



ZBOA Agenda Item # 2

FEBRUARY 4, 2020

Variance Request by Keith Quarles

File #: APP-2020-01

Keith Quarles is requesting a Variance to LDR Section 214-1, Table 3 as it pertains to the minimum heated floor area for a single-family dwelling in R-15 zoning. The subject property consists of 15,006 square feet (0.344 acres) and is located at 16 Bellemeade North. The property contains an existing building (977-sf) that was designed and built as a simple “clubhouse” for the Bellemeade North neighborhood. The property is still owned by the Bellemeade North Property Owners Association, Inc. who no longer wants to maintain it as a clubhouse and has been marketing it to be sold and converted to a residence. The applicant has the property under contract and is proposing to simply renovate the interior of the building for conversion to a single-family residence. However, the building does not meet the minimum 1,200 square feet heated floor area requirement for dwellings in R-15 zoning, and the applicant is not proposing any building expansions.

The clubhouse reportedly consists of 977 heated square feet, although it is listed by the Lowndes County Tax Assessor (tax card) as being 1,125 square feet. This is likely due to a difference between a simplified interior measurement, and an exterior measurement of the enclosed building. But either way, the building is a little short of meeting the minimum heated (gross) floor area for dwellings, and it cannot be converted into a dwelling without a sufficient building addition, or obtaining a Variance. As a comparison with the other 15 existing dwellings in Bellemeade North, based on tax card data they each range from 1,454 to 3,192 square feet with the overall average being 2,222 square feet.

It should be noted that this building also has a covered porch on both the front and rear (each being 222-sf). Enclosing even just the rear porch, as a heated floor area addition, would likely be sufficient. Therefore, staff can find no legitimate hardship supporting this Variance, and is concerned about approving a dwelling unit size that is only about half the size of the average dwelling unit in the neighborhood.

The only extenuating circumstances here, are that the neighborhood collectively desires to see this building sold and converted to a dwelling and is supportive of the Variance request, that this is an isolated building site in the very rear of the development, it has existed here for more than 30 years, and that this particularly building design seems to fit in well with the neighborhood. The only other possible argument in favor of the request is that most of the parcel is heavily encumbered by various easements that greatly limit other options for building expansion – other than enclosing one or both (or portions) of the existing porches.

Variations are intended to relieve situations in which strict application of the regulations prohibits reasonable development or usage of the property. Although there is no legitimate hardship here and the logical solution is to simply enclose some existing porch space, a Variance approval in this case should carry the stipulation that it be for this existing building ONLY. This would preclude the possibility of a future owner from demolishing this building and replacing it with another smaller dwelling that would not fit in as well with the neighborhood.

Staff Recommendation: Find inconsistent with the Variance Review Criteria and deny the Variance request.

Variance Review Criteria

The following criteria shall be applied in evaluating and deciding any application for a Variance. No application for a Variance shall be granted by the Zoning Board of Appeals unless satisfactory provisions and arrangements have been made concerning each of the following criteria, all of which are applicable to each application.

<i>(1) The need for the variance arises from a condition that is unique and peculiar to the land, structures, and buildings involved.</i>	
Applicant:	Request for single family home variance at existing square footage
Staff:	There is nothing unusual about the property to merit granting the variance. The applicant can enclose the porches and meet the minimum square footage for R-15 dwellings.
<i>(2) The variance is necessary because the particular physical surroundings, the size, shape or topographical conditions of the specific property involved would result in unnecessary hardship for the owner, lessee or occupants; as distinguished for a mere inconvenience, if the provisions of the LDR are literally enforced.</i>	
Applicant:	Bellemeade North homeowners have no objection to the requested variance.
Staff:	No. The variance is not necessary. There is nothing unique about the property that provides hardship.
<i>(3) The condition requiring the requested relief is not ordinarily found in properties of the same zoning district as the subject property.</i>	
Applicant:	Clubhouse currently has 977 square feet heated and cooled and 444 square feet of covered porches.
Staff:	No. There is nothing unusual about this property.
<i>(4) The condition is created by the regulations of Title 2 of the LDR and not by an action or actions of the property owner or the applicant.</i>	
Applicant:	True.
Staff:	The condition is created by the applicant rather than the LDR.
<i>(5) The granting of the variance will not impair or injure other property or improvements in the neighborhood in which the subject property is located, nor impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety or substantially diminish or impair property values within the neighborhood.</i>	
Applicant:	True
Staff:	There will be no direct impact on adjacent properties.
<i>(6) The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structures.</i>	
Applicant:	True.
Staff:	The variance requested is 223 square feet of living space, which is not a small amount.
<i>(7) The requested variance will not be inconsistent with the general spirit and intent of the LDR or the purpose and intent of the Comprehensive Plan.</i>	
Applicant:	The clubhouse was built by the original developers on conformity withal of the other structures in Bellmeade North. Applicant seeks to maintain the exterior of the clubhouse as it always existed and currently exists. If the variance is granted, there will be no change to the exterior of the building.
Staff:	The request is inconsistent with the Comprehensive Plan.

