



C H A T H A M C O U N T Y
Z O N I N G B O A R D O F A P P E A L S

Arthur A. Mendonsa Hearing Room
112 E. State Street, Savannah 9:00 A.M
Minutes

November 22, 2011 Chatham County Zoning Board of Appeals Meeting

Members Present:: Wayne Noha, Acting Chairman
James Overton
Brian Felder
James Blackburn
Quentin Marlin

Members Not Present Lucy Hitch, Chairman
Coren Ross

Staff Present: Marcus Lotson, Assistant Secretary
Constance Morgan, Administrative Assistant

Advisory Staff Present: Bob Sebek, County Zoning Administrator

I. Call to Order and Welcome

1. [Call to Order](#)

Due to the absence of the Chairman, Mr. Wayne Noha was Acting Chairman for the meeting. He called the meeting to order at 9:05 A.M. and welcomed the newly appointed Board Members; Mr.s' Quentin Marlin, James Overton and James Blackburn Jr.

II. Notices, Proclamations and Acknowledgements

Notices

2. [The Next CZBA Meeting: December 20, 2011 at 9:00am located in the Arthur Mendonsa Hearing Room](#)

III. Petitions Ready for Hearing

IV. Approval of Minutes

3. [Approval of the August 2, 2011 Special Meeting Minutes](#)

Attachment: [August2nd.pdf](#)

Board Action:

Approval of the August 2, 2011 CZBA Meeting Minutes as submitted. - PASS

Vote Results

Motion: Brian K. Felder

Second: Anthony Wayne Noha

James Blackburn - Not Present

Brian K. Felder - Aye

Quentin L. Marlin - Aye

Anthony Wayne Noha - Aye

James Overton - 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

4. [9 Ralston's Way](#)

Attachment: [Staff Report.pdf](#)

Attachment: [plot plan.pdf](#)

Attachment: [Aerial Photo.pdf](#)

Present for the petition was: Steven Brannen

Marcus Lotson gave the following summary:

The petitioner Steven Brannen is seeking a 7 foot front yard setback variance from the 25 foot requirement of the zoning ordinance with the intent of establishing a new single family residence. This property is located within the Herb River Bend Subdivision. The subject property is presently vacant and zoned R1 for single family residential. It is a pie shaped corner lot that is approximately 10,000 square foot. The pie shape of the lot precludes the petitioner from constructing this particular home without a variance being granted. The front part is an uncovered porch. There will be no significant impact from the proposed encroachment, as the structure will conform to a degree with other homes on the block and still be a significant distance from the right of way. The pie shape of the lot

precludes the petitioner from establishing a property there that would allow them to take full advantage of the lot. There will be no significant impact from granting the variance. Staff recommendation is for approval of the seven foot front yard setback variance request.

Speaking on the petition: Steven Brannen, petitioner made the clarification for the board that the front porch is a covered porch. He added that in this particular subdivision there is an amendment to the setback line for the front porches. He stated that the property here is a very odd sized lot and he is trying to gain a little more backyard- kid friendly space in the back corner. He stated that if he held the house in the specific guidelines it would kill the backyard and the house would have a lot of front yard space. Thus, his petition to turn the house.

Mr. Felder asked why not rotate the house 5 degrees and remove the triangle out of the setback?

Mr. Brannen responded that rotating it back clockwise would close down that 23 feet to about 17 feet if not more.

Mr. Felder asked why not design a smaller house that fits the lot better.

Mr. Brannen stated that he was doing this as a contract. In this neighborhood there have been a lot of variances because a lot of the houses are close to the street. The developers tried to squeeze too many lots into the neighborhood. He stated that he was not encroaching the whole house but just the corner he asked that the board be a little flexible and to consider the children wanting swing sets.

Mr. Overton questioned staff if there were any other variances in this community similar to this request.

Marcus Lotson responded that the board has granted several variances in this neighborhood in the past year for different things. There has been a sideyard setback variance in this neighborhood for a new construction. There has not been a lot of activity in this neighborhood considering the number of lots here.

Mr. Noha stated his concerns regarding sideyard setbacks and emergency access to the rear of the buildings and proximity to the property line making it impassable for emergency access. He was not in favor of moving it into a side yard setback.

Board Action:

Approval - PASS

Vote Results

Motion: James Blackburn
Second: Quentin L. Marlin
James Blackburn

- Aye

Brian K. Felder	- Nay
Quentin L. Marlin	- Aye
Anthony Wayne Noha	- Aye
James Overton	- Aye

5. [316 Shipyard Road](#)

Attachment: [Staff Report.pdf](#)
Attachment: [316 Shipyard Road Aerial.pdf](#)
Attachment: [correspondence.pdf](#)
Attachment: [photos of existing home.pdf](#)

Present for the petition: Murray Odum

Marcus Lotson gave the following summary:

The petitioner, is seeking approval of the Expansion of a Non Conforming Use, 316 Shipyard Road, for the purpose of replacing an existing mobile home with a new mobile home. Mobile homes are considered non conforming within the zoning district; however, there has been a development pattern over the years that has allowed mobile homes to co-exist with stick built homes in this part of the county. The petitioner is seeking to remove the existing mobile home. The structure that is there now was placed there in 1985. The petitioner is seeking to replace this structure with a double wide structure. Staff recommendation is approval.

Mr. Felder asked staff if there were any guidelines that would hold to a certain setback or to where the mobile home would be placed.

Mr. Lotson responded that the same standards would apply to the mobile home as the standards that apply to the stick built homes in the zoning district.

Mr. Blackburn questioned how many other mobile homes were within a mile of this area.

Mr. Lotson stated that he could not give a definite number but that there were many throughout that radius.

Speaking on the petition: Murray Odum, petitioner stated that he only wanted to remove the old home and replace it with a double wide new home. This would be an upgrade from the present home.

Board Action:
Approval - PASS

Vote Results
Motion: Brian K. Felder
Second: Quentin L. Marlin

James Blackburn	- Nay
Brian K. Felder	- Aye
Quentin L. Marlin	- Aye
Anthony Wayne Noha	- Abstain
James Overton	- Aye

IX. Other Business

6. [Discussion on Election of a new Vice-Chairman](#)

Mr. Lotson stated that at the December CZBA Meeting staff will be asking for a vote to replace the office of vice chairman.

7. [UZO Status Update](#)

Mr. Wayne Noha asked for a status update on the Unified Zoing Ordinance (UZO).

Mr. Lotson stated that at today's scheduled MPC Meeting, the Director Mr. Tom Thomson would submit a letter to the board outlining his plan for going forward which would include extending the public review period and extending the MPC Board review of the document for as long and necessary. He will also show the differences between the current document and the proposed document. If accepted, staff will move forward with this strategy into next year.

Mr. Noha asked; after the finalization of the UZO if the proposed combination of the two boards (city and county) would happen, and if it appears as though it will happen in the near future.

Mr. Lotson responded that it is unlikely UZO will be adopted in the first part of 2012.

X. Adjournment

8. [Submittal](#)

There being no other business to come before the board, Chairman Pro-Tem, Wayne Noha declared the meeting adjourned.

Respectfully submitted,

Marcus Lotson

Assistant Secretary

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.