

SAVANNAH ZONING BOARD OF APPEALS

**ARTHUR A. MENDONSA HEARING ROOM
112 EAST STATE STREET**

APRIL 25, 2006

2:30 P.M.

REGULAR MEETING

MINUTES

MEMBERS PRESENT:

**Mickey Stephens, Chairman
John P. Jones
Timothy Mackey
Paul Robinson**

MEMBERS ABSENT:

James Byrne (Excused)

TECHNICAL STAFF PRESENT:

Randolph Scott, City Development Services

MPC STAFF PRESENT:

**Deborah Burke, Assistant Secretary
Christy Adams, Administrative Assistant**

RE: Call to Order

Mr. Stephens called the April 25, 2006 meeting of the Savannah Zoning Board of Appeals to order at 2:30 p.m.

RE: Consent Agenda

**RE: Petition of Erik S. Vadersen
B-050104-60595-2
529 East 44th Street**

The petitioner is requesting a time extension of a previously approved variance request (B-050104-60595-2).

Summary of Findings: All of the conditions necessary for granting the extension request appear to be met.

**RE: Continued Petition of Michelle Methot, Agent for
Anita Kuhai
B-060227-88766-2
2309 Jefferson Street**

The petitioner is requesting approval of a 3.15 foot side yard setback variance to the five (5) foot side yard setback requirement; a 1.50 percent lot coverage variance to the 60 percent lot coverage allowed; and a 1,020 square foot lot area variance to the 3,000 square foot lot area minimum required by Part 8, Chapter 3, Article K, and Section 5.6.5 of the Savannah Zoning Ordinance in order to construct a single family residence. The subject property, located at 2309 Jefferson Street, is zoned TN-2 (Traditional Neighborhood).

Summary of Findings: All of the conditions necessary for granting the variances requested appear to be met.

**RE: Petition of Albert Faragalli
B-060329-49598-2
2229 Whitaker Street**

The petitioner is requesting approval of a five (5) foot rear yard setback variance from the required five (5) foot rear yard setback requirement for an accessory structure; a one (1) foot side yard setback variance for the north property line from the five (5) foot side yard setback requirement; a two (2) foot side yard setback variance for the south property line from the five (5) foot side yard setback requirement; and a 650 square foot lot area variance from the 4,400 square foot lot area requirement of Part 8, Chapter 3, Article K, and Section 5.6.5 of the Savannah Zoning Ordinance in order to construct a two-family dwelling. The subject property, located at 2229 Whitaker Street, is zoned TN-2 (Traditional Neighborhood).

Summary of Findings: All of the conditions necessary for granting a five (5) foot rear yard setback variance; a one (1) foot side yard setback variance; a two (2) foot side yard setback variance; and a 650 square foot lot area variance appear to be met.

SZBA Action: Mr. Robinson made a motion that the Savannah Zoning Board of Appeals approve the Consent Agenda as amended. Mr. Jones seconded the motion and it was unanimously passed.

RE: Regular Agenda

**RE: Continued Petition of Edmond C. Burnsed
B-060131-40567-2
319 – 323 East 31st Street**

Continued Per Petitioner's Request.

**RE: Continued Petition of Edwin Torres
B-060227-88592-2
354 Felt Drive**

Present for the petition was Edwin Torres.

Ms. Burke gave the following Staff report.

The petition was continued from the March 28, 2006 meeting due to a posting error.

The petitioner is requesting approval of a six (6) foot side yard setback variance to the ten (10) foot side yard setback requirement of Section 8-3025(d) of the Savannah Zoning Ordinance in order to construct a garage onto an existing residential structure. The subject property, located at 354 Felt Drive, is zoned R-10 (One-Family Residential).

Findings

1. Section 8-3025(d) of the Savannah Zoning Ordinance requires a minimum ten foot side

yard setback for detached residential structures. The petitioner proposes to construct a garage addition onto an existing home. The petitioner is requesting a six foot side yard setback variance to accommodate the same.

2. The subject property is considered a standard lot within the R-10 zoning classification. The parcel is approximately 110 feet wide and approximately 450 feet deep.
3. In accordance with Section 8-3163 of the Savannah Zoning Ordinance, the Board of Appeals may authorize upon appeal in specific cases such variance from the terms of the regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions will, in an individual case, result in unnecessary hardship, so that the spirit of the regulations will be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in an individual case upon a finding by the Board of Appeals that:

- a. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.**

The subject property is a standard lot within the R-10 zoning district. The parcel has 110 feet of frontage on Felt Drive.

- b. **The application of these regulations to this particular piece of property would create an unnecessary hardship.**

Strict application of the regulations of the Zoning Ordinance would not create an unnecessary hardship. It appears that the parcel is of ample size to accommodate the proposed garage addition.

- c. **Such conditions are peculiar to the particular piece of property involved.**

The conditions described above are not peculiar to the particular piece of property involved.

- d. **Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the Savannah Zoning Ordinance.**

Relief, if granted, would not likely cause substantial detriment to the public good. The lots in the immediate neighborhood are generally oversized and have relatively large setbacks.

Summary Of Findings

All of the conditions necessary for granting a six foot side yard setback variance appear not to be met.

Mr. Torres stated he was the owner of both properties.

Mr. Robinson asked if he already built the garage?

Mr. Torres stated he was about half way into construction, but not completed.

SZBA Action: Mr. Robinson made a motion that the Savannah Zoning Board of Appeals **approve** the petition as submitted based upon a finding that the relief granted will not cause substantial detriment to the public good. Mr. Jones seconded the motion and it was unanimously passed.

