



GLPC AGENDA ITEM # 4
JANUARY 30, 2023

Variance request by BoValdosta LLC
File #: HA-2023-02

BoValdosta LLC is requesting three (3) Variances to certain provisions of Section 4-5 of Hahira Zoning Ordinance, as they pertain to the Hahira Gateway Corridor Overlay District. The subject property consists of 2.64 acres located at 940 GA Highway 122 West. This is along the north side of the road about 400 feet east of the Union Road intersection. This is next door to the existing Robinson Family Dental clinic and diagonally across the street from the new Wendy's restaurant. The subject property is currently vacant, but has been partially cleared recently. The applicant is proposing to develop it as a combination gasoline station, and a convenience store with internal Bojangles restaurant (total building area about 6,700-sf). These requested Variances (with Staff discussion of each) are as follows:

(A) The Overlay District requires a minimum front yard building setback distance of 15 feet from the right-of-way line, but with a maximum setback of 75 feet. The applicant is instead proposing a front yard setback distance of 165 feet to the front wall of the restaurant & convenience store. If the proposed fuel station "canopy" were attached to the building, this minimum setback distance (of the overall building) would be at 55' instead, and no variance would be required. ** This variance should be approved, subject to having the fuel station canopy as shown on the submitted site plan.

(B) The Overlay District requires no more than 50% of the front yard area can be parking & driveways. The applicant is proposing approximately 64%. The applicant's front yard frontage along GA 122 is nearly twice as wide as what would otherwise be needed for the interior developed portion of the site, and it causing an unusual high % calculation of paving in the front yard area. This is being necessitated by GDOT's requirement upon the applicant -- through no fault of the applicant -- to have their sole access driveway line-up with the existing driveway across the street. ** This variance should be approved, subject to the conceptual layout design and driveway configuration being imposed by GDOT.

(C) The Overlay District requires a 5' wide sidewalk along GA Highway 122 West. The applicant is instead proposing to stub-out their internal walkway system to the right-of-way line so that it may connect to the future "GDOT" sidewalk system that is planned for this roadway. ** Due to the impending streetscape improvements by both the City and GDOT for this portion of the roadway (which includes a sidewalk system within the RoW), other similar variances have already been granted from this requirement of the District. This property should receive the same variance approval.

Staff Recommendation:

Find consistent with Variance review criteria, and recommend approval to the City Council for each of these requested variances as stipulated above, and subject to the submitted site plan.

Variance Review Criteria

The following criteria shall be applied in evaluating and deciding any application for a Variance. The Planning Commission may recommend to Hahira City Council in specific cases such Variance from the dimensional standards and development requirements of the Hahira Zoning Ordinance, as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of provisions of the Ordinance will, in an individual case, result in unnecessary hardship, so that the spirit of the Ordinance shall be observed, public safety and welfare secured, and substantial justice done. Variances may be granted by the Hahira City Council in an individual case upon overall finding by the Planning Commission that the following hardships exist:

Recommended findings by staff:

<i>(1) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.</i>	
Staff:	Yes. Portions of the proposed site plan are being dictated by GDOT and are beyond the applicant's control.
<i>(2) The application of all dimensional standards and development requirements to this particular piece of property would render the particular property unusable.</i>	
Staff:	No, but would render a completely different site layout that might be less aesthetically pleasing.
<i>(3) Such conditions are peculiar to the particular piece of property involved, or, in the alternative, that such conditions are due to the location of existing utilities, etc...</i>	
Staff:	Yes.
<i>(4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this ordinance; requests for rezoning, the authority for such rezoning of property being solely reserved for the Hahira City Council.</i>	
Staff:	No. The requested relief would not cause detriment to the public good, nor impair the purposes and intent of the Hahira Zoning Ordinance.

Development Review Comments

Building Plan Review: No comments

Hahira Fire: < No comments received >.

