



VALDOSTA-LOWNDES COUNTY ZONING BOARD OF APPEALS
Staff Report - MEETING DATE: Tuesday, October 3, 2017

VAR-2017-18
Cass Burch Chrysler – Con’t

The subject property is located on a state maintained road, and is protected under the Georgia Department of Transportation (GDOT) rules/regulations as they pertain to the Federal Highway Beautification Act and the Georgia Outdoor Advertising Control Act. As in this case, local government jurisdictions have the authority to adopt more restrictive sign regulations. It is the applicant’s desire to construct the sign in such a manner as to display/advertise multiple messages on a digital board.

Staff debated concerning the proposed Variance and the sign’s potential impact (i.e. proliferation, visual integrity, distraction, etc.). One of the debates was the fact that the applicant, by right, can construct an “on-site” sign at 750 square feet. In lieu of this, it is the opinion of staff that the sign messages is of little to no importance if the sign structure is allowed to be established as a matter of right. The other debate was the fact that the applicant has plenty of room on the subject property to construct their proposed sign without the request for a Variance. With these factors, the TRC reviewed this request and is ultimately recommending approval. (Vote 6-1)

	Planning	Zoning	Engineering	Utilities
Division with Recommendation	Denial	Approval	Approval	Approval
	Board of Health	Fire/Rescue	Inspections	Moody AFB
	Approval	Approval	Approval	n/a
Recommended Conditions with (Source)	n/a			
Other Comments with (Source)	N/A			

The ULDC provides that variances may be granted upon a finding by the ZBA that one the following conditions have been met:

- a. *There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;*
- b. *Such conditions are peculiar to the particular piece of property involved;*
- c. *The application of this ULDC to this particular piece of property would create an unnecessary hardship;*
- d. *Relief, if granted, will not cause substantial detriment to the public good or impair the purposes and intent of this ULDC;*
- e. *A literal interpretation of the provisions of this ULDC would deprive the applicant of rights commonly enjoyed by other properties of the zoning district in which the property is located;*
- f. *Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the zoning district in which the applicant's property is located;*
- g. *The requested variance will be in harmony with the purpose and intent of this ULDC and will not be incompatible with the neighborhood or to the general public welfare;*
- h. *The special circumstances are not the result of the actions of the applicant;*
- i. *The variance requested is the minimum variance that will make possible the legal use of the land or structure;*
- j. *The variance is not a request to permit a use of land or structures which are not permitted by right in the zoning district involved;*
- k. *The extension of said nonconforming use will not further injure a permitted use on the subject property or on adjacent property;*
- l. *The design, construction, and character of the nonconformance is not suitable for uses permitted in a district in which the nonconformance is situated; and*
- m. *The nonconforming use is similar to the prior nonconforming use.*