



## Chatham County Zoning Board of Appeals

Virtual Meeting  
October 27, 2020 - 9:00 A.M.  
Minutes

### October 27, 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 September 22, 2020 Meeting Minutes

[September 22, 2020 Meeting Minutes.pdf](#)

Minutes were approved as submitted.

#### **Motion**

Approve the minutes as submitted.

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

Motion: Coren Ross

Second: Jeff Notrica

James Coursey - Not Present

Quentin Marlin - Not Present

Lucy Hitch - Aye

Coren Ross - Aye

Meredith Stone - Aye

Robert Vinyard - Aye

Jeff Notrica - Aye

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

VI. Consent Agenda

VII. Old Business

VIII. Regular Agenda

[2. 5 Shipwatch Road | Variance | ZBA-0920-000062](#)

📎 [Staff Report 000062.pdf](#)

📎 [Application.pdf](#)

📎 [Eng Comment.pdf](#)

📎 [Map.pdf](#)

📎 [Pic 1.pdf](#)

📎 [Pic 2.pdf](#)

📎 [Pic 3.pdf](#)

📎 [Ortho Image.pdf](#)

**Mr. Marcus Lotson, Director of Development Services**, stated the petitioner is seeking an 8'8" marsh buffer variance from the 35-foot requirement of Section 4-12 of the Chatham County Zoning Ordinance in order to construct a new 192 square foot screened porch on an existing single family residence.

The subject property is located at 5 Shipwatch Road in The Marshes subdivision within a PUD/EO (Planned Unit Development Environmental-Overlay) zoning district, near the intersection of U.S. Highway 80 and Johnny Mercer Boulevard. The subdivision was created prior to the establishment of the current marsh buffer standards and all the marsh side residences encroach into the setback.

The property in question is developed with a one-story residential town home, which includes an attached, uncovered deck. The petitioner's intent is to install a new 12x16 screened room over the existing, uncovered deck. The proposed room, because it is enclosed, constitutes an encroachment. The currently enclosed portion of the structure is approximately 30 feet from the retaining wall adjacent to the marsh.

The purpose of the variance request is to allow the existing, uncovered deck to be converted into an addition to the residence as previously described. Many of the residences at The Marshes would not be permitted, under the current regulations, because of marsh buffer encroachment.

The purpose of the marsh buffer setback is, in part, to protect coastal marshes from the negative impacts associated with stormwater runoff created by impervious surfaces. The existing uncovered patio is a wood deck built above grade and not an impervious surface. The proposed improvement would create additional impervious surface, as the screened room includes a solid roof.

**Mr. Gregg Cole, agent for the petitioner**, stated we are looking to enclose part of the existing deck. The shed structure will remain. The roof line will tie in very seamlessly. This would be the fourth marsh variance that we have proposed and all others have been approved. This one is the farthest from the marsh that we have done. The only issues we have had previously was if we needed to disturb the dirt. There will be no land disturbed on this site.

**No Public Comments**

**Motion**

Approve the requested variance.

**Vote Results ( Approved )**

Motion: Coren Ross

Second: Lucy Hitch

James Coursey	- Not Present
Quentin Marlin	- Not Present
Lucy Hitch	- Aye
Coren Ross	- Aye
Meredith Stone	- Aye
Robert Vinyard	- Aye
Jeff Notrica	- Aye

### [3. 14 Shipwatch Road | Marsh Buffer Setback Variance | ZBA - 0920 - 000063](#)

📎 [Application.pdf](#)

📎 [Map.pdf](#)

📎 [Eng Comment.pdf](#)

📎 [Ortho Image.pdf](#)

📎 [Staff Report 000063.pdf](#)

📎 [Pic1.pdf](#)

📎 [Pic2.pdf](#)

**Mr. Marcus Lotson, Director of Development Services**, stated the petitioner is seeking a 13 ½ - foot marsh buffer variance from the 35-foot requirement of Section 4-12 of the Chatham County Zoning Ordinance in order to construct a new 182 square foot screened porch on an existing single family residence.

The subject property is located at 14 Shipwatch Road in The Marshes subdivision within a PUD/EO (Planned Unit Development Environmental-Overlay) zoning district near the intersection of U.S. Highway 80 and Johnny Mercer Boulevard. The subdivision was created prior to the establishment of the current marsh buffer standards and all the marsh side residences encroach into the setback.

