



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

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Arthur A. Mendonsa Hearing Room  
April 26, 2012 10:30 A.M.  
Minutes

**April 26, 2012 Chatham County Zoning Board of Appeals Special Meeting**

**Members Present:** Lucy Hitch, Chairman  
Coren Ross, Vice Chairman  
Brian Felder  
James Blackburn  
Quentin Marlin  
James Overton  
Wayne Noha

**Members Not Present:**

**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](#)

Chairman Lucy Hitch called the April 26, 2012 Chatham County Zoning Board of Appeals Meeting to order.

**II. Notices, Proclamations and Acknowledgements**

**Notices**

2. [May 22, 2012 Chatham County Zoning Board of Appeals Meeting at 9:00 A.M. in the Arthur A. Mendonsa Hearing Room, 112 E. State Street.](#)

**III. Petitions Ready for Hearing**

**IV. Approval of Minutes**

3. [Approval of the February 28, 2012 CZBA Meeting Minutes](#)

Attachment: [February28.pdf](#)

**Board Action:**

Approval of the February 28, 2012 CZBA Meeting Minutes as submitted. - PASS

**Vote Results**

Motion: James Blackburn

Second: Brian K. Felder

James Blackburn - Aye

Brian K. Felder - Aye

Lucy Hitch - Aye

Quentin L. Marlin - Aye

Anthony Wayne Noha - Aye

Coren Ross - 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. [68 Shipwatch Road](#)

Attachment: [Letter from DNR.pdf](#)

Attachment: [Plot Plan.pdf](#)

Attachment: [Photos.pdf](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Application & Narrative.pdf](#)

Present for the petition was: Shelia Winders, Petitioner

Marcus Lotson gave the following summary;

He stated that the petition for 68 Shipwatch Road is a petition for seeking a 29 foot Riparian Buffer variance from the 35 foot requirement of Section 4-12 of the Chatham County Zoning Ordinance. The petitioner is proposing to enclose a portion of the existing wood deck in order to create a sun room.

Although most of the properties in the Marshes Subdivision are currently within the marsh

buffer, they would not be allowed to be built there today. He went on to explain that there are two (2) parts to the marsh buffer; 1)the state requirement of the 25 foot buffer which is measured from the jurisdictional marsh line which has been delineated by DNR and a ten foot local buffer. There is also a ten foot local buffer. He concluded that as it relates to the variance request, staff is of the opinion that this is outside of the Board's purview. Therefore, staff recommendation is for denial of the intrusion into the buffer setback. He added that if approval is granted the petitioner should provide approval form DNR to the zoning administrator prior to a permit being granted.

**Speaking on the Petition:** Shelia Winders, stated that she initiated dialog with the permit department and asked for instructions as to this process. She stated that she was told the permit was not needed. She explained the actions she took in order to start her project and presented her plans to the board. There was a period for Q & A period. In her conclusion she requested that her petition be approved as submitted.

**Board Action:**

Approval of the petitioner's request subject to the condition that a letter of approval be presented to the Chatham County Zoning Administrator from the Georgia Department of Natural Resources. - PASS

**Vote Results**

Motion: Anthony Wayne Noha  
Second: Brian K. Felder  
James Blackburn - Nay  
Brian K. Felder - Aye  
Lucy Hitch - Aye  
Quentin L. Marlin - Nay  
Anthony Wayne Noha - Aye  
Coren Ross - Aye

**Board Action:**

Approval by the CZBA subject to approval by the DNR. - PASS

**Vote Results**

Motion: James Blackburn  
Second: Coren Ross  
James Blackburn - Aye  
Brian K. Felder - Aye  
Lucy Hitch - Aye  
Quentin L. Marlin - Aye  
Anthony Wayne Noha - Aye

Coren Ross - Aye

5. [31 Falligant Avenue](#)

- Attachment: [31 Falligant Avenue Aerial Map.pdf](#)
- Attachment: [Application & Project Narrative.pdf](#)
- Attachment: [Barn Elevations.pdf](#)
- Attachment: [Site Plan.pdf](#)
- Attachment: [Photos.pdf](#)
- Attachment: [Staff Report.pdf](#)

Present for the petition was: Ryan Claus

Marcus Lotson gave the following summary;

The petitioner for 31 Falligant Avenue is requesting two variances. Both standards are found in section 3-6.1 of the Chatham County Zoning Ordinance. The first is regarding the 900 square foot maximum allowed for accessory structures. The petitioner is seeking a 518 square foot variance. The second is a variance to the one story maximum allowed for accessory structures. The petitioner is seeking a half story variance to that requirement. Both requests are for a single structure that will be located at 31 Falligant Avenue. Mr. Lotson added that development standards for accessory structures on residential lots require that the structure be located not less than 50 feet from a vehicular right-of-way. This proposed structure is approximately 140 feet from Falligant Avenue. It also requires that there is a minimum of 10 feet from any side yard property line. He stated that the location of this structure meets the requirements. Staff feels that the proposed structure will not impair any adjoining property and recommends approval.

**Speaking on the petition:** Ryan Claus, Agent agreed that the structure does fit in well and stated that he would be willing to answer any further questions or concerns that the board may have. There was a brief period for questions and answers.

**Board Action:**

Approval - PASS

**Vote Results**

Motion: Coren Ross

Second: Anthony Wayne Noha

James Blackburn - Aye

Brian K. Felder - Abstain

Lucy Hitch - Aye

Quentin L. Marlin - Aye

Anthony Wayne Noha	- Aye
Coren Ross	- Aye

## IX. Other Business

### 6. Unified Zoning Ordinance Update

Mr. Lotson informed Board Members that there is a Comprehensive Review happening with the Planning Commission chapter by chapter that is just beginning to occur and this will continue for a period of time.

Mr. Lotson also asked the Board members to confirm whether or not their request to change the CZBA meeting day and time was something that they wanted him to pursue.

Board members agreed, that if possible, they would like to change the CZBA meeting day and time to the fourth Thursday of each month at 10:00 A.M. beginning January 2013.

## X. Adjournment

### 7. Adjournment of the April 26, 2012 CZBA Meeting

There being no further business to come before the Board, Chairman Lucy Hitch declared this meeting adjourned.

Respectfully submitted,

Marcus Lotson

Secretary

/cm

*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.*

