



Chatham County Zoning Board of Appeals

Arthur A. Mendonsa Hearing Room
February 28, 2023 - 9:00 A.M
Meeting Minutes

FEBRUARY 28, 2023 CHATHAM COUNTY ZONING BOARD OF APPEALS

Members Present: James Coursey, Chairman
Robert Vinyard, Vice Chairman
Ashley Field
Benjamin Polote

Members Absent: Coren Ross
Meredith Stone
Kewaan Drayton

Others Present: Pamela Everette, Esq., Assistant Executive Director
Marcus Lotson, Development Services Director
Nirav Gandhi
Mary E Mitchell, Administrative Assistant
Warren Durrer, Executive Assistant

Chatham County Staff Present: Jefferson Kirkland, Environmental Program Manager
Yolanda Washington, Zoning Administrator

I. Call to Order and Welcome

[1. Call to Order and Welcome](#)

Mr. Coursey called the meeting to order at 9:05 a.m. He explained that 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.

II. Pledge of Allegiance

[2. Pledge of Allegiance](#)

The **Pledge of Allegiance** was recited in unison.

III. Notices, Proclamations and Acknowledgements

IV. Petitions Ready for Hearing

V. Approval of Minutes

[3. Approve January 24, 2023 Meeting Minutes](#)

[January 24, 2023 Meeting Minutes.pdf](#)

Motion

The Chatham County Zoning Board of Appeals does hereby approve the Meeting Minutes of January 24, 2023.

Vote Results (Approved)

Motion: Robert Vinyard

Second: Benjamin Polote, Jr.

James Coursey	- Aye
Coren Ross	- Not Present
Meredith Stone	- Not Present
Robert Vinyard	- Aye
Benjamin Polote, Jr.	- Aye
Kewaan Drayton	- Not Present
Ashley Field	- Aye

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

VII. Consent Agenda

VIII. Old Business

IX. Regular Agenda

[4. VARIANCE REQUEST | 143 S Robinhood Dr | File No. ZBA-0123-000352 | Front and Side Setback Reduction](#)

[CARPORT PLANS.pdf](#)

[Map.pdf](#)

[Staff Report .pdf](#)

Mr. Nirav Gandhi gave the staff report. The petitioner is requesting two variances. First, a reduction in the front yard setback for their home from 25 feet to 7 feet. Second, a reduction in the side yard setback from 5 feet to 0 feet. The lot is located in an R-1/EO zoning district with a minimum side setback of 5 feet. The extension to the home as proposed would require a full 5 feet reduction on the side yard, removing the setback altogether. The proposed addition is 20 feet wide and 43 feet deep along the right side. In total, it would add roughly 650 square feet to the area of the house.

Mr. Gandhi explained that the petitioner’s property has approximately 60 feet of frontage on South Robinhood Dr. The property measures roughly 7,200 square feet. The total lot coverage of the current house and shed is 27% and the proposed lot coverage would be 34%, far below the limit of 40%. Every house on the street is set back 25 feet from the front property line. There do not appear to be any homes in the immediate area where the front façade encroaches as close to the front property line as the proposed plan.

Mr. Gandhi reported that based on the findings in the staff report, staff recommends denial of both requested variances. He entertained questions from the Board.

PETITIONER COMMENTS

Mr. Glenn D. Sams was sworn in by Mr. Coursey. Mr. Sams stated that he and his wife have been saving money for approximately four years to get the work done. The daycare is here and when the children are dropped off and it is raining, they get wet. Therefore, they want to add the carport to protect

the children and their cars. He believes the carport would beautify the neighborhood. Mr. Sams said he has a certified letter from his next-door neighbor showing support for their request.

Mr. Vinyard asked Mr. Sams if the letter from his neighbor has been made a part of the file.

Mr. Sams said he has the letter with him today.

Mr. Coursey asked Mr. Sams to please pass the letter to the Board. He asked Mr. Sams if the person who wrote the letter is his direct neighbor.

Mr. Sams answered that the person is his next-door neighbor.

Mr. Coursey asked him if this is the person who would be affected by the carport.

Mr. Sams answered yes. His family will have access getting in and out from the backyard to the front of the house.

Mr. Polote asked Mr. Sams if he was aware of the Ordinance prior to coming up with a plan for the carport.