**RE: Continued Petition of Henry
DeLaney, Jr., Agent for
St. Paul Christian Methodist Episcopal Church
B-060227-88940-2
213 West 32nd Street**

Continued per Petitioner's request.

**RE: Petition of Rob Brannen, Agent for
The Coastal Empire Habitat for Humanity, Inc.
B-060329-51609-2
703 Sherman Avenue**

Present for the petition was Rob Brannen, Attorney.

Ms. Burke gave the following Staff report.

The petitioner is requesting approval of a three foot front yard setback variance from the 20 foot front yard setback requirement, and a three foot rear yard setback variance from the 25 foot rear yard setback required by Section 8-3025 of the Savannah Zoning Ordinance on three newly created lots in order to construct three single family residences. The subject properties, located on Sherman Avenue, are zoned R-4 (Four-family Residential).

Findings

1. The subject properties are currently vacant. The petitioner indicates that it is their intention to construct three single family residences on the subject parcels.
2. The three newly created parcels are approximately 50 feet in width by 100 feet in depth, with a lot area of 5,000 square feet. The R-4 district calls for a minimum lot width of 60 feet and a minimum lot area of 6,000 square feet per one-family. The subject properties are non-conforming lots.
3. In accordance with Section 8-3163 of the Savannah Zoning Ordinance, the Board of Appeals may authorize upon appeal in specific cases such variance from the terms of the regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions will, in an individual case, result in unnecessary hardship, so that the spirit of the regulations will be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in an individual case upon a finding by the Board of Appeals that:
 - a. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.**

The subject properties are currently nonconforming lots in regards to lot width and lot area. There are no hardships in regard to shape or topography for the subject properties.

b. The application of these regulations to this particular piece of property would create an unnecessary hardship.

Strict application of the regulations of the Zoning Ordinance would not create an unnecessary hardship. The applicant would have to design the structures so as to meet the setback requirements of the R-4 district.

c. Such conditions are peculiar to the particular piece of property involved.

The conditions described above are not peculiar to the particular pieces of property involved.

d. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the Savannah Zoning Ordinance.

Relief, if granted, would not cause substantial detriment to the public good.

Summary Of Findings

All of the conditions necessary for granting a three foot front yard setback variance, and a three foot rear yard setback variance for three lots appear not to be met.

Mr. Brannen stated they have purchased four nonconforming lots and were recombining them into three 50 foot lots. He said they would like to build three houses for three habitat families on these lots. One of their goals at Habitat was to keep the houses affordable. The houses would be approximately 1,080 square feet. He said the design was tight, but they felt it was a nice floor plan. When they have a house like this they try to on the front have a porch which makes it bigger. He said they were requesting 3 feet off the front and rear. He said they felt it would not be noticed, therefore would not cause any detriment. He said they will have a build-a-thon on May 20, 2006 where they will try to build all three houses in one day.

Ms. Mable Hudson asked if the proposed houses would be houses for purchase? She also asked if they were one story?

Mr. Brannen stated all of the Habitat homes were ultimately designed to be purchased. He said they were one story. He said they would be 24½ feet X 56 feet. He said they felt they would look nice.

Mr. Willie Brunson stated he was concerned about off-street parking. He said his house was directly in front of the proposed construction for the new houses.

Mr. Brannen stated it would be in the paved driveway that comes down into the property. He said they are required to have 1 space off-street parking.

Mr. Randolph Scott (City Development Services) stated according to the ordinance single family semi detached requires 2 spaces per unit.

SZBA Action: Mr. Robinson made a motion that the Savannah Zoning Board of Appeals **approve the petition as submitted based upon a finding that the relief granted will not cause substantial detriment to the public good.** Mr. Jones seconded the motion and it was unanimously passed.

**RE: Petition of Kathy Gray
B-060329-49430-2
2 Kona Lane**

Present for the petition was Kathy Gray.

Ms. Burke gave the following Staff report.

The petitioner is requesting approval of a 7 ½ foot rear yard setback variance to the 25 foot rear yard setback requirement of Section 8-3035 of the Savannah Zoning Ordinance in order to construct an addition onto an existing single family residence. The subject property, located at 2 Kona Lane, is zoned PUD-M-3.3 (Planned Unit Development-Multi-family).

Findings

1. There is a single family residence located on the subject property. The petitioner indicates that it is their intention to construct an addition to the single family residence on the subject parcel.
2. The subject property is approximately 120 feet in depth, varies in width from approximately 70 feet at the front lot line to 120 feet at the rear lot line, and has a lot area of 11,684 square feet. The PUD-M-3.3 district requires a minimum lot width of 60 feet and a minimum lot area of 6,000 square feet. The subject property is a conforming lot in the PUD-M-3.3 district.
3. In accordance with Section 8-3163 of the Savannah Zoning Ordinance, the Board of Appeals may authorize upon appeal in specific cases such variance from the terms of the regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions will, in an individual case, result in unnecessary hardship, so that the spirit of the regulations will be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in an individual case upon a finding by the Board of Appeals that:

- a. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.**

The subject property is currently a conforming lot of record. Furthermore, the subject property is slightly larger in size than the majority of parcels in the area due to the angle of the northern property line.

- b. **The application of these regulations to this particular piece of property would create an unnecessary hardship.**

Strict application of the regulations of the Zoning Ordinance would not create an unnecessary hardship.

c. Such conditions are peculiar to the particular piece of property involved.

The conditions described above are not peculiar to the particular piece of property involved.

d. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the Savannah Zoning Ordinance.