Relevant Development Standards in the LDR that are “Significant” to the Proposal

LDR Section 214-1 TABLE 3: Minimum Heated Floor Area per Dwelling Unit by Zoning District

* All minimum floor areas are depicted in “square feet”

Zoning District	Single Family Detached ¹	Single Family Attached ² or Duplex	Multi-Family ³
R-E	3,000	n/a	n/a
R-25	2,300	n/a	n/a
R-15	1,200	n/a	n/a
R-10	1,000	n/a	n/a
R-6	800	800	n/a

Staff Review Comments:**Engineering & Stormwater Department:** No comments**Fire Department:** No comments**Landscape:** No comments**Plan Review:** No comments**Public Works:** No comments**Police:** No comments**Utilities:** No comments**Attachments:**

Letter of Authorization
Zoning Location Map
Aerial Map
Survey
Survey – zoomed (as site plan)
Tax card floor area sketch

LETTER of AUTHORIZATION

To: Zoning Board of Appeals (ZBOA)

Regarding property located at 17 BELLEMEADE NORTH; 0107A071
(street address) (Tax Map/Parcel #)

CURRENTLY PART OF BELLEMEADE NORTH COMMON AREA; TO BE ASSIGNED TO BELLEMEADE NORTH

I, We the owner(s) of the above described real property in the City of Valdosta, Georgia, do hereby

authorize F. KEITH QUARLES to act as agent on my/our behalf, in submitting a

Variance application for my/our property to allow THE EXTERIOR OF THE CLUBHOUSE BUILDING TO REMAIN UNCHANGED & THE INTERIOR SQUARE FOOTAGE TO REMAIN AT 977 S.F.
and to represent me/us in all discussions and other matters with this application.

BELLEMEADE NORTH PROPERTY OWNERS ASSOCIATION, INC.

BELLEMEADE NORTH PROPERTY OWNERS ASSOCIATION, INC.

By: Marian Belanger
Signature(s) PRESIDENT

MARIAN BELANGER Date: 12/8/19
PRESIDENT
17 BELLEMEADE NORTH
VALDOSTA, GA 31605
229-293-9322

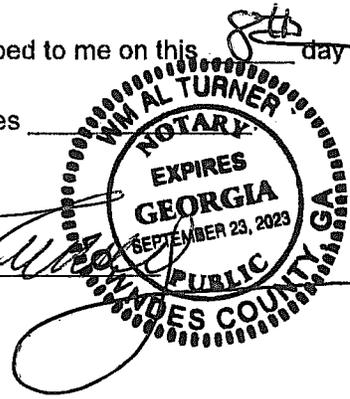
NOTARY PUBLIC

State of GEORGIA, County of LOWNDES

Sworn to and subscribed to me on this 8th day of DEC. 2019.