Mr. Sams answered no. The driveway was already there; they just want to cover it. He was not aware of the Ordinance. Mr. Sams informed the Board that he had pictures with him of other houses in the neighborhood that have similar carports to what he is trying to build. One house is down the street from his home, and the other house is around the corner.

Mr. Coursey told Mr. Sams that if he would like for the Board to look at the pictures, they would be happy to do so.

Mr. Sams passed the pictures to the Board.

Ms. Field asked Mr. Sams how he found out that he needed a variance.

Mr. Sams said initially he was not aware that he needed a variance. They found out about the variance when he had the building plans drawn up and his contractor was trying to get the building permit.

PUBLIC COMMENTS

None.

BOARD DISCUSSION

Mr. Coursey said he had some real concerns when all the setbacks are taken, especially on the side of this house. He is aware that Mr. Sams's neighbor has graciously said it is no problem, but what if the neighbor sells his house and then it may be a problem.

Mr. Vinyard explained that he shares Mr. Coursey's concerns. They have, in the past, allowed people to reduce the side, but he does not know if they have ever had an occasion where they reduce the side to zero. Mr. Vinyard said that he could not, in good conscience, reduce the side to zero.

Ms. Field asked if there were any utilities or easements running in this spot that will be problematic.

Mr. Jefferson Kirkland, Chatham County Environmental Program Manager, said he was not one hundred percent sure, but utilities are here.

Mr. Sams said on this side of the house, he drives a riding lawnmower in and out. He has a swing gate here. Therefore, nothing is there that blocks anything.

Mr. Coursey asked if there was more discussion on this petition. There was no more discussion. Mr. Coursey entertained a motion.

Motion

The Chatham County Zoning Board of Appeals does hereby deny the petitioner's request to reduce the front setback from 25 feet to 7 feet. and reduce the side setback from 5 feet to 0 feet at 143 South Robinhood Drive.

Vote Results (Approved)

Motion: Robert Vinyard

Second: Benjamin Polote, Jr.

James Coursey	- Aye
Coren Ross	- Not Present
Meredith Stone	- Not Present
Robert Vinyard	- Aye
Benjamin Polote, Jr.	- Aye
Kewaan Drayton	- Not Present
Ashley Field	- Aye

[5. VARIANCE REQUEST | 5 Flying Jib Ln | File No. ZBA-0123-000356 | Front Setback Reduction](#)

📎 [Mansfield Scansrevised.pdf](#)

📎 [Map.pdf](#)

📎 [Staff Report .pdf](#)

Mr. Nirav Gandhi gave the staff report. The petitioner is requesting a reduction in the front yard setback for their home. The lot is located in a Planned Development Zoning Classification with a minimum front setback of 30 feet. The extension to the home, as proposed, would require a 5 feet reduction to 25 feet. The extension will extend out forward roughly 10 feet further than the existing structure. The proposed addition will be two stories, with one floor being a bedroom and the other being an exercise space.

Mr. Gandhi explained that the petitioner's property has approximately 154 feet of frontage on Landings Way and 132 feet of frontage on Flying Jib Lane. The property measures roughly 0.58 acres. The total coverage of the current house is 18.9% and the proposed lot coverage would be 21.7%, far below the limit of 40%. Several houses in the immediate area are 25 feet away from the front property line, although some are as far back as 60 feet. Therefore, there is a great variation in this area regarding front setbacks.

Mr. Gandhi reported that based on the findings in the staff report, staff recommends approval of the requested variance for a front yard setback reduction from 30 feet to 25 feet.

PETITIONER COMMENTS

Ms. Joye Reno, the petitioner's agent, came forward. Ms. Reno was sworn in by Mr. Coursey. She explained that the proposed variance of 5 feet encroaching on the front yard setback is as staff described. The site is oddly shaped. The homeowners want to expand their existing garage and add another bay. They currently have six children in a three-bedroom home. Therefore, they want to get another bedroom in the upper story of the home. Ms. Reno said another hardship that is included in the variance package is that the homeowners have a daughter that is special needs. They added a pool because the daughter needs to do exercises. The garage is full of equipment that this daughter needs; one piece of equipment is a very large tricycle that she must use. This is the main reason why they want to expand the structure.

Ms. Reno stated that they were hoping to add onto the house on the other side of the property; but were restricted by two live oak trees. Consequently, they could not cut down the trees or build anywhere

within the proximity of the tree trunks.

