaping.* The applicant will be leasing a land area of ~31.7 acres to establish a Solar Energy Generation Facility ("Solar Farm"). A commercial use of this nature will necessitate compliance to the general landscape requirements; specifically, a land area of 138,085 square feet of ground cover will be required as well as a minimum of 127 trees. Likewise, a 30 foot wide buffer will be required along the eastern and southern lot lines of the two existing lots on the eastern side of the leased area. The shared eastern lot line is a distance of 744.01 linear feet and requires a minimum of 30 trees and 186 shrubs per 100 linear feet. The south lot line of the second parcel (rear yard) is a distance of 455.66 linear feet and requires a minimum buffer yard of 18 trees and 114 shrubs per 100 linear feet. Subsequently, the ULDC will require a minimum of 25% of the required trees are canopy trees; thus, a total of 32 canopy trees and 95 shade trees are required and 300 shrubs.

The applicant is also seeking a Variance to Table 5.02.03(B) as it pertains to the location of a chain link fence in a front yard. This table within the ULDC stipulates that a chain link fence can be erected on the side yards and rear yard. However, the applicants desires to erect a chain link fence in the front yard parallel to Georgia Highway 376.

Additionally, the applicant is requesting a **Variance to Section 5.02.03(G)(3) as it pertains to the maximum height of a fence in a front yard.** This section of the ULDC provides that the maximum height of a fence in a front yard is six feet. The applicant is asking for a Variance of one foot in the front yard in order to erect a seven-foot fence around the entire leased area (front, sides and rear). The applicant desires to erect a seven-foot fence around the leased perimeter because the ULDC does not allow barbed wire to be placed on fencing in an R-1 zoning district.

In closing, while the ULDC does not require a buffer yard along the North lot lines (front yard), the applicant is proposing to establish an additional 30 feet wide buffer along the length of the front yard of the leased area to act as a shield/buffer from the traveling public on Georgia Highway 376 (North lot line). They are also proposing twenty-three (23) trees and one hundred forty-four (144) shrubs along the southeastern lot line. This

is a 228.34-acres tract utilized for agricultural/farming purposes, of which the applicant is proposing to lease ~31.7 acres to establish a Solar Farm.

The TRC (Technical Review Committee) reviewed the Variance request and recommended denial. The Committee found that there was no hardship as called for in the requirements for the granting of Variances.

A variance may be granted upon a finding by the ZBA that all the following conditions have been met:

- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;*
- B. Such conditions are peculiar to the particular piece of property involved;*
- C. The application of this ULDC to this particular piece of property would create an unnecessary hardship;*
- D. Relief, if granted, will not cause substantial detriment to the public good or impair the purposes and intent of this ULDC;*
- E. A literal interpretation of the provisions of this ULDC would deprive the applicant of rights commonly enjoyed by other properties of the zoning district in which the property is located;*
- F. Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the zoning district in which the applicant's property is located;*
- G. The requested variance will be in harmony with the purpose and intent of this ULDC and will not be incompatible with the neighborhood or to the general public welfare;*
- H. The special circumstances are not the result of the actions of the applicant;*
- I. The variance requested is the minimum variance that will make possible the legal use of the land or structure; and*
- J. The variance is not a request to permit a use of land or structures, which are not permitted by right in the zoning district involved.*

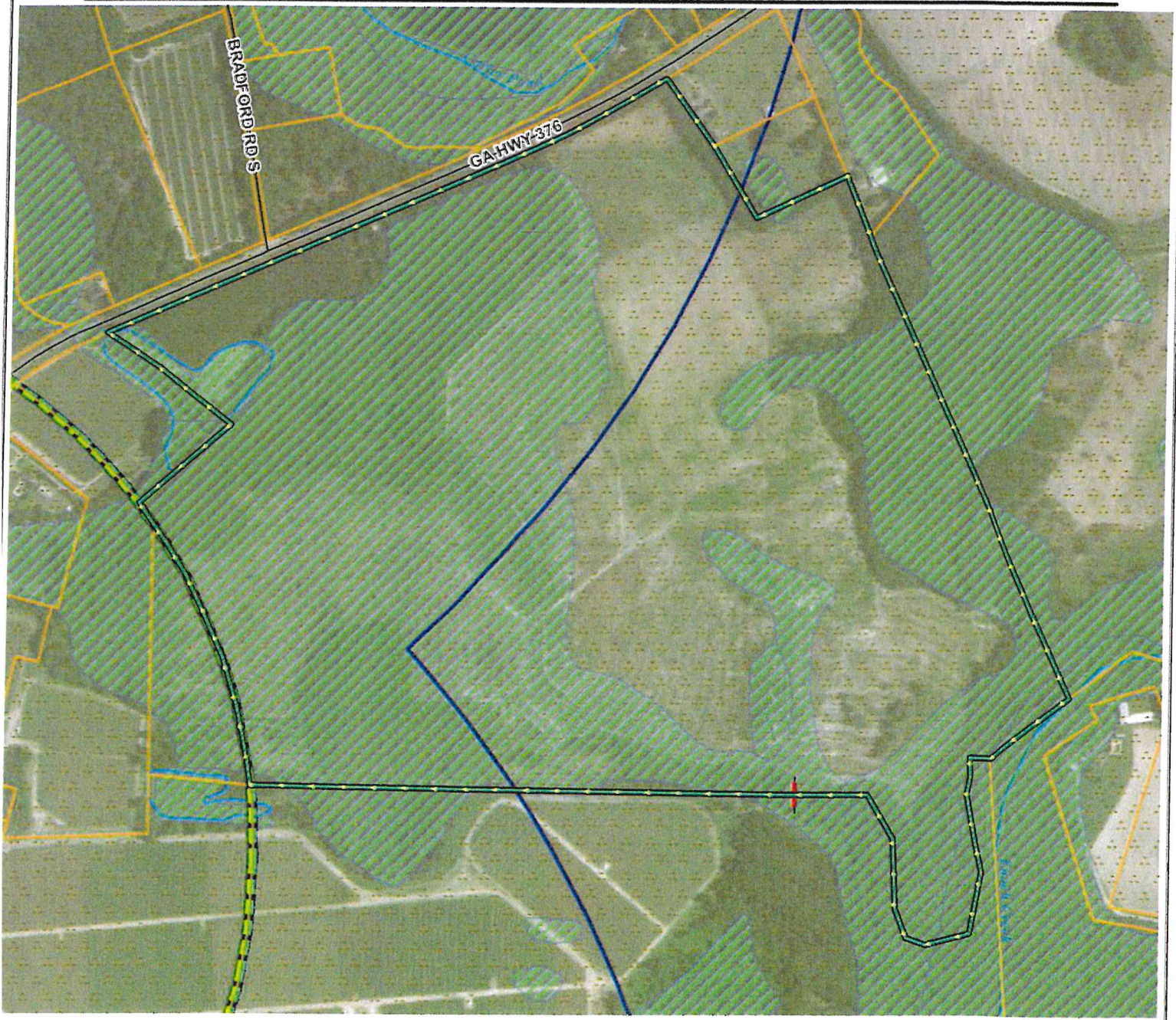
VAR-2019-09

WRPDO Site Map

Legend

- Roads
- Railroads
- Park
- City Limits
- Crashzone
- Crashzone West
- Urban Service Area
- Open Water
- Valdosta Airport
- Wetlands
- 100 Yr Flood
- Hydrology
- Drastic
- Recharge Areas
- Parcels

