

**THOMASVILLE ZONING BOARD OF APPEALS
OFFICIAL MINUTES
May 9, 2007**

The Thomasville Zoning Board of Appeals met in a regular session on Wednesday, May 9, 2007, at 10:00 a.m. in the Municipal Building Council Chambers. Members present were Carol Biggs, Janet Liles, Scott Forsyth, and Bobby Maxwell. Also present were Duane Treadon, Zoning Administrator; Mollie Powell; Housing and Landscaping Administrator; and Shannon Jones, Administrative Assistant.

Call to Order

Janet Liles called the meeting to order, and asked members of the Board to introduce themselves to the public.

Approval of Minutes

Scott Forsyth motioned to approve the minutes of the April 11, 2007 meeting with proposed corrections. The motion was seconded by Carol Biggs, and passed unanimously.

Old Business-

Application 07-01-02 Mills Herndon, owner of property located at **418 and 422 Remington Avenue** Thomasville, Georgia. This variance is a request to allow an extension of office space and parking resulting in 74.74% lot coverage.

Janet Liles asked for the staff report to be presented.

Duane Treadon presented the staff report. Mr. Treadon stated that the applicant proposes to combine lots into one and develop a single building using existing buildings and new construction. Applicant also plans to utilize brick pavers for a portion of the vehicle use area. According to Section 22-181 Maximum lot coverage of 40% is allowed in an R-2 zoning district. Also, Section 22-81 Establishment of District for R-2 Multi-family Residential-The purpose of this district is to provide orderly development of high density residential areas for one (1), two (2) and multi-family dwellings as well as professional offices, such areas being protected from the encroachment of those uses which are incompatible to a desirable residential-professional environment. **Section 22-83**

Mr. Treadon informed the Board that development plans call for the continued use of existing buildings with an addition that will unite the structures. This site is located within the Tockwotton local historic district. Development plans have been reviewed by Thomasville's Historic Preservation Commission and were granted a Certificate of Appropriateness on October 10, 2006. Development plans call for a reduction of total lot coverage to 70.48% once project is completed; this being 30.47% overage in coverage of the allowed 40% the area. Although a hardship does not exist, existing lot coverage can be taken into consideration. Development plans have been reviewed by the City of

Engineering Department and found to have no major concerns related to water run off. The applicant plans to utilize brick pavers that will assist in the percolation of natural water flows in the soils below. The applicant plans to utilize brick pavers for a front portion of the vehicle use area. This area would be most visible from Remington Avenue and offer a more compatible view giving the properties location in a historic district. This method for paving will also allow for increase natural water percolation into the soils below thus decreasing the total impervious area. Base layer will be constructed to City Engineering specifications.

Mr. Treadon also stated that if the variance is granted, there are possible ways to minimize any impact the variance may cause. There exists on the market today environmentally friendly choices to paving including pervious concrete options. These options result in less water being diverted into the storm-water management system. Industry reviews state that initial costs are slightly higher than traditional concrete options, but offer a better return on investment over the lifecycle of the product. The estimated life cycle is 20 to 40 years. A negative factor in its application for our area would be finding a mixing company that is qualified in delivering such a product. Parking plans call for a total of 39 spaces. Minimum parking requirements call for 29 spaces. The reduction of total number of parking spaces to the minimums as established by code would decrease total lot coverage. This may not be feasible due to the nature of the established business. With multiple agents and their clients the extra parking may be a necessity and reduction to the minimums not practical. A combination of the above methods would decrease lot coverage and increase the amount of pervious surface allowing more rain water to percolate naturally into the surface soils as part of the natural water cycle thus lessening the impact caused by excessive lot coverage. As already stated these options while beneficial may not be practical to this particular application.

Janet Liles asked for the applicant to present his application.

Mills Herndon presented the application. Mr. Herndon stated that he understands that the coverage of lots will exceed the City's requirements, however they intended on reducing the amounts of parking spaces, and will follow though with a landscaping plan that will meet the City's landscaping requirements.

Mr. Ray Finger, architect for the applicant, stated to the Board that they intend on creating customer parking in the front of the property, and employee parking in the back of the property. He also stated that the plan meets or exceeds the City's landscaping ordinance.

Mollie Powell then spoke in regards to the landscaping portion of the application. Mrs. Powell stated to the Board that the applicant is removing 27 trees, but are leaving 7 trees. She stated that the applicant, according to the City's Landscaping requirements, the applicant must replace 10 of those trees.

Herndon stated that he would replace the trees with caliber trees to create a visual screen around the parking lot. No pine trees are planted on the lot.

Ben Grace, Kathy Lannigan, Bernie Lannigan had an intensive discussion with the board and the applicant, regarding parking and paving issues for the subject property. All three persons questioned whether the paving would be too excessive in an R-2 zone; and whether the increase in the level of asphalt would cause drainage problems within the area.