Mr. Coursey asked Ms. Reno if they got this cleared through the Landings.

Ms. Reno answered that they have full approval from the Landings. The letter should be included in their submittal packet.

Mr. Vinyard said he is familiar with this property. He lives in the area. Basically, what the petitioner is building is an addition to the garage.

Ms. Reno explained that they are not changing the height, they are just stretching the roofline.

PUBLIC COMMENTS

No public comments were voiced during this petition hearing.

Mr. Gandhi reported, however, that staff received a phone call from a neighbor that lives behind the petitioner's house. The neighbor had concerns about the extension blocking her view of the road and access to her driveway. He said that he and Mr. Lotson took a trip to the area. They looked around the lot but did not find that the neighbor's concerns were true. However, he wanted to put the neighbor's concerns on record.

Mr. Coursey said he was looking at the lot and he had the same question. There is a tiny little access onto the lady's property.

Mr. Gandhi said it is a weird setup.

Mr. Coursey asked Mr. Gandhi if he discussed his opinion with the neighbor.

Mr. Gandhi answered no; the neighbor called staff via phone and voiced her concerns. As he has aforesaid, Mr. Lotson and he went to the site, but they did not find that what was being requested would interrupt anyone's ability to safely access the driveway or anything. There is still sufficient room; it is only a five-foot reduction.

BOARD DISCUSSION

Mr. Vinyard stated that the houses here are different sizes, shapes, and forms. None of the houses are the same architecturally. He did not see a problem with approving this variance request.

Mr. Coursey entertained a motion as there was no further Board discussion.

Motion

The Chatham County Zoning Board of Appeals does hereby approve the requested variance for a front yard setback reduction from 30 feet to 25 feet at 5 Flying Jib Lane.

Vote Results (Approved)

Motion: Robert Vinyard

Second: Ashley Field

James Coursey	- Aye
Coren Ross	- Not Present
Meredith Stone	- Not Present
Robert Vinyard	- Aye
Benjamin Polote, Jr.	- Aye
Kewaan Drayton	- Not Present

Ashley Field

- Aye

[6. VARIANCE REQUEST | 4 Crepe Myrtle Ct | File No. ZBA-0123-000355 | Rear Setback Reduction](#)

📎 [Map.pdf](#)

📎 [Grady Residence permit set.pdf](#)

📎 [Staff Report .pdf](#)

Mr. Nirav Gandhi gave the staff report. The petitioner is requesting a reduction in the rear yard setback for their home. The lot is located in a Planned Development Zoning Classification with a minimum rear setback of 40 feet. The extension to the home as proposed would require a 6-foot reduction from 40 feet to 34 feet. This would be a setback reduction of about 15%. The proposed extension would be one story and would serve as a larger porch, replacing the smaller porch that already exists.

Mr. Gandhi explained that the petitioner's property has approximately 120 feet of frontage on Grey Heron Retreat and 200 feet of frontage on Crepe Myrtle Court. The property measures roughly 0.79 acres. The total lot coverage of the current house is 12.6% and the proposed lot coverage would be 13%, far below the limit of 40%. Several houses in the immediate area are 15 feet away from the front property line, although some are as far back as 40 feet.

Mr. Gandhi reported that based on the findings in the staff report, staff recommends approval of the requested variance for a front yard setback reduction from 40 feet to 34 feet.

PETITIONER COMMENTS

Ms. Joye Reno, the petitioner's agent, came forward. Ms. Reno was sworn in earlier by Chairman Coursey. She explained that as Mr. Gandhi has stated, there is no undue hardship on the property. The owner's existing screen porch is failing structurally; it is sinking. So, they have to remedy this regardless. The screen porch is very inadequate mainly because of its shape. The porch does not match the grandeur of the existing home. Therefore, it is a home value exercise as well as to expand the outdoor living space in the back. They are asking for six feet. The Landings has already approved the variance. They have the Landings letter in their submittal packet.

Mr. Vinyard asked if this will be another screened porch. He wanted to know if the porch would have windows.

Ms. Reno answered that the porch will not have windows. They are essentially replacing what is already there, they just want to enlarge it.

Mr. Coursey asked Ms. Reno what she said about something sinking.

