



## Chatham County Zoning Board of Appeals

Virtual Meeting  
July 28, 2020 - 9:00 A.M.  
Minutes

### July 28, 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 June 23, 2020 Meeting Minutes](#)

[June 23, 2020 Meeting Minutes.pdf](#)

The minutes were approved as submitted.

#### **Motion**

Approval of the minutes as submitted.

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

Motion: Robert Vinyard

Second: Coren Ross

James Coursey - Aye

Quentin Marlin - 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. 331 Buckhalter Road | Variance | ZBA-0620-000041](#)

📎 [Staff Report 331 Buckhalter Road.pdf](#)

📎 [Aerial View.pdf](#)

📎 [Former Structure On Site.pdf](#)

📎 [Map.pdf](#)

📎 [Petitioner's Sketch.pdf](#)

**Mr. Marcus Lotson, Director of Development Services**, stated the petitioner is requesting a variance from Section 3-6.1 of the Chatham County Zoning Ordinance. This section requires that accessory structures be located in rear yards. The applicant is seeking relief from this standard, in order to place an accessory structure in the front yard of the existing residence.

The subject property is located at 331 Buckhalter Road, approximately one-half mile west of Veterans Parkway. The deep rectangular lot is approximately 5 acres in size, with 140-feet of frontage on Buckhalter Road.

The development pattern in the vicinity of the subject property consists of large rural residential lots, developed with single-family detached buildings. Most lots in the vicinity are similar to the subject property. The petitioner's property is developed with a single-family residence and has no lot constraints related to the size and shape. However, the location of the existing residence and swimming pool would prohibit the construction of the proposed barn in the rear yard. Based on observation, accessory buildings are quite common in the area and are often located other than in rear yards. In addition, there had been a structure in the approximate location of the proposed barn as recently as 2018.

Because of the common nature of accessory buildings in front yards, and the average lot size in the area, adjacent properties are not likely to be impacted by the proposed placement of the structure.

**Ms. Eva Smith, petitioner**, stated they would like to build a barn on the property where there is already sewage and electricity set up. The previous owner had a mobile home there and other accessory buildings. We have talked with our neighbors, especially the one at 335 Buckhalter Road, and he is in support of this request. We have a drainage easement, so it's hard to have a nice flat spot to put the barn closer to our home. We plan to purchase a kit from a company.

**Mr. Robert Vinyard, Board Member**, asked if the property is farmed or will this barn be used for storage.

**Ms. Smith**, stated we will be using it for storage. We do have some poultry on the property and plan on gardening, but it will be used mostly for storage and work space.

**Mr. James Coursey, Board Member**, asked the petitioner to describe what the barn would look like.

**Mr. Jared Pappert-Stockton, petitioner**, stated they are planning to build a 12 foot tall prefabricated metal shed structure. We are not storing animals or hay in it. It will be used as a work space for the tractor and other things.

### No Public Comments

#### Motion

Recommend approval of the variance to Section 3-6.1 to allow an accessory building in the front yard of the

property at 331 Buckhalter Road.

**Vote Results ( Approved )**

Motion: Robert Vinyard

Second: David Simons

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

[3. 1736 Walthour Road | Variance | ZBA-0620-000042](#)

📎 [Staff Report 000042.pdf](#)

📎 [Map.pdf](#)

📎 [Aerial Image.pdf](#)

📎 [Letter of Support.pdf](#)

📎 [Petitioner's Sketch.pdf](#)

**Mr. Marcus Lotson, Director of Development Services**, stated the petitioner is requesting a 4-foot side yard setback variance, from the 10-foot side yard setback requirement, to facilitate the reconstruction of a residence which was lost by fire.

The subject property is located at 1736 Walthour Road, between Grosvenor Road and Winchester Drive, in the Wilmington Park Subdivision. The lot is 3.1 acres in size, 2.3 acres of which is marsh, leaving 1.1 acres of upland. The property is currently undeveloped, as the structure that was on site was destroyed by fire in 2019. The petitioner intends to construct a new residence on the property and is requesting a side yard setback variance along the west side of the property.

The petitioner has provided a proposed layout which identifies the portion of the structure that would constitute the encroachment. While the Ordinance requires a 10-foot side yard setback, it does allow up to two feet of the eaves of a residence to encroach into the setback. The petitioner is proposing that the home would be 7 feet from the property line, but the home is designed with three-foot eaves, thereby the 4-foot variance request. It should be noted that the structure, as designed, would be 25 feet from the nearest residential structure. The owner of that nearest structure has provided a letter of support, which is attached to the agenda.

The intent of the side yard setback requirement is to provide 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.

**Mr. Gary Wiggins, petitioner**, stated the original house was only a foot off the property line. We had to adjust the home to fit the well on the one side of the home, that's why I'm only asking for a variance for one side of the property.

**No Public Comments**

**Motion**

Recommends approval of the 4-foot side yard setback variance from the 10-foot requirement of the Chatham County Zoning Ordinance for 1736 Walthour Road.

**Vote Results ( Approved )**

Motion: David Simons

Second: Coren Ross

James Coursey - Aye

Quentin Marlin - Aye

Coren Ross - Aye

Meredith Stone - Aye

David Simons - Aye

Robert Vinyard - 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.*