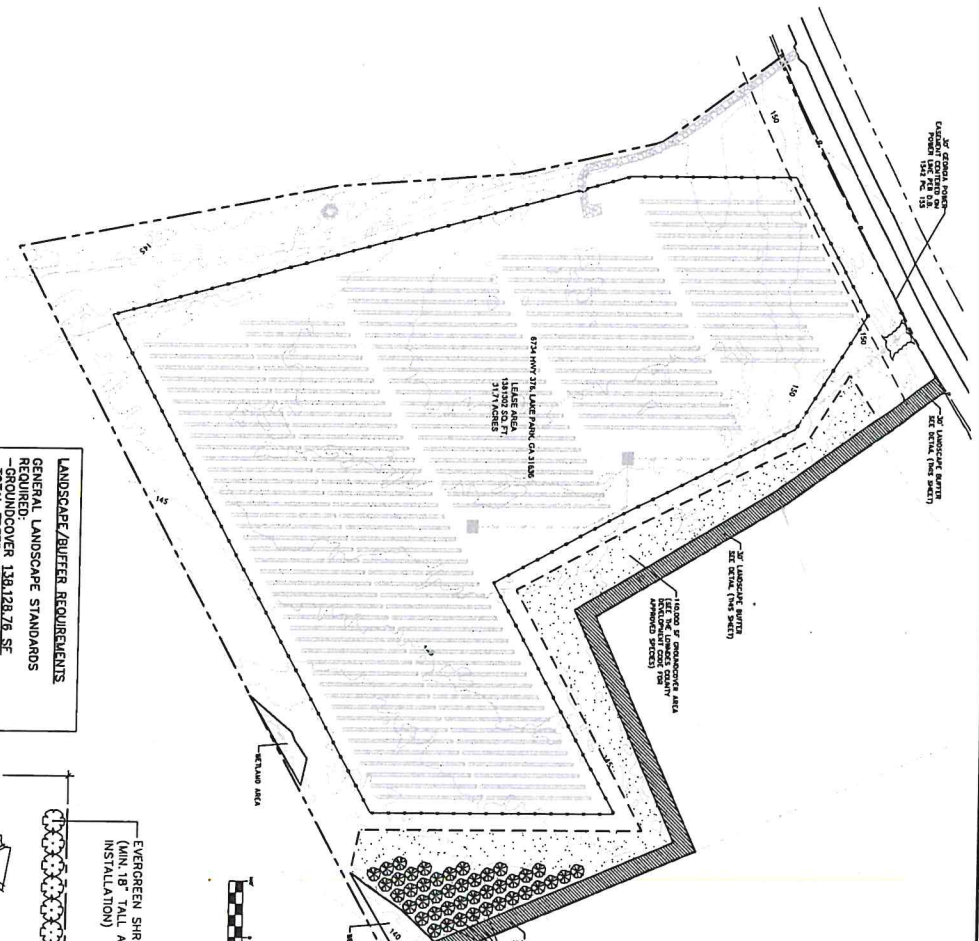
TYCOR FARMS Variance Request



Visit VALOR on the web at: WWW.VALORGIS.COM



- PLANTING AND SITES**
1. ALL PLANTING AND SITES SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING STANDARDS:
 - a. A.S.P. PLANTING AND SITES, 2014 EDITION
 - b. I.R.C. PLANTING AND SITES, 2014 EDITION
 - c. N.C. PLANTING AND SITES, 2014 EDITION
 2. ALL PLANTING AND SITES SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING STANDARDS:
 - a. A.S.P. PLANTING AND SITES, 2014 EDITION
 - b. I.R.C. PLANTING AND SITES, 2014 EDITION
 - c. N.C. PLANTING AND SITES, 2014 EDITION
 3. ALL PLANTING AND SITES SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING STANDARDS:
 - a. A.S.P. PLANTING AND SITES, 2014 EDITION
 - b. I.R.C. PLANTING AND SITES, 2014 EDITION
 - c. N.C. PLANTING AND SITES, 2014 EDITION
- LANDSCAPE/BUFFER REQUIREMENTS**
1. ALL PLANTING AND SITES SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING STANDARDS:
 - a. A.S.P. PLANTING AND SITES, 2014 EDITION
 - b. I.R.C. PLANTING AND SITES, 2014 EDITION
 - c. N.C. PLANTING AND SITES, 2014 EDITION
 2. ALL PLANTING AND SITES SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING STANDARDS:
 - a. A.S.P. PLANTING AND SITES, 2014 EDITION
 - b. I.R.C. PLANTING AND SITES, 2014 EDITION
 - c. N.C. PLANTING AND SITES, 2014 EDITION
 3. ALL PLANTING AND SITES SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING STANDARDS:
 - a. A.S.P. PLANTING AND SITES, 2014 EDITION
 - b. I.R.C. PLANTING AND SITES, 2014 EDITION
 - c. N.C. PLANTING AND SITES, 2014 EDITION



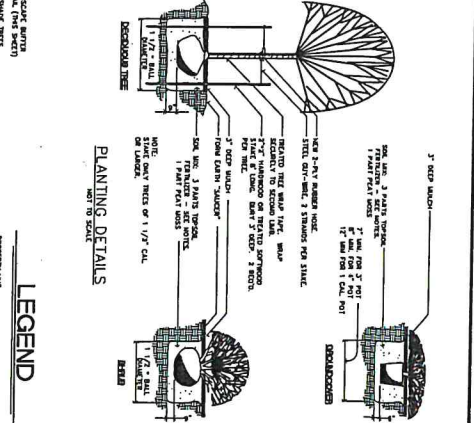
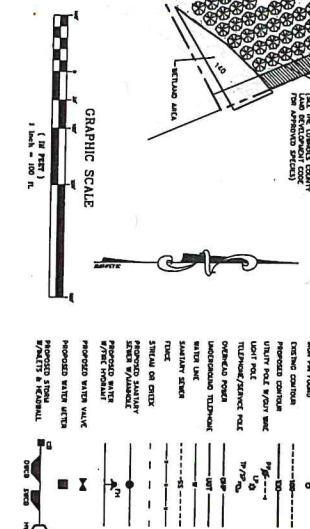
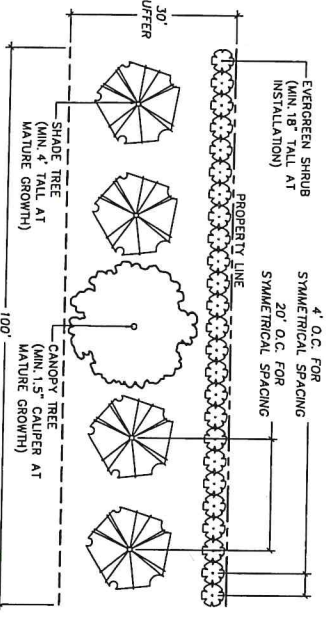
24 HR. CONTACT:
 NAME: _____
 ADDRESS: _____
 PHONE: STATE ZIP

OWNER / DESIGNER:
 TYPOR FARMS, LLC
 1000 W. BENTLEY BLVD., NW
 ATLANTA, GA 30331
 PHONE # 404-351-8175

LANDSCAPE/BUFFER REQUIREMENTS
 GENERAL LANDSCAPE STANDARDS
 REQUIRED: 150' BUFFER
 -TOTAL TREES 122
 -N.E. LOT LINE 30 TREES/196 SHRUBS
 -SOUTH LOT LINE 18 TREES/115 SHRUBS
 -S.E. LOT LINE 23 TREES/144 SHRUBS

NOTE:
 18 TREES MUST BE CANOPY TREES
 53 TREES MUST BE SHADE TREES
 445 SHRUBS

ALL PLANT MATERIALS SHOULD BE FROM THE APPROVED PLANT LIST LOCATED IN DEVELOPMENT CODE.



