



ZBOA Agenda Item #1

JUNE 6, 2023

Variance Request by Mac Mackey File # APP-2023-02

Mac Mackey is asking for a variance to LDR Section 210-3 (J)(2)(ii) as it pertains to the Urban Commercial Corridor Overlay District Exterior Building Materials in a C-H (Highway Commercial) zoning district. The subject property is located at 3111 N. Oak Street Extension in Valdosta.

The property currently contains a commercial business (SL Sausage Company). This property is in the Urban Commercial Corridor Overlay District. The Overlay District is supplemental to the underlying zoning district classifications established in the City of Valdosta Land Development Regulations governing all properties and permits within this Overlay District. The provisions shall be imposed in addition to said underlying zoning regulations and other ordinances of the City of Valdosta. Chapter 210-3 (D) outlines activities that are exempt from the development requirements of the Urban Commercial Corridor Overlay District. Construction, rehabilitation, restoration, repair of a non-residential structure, interior renovations or interior finishes within an existing structure, or an addition to an existing non-residential structure that was permitted prior to the enactment of this Section shall not be subject to the provisions of this Urban Commercial Corridor Overlay District, provided that such construction is on a lot of record and does not affect a change to more than 20% of the existing gross floor area of a permitted structure or 2,000 gross square feet, whichever is less.

The UCCOD regulations list materials prohibited in exterior walls. The variance requested specific to this project is listed as, "Metal siding on wall surfaces facing and plainly visible from a street or customer/visitor parking lot. Metal siding components that are clearly decorative and incidental to the wall of the building, are not included in this prohibition." The purpose of the Urban Commercial Corridor Overlay District is to create an attractive streetscape that is aesthetically appealing and will encourage pedestrian-oriented businesses and activities.

Attached for your review and consideration are location and aerial maps of the subject property, photos of the property, and the Urban Commercial Corridor Overlay District Regulation (6 pages total).

The applicant has improved the façade from their request for an appeal in December of 2022. Attached are the photos from then and now to show the difference in their improvements.

Variances are intended to relieve situations in which strict application of the regulations prohibits reasonable development or usage of the property.

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

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.

(1) The need for the variance arises from a condition that is unique and peculiar to the land, structures, and buildings involved.
<i>Applicant: Siding is existing.</i>
<i>Staff: The variances arises from the complete renovation of an existing building to comply with the Urban Commercial Corridor Overlay District Standards.</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: See attached email.</i>
<i>Staff: Renovations of the building do not comply with the Urban Commercial Corridor Overlay District Standards.</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: See attached email.</i>
<i>Staff: Every new construction or renovation greater than 20% of the Gross Floor located in the Urban Commercial Corridor are held to these standards.</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: See attached email.</i>
<i>Staff: The condition is created by the adoption of the Urban Commercial Corridor Overlay District which was adopted in 2009.</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: The variance will not impact any of the items listed above.</i>
<i>Staff: The variance will not endanger the public safety.</i>
(6) The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structures.
<i>Applicant: See attached email.</i>
<i>Staff: Yes, the variance is the minimum variance that will make possible the reasonable use of the building.</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: See attached email.</i>
<i>Staff: The requested variance will be inconsistent with the intent of the Urban Commercial Corridor Overlay District Standards.</i>

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

Jimmy Cone

From: Jimmy Cone [jimmy_cma@bellsouth.net]
Sent: Friday, June 17, 2022 2:50 PM
To: jbrammer@valdostacity.com
Cc: 'Jonathan Burns'; jimmy_cma@bellsouth.net; 'Mac Mackey'
Subject: S & L Sausage Facade

Land Development Regulations

In Chapter 106 the definition for FAÇADE is “The exterior of a building facing the principle street entrance, and extending the entire width of the building elevation”

In Chapter 210-3 there are numerous references to the word “façade”

On page 5, item #3 at the top of the page states “facing and plainly visible”. The word “and” ties “facing” and “plainly” together. If the word “or” was used, the words “facing” and “plainly” would not be tied together. The rest of the statement clearly makes reference to a street or customer/visitor parking lot.