Ms. Reno explained that the existing screen porch is sinking. It has started pulling away from the existing house structure. They are just hoping that they will be able to add onto it and not have to replace the entire porch.

PUBLIC COMMENTS

None.

BOARD DISCUSSION

The Board was in agreement with the staff recommendation.

Mr. Coursey entertained a motion.

Motion

The Chatham County Zoning Board of Appeals does hereby approve the requested variance for a front yard setback reduction from 40 feet to 34 feet at 4 Crepe Myrtle Court.

Vote Results (Approved)

Motion: Ashley Field

Second: Benjamin Polote, Jr.

James Coursey	- Aye
Coren Ross	- Not Present
Meredith Stone	- Not Present
Robert Vinyard	- Aye
Benjamin Polote, Jr.	- Aye
Kewaan Drayton	- Not Present
Ashley Field	- Aye

[7. 542 Heather Street | ZBA-0123-000347 | Variance to allow accessory building in front yard.](#)

[☞ Staff Report .pdf](#)

[☞ Subject property.pdf](#)

[☞ Across from subject property.pdf](#)

[☞ Map.pdf](#)

Mr. Marcus Lotson gave the staff report. The subject property is .38 acres in size and is located on the west side of Heather Street approximately 300 feet north of Whitfield Avenue. The property is zoned RMH-EO (Residential Mobile Home/Environmental Overlay) and is developed with a 950 square foot single family residence built in 1943 and substantially renovated within the last five years.

Mr. Lotson explained that at some point after 2020, a recreational vehicle [RV] was parked on site, which appears to have been used as a residence. Subsequently, the RV was replaced with an accessory residential building. Chatham County Code Enforcement cited the owner for a violation of Sec 3-6.1. Per the Chatham County Zoning Ordinance, Section 3-6, "accessory structures shall be located in rear yards only." The applicant is seeking relief from this standard in order to maintain, in place, an accessory structure in the side yard of the residence. Within the RMH zoning district, a residential mobile home is permitted to be on the same lot as a principal dwelling, with the condition that it be in the rear yard. The rear yard is considered any portion of the property behind the rear façade of the principal building. Because the structure was placed on site without seeking a permit, this condition was not initially enforced. An unofficial measurement indicates that the principal structure is approximately 45 feet from the rear property line. The subject property is similar in size and shape to other lots on the west side of the block. The development pattern on the west side of Heather Street is a mix of mobile homes on individual lots, as well as homes with permanent foundations. The pattern on the east side is primarily single family detached residences.

Mr. Lotson reported that based on the findings in the staff report and the variance criteria, staff recommends denial of the requested rear yard setback variance for the subject property at 542 Heather Street. He entertained questions from the Board.

Ms. Field asked if the building is permitted.

Mr. Lotson answered that it appears that it was placed on a foundation of some kind. He believes, though, that it was put here without permit. Therefore, it is hard to say what the nature of the work was.

Ms. Field said when she drove by, she noticed that the back has a meter box, but it is disconnected.

Mr. Lotson stated that he noticed the same thing. He showed the Board a picture of the property that

was taken in March 2022 before the building was constructed, which is now in the same location roughly where the RV was located. In the photo, you can see a meter box was here. They do not know how this was established or if it was providing power to the RV. Therefore, without having addressed the proper permitting, it is difficult to say what the situation was at this site.

Mr. Coursey asked if the RV is no longer there.

Mr. Lotson answered correct. Where the RV was is approximately where this building is located now.

Mr. Vinyard stated that they had this come up before about there being two residences on one property. Does the zoning classification allow another residence?

Mr. Lotson answered that there are two zoning classifications that will allow an accessory mobile home on a lot with an existing principal dwelling. They are an RA zoning classification and RMH zoning classification which is where this property is located. However, the condition is that the second building be in the rear. This is what the variance is requesting.

Mr. Coursey asked how close to the back line is the back of this structure.

Mr. Lotson stated that it is approximately 45 feet or 50 feet. He explained that he did a rough measurement of the principal dwelling's distance from the rear property line, and it was about 45 feet.

PETITIONER COMMENTS

Mr. Minh Thai came forward. Mr. Thai was sworn in by Mr. Coursey

Mr. Coursey asked him where he lives.

Mr. Thai answered that he lives at 12401 Apachee Avenue.

Mr. Coursey said, therefore, you do not live on this property.