LEGEND

[Symbol]	PROPERTY LINE
[Symbol]	EXISTING DRIVEWAY
[Symbol]	EXISTING DRIVE
[Symbol]	PROPOSED DRIVEWAY
[Symbol]	PROPOSED DRIVE
[Symbol]	EXISTING DRIVEWAY
[Symbol]	EXISTING DRIVE
[Symbol]	PROPOSED DRIVEWAY
[Symbol]	PROPOSED DRIVE
[Symbol]	EXISTING DRIVEWAY
[Symbol]	EXISTING DRIVE
[Symbol]	PROPOSED DRIVEWAY
[Symbol]	PROPOSED DRIVE
[Symbol]	EXISTING DRIVEWAY
[Symbol]	EXISTING DRIVE
[Symbol]	PROPOSED DRIVEWAY
[Symbol]	PROPOSED DRIVE

DATE: 06/29/2018
 SCALE: 1" = 100'
 PROJECT # 180001
 SHEET 1-1

LANDSCAPE PLAN FOR
LOWNDES - TYCOR FARMS
SOLAMERICA ENERGY, LLC.
 LOWNDES COUNTY, GEORGIA

Widner & Associates, Inc.
 P.O. BOX 502 MARIETTA, GEORGIA 30067
 PHONE (478) 498-8700
 WWW.WIDNERANDASSOCIATES.COM

REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT
 STATE OF GEORGIA
 LICENSE NO. 10681

30 DAY WARRANTY



PROJECT ENTRANCE ROAD

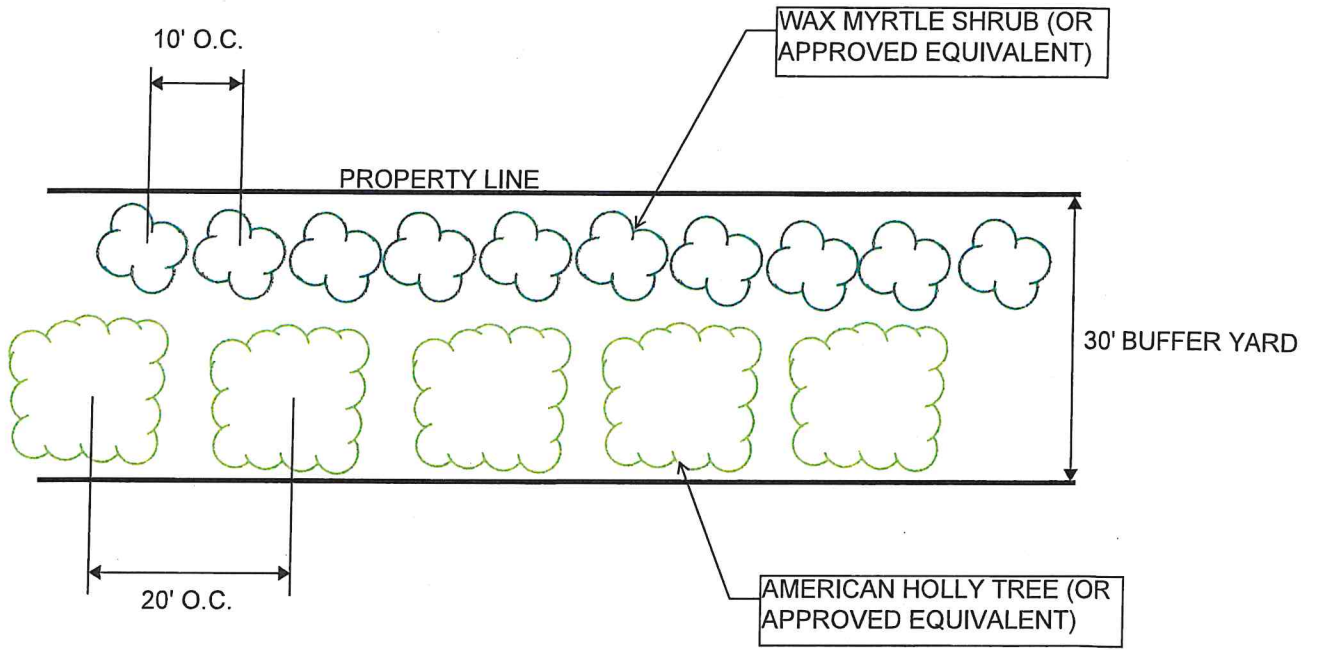
GA HWY 376

PROPOSED 30' BUFFER YARD WITH WAX MYRTLE SHRUBS (EVERY 10' ON CENTER) AND AMERICAN HOLLY TREES (EVERY 20' ON CENTER)

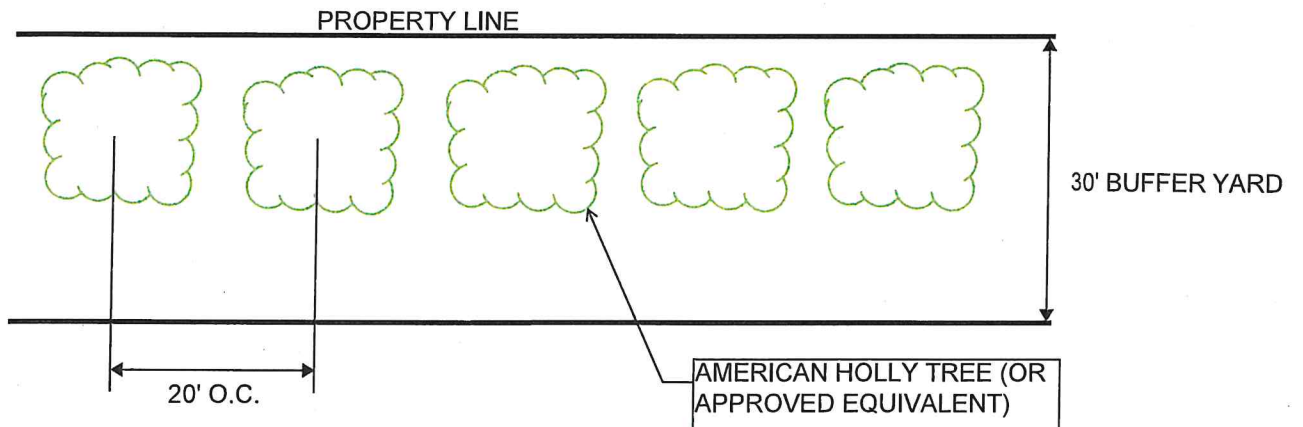
PROPOSED 30' BUFFER YARD WITH AMERICAN HOLLY TREES (EVERY 20' ON CENTER)