Hahira Utilities: < No comments received >

Hahira Engineering: < No comments received >

Attachments:

- Zoning Location Map
- Aerial Location Map
- Gateway Corridor Overlay Map
- Letter of Intent
- Boundary Survey
- Conceptual Site Plan

HA-2023-01 & HA-2023-02

Zoning Location Map

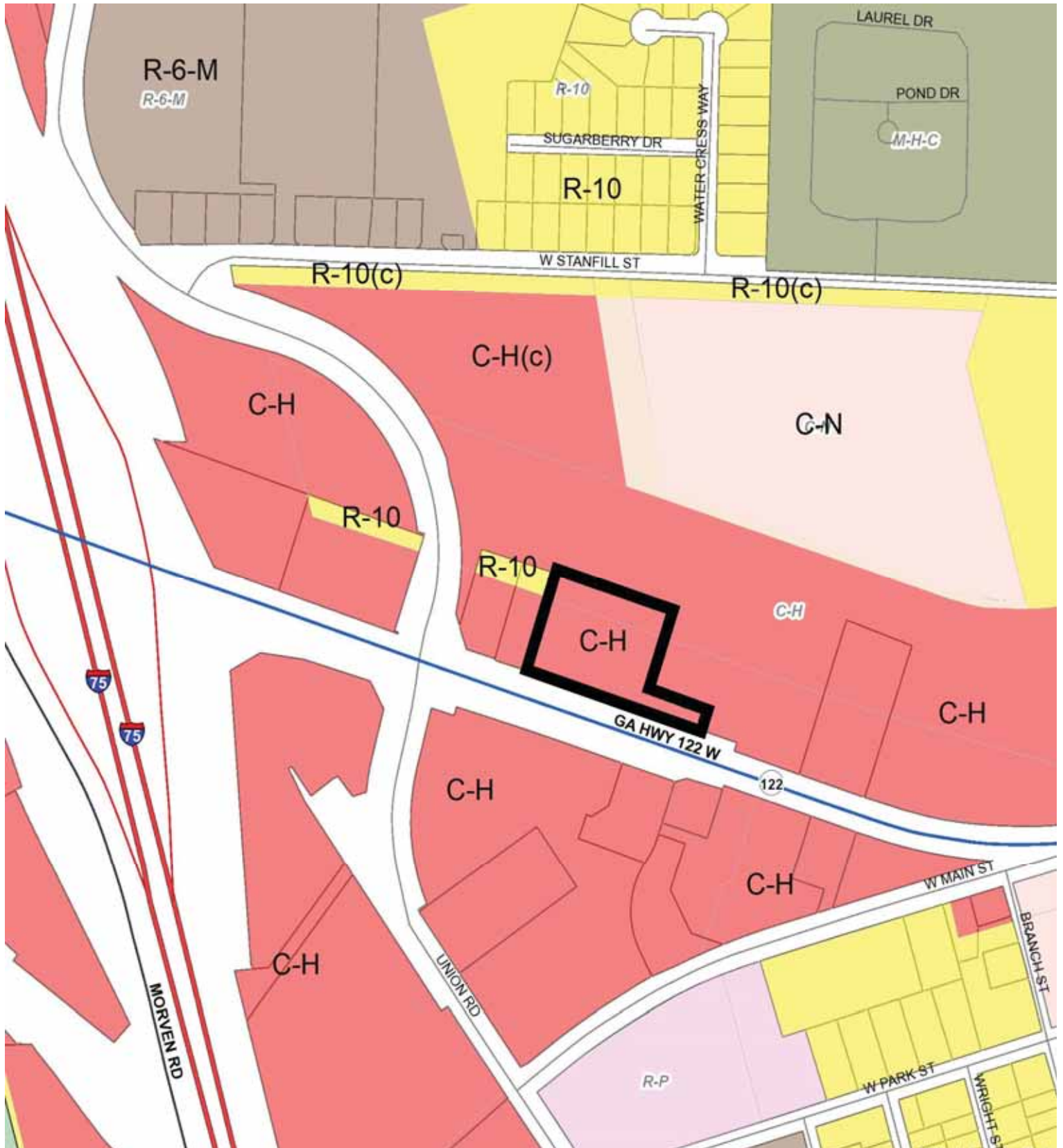


BoValdosta LLC
Special Exception & Variance Requests

940 GA Highway 122 West Current Zoning: C-H
Tax Parcel #: 0026 – 033

** Map NOT to scale

Map Data Source: VALOR GIS January 2023



HA-2023-01 & HA-2023-02

Aerial Location Map



BoValdosta LLC
Special Exception & Variance Requests

940 GA Highway 122 West Aerial Imagery: ~2021
Tax Parcel #: 0026 – 033

** Map NOT to scale

Map Data Source: VALOR GIS January 2023



James H. Moore, III
Luann Clarke *
Willis A. DuVall, Jr.
W. Ralph Rodgers, Jr.
David A. Garland ^{†(TN)}
C. Jason Willcox
Kevin C. Gauke **
D. Bradley Folsom
Wallace D. Bonner, Jr.
Matthew E. Eutzler ^{†(FL)}
R. Lee Brown, Jr.
M. Drew DeMott ^{†(SC)}
Michael Eric Hooper
James H. Edge
Stephan A. Ray ^{†(AL)}
Wheeler H. Bryont ^{†(FL, SC)}
Elizabeth W. Brice
Jessica Cramis
Christopher C. Hazelip, Jr.
Jamie L. Bratcher
Lindsay Hudgins

+ Additional Licenses
* Certified Mediator/Arbitrator
** Certified Mediator

**MOORE CLARKE
DUVALL & RODGERS**
ATTORNEYS AT LAW

2611 North Patterson Street (31602)
Post Office Box 4540
Valdosta, Georgia 31604-4540
Tel (229) 245-7823
Fax (229) 245-7825
bfolsom@mcdcr-law.com

Reply to:
Valdosta Office

December 16, 2022

VIA ELECTRONIC MAIL ONLY

mlmartin@valdostacity.com
Matt Martin

**Re: Hahira Development
MCDR File No. 16314.003**

Dear Matt:

Please let this letter serve as a Letter of Intent related to certain Variance and/or Special Exceptions Applications related to property in the City of Hahira owned by BoValdosta, L.L.C.

