



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 East State Street, Savannah 9:00 A.M.
Minutes

December 20, 2011 Chatham County Zoning Board of Appeals Meeting

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

Members Not Present Lucy Hitch, Chairman

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 served as Chairman Pro-Tem.
He called the December 20, 2011 CZBA meeting to order at 9:10am.

II. Notices, Proclamations and Acknowledgements

III. Petitions Ready for Hearing

IV. Approval of Minutes

2. [Approval of the November 22, 2011 CZBA Meeting Minutes](#)

Attachment: [November22.pdf](#)

Board Action:

Approval of the November 22, 2011 CZBA meeting minutes as submitted. - PASS

Vote Results

Motion: Brian K. Felder

Second: James Overton

James Blackburn - Aye

Brian K. Felder - Aye

Quentin L. Marlin - Aye

Anthony Wayne Noha - Aye

James Overton - 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

3. [106 Marshview Drive](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Pictures.pdf](#)

Attachment: [106 Marshview Sketch.pdf](#)

Present for the petition was: Patrick Connell

Marcus Lotson gave the following summary:

The petitioner is appealing a determination by the Zoning Administrator that fences within marsh buffers shall be of wood construction only. Staff recommends that the decision of the zoning administrator be upheld.

Speaking on the petition: Mr. Patrick Connell, agent for Mr. Robert Evans, stated that his client was under the impression that his contractor had gone through the process and obtained a permit. He stated that he was seeking a variance from the requirement. He presented the board with handouts illustrating the proposed material that would be used and added that there is a hardship associated with this project and that it was created by the depth of the lot.

Mr. Felder stated that the issue was not whether or not the petitioner had a fence but that concrete was poured into the marsh. This is also a concern of the Department of Natural

Resources.

Mr. Connell stated that he understood this. He explained that he would have the Department of Natural Resources delineate the marsh line.

Mr. Felder responded that the petitioner would not have to come back before this board if DNR says that he can pour concrete into the marsh.

Mr. Blackburn instructed the petitioner that he would have to make another application asking for a variance from this section of the code (35 foot marsh buffer).

Mr. Connell stated that it was his understanding that this was what he was doing now.

Mr. Blackburn explained that it is written as a request to appeal the decision of the zoning administrator's decision.

Mr. Felder instructed Mr. Connell that he was allowed to build a fence in the marsh, but that he was not allowed to build a concrete fence and that this was the decision of the zoning administrator.

Mr. Blackburn stated that he would also like the agent to show the dimensions on the actual marsh lines.

Mr. Connell stated that for clarity he was not sure how the petition was written up, but it was his understanding that his client was requesting a variance on the building materials. He asked that the petition be tabled in order to give the petitioner additional time to address the concerns of the board members.

Mr. Blackburn stated that he was not sure if the petition could be tabled without re-advertising it, but he made the motion to continue the public hearing until the next month's schedule ZBA hearing.

Ms. Ross stated that she would second the motion subject to the understanding that the petitioner would be chatting with the Department of Natural Resources between now and then.

Board Action:

Motion to continue to the next scheduled CZBA meeting, January 24, 2012. - PASS

Vote Results

Motion: James Blackburn

Second: Coren Ross

James Blackburn - Aye

Brian K. Felder - Aye

Quentin L. Marlin	- Abstain
Anthony Wayne Noha	- Aye
James Overton	- Aye
Coren Ross	- Aye

4. [11 Longbridge Road](#)

Attachment: [Longpoint Hammock Aerial.pdf](#)

Attachment: [Plat.pdf](#)

Attachment: [Adjacent Homes.pdf](#)

Attachment: [Elevations.pdf](#)

Attachment: [Staff Report.pdf](#)

Present for the petition was: Josh Brooks

Marcus Lotson gave the following summary:

The petitioner is seeking a nine foot height variance from the 36 foot maximum height allowed by the Chatham County Zoning Ordinance for single family residential structures. The proposed home is located at 11 Longbridge Road. Mr. Lotson presented a plat of the subdivision of the Longbridge Hammock which is just beyond the Longpoint Subdivision on Wilmington Island. Each lot is roughly an acre in size. There are several homes developed on the Hammock. The proposed home will be located here also. Each home exceeds the 36 foot maximum currently allowed. Due to the average lot size and the linear nature of the hammock no view is obstructed by any of the existing homes. The Architectural Review Board for the subdivision reviewed and approved the plans. Due to the orientation of these lots, and the existing homes, staff did not believe that this was a violation of the intent of the zoning ordinance relative to development standards, and the proposed height variance does not impair that intent. Staff recommends approval of the nine foot height variance for 11 Longbridge Road.

Speaking on the petition: Mr. Phillip McCorkle agent for Mr. Josh Brooks, stated that Mr. Brooks, an employee of J.T. Turner Construction Company, has petitioned on behalf of Mr. Patterson, owner of the lot. Mr. McCorkle stated that he believes that the 36 foot height restriction is all over the city and has existed long before the environmental overlay. He was not sure how many of the previous owners have asked for variances however; he did know that the Robinsons on the adjacent lot have a 43 foot high ridgeline. The Robinsons went through the variance process and were approved. He explained that there was another house under construction now, in the mid 40's, that did not get a variance but received a permit. He added that sometimes there is an oversight but the house adjacent to the subject property did receive a variance related to how height is measured.

Board Action:

Approval of the petitioner's request. - PASS

Vote Results

Motion: James Blackburn

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

IX. Other Business

5. [Update on the UZO](#)

Mr. Wayne Noha asked staff for a brief update on the status of the Unified Zoning Ordinance.

Mr. Lotson responded that there has been no recent changes since the last meeting but, there is some work continuing by staff in terms of making corrections to some of the sections that have been written and finalizing some sections that have to be complete. The Planning Commission has asked that staff come to a halt and continue working on the concerns of the Commission. It looks as though it will be well into the year 2012 before the Commission will see the changes.

Mr. Noha asked if there has been any decisions regarding the combination of the City and County Zoning Boards.

Mr. Lotson responded that there has not.

X. Adjournment

6. [Submittal](#)

There being no other business to come before the board, the Chairman Pro-Tem declared the December 20, 2011 Chatham County Zoning Board of Appeals adjourned.

Respectfully submitted,

Marcus Lotson

Assistant 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.