Based on this information we are requesting that the existing metal siding on the south end of the building be allowed to remain.

Jimmy Cone
James D. Cone, Architect
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Valdosta, GA 31601

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APP-2023-02 Zoning Location Map

Mac Mackey
Variance Request

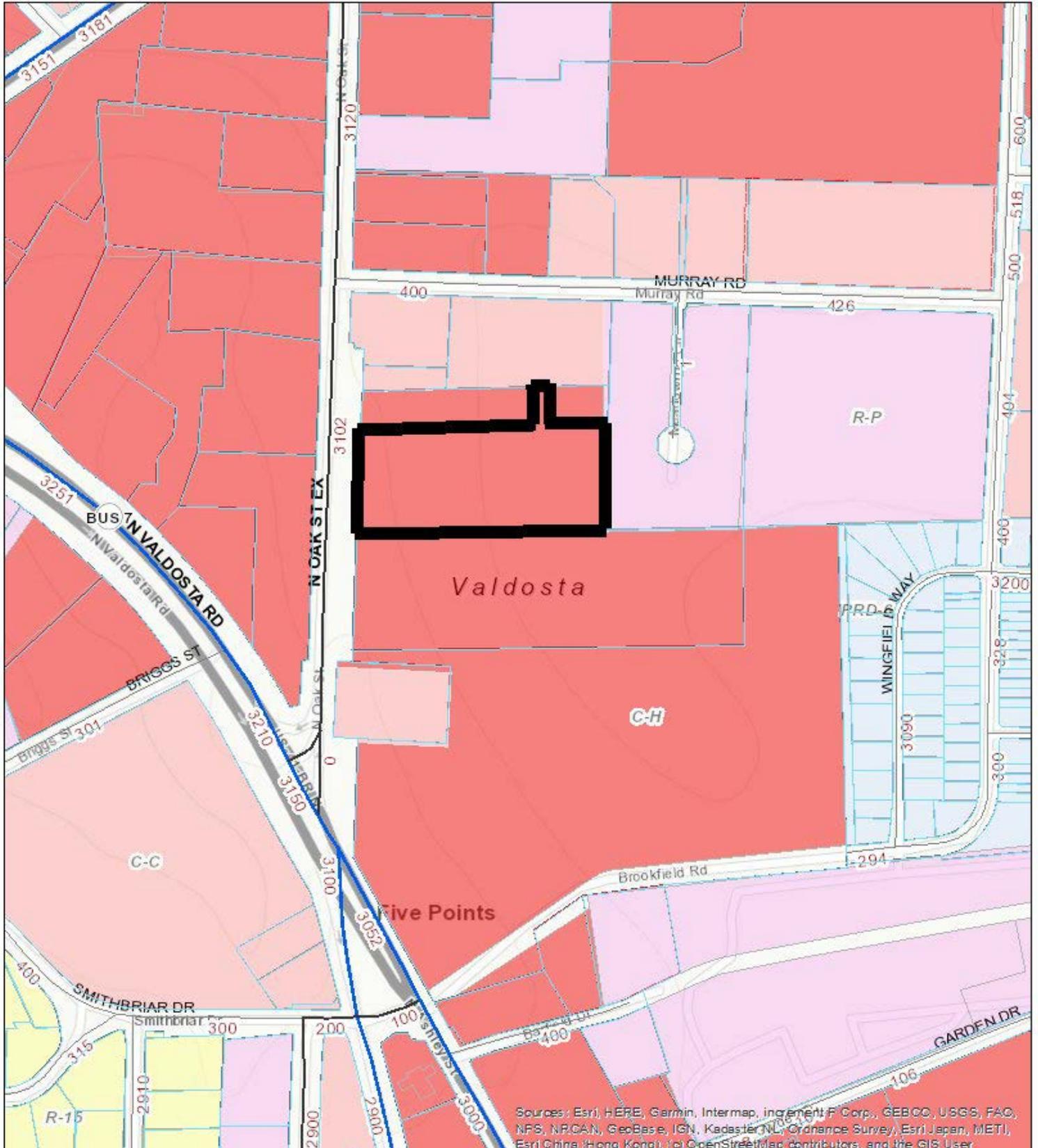
3111 N Oak Street Ext.
Tax Map: 0109D Parcel: 024