AERIAL PHOTOGRAPHY OF CURRENT PROJECT SITE WITH PROPOSED PRELIMINARY LANDSCAPE PLAN

DATE OF PHOTOGRAPHY: JUNE 24, 2019



PROPOSED LANDSCAPE PLAN ALONG
NORTH AND NORTHEAST PROJECT LIMITS



PROPOSED LANDSCAPE PLAN ALONG
EAST PROJECT LIMITS

Debra Tulloch

From: rpeters@solamericaenergy.com
Sent: Friday, July 19, 2019 9:21 AM
To: Debra Tulloch
Cc: Sharon Griffith
Subject: VAR 2019-09 - Clarifications
Attachments: SAE-Tycor Farms Proposed Landscape Variance.pdf

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Debra,

As discussed on the phone this morning, below is the following requested information:

1. SolAmerica confirms that the County is changing the site address to 6530 GA Highway 376 and we give the County permission to change the address on the Variance application (VAR 2019-09) to reflect this update.
2. Buffer Calculation (per Landscape Ordinance Requirements):
 - a. Buffer Yard is 30' wide and required along the northeast, south, and southeast boundary line
 - b. Northeast Boundary
 - i. Trees = $(745\text{LF}/100) \times 4 = 30$ trees
 - ii. Shrubs = $(745\text{LF}/100) \times 25 = 186$ shrubs
 - c. South Boundary
 - i. Trees = $(460\text{LF}/100) \times 4 = 18$ trees
 - ii. Shrubs = $(460\text{LF}/100) \times 25 = 114$ shrubs
 - d. Southeast Boundary
 - i. Trees = $(575\text{LF}/100) \times 4 = 23$ trees
 - ii. Shrubs = $(575\text{LF}/100) \times 25 = 144$ shrubs
 - e. Ground Cover = $31.7\text{acres} \times 10\% \times 43560 = 138,085\text{sf} = \sim 140,000$ sf
 - f. Total Trees required: 71 trees
 - g. Total Shrubs required: 444 shrubs
3. Proposed Buffer Installation (as shown on the attached PDF)
 - a. Buffer Yard 30' wide along the north, northeast, south, and southeast boundary line
 - b. North Boundary (along Hwy 376) – shrubs every 10' on center with a tree staggered from the shrub every 20' on center
 - i. Trees = $(650\text{LF}/20) = 33$ trees
 - ii. Shrubs = $650\text{LF}/10 = 65$ shrubs
 - c. Northeast Boundary - shrubs every 10' on center with a tree staggered from the shrub every 20' on center
 - i. Trees = $370\text{LF}/20 = 19$ trees
 - ii. Shrubs = $370\text{LF}/10 = 37$ shrubs
 - d. East boundary – trees every 20' on center
 - i. Trees = $370\text{LF}/20 = 19$ trees
 - e. South boundary – trees every 20' on center
 - i. Trees = $460\text{LF}/20 = 23$ trees
 - f. Southeast Boundary – trees every 20' on center
 - i. Trees = $470\text{LF}/20 = 24$ trees
 - g. Total Trees proposed = 118

- h. Total shrubs required = 102
- i. No ground cover required since the entire 31.7 acres will be seeded with permanent Bermuda grass.

Please let me know if you need any additional information for the Variance request.

Thank you,

Ryan Peters, P.E.
Environmental Engineer
SolAmerica Energy

O: [404.351.8175](tel:404.351.8175) ext.18 | M: [706.540.4980](tel:706.540.4980)

www.solamericaenergy.com



ULDC APPLICATION

Required Approvals	Contact Number	Contact Made & Date
Lowndes County Zoning Office	(229) 671-2430	
Lowndes County Board of Health	(229) 245-2314	
Lowndes County Utilities Department	(229) 671-2500	
Lowndes County Engineering Department	(229) 671-2424	
Valdosta/Lowndes County Inspections Department	(229) 259-3561	
Lowndes County Planning Division	(229) 671-2430	
Lowndes County Fire/Rescue	(229) 671-2730	
Valdosta-Lowndes Zoning Board of Appeals	(229) 671-2430	
Moody Air Force Base	(229) 257-1110	
Valdosta - Lowndes Airport Authority (VLD)	(229) 333-1833	
Greater Lowndes Planning Commission	(229) 671-2430	
Lowndes County Board of Commissioners	(229) 671-2400	

Type of Application*	Fees*	Case Number
*For Application Types and Associated Fees Please See the ULDC Processing Sheet on Page 4		

section Variance to: 4.07.04 general landscape standards; 4.07.06 (c) buffer area; *Table*
 Table 5.02.03(B) location of chain link fence in a front yard; 5.02.03(C)(3) *height of a fence in the front yard* maximum height of a fence in the front yard
REASON FOR REQUEST: Request for a Variance on the allowed fence height and landscape requirements within the R-1 zoning district. Additional Narrative Attached

PROJECT INFORMATION

Project Name: Tycor Farms Property Address: 6530 Ga 6734 Highway 376, Lake Park, GA 31636

Map and Parcel Number: 0222-002 Property Size: 228.34 Acres

Current Deed and/or Legal Description Attached Current Survey Attached

Current Building Square Footage: N/A Proposed Building Square Footage: N/A

Current Impervious Surface %: 0.0% Proposed Impervious Surface %: 0.5%

Current Number of Lots: 1 Proposed Number of Lots: 1

Current Zoning District: R-1 Proposed Zoning District: R-1

Is this property within a special or overlay district? No Yes

If this application is within a special or overlay district please specify which one: N/A

Flood Zone: Zone X Base Flood Elevation: N/A
(This information shall be based on the Flood Insurance Rate Maps)

Is this property within a water resource protection district? No Yes

If this application is within a water resource protection district please specify which one: N/A

Please circle one of the following: County Water Community Well Individual Well (N/A)

Please circle one of the following: County Sewer Septic system Other (N/A)

Property Depiction on Lowndes County Future Development Map: Suburban Area

Additional Narrative Attached

Is this application a re-submittal? No Yes

If this application is a re-submittal, please provide file number, date of application, and action taken on all previous applications: _____

PROFESSIONAL TO CONTACT e.g. ENGINEER, SURVEYOR, ARCHITECT, OR LAWYER

Name: Ryan Peters Address: 1819 Peachtree Road, Suite 100

City: Atlanta ST: GA Zip: 30309

Phone #: 404-351-8175 Cell Phone #: 706-540-4980 Fax #: N/A

Email Address: rpeters@solamericaenergy.com

OWNERSHIP INFORMATION

Property Owner: Tycor Farms, LLC Address: PO Box 750

City: Lake Park ST: GA Zip: 31636

Phone #: 229-834-1395 Cell Phone #: _____ Fax #: _____

Email Address: _____

OWNER'S SIGNATURE (Testifying ownership of aforementioned property):

Signature of the property owner

[Handwritten Signature]

Signature of the property owner

NOTARIZATION FOR OWNER'S SIGNATURE

[Handwritten Signature]

NOTARY PUBLIC



If the applicant or agent is a representative of the property owner, a notarized statement authorizing the representative to act as an agent of the property owner with regard to the application and associated procedure, shall be completed with this application.

