

ZBOA Agenda Item # 5
September 1, 2015

Approval of Minutes

Attached is the draft Minutes from the August 4, 2015 meeting

Staff Recommendation: Review the draft Minutes, make changes as deemed appropriate, and adopt.

MINUTES

Valdosta-Lowndes Zoning Board of Appeals
Valdosta City Hall Annex Multi-Purpose Room
300 North Lee Street, Valdosta, Georgia

August 4, 2015
2:30 p.m.

MEMBERS PRESENT

Paul Alvarado
John Hogan III
Dr. Willie Houseal
John "Mac" McCall

Satrina Plyler
Gretchen Quarterman
Allan Strickland

MEMBERS ABSENT

Nancy Hobby

STAFF PRESENT

Ted Bilak
Carmella Braswell
Tracy Tolley

VISITORS PRESENT

Dan Frederick

Agenda Item # 1: CALL TO ORDER

The meeting was called to order by Chairman Strickland at 2:30 pm and it was determined that a quorum of members was present. Chairman Strickland thanked everyone for coming and reviewed the meeting procedures with those in attendance today.

LOWNDES COUNTY CASES

Agenda Item # 2: VAR-2015-11—Daniel Frederick on behalf of ACC Group III Housing, LLC, DBA Azalea Commons (Val Del Road, Valdosta)

Chairman Strickland announced the case.

Mrs. Braswell stated that Azalea Commons is requesting a variance to the Tree and Vegetation Protection regulations as they pertain to replacement trees. The subject property consists of 64.9 acres, is located off of Val Del Road, and is in a P-D (Planned Development) zoning district. The property was rezoned from R-1 to P-D in 2013 to develop the subject property at a greater density. The applicant intends to develop a residential community, along with amenities such as a community center, pool, playground, etc. Currently, the development is under construction, and will ultimately yield 172 dwelling units in two phases, with the housing, intended primarily for servicemen and families of Moody Air Force Base. Section 4.07.07 (E,9) of the ULDC provides that "Replacement trees shall be planted in a manner that will provide adequate space for nourishment, lights, and maturation. The combined DBH of replacement trees shall equal or exceed the combined DBH of trees authorized for removal." In this instance, the applicant was issued a LDP in preparation for the residential housing development. Upon their submitted tree removal survey, a total of 2192 inches was depicted for tree removal; the applicant is proposing a replacement value of 1149 total inches, and is requesting a variance of 1043 inches to the minimum DBH as required by the ULDC. The applicant has cited lack of land area for replacing the trees. According to the site plan, trees will be planted in both the front and rear yards of the residential areas and around the community center. The TRC reviewed this request and the consensus was there is no hardship as the request appears to be self-imposed. The County Engineer and staff previously met with the applicant's development team to discuss the tree removal and protection regulations prior to their mass grading and clearing. While staff does not support the variance request as submitted, the TRC recommends a relief of 20%, which comes from provision afforded to staff by the ULDC regulations for relief to other development standards such as building setbacks, which would yield 1754 total inches.

Chairman Strickland asked the Board if they had questions. Mrs. Plyler asked when the County Engineer had met with the applicant regarding tree removal and protection. Mrs. Braswell stated it was before the grading/tree removal occurred. Mrs. Quarterman asked if the one to one replacement requirement was a Planned Development requirement. Mrs. Braswell stated it was not, that it was applicable to any development and the County did not have a tree bank as the City did. Chairman Strickland asked if there was anything in the ULDC

regarding the regulation's applicability to developments of different sizes. Mrs. Braswell stated that family tie subdivisions were exempt, but the regulations were applicable elsewhere. Mrs. Plyler asked where the proposal of 20% relief came from. Mrs. Braswell stated that staff was able to give up to 20% relief in setbacks, and the 20% served as a guide in this circumstance. Mr. Hogan asked if there were any developments in which similar such variances had been requested. Mrs. Braswell stated that no, there were no similar previous requests. Mr. McCall asked what the property was zoned prior to P-D. Mrs. Braswell stated it was zoned R-1. Chairman Strickland stated the property had pine trees harvested from it in years past.