Current Zoning: C-H



** Map NOT to scale

Map Data Source: VALOR GIS November 2022



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NGS, NRCAN, GeBCo, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Mapbox Contributors, and the GIS User

APP-2023-02 Aerial Location Map

Mac Mackey
Variance Request

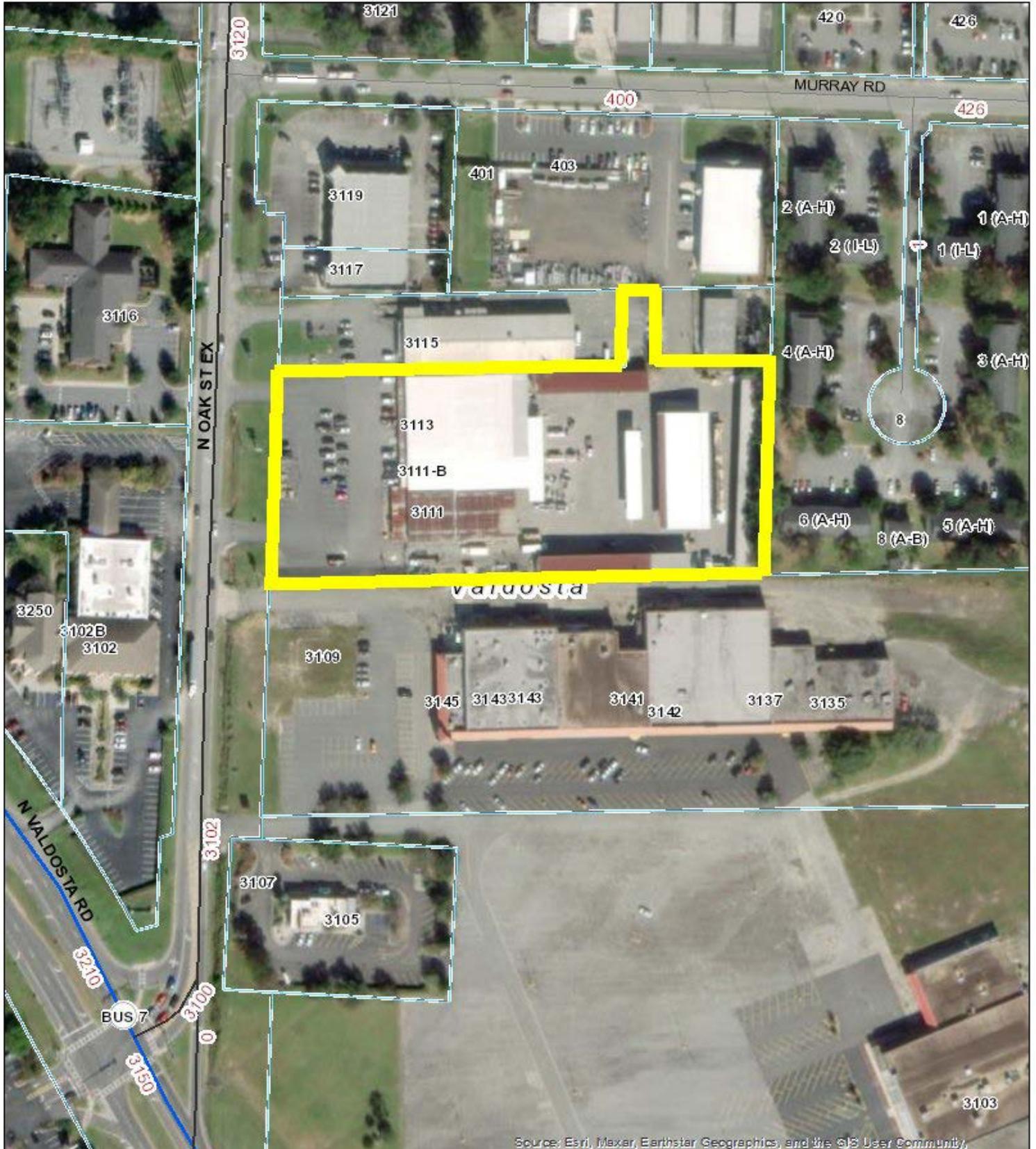
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** Map NOT to scale

