



Chatham County Zoning Board of Appeals

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

NOVEMBER 28, 2023 CHATHAM COUNTY ZONING BOARD OF APPEALS

Members Present: James Coursey, Chair
Kewaan Drayton
Ashley Field
Benjamin Polote
Coren Ross
Meredith Stone

Member Absent: Robert Vinyard, Vice-Chair

Others Present: Edward Morrow, Development Services Director
Anna McQuarrie, Special Projects Planner
Mary E. Mitchell, Administrative Assistant
Hind Patel, IT Helpdesk & Support

Virtual Attendance: Pamela Everett, Esq., Assistant Executive Director, Compliance & Operations

Chatham County Staff Present: Jefferson Kirkland, Environmental Program Manager

I. Call to Order and Welcome

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

Mr. Coursey called the meeting to order at 9:00 a.m. He explained that this is a quasi-judicial proceeding. He asked that all those wishing to give testimony during these proceedings please sign in. Witnesses were 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 October 24, 2023 Meeting Minutes](#)

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

Motion

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

Vote Results (Approved)

Motion: Benjamin Polote, Jr.

Second: Coren Ross

James Coursey	- Aye
Coren Ross	- Aye
Meredith Stone	- Aye
Benjamin Polote, Jr.	- Aye
Kewaan Drayton	- Aye
Ashley Field	- Aye

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

VII. Consent Agenda

[4. 2024 Meeting Calendar](#)

[coounty zba 2024_.pdf](#)

Mr. Coursey stated that the 2024 Meeting Calendar is presented for approval. The Board reviewed the proposed meeting dates and agreed with the meeting dates as presented.

Motion

The Chatham County Zoning Board of Appeals does hereby approve the meeting dates as presented.

Vote Results (Approved)

Motion: Coren Ross

Second: Benjamin Polote, Jr.

James Coursey	- Aye
Coren Ross	- Aye
Meredith Stone	- Aye
Benjamin Polote, Jr.	- Aye
Kewaan Drayton	- Aye
Ashley Field	- Aye

VIII. Old Business

IX. Regular Agenda

[5. Minimum Lot Area Variance | 0 Hendry Avenue | ZBA-0923-000415](#)

[Site Plan.pdf](#)

[AERIAL - SITE MAP ZBA-0923-000415.pdf](#)

[Staff Report .pdf](#)

Mr. Morrow presented the Staff report. This petition was continued from the October 24, 2023, meeting.

The request is for a reduction in the minimum required lot area. The subject parcel is approximately 11,000 square feet in the R-1 zoning district within an environmental overlay which requires 15,000 square feet. Mr. Morrow displayed the subject parcel on the screen, which was shown at the rear as 1612 Hendry Avenue. The parcel measures 110 feet at the rear.

Mr. Morrow said that the Board heard the details of the description at the last meeting and had requested some additional information on whether access had been previously granted. In essence, whether an easement was across the subject property to permit access to the flag lot at the rear. Staff met with the Petitioner and County officials who would be involved in the creation of these parcels. It was determined that no access was granted previously to this parcel. Therefore, the matter that was brought up during the last meeting turned out to be not true.

Mr. Morrow reported, nonetheless, that Staff does continue to recommend denial of the request. This is an existing nonconforming parcel and creation of such parcel does not necessarily convey development rights. Mr. Morrow entertained questions from the Board.

Ms. Ross asked Staff to give the Board more information about the flag lot.

Mr. Morrow said unfortunately they were not able to find a great deal of history about what happened here. It is his understanding that at some point, this row of parcels was like what the Board sees displayed and identified as with the number 8 and identified as lot 25. There were two narrow deep lots. At some they begin to have the lots cut out. The history here is very cloudy.

Ms. Ross asked if there was no conveyance of an easement.

Mr. Morrow answered no.

PETITIONER COMMENTS

Mr. Reed Peacock, resides at 1612 Hendry Avenue, came forward. He was sworn in by Mr. Coursey.

Mr. Peacock stated that the last time he was before the Board he was seeking two variances. One for the minimum lot size and a rear setback of 10 feet opposed to 25 feet. At that time a gentleman named Alex came up and said that he believed he had access through his two lots to his lot, the flag lot. Mr. Peacock said, however, this is not accurate. Since then, Alex has apologized.