My commission expires _____

Wm R Turner
Notary Public



(seal)

APP-2020-01 Zoning Location Map

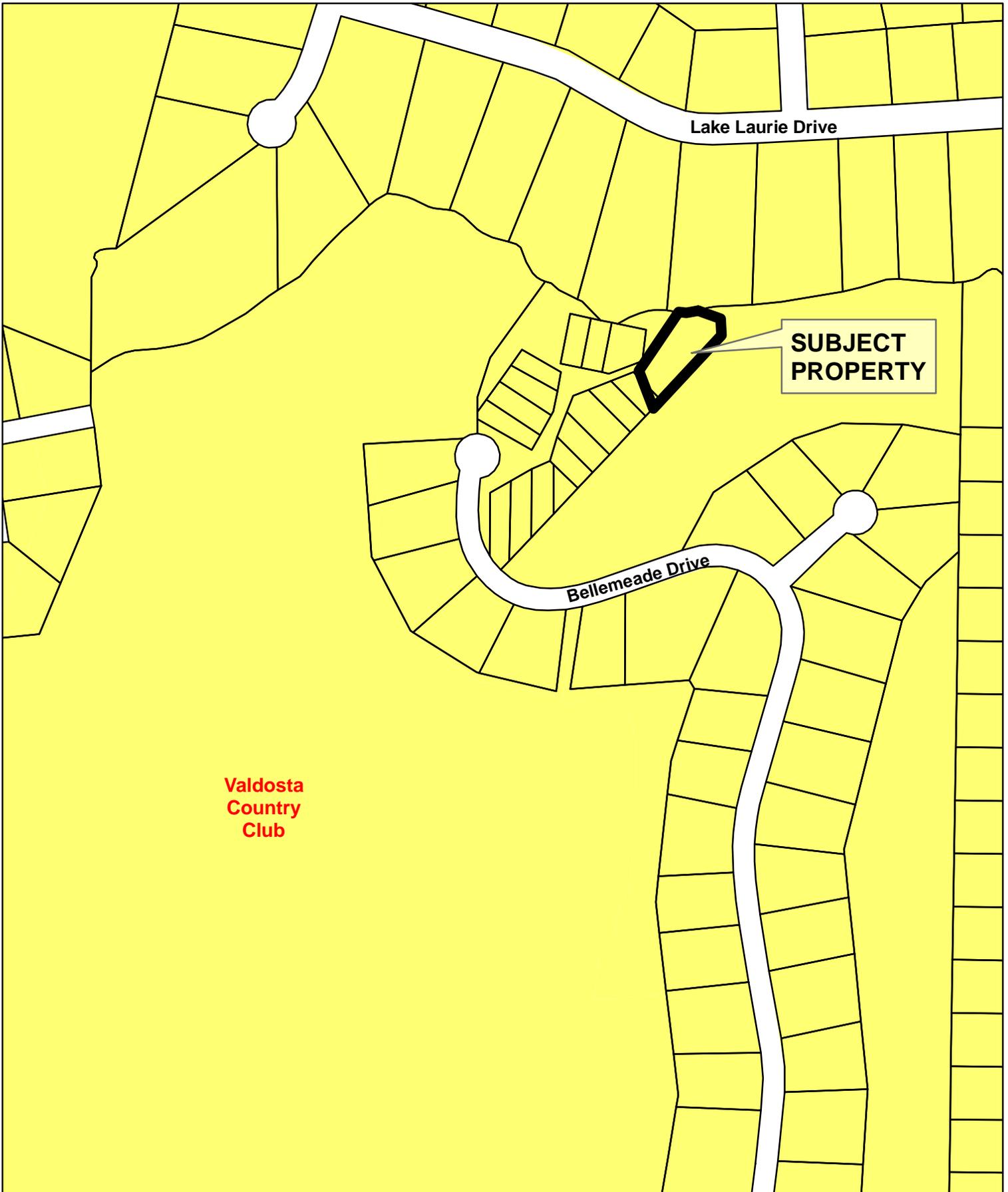


**Keith Quarles
Variance Request**

16 Bellemeade North
Tax Map 0107A, Parcel 071

200 100 0 200 Feet

** Map Data Source: VALOR GIS, January 2020



APP-2020-01 Tax Parcels Aerial



**Keith Quarles
Variance Request**

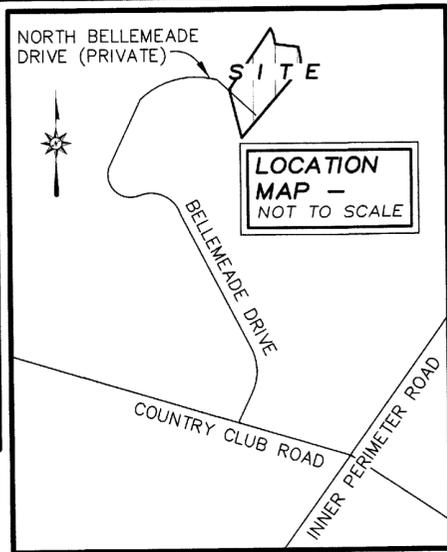
16 Bellemeade North
Tax Map 0107A, Parcel 071

50 25 0 50 Feet

** Map Data Source: VALOR GIS, January 2020



eFiled & eRecorded
 DATE: 6/20/2018
 TIME: 8:10 AM
 PLAT BOOK: 00PCC
 PAGE: 00299
 RECORDING FEE: 8.00
 PARTICIPANT ID: 2216784465
 CLERK: Beth Greene
 Lowndes County, GA



THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 10°37'32" E	1.14'
L2	N 78°13'23" E	9.86'
L3	S 11°19'31" E	20.03'
L4	S 72°36'06" E	8.36'
L5	S 49°25'12" E	2.09'
L6	N 41°18'58" E	5.28'

CURVE TABLE

CURVE	ARC LENGTH	CHORD BEARING	CHORD LENGTH	RADIUS