Agent's Name: SolAmerica Energy, LLC Agent's Street Address: 1819 Peachtree Road

City: Atlanta ST: GA Zip: 30309

Phone #: 404-351-8175 Cell Phone #: 706-540-4980 Fax # _____

Email Address: rpeters@solamericaenergy.com

AGENT AUTHORIZATION

SolAmerica Energy, LLC, agent (name), is hereby authorized as my legal representative and designated agent to speak in my behalf for the subject matter.

Signature of the property owner

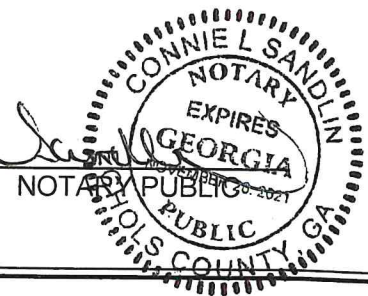
[Handwritten Signature]

Signature of the property owner

NOTARIZATION FOR AGENT'S AUTHORIZATION

[Handwritten Signature]

NOTARY PUBLIC



Thank you for the time and effort involved in the completion of this application. Your diligence will help to ensure that your application is reviewed as efficiently and effectively as possible.



Ryan Peters, P.E.
Environmental Engineer
SolAmerica Energy
1819 Peachtree Road, Suite 100
Atlanta, Georgia 30309

July 10, 2019

Joseph Pritchard
County Manager
Lowndes County Board of Commissioners
327 N Ashley Street
Valdosta, GA 31601

RE: Amendment to Variance Request VAR-2019-09

Mr. Pritchard:

SolAmerica Energy, LLC is requesting the four Variances listed below for our proposed solar energy generation facility ("solar farm") project near the city of Lake Park. The solar farm is an approximately 31.7-acre development area on GA Highway 376, one mile east of Lake Park, on the parent parcel 0222 002, which is 228.3 acres and zoned R-1. The solar farm was reviewed by the County's Technical Review Committee in January 2019 and received approval as a permitted use in the R-1 district.

We are requesting four variances for ancillary items associated with our solar farm development, as listed below:

1. Variance to Section 4.07.04 as it pertains to General Landscape Standards;
2. Variance to Table 4.07.06(C) as it pertains to Buffer Area Standards;
3. Variance to Table 5.02.03(B) as it pertains to the location of a chain link fence in a front yard;
4. Variance to Section 5.02.03(G)(3) as it pertains to the maximum height of a fence in a front yard.

Our letter dated, July 5, 2019, contains the requested information for clarification on our proposed variances and site plan.

Should you have any questions, please contact me at 404-351-8175 x18.

Sincerely,

A handwritten signature in black ink that reads "Ryan Peters". The signature is written in a cursive, slightly slanted style.

Ryan Peters, P.E.
Environmental Engineer
SolAmerica Energy, LLC



Ryan Peters
Environmental Engineer
SolAmerica Energy
1819 Peachtree Road, Suite 100
Atlanta, Georgia 30309

July 5, 2019

Joseph Pritchard
County Manager
Lowndes County Board of Commissioners
327 N Ashley Street
Valdosta, GA 31601

Mr. Pritchard:

SolAmerica Energy, LLC is requesting two Variances for our proposed solar energy generation facility ("solar farm") project near the city of Lake Park. The solar farm is an approximately 31.7-acre development area on GA Highway 376, one mile east of Lake Park, on the parent parcel 0222 002, which is 228.3 acres and zoned R-1. The solar farm was reviewed by the County's Technical Review Committee in January 2019 and received approval as a permitted use in the R-1 district.

We are requesting two variances for ancillary items associated with our solar farm development, as listed below:

1. Fence Type and Maximum Height in the Front Yard – we are requesting to install a 7-foot tall, chain link fence along the perimeter of the solar farm project area in order to meet National Electric Code standards.
2. Reduction in the Landscape Plan Requirements – the solar farm is being installed on an existing farm field with existing vegetation and perimeter visual screening; with the proposed addition of a visual screening buffer, we believe our proposed plan meets the intent of the County's Landscape Ordinance.

Fence Type and Maximum Fence Height in the Front Yard

The Lowndes County Unified Land Development Code ("ULDC") states in Table 5.02.03(B) that in the R-1 zoning district, chain link fence is only permitted in the side and rear yards, with a decorative or opaque fence required in the front yard. We are proposing to install a mixture of shrubs and evergreen trees between GA Highway 376 and the front yard fence, in an effort to screen the security fence and solar farm from GA Highway 376. The proposed plantings are shown on the attached figures. We

request that a chain link fence type be acceptable along the front yard, due to the proposed screening efforts.

The ULDC also states in Section 5.02.03.G.2 that “the maximum height of a fence in a front yard is six (6) feet.” We are proposing a 7-foot tall fence to meet the National Electric Code (“NEC”) standard (section 110.31 of the NEC), which requires all electrical equipment to be enclosed by a wall, screen, or fence and the fence “shall not be less than 2.1m (7ft) in height or a combination of 1.8m (6ft) or more of fence fabric and a 300mm (1ft) or more extension utilizing three or more strands of barbed wire or equivalent.” Thus, to meet the NEC standard, we must install a minimum 7-foot tall fence, since barbed wire fence is prohibited in the R-1 zoning district.

Reduction in Landscape Plan Requirements

Per the ULDC General Landscape Standards (Section 4.07.04), our development area of approximately 31.7 acres, would require 140,000 square feet of ground cover plants, 18 canopy trees, 53 shade trees, and 445 shrubs. Given the nature of our development, we believe this requirement is excessive, thus we are requesting a variance from the Landscape Standard requirements. We believe our project meets the intent of the County’s Landscape Plan in every aspect, except buffering the view of the development from adjacent properties, which we propose to do with a modified Landscape Plan, attached. Below is how our project meets each intent of the County’s landscape requirements:

As stated in Section 4.07.01.B, “it is the intent of the County to reduce the adverse visual effects of development in order to:

1. Minimize the rate of stormwater runoff.
 - The site is very flat with a general slope of 0.7% from north to south. The only impervious areas added to our site are the gravel access road and the 64 s.f. concrete pad for the transformer. We are controlling the runoff from our site by installing perimeter silt fence and stone check dams in the concentrated flow areas. Thus, stormwater will be discharged from our site at a controlled rate equivalent to the pre-development conditions.
2. Maximize the capability of groundwater recharge.
 - The site is very flat with a general slope of 0.7% and we are proposing no grading activities so there will be no change in the pre-development and post-development capabilities for groundwater recharge.
3. Provide shade for ground surfaces.
 - The pre-development land use is farmland, with pine trees lining the perimeter of the property. The post-development site will have solar panels mounted 6’ above grade and will provide shading for the ground underneath, which will be covered in permanent Bermuda grass. Along the perimeter of the site we are proposing a mixture of wax myrtle shrubs and American holly trees (or approved equivalents), which will provide shading for the perimeter of the site.
4. Buffering adjacent incompatible land uses.
 - Buffering of the project site from adjacent properties is a priority in order to be good neighbors. Along the north and northeast side of the property (GA Hwy 376 and next to the adjacent residential dwelling, we are proposing wax myrtle shrubs (or approved

equivalent) be planted within the 30' buffer yard, as close to the property line as possible, at a frequency of 10' on center and American holly trees (or approved equivalent) planted along the 30' buffer yard inner edge at a frequency of 30' on center. At full growth, this will provide a long term full visual buffer that will prevent the site from being visible to adjacent property owners and people driving along GA Highway 376.

