



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

September 25, 2012 Chatham County Zoning Board of Appeals Meeting

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

Members Not Present:

Staff Present: Marcus Lotson, 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 September 25, 2012 Chatham County Zoning Board of Appeals Meeting to order @ 9:10 A.M. She briefly explained the Agenda for the benefit of those attending a meeting for the first time.

II. Notices, Proclamations and Acknowledgements

III. Petitions Ready for Hearing

IV. Approval of Minutes

2. [Approval of the April 26, and July 24, 2012 CZBA Meeting Minutes](#)

Attachment: [April 26.pdf](#)

Attachment: [July24.pdf](#)

Board Action:

Approval of the minutes as submitted - PASS

Vote Results

Motion: Anthony Wayne Noha

Second: Coren Ross

James Blackburn - Not Present

Brian K. Felder - Aye

Lucy Hitch - 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. [9503 Whitefield Avenue-File Number B-110124-00043-1-Request five foot side yard setback variance from the ten foot requirement for construction of an attached garage.](#)

Attachment: [Staff Report.pdf](#)

Attachment: [9503 Whitfield Photos.pdf](#)

Attachment: [Whitefield Aerial.pdf](#)

Attachment: [9503 Whitfield Aerial Zoom.pdf](#)

Attachment: [Maps.pdf](#)

Attachment: [Sketch Plan.pdf](#)

Present for the petition was: Dempsey Logue

Marcus Lotson gave the following summary;

The petitioner is requesting a five foot side yard setback variance from the ten foot requirement of the Chatham County Zoning Ordinance to accommodate the construction of the proposed attached garage. The property, located at 9503 Whitefield Avenue, is

aproximately 90 feet in width and 325 feet in depth. Under the guidelines of the zoning ordinance, staff finds that there are no apparent or exceptional conditions relative to this property therefore; staff is recommending denial of the sideyard setback.

Speaking on the petition: Dempsey Logue, agent for the petitioner stated that there were extenuating circumstances as to why he asked for the variance of five feet. He stated that the original plan did not include the garage. The property owner decided to add a garage after the construction on the house had begun. The need arose to accomodate turn around area in the driveway. He added that property owners on both sides of the subject property stated that they had no objections to the proposed variance. He concluded that the owner has no intent to occupy the seperate living quarter as an accessory structure.

There was a brief period of discussion from the board.

Board Action:

Approval of the petitioner's request. - PASS

Vote Results

Motion: Anthony Wayne Noha

Second: Brian K. Felder

Coren Ross - Aye

James Blackburn - Aye

Brian K. Felder - Aye

Lucy Hitch - Aye

Quentin L. Marlin - Aye

Anthony Wayne Noha - Aye

James Overton - Aye

4. [2 Pinnacle Court- File Number B-120824-00044-1-Request a seven foot rear yard setback variance from the 25 foot requirement for construction of a new single family residence.](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Maps.pdf](#)

Attachment: [Photo 1.pdf](#)

Present for the petition were: Richard Flanders and Thomas Theodore Bell

Marcus Lotson gave the following summary;

The petitioner is requesting a seven foot rear yard setback variance from the 25 foot requirement for the construction of a new single family residential structure. The structure is located at 2 Pinnacle Court within the Henderson Golf Community. This is currently a

vacant lot. Under the zoning regulations, the petitioner is required to establish a 25 foot rear yard setback. The application of development standards to this particular piece of property would not create a hardship in the development of the property. The property is not different from any other property in the neighborhood. Relief, if granted, would impair the purposes and intent of the Chatham County Zoning Ordinance. The conditions required for the granting of a variance do not appear to be present. Staff recommends denial of the request of a seven foot rear yard setback variance from the 25 foot requirement.

Speaking on the petition: Richard Flanders explained the layout of the surrounding property and how the proposed property would fit. He stated that he had spoken with the surrounding property owners and that they were in agreement.

Mr. Noha informed Mr. Flanders that staff had received a letter from an adjacent property owner stating to the contrary. He asked Mr. Flanders if he was aware of the property owners opposition.

Speaking to the petition: Mr. Flanders stated that he was not.

Speaking to the petition: Thomas Theodore Bell, resident of 3 Pinnacle Court noted that he received a notice to adjoining property owners, but the notice stated that the meeting was scheduled for 11:00 A. M. which contradicted the signage that was posted which scheduled the meeting at 9:00 A.M. He stated that he was not sure if any of the other residents with concerns regarding this property had received the same letter. Mr. Bell explained that protecting the value of his property was his primary concern. He stated that he was aware that property in this area has been sold at foreclosure and at auction prices. He stated that he was against the developers buying the land and building smaller and less attractive homes in the area and that he would like the proposed homes to be comparable to the homes built in this area. He stated that if this means granting the variance he was in agreement. If not, then he would be opposed to the variance.

The board moved to continue this petition in order to ensure that the proper notification was sent.

Board Action:

Petition continued to the next CZBA meeting;
October 23, 2012. - PASS

Vote Results

Motion: Anthony Wayne Noha

Second: James Blackburn

James Blackburn - Aye

Brian K. Felder - Aye

Lucy Hitch - Aye

Quentin L. Marlin - Aye

Anthony Wayne Noha - Aye

James Overton - Aye

Coren Ross

- Aye

IX. Other Business

5. [UZO Status](#)

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

Mr. Lotson stated that the Planning Commission is still reviewing portions of the document as they go through it. This process will go on for quite sometime. At this point there is still nothing pending.

Chairman Hitch also questioned the term of service expiration date for board members.

Mr. Lotson stated that staff would confirm the dates of each board member and present this at the next CZBA meeting.

X. Adjournment

6. [Adjournment of the September 25, 2012 CZBA Meeting](#)

There being no other business to come before the Board, Chairman Lucy Hitch declared the September 25, 2012 Chatham County Board of Appeals meeting adjourned.

Respectfully submitted,

Marcus Lotson, 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.