



# VALDOSTA-LOWNDES COUNTY ZONING BOARD OF APPEALS

*Staff Report* - MEETING DATE: December 3, 2019

## VAR-2019-17

### Reno's Add On

The applicant is requesting a Variance to Section 9.01.03 of the ULDC (Lowndes County Unified Land Development Code) as it pertains to Nonconforming Structures. The subject property consists of 1.59 acres and is located at 2124 U.S. Highway 41 South (NE corner of U.S. Highway 41 South and Davis Road East), Valdosta, Georgia, in a C-H (Highway Commercial) zoning district.

#### 9.00.01 Nonconforming Structures

A lawfully established structure that becomes nonconforming at the time of adoption of this ULDC may continue subject to the following requirements:

A. Any existing use of a nonconforming structure may be changed to another use upon the finding by the ZBA that the proposed use:

1. Is similar in its operation and effect on surrounding properties;
2. Will not generate more automobile or truck traffic, create more noise, vibration, smoke, dust or fumes, is not a more intensive use of structures than the existing use, and is not in any way a greater nuisance to the adjoining properties than the existing; and
3. Will not have a negative impact on the public health, safety, and welfare.

B. The nonconforming structure shall not be enlarged.

C. The structure or portion thereof may be altered to decrease its degree of nonconformity.

D. If a nonconforming structure is moved for any reason for any distance, it shall be brought into conformance with the site design standards of the zoning district to which it is moved.

E. When any use of a nonconforming structure is discontinued for a continuous period in excess of twelve (12) months, any future use of the structure is permissible only when the structure has been brought into compliance with the provisions of this ULDC.

Bryan Reno, owner/operator of Reno's Quality Collision and Repair, LLC, proposes a 60' x 30' addition on the western side of the existing building. Mr. Reno explained the additional work space would allow him to bring in updated vehicle repair equipment. He explained that his current hardship is that he does not have the updated equipment necessary to repair newer model vehicles and has to either give the job to other companies or split repair cost for their equipment use. Mr. Reno said that the addition will be similar in material with what is currently existing today. The current building does not meet the ULDC setbacks off Davis Road East, (East Lot Line), which deems the same as a nonconforming structure. **As such, Mr. Reno is requesting a Variance to enlarge and/or expand a Nonconforming Use.**

TRC staff heard and considered this request during their scheduled meetings and unanimously gave support to Mr. Reno's request as presented.

A variance may be granted upon a finding by the ZBA that one (1) of the following conditions has 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;