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City of Valdosta Land Development Regulations

Section 210-3 Urban Commercial Corridor Overlay District

- (A) Purpose. The purposes of the Urban Commercial Corridor Overlay District are to:
- (1) Promote the general health, safety, and welfare of the community.
 - (2) Implement the Greater Lowndes 2030 Comprehensive Plan.
 - (3) Create a 24-hour urban environment where people can live, work, and play.
 - (4) Encourage mixed-use redevelopment and revitalization of important commercial corridors of the City.
 - (5) Encourage the appropriate infill and revitalization of portions of these corridors that are designated as Regional and Community Activity Centers in the Comprehensive Plan in a manner that will protect adjacent neighborhoods.
 - (6) Promote a walkable, transit-oriented, and bicycle-friendly environment.
 - (7) Create an attractive streetscape that is aesthetically appealing and will encourage pedestrian-oriented businesses and activities.
- (B) Design Guidelines. The Urban Commercial Corridor Design Guidelines (Appendix C) are hereby adopted and made part of this Section and shall apply to property in the Urban Commercial Corridor Overlay District. Within the Urban Commercial Corridor Overlay District, building design and construction that is not in substantial conformity with the Urban Commercial Corridor Overlay District Design Guidelines is prohibited. In cases of a conflict between the Design Guidelines and the text of this Section, the text of this Section shall govern.
- (C) Boundaries. This Section applies to land parcels of record within the City of Valdosta designated "Urban Commercial Corridors" on the map, in Appendix C or as otherwise approved by the Mayor and Council as provided in Section 242-4. The Planning Commission may recommend, and the City Council may approve, exemptions from these requirements for parcels or portions of a parcel that would otherwise be included in the Urban Commercial Corridor Overlay District, based on one or more of the following findings:
- (1) The property to be exempted does not have access to the primary street in the Urban Commercial Corridor and will not require access to such street when developed.
 - (2) Due to site topography, development of the property to be exempted will not be visible from the primary street in the corridor
 - (3) Due to the location, size, and shape of the property, development of the parcel under its current zoning and in conformity with the requirements of the Urban Commercial Corridor Overlay District would present a severe and undue hardship.
- (D) Effect of Urban Commercial Corridor Overlay District Provisions.
- (1) Application. This Overlay District is supplemental to the underlying zoning district classifications established in the City of Valdosta LDR governing all properties and permits within this Overlay District. The provisions of this Section shall be overlaid upon and shall be imposed in addition to said underlying zoning regulations and other ordinances of the City of Valdosta. The Director is authorized to draft appropriate forms, procedures, regulations, rules, guidelines and enforcement procedures to administer this Section, subject to the review and approval of the Planning Commission and City Council

