



**TOWN OF THUNDERBOLT  
BOARD OF ZONING APPEALS MEETING  
WEDNESDAY, JANUARY 10, 2024  
6:30 PM**

**AGENDA HEARING**

**Public has five minutes per person to ask questions or comment on any agenda item.**

**REGULAR MEETING**

- 1. Call to Order**
- 2. Consideration to Approve Agenda**
- 3. Consideration to Approve Minutes from Previous Meeting  
Minutes of Meeting for December 13, 2023**
- 4. Consideration to approve Setback Variance for Paul Miller – 4781 US Hwy 80 E**
- 5. Adjournment**



**TOWN OF THUNDERBOLT  
BOARD OF ZONING APPEALS MEETING  
WEDNESDAY, DECEMBER 13, 2023  
6:30 PM**

**AGENDA HEARING**

Glenn Burnsed had nothing to add to his request for a fence variance.  
Mr. Spriggs was not in attendance.

**REGULAR MEETING**

**1. Call to Order**

The meeting was called to order by Mayor Williams at 6:30pm.

Those in attendance were Mayor Dana Williams and Council Members: David Crenshaw, Brooks Barbaree, Edward Drohan, Lawrence Ward, and James Lavin. Staff in attendance were Town Administrator Bob Milie, Town Attorney Charlie Barrow, Building Inspector Bob Fischer, Town Clerk/Zoning Administrator Matthew Walker, and Consultant Ashley Goodrich.

Not in attendance Bethany Skipper-Greer.

**2. Consideration to approve amended agenda (adding item 4)**

Council Member Ward made a motion to approve the amended agenda with a second from Council Member Crenshaw. The motion passed unanimously.

**3. Consideration to approve fence variance request by Glenn Burnsed**

Council Member Drohan made a motion to approve the fence variance request with a second from Council Member Ward. The motion passed unanimously.

**4. Consideration to approve non-conforming lot variance by George Spriggs**

Council Member Drohan made a motion to approve the non-conforming lot variance with a second from Council Member Ward. The motion passed unanimously.

**5. Adjournment**

Council Member Ward made a motion to adjourn with a second from Council Member Crenshaw. The motion passed unanimously.

The meeting was adjourned at 6:38 pm.

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Dana Williams, Mayor

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Matthew D. Walker, Zoning Administrator

**PLANNING AND ZONING  
LAND USE REVIEW  
Town of Thunderbolt**

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**APPLICATION TYPE:** Variance - Major Arterial Setback

**PLANNING AND ZONING COMMISSION DATE:** 12-20-2023

**BOARD OF ZONING APPEALS DATE:** 1-10-2024

**NOTICE TO PAPER:** 12-1-2023

**PUBLISH DATE(s):** 12-6-2023; 12-7-2023; 12-26-2023; 12-27-2023

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**Request:** Request to subtract 60 feet from the minimum front yard setback of the 85 foot major arterial street in the area bounded by Hwy 80, Isle of Armstrong, and Grays Creek.

**Owners/Applicants:** Paul Miller

**Location:** 4781 US Hwy 80 East

**Parcel ID#:** 30013 01003Y

**Approximate Lot Size(s):** *Parcel Y: 5.1 acres*

**Zoning Designation:** Residential District One [R-1]; Conservation-Marsh [C-M]

**Flood Zone:** AE-12; Special Hazard Flood Area

**FINDINGS:**

1. This request aims to allow new residential development to a unique character lot.
2. The location of the property abuts Hwy 80 with Isle of Armstrong to the North, with marshland and Grays Creek to the South.
3. The Town of Thunderbolt does not distribute water or sewer service connections East of the Wilmington River, Intracoastal Waterway.
4. The Town of Thunderbolt's Zoning Ordinance (Code) requires dwellings served by own individual water supply and waste disposal systems to be not less than 20,000 square feet in lot area, and the 85 foot minimum front yard setback from a major arterial street.
5. All dwellings served by individual water and individual waste disposal systems must be approved by the Chatham County Health Department.
6. There is 1 existing structure on the property, estimated size of 700 square feet.
7. Highway 80 is classified as a major arterial street.
8. Grays Creek and surrounding wetlands are classified E2M1N – Estuarine and Marine Wetlands by Georgia Department of Natural Resources.
9. Staff has reviewed this application for compliance with the Thunderbolt Code of Ordinances [the Code] and finds that the variance request would not constitute an

economic hardship and recommends ~~denial~~ **APPROVAL** to allow an otherwise derelict lot be utilized. (Updated at PZ Commission).