- Along the east side of the project there is an existing tree buffer, and we are proposing planting additional American holly trees at a frequency of 20' on center in order to provide additional screening. The holly's will be planted within the 30' buffer yard. Attached is an aerial photo of the existing site conditions (as of June 24, 2019) with our proposed landscape plan outlined, as well as, preliminary details.
5. Filter and reduce the glare of headlights and reflected sunlight from parked automobiles onto the public street rights-of-way and adjacent properties.
 - No parking lots will exist at our project site. The security fence along GA Highway 376 will be screened with shrubs and trees as discussed in item 4, so there will be very minimal reflection/glare from the fence our project area.
 6. Improve the appearance of parking areas and vehicular surface areas.
 - No parking lots will exist at our project site.
 7. Minimize the visual blight created by large expanses of paved surface area.
 - No areas will be paved at our project site.

To summarize, our project will negligibly increase the impervious area of the pre-development conditions and no grading activities will occur to change the pre-development slope of the site. We will grass the entire 32 acres with Bermuda grass and plant buffer shrubs and trees along the north and east perimeter. We believe this effort is sufficient in meeting the intent of the County's Landscape Ordinance.

Requirements for Variances

Per Section 9.02.03 of the ULDC, "a variance may be granted upon a finding by the ZBA that one" of the listed conditions is met. Below is a list of these conditions with an explanation of how our two variance requests meet each one.

- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;
 - Fence Variance – Due to NEC requirements, we must have a 7' tall security fence even along the front yard.
 - Landscape Variance – Due to the project size of 32 acres, this requires a large amount of ground cover/shrubs/trees per the Landscape Ordinance, but our proposed development provides adequate measures to meet this requirement.
- B. Such conditions are peculiar to the particular piece of property involved;
 - Fence Variance – Due to NEC requirements, we must have a 7' tall security fence even along the front yard. In addition, the security fence will be screened by a vegetative buffer consisting of shrubs and evergreen trees.
 - Landscape Variance – The property is zoned R-1 but has historically been farmed. There are two adjacent residential dwellings, both zoned E-A. The solar farm will not noticeably increase the impervious area so there will be no groundwater or stormwater impacts. Buffer shrubs and trees will be installed to help visually screen the project from adjacent properties.

- C. The application of this ULDC to this particular piece of property would create an unnecessary hardship;
- Fence Variance – Due to NEC requirements, we must have a 7' tall security fence even along the front yard.
 - Landscape Variance – Meeting the requirements of the County's Landscape Plan, as written, would require an excessive number of additional trees to be planted that would require significant increases to the project's development cost, while providing no visual or environmental benefit to the County or neighboring properties.
- D. Relief, if granted, will not cause substantial detriment to the public good or impair the purposes and intent of this ULDC;
- Fence Variance – Long term, the security fence will not be visible to those driving down GA Highway 376 or on adjacent properties due to the visual buffers that will be planted.
 - Landscape Variance – The solar farm will not noticeably increase the impervious area so there will be no groundwater or stormwater impacts. Buffer shrubs and trees will be installed to help visually screen the project from adjacent properties to meet the County's intent of the Landscape Plan.
- E. A literal interpretation of the provisions of this ULDC would deprive the applicant of rights commonly enjoyed by other properties of the zoning district in which the property is located;
- Fence Variance – N/A
 - Landscape Variance – N/A
- F. Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the zoning district in which the applicant's property is located;
- Fence Variance – Allowing a 7' tall security fence in order to meet NEC requirements would not be considered special privileges since it is ensuring the safety of others and of our solar farm.
 - Landscape Variance – The solar farm meets the intent of the County's Landscape Plan and will improve the current conditions of the site.
- G. The requested variance will be in harmony with the purpose and intent of this ULDC and will not be incompatible with the neighborhood or to the general public welfare;
- Fence Variance – The security fence will meet the requirements of the NEC and will be screened by a vegetative buffer consisting of shrubs and evergreen trees, so adjacent properties are not affected by the project.
 - Landscape Variance – The property is zoned R-1 but has historically been farmed. There are two adjacent residential dwellings, both zoned E-A. The solar farm will not noticeably increase the impervious area so there will be no groundwater or stormwater impacts. Buffer shrubs and trees will be installed to help visually screen the project from adjacent properties.
- H. The special circumstances are not the result of the actions of the applicant;
- Fence Variance – No security fence has been installed at the site along the front yard.
 - Landscape Variance – No landscaping has been installed along the perimeter of the site.
- I. The variance requested is the minimum variance that will make possible the legal use of the land or structure;
- Fence Variance – The minimum requirement by the NEC is 7' tall, and that is the proposed height of the fence.
 - Landscape Variance – We propose to install visual buffers to meet the intent of the Landscape Plan to visually screen the development from adjacent properties.
- J. The variance is not a request to permit a use of land or structures which are not permitted by right in the zoning district involved.;


- Fence Variance – The proposed solar farm is an approved use in the R-1 zoning district and was reviewed and approved by the County’s TRC in January 2019.
 - Landscape Variance – The proposed solar farm is an approved use in the R-1 zoning district and was reviewed and approved by the County’s TRC in January 2019.
- K. The extension of said nonconforming use will not further injure a permitted use on the subject property or on adjacent property;
- Fence Variance – This will not provide injuries to any permitted uses on the subject property or the adjacent properties.
 - Landscape Variance – This will not provide injuries to any permitted uses on the subject property or the adjacent properties.
- L. The design, construction, and character of the nonconformance is not suitable for uses permitted in a district in which the nonconformance is situated;
- Fence Variance – N/A
 - Landscape Variance – N/A
- M. The nonconforming use is similar to the prior nonconforming use.
- Fence Variance – N/A
 - Landscape Variance – N/A

As described above, our requested variances apply to ten of the thirteen listed requirements for a variance, thus we believe our two variances should be granted. In support of the requested variances, attached are the required items, as well as, supporting figures for the justification of our variance requests:

1. Signed ULDC Variance Application (with Agent Authorization) – Submitted separately
2. Proof of Ownership (Property Deed)
3. List of Adjacent Property Owners
4. Project Location Map
5. Project Site Plan and Survey
6. Aerial Photography of Current Project Site with Proposed Preliminary Landscape Plan
7. Proposed Preliminary Landscape Plan Details

We appreciate the Lowndes County Zoning Office and ZBA’s time and consideration during the review our variance requests. Should you have any questions, please contact me at rpeters@solamericaenergy.com or at 404-351-8175 x18.