BoValdosta has purchased the property with the intent of developing a Bojangles franchise location as well as a convenience store and gas station facility on the property.

As you may know, BoValdosta and its owner Mr. Hetal Patel, are the owners of several Bojangles franchises around South Georgia and North Florida. All of these franchise locations are Class A quality and are maintained to the highest standards by Mr. Patel. In addition, Mr. Patel is involved in our community and supports various community projects throughout the year.

It is his intent to bring in a similar quality tenant in the convenience store and gas station location and to become an active member of the community in Hahira.

Should you have any questions or comments, please let us know. With best regards, I am

Sincerely,

MOORE, CLARKE, DuVALL & RODGERS, P.C.



D. Bradley Folsom

DBF:pjc

Albany Office
2829 Old Dawson Road (31707)
Post Office Drawer 71727
Albany, Georgia 31708-1727
(229) 888-3338

Atlanta Office
900 Circle 75 Parkway, Suite 1175
Atlanta, Georgia 30339
(770) 563-9339

Savannah Office
SunTrust Building
33 Bull Street, Suite 203 (31401)
Post Office Box 8427
Savannah, Georgia 31412
(912) 234-0995

Tifton Office
T. Mark Sandifer, Partner
3300 Fulwood Road (31794)
Post Office Box 7170
Tifton, Georgia 31793
(229) 382-0037

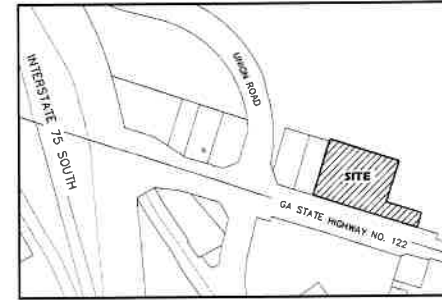
RESERVED FOR CLERK OF SUPERIOR COURT

CERTIFICATION:

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

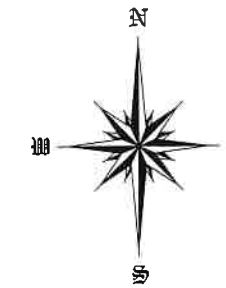
CITY OF HAHIRA PLANNING AND ZONING ADMINISTRATOR _____ DATE _____

ADAM J. GUESS _____ DATE _____
GEORGIA RLS #2940



LOCATION MAP

N.T.S.