10. Upon review, Staff finds that this request has implications to compromise the nearby coastal marshlands which are a vital resource system habitat including location in a hazard flood zone.
11. Upon review, Staff finds that the existing lot does not meet the lot area size given the environmental features of adjoining wetlands in conjunction to the Zoning Code's allowable minimum setbacks.
12. The State of Georgia Department of Natural Resources has established a 50-foot marshlands buffer applicable to the upland component as a measurement of the Coastal Marshlands Protection Act jurisdiction line.
13. Article VI. Wetlands, Sec. 5-330 Wetlands Protection of the Thunderbolt Code requires a wetlands determination prior to any permit issuance.
14. Upon review, for the variance request if the minimum front yard setback was reduced by 60 feet to a 25 foot distance from Highway 80, the upland lot buildable area would increase to 0.5 acres or as averaged 21,780 square feet.
15. The Chatham County Health Department maintains jurisdiction for the minimum lot area regarding dwellings served by own individual water and sewer systems per Thunderbolt Zoning Code Appendix A, Article XII, Table 2. Including the design of the septic system.
16. As Exhibited, Chatham County's Development Standards for Dwellings Sec.4-6.1 exceed the Town of Thunderbolt's Zoning Code, with One-family dwelling minimum requirements of 30,000 to 32,000 square feet.
17. Chatham County Health Department may require a greater minimum size where soil conditions warrant.
18. This variance request does not supersede any additional determinations or permits from any or all other jurisdiction authorities' requirements such as but not limited to Chatham County, Georgia Department of Natural Resources (GA DNR), Georgia Department of Transportation (GDOT), United States Army Corp of Engineers (USACE), etc.

#### **PLANNING AND ZONING DEPARTMENT RECOMMENDATION**

Town Staff recommend **APPROVAL** of this variance setback request to not expand any further into the existing front and side yard setback boundaries as allowed by the Town of Thunderbolt Code of Ordinances.

#### **PLANNING AND ZONING COMMISSION RECOMMENDATION:**

After discussion of reasoning on behalf of the applicant the Planning and Zoning Commission voted **Recommend Approval** to the variance request, barring any additional jurisdictional permits required.