Sincerely,



Ryan Peters, P.E.
Environmental Engineer
SolAmerica Energy, LLC

LOWNDES COUNTY GA
FILED IN OFFICE
BK 5470 PG 180

BK 5470 PG 180

14 FEB -6 PM 2: 15

Beth C. Greene
CLERK OF SUPERIOR COURT

Return Recorded Document to
DOVER MILLER STONE KARRAS & LANGDALE, PC
701 N PALMERSON ST
VALDOSTA, GA 31601
1718690

001170
LOWNDES COUNTY, GEORGIA
REAL ESTATE TRANSFER TAX
PAID \$ 902.50
DATE February 6 2014
BETH C. GREENE
CLERK SUPERIOR COURT

WARRANTY DEED

STATE OF NORTH CAROLINA
COUNTY OF Macon

This Indenture made this 31st day of January, 2014 between FAYE LANIER LANSDSELL, as party of the first part, hereinunder called Grantor, and TYCOR FARMS, LLC, a Georgia limited liability company, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO

This deed and the warranties contained herein are made subject to the following:

1. Ad valorem taxes for the current year and subsequent years not yet due nor payable.
2. Applicable restrictions, rights-of-way and easements of record.
3. Applicable zoning laws.
4. Drainage Easement from Mike and Faye Lansdell to Lowndes County, Georgia, being 30' wide and 142' long, as recorded in Deed Book 398, page 160, in the Lowndes County, Georgia deed records.

^{938" area}
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered
in the presence of:

Sammi Landell
Witness

Faye Lanier Lansdell (Seal)
FAYE LANIER LANSDSELL

Julie A. Army
Notary Public
Macon County, NC
Commission Expires: 12/18/2018



EXHIBIT "A" BK5470PG182

TRACT 1: All that tract or parcel of land situate, lying and being in Land Lots 80 and 81 of the 16th Land District of Lowndes County, Georgia and being more particularly described as consisting of 237.66 acres, as shown on a map or plat of survey entitled: Survey for Mrs. Barbara Faye Lansdell, dated May 22, 1996, prepared by Harris Surveying & Engineering Co., Inc., filed and recorded in Plat Cabinet A, page 81, in the Office of the Clerk of the Superior Court of Lowndes County, Georgia, which map or plat of survey and the record whereof reference is referred to in aid of description.

LESS AND EXCEPT: All that tract or parcel of land situate, lying and being in Land Lot 80 and 81 in the 16th Land District of Lowndes County, Georgia, and more particularly described as beginning at a point on the south margin of the Lake Park-Statenville Road at a point where the original land lot line between Land Lots 80 and 81 intersects the south margin of said Lake Park-Statenville Road, running thence north 55 degrees 56' east a distance of 137.5 feet to an iron pin; thence south 23 degrees 19' east a distance of 438.32 feet to an iron pin; thence south 68 degrees 48' west a distance of 520.0 feet to an iron pin; thence north 35 degrees 59' west a distance of 357.0 feet to an iron pin and the south margin of the Lake Park-Statenville Road; thence north 57 degrees 04' east a distance of 241.3 feet to an iron pin; thence north 55 degrees 56' east a distance of 229.0 feet to an iron pin and the POINT OF BEGINNING. Said property consists of 5.02 acres.

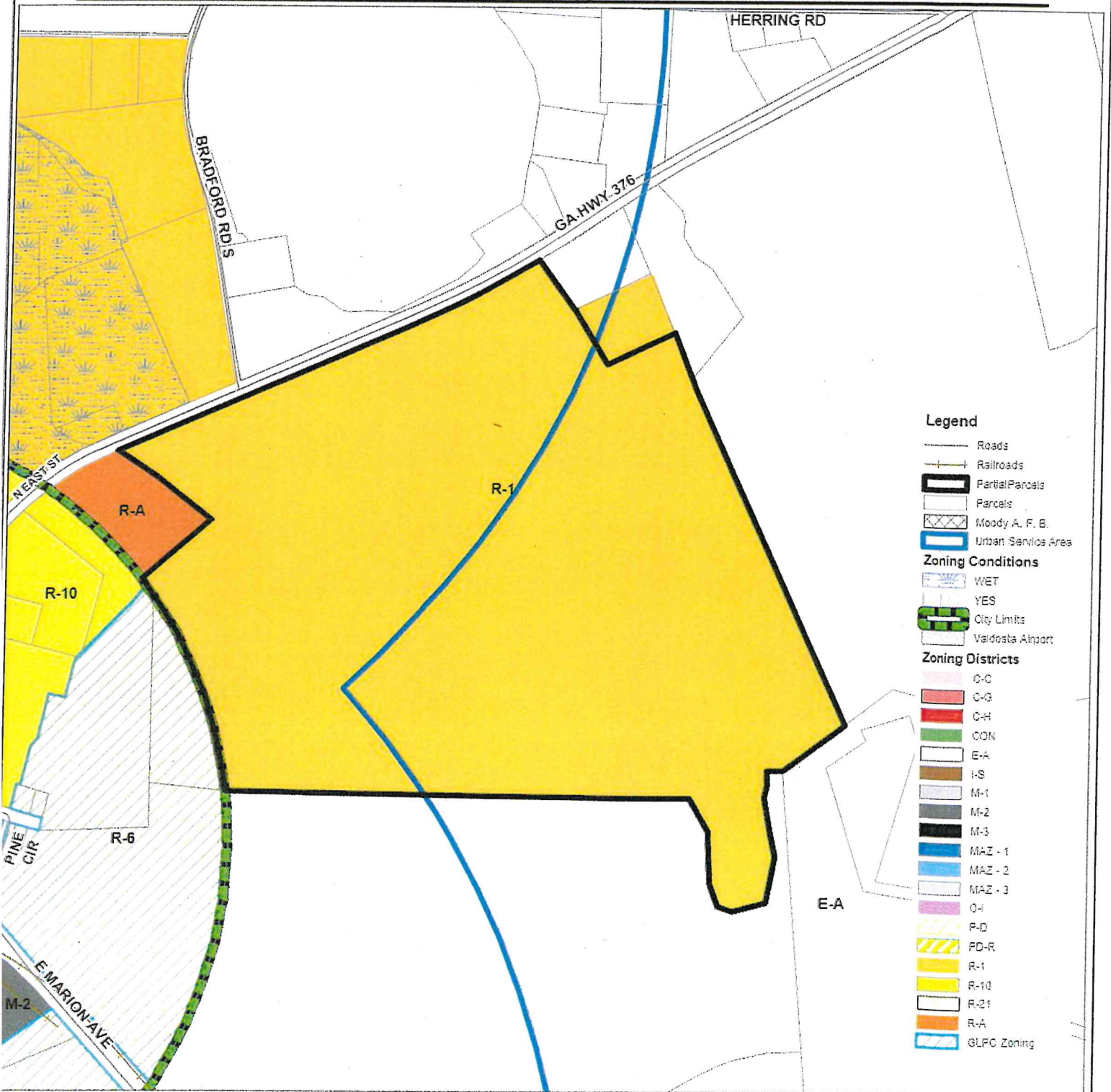
ALSO LESS AND EXCEPT: All that tract or parcel of land situate, lying and being in Land Lots 80 and 81 in the 16th Land District of Lowndes County, Georgia, consisting of 4.298 acres, more or less, as shown on that certain plat of survey prepared by Allen Nobles & Associates, Inc., dated February 15, 2006 as recorded in Plat Cabinet A, Page 3249, in the Lowndes County, Georgia, deed records; said recorded plat is by reference incorporated herein for all purposes in aid of description.

