

**COUNTY ZONING BOARD OF APPEALS**  
**ARTHUR A. MENDONSA HEARING ROOM**  
**112 EAST STATE STREET**

**June 24, 2008**

**9:00 a.m.**

**REGULAR MEETING**

**MINUTES**

**MEMBERS PRESENT:**

**Wayne Noha, Chairman**  
**Terrance Murphy, Vice Chairman**  
**Davis Cohen**  
**Steven Day**  
**Brian Felder**  
**Lucy Hitch**

**MEMBERS ABSENT:**

**Jimmy Watford**

**TECHNICAL STAFF PRESENT:**

**Bob Sebek, Chatham County Zoning  
Administrator**

**MPC STAFF PRESENT:**

**Geoff Goins, Assistant Secretary**  
**Jessica Mayfield, Administrative Assistant**

**RE: Called to Order**

**Mr. Noha** called the meeting of June 24, 2008 Chatham County Zoning Board of Appeals meeting to order at 9:02 a.m.

**RE: Regular Agenda**

**RE: Minutes**

1. Approval CZBA Meeting Minutes – May 27, 2008

**CZBA Action: Mr. Day made a motion that the Chatham County Zoning Board of Appeals approve the minutes of May 27, 2008 as submitted. Mr. Felder seconded the motion and it was unanimously passed.**

**RE: Petition of Keith Sapp Construction, For  
Prevatt Properties  
B-080424-00060-1  
559 Suncrest Boulevard**

Present for the petition was Keith Sapp.

Mr. Goins gave the following Staff Report.

This petition was denied at the May 27, 2008 Chatham County Zoning Board of Appeals meeting, due to the lack of representation. The petitioner submitted a written request for rehearing within the required deadline, pursuant to Section 10-5.6 of the Chatham County Zoning Ordinance.

The petitioner is requesting approval of an eight (8) foot height variance from the 36 foot maximum height allowed by Section 4-6.1 of the Chatham County Zoning Ordinance in conjunction with the construction of a new single family residence. The subject property, located at 559 Suncrest Boulevard, is within an R-1-C/EO (One-Family Residential/Environmental Overlay) zoning classification.

**Findings**

1. Development standards established for the R-1-C zoning require a minimum lot width of 100 feet and a minimum lot area of 32,000 square feet. The subject parcel contains approximately 48,351 square feet, measuring approximately 125 wide. The property is a standard lot of record.
2. Section 4-6.1 of the Chatham County Zoning Ordinance allows a maximum height of 36 feet. The petitioner is requesting a variance of eight (8) feet to allow a maximum height of 44 feet.
3. The petitioner is requesting the variance in conjunction with the construction of a new single family residence.
4. In accordance with Section 10-6.3 of the Chatham County Zoning Ordinance, the Board of Appeals may authorize upon appeal in specific cases such variance from the terms of the regulations as will not be contrary to the public interest where owing to special conditions, a literal enforcement of the provisions will, in an individual case, result in unnecessary hardship, so that the spirit of the regulations will be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in an individual case upon a finding by the Board of Appeals that:

- a. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.**

The subject property is considered a standard parcel within the zoning district. The parcel presently meets the requirements for minimum area and minimum lot width requirement of the district. The property is an existing legal lot of record.

- b. **The application of these regulations to this particular piece of property would create an unnecessary hardship.**

Strict application of the regulations of the Zoning Ordinance would not create an unnecessary hardship.

- c. **Such conditions are peculiar to the particular piece of property involved.**

The conditions described above are not peculiar to the particular piece of property involved. All the properties within this area are of similar size and shape compared to the subject property.

- d. **Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the Savannah Zoning Ordinance.**

Relief, if granted, would not likely cause detriment to the public good or impair the purposes of the Ordinance.

**Summary of Findings**

All of the conditions necessary for granting a height variance appear not to be met.

**CZBA ACTION: Mr. Day made a motion that the Chatham County Zoning Board of Appeals reconsider the petition as submitted. Ms. Hitch seconded the motion and it was unanimously passed.**

**Mr. Cohen** stated when the Board toured the property it appeared there were no other houses that exceeded the 36 foot limitation.

**Mr. Goins** stated that was correct.

**Mr. Sapp** stated that the elevation on the property was about 7 foot. He said they needed at least 9 foot for the garage door to open.

**Mr. Felder** stated he felt the petitioner did not have to park underneath the house.

**Mr. Sapp** stated yes. He said he felt the only other option would be to build a separate garage in order to lower the house.

**Mr. Cohen** stated he felt the design was too big. He said he felt there was no real reason to grant the variance.

**CZBA ACTION: Mr. Day made a motion that the Chatham County Zoning Board of Appeals continue the petition until the next regularly scheduled meeting July 22, 2008. Mr. Felder seconded the motion and it was unanimously passed.**

**RE: Other Business**

**RE: Adjournment**

There being no further business to come before the Chatham County Zoning Board of Appeals the meeting was adjourned approximately 9:27 A.M.

Respectfully submitted,

Geoff Goins,  
Assistant Secretary

**GG: jm**