



CITY OF PORT WENTWORTH

ZONING BOARD OF APPEALS

MARCH 21, 2023

Council Meeting Room

Regular Meeting

3:30 PM

7224 GA HIGHWAY 21
PORT WENTWORTH, GA 31407

1. CALL MEETING TO ORDER

The City Attorney, Scott Robichaux, called the meeting to order. Mr. Robichaux also noted that the item 6.1. there would not be a public hearing on this item, only an action.

2. PRAYER AND PLEDGE OF ALLEGIANCE

The City Attorney, Scott Robichaux, led the Prayer and Pledge of Allegiance.

3. ROLL CALL

Attendee Name	Title	Status	Arrived
Charlene Middleton	Board Member	Present	
Christopher Gray	Board Member	Absent	
John Holland	Board Member	Present	
Nishant Randerwala	Board Member	Present	
Sean Register	Board Member	Absent	
Melanie Ellis	Building Inspector	Present	
Brian Harvey	Director of Development Services	Present	
Jason Stewart	Assistant City Manager	Present	

4. ADOPTION OF MINUTES

5. UNFINISHED BUSINESS

6. NEW BUSINESS

1. Officer Elections

Prior to officer elections Mr. Robichaux asked the Board to make a motion to accept the Zoning Board of Appeals rules and procedures. Board member Holland made a motion to accept the Rules and Procedures. Board member Randerwala seconded the motion. The vote was unanimous.

Board Member Middleton made a motion to appoint Charlene Middleton as the Zoning Board of Appeals Chairman. Board Member Holland seconded the motion. The vote was unanimous.

2. Zoning Board of Appeals application submitted by Katy and Glenn Parker for PIN #70906 03019 (302 Rice Hope Plantation Road) for a decision of the Zoning Administrator which the applicant believes to be contrary to the meaning of the Zoning Ordinance in a R-A (Residential Agriculture) Zoning District

Jason Stewart, Assistant City Manager, gave a presentation and overview of the City of Port Wentworth's determination of the proposed business's proper use categorization. The City made the decision that the proper use classification of the proposed business to be that of a "home for the aged/children".

Matt Shoemaker, Attorney of behalf of the applicants, gave a presentation on why the applicants believe the proposed business use is to be classified as a "Hospital/Medical Center" as defined in the City of Port Wentworth Zoning Ordinance.

Board member Holland made a motion to take a 15-minute recess to review all documentation. Board member Randerwala seconded the motion. The vote was unanimous.

After the meeting was called back to order, Board member Randerwala asked if there is a definition for the use classification of "Home for the aged/children". Mr. Robichaux responded that there was not a definition for "Home for the aged/children" in the Zoning Ordinance. Board member Holland asked for clarification of the definition of "Hospital/Medical Center". Mr. Robichaux explained the different parts of the Zoning Ordinance that discussed "Hospital/Medical Center". Board member Randerwala asked Brian Harvey how the determination of "home for aged/children" was reached. Mr. Harvey responded that it was from several conversations that he and Mr. Stewart had prior to the appeal being submitted. Board Member Holland asked Mr. Harvey at what point it was decided to go from "Hospital/Medical Center" to " home for the aged/children" use classification. Mr. Harvey responded he does not recall the date. Chairman Middleton asked Mr. Harvey how he came to the decision that the use as changed from "Hospital/Medical Center" to "home for the aged/children". Mr. Harvey responded he did not recall the details of the conversations between him and Mr. Stewart.

Board member Randerwala made the motion to accept the City of Port Wentworth's determination of the use being classified as "home for the aged/children". Board Member Middleton seconded the motion. The motion passed 2-1.

RESULT:	APPROVED [2 TO 1]
MOVER:	Nishant Randerwala, Board Member
SECONDER:	Charlene Middleton, Board Member
AYES:	Middleton, Randerwala
NAYS:	Holland
ABSENT:	Gray, Register

7. ADJOURNMENT

1. Adjournment

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Holland, Board Member
SECONDER:	Charlene Middleton, Board Member
AYES:	Middleton, Holland, Randerwala
ABSENT:	Gray, Register


Chairman

The foregoing minutes are true and correct and approved by me on this 8 day of May, 2023.



Secretary