Relief, if granted, would not cause substantial detriment to the public good.

Summary Of Findings

All of the conditions necessary for granting a 7½ foot rear yard setback variance appear not to be met.

Ms. Gray stated she would like to add on a screened porch that would be under roof. She said the reason for the 7½ feet was because her contractor wanted to continue the slope of the current roof and the panels he uses for the screens were 96 inches. She said the subdivision's Architectural Review Committee approved the plans. She said when her house was constructed the builder did not tell her that she was already built out.

Mr. Randolph Scott (City Development Services) stated the issue they were having would be consistent throughout the subdivision. The builder was maxing the houses out which were large. He said on the site plan if they had tried to come down more towards the front it probably would not have been necessary. He said he did not have a problem with the petitioner's request.

SZBA Action: Mr. Robinson made a motion that the Savannah Zoning Board of Appeals **approve** the petition as submitted based upon a finding that the relief granted will not cause substantial detriment to the public good. Mr. Jones seconded the motion and it was unanimously passed.

**RE: Petition of Timothy Walmsley, Agent for
Savannah College of Art & Design
B-060329-49055-2
212 West Hall Street**

Present for the petition was Timothy Walmsley, Attorney.

Ms. Burke gave the following Staff report.

The petitioner is requesting approval of a three (3) space parking variance from the parking requirements of Section 8-3089; and is seeking a variance from the requirements of Section 8-3082(r) of the City of Savannah Zoning Ordinance that requires remote off-street parking spaces to be no more than 150 feet distance from the use served. The subject property, located at 212 West Hall Street, is zoned RIP-A (Residential, Medium Density).

Findings

1. Per Section 8-3089, eighteen (18) spaces are required for the proposed use at this site.

The petitioner states that they are able to provide fifteen (15) spaces at a remote parking lot.

2. In accordance with Section 8-3082(r), required off-street parking shall be provided on the same lot as the main building to be served or on a lot not more than 150 feet distance from the use it is intended to serve, as measured along the nearest pedestrian walkway.
3. The subject property is currently being utilized for administrative offices by the Savannah College of Art and Design. Per the applicant, the building has a current capacity of fifteen (15) full time employees.
4. The Savannah College of Art and Design owns property at 118 West Hall Street where they propose to provide fifteen (15) parking spaces for the administrative offices. However, the distance between the two properties is in excess of 150 feet.
5. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the Savannah Zoning Ordinance.
6. The petition has been reviewed by the City's Visual Compatibility Officer (VCO). The VCO has stated that they do not oppose the parking variance request.
7. In accordance with Section 8-3163 of the Savannah Zoning Ordinance, the Board of Appeals may authorize upon appeal in specific cases such variance from the terms of the regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions will, in an individual case, result in unnecessary hardship, so that the spirit of the regulations will be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in an individual case upon a finding by the Board of Appeals that:

- a. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.**

There are no minimum lot size requirements for the RIP-A district. The subject property is approximately 3,500 square feet. Therefore, it is challenging for the applicant to provide on site parking and appropriate parking must be secured elsewhere.

- b. **The application of these regulations to this particular piece of property would create an unnecessary hardship.**

The application of these regulations to this particular piece of property would not create an unnecessary hardship.

- c. **Such conditions are peculiar to the particular piece of property involved.**

The conditions described above are not peculiar to the subject property.

- d. **Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the Savannah Zoning Ordinance.**

Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Savannah Zoning Ordinance.

Summary Of Findings

All conditions necessary for granting a variance of three (3) parking spaces and a variance from the requirement that remote off-street parking spaces be no more than 150 feet distance from the use served do not appear to be met.

Mr. Walmsley stated they were seeking two variances which were permitted under the ordinance. He said given the size of their building the parking ordinance under Section 8-3089 required 18 parking spaces. Currently, they have 15 fulltime employees and would request that the actual number of spaces be reduced to fifteen. The parking spaces were based upon square footage and they felt that at this point they had as many employees as they could into that building and did not see that number increasing.

He said the second variance they were requesting was under section 8-3082 R which required that remote parking be provided within 150 feet of the building. He said SCAD owned a vacant lot (118 West Hall Street) which was about 200 feet away from this structure. What they were asking was that the 15 parking spaces be moved onto the adjacent parcel. The concern was that they could not put the 15 spaces on the site as would be required under a strict interpretation of the parking ordinance. In order to put the parking spaces on site, they would have to come into the rear of the property. He said they were seeking a reduction of three spaces and that the 150 feet be expanded to 200 feet for remote parking. He said in that way they would keep the vehicles off the street. The property being used was administrative offices by SCAD and a permitted use within this zoning district. He said the property was used between the hours of 8:00 a.m. to 5:00 (5:30) p.m. by SCAD. Therefore, in the evenings these parking spaces in all probability would be vacant and no impact on the street after those hours.

Mr. Stephens stated when they visited the site which was late morning, he was concerned about the parking. He said they also looked at the parking lot.

Mr. Walmsley stated parking in general downtown was a real problem. He said they were trying to remove fifteen vehicles that were currently parked around the area onto this remote parking lot.

Mr. Stephens asked if the remote parking was 118 West Hall Street?

Mr. Walmsley stated yes.

Mr. Stephens asked how many people worked in the building at 118 West Hall Street?

Mr. Walmsley stated nine, but there was sufficient parking for those individuals and for the additional fifteen spots.

