



## Chatham County Zoning Board of Appeals

Chatham County Commission Chambers  
February 25, 2020 - 9:00 A.M.  
Minutes

### February 25, 2020 Chatham County Zoning Board of Appeals

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 December 17, 2019 Meeting Minutes

📎 [December 17, 2019 Meeting Minutes.pdf](#)

The minutes were approved as written.

#### **Motion**

Approve as submitted.

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

Motion: Coren Ross

Second: Lucy Hitch

James Coursey - Aye

Quentin Marlin - Aye

Lucy Hitch - Aye

Coren Ross - Aye

Meredith Stone - Aye

David Simons - Aye

Robert Vinyard - Aye

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

**VI. Consent Agenda**

**VII. Old Business**

**VIII. Regular Agenda**

[2. 102 Barksdale Drive | Rear Yard Setback Variance Request | 200127-00009-1](#)

📎 [Staff Report 00009.pdf](#)

📎 [Map.pdf](#)

📎 [Sketch Plan.pdf](#)

📎 [View of Rear Yard.pdf](#)

📎 [Aerial Image.pdf](#)

**Mr. Marcus Lotson, Director of Development Services**, stated the petitioner is requesting a seven foot two inch rear yard setback variance from the 25 foot rear yard setback requirement to facilitate the construction of a 20X31 single story addition, on the rear of an existing single family residence.

The rear yard of the subject property abuts a 100 foot wide power easement. The proposed encroachment, if permitted, would leave approximately 18 feet between the proposed addition and the rear property line, but over 150 feet between the addition and the abutting property to the rear. The property on the opposite side of the easement is developed with multifamily residential buildings.

The intent of the rear yard setback is to provide uniform and adequate separation between structures and adjoining property lines. The zoning ordinance provides that under specific criteria these setbacks may be varied. The location of the proposed addition and the adjacent property to the rear, makes it unlikely that any negative impacts will occur.

**No Public Comments**

**Motion**

Staff recommends approval of the seven foot two inch rear yard setback variance from the 25 foot requirement of the Chatham County Zoning Ordinance for 102 Barksdale Drive.

**Vote Results ( Approved )**

Motion: Coren Ross

Second: Robert Vinyard

James Coursey	- Aye
Quentin Marlin	- Aye
Lucy Hitch	- Aye
Coren Ross	- Aye
Meredith Stone	- Aye
David Simons	- Aye
Robert Vinyard	- Aye

[3. 5820 Ogeechee Road | Accessory Building Variance Request | B-191226-00130-1](#)

📎 [Staff Report 0130.pdf](#)

📎 [Street View.pdf](#)

📎 [Map.pdf](#)

[Photos.pdf](#)

**Mr. Marcus Lotson, Director of Development Services**, stated the petitioner is requesting a variance from the 900 square foot maximum allowed for accessory structures in front yards.

Per the Chatham County Zoning Ordinance, Section 3-6(b), accessory structures within front yards shall, among other requirements, be a maximum of 900 square feet in size. One accessory building exists on the property and the applicant intends to enclose an existing carport as well. The proposed changes would exceed the maximum square footage allowed by 84 square feet. The intent of this section of the regulations is to allow marsh and river front homes to construct accessory structures in front yards, which are otherwise prohibited, but to limit the impact of the structures because they are in front yards.

The petitioner's property is developed with a single family residence and has some lot constraints related to the size and shape. However, the applicant has already been afforded the opportunity to have an enclosed accessory structure on site. The square footage maximums for accessory structures in front yards are intended to minimize the impact of the structures, since these waterfront properties receive a special exception.

**Mr. Calvin Norris, petitioner**, stated they had a company install the buildings and he wasn't aware that they were over the maximum footage for accessory structures in front yards. If he would have known about the maximum footage, he would have made sure to keep it under. The buildings are already up, and he would have to take one down if he can't get the variance.

**Mr. Robert Vinyard, Board Member**, stated he doesn't see a compelling reason to approve the variance.

#### No Public Comments

#### Motion

Motion to approve the 84 square foot variance from the 900 square foot maximum for 5820 Ogeechee Road.

#### Vote Results ( Approved )

Motion: David Simons

Second: James Coursey

James Coursey	- Aye
Quentin Marlin	- Aye
Lucy Hitch	- Aye
Coren Ross	- Aye
Meredith Stone	- Aye
David Simons	- Aye
Robert Vinyard	- Nay

#### [4. 102 Caroline's Retreat | Rear Yard Setback Variance Request | 200122-00005-1](#)

[Staff Report 00005.pdf](#)

[Map.pdf](#)

[Site Plan.pdf](#)

[Rear of Site.pdf](#)

[Property.pdf](#)

[Application.pdf](#)

**Mr. Marcus Lotson, Director of Development Services**, stated the petitioner is requesting a 12 foot

rear yard setback variance from the 25 foot rear yard setback requirement to facilitate the construction of a sunroom addition on the rear of an existing single family residence.