Mr. Thai replied that he does not live here. He explained that they bought the house three years ago. It was a foreclosure property that was neglected, etc. They bought the house unseen as it was an online auction. The first thing they did was to clean everything out of the house. They did the drywall and made this house presentable. They had family members living here. On the right side of the property an existing mobile home was already here. It just had the frame. Therefore, they had to move all of this out.

Mr. Thai said the reason they bought the property was because it allowed four mobile home lots, and obviously they saw the mobile home previously on the lot. The RV person that was here needed a place to stay. You cannot put anything in the back because a septic system is there. The septic system is tied to this lot and the house. He explained that the electricity was already here. Therefore, they just upgraded the panel to accommodate the prefab structure. Mr. Thai said that he did not know that an ordinance change was done in the past seven [7] years. When he talked with Mr. Amerson, he told him that if a mobile home was already here and it is not moved, it can be allowed at that location. But obviously he moved it when he cleaned up the yard. This allowed him to have more space for this house. He thought that, basically, it was grandfathered in where you could put the same structure on the same location of the mobile home.

Mr. Vinyard asked Mr. Thai if the building met the specifications.

Mr. Thai answered that it was a prefab building he bought in Springfield, Georgia. It met the specifications. He paid \$42,000.00 for it. It has only one bedroom, one bath.

Mr. Vinyard asked if the building can be moved.

Mr. Thai answered that the building can be moved. It would be hard to do so, but it can be moved.

Mr. Coursey asked Mr. Thai if he understood that the septic system would preclude a movement backward.

Mr. Thai answered "yes." He explained that the septic system is toward the back of the house. He measured the septic tank, and it is approximately 4 feet x 8 feet with the drain field going back and out towards the left side. Therefore, you cannot build in the back. Mr. Thai stated that from the structure, going towards the back is wooded. This precludes you from building in the back. The environmental agency approved the location and said that the encroachment on the drain field meets all the setbacks for the location of the structure.

PUBLIC COMMENTS

None.

BOARD DISCUSSION

Mr. Vinyard stated that the entire outlook of this lot has changed. He wanted to hear from the other Board members.

Mr. Coursey asked Mr. Polote if he had any questions.

Mr. Polote answered that he did not have any questions, but he guessed that the premises of where the Board is now, is that this structure should be behind the existing home. The Ordinance dictates this. Mr. Polote explained that he does not believe this was permitted and as he aforesaid, the basics of the Ordinance dictates that this structure be behind the existing home. Therefore, in this regard, he agrees with staff.

Ms. Field said she understood what is being said is that this needs to go in the back of the lot. It would be a lot of work to rerun all the utilities. But what has been done is definitely an improvement.

Mr. Coursey asked if the mobile home could be moved before it truly encroaches in the setback lines.

Mr. Thai said that it cannot be moved back. The septic tank and the wooded area are here. The lot line ends at the cottage; maybe ten feet. So, it cannot be moved any further back. They built a platform to ensure that it was stable and put in new anchor ties to ensure it was secure.

Mr. Coursey asked if the septic tank served the mobile home and the structure.

Mr. Thai answered yes. They got the line where it accommodates two bathrooms. One has two bedrooms and one bath and the other has one bedroom and one bath. But he cannot move it back any further. He just kept it built the way the previous mobile home was before they took it out and cleaned up the entire yard and lot. He said they took out approximately five dumps of trash from the main house. The neighbors have praised what they have done here. It was neglected for so long.

Mr. Vinyard asked Mr. Thai if permits were ever issued for this building.

Mr. Thai answered that he did not know. He did not know anything until they got the Stop Work order. Mr. Thai said at this time, they talked with Mr. Anderson.

Mr. Vinyard said no permits were granted for this building. And no permits were granted even for the electric, plumbing, or whatever else needed to be done.

Mr. Thai stated that this is a prefab building. The electricity was already there. They just had to get the box to accommodate the structure. The RV has 50 amps.

Ms. Field stated that the upgrade to the electrical should have been permitted. Correct?

Mr. Thai answered no. The upgrade was basically just bringing the power from the box to the structure. He said his electrician ran the wires to the 50-amp box. What is seen is on the side is the RV's 50-amp box.

Ms. Field asked if someone tied-in the septic tank.