TRACT 2: All that tract or parcel of land lying and being in Land Lot 80 of the 16th Land District of Lowndes County, Georgia, described as follows: Begin at that point where the south Land Lot Line of Land Lot 80 intersects the east City Limits of Lake Park, Georgia, and thence run north 87 degrees 00' 00" west 453.88 feet; thence run north 03 degrees 30' 00" east 975 feet, more or less, to the City Limits of Lake Park; thence run south along the arc of a curve of the City Limits Line south 24 degrees 09' 24" east 975 feet, more or less, (chord distance) to the POINT OF BEGINNING; said tract is triangular in shape, contains 5.07 acres, more or less, and is located adjacent to the southwest corner of the property of Faye Lansdell described on that Plat recorded in Plat Cabinet "A", page 81, Lowndes County, Georgia deed records. Said tract is located on the southeast corner of Tract "A", depicted upon a Plat recorded in Plat Book 38, page 46, Lowndes County, Georgia deed records. Both Plats are incorporated for purposes in aid of description of this tract.

VAR-2019-09

Zoning Location Map

TYCOR FARMS
Variance Request

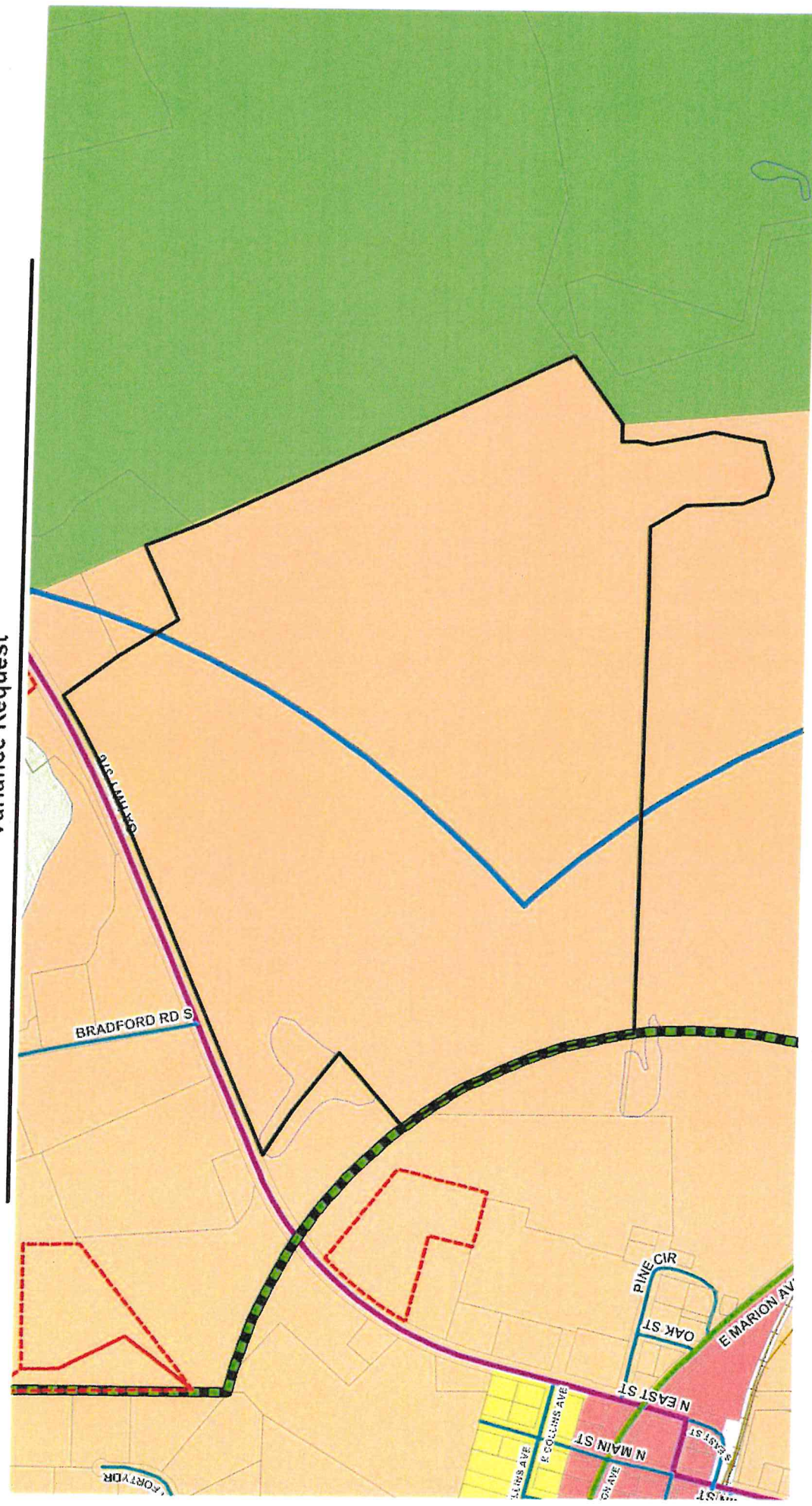


Legend

- Roads
- Railroads
- Partial Parcels
- Parcels
- Moody A. F. B.
- Urban Service Area
- Zoning Conditions**
- WET
- YES
- City Limits
- Valdosta Airport
- Zoning Districts**
- C-C
- C-G
- C-H
- CON
- E-A
- I-S
- M-1
- M-2
- M-3
- MAZ - 1
- MAZ - 2
- MAZ - 3
- O-I
- P-D
- PD-R
- R-1
- R-10
- R-21
- R-A
- GLPC Zoning



TYCOR FARMS Variance Request



Roads

Functional Classification

- 1. INTERSTATE
- 3. OTHER PRINCIPAL ARTERIAL
- 4. MINOR ARTERIAL
- 5. MAJOR COLLECTOR
- 6. MINOR COLLECTOR
- 7. LOCAL
- Railroads

Urban Service Area

- City Limits
- Parcels
- Open Water

Agriculture - Forestry

- Community Activity Center
- Common
- Established Residential
- Industrial Activity Center
- Industrial Area
- Institutional Activity Center
- Linear GreenSpace Trails
- Old Town
- Neighborhood Activity Center
- Public/Institutional
- Regional Activity Center
- Regional Neighborhood Village
- Rural Activity Center
- Rural Residential
- Suburban Area
- Transitional Neighborhood
- Transportation/Communication Utilities

Neighborhood Activity Center

- Public/Institutional
- Regional Activity Center
- Regional Neighborhood Village
- Rural Activity Center
- Rural Residential
- Suburban Area
- Transitional Neighborhood
- Transportation/Communication Utilities

VALOR
VISIT VALOR on the web at: WWW.VALORGIS.COM