C1	7.19'	S 31°31'48" E	6.88'	7.02'
C2	5.91'	S 68°56'32" E	5.91'	111.56'
C3	11.71'	S 60°42'41" E	11.66'	35.02'

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.

THE FOLLOWING GOVERNMENT BODIES HAVE APPROVED THIS MAP, PLAT OR PLAN FOR FILING AS INDICATED BY THE RESPECTIVE SIGNATURES BELOW WITH THE DATE OF SIGNATURE.

PURSUANT TO TITLE 3 OF THE CITY OF VALDOSTA LAND DEVELOPMENT REGULATIONS, ALL THE REQUIREMENTS FOR APPROVAL HAVING BEEN FULFILLED, THIS FINAL PLAT WAS GIVEN FINAL APPROVAL BY:

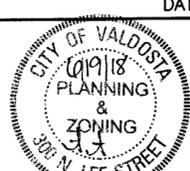
THE PLANNING AND ZONING ADMINISTRATOR, VALDOSTA, GA
 DATE: 6-18-2018 M. Meester PLANNING AND ZONING DIRECTOR

THE DEPARTMENT OF PUBLIC HEALTH, LOWNDES COUNTY, GA
 DATE: 6/19/18 Kyle Cuyage HEALTH DEPARTMENT REPRESENTATIVE

THE CITY ENGINEER, VALDOSTA, GA
 DATE: 6/18/18 Stan Folsom CITY ENGINEER

THE APPROVAL SIGNATURES ABOVE WERE NOT IN PLACE WHEN THIS SURVEY WAS ISSUED, AND ARE TO BE PROPERLY OBTAINED PRIOR TO RECORDING.