Ray Finger and Susie Finger informed the board that the increase in asphalt level would not cause drainage problems. Their landscaping plans would comply with the City's standards and serve as a buffer between the two properties. Mr. Finger further stated that while the plan does exceed 40% maximum lot coverage, the final project will reduce current existing impervious coverage.

Carol Biggs motioned that application 07-01-02 be approved, seconded by Bobby Maxwell, based on the grounds that there are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography; and the application of this article to this particular piece of property would create a practical difficulty or unnecessary hardship; and such conditions are peculiar to the piece of property involved; and relief if granted would not cause substantial detriment to the public good or impair the purposes and intent of these regulations. The motion was passed unanimously.

Following a brief discussion, the following resolution was passed unanimously.

Resolution

BE IT RESOLVED BY THE ZONING BOARD OF APPEALS, AND IT IS HEREBY RESOLVED BY THE AUTHORITY OF THE SAME, that the variances to the Thomasville Municipal Code Sections 22-283 requested for property located at 418 and 422 Remington Avenue is hereby approved.

The grounds for this decision based on the grounds that there are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography; and the application of this article to this particular piece of property would create a practical difficulty or unnecessary hardship; and such conditions are peculiar to the piece of property involved; and relief if granted would not cause substantial detriment to the public good or impair the purposes and intent of these regulations.

New Business-

Applicant 07-05-01- Demetrius Hadley, owner of property located at **552 West Clay Street** Thomasville, Georgia. This variance is a request to modify required building setbacks.

Janet Liles asked for the staff report to be presented.

Mr. Treadon informed the Board that the applicant's development plan calls for the placement of a single family house on this existing parcel. The Parcel is substandard in size for the zoning district at only 50 feet wide and 5000 sqft in area. (R-1 calls for minimum of 60 feet width and 7500 sqft in area). This parcel was plotted at a time before zoning was implemented in the city.

Mr. Treadon informed the Board that this area is an older section of town with smaller sized lots that are classified as substandard in size under the City of Thomasville Code sec 22-23. Special consideration is authorized under the code for these lots in an effort to allow reasonable economic use and development. This particular lot is 17% smaller in size than conforming lots in this zoning district. Applicant plans to place an approximate 26x50 foot residential unit on the lot. Front and right side setbacks will be met. Applicant requests to vary the rear setback by 10 feet to 20 feet from the rear property line and to vary the corner side setback by 10.5 feet to 12 feet. The applicant is authorized to utilize a 6 foot right side setback that would decrease the requested corner side setback to only an 8.5 foot variance (causing a 14 foot setback).

Mr. Treadon also informed the Board that staff recognizes no detriment to the public health, safety, and welfare in granting the rear yard setback.

There is a concern on the corner side yard request. This setback is calculated at 75 percent of the front yard setback. Its purpose is to provide for clear sight visibility for vehicle traffic at corners. The proposed structure will sit back 30' from Clay St. This should allow for proper sight visibility for vehicles making a turn from Short St. onto Clay. With the assistance of the City Engineering Dept., staff will confirm this point before permitting the project.

Treadon concluded his staff report by stating that the applicant can reduce the right side yard setback to 6 feet based on its status as a substandard sized lot. While this will not put the side yard into compliance it will decrease the requested variance from 10.5 to 8.5 feet.

Janet Liles asked the applicant to present his application.

Demetrius Hadley, CEO of D.A F.I.R.M. Construction companies, Inc. informed the Board that the subject property, which is one lot will become a single family residential community. He also stated to the Board that the purpose of this variance is to upgrade, and beautify the community.

Scott Forsyth motioned to approve the application as presented, seconded by Janet Liles based on the grounds that there are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography; and the application of this article to this particular piece of property would create a practical difficulty or unnecessary hardship; and such conditions are peculiar to the piece of property involved; and relief if granted would not cause substantial detriment to the public good or impair the purposes and intent of these regulations. The motion passed unanimously.

Following a brief discussion, the following resolution was passed unanimously

Resolution

BE IT RESOLVED BY THE ZONING BOARD OF APPEALS, AND IT IS HEREBY RESOLVED BY THE AUTHORITY OF THE SAME, that the variances to the Thomasville Municipal Code Sections 22-283 requested for property located at 552 W. Clay Street is hereby approved.

The grounds for this decision based on the grounds that there are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography; and the application of this article to this particular piece of property would create a practical difficulty or unnecessary hardship; and such conditions are peculiar to the piece of property involved; and relief if granted would not cause substantial detriment to the public good or impair the purposes and intent of these regulations.

Having no further business, meeting was adjourned.

Chairman, Zoning Board of Appeals