



## Chatham County Zoning Board of Appeals

Arthur A. Mendonsa Hearing Room  
June 25, 2019 - 9:00AM  
MINUTES

### June 25, 2019 Chatham County Zoning Board of Appeals Meeting

This is a quasi-judicial proceeding. All those wishing to give testimony during these proceedings will please sign in. Witnesses will be sworn-in prior to giving testimony. All proceedings of the Chatham County Zoning Board of Appeals are recorded.

Decisions of the Chatham County Zoning Board of Appeals are final. Challenges to the decisions of the Chatham County Zoning Board of Appeals must be filed through the Superior Court of Chatham County.

**Note:** All persons in attendance are requested to so note on the "Sign-In Sheet" in the meeting room on the podium. Persons wishing to speak will indicate on the sheet.

#### I. Call to Order and Welcome

#### II. Notices, Proclamations and Acknowledgements

#### III. Petitions Ready for Hearing

#### IV. Approval of Minutes

##### [1. Approval of May 27, 2019 Meeting Minutes](#)

☞ [May 28, 2019 Meeting Minutes.pdf](#)

The minutes from the May meeting were tabled until the next CZBA meeting due to James Blackburn Jr's discrepancies with what was submitted.

#### **Motion**

Approve minutes as written.

#### **Vote Results ( Not Started )**

Motion:

Second:

#### V. Item(s) Requested to be Removed from the Final Agenda

#### VI. Consent Agenda

#### VII. Old Business

#### VIII. Regular Agenda

##### [2. 1 Lachlan Lane - Rear Yard Setback Variance - B-190530-00062-1](#)

- 📎 [Staff Report 00062-1.pdf](#)
- 📎 [Site Plan.pdf](#)
- 📎 [Tax Map.pdf](#)
- 📎 [TLA Approval.pdf](#)
- 📎 [Pictometry.pdf](#)
- 📎 [Letters of Support.pdf](#)
- 📎 [Floor Plan.pdf](#)
- 📎 [Correspondence to Board.pdf](#)
- 📎 [Backyard Photos.pdf](#)

Marcel Williams, Development Services Planner, presented a petition for 1 Lachlan Lane on behalf of Marcus Lotson. The subject property is located at 1 Lachlan Lane within The Landings subdivision in a PUD/EO (Planned Unit Development/ Environmental Overlay) zoning district. The lot is approximately one half acre in size and was developed in 1985. It is a non conforming lot of record similar to others in the neighborhood. The property abuts the southeastern corner of the intersection of Monastery Road and Lachlan Lane abuts single-family residential lots on the south and east sides. The Landings Association maintains an Architectural Review Board which has reviewed and approved the proposed addition. The proposed additions include a 9x12 screened porch on the rear and a 24x11 foot addition on the east side of the property. Only the rear addition represents an encroachment. As currently designed, a corner of the proposed porch will encroach approximately 4 1/2 feet over the 25 foot setback line. There are currently 4 letters of support in regards to 1 Lachlan Lane and there was no opposition to the petition. The petitioner, Brooke Bass, spoke in favor of her petition. She added that the 25 foot setback isn't on the original plat and that it dated back to 1977. James Blackburn Jr. commented that even though the setback wasn't on the plat, the Chatham County Ordinance was in place 20 years before The Landings was built. Marcel Williams added that in the City of Savannah, setbacks are not indicated on the plat but they are still enforced according to the Ordinance. James Blackburn Jr. noted that he doesn't see anything wrong with the petition and Quentin Marlin asked for a motion. James Blackburn Jr. made a motion to approve the petition for 1 Lachlan Lane and it was seconded by Coren Ross. The petition passed without opposition.

#### **Motion**

Board approves the 4 1/2 foot rear yard setback variance request for 1 Lachlan Lane.

#### **Vote Results ( Approved )**

Motion: James Blackburn, Jr.

Second: Coren Ross

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

### [3. 2 St. Catherine Road - Special Use Request - B-190530-00063-1](#)

- 📎 [Staff Report-00063-1.pdf](#)
- 📎 [Tax Map.pdf](#)
- 📎 [Aerial.pdf](#)
- 📎 [Photo \(1\).jpg](#)
- 📎 [Photo \(2\).jpg](#)

