



VALDOSTA-LOWNDES COUNTY ZONING BOARD OF APPEALS

Staff Report

MEETING DATE: August 6, 2024

VAR-2024-08

Good Samaritan Healthcare Service – 3515 Cherokee Trail

The applicant represents the property owner and is requesting a Variance to the design standards for the establishment of a Family Personal Care Home. The subject property consists of 0.48 acres and is located at 3515 Cherokee Trail, in an R-10 (Suburban Density Residential) zoning district.

Table 4.03.16 (C) contained in the ULDC provides for minimum design standards for Group and Family Personal Care Homes. (Please see table below):

Table 4.03.16(C). Standards for Group personal care homes and Family personal care homes.

Development Feature	Standard
<i>*Site location</i>	<i>Collector or arterial</i>
<i>*Minimum setbacks</i> <i>Side and rear yards</i>	<i>50 feet</i>
Fence	The lot shall be fenced according to the standards in Section 5.02.03
Signs	Prohibited
Parking	2 spaces are required and may be located in the driveway or garage or in the rear yard; additional spaces shall be located in the rear yard only and shall be screened from view from adjacent properties.
Compliance with Local, State, and Federal regulations	The Facility shall comply with all applicable local, state, and federal regulations, and applicable permits shall be provided to the TRC prior to the issuance of a certificate of occupancy or final inspection. Specifically, if applicable, compliance shall include satisfying the public hearing requirements found in O.C.G.A. and all state DHR regulations.

By definition, a **family personal care home** is a home for adults in a family type residence, non-institutional in character, which offers care to four (4) through six (6) persons. In this case, the applicant will use an existing home and is requesting Variances to the above design requirements for “Site Location” and “Minimum Setbacks”. Cherokee Trail is considered a residential road, thus the request for site location. Additionally, the width of the existing lot is 100’, thus the request for relief to the setbacks. The house is centrally located on the lot, with around 18-20’ on either side; the rear yard setback will meet the standard.

The TRC staff heard and considered this request (during their regularly scheduled meeting) and had no objectionable comments. Based on criteria D, I and J, staff recommends approval.

A variance may be granted upon a finding by the ZBA that one (1) of the following conditions has 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; and
- J. The variance is not a request to permit a use of land or structures that 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.

Good Samaritan Healthcare Services

C/O Kimberly Alexander

3515 Cherokee Trail

Valdosta, GA 31605

May 16, 2024

Lowndes County Zoning Boards and Appeals

327 North Ashley St, 3

rd. Floor

Valdosta, GA 31601

To Whom It May Concerns:

It brings with great opportunity to put in force of my business to start a Group Personal Care Home

(4.03.16) for individuals who has Intellectual disabilities. The restriction requires the standards to be a minimum setback of 50 feet side and rear yards. In which, this is a difficult matter. The setbacks currently are 25 feet in yards.

Ms. Alexander has been in the healthcare industry for over 30 years and decided to make this a great business and a successful dedication to those individuals with intellectual disabilities who need a Good Samaritan to support them in a personal care group home.

Without the variance approval, I will not be able to start this business as a Group Personal Care Home without the adequate number of minimum setbacks 50 feet side and rear in yards.

I am respectfully requesting this variance letter as approval and using for the purpose thereof.

D. Relief, if granted, will not cause substantial detriment to the public good or impair the purposes and intent of this ULDC;

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.

I. The variance requested is the minimum variance that will make possible the legal use of the land or structure.

K. The extension of said nonconforming use will not further injure a permitted use on the subject property or on adjacent property.

Good Samaritan Healthcare Services will comply with the parking requirements as well with all applicable local, state, and federal regulations, and applicable permits shall be provided to the TRC prior to the issuance of a certificate of occupancy or final inspection.

Respectfully Submitted

Kimberly Alexander

	Rural Zoning Districts			Residential Zoning Districts			Commercial, Office, and Institutional Zoning Districts				Industrial and Intensive Zoning Districts			Mixed Use Zoning Districts					
Zoning Districts: P – Permissible S – Permissible Subject to Supplemental Standards Blank – Prohibited	E-A	R-A	CON	R-1	R-21	R-10	OI	C-C	C-G	C-H	M-1	M-2 (See Also Section 10.02.05(C))	M-3 (See Also Section 10.02.05(C))	I-S (See Also Section 10.02.05(C))	MAZ-I (See Also Section 4.02.04)	MAZ-II (See Also Section 4.02.04)	MAZ-III (See Also Section 4.02.04)	Residential/Mixed Use PD or PD-R (See Also Section 4.06.00)	Non-Residential PD or PD-R (See Also Section 4.06.00)
Manufactured homes (See Also Section 4.01.03 and 9.01.01(C))	P	P		P	P	P										S*	S	S	
Manufactured home Communities (For an “S” See Also Section 4.03.26)																		S	
Social Services																			
Family Personal Care Homes (4-6 residents) (For an “S” See Also Section 4.03.16)	S	S		S	S	S	S	S	S	S							S	S	

*An asterisk indicates that the use is prohibited within the MAZ Accident Potential Zone (APZ) II area (See Also Section 4.02.04).

Parent tract or parcel. A **Lot of Record** as of the original adoption date of the ULDC, May 9th 2006.

Parking Area. All property used for off-street parking vehicular aisles and access ways, loading zones, interior and perimeter landscaping, and other outdoor vehicular use areas.

Parking Lot. An area or plot of land used for the storage or parking of motor vehicles.

Parking Lot Island. A strip of property, which separates groups of parking spaces from other groups of parking spaces or internal driveways.

Perennial River. A river or section of a river that flows continuously throughout the year.

Permit. The authorization necessary to conduct a land disturbing activity under the provisions of this ULDC.

Person. Any individual partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of the State, any interstate body or any other legal entity.

Personal Care Home. A building or group of buildings, a facility, or place in which is provided beds and other facilities and services including room, meals and personal care for non-family ambulatory adults. This term does not include buildings which are devoted to independent living units which include kitchen facilities in which residents have the option of preparing and servicing some or all of their own meals or boarding facilities which do not provide personal care. Personal care homes are categorized as follows:

Family Personal Care Home. A home for adults in a family type residence, non-institutional in character, which offers care to four (4) through six (6) persons.

Group Personal Care Home. A home for adult persons in a residence or other type building(s), noninstitutional in character, which offers care to seven (7) through fifteen (15) persons.

Congregate Personal Care Home. A home for adults which offers care to sixteen (16) or more persons.















Planned Development. Development intended to encourage both residential and

VAR-2024-08

WRPDO Site Map

Good Samaritan Healthcare Services Variance Request

Legend

- | | |
|--|--|
|  Roads |  Open Water |
|  Railroads |  Valdosta Airport |
|  Park |  Wetlands |
|  City Limits |  100 Yr Flood |
|  Crashzone |  Hydrology |
|  Crashzone West |  Drastic |
|  Urban Service Area |  Parcels |

