



## Chatham County Zoning Board of Appeals

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Arthur A. Mendonsa Hearing Room  
September 26, 2023 - 9:00 A.M.  
Meeting Minutes

### SEPTEMBER 26, 2023 CHATHAM COUNTY ZONING BOARD OF APPEALS

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

Others Present: Edward Morrow, Development Services Director  
Melissa Paul-Leto, Development Services 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  
Yolanda Washington, Zoning Administrator

#### I. Call to Order and Welcome

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

**Mr. Coursey** called the meeting to order at 9:10 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 August 22, 2023, Meeting Minutes](#)

📎 [August 22, 2023 Meeting Minutes.pdf](#)

**Motion**

The Chatham County Zoning Board of Appeals does hereby approve the August 22, 2023, Meeting Minutes.

**Vote Results ( Approved )**

Motion: Robert Vinyard

Second: Coren Ross

James Coursey	- Aye
Coren Ross	- Aye
Meredith Stone	- Aye
Robert Vinyard	- 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**

**VIII. Old Business**

**IX. Regular Agenda**

[4. 9 Pepper Bush Circle - Variance to the minimum side yard setback - ZBA-0823-000403](#)

- [AERIAL-SITE MAP ZBA-0823-000403.pdf](#)
- [Application.pdf](#)
- [Landings Approval 06-01-2023 ARC Meeting.pdf](#)
- [Site Visit Photos.pdf](#)
- [Letter of Support.pdf](#)
- [Staff Report .pdf](#)
- [Letter in support of ZBA-0823-000403 - Sept 26 2023.pdf](#)

**Ms. Melissa Paul-Leto** gave the Staff report. The Petitioner is requesting a variance to reduce the north side setback at 9 Pepper Bush Circle, which is located within the Landings Subdivision as well as the PUD-R/EO (Planned Unit Development Residential - Environmental Overlay zoning district. The property fronts Pepper Bush Circle, and the rear is to a golf course. Ms. Paul-Leto showed the Board a picture of the structure. They have a detached garage, and an accessory building that is connected to the garage by a walkway to the principal dwelling. The architect's proposal is to cut the connection shorter to make for a side addition for a master bedroom, master bathroom, and a closet.

**Ms. Paul-Leto** showed the Board the proposed site plan. She explained that to enter Pepper Bush Circle, there is the driveway, and you walk through the garage into the principal dwelling. Ms. Paul-Leto displayed a picture of the proposed dwelling and explained that the existing setback is twenty feet. Ms. Paul Leto displayed the site plan and explained that the largest amount that they are encroaching are 2-feet and 4-inches on this angle and 4-feet and 5-inches at that angle. The largest amount of reduction that the Petitioner is asking for is 15-feet and 7-inches.

**Ms. Paul-Leto** stated that Staff has found that there are extraordinary circumstances pertaining to the property due to its shape, size, and topography. The lot is more than 0.57 acres in size and is larger than the other lots in the immediate vicinity, except for the adjacent lot at 11 Pepper Bush Circle which is 0.69 acres in size. It also backs up to the golf course rather than another residential lot or marshland. Granting a variance to this lot would have much less of an effect on the rhythm of the buildings than if it were a neighboring lot. She said that the Petitioner is not suffering undue hardship. They would like to add a master bedroom, bathroom, and

closet addition. There are no peculiar conditions to the subject parcel that is involved. The variance would not be detrimental to the public good or impair the purposes and intent of the Savannah Zoning Ordinance. The size of the lot and the fact that it backs up to a golf course rather than another residence should be considered. Ms. Paul Leto stated that it is unlikely that this variance, as she has mentioned, would affect the neighborhood or uniformity of houses in any noticeable way.

**Ms. Paul-Leto** reported that Staff recommends denial of the requested variance to a side yard setback reduction from 20-feet to 15-feet 7-inches based on the findings in their Staff report and that the Petitioner is not suffering any undue hardship. However, if the Zoning Board of Appeals is inclined to approve the requested variance, it is unlikely to be a detriment to the public good. Additionally, the Petitioner has received approval from the Landings Association's Plan Review/Community Development Department, and two letters of support from the adjacent neighbors. Ms. Paul-Leto entertained questions from the Board and informed them that the Petitioner was present also and could answer their questions.

**Mr. Vinyard** asked Staff what is the square footage of the portion that is not in compliance with the Zoning Ordinance.