Mr. Robinson stated he visited the site on the caravan at the same time with Mr. Stephens. He said he went inside the building at 118 West Hall Street and they said there were ten employees and they were required to have ten parking spaces for their employees. He said if the students came it was not a requirement and they could park on the street. He said he took measurements of the parking lot and he came up with a capacity of fifteen cars in the parking lot. He said if you took ten away, you would have five cars. He said he was not concerned with

the variance that they were requesting of three cars off the eighteen which made it fifteen. He said he was not concerned with a variance for a remote parking lot from 150 to 200 feet. However, he was concerned with the fact that SCAD already have one building that was using the majority of the capacity of this parking lot. Yet, they were trying to use this exclusively for the new development.

Mr. Walmsley stated he would defer to his measurements and it was his understanding that there was sufficient parking for both 118 West Hall Street and 212 West Hall Street.

Mr. Jones stated space is running out and it was hard parking downtown. He said if it is raining, how many people honestly would park 150 to 200 feet away and walk to this building. He said he felt people would take whatever parking space was close to the building even if the sun was shining. He said he felt that we were running out of parking space downtown. He said he felt that the Board should not continue to grant variances on parking. He said he felt people needed to think before they develop and provide parking.

***Mr. Mackey** arrived approximately 2:45 p.m.

Mr. Walmsley stated the issue for clarification, the building was a permitted use. He said there were fifteen employees in that building as permitted under the zoning ordinance which was an existing structure. He said the fifteen vehicles and he agreed that something needed to be done about transportation, but the reality was that you have fifteen cars that they needed to figure out something to do with. He said that was the nature of their petition and what works with the zoning ordinance. He said this was a permitted use and they were not over capacity for this particular use in this area. He said that was why they were seeking a variance.

Mr. Stephens asked if they considered another alternative?

Mr. Walmsley stated depending on what the Board did today they would figure out if they needed to.

Mr. John Myer stated he support the petition. He said he owned property across the street from 212 West Hall Street where the employees worked. He said even though the parking lot already has ten employees possibly parking in it, he felt there were still five empty spaces. He said he felt even if that meant you got five of the fifteen cars off the street it would still help. He said that area of Hall, Tattnell, and Barnard Streets was parked completely full all day, every day and very difficult to find spaces.

Ms. Frenchie Bynes - Jones stated her family owned the funeral home at 204 West Hall Street. She said parking in the area was already a problem. She said funerals are held at any time of day as well as visitations. She said they have a parking lot, but they also park on the street. She said her problem was that sometimes their driveway was block by people who were not attending a funeral. She said they have the yellow strip as recommended by the City, but people still ignore it and park. She said she felt if you add more cars to the area, it would be a bigger problem.

Mr. David Gardner (Tattnell Street) stated he felt although the property was zoned for office space, he felt the petitioner still had to show they had enough parking. He said he use to own a bed and breakfast down the street which was also a permitted use, but he had to get a variance for five parking spaces. He said there was not enough parking in the neighborhood. He said he felt fifteen or eighteen cars would overload the street. The parking lot the petitioner was

proposing to use was a vacant lot that they were parking on. He said when he walked by on his way to work there were eight cars in the lot and it was pretty much full, so he did not know how they would fit another fifteen or eighteen cars. He said SCAD was aware of the problem in November when they purchased the building and he felt it should have been addressed early as opposed to months later.

Mr. Randolph Scott (City Development Services) stated it is required to be paved unless it is exempted. He said being a commercial use at anything above four would have been required to have paving, drainage, and site development.

Mr. David Young (701 Whitaker Street) stated he lived diagonally across the street from the graduate center and the lot that the petitioner was proposing to use for the other building. He said he has lived in the area for thirty years and knew what the parking was like around Barnard, Howard, and Hall Streets area. He said it was tight parking. He said he was in the process of building a garage because there was limited parking on the street. He said when SCAD bought the building and turned it into a graduate center, the neighborhood was concerned about the transition. When SCAD identified the lot next to it for parking, it made the neighbors feel better. Nonetheless, you see a lot of people parking on the street and using that facility. He said to try and utilize that lot for something else would exacerbate a serious parking problem that they have in their neighborhood. Also, the last large piece of property was the block that was bounded by Hall, Barnard, Howard, and Gwinnett Streets which was being developed by Patrick Shay that would have nine condominiums. He said several of the units would remove parking from Howard Street because of access requirements. He said not only was the neighborhood getting considerable additional pressures on parking because of that development, but they were also losing on-street parking as a consequence of it to. He said he felt the neighborhood could not bear anymore parking than what they already had.

Mr. Jones stated the Patrick Shay project was supposed to have underground parking. He said that would help relieve some of the on-street parking.

Mr. Young stated no, because there was nothing there now. He said when the project is built out they would be adding nine residences which were large residences. He said he felt that it would increase the pressures on parking in their neighborhood.

Ms. Patricia Lanease (615 Tattnall Street) stated another problem was the traffic that comes into the area with the students dropping off their projects as well as a lot of deliveries by UPS and others. She said they have an unloading zone from when it was a bed and breakfast that people use all day. She said she almost got a ticket when she parked in someone else's driveway to unload her groceries because there was no parking. She said at the end of Tattnall Street there were three spots that they were getting ready to build on that would add to the parking problems. Also, SCAD had two dorms on Barnard Street that also cause parking issues.

Ms. Sarah Norton stated she had a vacant lot over from 212 West Hall Street. She said any future development, if the parking were to spill over from the remote parking it would be impossible to get into the lot. She said because of the parking on Tattnall Street it was full almost all the time. She said the remote parking sounded great, but she worry that it would not be used correctly.