LEGEND

- IPS ○ - IRON PIN SET - 5/8" REBAR WITH CAP #2940
- IPF ● - IRON PIN FOUND
- GPF ● - GALVANIZED PIPE FOUND
- CMF ■ - 5"x5" CONCRETE R/W MARKER
- R/W— - RIGHT OF WAY
- - - - - CENTERLINE
- X-X- - FENCE

EQUIPMENT USED: TOPCON POWER STATION 103 ROBOTIC "TOTAL STATION"
THE FIELD DATA MEASUREMENTS UPON WHICH THIS PLAT IS BASED WAS MADE USING AN ELECTRONIC TOTAL STATION. REDUNDANT MEASUREMENTS MADE TO THE CONTROL POINTS AND PROPERTY POINTS CORNER MARKERS BASED UPON THE REDUNDANT MEASUREMENTS THE POSITIONAL TOLERANCE OF THE PROPERTY CORNERS WITH RESPECT TO EACH OTHER WITHIN THE SURVEY IS NOT GREATER THAN 0.25' FOR SUBURBAN SUBDIVISIONS INTERIOR BLOCKS (BOARD RULE 180-7-.03)
METHOD OF ADJUSTMENT: NONE
PLAT CLOSURE: 1/129,219'
BEARINGS SHOWN WERE CALCULATED FROM GRID NORTH, GA WEST ZONE.

FLOOD CERTIFICATION

THIS PROPERTY IS LOCATED IN ZONE "X", ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS COMMUNITY-PANEL NUMBERS 13185C0082E
EFFECTIVE DATE 09-26-2008

PROPERTY INFORMATION

MUNICIPALITY: CITY OF HAHIRA, GA
A PORTION OF MAP 0026 - PARCEL 033
LAND DISTRICT 12 - LAND LOT 96
TOTAL ACREAGE: 2.636 ACRES
TOTAL NUMBER OF LOTS: 1 TRACT
CURRENT ZONING: C-H
PROPERTY IS PART OF THE GATEWAY CORRIDOR OVERLAY DISTRICT
SETBACKS:
FRONT: MIN 15' - MAX 75'
REAR: 12'
SIDE: 0'
UTILITIES: WATER AND SEWER SERVED BY CITY OF HAHIRA UTILITIES DEPARTMENT
SUBJECT PROPERTY DEED REFERENCE: DB 4771 PG 249
UPC DIG TICKET #220720-001185

WE, THE UNDERSIGNED OWNER(S) OF THE 2.635 ACRE TRACT DEPICTED HEREON HEREBY OFFER TO DEDICATE AND OR RESERVE FOR PUBLIC USE THE EASEMENTS AND OTHER GROUND SO SHOWN ON THIS PLAT.

OWNERS _____ DATE _____
OWNERS _____ DATE _____
OWNERS _____ DATE _____

APPROVED BY THE DEPT. OF PUBLIC HEALTH, LOWNDEN COUNTY, GEORGIA

SIGNED _____ DATE _____
HEALTH DEPARTMENT REPRESENTATIVE

APPROVED BY THE CITY ENGINEER, HAHIRA, GEORGIA

SIGNED _____ DATE _____
HAHIRA CITY ENGINEER

APPROVED BY THE GREATER LOWNDEN COUNTY PLANNING COMMISSION

SIGNED _____ DATE _____
PLANNING DIRECTOR

SURVEYOR'S NOTES:

1. G&L MAKES NO GUARANTEE THAT ALL EXISTING UTILITIES HAVE BEEN IDENTIFIED HEREON, OR THAT UNKNOWN UTILITIES AND/OR EASEMENTS DO NOT EXIST ON SUBJECT PROPERTY.
2. FURTHER, G&L ASSUMES NO LIABILITY RESULTING FROM FAILURE TO CONTACT THE UTILITIES PROTECTION CENTER PRIOR TO ANY ON-SITE DIGGING.
3. HORIZONTAL AND VERTICAL DATA SHOWN ON THIS PLAT WAS OBTAINED IN WHOLE OR PART UTILIZING GPS, INCLUDING CONTROL POINTS AND FOUND AND COMPUTED POINTS. EQUIPMENT USED: SPECTRA SP-85 GNSS RECEIVER WITH CARLSON SURVEYOR II DATA COLLECTOR RECEIVING RTK CORRECTIONS VIA CELL PHONE FROM THE EGPS SOLUTIONS REAL TIME NETWORK. THE TECHNIQUE USED WAS RTK CORRECTED MEASUREMENTS FROM THE TRIMBLE VRS REAL TIME NETWORK OPERATED BY EGPS SOLUTIONS, INC. THE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POINTS UTILIZED IN THIS SURVEY WERE (± 0.04 FT. HORIZONTAL AND 0.05 FT. VERTICAL AT THE 95% CONFIDENCE LEVEL).
4. THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67, AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 13-15-22.
5. A CURRENT TITLE SEARCH OR ABSTRACT OF MATTERS AND/OR ITEMS AFFECTING THE SUBJECT PROPERTY HAS NOT BEEN PROVIDED TO THE SURVEYOR ENCUMBRANCES AND/OR LEGAL DOCUMENTS/MATTERS INCLUDING BUT NOT LIMITED TO EASEMENTS, DEEDS, RESTRICTIVE COVENANTS, OR AGREEMENTS WITH OR BETWEEN OTHER PARTIES MAY EXIST BUT ARE NOT SHOWN HEREON.