#### **EXHIBITS:**

*Application Request*

*Vicinity Area Map*

*Measurement of Setbacks*

*Chatham County Development Standards*

**Vicinity Area Map:**

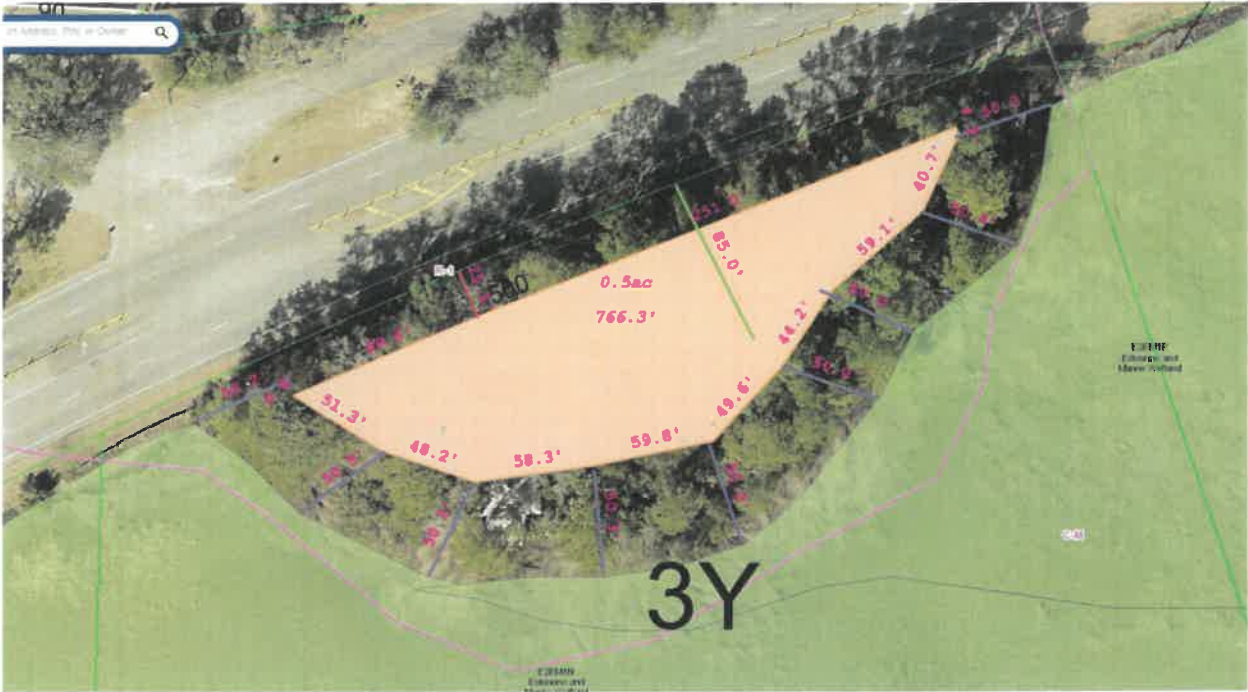


**Allowable Existing Setback Area Mapped:  
85 foot Major Arterial; 50 foot CMPA line buffer:**





**Proposed Major Arterial Setback Reduction:**





**TOWN OF THUNDERBOLT  
PLANNING & ZONING APPLICATION  
RESIDENTIAL OR COMMERCIAL**

Date Filed 11/29/23 Application # \_\_\_\_\_ Residential:  Commercial: \_\_\_\_\_

Application Fees: \$100.00 – Residential \$200.00 – Commercial  
Fee must be paid at the time of submitting the application and is non-refundable, even if Applicant decides to redraw their application before or after the application process.

The original plus nine copies of this application shall be submitted. The building permit application and nine copies of the plot plan and development plans of the site, if required for the building permit application, shall accompany this application.

**DESCRIPTION OF PROPERTY**

Applicant's Name: Paul Miller Phone # 912 248 1924

Applicant's Address: 108 E. YORK ST. # 341. SAN, GA 31401

4781 US HWY 80 E. 30013 01003Y  
Property Address Parcel Number

Owner's Name & Address \_\_\_\_\_

Zoning District R1 Current Use of Property R1

Proposed Use of Property R1

**REASONS FOR APPLICATION**

1. ( ) A decision of the Zoning Administrator which the applicant believes to be contrary to the meaning of the Zoning Ordinance.
2. ( ) An application to establish a use which must be approved by the Planning Board (See "Use Schedule – List of Uses #).
3.  A request for a variance  a yard requirement; ( ) a lot width requirement; ( ) a lot area requirement. Note: Variances are heard and approved on a case by case basis: when resulting in practical difficulty or unnecessary hardship. Code of Ordinances 16.6c
4. ( ) A request for extension of non-conforming use.
5. ( ) Rezoning request from \_\_\_\_\_ classification to a \_\_\_\_\_ classification
6. ( ) Other \_\_\_\_\_  
Describe those things which you feel justify the action requested. List when necessary the specific Sections of the Zoning Ordinance which have a bearing on your request.  
(Use back of this sheet if necessary.)

See Attached Statement

**OTHER INFORMATION REQUIRED**

Refer to Article XV, Zoning Ordinance

Attach, hereto, a scaled or dimensioned map, plat, or sketch of tract, of property in question and all other adjoining lots or properties under the same ownership. Said map, plat, or sketch shall indicate the approximate location of all the properties in question with respect to the nearby public roads in common use.