Mr. Peacock said he paid his firm to do a title search on the lot. It was confirmed that there is no easement and there has never been an easement. He explained that his two lots and the flag lot at one time were owned by the same owner. Many years ago, it was separated into three multiple parcels. An assessment easement was never added to his two parcels. Mr. Peacock said he offered to buy Alex's lot to get them out of their situation. He met with Mr. Morrow to look at what access to the lot would look like through his lots, but it was not feasible. There is not enough room to get building materials through the 10-foot sliver of land that touches the back corner of his lot. Also, to have a road go across his lot, would not be good for him. This would mean that someone would be driving across his front yard.

Mr. Coursey stated that things have not gotten any better since the last meeting.

Mr. Peacock said they found out that Alex did not have access. He said, again, that he offered to purchase the lot. But they were not interested. Mr. Peacock said he has gotten his permit from the Health Department to install the septic tank on the lot and to construct the home.

Ms. Field asked if the Board was looking at a proposed building plan.

Mr. Peacock answered no. He has a proposed building plan to build a garage apartment. He explained that it is a site plan that he had done. It shows the general residence with the 10-foot rear setback variance. The existing driveway on the bottom right-hand corner of the screen is existing access to the lot. He also has not only room for one drain field, but it has been designed to have a secondary drain field if the first drain field became a total failure.

Ms. Ross asked Mr. Peacock that because the driveway comes across property that he owns, his assumption is that there will be no difficulty transferring building materials.

Mr. Peacock answered yes. There will be no difficulty. The lot also has an easement across his property. It is an actual easement for utilities.

Ms. Ross asked if the easement is transferable.

Mr. Peacock answered to the best of his knowledge, it is transferrable. When he bought the lots, the easements were in place. He bought both lots separately. When he bought the lot, it had access to it.

Ms. Ross asked if the easement is there so you can build rental property?

Mr. Peacock said no. It is there so he can build a home for himself. This will leave him with two properties there. His intention is to rent his 1612 Hendry Avenue home once he moves into the back house.

Ms. Stone asked Mr. Peacock that pertaining to the 10 feet, he mentioned that he went to the site and determined that he could not access the other lot within 10 feet of space between it all.

Mr. Peacock explained that his neighbor on the left who he spoke with is uninterested in selling any of his land. What is here now is a metal gated fence that runs down the left-hand side of this property and at the corner, there is a fence. This is the 10-foot section that they were claiming to have access through. It is 10 feet, and you cannot drive a concrete truck through here. He explained that to make the turn, you would have to come far over. Therefore, it is not feasible. Powerlines and other things are back there. This neighbor is uninterested in selling his land. But they never had access.

Mr. Coursey said there is still no indication as to why this was subdivided.

Mr. Peacock said he was not sure if there was a lot of subdividing going on; people making new lots. He believes that his two parcels were subdivided, someone purchased them and put an easement on the back lot to access to Hendry Avenue. The other person who owned the flag lot inherited the lot through someone passing away; then he believed that person passed away and this is why the taxes were not paid. Then someone purchased the property from tax records and in his opinion, thorough due diligence was not done. There is no access to that lot.

Mr. Coursey asked Mr. Peacock if he has title insurance on the property.

Mr. Peacock answered yes.

Ms. Ross said the entire thing baffles her. She could not figure out how the closing took place, how Mr. Peacock got title insurance, and how the septic permit was issued. However, Mr. Peacock says he has all this documentation. They know that things get whacky sometimes the further you go into things.

PUBLIC COMMENTS

Mr. Raymond Kaczorowski, resides at 1509 Hendry Avenue, came forward. He was sworn in by Mr. Coursey. Mr. Kaczorowski stated that he was not present to oppose or approve this request. He wanted more information. He explained that he has property here that he could build on. If these variances are granted, does this extend to all of them who have properties in the same area.

Mr. Coursey answered no. It would be specific to this particular property.

Mr. Kaczorowski said he only wanted to observe and see how the process works. When he saw the property displayed on the screen, he did not understand why the front 200 feet were so big and the back 100 feet is that big in the drawing. It also appears that the plans are to build a second and third house on the same lot.

Mr. Coursey asked Mr. Kaczorowski where he lives in relation to this lot.

Mr. Kaczorowski explained that he owns property within the circle.

Mr. Coursey asked Mr. Kaczorowski if he does not live here, but he owns the property.

Mr. Kaczorowski said he had a house here and a builder came in to remodel the house. This was before he and his wife married. However, the builder completely ruined the house. Some children went inside and burned the house. He has a huge lot.

Mr. Coursey asked him if he had any more comments.