There being no more discussion or questions, Chairman Strickland asked if anyone would like to speak in support of the application. Dan Frederick, 5170 Abbott Circle, Hahira, spoke on behalf of the application. Mr. Frederick stated he came aboard the project after the County Engineer met with the developers of the property, and he stated he understood the requirement of a one per one replacement, that the requirement may not have been looked into closely, but that they didn't want to plant a lot of trees just to have them die out. Mr. Frederick stated that when the landscaping plan was drawn, the developers worked within certain parameters—such as no trees within ten feet of utility lines, no trees between the sidewalks and streets, no trees close to the community center for safety reasons, and no trees in the detention basins. Chairman Strickland asked, based upon the revised drawing, how many inches were there? Mr. Frederick stated there were 1149 inches, which was a 50% reduction compared to the replacement requirement.

Chairman Strickland said they were looking at the proposed plan for Phase One; he asked what the time table was for Phase Two. Mr. Frederick stated there was no timetable for Phase Two. Mrs. Quarterman asked what kinds of trees would be planted. Mr. Frederick stated they usually developed with species native to the area. Mrs. Plyler asked if the area for Phase One had been clearcut. Mr. Frederick stated it had. Mrs. Plyler asked if the area for Phase Two had been clearcut. Mr. Frederick stated it was not cut, it was still in its original condition.

Mr. McCall asked if they increased the caliper size, would that help meet the requirements? Mrs. Braswell stated yes. Mr. Frederick stated they had concerns about the minimal amount of space, given their restrictions, for planting on the property, as they wanted to plant trees, but did not want them to die due to lack of space. Mrs. Plyler stated that if the trees died, they would have to be replaced to meet the requirements. Mr. Frederick stated he understood. Mrs. Quarterman asked if the Board had to go with the 20% recommendation, or if they could increase or decrease the percentage. Chairman Strickland stated that the Board could utilize any percentage or no percentage, that the 20% was a guideline.

Chairman Strickland asked if the Board had anymore comments or questions. Mrs. Quarterman stated she would like native trees/species to be utilized, not palm trees or eucalyptus trees. Mrs. Plyler stated she would like to see larger trees planted, not smaller trees. Chairman Strickland stated he understood, but sometimes the shock of transplanting a larger tree caused them to die upon transplant. Mr. Hogan asked if the military had to live there, or whether there was a choice. Mr. Frederick stated they had choice in where they lived. One of Mr. Hogan's concerns was that the trees be attractive. Chairman Strickland reiterated that this was a private project, not a military project. Mrs. Plyler stated she agreed with staff's recommendation of 20%, but did not want to allow anymore relief than that, and she would like to see more hardwoods utilized than ornamentals. Mrs. Quarterman stated that if they increased the two inch trees and the three inch trees to three inch trees and four inch trees, then that would eliminate any need for a variance, as they would meet the 1 per 1 requirement. Mr. McCall asked if the Board would be setting a precedent if they granted this variance request. Chairman Strickland stated that it is in the By-Laws of the Board that there is no setting of a precedent, that each case is weighed on its individual merits.

There being no more discussion, Chairman Strickland called for a motion. Mrs. Quarterman made a motion to follow staff's recommendation of 20% relief of the replacement requirements with the condition that all trees be native to Georgia and that the ratio of ornamentals to canopies as proposed by the developer—192 ornamentals to 255 canopies—not change. Mr. Alvarado seconded the motion. The motion was adopted with a vote of 5 to 1, with Mrs. Plyler voting against the motion.

OTHER BUSINESS

Agenda Item #3 : Approval of Minutes: June 2, 2015

Chairman Strickland asked if anyone had any issues/corrections with the June 2, 2015 draft minutes. (There was no July 2015 meeting due to lack of agenda items.) There were no suggested changes. Dr. Houseal made a motion to approve the minutes as presented. Mrs. Quarterman seconded the motion and it was called and carried unanimously (6-0 vote).

Agenda Item # 4: Adjournment

There being no further business, the meeting adjourned at 3:13 pm.

Allan Strickland, Chairman

Date