Mr. Dana Braun, Attorney (Elaine Longwater at 619 Tattnall Street) stated he felt that his client would not have any true objection to the variances provided that there would strict

compliance with it. He said as pointed out by the Board, if the lot was already occupied by ten or more vehicles it would not be capable of housing another fifteen vehicles for which the variance was created. He said to look at the reality of the situation whether or not this lot would be practical as the offsite while you were talking about a variance from 150 feet. He said it would be a 40 percent difference which they felt was significant. He said if it was or was not raining people like to park near where they work.

Ms. Longwater stated she has had her ad agency there for 25 years. She said her clients have come by there and have had a place to park and now that was not true. She said she was concern that if there were 18 more cars dumped on that street, it would only add to the parking problems.

Mr. Stephens asked the petitioner if the number of people could increase in the building?

Mr. Walmsley stated it was his understanding that there was no more office space available.

SZBA Action: Mr. Jones made a motion that the Savannah Zoning Board of Appeals deny the petition as submitted. Mr. Mackey seconded the motion and it was unanimously passed.

**RE: Petition of Michelle Wilmore
B-060329-86526-2
2201 Cornwall Street**

Present for the petition was Nick Bing.

Ms. Burke gave the following Staff report.

The petitioner is requesting approval of an application to establish a child care center for 25 children, and is seeking a waiver of the requirement that said use be located on a collector or arterial street pursuant to the requirements of Section 8-3025 of the City of Savannah Zoning Ordinance. The subject property, located at 2201 Cornwall Street, is zoned R-4 (Four-Family Residential).

Findings

1. The subject property, situated at the corner of Cornwall Street and Chapman Street, is a standard lot containing approximately 6,300 square feet. The 63 by 100 foot parcel is currently occupied by two structures.
2. Section 8-3025 of the Savannah Zoning Ordinance requires Board of Appeals approval to establish a child care center in an R-4 zoning district. The requirements for establishing a child care center per Use 22b include: a) that not less than 100 square feet of outdoor play space be provided for each child; b) that the center be located on a collector or arterial street; c) that the architectural character be characteristic of the neighborhood; d) that the use provide off-street parking in conformance with the requirements of Section 8-3089; e) that no outdoor activities occur after 9:00 p.m.; f) that visual buffers be provided to shield parking areas, play areas and outdoor activity areas from abutting property; and, g) that a sign not to exceed three square feet may be permitted.

3. The requirements of c, e, and, g (above) appear to be met.
4. The proposed site plan submitted by the applicant does not provide adequate play area to meet the 2,500 square feet requirement (a), based on the request to allow 25 children on site. The site plan provided shows 2,000 square feet of play area.
5. A waiver of the requirement of (b) is being sought. The intent of the requirement that child care facilities be located on collector or arterial streets is to minimize the potential impact that additional traffic generated by the use would have on surrounding properties. The subject property is situated on a local street in the middle of an established residential neighborhood.
6. Article (d) requires that an off-street loading and unloading area be provided for the safety of the children. The petitioner has submitted a proposed site plan that illustrates the creation of a circular drive to accommodate the loading and unloading area. It is not known if the petitioner has submitted the request to or received approval from the City Traffic Engineering Department. Traffic Engineering Department approval would be required to implement the proposal. The code also requires one child care worker for every six children, which would require five employees. Therefore, the petitioner would have to provide three off-street parking spaces. Only two such spaces are identified on the plan and the applicant indicates that it is their desire to use the curb along Chapman Street for additional employee parking as needed. The petitioner will be required to obtain a parking variance from the Board if they are unable to provide for all required parking spaces on site. The applicant has not requested such a variance.
7. Requirements of part (f) include buffering parking areas and play areas from abutting properties. Although the petitioner's rear yard is fenced, the code requires that such fencing be opaque; the existing fence is not opaque. The petitioner states that they will replace the current wire fence with a six foot wood privacy fence. No buffering or shielding has been provided for the proposed parking area.
8. In accordance with Section 8-3163 of the Savannah Zoning Ordinance, the Board of Appeals shall hear and decide upon requests for permission to establish uses upon which the Board of Appeals is required to pass under the terms of this chapter. The application to establish such use shall be approved on a finding by the Board of Appeals that:
 - a. **The proposed use does not affect adversely the general plans for the physical development of the City, as embodied in this chapter, and in any master plan or portion thereof adopted by the Mayor and Aldermen.**

The proposed use will not affect adversely general plans for the physical development of the City.
 - b. **The proposed use will not be contrary to the purposes stated for this chapter.**

The proposed use is not contrary to the stated purposes of this chapter.
 - c. **The proposed use will not affect adversely the health and safety of residents and workers in the City.**

The proposed child care center will have little, if any affect on the health and safety of residents and workers in the City. However, the increased traffic and subsequent congestion associated with the use could have an adverse impact on area residents.

- d. The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.**

The subject property is located on a local street in the middle of an established residential neighborhood. The petitioner has requested approval of a child care center to provide services for 25 children. The resulting traffic and potential congestion associated therewith could be detrimental to the use or development of adjacent properties.

- e. The proposed use will not be affected adversely by the existing uses.**

The proposed use will not be adversely affected by the surrounding neighborhood.

- f. The proposed use will be placed on a lot of sufficient size to satisfy the space requirements of such use.**

The subject property contains 6,300 square feet. The property may not be of adequate size to accommodate the additional play area and parking required that is not currently shown on the site plan.