Mr. Kaczorowski stated that he is curious about the easement. He said the Cones had that property and Myra Howell had the other property. They were brother and sister. It does not seem that you would put in a 17-foot-wide easement and not have a turn. The property that he lives on is on the other side of Hendry Avenue. On paper it says they have a 10-foot-wide easement. But on the ground, it was an 18-foot easement, and it opened to 22 feet. A new owner came along, an absentee owner, and he was renting it out. He got the idea that he was going to put a fence down his driveway and cut him back 10 feet. But 10-feet is not adequate access. They spent \$7,000 for the attorney to get it changed to 18 feet at the driveway entrance; 220 feet down it is 22 feet. The 17-foot easement when he looked at the notice that was sent to him via the mail, looks like it went all the way to the back. But he is not a title searcher.

Mr. Coursey said his only conclusion about this neighborhood is that easements are more properly considered and documented.

Mr. Kaczorowski said when they had horse and carriage, a 10-foot easement was fine. When he moved here, Hendry and Old Montgomery were dirt roads. A lot of the area beyond Old Montgomery going back towards the gun club and the lake were all dirt roads. Now, they are paved, and the people drive 50 miles an hour. They have car wrecks on Hendry Avenue all the time, they run into their mailboxes, run into each other's cars and cars are rolled over on a street that is only 60 feet wide.

BOARD DISCUSSION

The Board had no further discussion.

Mr. Coursey entertained a motion.

Ms. Ross stated that with great reluctance, based on the reasons that they have heard presented; it all is confusing. There is a lot of going back and forth that is historic in nature. But if in fact, the title is clear, the closing was properly executed, the granting of a septic tank permit has been issued, and if in fact the easement between the two properties is transferrable, she would make a motion to grant the Petitioner's request.

Motion

The Chatham County Zoning Board of Appeals does hereby approve the request for a lot size reduction to 11,000 square feet from the 15,000 square feet required and a 10-foot reduction to the minimum rear yard setback from the 25-foot required setback.

Vote Results (Approved)

Motion: Coren Ross

Second: Ashley Field

James Coursey	- Nay
Coren Ross	- Aye
Meredith Stone	- Nay
Benjamin Polote, Jr.	- Aye
Kewaan Drayton	- Aye
Ashley Field	- Aye

📎 [Staff Report.pdf](#)

📎 [AERIAL-SITE MAP ZBA-1023-000421.pdf](#)

📎 [782 King George Site Plan.pdf](#)

📎 [Letters of Support.pdf](#)

Mr. Morrow presented the Staff report. The Petitioner requests to establish a restaurant which serves alcoholic beverages, malt beer, or wine by the drink (#50, Sec.4-5.2) according to the Chatham County Zoning Ordinance at 782 King George Boulevard. This Board is given the responsibility of determining the appropriateness of such uses when they may not necessarily be permissible by right. However, under certain circumstances, they may be acceptable at particular locations.

Mr. Morrow explained that the subject property is zoned PUD-C (Planned Unit Development – C) because of its location off a collector. Off collectors and arterials, the County’s zoning ordinance requires that all those sites be planned. The subject parcel is fully developed as a 9,433 square foot building. He believes this was an ACE Hardware store. It was a commercial structure that was constructed in 2002. There is a 1,400 square foot storage shed that is at the rear of the property. It currently has 31 parking spaces that were dedicated to this parcel, but there are 13 adjoining spaces that are likely to be available at various points should the proposed restaurant’s use requires additional parking. Mr. Morrow said at this point Staff would like to enter the Staff Report into the record for all those details.

Mr. Morrow reiterated that the subject parcel is fully developed, and the requested use is likely to generate a similar traffic pattern. Similar to the previous use, it is unlikely to be detrimental because it is fully developed.

Mr. Morrow reported that Staff recommends approval of the Petitioner’s request to establish a Restaurant which serves alcoholic beverages, malt beer, or wine by the drink (#50, Sec.4-5-2) at the subject property. He entertained questions from the Board.

Mr. Coursey requested that when they have different matters coming before the Board, he would like to see if the Ordinance could be attached to the appropriate file. He said he had to hunt for the Ordinance dealing with this request. He told Mr. Morrow that the Ordinance is as he stated, but he would like to make it a little easier for the Board to review the Ordinance pertaining to the item being requested. In this case it is the “Special Use Ordinance.”

Mr. Morrow said that would be Ordinance 5.2.

Mr. Coursey said out of the ordinary, the Board does not see this type of request. He had to research this Ordinance to see what the authority of the Board was. Instead of someone summarizing the Ordinance, just attach it to the file so the Board will be able to look at it.