City of Valdosta Land Development Regulations

- (2) Relationship to Underlying Zoning District Standards and other provisions of LDR. In any case where the standards and requirements of the Urban Commercial Corridor Overlay District conflict with those of the base zoning district or with other provisions of the Land Development Regulations, the standards and requirements of the Urban Commercial Corridor Overlay District shall govern.
 - (3) Exemptions. The following activities are exempt from the development requirements of the Urban Commercial Corridor Overlay District:
 - (a) Completion of work subject to preliminary plats, site development plans, construction plans, building permits, or interior finish permits approved prior to the effective date of this Section.
 - (b) Improvements and additions that are made to a single-family residence previously permitted and built on a lot of record prior to enactment of this Section.
 - (c) Construction of a single-family dwelling on an existing lot of record within a single family residential subdivision with final plat approved prior to enactment of this Section, provided that the new construction shall be of a similar floor area, materials and design as the single-family dwellings on adjacent lots in the same subdivision.
 - (d) Construction, rehabilitation, restoration, repair of a non-residential structure, interior renovations or interior finishes within an existing structure, or addition to an existing non-residential structure that was permitted prior to the enactment of this Section shall not be subject to the provisions of this Urban Commercial Corridor Overlay District, provided that such construction is on a lot of record and does not affect a change to more than 20% of the existing gross floor area of a permitted structure or 2,000 gross square feet, whichever is less.
- (E) Land Development Applications. All land development applications for property subject to this Section shall contain the following additional information:
- (1) Site plans and landscape plans demonstrating compliance with Title 3 and Section 210-3 (G), (H), and (I) of this LDR and the Urban Commercial Corridor Design Guidelines.
 - (2) Preliminary architectural drawings sufficient to demonstrate compliance with 210-3(J) of this LDR and the Urban Commercial Corridor Overlay District Design Guidelines.
 - (3) Architectural drawings should clearly show the building location and calculate the percentages of all building materials per facade as required in Section 210-3(J)(2)(b) of this LDR.
 - (4) Developments with more than 75,000 gross square feet of non-residential space or more than 200 dwelling units shall submit a traffic study conducted in accordance with the City of Valdosta Traffic Study Standards found in Appendix I.
- (F) Property Use Standards.
- (1) Authorized Uses. In addition to the uses authorized in the underlying zoning district, the following additional uses shall be authorized for any property zoned for commercial uses, subject to the supplemental use standards of Chapter 218 Article 3:
 - (a) Live-work dwelling units.
 - (b) Loft dwelling units.
 - (c) Mixed-use development.
 - (d) Parking garages, when accessory to a commercial, institutional, mixed-use or multi-family residential development.

City of Valdosta Land Development Regulations

- (2) Prohibited Uses.
 - (a) Adult entertainment establishments.
 - (b) Manufactured home dealers.
 - (c) Salvage operation, junkyard, or recyclable material wholesalers.
 - (d) Outdoor recreation facility producing odor or excessive noise.
 - (3) Conditional Uses. If allowed in the underlying zoning district, the following uses shall require approval of a Conditional Use Permit subject to standards in Section 242-6:
 - (a) Major automotive service and repair.
 - (b) Outdoor sales and display.
 - (c) Self-service storage or mini-warehouses in newly-constructed buildings
- (G) Streetscape Standards. Sidewalks within the Urban Commercial Corridor Overlay District shall be installed and constructed in accordance with City and GDOT standards as applicable.
- (H) Site Development Standards.
- (1) Building Orientation and Setbacks.
 - (a) Front Yard Building setbacks provided in Section 214-1 shall not apply.
 - (b) At least 50% of the façade of each building shall be placed along a “build-to line” parallel to the curblin and no more than 90 feet behind the right-of-way line of the nearest public street. For properties located in the North Ashley Street portion of the Overlay District and south of East Park Avenue, this “build to line” shall be located no more than 65 feet behind the right-of-way line of the nearest public street. A building located on a corner of two public streets shall also place no less than 50% of its side elevation along a similar “build-to line” parallel to the secondary street.
 - (c) Principal building entrances shall be oriented to streets and sidewalks rather than to parking lots. Entrances oriented to street corners are encouraged.
 - (2) Parking Lots.
 - (a) Off-street parking areas shall incorporate landscaped areas as required in Section 222-9.
 - (b) Parking lots containing more than 10 parking spaces that are located adjacent to public streets shall be separated from the street by a building or minimum 10-foot wide landscaped street yard pursuant to Section 328-24(C)(1).
 - (3) Lighting.
 - (a) Parking Lot Illumination.
 - i. Parking lot light fixtures shall have a maximum height of 25 feet and shall be of a design consistent with Figure 3 of the Urban Commercial Corridor Overlay District Design Guidelines.
 - ii. See also Section 222-10.