DATE: 29 MARCH 2018



LEGEND

- PVC = PLASTIC
- EL = ELEVATION
- FBS = MINIMUM FRONT BUILDING SETBACK
- SBS = MINIMUM SIDE BUILDING SETBACK
- RBS = MINIMUM REAR BUILDING SETBACK
- EP = EDGE OF ASPHALT PAVEMENT
- REBAR = CONCRETE REINFORCING ROD
- ⊙ = 5/8" IRON REBAR WITH CAP #2284 PLACED
- ⊙ = MAGNETIC NAIL WITH WASHER STAMPED #2284 PLACED
- = 1/2" IRON REBAR FOUND
- = IRON FOUND
- = POINT NOT MONUMENTED
- = IRRIGATION CONTROL BOX
- ⊞ = ELECTRIC METER
- ☼ = FIRE HYDRANT
- ☼ = LIGHT POLE
- ⊞ = WATER METER
- ⊞ = GAS METER
- ⊞ = BOLLARD A/K/A GUARD POST
- ⊞ = AIR CONDITIONING UNIT
- ⊞ = CONCRETE PARKING BUMPER
- ⊞ = SSSC = SANITARY SEWER CLEAN OUT
- ⊞ = SSMH = SANITARY SEWER MANHOLE
- SS = SANITARY SEWER LINE
- G = 1 1/4" PLASTIC NATURAL GAS LINE - MATERIAL & APPROXIMATE LOCATION BASED RECORDS PROVIDED BY ATLANTA GAS LIGHT CO.
- W-W- = APPROXIMATE WATER LINE SCALED GRAPHICALLY FROM UTILITY AS-BUILT DRAWING OF BELLEMEADE NORTH PROVIDED BY THE CITY OF VALDOSTA UTILITY DEPARTMENT
- T- = BURIED TELECOMMUNICATIONS LINE FOUND MARKED
- E- = BURIED ELECTRIC LINE FOUND MARKED

NOTES

- ZONED R-15.
- PER RESTRICTIVE COVENANTS DEED BOOK 5485 PAGE 68 ARTICLE II SECTION 13 THIS PROPERTY IS SUBJECT TO A BLANKET UTILITY EASEMENT.
- THIS SURVEY WAS PERFORMED AT THE REQUEST OF THE BELLEMEADE NORTH PROPERTY OWNERS ASSOCIATION INC., REPRESENTED BY MRS. MARIAN BELANGER, PRESIDENT.

- LOT #1 IS CURRENTLY SERVED BY CITY OF VALDOSTA WATER & SANITARY SEWER UTILITIES, AS SHOWN ON THIS PLAT.

NOW OR FORMERLY BELLEMEADE NORTH PROPERTY OWNERS ASSOCIATION INC. PROPERTY DEED BOOK 1861 PAGE 309 PLAT BOOK F PAGE 49
 STILLHOUSE BRANCH RUN OF STILLHOUSE BRANCH IS THE PROPERTY LINE. THE CHORDS SHOWN ALONG THE CREEK LINE ARE FOR AREA CALCULATION PURPOSES.

S 22°12'47" E 14.93'
 LOT 18 of BLOCK 'C' of CHERRY CREEK HILLS S/D PLAT 7 of ADDITION ONE NOW OR FORMERLY CATHERINE DEWAR KERNS PROPERTY DEED BOOK 3805 PAGE 112 PLAT BOOK E PAGE 33
 S 10°23'20" E 18.42'
 S 82°11'23" E 46.93'

BEARINGS ARE REFERENCED TO STATE PLANE GRID NORTH WEST ZONE NAD 83.
 NOW OR FORMERLY VALDOSTA COUNTRY CLUB INC. PROPERTY DEED BOOK 1258 PAGE 129

CITY OF VALDOSTA BENCHMARK ASA #29 - BRONZE DISK EL=194.06

APPROXIMATE LOCATION of 1 1/4" PLASTIC GAS LINE per DRAWINGS PROVIDED BY ATLANTA GAS LIGHT

LOT #14 NOW OR FORMERLY BETTY H. BOWEN PROPERTY DEED BOOK 3679 PAGE 140 PLAT BOOK F PAGE 49

APPROXIMATE LOCATION of 4" SS LINE per DRAWING PROVIDED BY CITY OF VALDOSTA DEPARTMENT

BELLEMEADE NORTH (PRIVATE R.O.W. VARIES)

APPROXIMATE LOCATION of FIRE HYDRANT PROVIDED BY CITY OF VALDOSTA UTILITY DEPARTMENT

APPROXIMATE LOCATION of 2" PVC WATER LINE per DRAWING PROVIDED BY CITY OF VALDOSTA UTILITY DEPARTMENT

LOT #15 NOW OR FORMERLY CHARLES H. & JERRY S. POWELL PROPERTY DEED BOOK 1665 PAGE 91 PLAT BOOK F PAGE 49

NOW OR FORMERLY VALDOSTA COUNTRY CLUB INC. PROPERTY DEED BOOK 1258 PAGE 129

OWNER'S CERTIFICATE: STATE OF GEORGIA: CITY OF VALDOSTA: THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, CERTIFIES THAT ALL STATE, CITY OR COUNTY TAXES OR OTHER ASSESSMENTS NOW DUE ON THIS LAND HAVE BEEN PAID.