The property in question is developed with a one-story residential town home, which includes an attached, uncovered deck. The petitioner's intent is to install a new 14x13 screened room over the existing uncovered deck. The proposed room, because it is enclosed, constitutes an encroachment. The currently enclosed portion of the structure is approximately 25 feet from the retaining wall adjacent to the marsh.

The purpose of the variance request is to allow the existing, uncovered deck to be converted into an addition to the residence as previously described. Many of the residences at The Marshes would not be permitted, under the current regulations, because of marsh buffer encroachment.

The purpose of the marsh buffer setback is, in part, to protect coastal marshes from the negative impacts associated with stormwater runoff created by impervious surfaces. The existing uncovered patio is a wood deck built above grade and not an impervious surface. The proposed improvement would create additional impervious surface as the screened room includes a solid roof.

**Mr. Gregg Cole, agent for the petitioner**, stated this is pretty much the same as the last petition we just discussed. This one is smaller and down the road. This one is slightly closer to the marsh, but actually this side of the condos are a little bit farther from the marsh than one we have done previously.

#### **No Public Comments**

#### **Motion**

Approve the requested variance.

**Vote Results ( Approved )**

Motion: Lucy Hitch

Second: Coren Ross

James Coursey	- Not Present
Quentin Marlin	- Not Present
Lucy Hitch	- Aye
Coren Ross	- Aye
Meredith Stone	- Aye
Robert Vinyard	- Aye
Jeff Notrica	- Aye

[4. 1021 Welch Street | Variance | ZBA-0920-000064](#)

📎 [Map.pdf](#)

📎 [Eng. Comment.pdf](#)

📎 [Application.pdf](#)

📎 [Aerial.pdf](#)

📎 [Staff Report 000064.pdf](#)

**Mr. Marcus Lotson, Director of Development Services**, stated the petitioner is requesting a 14 - foot front yard setback variance from the 55-foot front yard setback requirement and a 8'4" side yard setback variance from the 10-foot requirement. These encroachments are existing conditions.

The structure is part of a Chatham County / FEMA mitigation program to raise flood-prone structures out of the floodplain. The structure has experienced flood events and the proposed scope of work will raise the entire building in place in order to eliminate future flooding. The location of the structure relative to setbacks will remain the same, the structure will be raised onto piers.

The subject property is located at 1021 Welch Street. Welch Street is an unpaved right of way on the east side of Walthour Road on Wilmington Island. The structure on site is a single-family residence.

The home has been identified as a structure in a high flood risk area and has flooded in the past. Chatham County is proposing, through collaboration with FEMA, to raise the structure out of the floodplain, in lieu of purchasing it as is often done with flood prone properties.

The home currently encroaches into the front and side yard setbacks. Once raised, the encroachments will not be any greater than currently. The only additional construction will be stairs to access the raised porch and deck.

The intent of setback requirements is to provide uniform and adequate separation between structures and adjoining property lines. Many of the structures on Welch Street appear to have been constructed prior to zoning regulations being established in Chatham County. The zoning ordinance provides that under specific criteria these setbacks may be varied. The proposed work makes it unlikely that any negative impacts will occur.

**Mr. Steve Stowers, agent for the petitioner**, stated that they will replace the existing at grade decks and they are necessary for us to egress out of the new elevated structure. We have also rearranged the porch on the back, so it stayed out of the salt marsh buffer. The house will be elevated 11 feet.

**No Public Comments**

**Motion**

Approval of the front yard and side yard setback variance for 1021 Welch Street.

**Vote Results ( Approved )**

Motion: Coren Ross

Second: Jeff Notrica

James Coursey	- Not Present
Quentin Marlin	- Not Present
Lucy Hitch	- Aye
Coren Ross	- Aye
Meredith Stone	- Aye
Robert Vinyard	- Aye
Jeff Notrica	- Aye

[5. 1019 Welch Street | Variance | ZBA-0920-000065](#)

📎 [Application.pdf](#)

📎 [Attachment B.pdf](#)

📎 [Existing.pdf](#)

📎 [Proposed.pdf](#)

📎 [Map.pdf](#)

📎 [Aerial.pdf](#)

📎 [Staff Report 000065.pdf](#)

**Mr. Marcus Lotson, Director of Development Services**, stated the petitioner is requesting an 18 - foot front yard setback variance from the 55-foot front yard setback requirement and a 4'5" side yard setback variance from the 10-foot requirement. These encroachments are existing conditions.