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- (b) Sign Illumination. Signs may be internally or externally lit. External lighting fixtures shall be directed downward and away from adjacent property and public streets. All lighting shall be fully shielded, have recessed luminaries, or be full cut-off luminary fixtures.
 - (c) Canopy Illumination. The luminaries at drive-under canopies and pump islands at gasoline stations shall be recessed into the canopy ceiling so that the bottom of the luminary does not extend below the ceiling.
- (I) Driveways and Streets. Driveways and streets shall be designed or altered in accordance with provisions of Chapter 332. It is the intent that the walkways, streets, and driveways in the Urban Commercial Corridor Overlay District contribute to an inter-connected and continuous network providing convenient vehicular and pedestrian access to abutting properties. An Administrative Variance from the requirements of Chapter 332 may be considered and approved by the Director and the City Engineer for properties undergoing redevelopment where there is undue hardship or unique existing site conditions that warrant such a variance.
- (1) Inter-parcel access. Joint driveways, cross-access drives, and access easements shall be provided in accordance with the provisions of Chapter 332, except where the City Engineer determines that they are unfeasible because of topographic or other site-specific constraints. Sidewalks or other designated pedestrian pathways shall be provided between adjacent parcels to connect the developments and facilitate inter-parcel pedestrian access. When adjacent property is vacant, developer shall stub-out the inter-parcel access feature (access drive or pedestrian pathway) to the property line to allow completion of inter-parcel access at such time that said adjacent property is developed.
- (J) Architectural Standards.
- (1) Franchise Architecture. In order to be consistent with local architectural character, building designs are encouraged to reflect local, unique, and traditional designs rather than chain or franchise designs. This is to help avoid a common generic appearance within the Overlay District and to establish the District's sense of place and promote adaptive reuse of existing buildings where feasible. Therefore, the use of creative context-sensitive building designs that reflect local character are encouraged. However, unique building designs utilizing franchise elements, which are well-integrated into the overall building design, may be acceptable.
 - (2) Exterior Building Materials.
 - (a) Types of building materials shall be limited as follows:
 - i. Allowed materials:
 - 1. Brick.
 - 2. Glass, including glass storefront construction.
 - 3. Stone.
 - 4. Split-face block/concrete masonry units (CMU) may be used if limited to 50% of the surface area of the facade.
 - 5. Finished precast concrete limited to 50% of exterior wall surfaces.
 - 6. Stucco.
 - 7. Natural wood and/or cement-based siding.
 - ii. Materials prohibited in exterior walls:
 - 1. Unfinished concrete and precast "T's".