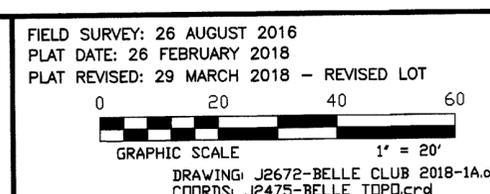
AGENT: Marian Belanger DATE: 6/18/18

DEDICATION CERTIFICATE: IT IS HEREBY CERTIFIED THAT THE LANDS AND IMPROVEMENTS SHOWN ON THIS PLAT AND DESIGNATED AS BEING DEDICATED TO PUBLIC USE ARE HEREBY DEDICATED TO THE CITY OF VALDOSTA, GEORGIA, FOR PUBLIC USE.
 AGENT: Marian Belanger DATE: 6/18/18

*I CERTIFY THAT ALL MEASUREMENTS ARE CORRECT AND WERE PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION;
 *THE FIELD DATA MEASUREMENTS UPON WHICH THIS PLAT IS BASED WAS MADE USING ELECTRONIC TOTAL STATION. REDUNDANT MEASUREMENTS MADE TO THE CONTROL POINTS AND PROPERTY 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)
 *THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1' IN 107,981'
 *MONUMENT & PIN LOCATIONS ARE AS IDENTIFIED ON THIS PLAT
 *EQUIPMENT USED: LEICA TCPR 1203 ELECTRONIC TOTAL STATION AND 100' TAPE CHAMPION TKO DUEL FREQUENCY GPS RECEIVER WITH EGPS, INC. REALTIME NETWORK USED TO DETERMINE GRID NORTH.

SURVEY DATA NOTE: THE SOURCE OF THE TITLE DESCRIPTIONS FOR THE SUBJECT PROPERTIES HEREON IS DEED BOOK 1861 PAGE 309; GRANTEE THEREIN IS BELLEMEADE NORTH PROPERTY OWNER'S ASSOCIATION, INC.

UTILITY NOTE: FOLSOM SURVEYING LLC CONTACTED THE GA UTILITIES PROTECTION CENTER AND REQUESTED UTILITY LOCATION FOR THIS PROJECT 16 AUGUST 2016 (LOCATE REQUEST #08166-217-006). ATLANTA GAS LIGHT PROVIDED RECORD DRAWINGS OF THEIR GAS LINE AT THE PROJECT LOCATION, AND GEORGIA POWER COMPANY & MEDIACOM MARKED BURIED LINES AS SHOWN HEREON. ALL OTHER UTILITIES SHOWN HEREON ARE BASED UPON ABOVE GROUND EVIDENCE LOCATED IN THE FIELD BY FOLSOM SURVEYING LLC IN AUGUST OF 2016.



FOLSOM SURVEYING, LLC
 ROLAND STAN FOLSOM
 GA RLS #2284
 LSF000218
 1311 HASTINGS DRIVE
 REMERTON, GA. 31601
 229 - 244 - 2920
 folsom22@bellsouth.net

PLAT of PARTIAL BOUNDARY RETRACEMENT & A DIVISION OUT OF A PARENT TRACT FOR
BELLEMEADE NORTH PROPERTY OWNERS ASSOCIATION INC.
 LOCATED IN LAND LOT #36 of the 11th LAND DISTRICT of THE CITY OF VALDOSTA LOWNDES COUNTY, GEORGIA

COVENANTS DEED BOOK 5485
 II SECTION 13 THIS PROPERTY IS
 ANKENT UTILITY EASEMENT.
 PERFORMED AT THE REQUEST
 OF NORTH PROPERTY OWNERS
 REPRESENTED BY MRS. MARIAN
 ENT.