Mr. Thai answered yes, his lumber tied-in the sceptic tank. The hole was already there. They basically just connected the portions that run into the house. All the pipes are above ground.

Mr. Coursey asked if the permits for the main structure were obtained.

Mr. Thai said they did not do any work on the main structure. They only cleaned the inside of the main structure. It was terrible. If you go to Zillow, you will see how bad it looked.

Mr. Lotson showed the Board the before and after pictures of how the site looked. However, he said that he wanted to clarify one thing. He explained that the RV that was previously here was not permitted. Therefore, the issue with this is that what he was describing was permitted by the Ordinance in terms of the second residence, it was for a mobile home. An RV will not be considered a residence. The RV was never legal. Mr. Lotson said he just wanted to be sure the Board understood this.

Mr. Coursey asked Mr. Lotson to show more aerial view of the street.

Mr. Lotson explained that as you go down Heather Street, there is a combination of single-family and mobile homes. Heather Street is a dead-end street.

Ms. Field asked Mr. Lotson that even if the RV was sitting here, it still would not be grandfathered in for anything to go back in this location because it was not legal to begin with. Is this correct?

Mr. Lotson answered yes.

Mr. Coursey asked if there was any further Board discussion on this petition. There was none. He entertained a motion.

Motion

The Chatham County Zoning Board of Appeals does hereby deny the variance request to allow accessory building in the front yard at 542 Heather Street.

Vote Results (Approved)

Motion: Ashley Field

Second: Benjamin Polote, Jr.

James Coursey	- Aye
Coren Ross	- Not Present
Meredith Stone	- Not Present
Robert Vinyard	- Aye
Benjamin Polote, Jr.	- Aye
Kewaan Drayton	- Not Present
Ashley Field	- Aye

[8. 164 Laurel Green Court | Side yard setback variance request | ZBA -1222-000340](#)

📎 [Staff Report 0341.pdf](#)

📎 [Map.pdf](#)

📎 [Survey Revised.pdf](#)

📎 [Application.pdf](#)

Mr. Marcus Lotson gave the staff report. The petitioner is requesting a 4-foot side yard setback variance from the 5- foot side yard setback requirement for the construction of an addition to a single-family residence. The subject property is approximately 6,000 square feet in size and is located on the east side

of Laurel Green Court, a cul-de-sac in the Laurel Green subdivision off Quacco Road. The property is within an R-A zoning district. The applicant is proposing to construct an addition onto a new single-family residence.

Mr. Lotson explained that the subject property is developed with a single-family residence, approximately 1,250 square feet in size and a raised 12X40 slab on the southeast side which is the proposed location of the addition. The residence originally included a single car garage which was converted into habitable space sometime after 2012. The concrete slab, which appears to include roughed in plumbing, is within one foot of the property line. The property is currently under a Stop Work Order with Chatham County Building Safety and Regulatory Services. The proposed renovation includes two bedrooms and one bathroom. As currently designed, the addition would be within 1 foot of the property line where a 5-foot setback is required. Because the adjacent property is on a cul-de-sac and is oriented differently, the proposed addition would be close to the adjacent building.

Mr. Coursey asked Mr. Lotson to go back to the aerial photo. He said that the staff's findings show that the concrete slab is within one foot of the property line. He asked if he was seeing yellow lines here.

Mr. Lotson answered yes and explained that those lines indicate the lots, themselves. They are not survey lines. A better indicator is the survey which shows the dark dashed lines being the property line.

Mr. Lotson reported that based on the findings in the staff report and the variance criteria, staff recommends denial of the requested 4-foot side yard setback variance for the subject property at 164 Laurel Green Court. He entertained questions from the Board.

PETITIONER COMMENTS

Mr. Isaac Scott came forward and was sworn in by Mr. Coursey. Mr. Scott explained that he is trying to add on to his house for a family of six people. He said he always wanted a big house. Mr. Scott said he has already enclosed his garage, but now he wants to add two more rooms and a bathroom on the side of his lot. He was seeking a variance at one time, but he cancelled this as he did not agree with what was going on. He explained that Mr. Baskin, along with the inspector, came to his home. They talked about getting a variance or leaving it as is. He was told that he was not near his neighbor's property or passed his property line. Mr. Scott said he was told that he was in good standing. He said he asked Mr. Baskin if he was sure about his; and Mr. Baskin ensured him that he was correct. Mr. Baskin told him to ask the Commissioners to give him the okay to accept the variance for approval and then he could start doing the work. Mr. Scott stated that now he is just waiting to get the approval from the ZBA so that he can start the work.