Know what's below.
Call before you dig.

IF YOU DIG GEORGIA...
CALL US FIRST!
UTILITIES PROTECTION CENTER
IT'S THE LAW

www.gaupc.com

PLAT OF SUBDIVISION FOR:
WG INVESTMENT AND DEVELOPMENT CO LP
(REVISION 1)

LAND LOT 96 OF THE 12TH LAND DISTRICT CITY OF HAHIRA - LOWNDEN COUNTY

DATE OF SURVEY:	08-10-22
DATE OF PLAT:	12-06-22
DRAWN BY:	HMW
PROJECT NUMBER:	0547-06

SCALE 1 INCH = 40 FEET

3996 Inner Perimeter Road
P.O. Box 2860
Valdosta, GA 31604
Telephone: 229-247-1552
Fax: 229-247-1553
E-mail: jguess@g-l-sm.com
GA COA: LSF000960

G&L SURVEYING & MAPPING

GEORGIA REGISTERED LAND SURVEYOR
ADAM J. GUESS
No. 2940

THIS DRAWING IS THE PROPERTY OF THE SURVEYOR AND NOT TO BE REPRODUCED OR COPIED WITHOUT PERMISSION AND CREDIT.
- GA 202

N/F PROPERTY OF
WG INVESTMENT AND
DEVELOPMENT CO LP
MAP 0026 PARCEL 033
ZONED C-H

N/F PROPERTY OF
KIT HAROLD ROBINSON AND
LEANN VIRGINIA ROBINSON
MAP 0026 PARCEL 034
ZONED C-H

N/F PROPERTY OF
NORTHSIDE PROPERTY
HOLDINGS LLC
MAP 0026 PARCEL 033A
ZONED C-H

PROPERTY DATA SUMMARY

OWNER/APPLICANT:
BOVALDOSTA, LLC
C/O BRAD FOLSOM