The structure is part of a Chatham County / FEMA mitigation program to raise flood-prone structures out of the floodplain. The structure has experienced flood events and the proposed scope of work will raise the entire building in place in order to eliminate future flooding. The location of the structure relative to setbacks will remain the same, the structure will be raised onto piers.

The subject property is located at 1019 Welch Street. Welch Street is an unpaved right of way on the east side of Walthour Road on Wilmington Island. The structure on site is a one-story single-family residence, approximately 1,100 square feet in size.

The home has been identified as a structure in a high flood risk area and has flooded in the past. Chatham County is proposing, through collaboration with FEMA, to raise the structure out of the floodplain, in lieu of purchasing it as is often done with flood prone properties.

The home currently encroaches into the front and side yard setbacks. Once raised, the encroachments will not be any greater than currently. The only additional construction will be stairs to access the raised porch and deck.

The intent of setback requirements is to provide uniform and adequate separation between structures and adjoining property lines. Many of the structures on Welch Street appear to have been constructed prior to zoning regulations being established in Chatham County. The zoning ordinance provides that under specific criteria these setbacks may be varied. The proposed work makes it unlikely that any negative impacts will occur.

**Mr. Steve Stowers, agent for the petitioner,** stated he didn't have anything else to add. This request is the same as the previous item.

**No Public Comments**

**Motion**

Approval of the front yard and side yard setback variance for 1019 Welch Street.

**Vote Results ( Approved )**

Motion: Coren Ross

Second: Jeff Notrica

James Coursey	- Not Present
Quentin Marlin	- Not Present
Lucy Hitch	- Aye
Coren Ross	- Aye
Meredith Stone	- Aye
Robert Vinyard	- Aye
Jeff Notrica	- Aye

[6. 8 Huntingwood Retreat | Variance | ZBA-0920-000073](#)

[Application.pdf](#)

[Staff Report.pdf](#)

[Map.pdf](#)

[Aerial Map.pdf](#)

[plan page 2.pdf](#)

**Mr. Jordan Holloway, Development Services Planner,** stated the petitioner is requesting a 10'-6" variance from the twenty-foot required side yard setback for the construction of a new master suite and garage.

The property is a cul-de-sac lot along Huntingwood Retreat in The Landings subdivision. The property abuts a cart path/walking path common area that is owned by the Landings Association. The proposed encroachment involves the construction of a new garage and master suite on the north side of the property.

The required side yard setback is twenty (20) feet and the petitioner's request is to extend the proposed garage and master suite a maximum of 10'-6" beyond the required setback line. The proposed construction would encroach the setbacks at three locations, with the maximum encroachment being 10'-6".

Per a letter dated July 18, 2019, which is attached to this petition, The Landings Architectural Review Committee has approved the proposed encroachment. Although not related specifically to the requirements mandated by the Chatham County Zoning Ordinance to obtain a building permit, that approval is required by the neighborhood covenants and guidelines.

In review of the site and of the proposed encroachment. It does not appear that any neighboring properties or common areas will be impacted by the requested side yard setback encroachment. Based on the site lines from adjoining properties, the requested variance, if approved, is unlikely to be a detriment to the area.

**Mr. Gerald Cowart, agent for the petitioner,** stated he agreed with staff's recommendation and didn't

have anything else to add.

### No Public Comments

#### Motion

Approve the requested variance.

#### Vote Results ( Approved )

Motion: Jeff Notrica

Second: Lucy Hitch

James Coursey	- Not Present
Quentin Marlin	- Not Present
Lucy Hitch	- Aye
Coren Ross	- Aye
Meredith Stone	- Aye
Robert Vinyard	- Aye
Jeff Notrica	- Aye

#### [7. 31 Bluff Drive | Variance | ZBA-1020-000074](#)

📎 [31 Buff Drive Page 1.pdf](#)

📎 [31 Buff Drive Page 3.pdf](#)

📎 [31 Buff Drive Page 4.pdf](#)

📎 [Map.pdf](#)

📎 [Staff Report.pdf](#)

📎 [Application 31 Bluff Dr.pdf](#)

📎 [Aerial Map.pdf](#)

📎 [Street View of 31 Bluff Drive.pdf](#)

**Mr. Jordan Holloway, Development Services Planner**, stated the petitioner is requesting a 3'-10" variance from the five (5) foot required side yard setback for the construction of a new master suite, above a first floor workshop, that would be an addition to an existing residence.

