



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

March 22, 2016 Chatham County Zoning Board of Appeals

Members Present: Quentin L. Marlin, Chairman
James Overton, Vice Chairman
James Blackburn Jr.
Coren Ross
Chip Kreps

Staff Present: Marcus Lotson, Secretary
James Small, Administrative Assistant

Advisory Staff Present: Robert Sebek, Chatham County Zoning Administrator

I. Call to Order and Welcome

II. Notices, Proclamations and Acknowledgements

III. Petitions Ready for Hearing

IV. Approval of Minutes

1. [February 23, 2016 Meeting Minutes](#)

Attachment: [February 23, 2016 Minutes.pdf](#)

Board Action:

Approval of February 23, 2016 Meeting Minutes - PASS

Vote Results

Motion: James Overton

Second: James Blackburn Jr.

James Blackburn Jr.

- Aye

James Coursey

- Not Present

Lucy Hitch

- Not Present

Chip Kreps

- Aye

Quentin L. Marlin	- 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

2. [1 Pineside Lane - Rear Yard Setback Variance Request - B-160225-00019-1](#)

- Attachment: [Staff Report.pdf](#)
- Attachment: [Tax Map.pdf](#)
- Attachment: [Ortho Image.pdf](#)
- Attachment: [Aerial View.pdf](#)
- Attachment: [Photo 1.pdf](#)
- Attachment: [Photo 2.pdf](#)
- Attachment: [Landings ARC Approval.pdf](#)
- Attachment: [Site Plan.pdf](#)

Board Action:

Staff recommends **approval** of the six foot rear yard setback variance request for 1 Pineside Lane based on the findings that the subject property is a peculiar circumstance as the rear yard abuts common area and does not impact adjacent residential property. - PASS

Vote Results

- Motion: James Overton
- Second: Coren Ross
- James Blackburn Jr. - Aye
- James Coursey - Not Present
- Lucy Hitch - Not Present
- Chip Kreps - Aye
- Quentin L. Marlin - Aye
- James Overton - Aye
- Coren Ross - Aye

3. [209 Port Royal Drive - Setback Variance Requests - B-160226-00020-1](#)

- Attachment: [Sketch Plan.pdf](#)
- Attachment: [Staff Report.pdf](#)
- Attachment: [Tax Map.pdf](#)
- Attachment: [Photo.pdf](#)
- Attachment: [Aerial View.pdf](#)

Board Action:

Staff recommends **approval** of the setback variance requests for 209 Port Royal Drive based on the findings that the subject property is adjacent - PASS to an institutional use and any impacts of a variance are mitigated by this specific circumstance.

Vote Results

Motion: James Blackburn Jr.

Second: James Overton

James Blackburn Jr.	- Aye
James Coursey	- Not Present
Lucy Hitch	- Not Present
Chip Kreps	- Aye
Quentin L. Marlin	- Aye
James Overton	- Aye
Coren Ross	- Aye

IX. Other Business

4. [Discussion Regarding Findings](#)

Chairman Marlin briefed the board members on the outcome of a court ruling related to an appeal to Superior Court of a board decision. He explained that the board ruling had been overturned by the court, and that the court concluded, in part, that the board decision was not supported by evidence.

Mr. Blackburn Jr. reemphasized the quasi-judicial nature of the Zoning Board of Appeals and explained that the purpose of the body being quasi-judicial is to allow for the varying of ordinance requirements when findings support the action. He recommended that board members always indicate, in a motion, the findings associated with said motion so that the action is supported.

Chairman Marlin suggested that it may be necessary, at times, to swear in staff when they are giving testimony on a petition that is likely to be appealed. He further indicated that it was not his understanding that the board was compelled to provide evidence but it was incumbent upon the petitioner to do so in order to warrant the granting of a variance.

The board concluded that going forward members will support any motion with findings of fact that are relevant to the petition.

X. Adjournment

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.