The subject property is located at 102 Caroline's Retreat in the Herb River Bend subdivision. The lot, although somewhat irregular in shape, is a conforming lot of record and is approximately 13,000 square feet in size. The properties in the subdivision are generally consistent in size averaging 8,000 to 10,000 plus square feet in size. The subject property is a corner lot, therefore the slightly larger lot area.

The petitioner is seeking the requested variance to accommodate a proposed sunroom to be located adjacent to an existing uncovered deck.

The rear yard of the subject property abuts a vegetated common area and a 20 foot private right of way. The proposed encroachment, if permitted, would not immediately abut another residential property. The rear yard of the subject property also includes a masonry wall and a vegetative buffer of mature canopy trees.

The intent of the rear yard setback is to provide uniform and adequate separation between structures and adjoining property lines. The zoning ordinance provides that, under specific criteria, these setbacks may be varied. The location of the proposed addition and the adjacent property makes it unlikely that any negative impacts will occur.

**Ms. Shauna Kucera, agent for the petitioner,** stated that in the staff report it read it's going to be a sunroom, but it's actually going to be a screened porch. The dimensions are 16 X 17 total and about half of that is encroached. This lot is larger and oddly shaped then the rest of the lots in the area.

#### **No Public Comments**

#### **Motion**

Staff recommends approval of the 12 foot rear yard setback variance from the 25 foot requirement of the Chatham County Zoning Ordinance based on the staff findings related to the shape and location of the property for 102 Caroline's Retreat.

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

Motion: David Simons

Second: Coren Ross

James Coursey	- Aye
Quentin Marlin	- Aye
Lucy Hitch	- Aye
Coren Ross	- Aye
Meredith Stone	- Aye
David Simons	- Aye
Robert Vinyard	- Aye

#### [5. 11 St. Thomas Avenue | Front Yard Setback Variance Request | B-191212-00125-1](#)

📎 [Application.pdf](#)

📎 [Map.pdf](#)

📎 [Street Context Property Left.pdf](#)

📎 [Staff Report 0125.pdf](#)

**Mr. Marcus Lotson, Director of Development Services,** stated the petitioner is requesting a 20.5 foot front yard setback variance from the required 35.5 foot setback requirement for the purpose of

constructing a new single family residence at 11 St. Thomas Avenue. The property is within an R-1 / EO (One family residential / environmental overlay) zoning district.

The subject property is under review for a proposed subdivision. The petitioner is requesting MPC approval of a Final Plat for a two-lot Minor Subdivision located at the southeast corner of St. Thomas Avenue and Cramer Avenue. Both lots will have frontage along Cramer Avenue, an existing public street with a 22-foot right-of-way. The standard right-of-way width for a minor public street in Chatham County is 60 feet.

The required front yard building setback is 35.5 feet. This is based on the requirement of 55 feet from the centerline and taking into account the previously dedicated seven feet for additional right-of-way. The petitioner is proposing a 15-foot front yard building setback line. Based on these findings, a 20.5-foot front yard building setback variance must be approved by the Chatham County Zoning Board of Appeals prior to Final Plat approval.

The proposed lot is 94 feet in depth and the proposed structure is 54 feet in depth. The location of the structure on the lot would allow it to mimic the general development pattern of the area.

**Mr. Patrick Connell, agent for the petitioner,** stated due to the lot size they can't build a house that compares to all of the rest of the houses in the area without the variance.

### **No Public Comments**

#### **Motion**

Staff recommends approval of the requested 20.5 foot front yard setback variance from the required 35.5 foot front yard setback requirement.

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

Motion: Coren Ross

Second: Robert Vinyard

James Coursey - Aye

Quentin Marlin - Aye

Lucy Hitch - Aye

Coren Ross - Aye

Meredith Stone - Aye

David Simons - Aye

Robert Vinyard - Aye

## **IX. Other Business**

### 6. Nomination of Vice-Chairman

Mr. David Simons was nominated as Vice-Chairman.

#### **Motion**

David Simons was nominated for Vice-Chairman

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

Motion: Robert Vinyard

Second: Coren Ross	
James Coursey	- Aye
Quentin Marlin	- Aye
Lucy Hitch	- Aye
Coren Ross	- Aye
Meredith Stone	- Aye
David Simons	- Aye
Robert Vinyard	- Aye

**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.***