- g. The proposed use will not constitute a nuisance or hazard because of the number or persons who will attend or use such facility, vehicular movement, noise or fume generation, or type of physical activity.**

Increased vehicular movement and noise generation could be a nuisance to the surrounding area.

- h. The standards set forth for each particular use for which a permit may be granted have been met.**

Standards as discussed above appear not to be met. A waiver of the collector/arterial street location requirement is being sought. The number of children proposed to be cared for at his location and the amount of traffic that can be expected as a result pose concerns about safety, congestion, and, the possible detrimental impacts that might be experienced by surrounding property owners.

Summary Of Findings

All of the conditions necessary to approve the establishment of the proposed use (child care center for 25 children) and the waiver of the requirement that the use be located on a collector or arterial street appear not to be met.

Mr. Mackey stated he felt that 25 children were a lot for a daycare in a residential area. He said he felt Cornwall was not suited for it.

Mr. Jones stated when he visited the sidewalk the space between the building and curb seemed to be 3 or 4 feet on the side and front on Cornwall Street. He said on the same lot was an old burned out building. He said he felt this would be a detriment to the welfare of the children. He said the lot was not a big a lot and because of that he was concerned how the petitioner would be able to provide a circular drive for loading and unloading.

Ms. Burke stated in reviewing the application, they felt there probably would not be enough room on site for everything the petitioner wanted to do.

Mr. Nick Bing stated they purchased the property. He said they also were trying to purchase the lot behind them that use to be used as a playground. He said with regards to the burned house they have applied for a permit so they could work on the house but it will be about 30 days before they receive it. He said they felt they could remove the hedges on Cornwall Street and put in a concrete slab to help with the parking. He said they felt that would help to relieve the congestion on the street. He said he was willing to work with the residents in the area as well. He said he will continue to see if they could get the owner to sell the lot that is behind them because he was interested in purchasing it.

Mr. Stephens asked if he lived in the area?

Mr. Bing stated no.

Mr. Robinson stated he felt that they needed to rethink their application. He said he felt they needed additional information as well as a site plan. He asked what were they intending to use the burned house for?

Mr. Bing stated the burned house was going to be used as a personal care home.

SZBA Action: Mr. Mackey made a motion that the Savannah Zoning Board of Appeals deny the petition as submitted. Mr. Jones seconded the motion and it was unanimously passed.

**RE: Petition of Albert Faragalli
B-060329-50833-2
2221 Whitaker Street**

Present for the petition was Albert Faragalli.

Ms. Burke gave the following Staff report.

The petitioner is requesting approval of a 1.5 foot side yard setback variance for each side from the five (5) foot side yard setback requirement; a five (5) foot rear yard setback variance for an accessory structure from the five (5) foot rear yard setback requirement; and a 650 square foot lot area variance from the minimum 4,400 square foot lot area requirement of Part 8, Chapter 3, Article K, and Sections 5.6.5 of the Savannah Zoning Ordinance in order to construct a two family dwelling. The subject property, located at 2221 Whitaker Street, is zoned TN-2 (Traditional Neighborhood).

Findings

1. The subject property, located at 2221 Whitaker Street, is currently utilized as a two family dwelling. The petitioner indicates that it is their intention to subdivide the lot into two (2) lots in order to build a two family dwelling on this newly created lot. The petitioner is requesting similar variances for the parent parcel, 2225 Whitaker Street, where the existing two family dwelling is located (MPC File No. B-060329-49371-2).
2. The subject property is sixty (60) feet in width by 125 feet in depth, resulting in a lot area of 7,500 square feet. If subdivided, the parent parcel and resultant lot would measure thirty (30) feet in width by 125 feet in depth, with a lot area of 3,750 square feet. The TN-2 district calls for a minimum lot width of thirty (30) feet and a minimum lot area of 2,200 square feet per attached residential unit.
3. The petition has been reviewed by the City's Visual Compatibility Officer (VCO). The VCO states that the setback and subdivision of the lots are consistent with the historic building pattern for this lot.
4. In accordance with Section 8-3163 of the Savannah Zoning Ordinance, the Board of Appeals may authorize upon appeal in specific cases such variance from the terms of the regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions will, in an individual case, result in unnecessary hardship, so that the spirit of the regulations will be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in an individual case upon a finding by the Board of Appeals that:

- a. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.**

The subject property is considered a conforming lot in the TN-2 district. However, the proposed lot configurations are more historically accurate than what is presently existing.

- b. **The application of these regulations to this particular piece of property would create an unnecessary hardship.**

Strict application of the regulations of the Zoning Ordinance would not create an unnecessary hardship. However, the applicant would not be able to subdivide the existing lot or build an additional two family dwelling unit, which is consistent with the development patterns in the area.

- c. **Such conditions are peculiar to the particular piece of property involved.**

The conditions described above are not peculiar to the particular piece of property involved.

- d. **Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the Savannah Zoning Ordinance.**

Relief, if granted, would not cause substantial detriment to the public good. The lot size and proposed use are consistent with other parcels in the immediate vicinity of the subject parcel.

Summary Of Findings

All of the conditions necessary for granting a 1.5 foot side yard setback variance for each side; a five (5) foot rear yard setback variance; and a 650 square foot lot area variance appear not to be met.

Mr. Faragalli stated he was proposing to turn it back into two 30 foot lots and put the house back that use to be there. He said there also use to be two dwellings in the back of this which they were duplex dwellings in the rear. He said they were also duplex houses, so you had four dwelling units on one 30 feet X 120 feet lot. By today's standards it would take 8,000 square foot lot to be able to build that many units back. He said they were going to put garages in the rear for off-street parking to mimic the masking. He said they were asking for the variance to do the double unit on the front of the lot. He said as stated he has received approval for the designs.