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2. Unfinished concrete block.
 3. Metal siding on wall surfaces facing and plainly visible from a street or customer/visitor parking lot. Metal siding components that are clearly decorative and incidental to the wall of the building, are not included in this prohibition.
 4. Vinyl siding.
- (b) Ratios and Amounts of Allowed Building Materials.
- i. Facade Calculations. With the exception of accent/trim materials, there shall be no more than three primary building materials used. The allowed facade materials shall not apply to entry doors and/or roll-up doors.
 - ii. The amount of permitted material shall be calculated using the gross square footage of wall area per facade.
For example, a building has a front facade with a gross facade area of 1,200 square feet with 400 square ft. consisting of windows and doors. Begin with 1,200 square feet for required building material calculations. A wall area of 1,200 square feet shall have no more than 600 square feet of stucco on the front facade [e.g. (1,200 X 50% = 600)]. The balance shall be brick or other allowed material. Trim or accent material may account for up to 10% or 120 square feet.
- (c) Roof Materials for Pitched Roofs. Materials for pitched roofs shall be limited to architectural grade composition shingles, natural slate, natural terra cotta, natural wood shake, copper or factory finished sheet metal.
- (3) Building Massing and Modulation. The massing of building facades longer than 150 feet that are approximately parallel to the right-of-way and oriented to a public street shall be modulated to increase visual interest, as follows: (See Figure 8 of Urban Commercial Corridor Overlay District Design Guidelines.)
- (a) Facades of buildings that are larger than 10,000 square feet on the ground floor shall be varied in form and shall give the outward appearance of a series of compatible elements clustered or joined together. This appearance should be achieved by using a variety of roof forms, parapet heights and shapes, facade modulations, pronounced entries and other architectural details.
 - (b) Building facades that are more than 100 feet long shall have off-sets in the horizontal plane (plan view) that are at least four (4) feet in depth and at least 20 feet in length. At least one offset in horizontal plane shall be provided for every additional 50 feet of facade length beyond 100 feet.
 - (c) Blank Wall Facades. The length of a blank wall (no windows, doors, or other offsets in the horizontal plane) shall not exceed 50 feet for building facades in non-industrial zoning districts which are visible from public streets or parking lots.
- (4) Pronounced Entries. Principal building entrances must be oriented to the public street and provide cover from sun and rain. This may be accomplished by recessing the entry way, placing it within an arcade, under a projecting canopy, or within a mass or tower projecting from the primary facade.
- (5) Architectural Details. All exterior building facades shall provide visual interest through the repetitive use of one or more architectural features such as columns, awnings, canopies, arches, balconies, towers, dormers, cupolas, etc.
- (6) Building Facades for Buildings in Commercial Zoning Districts. The following standards shall apply to building facades visible from public streets or parking lots on properties within the

City of Valdosta Land Development Regulations

Overlay Districts:

- (a) The length of a blank wall (no windows or doors) along the facade shall not exceed 50 feet.
 - (b) A minimum of 20 percent (20%) of the ground floor exterior wall facing an arterial street, and located within 50 feet of the street, shall consist of windows. (See Urban Commercial Corridor Overlay District Design Guidelines, Figure 9).
- (7) **Satellite Dish Antennae.** No satellite dishes greater than 3 feet in diameter shall be permitted within unobstructed view from public streets.
- (8) **Off-street Loading Areas.** Off-street loading areas as required in Chapter 226 shall be located in the rear of buildings and screened from view from adjacent property or streets.
- (K) **Signs.** In addition to the signs permitted by Chapter 230, buildings in a commercial zoning district shall be permitted one additional sign of one of the following types, for each tenant. Each such sign shall be attached to the principal building and may be no larger than 10 square feet per tenant:
- (1) Projecting sign.
 - (2) Suspended sign.
 - (3) Awning sign.

Staff Review Comments:

Engineering & Stormwater Department: Addressing:

Fire Department:

Police:

Inspections:

Plan Review:

Public Works:

Utilities:

Fire Department:

GIS:

Public Works:

Landscape:

Attachments:

Zoning Map

Aerial Map

Section 210-3 Urban Commercial Corridor Overlay District

Photos

Dec 5, 2022 at 3:58:39 PM
3109 N Oak Street Ext
Valdosta GA 31602
United States



A white banner with a red logo on the left. The logo consists of a stylized 'S' and 'C' intertwined within a circle. To the right of the logo, the text 'Sausage Company' is written in a black, cursive-style font. Below this, the website 'slsausage.com' is printed in a smaller, black, sans-serif font. At the bottom of the banner, the words 'COMING SOON' are written in large, bold, red, sans-serif capital letters.

Sausage
Company
slsausage.com
COMING SOON

May 18, 2023 at 8:03:24 AM
3409 N Oak Street Ext
Valdosta GA 31602
United States


SOUTHERN
FURNITURE
COMPANY
**NOW
OPEN**



May 18, 2023 at 8:04:35 AM
3111 N Oak Street Ext
Valdosta GA 31602
United States



May 18, 2023 at 8:05:57 AM
3109 N Oak Street Ext
Valdosta GA 31602
United States