Mr. Coursey asked Mr. Scott to tell him about the next-door neighbor.

Mr. Scott said the next-door neighbor is fine with the idea. She is waiting on him to start the work. His neighbor is wondering why the County is giving him such a hard time. The neighbor has said that he is not pass his property line. As a matter of fact, the police officers that patrol their neighborhood have asked him when he is going to build the addition. Mr. Baskin told him that it would not make sense for him to cut-off five feet of his slab. If he did so, he would not have room enough to build anything. He was told that his dream of adding two bedrooms and a bathroom would only be a closet. Mr. Scott said he was told to ask for a variance and ask to leave the slab as is.

Mr. Coursey informed Mr. Scott that he is not asking for permission but asking for forgiveness. Aren't you?

Mr. Scott answered yes.

Mr. Coursey told Mr. Scott that he has already poured the slab and it is roughed in.

Mr. Scott answered yes. He explained that initially he did the planning and got the paperwork approved. Therefore, he called the cement masons to come and pour the slab and got the pipes put in. The inspector came out and questioned the property lines. This is when he got the "red flag."

Mr. Coursey asked Mr. Scott if he had a permit to pour the cement.

Mr. Scott explained that he made a mistake on this. He believed that since he was on his property, he was okay.

Mr. Coursey asked Mr. Scott if he got a permit to rough in the plumbing.

Mr. Scott replied that he did the plumbing himself.

Mr. Coursey asked Mr. Scott if he was a plumber.

Mr. Scott answered that he is a "jack of all trades."

Mr. Coursey asked Mr. Scott if he is licensed.

Mr. Scott answered that he is a "handyman." He stated that he is an electrician and all of the above.

Mr. Polote stated to Mr. Scott that since he is a handyman, he understands that there is a permitting process, and he also knows why there is a permitting process. Is this fair to assume?

Mr. Scott answered yes.

Mr. Polote said there was no permit to pour the slab, no permit to do the plumbing rough in. Mr. Scott was flagged that he needed to stop working in order to ask for a variance, However, at this point, it is an act of forgiveness as Mr. Scott put the "cart before the horse."

Mr. Scott apologized and said that he moved too fast. He got over excited about what he was doing for his family. Everyone in the neighborhood likes what he is doing. They all are excited. He apologized for jumping the gun and moving so fast.

Mr. Coursey asked him why he did not buy a bigger house.

Mr. Scott said at the time, it was an emergency, and he did not want to move to an apartment. So, he tried to find a house. What was available and met his income at that time is where he moved to.

PUBLIC COMMENTS

None.

BOARD DISCUSSION

Mr. Polote said his recommendation is to decide with the staff for denial. He told Mr. Scott that everything has rules and regulations, etc. It is difficult to make a decision based on how you feel about something with your heart. Mr. Polote told Mr. Scott that he understood what he is trying to do and also understood what he is trying to do for his family. However, there are certain protocols that need to be followed in order to achieve these dreams and aspirations that we have. Unfortunately, he cannot say let's not follow the rules because of any other situation, other than the way that he may personally feel about the situation.

Mr. Vinyard said he shares Mr. Polote's concerns. It is admirable that Mr. Scott wants to provide for his family, but he would feel a little hypocritical as he voted no on the last petition, they just heard that was on the lot landline, and allow this one which is on or a little over the lot landline.

Motion

The Chatham County Zoning Board of Appeals does hereby deny the side yard setback variance request for 164 Laurel Green Court.

Vote Results (Approved)

Motion: Benjamin Polote, Jr.

Second: Robert Vinyard

James Coursey - Aye

Coren Ross - Not Present

Meredith Stone - Not Present

Robert Vinyard - Aye

Benjamin Polote, Jr. - Aye

Kewaan Drayton - Not Present

Ashley Field - Aye

X. Other Business

XI. Adjournment

[9. Adjourned](#)

There being no further discussion to come before the Board, Mr. Coursey adjourned the meeting at approximately 10:25 a.m.

Respectfully Submitted,

Marcus Lotson, Director
Development Services

ML:mem

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.