Mr. Jones stated what he was proposing was instead of duplexes, he was going to put garages and replace the house that was torn down.

Mr. Faragalli stated yes, the house that was torn down will be replaced and they will put a garage a two car garage in the rear.

Mr. Jones stated each dwelling would have one garage with two parking spaces.

Mr. Faragalli stated one parking space per unit. Each unit would be approximately 1,000 square feet.

Mr. Jones asked if he was saying the Review Board has already agreed that the house that he was rebuilding look like the one that was there.

Mr. Faragalli stated yes. (Showed a copy of plans).

SZBA Action: **Mr. Jones** made a motion that the Savannah Zoning Board of Appeals **approve** the petition as submitted based upon a finding that the relief granted will not cause substantial detriment to the public good. **Mr. Robinson** seconded the motion and it was unanimously passed.

**RE: Petition of Albert Faragalli
 B-060329-49371-2
 2225 Whitaker Street**

Present for the petition was Albert Faragalli.

Ms. Burke gave the following Staff report.

The petitioner is requesting approval of a five (5) foot rear yard setback variance from the required five (5) foot rear yard setback for an accessory structure; a 2.17 foot side yard setback variance for the north property line from the five (5) foot side yard setback requirement; a 3.84

foot side yard setback variance for the south property line from the five (5) foot side yard setback requirement; and a 650 square foot lot area variance from the 4,400 square foot lot area requirement of Part 8, Chapter 3, Article K, and Sections 5.6.5 of the Savannah Zoning Ordinance in order to construct a two family dwelling. The subject property, located at 2225 Whitaker Street, is zoned TN-2 (Traditional Neighborhood).

Findings

1. The subject property, located at 2225 Whitaker Street, is currently utilized as a two family dwelling. The petitioner indicates that it is their intention to subdivide the lot into two (2) lots in order to build a two family dwelling on a proposed new lot. The petitioner is requesting similar variances for the proposed new lot (MPC File No. B-060329-50833-2).
2. The subject property is sixty (60) feet in width by 125 feet in depth, resulting in a lot area of 7,500 square feet. If subdivided, the parent parcel and resultant lot would measure thirty (30) feet in width by 125 feet in depth, with a lot area of 3,750 square feet. The TN-2 district calls for a minimum lot width of thirty (30) feet and a minimum lot area of 2,200 square feet per attached residential unit.
3. The petition has been reviewed by the City's Visual Compatibility Officer (VCO). The VCO states that the setbacks and subdivision of the lots are consistent with the historic building pattern of the lot.
4. In accordance with Section 8-3163 of the Savannah Zoning Ordinance, the Board of Appeals may authorize upon appeal in specific cases such variance from the terms of the regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions will, in an individual case, result in unnecessary hardship, so that the spirit of the regulations will be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in an individual case upon a finding by the Board of Appeals that:
 - a. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.**

The parent parcel is considered a conforming lot in the TN-2 district. However, the proposed lot configurations are more historically accurate than what is presently existing.
 - b. **The application of these regulations to this particular piece of property would create an unnecessary hardship.**

Strict application of the regulations of the Zoning Ordinance would not create an unnecessary hardship. However, the applicant would not be able to subdivide the existing lot or build an additional two family dwelling unit, which is consistent with the current development patterns in the area.
 - c. **Such conditions are peculiar to the particular piece of property involved.**

The conditions described above are not peculiar to the particular piece of property involved.

- d. **Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the Savannah Zoning Ordinance.**

Relief, if granted, would not cause substantial detriment to the public good. The lot size and proposed use are consistent with other parcels in the immediate vicinity of the subject parcel.

Summary Of Findings

All of the conditions necessary for granting a five (5) foot rear yard setback variance; a 2.17 foot side yard setback variance for the north property line; a 3.84 foot side yard setback variance for the south property line; and a 650 square foot lot area variance appear not to be met.

SZBA Action: Mr. Robinson made a motion that the Savannah Zoning Board of Appeals approve the petition as submitted based upon a finding that the relief granted will not cause substantial detriment to the public good. Mr. Mackey seconded the motion and it was unanimously passed.

**RE: Petition of Paul Bush, Agent for
Alphonso Irving, Jr.
B-060329-51161-2
637 East Henry Street**

Present for the petition was Paul Bush.

Ms. Burke gave the following Staff report.

The petitioner is requesting approval of a 240 square foot lot area variance from the 7,200 square foot lot area requirement of Section 8-3025 of the Savannah Zoning Ordinance in order to construct a two family dwelling. The subject property, located at 637 East Henry Street, is zoned P-R-4 (Planned Four-family Residential).

Findings

1. The subject property, located at 637 East Henry Street, is currently vacant. The petitioner indicates that it is their intention to develop the lot as a two family dwelling.
2. The P-R-4 district calls for a minimum lot width of sixty (60) feet and a minimum lot area of 6,000 square feet for a one family detached dwelling or 7,200 square feet for a two family dwelling on one lot. The subject property, a conforming lot for a one family detached dwelling, is sixty (60) feet wide and has a lot area of 6,960 square feet.
3. The petition has been reviewed by the City's Visual Compatibility Officer (VCO). The VCO states that they do not oppose the variances requested but have concerns regarding the proposed design of the structure. The applicant will need to meet with the VCO in regards to the proposed building plans for their review and approval.

