

Vote Results

Motion: Anthony Wayne Noha

Second: Steven Day

Steven Day - Aye

Brian K. Felder - Aye

Clifton Kennedy - Aye

Anthony Wayne Noha - Aye

V. Item(s) Requested to be Removed from the Final Agenda

The Consent Agenda consists of items for which the applicant is in agreement with the staff recommendation and for which no known objections have been identified nor anticipated by staff. Any objections raised at the meeting will result in the item being moved to the Regular Agenda.

VI. Consent Agenda

VII. Old Business

VIII. Regular Agenda

3. [323 Suncrest Boulevard](#)

Attachment: [Tax MAP.pdf](#)

Attachment: [Aerial MAP.pdf](#)

Attachment: [suncrest photo \(2\).pdf](#)

Attachment: [suncrest photo \(3\).pdf](#)

Attachment: [Staff Report.pdf](#)

Present for the petition was: Mr. Scott Warner

Mr. Marcus Lotson gave the following summary:

The petitioner, Scott B. Warner, is requesting approval of 140 square foot variance from the 900 square foot maximum requirement of section 3-6.1 of the Chatham County Zoning Ordinance. The petitioners' intent is to construct a detached garage. Staff recommendation is for denial.

Speaking on the petition: Mr. Warner stated that this would be a single story garage large enough to accommodate his storage needs. At present he has household maintenance equipment and three (3) cars that will be kept in the proposed structure. He asked that the petition be approved as submitted.

Board Action:

motion to approve - PASS

Vote Results

Motion: Steven Day

Second: Clifton Kennedy	
Steven Day	- Aye
Clifton Kennedy	- Aye
Anthony Wayne Noha	- Aye
Brian K. Felder	- Aye

4. [596 Gateway Boulevard](#)

Attachment: [Tax_MAP.pdf](#)
Attachment: [Comfort Suites Photo.pdf](#)
Attachment: [Comfort Suites Photo II.pdf](#)
Attachment: [Aerial_MAP.pdf](#)
Attachment: [PROPOSED SIGN EXHIBIT Model \(1\).pdf](#)
Attachment: [staff report.pdf](#)
Attachment: [Existing Comfort Suites Sign.pdf](#)

Present for the petition were: Mr. Hastings and Mr. Jim Sarp

Marcus Lotson gave the following summary:

Marcus Lotson stated that the petitioner's agent Mr. Harold Yellin has requested that this petition be continued to the next CZBA meeting August 24, 2010. However, the adjoining property owner who is a part of this petition is present in the audience. Mr. Lotson added that in the past the Board has considered continuance request immediately prior to hearings, but there is no testimony allowed.

Speaking on the petition: Attorney Walter Hartridge, agent for Mr. Desai the property owner, stated that he was opposed to the continuance. He stated that the sign has been improperly placed on Mr. Desai's property. The petitioner, Mr. Jay Patel, is under the assumption that he will obtain a letter of consent from Mr. Desai. However, Mr. Desai has given no such letter of consent nor does he intend to.

Mr. Steven Day questioned if this was a situation that should be determined by the court. He asked whether or not the court should determine whether the sign has been placed illegally or if the existing sign should be removed. He explained that the Board is not being asked to make the decision whether or not the sign should be at the present location but as to whether or not the new sign can be larger.

Attorney Hartridge expressed that he is taking the position that the sign was improperly placed on his client's property. He asked that the Board hear the petition and that they deny it. He added that he would then address the next point and correspond with the petitioner. If necessary, he would take this to court.

Mr. Bob Sebek, County Zoning Administrator stated that the county has taken Mr. Patel to court on this issue. The sign was posted illegally and it was not Mr. Patel's property that the sign was posted on. The issue is due back in court pending the response of the Zoning Board.

Mr. Wayne Noha questioned how the Board can address a petitioner requesting something

that is illegal. He added that the petition was improperly filed and out of order .

Mr. Steven Day stated that the request to continue this petition should be denied from the standpoint that this appears to be an illegal petition in regards to the guidelines set forth in the zoning regulations and ownership of property. He concluded that the legalities of the sign issue should be set out before it is presented to the Board.

Board Action:

Denial of continuance - PASS

Vote Results

Motion: Steven Day

Second: Brian K. Felder

Steven Day - Aye

Brian K. Felder - Aye

Clifton Kennedy - Aye

Anthony Wayne Noha - Aye

5. [6 Pepper Bush Circle](#)

Attachment: [Aerial MAP.pdf](#)

Attachment: [Photo.pdf](#)

Attachment: [Tax MAP.pdf](#)

Attachment: [Staff Report.pdf](#)

Present for the petition was: Mr. Scott Richards

Marcus Lotson gave the following summary:

The petitioner, One Stop Remodeling, Agent for Alman and Barbara Townsend, is requesting approval of a 2 foot encroachment over the 25 foot building setback line for the purpose of constructing an addition onto an existing single family residential structure.