3320 BELLEMEADE DRIVE
VALDOSTA, GA 31602
PH: (229) 245-7823

PROJECT INFO:
ADDRESS: 940 GA HWY 122 W
ZONING: C-H
PIN: PART OF MAP 0026 PARCEL 033
ACREAGE: 2.64 AC

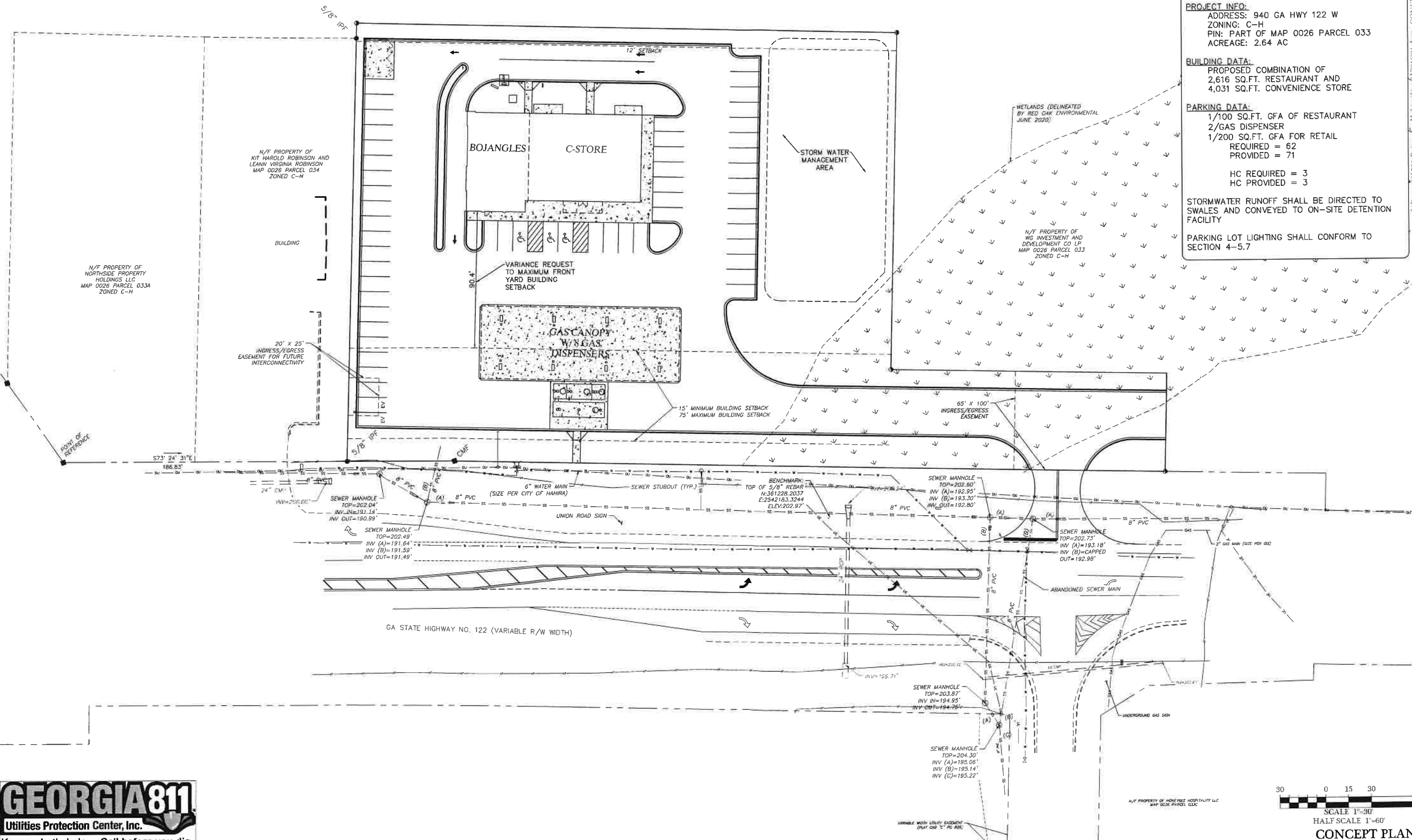
BUILDING DATA:
PROPOSED COMBINATION OF
2,616 SQ.FT. RESTAURANT AND
4,031 SQ.FT. CONVENIENCE STORE

PARKING DATA:
1/100 SQ.FT. GFA OF RESTAURANT
2/GAS DISPENSER
1/200 SQ.FT. GFA FOR RETAIL
REQUIRED = 62
PROVIDED = 71

HC REQUIRED = 3
HC PROVIDED = 3

STORMWATER RUNOFF SHALL BE DIRECTED TO
SWALES AND CONVEYED TO ON-SITE DETENTION
FACILITY

PARKING LOT LIGHTING SHALL CONFORM TO
SECTION 4-5.7



DATE	DESCRIPTION

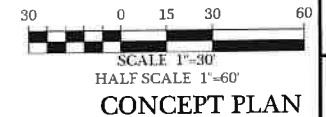
BOJANGLES HAHIRA
HAHIRA, LOWNDES COUNTY, GEORGIA
LAND LOT 96 LAND DISTRICT 12TH

INNOVATE!
Engineering & Surveying
PHONE: 229-249-9113 - www.innovatees.com
2214 N. Patterson Street, Valdosta, GA 31602

NOT FOR
CONSTRUCTION

DATE:
12/20/2022
DRAWN BY:
M. WILSON
CHECKED BY:
B. KENT

SHEET
1 of 1
PROJECT NUMBER
1791



I:\Projects\1791 Bojangles_Hahira\Civil\1791CD.dwg - CONCL:PT.PLAN - 12/20/2022 4:00 PM