Marcel Williams, Development Services Planner, presented a case for Special Use #20 at 2 St. Catherine Road. The subject property is located at 2 St. Catherine Road in an R-1/EO (One family residential/ environmental overlay) zoning district. It is developed with an existing single family residential building constructed in 1975 and the residence is approximately 1,200 square feet in size. The subject property is a corner lot at the intersection of Sea Island Drive and St. Catherine Road. Sea Island Drive is a frontage road that runs parallel to Johnny Mercer Boulevard and provides for vehicular access to both commercial and residential uses in the vicinity. In terms of adjacent uses, immediately north of the subject property is an existing convenience store with fuel sales. Immediately east and south of the subject parcel are single family residences. The development pattern in the vicinity included neighborhood scale and retail services in close proximity to single and multi family residential uses. According to State Laws, 100 square feet of outdoor play space is provided for every child. A maximum number of 50 kids are permitted between the hours of 9am and 6pm. There can also be no outdoor recreation after 9pm. The Board requested another photo or map be presented so they could get a better understanding of exactly where the subject property is. Quentin Marlin questioned whether or not there was a department for Chatham County Fire and Marcel clarified there was a Chatham County Emergency Services. James Blackburn Jr. stated there is a life safety and advisory person but Building Safety and Regulatory Services would be handling all permitting issues. James Blackburn Jr questioned if Marcel agreed with Staff's recommendation and he declined to answer due to it not being his case. The petitioner, Scottie Hendrix, presented images on the lectern for the Board to look at. Mr. Hendrix clarified that his client would be living on the property and 9 of the 16 owners do not reside on the property and are likely used as rental income. The proposed childcare center will be open Monday through Friday, 7am to 6:30pm and the client would make all parents sign an agreement about entering and exiting the property so that traffic is not an issue. The amount of children will be dictated by Bright from the Start and her intention will be to serve 2-4 year old children. Mr. Hendrix stated that the privacy fence would be extended as far as possible to protect the kids. There are currently only two daycares on Whitemarsh Island and his client intends to maintain the property herself. Coren Ross questioned whether there was feedback from any adjacent properties and Mr. Hendrix stated that public notices were sent out to adjoining properties. The Chatham County Ordinance requires 1 parking space per employee and they plan to have two spaces for two employees. There is a current fence on the subject property and they plan on enclosing it for safety reasons. Lucy Hitch questioned about renovations to the property and Mr. Hendrix clarified that the driveway would be redone to meet the needs of daycare traffic. His client stated that the home is a three bedroom two bathroom home. Megan Cordle came forward as the client to answer questions about renovations. She wanted to add a studio to the side of the house closet to the gas station but it is not apart of the current petition. She clarified that the backyard currently is approved by Bright from the Start according to their standards. Kenneth Margraff, a property owner at 8 St. Catherine Road, stated that he obtained 30 signatures opposed to the proposed childcare center. He stated his concerns about traffic on Sea Island Road because many people do not adhere to speed limits in the area. He also expressed his concerns about child safety in the area. Lucy Hitch informed Mr. Margraff that the proposed circular driveway would help the traffic in terms of the daycare because the traffic from the daycare would be dumped onto Sea Island Drive. Quentin Marlin informed Mr. Margraff that parking and traffic would be addressed during the site plan process which would be reviewed by MPC. Lisa Salvati spoke in opposition of 2 St. Catherine Road. Her concern as an adjacent property owner was about the size of the property being too small for a daycare center and also about the noise from the kids in the backyard. She also added that her dogs would be barking at the kids all day long. Jessica Brown, a resident at 8 St. Catherine Road, spoke in opposition of the petition. She stated that she and her husband, Mr. Margraff, obtained 30 signatures opposed to the childcare center. Coren Ross asked Mrs. Brown if Traffic Engineering was contacted about the speeding problem and she said no. Neil Popham, a residence at 14 Port Royal Drive, spoke in favor of the petition. He stated that his kids have been in care by Megan Cordle and he added that she is a great childcare provider. He said he and his family walk the area frequently and they don't witness much vehicular traffic. Quentin Marlin wanted clarification on the findings of the staff report in regards to the proposed use would not be detrimental to nearby properties. Marcel Williams couldn't speak for how exactly Marcus Lotson came to his conclusions. Matthew Lonnerstater, MPC staff, noted that vehicular traffic problems will be addressed during the site plan process. Marcel also noted that the current request is allowed in a R-1 zoning district subject to Board of Appeals approval. James Blackburn Jr. added that this location is the most ideal place to have a childcare center because of the traffic patterns and the commercial development. Megan Cordle was asked to answer additional questions. She noted that 18 kids are not going to be on site all day. She anticipates 9 kids only coming for before and after care. Primarily the two to four year old kids would be there all day with nap times generally between the hours of noon and 2:00pm. Jessica Brown came forward to add that she was against the rezoning of the property and Quentin Marlin noted that childcare centers are permitted with a R-1 district. After further discussion, Coren Ross made a motion to approve the request and James Blackburn Jr. seconded.

**Motion**

Board approves the petitioner's request to establish Use # 20a, of the Chatham County Zoning Ordinance, Childcare Center, and that the street classification requirement be waived with the following conditions:

1. A site development plan shall be submitted through the Chatham County site plan review process for review by MPC and County staff.
2. Such plan shall include required employee parking and a drop off / pickup drive that does not require backing out onto a public street.
3. Such plan shall include a minimum 6 foot tall solid privacy fence where the subject property abuts a residential use.
4. The number of occupants permitted shall be approved by Chatham County Building Safety and Regulatory Services Department.

**Vote Results ( Approved )**

Motion: Coren Ross

Second: James Blackburn, Jr.

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

**IX. Other Business**

**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.***