PETITIONER COMMENTS

Mr. Jay Maupin of Maupin Engineering came forward. Mr. Maupin explained that he is the Agent for the Petitioners. Mr. & Mrs. Streeters, owners, are present as well as some other supporters are present. They all were sworn in by Mr. Coursey.

Mr. Maupin said he did the construction plans for this project about 25 years ago when it was a True Value for Mr. Johnny, who has retired. Mr. Maupin said he lives approximately one mile away from this area. He is excited to see the location being reused. As a resident of George Town, he is happy to see another restaurant come to their area as well. The owners are relocating from Bloomingdale, GA and this is a "Mom and Pa" organization. It will be a meat and two vegetables restaurant with a bar attached to it. They have some letters of support in their packet. The reason they are before the Board is for the addition of drink service by the glass. Mr. Maupin said he must admit that he had a little back and forth with Ms. Washington and Mr. Lotson at the County’s Zoning Department. His interpretation is very convoluted. The zoning ordinance the way it is written is that the PUD-C references the PUD-B and then references the BN and BC zoning classifications. It is quite something, but it generally falls under whether you consider this a PC zoning or a BN zoning. Mr. Maupin said, however, they would like to get the Board’s support. He entertained questions from the Board. He believes Staff has done a nice job with the report.

Mr. James Strieder resides at 10 Pyeland Avenue. Mr. Strieder said he and his wife wanted to have security for their family. Therefore, they decided to open a bar and restaurant in Bloomingdale, GA. Then they decided they wanted to be closer to town. They found the place on King George Boulevard. They want to open the establishment so people can come in and have a good time. The patrons will be able to eat dinner. Mr. Strieder said he once lived in George Town; and he liked the area. This will be a family-oriented facility.

Mr. Coursey asked Mr. Strieder what they are going to serve.

Mr. Strieder outlined their menu. They will have home cooking type food. He invited the Board to stop by.

Mr. Coursey asked Mr. Strieder if they would be open 7 days a week.

Mr. Strieder answered yes.

Ms. Ross said she had a question that might not be relevant. She asked Mr. Strieder how he anticipates staffing the restaurant. They have seen restaurants closing because of lack of staff.

Mr. Strieder said they already have their staff. They are bringing employees from their other facility. They have a general manager, cooks, bartenders, etc. that are waiting for them to be approved.

Mr. Coursey said to Mr. Strieder, you are closing the other restaurant and coming to this location.

Mr. Strieder answered yes.

Ms. Ross said you are opening a second restaurant at this location.

Mr. Strieder answered no. They were so far out, but now they are trying to get closer into town.

Ms. Amanda Strieber came forward. She introduced herself as James's wife. She said that James covered just about everything. They do have good home cooking. Everything is made from scratch.

Mr. Coursey asked if the restaurant would have a sports bar type atmosphere.

Mr. Strieder answered they will have a mixture of everything. They will have televisions, pool tables, and a dining area. They will try to offer a little of everything to everybody. They are mostly a family operated business.

Mr. Dwayne Parker came forward and stated he was present to support his family. Mr. Parker said he lives in Rincon, GA.

Mr. Coursey asked Mr. Parker if he works for the Strieder Family.

Mr. Parker answered yes.

Mrs. Dawn Parker resides at 104 Buck Hill Drive in Rincon, GA. Mrs. Parker said they have become family with James and Amanda. They are here to support them in their endeavor.

Mr. Coursey asked Mr. Strieder when he plans to open the restaurant.

Mr. Strieder said they will open as soon as they get everything in place.

PUBLIC COMMENTS

None.

BOARD DISCUSSION

None.

Mr. Coursey entertained a motion.

Motion

The County Zoning Board of Appeals does hereby approve the variance request to establish a Restaurant which serves alcoholic beverages, malt beer, or wine by the drink (#50, Sec.4-5.2) at 782 King George Blvd.

Vote Results (Approved)

Motion: Meredith Stone
 Second: Kewaan Drayton

James Coursey	- Aye
Coren Ross	- Aye
Meredith Stone	- Aye
Benjamin Polote, Jr.	- Aye
Kewaan Drayton	- Aye
Ashley Field	- Aye

X. Other Business

XI. Adjournment

7. Adjourned

There being no further business to come before the Board, Mr. Coursey adjourned the meeting at 9:40 a.m.

Respectfully submitted,

Edward Morrow
Development Services Director

ED: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.