

CHATHAM COUNTY ZONING BOARD OF APPEALS

ARTHUR A. MENDONSA HEARING ROOM

112 EAST STATE STREET

August 24, 2004

9:00 A.M.

MINUTES

MEMBERS PRESENT:

**Robert Sharpe, Chairman
Jimmy Watford, Vice Chairman
Davis Cohen
Michael Lee
Charles Stewart**

MEMBERS ABSENT:

Steven Day

TECHNICAL STAFF PRESENT:

**Robert Sebek, Chatham County Inspections
Department**

MPC STAFF PRESENT:

**John Howell, Secretary
Lee Webb, Secretary
Christy Adams, Assistant Secretary**

RE: Called to Order

Mr. Sharpe called the August 24, 2004 Chatham County Zoning Board of Appeals meeting to order at 9:00 a.m.

**RE: Continued Petition of Penn E. Myrick
B-04-33625-1
555 Suncrest Blvd.**

Mr. Sharpe stated that he would like to move the Petition of Penn Myrick, B-04-33625-1 to the end of the agenda.

**RE: Continued Petition of Ann J. Hughes
B-04-40673-1
215 B Ferguson Avenue**

No one present for the petition.

Mr. Sharpe called for the Staff report.

Mr. Howell stated that he mailed out an opinion from the County Attorney. He said basically, on page 2 the County Attorney said – “Ms. Hughes and Ms. Ward, upon approval by appropriate bodies, may take the following action that could possibly result in the location of two trailers on a subject property. The steps would be as follows:

1. Ms. Hughes would apply for a minor subdivision to combine lots 34 and 35 into a single lot. This would require an application for a minor subdivision with the MPC, which would be a staff level review and approval. Ms. Hughes would have to comply with the requirements of the minor subdivision provisions of the Ordinance.¹
2. Assuming without deciding, the minor subdivision is approved by the MPC, Ms. Hughes could then make application to the ZBA for a variance to allow a trailer on the now single lot. There would now be a single trailer on a single lot, with the trailer being a legal non-conforming use. The ZBA could, upon making a finding required in Section 10-6.3, grant a variance. Under Section 10-6.4, the ZBA “in specific cases allow “extension of an existing nonconforming use involving an increase in either or both the land area or the floor area in a building or buildings occupied by a nonconforming use...”
3. The applicant would also have to demonstrate under the sub-provisions of 10-6.4 that
 - a. The use is a nonconforming use as defined in these regulations.
 - b. The use is in full compliance with all requirements of these regulations applicable to nonconforming uses.
 - c. The extension of said use will not further injure a permitted use of adjacent property in the same zoning district.

Mr. Howell stated that these were the steps that was outlined by the County Attorney. He said in his opinion, he felt it would be appropriate for the Board to postpone any further action on this petition until such time the petitioner is ready to come back before the Board. He said the petitioner was also provided with a copy of the County Attorney’s opinion.

CZBA Action: Mr. Lee made a motion that the Chatham County Zoning Board of Appeals continue the petition. Mr. Cohen seconded the motion and it was unanimously passed.

**RE: Continued Petition of Penn E. Myrick
B-04-33625-1
555 Suncrest Blvd.**

Petition withdrawn per petitioner’s request.

RE: Minutes

1. Approval of CZBA Minutes – July 27, 2004

CZBA Action: Mr. Cohen made a motion that the Chatham County Zoning Board of Appeals approve the Regular meeting minutes of July 27, 2004 as submitted. Mr. Lee seconded the motion and it was passed.

RE: Other Business

RE: Adjournment

There being no further business to come before the Chatham County Zoning Board of Appeals the meeting was adjourned approximately 9:15 a.m.

Respectfully submitted,

John Howell,
Secretary

JH/ca