ERVED BY
 ER & SANITARY
 OWN ON THIS

LOT #14
 NOW OR FORMERLY
 BETTY H. BOWEN
 PROPERTY
 DEED BOOK 3679
 PAGE 140
 PLAT BOOK F PAGE 49

PROXIMATE LOCATION OF
 SS LINE per DRAWING
 DIVIDED BY CITY OF VALDOSTA
 DEPARTMENT

N 01°10'09" W 27.07'
 BELLEMEADE NORTH
 (PRIVATE R.O.W. VARIES)

APPROXIMATE LOCATION
 OF 2" PVC
 WATER LINE per
 DRAWING PROVIDED
 BY CITY OF VALDOSTA
 UTILITY DEPARTMENT

LOT #15
 NOW OR FORMERLY
 CHARLES H. & JERRY S.
 DWELL PROPERTY
 DEED BOOK 1665
 PAGE 91
 PLAT BOOK F PAGE 49

NOW OR FORMERLY
 BELLEMEADE NORTH
 PROPERTY OWNERS
 ASSOCIATION INC. PROPERTY
 DEED BOOK 1861 PAGE 309
 PLAT BOOK F PAGE 49

STILLHOUSE BRANCH
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 DEED BOOK 3805 PAGE 112
 PLAT BOOK E PAGE 33

BEARINGS ARE
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NOW OR FORMERLY
 VALDOSTA COUNTRY
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 DEED BOOK 1258
 PAGE 129

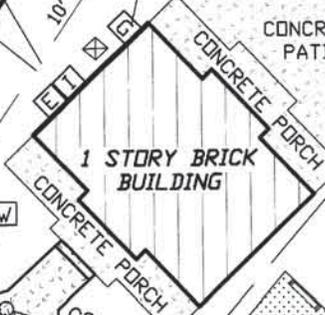
CITY OF
 VALDOSTA
 BENCHMARK
 ASA #29 - BRONZE DISH
 EL=194.06

APPROXIMATE LOCATION
 OF 5/8" GAS LINE per
 DRAWINGS PROVIDED BY
 ATLANTA GAS LIGHT

20' SEWER
 EASEMENT
 (PLAT BOOK F
 PAGE 49)

APPROXIMATE LOCATION
 OF 1 1/4" PLASTIC GAS
 LINE per DRAWINGS PROVIDED
 BY ATLANTA GAS LIGHT

LOT #1
 15,006
 SQUARE
 FEET



INGRESS -
 EGRESS
 EASEMENT
 4563
 SQUARE
 FEET

NOW OR FORMERLY
 VALDOSTA COUNTRY
 CLUB INC. PROPERTY
 DEED BOOK 1258
 PAGE 129

30' GOLF
 COURSE
 MAINTENANCE
 EASEMENT
 (PLAT BOOK E PAGE 250)
 (PLAT BOOK F PAGE 49)

BENCHMARK
 NAIL PLACED
 EL=151.64

*I CERTIFY THAT ALL MEASUREMENTS ARE CORRECT
 AND WERE PREPARED FROM AN ACTUAL SURVEY
 OF THE PROPERTY MADE UNDER MY SUPERVISION;
 *THE FIELD DATA MEASUREMENTS UPON WHICH THIS
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 BASED UPON THE REDUNDANT MEASUREMENTS THE
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 DUEL FREQUENCY GPS RECEIVER WITH EGPS, INC.
 REALTIME NETWORK USED TO DETERMINE
 GRID NORTH.

OWNER'S CERTIFICATE STATE
OF GEORGIA CITY OF VALDOSTA:
 THE OWNER OF THE LAND SHOWN
 ON THIS PLAT AND WHOSE NAME
 IS SUBSCRIBED HERETO, IN PERSON
 OR THROUGH A DULY AUTHORIZED
 AGENT, CERTIFIES THAT ALL STATE,
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 ASSESSMENTS NOW DUE ON THIS
 LAND HAVE BEEN PAID.

AGENT: *Marian Belanger*

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 PROTECTION CENTER AND REQUESTED UTILITY LOCATION