**Ms. Paul-Leto**, for clarity, asked Mr. Vinyard if he was asking the square footage of the proposed addition.

**Mr. Vinyard** answered yes.

**Ms. Paul-Leto** said that the Petitioner would answer Mr. Vinyard's question.

### **PETITIONER COMMENTS**

**Ms. Shannon Taylor** came forward. She said she was representing the owners.

**Mr. Coursey** asked Ms. Taylor to please state her name and tell the Board where she lives.

**Ms. Taylor** stated her full name and said she lives at 522 East Henry Street. She was sworn in by Mr. Coursey.

**Mr. Coursey** asked Ms. Taylor if she had a presentation for the Board.

**Ms. Taylor** answered yes. She said her presentation is based on the same facts that the Board has before them as what is shown on the screen. Ms. Taylor said several houses in the immediate area, with the rear yard facing the golf course along Pepper Bush Circle, are 15-feet away from the side property line. Therefore, a precedence for this request is already established. She said in addition to #5 as shown on the Staff's report, while there are no extraordinary exceptional conditions, there is also no reason not to grant their request. It seems as if it has been 50-50 on all four points. In addition to this, they have approval from the Homeowners Association (HOA) as well as each neighbor on both sides support them.

**Mr. Coursey** asked the Board if they had any questions for the Petitioner.

**Mr. Vinyard** explained that he lives at the Landings. He rode by the site yesterday and has also walked by there. The signs are the biggest he has ever seen and, therefore, they are hard to miss. To him, there appears to be vegetation on both sides of the lot. He said that he did not walk all the way to the back. Is the tree before you get to the golf course and is this going to be your residence?

**Ms. Taylor** answered that the tree is before you get to the golf course, and this is not her residence. She filed the petition on behalf of her clients who lives in Albuquerque at this time. They purchased the house.

**Mr. Vinyard** asked Ms. Taylor how old the house is. Do you know when it was built?

**Ms. Taylor** answered that she does not know how old the house is. She guessed that it was built in the 1960s.

**Mr. Vinyard** explained that he is familiar with the houses out there as they look exactly like this, and they were somewhat the standard operating procedures for many years. Thank you very much.

**Ms. Ross** asked Mr. Taylor if she said they have approval from the Landings HOA.

**Ms. Taylor** answered yes.

**Ms. Ross** asked, "Do you have that document with you?" She said it is not a part of their attachments.

**Ms. Paul-Leto** said the HOA's approval maybe included in the application.

**Mr. Vinyard** informed Ms. Taylor that his question to Ms. Paul Leto was, "what is exactly the square footage of the portion that is not in compliance with the Zoning Ordinance?"

**Ms. Taylor** answered that she believes it is 35 and one-half square feet.

**Mr. Vinyard** asked if this include both corners.

**Ms. Taylor** answered yes, both corners.

### **PUBLIC COMMENTS**

**Mr. Coursey** called for public comments.

**Ms. Taylor** said the homeowner told her that he would be online.

**Mr. Hind** said someone is on the line, but they are not connected to the audio. He explained that the Petitioner is listening but would not be able to speak as his microphone is not connected. Mr. Hind stated Mr. Rick, a neighbor, is online and has some questions.

**Mr. Coursey** asked Mr. Hind to please unmute Mr. Rick.

**Mr. Rick** said he believed that Mr. Buckner is online, but for some reason, he could not be unmuted. Mr. Rick explained that he is the neighbor at 7 Pepper Bush Circle and has followed closely this development. He is quite pleased with the development and the changes that have been made. This has no impact on them. His wife and he support Mr. Buckner's request.

**Mr. Vinyard** asked Mr. Rick if he was on the lefthand side or the righthand side.

**Mr. Rick** said he is on the righthand side. It does not infringe on his property. As the Board can see on the screen, the place that is being infringed upon is close to the neighbor's house.

### **BOARD DISCUSSION**

**Mr. Vinyard** said he went to the area and looked at this. He explained that at a certain time at the Landings, all the houses were built almost as far back towards the golf course as they could get. There is a massive front yard if you wanted to build to the front, but of course, nobody wants to do that. Therefore, the way the house is situated, it is literally sitting closer to the lot lines; and it would have to under the present circumstances. His former house at the Landings has the same problem. They were backed right up to the golf course on the lot. Mr. Vinyard stated that he looked extensively on both sides. You can hardly see actually this house from either neighbor. There are woods all the way in the back, which buffers it even from the golf course. Therefore, he recommends to the Board that they approve the variance.

**Mr. Coursey** stated that, he too, is inclined that it be approved based on the relatively small square footage of this encroachment. He entertained a motion.

#### **Motion**

The Chatham County Zoning Board of Appeals does hereby approve a variance to reduce the north side setback at 9 Pepper Bush Circle from 20-feet to 15-feet and 7-inches for a total of approximately 36 square feet for an addition to the principal dwelling.

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

Motion: Coren Ross

Second: Meredith Stone

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

## X. Other Business

## XI. Adjournment

### 5. Adjourned

There being no further business to come before the Board, Mr. Coursey adjourned the meeting at 9:20 a.m.

Respectfully Submitted,

Edward Morrow, Director  
Development Services

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.***