Date Received: 11/29/23 Zoning Administrator: Matthew Walker

Name and Address of Contractor(s) \_\_\_\_\_

The following is a list of the names and addresses of all adjacent property owners within approximately a two-hundred (200) foot radius of the property:

Bobby + Stella Hardman 3624 Maccio Dr. T'bolt 31410  
Pelicans Landing of Tybee LLC PO Box 2445 Tybee Island 31328  
Eufaula Garrett 1042 Sterling Ridge Chase Marietta 30062

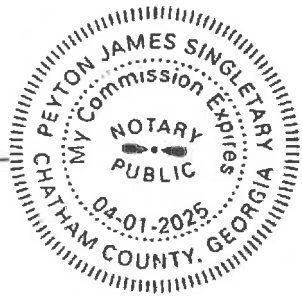
(Please list additional names on a separate sheet)

I hereby certify that the above stated facts are True to the best of my knowledge and belief And that I am the owner or authorized agent for the owner of the subject property.

Sworn to and subscribed before me on this 28<sup>th</sup> day of November 2023.

[Signature]  
Owner or Authorized Agent's Signature

[Signature]  
Notary Public



Fee received and paid: \$100.<sup>00</sup>

**STATUS**

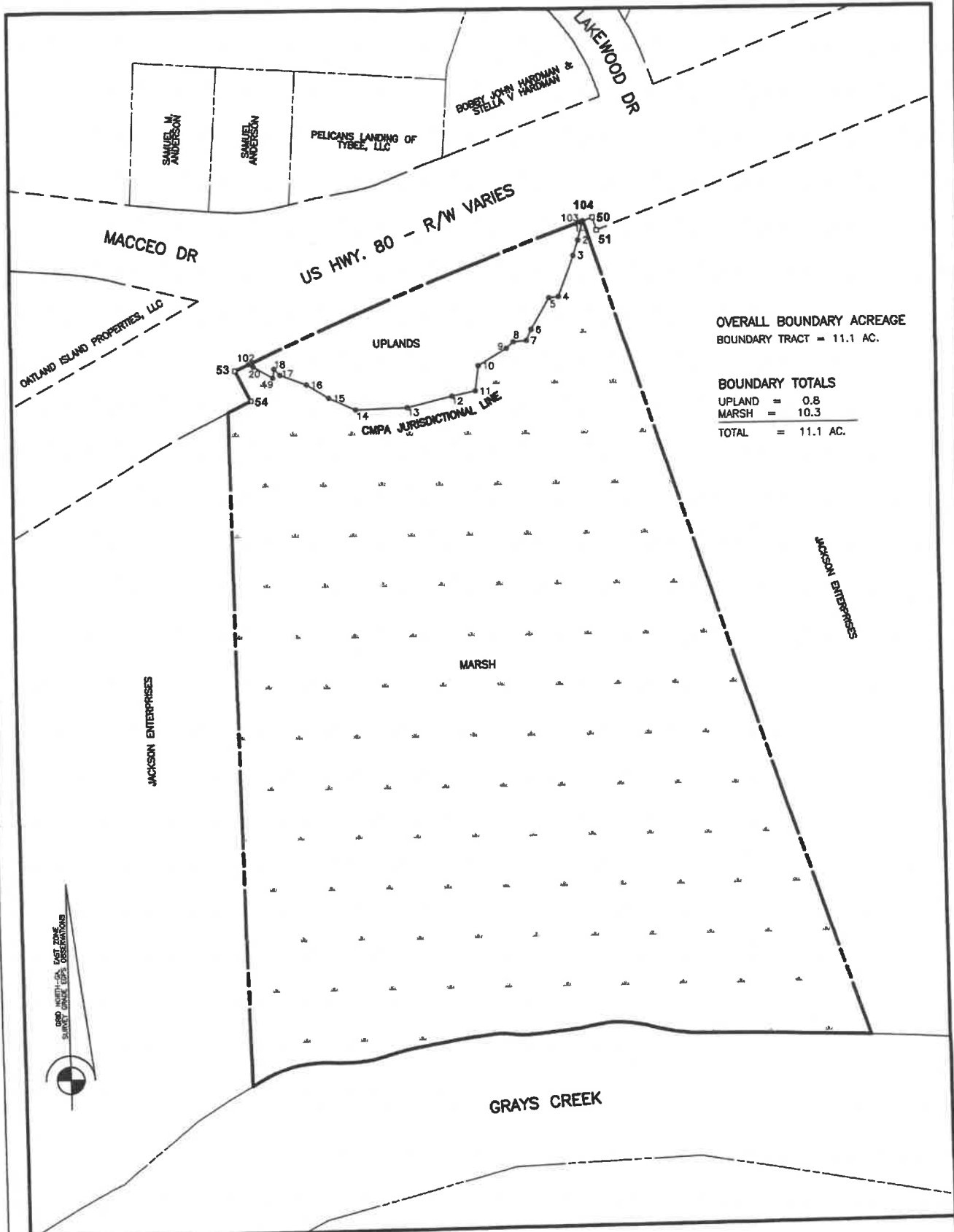
Notice of hearing sent: legals@savannahnow.com December 1, 2023 ✓  
Date