All of the conditions necessary for granting a rear yard setback variance appear not to be met. Thus, Staff is recommending **DENIAL** of the 2 foot rear yard setback variance.

Speaking on the petition: Mr. Scott Richards stated that the owners of the subject property are requesting two (2) square feet and not a two (2) linear foot rear yard setback and have discovered that there will be no way to add this addition in any other place without encroaching on the property line.

Board Action:

Approval of the petitioner's request due to the fact

that the encroachment is insignificant and that it has been approved by the Landings Achitectural Review Board. - PASS

Vote Results

Motion: Clifton Kennedy

Second: Steven Day

Steven Day - Aye

Brian K. Felder - Aye

Clifton Kennedy - Aye

Anthony Wayne Noha - Aye

IX. Other Business

6. Update on Marsh Buffer Text Amendment

Marcus Lotson informed Board members that staff has moved forward with the amendment action as requested by the board at the June 22, 2010 CZBA meeting. He stated that staff could not support something that would be different from what is being proposed in the draft. Therefore staff would like to join the requested language with the language that is being proposed in the Unified Zoning Ordinance. He introduced Charlotte Moore and Amanda Bunce who were present to give the Board an update on the proposed draft.

Charlotte Moore explained that the UZO Advisory Committee is working to update this section of the ordinance. She stated that it would be premature to adopt a text amendment for the environmental overlay district at present and advised not to change the existing text.

Chairman Felder stated that thousands of houses that were built on the marsh up until 2001 lost the ability to build within the additional 25 foot. He added that he personally agrees with and would support the 35 foot with the extra 10 foot if the buffer were put back. He said that he would be happy to allow this to stay as is for now and not go in at this time to amend the language.

Charlotte Moore stated that a quick action on this, would be to change the language about whether or not property has been built on, so that it is consistent for all properties and then to eliminate the 50 foot building setback. This is something that staff is proposing but again it will be a little bit more extensive. For example staff has developed standards such as: 1) what can be done in the buffer; 2) what kind of activities; 3) what kind of uses might be able to be in that buffer and; 4) exceptions to that. The process will change. Any kind of variance to the buffer would then go to county engineering or through the city engineer rather than this board.

Mr. Steven Day stated that if the language and the changes are going to be in place in the next six months then that's one thing but if we are looking at the year 2015 before this becomes in existance then that will be something different.

Charlotte Moore responded that the unified zoning ordinance has been targeted for October 1st to go public. Staff is in the process of editing and meeting with outside staff. It should take about four months to go through the public process, depending on the type of feedback, it may take longer. However; staff is hopeful that by next year the ordinance will be adopted.

Chairman Felder stated that he would like the language to remain as it is until the draft is available. He is confident that staff will address the Board's concern in the draft proposal.

Mr. Noha agreed that staff is trying to have the draft complete and the ordinance adopted by this year's end however; he does feel that the injustice is to the citizens by not having it equal across the board.

Mr. Day asked if staff could push forward with the text amendment that just states that it is 35 feet for everyone.

Chairman Felder added that staff write the language that will compliment what is to be written in the Unified Zoning Ordinance.

Ms. Moore agreed.

Chairman Felder stated that on another note that he was curious to the removal of the public hearing process for granting those variances when they do come up and letting them go to the city and county engineering department. He questioned whether or not the public would have an opportunity to comment if their neighbor is building in the setback.

Ms. Moore answered that she was not sure if there was any sort of process for this.

Mr. Wayne Noha asked what was the purpose for removing this from the Board's charge and putting it into the hands of the engineering department.

Ms. Moore responded that staff has drafted an Alternative Compliance Section. Basically what the developer would have to do is comply with the ordinance. If they are unable to do so, there is the ability to offer some slack. The developers will have to do some other things as well. What this is is a trade off of sorts.

Chairman Felder questioned how does this address the individual homeowner that just wants to add an addition.

Charlotte Moore stated that there is no difference between a developer and an individual homeowner. This is the same thing. There is also more ability to work with the applicant to try to find a workable situation and to try to save as much buffer as possible.

Mr. Day stated that there needs to be a mechanism or device in place where the public can put forth their input.

The Board requested that staff move forward with the text amendment and to have it available for their review at the next scheduled CZBA meeting on August 24, 2010.

Board Action:

Motion to move forward with the text amendment with a single standard for all properties which will coincide with the language proposed in the UZO draft. - PASS

Vote Results

Motion: Steven Day

Second: Anthony Wayne Noha

Steven Day - Aye

Brian K. Felder - Aye

Clifton Kennedy - Aye

Anthony Wayne Noha - Aye

X. Adjournment

7. [Submittal](#)

There being no other business to come before the Board the July 27, 2010 CZBA Meeting adjourned at 10:01 A.M.

The Chatham County - Savannah Metropolitan Planning Commission provides meeting summary minutes which are adopted by the respective Board. Verbatim transcripts of minutes are the responsibility of the interested party.