The property is a conforming lot along Bluff Drive that has a single residence with garage and accessory structure. The property abuts Bluff Drive and then further extends toward Skidaway River. The proposed encroachment involves the construction of a new workshop and master suite on the north side of the property.

The required side yard setback is five (5) feet and the petitioner's request is to extend the proposed garage and master suite a maximum of 3'-10" beyond the required setback line, leaving only fourteen (14) inches between the structure and the property line. The proposed construction would encroach the setbacks for a distance of 42'-10" on the northern property line.

In review of the site and of the proposed encroachment, it appears that the neighboring property would be impacted by the requested side yard setback encroachment. Based on the site lines from adjoining properties, the requested variance, if approved, is likely to be a detriment to the area.

**Mr. Fred Wasson, agent for the petitioner**, stated the existing carport on the rear of the home is already encroaching into the setback. We are not asking to encroach any farther. We would like this new addition to keep within line of the existing house.

**Public Comments:**

**Mr. Alex Barbee**, spoke in favor. He stated when his great grandfather built these houses in 1895, there were no variance included in the building. The structure that is existing, which is the carport, is the same distance from the property line as we are asking to do now. With only 1200 square feet, it is tight. With a master suite above the workshop, it would be beneficial to us.

**Ms. Sue Alder, President of Historic Savannah Foundation**, spoke in opposition. We at HSF work to maintain the culture heritage of Isle of Hope to preserve this historic district. The beautiful symmetry of the cottages would be disturbed if this petition is approved.

**Mr. Josh Yellin, agent for the adjacent property owner, Rosemary Magee**, spoke in opposition for his client. He stated, for the record, that he believes this Board received letters of opposition. They are in agreement with staff's recommendation that they are not facing a hardship, there is nothing peculiar about the property and that the variance request is out of keeping with Bluff Drive. While the carport is there, it is not a habitable structure. While there is already encroachment, the buildings were built in very close proximity to one another in 1895. The buildings are around 1400 square foot in size. This proposed addition itself is approximately 2300 square feet. We do not believe that this variance request is within keeping with this property and it would cause significant hardship to the adjacent property owner. She would face a 42 foot long blank wall, just 14 inches away from her property line.

**Ms. Rosemary Magee**, spoke in opposition. She stated she is the property owner of 29 Bluff Drive. She requested that the owner and architect seek other means to accomplish their goals, while respecting my property and keeping in mind the historic nature of the cottages. The cottages display historical architecture. The existing carport structure is open air and also significantly lower than the proposed structure. The proposed structure is completely out of context from anything that exists on or near these properties. The design of the structure has almost a solid wall 45 feet long and almost 20 feet high approaching my property line.

**Ms. Elaine Seabolt**, spoke in opposition. She stated if this is allowed to happen, in my professional opinion, it would have a detrimental effect on property values of the neighboring properties. Something so large attached to these cottages would take away value. I have spoken to several other neighbors and no one wants this to take place.

**Motion**

Denial of the requested variance.

**Vote Results ( Approved )**

Motion: Coren Ross

Second: Lucy Hitch

James Coursey	- Not Present
Quentin Marlin	- Not Present
Lucy Hitch	- Aye
Coren Ross	- Aye
Meredith Stone	- Aye
Robert Vinyard	- Aye
Jeff Notrica	- Aye

**IX. Other Business**

[8. Voting on Vice-Chairman](#)



**Motion**

Accept Robert Vinyard as Vice-Chairman

**Vote Results ( Approved )**

Motion: Coren Ross

Second: Jeff Notrica

James Coursey	- Not Present
Quentin Marlin	- Not Present
Lucy Hitch	- Aye
Coren Ross	- Aye
Meredith Stone	- Aye
Robert Vinyard	- Abstain
Jeff Notrica	- 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.***