Sign Posted: 12/8/23 4781 US Hwy 80 E  
Date Address

Published Advertisement: 12/6/23 + 12/7/23  
Date  
sent to SMN: 12/1/23 ✓

4781 US Hwy 80 Existing Conditions



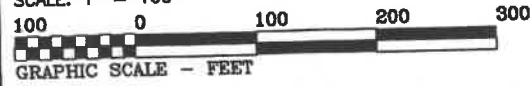


OVERALL BOUNDARY ACREAGE  
BOUNDARY TRACT = 11.1 AC.

BOUNDARY TOTALS  
 UPLAND = 0.8  
 MARSH = 10.3  
 TOTAL = 11.1 AC.

CMPA JURISDICTION LINE SURVEY FOR:  
**SUZANNE C. NELLIGAN ESTATE**  
 LOCATION: 5TH G.M.D., CHATHAM CO., GA.

DRAWN: JANUARY 27, 2022  
 BY: JAMES M. ANDERSON-GA. R.L.S. 2113  
 SCALE: 1" = 100'



22018.CRD 22018MARSH.DWG  
 SHEET 2



IN MY OPINION THIS PLAT IS TRUE AND CORRECT  
 REPRESENTATION OF THE LAND SHOWN BY THIS PLAT.

*James M. Anderson* 01-27-22

JAMES M. ANDERSON & ASSOCIATES, INC.  
 REGISTERED LAND SURVEYORS  
 P.O. BOX 894 104 OAK STREET  
 STATESBORO, GA. 30459  
 PHONE: (912) 764-2002

UPLAND AREA			BOUNDARY COORDINATES				
POINT	NORTHING	EASTING	DESCRIPTION	POINT	NORTHING	EASTING	DESCRIPTION
1	742545.090	1006272.565	CMPA-1	53	742381.253	1005877.269	RWCMF
2	742525.905	1006268.153	CMPA-2	54	742346.786	1005894.814	RWCMF
3	742508.581	1006262.658	CMPA-3	102	742388.546	1005892.795	
4	742461.937	1006245.895	CMPA-4	103	742546.706	1006272.673	
5	742460.687	1006235.060	CMPA-5	104	742547.297	1006274.287	
6	742425.133	1006214.808	CMPA-6	50	742551.24	1006285.09	RWCMF
7	742412.793	1006209.359	CMPA-7	51	742536.81	1006289.17	RWCMF
8	742411.416	1006193.965	CMPA-8				
9	742404.054	1006185.926	CMPA-9				
10	742384.682	1006153.748	CMPA-10				
11	742356.152	1006150.244	CMPA-11				
12	742350.289	1006123.535	CMPA-12				
13	742337.690	1006072.501	CMPA-13				
14	742335.693	1006014.066	CMPA-14				
15	742349.329	1005983.972	CMPA-15				
16	742364.946	1005958.485	CMPA-16				
17	742376.062	1005928.570	CMPA-17				
18	742382.920	1005921.688	CMPA-18				
19	742373.085	1005920.281	CMPA-19				
20	742385.765	1005897.970	CMPA-20				
102	742388.546	1005892.795	CMPA@R/W				
103	742546.706	1006272.673	CMPA@R/W				

**NOTES:**

1. CMPA LINE DELINEATION FLAGGED BY DNR.
2. BOUNDARY INFORMATION WAS COMPILED FROM FIELD MEASUREMENTS MADE BY ME LOCATING SEVERAL HIGHWAY R/W MONUMENTS AND THE REMAINDER OF THE BOUNDARY WAS DERIVED FROM LINES AS PER SAGIS.
3. A PORTION OF THIS PROPERTY MAY BE CONSIDERED WETLANDS/MARSH UNDER THE JURISDICTION OF THE CORPS OF ENGINEERS AND/OR THE GEORGIA DEPARTMENT OF NATURAL RESOURCES. OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE OF THESE WETLAND/MARSH AREAS WITHOUT PROPER AUTHORIZATION.
4. COORDINATES SHOWN ARE STATE PLANE COORDINATES (FEET), NAD 83, BASED ON SURVEY GRADE GPS OBSERVATIONS AT 0.2' ACCURACY AT THE 95% CONFIDENCE LEVEL.
5. THE PURPOSE OF THESE MAPS IS FOR THE LOCATION OF THE UPLANDS/TIDAL MARSH ONLY AND NOT BOUNDARY ESTABLISHMENT OR PROPERTY CONVEYANCE.



CMPA JURISDICTION LINE SURVEY FOR:  
**SUZANNE C. NELLIGAN ESTATE**

LOCATION: 5TH G.M.D., CHATHAM CO., GA.

DRAWN: JANUARY 27, 2022  
 BY: JAMES M. ANDERSON-GA. R.L.S. 2113  
 SCALE: 1" = 100'

22018MARSH.DWG

SHEET 3

IN MY OPINION THIS PLAT IS TRUE AND CORRECT  
 REPRESENTATION OF THE LAND SHOWN BY THIS PLAT.

*James M. Anderson*

01-27-22

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 REGISTERED LAND SURVEYORS  
 P.O. BOX 894 104 OAK STREET  
 STATESBORO, GA. 30459  
 PHONE: (912) 764-2002

## 4781 US Hwy. 80 E. Statement of Consideration

28 November 2023

### To Whom It May Concern:

My name is Paul Miller, and I am a resident of Savannah. I am currently under contract to purchase the property located at 4781 US Hwy 80 E. in the City of Thunderbolt. The piece of property is approximately 11 acres. Of the 11 acres, only about 0.9 acres is upland.

US Hwy 80 is classified as a "major arterial street." Normally the front set back on a major arterial street would be 25 feet if served by city water and sewer. Unfortunately, city water and sewer are not available to this site, which changes the front setback to 85 feet. Please see the information provided.

With the current setback of 85 feet, it leaves only 1,150 square feet of buildable area, which is not nearly enough for a homesite, even though there is almost one acre of upland. Changing the front setback to 25 feet would create a buildable area of 14,110 square feet, which is much more doable. Please see the attached sketch.

Our goal is to build a single-family residence on this beautiful piece of Thunderbolt, and there are two possible ways to achieve it:

1. Since city water and sewer are not available on this lot, we are requesting a variance to change the front setback from 85' to 25', the same as almost everywhere else in the City of Thunderbolt.
2. Since the front of the house will truly be facing the water, we are requesting a variance to consider the US Hwy 80 setback as the standard rear setback of 25'.

Either one of the possible solutions would achieve our goal of being able to build at 4781 US Hwy 80.

Thank you for your consideration in this matter on this unusual and unique piece of property. We hopefully look forward to being neighbors soon.

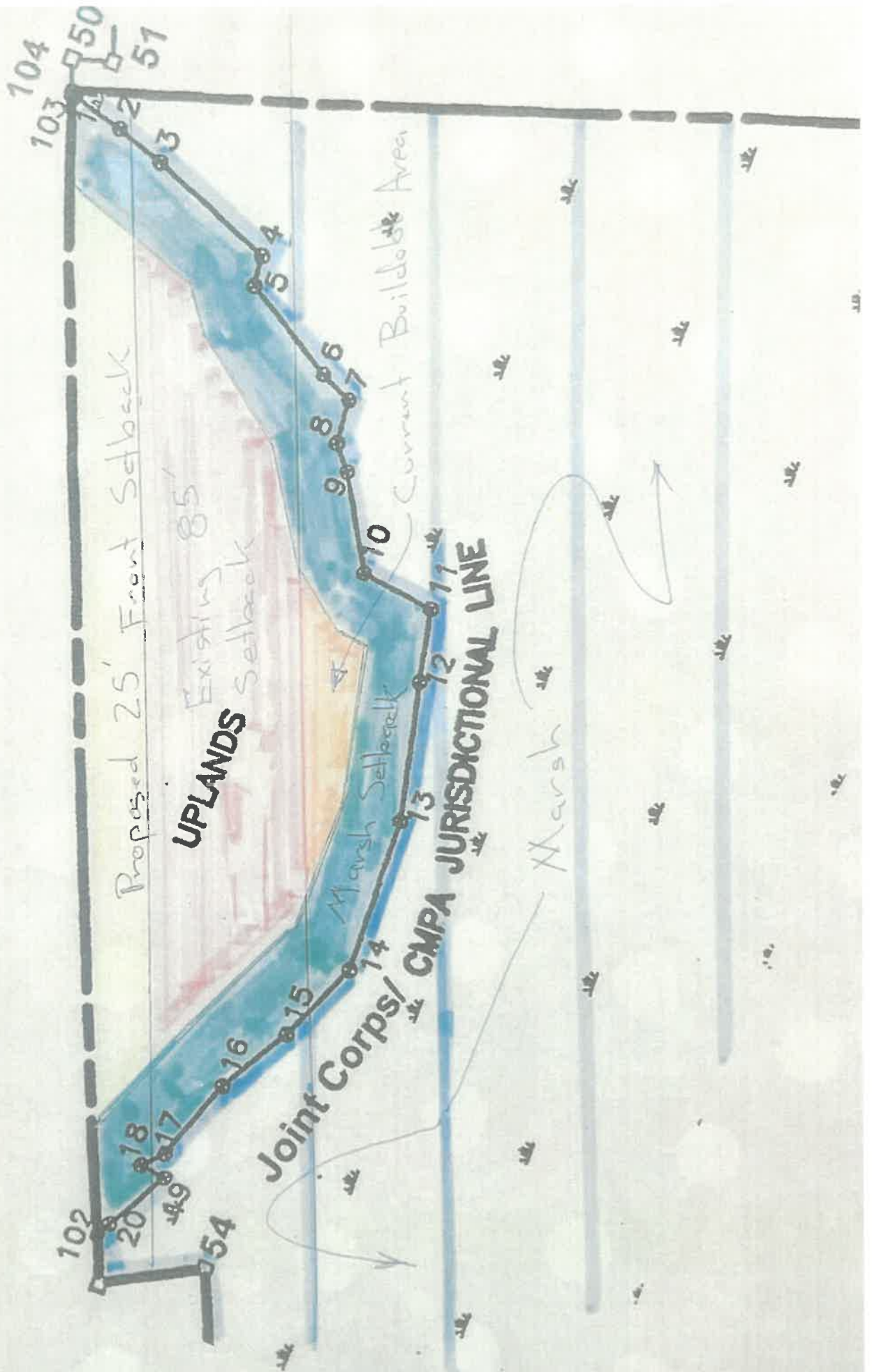
Respectfully,

Paul Miller

[pmiller@thesavard.com](mailto:pmiller@thesavard.com)

912.248.1924

# 4781 US HWY. 80 - R/W VARIES



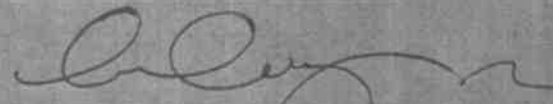
November 30, 2023

To Whom It May Concern,

Moira Nelligan, the current owner of the property located at 4781 US Highway East, Savannah, GA 31410, grants Paul Miller, the interested purchaser, permission to apply for a setback variance through the City of Thunderbolt for said property.

Sincerely,

X   
\_\_\_\_\_  
Moira Nelligan

  
NOTARY PUBLIC