4. In accordance with Section 8-3163 of the Savannah Zoning Ordinance, the Board of Appeals may authorize upon appeal in specific cases such variance from the terms of the regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions will, in an individual case, result in unnecessary hardship, so that the spirit of the regulations will be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in an individual case upon a finding by the Board of Appeals that:

a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.

The subject property is currently a standard lot within the P-R-4.

b. The application of these regulations to this particular piece of property would create an unnecessary hardship.

Strict application of the regulations of the Zoning Ordinance would not create an unnecessary hardship. However, the applicant would not be able to develop the subject property in a similar manner to the majority of the lots in the immediate vicinity.

c. Such conditions are peculiar to the particular piece of property involved.

The conditions described above are not peculiar to the particular piece of property involved.

d. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the Savannah Zoning Ordinance.

Relief, if granted, would not cause substantial detriment to the public good. The proposed use is similar to the majority of the properties in the area, which are nonconforming lots as well.

Summary Of Findings

All of the conditions necessary for granting a 240 square foot lot area variance appear not to be met.

Mr. Bush stated the variance they were requesting was an overall lot variance of 240 square feet.

Mr. Jones stated the staff report said that he needed to meet with the visual compliance office with regards to his building plans.

Ms. Burke stated she talked with the visual compatibility officer and they said the petitioner worked with the City in addressing the issues. She said the petitioner has been in contact with the people he needed to be in touch with.

Mr. Bush stated his plans have been approved and a letter has been sent out to all the departments within the City.

Mr. W. John Mitchell (632 East Anderson Street) stated from a compatibility standpoint he has not seen any plans. He said with regards to the variance he had no issue.

Mr. Jones asked the petitioner if he could meet with Mr. Mitchell and show him the proposed plans?

Mr. Bush stated yes.

SZBA Action: Mr. Jones made a motion that the Savannah Zoning Board of Appeals **approve** the petition as submitted based upon a finding that the relief granted will not cause substantial detriment to the public good. Mr. Mackey seconded the motion and it was unanimously passed.

**RE: Petition of Dietz Consultant
Group, Inc., Agent for
William & Rebecca Keith
B-060329-56491-2
612 Waubun Road**

Continued per Petitioner's request.

**RE: Petition of David Bonner
B-060329-49725-2
1709, 1711, 1713 East LeGrand Street**

Present for the petition was David Bonner.

Ms. Burke gave the following Staff report.

The petitioner is requesting approval of an 18.5 foot rear yard setback variance for each lot from the 25 foot rear yard setback required; and a 5,010 square foot lot area variance for each lot from the 7,200 square foot minimum lot area required by Section 8-3025 of the Savannah Zoning Ordinance in order to subdivide an existing lot into two lots. The subject property, located at 1709, 1711, and 1713 LeGrand Street, is zoned R-M-25 (Multi-family Residential).

Findings

1. The subject property currently is occupied by two three family dwellings. The petitioner indicates that it is their intention to subdivide the existing lot into two parcels for financing reasons.
2. The existing lot is approximately 72 feet in width by 90 feet in depth, with a lot area of 6,480 square feet. The newly created lots would be approximately 4,380 square feet each. The R-M-25 district calls for a minimum lot width of 60 feet and a minimum lot area of 2,400 square feet per three-family residential unit. Neither lot would be considered a conforming lot.
3. The petition has been reviewed by the City's Visual Compatibility Officer (VCO). The VCO states that they are not opposed to the variances requested, as the building are in existence and the requests are for a subdivision of property.

4. In accordance with Section 8-3163 of the Savannah Zoning Ordinance, the Board of Appeals may authorize upon appeal in specific cases such variance from the terms of the regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions will, in an individual case, result in unnecessary hardship, so that the spirit of the regulations will be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in an individual case upon a finding by the Board of Appeals that:

a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.

The subject property is currently a nonconforming lot of record in regards to minimum lot area for six three-family residential units. The existing structures were built prior to the current regulations.

b. The application of these regulations to this particular piece of property would create an unnecessary hardship.

Strict application of the regulations of the Zoning Ordinance would not create an unnecessary hardship. However, the applicant would not be able to subdivide the subject parcel.

c. Such conditions are peculiar to the particular piece of property involved.

The conditions described above are not peculiar to the particular piece of property involved.

d. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the Savannah Zoning Ordinance.

Relief, if granted, would not cause substantial detriment to the public good.

Summary Of Findings

All of the conditions necessary for granting a an 18.5 foot rear yard setback variance for each lot and a 5,010 square foot lot area variance for each lot appear not to be met.

Mr. Bonner stated he bought the two triplexes and renovated them. He said his problem was when the construction loan runs out the bank wanted him to have it subdivided for financing. He said he was not going to make any changes as far as the buildings on the outside.

SZBA Action: Mr. Mackey made a motion that the Savannah Zoning Board of Appeals **approve** the petition as submitted based upon a finding that the relief granted will not cause substantial detriment to the public good. Mr. Robinson seconded the motion and it was unanimously passed.

RE: **Petition of Paula Letcher
B-060329-57789-2
1524 Habersham Street**

Present for the petition was Paula Letcher.

Ms. Burke gave the following Staff report.

The petitioner is requesting approval of a two (2) foot lot side yard setback variance for each side from the five (5) foot side yard setback requirement; and a 650 square foot lot area variance from the 4,400 square foot lot area requirement of Part 8, Chapter 3, Article K, and Sections 5.6.5 of the Savannah Zoning Ordinance in order to construct a two family dwelling. The subject property, located at 1524 Habersham Street, is zoned TN-2 (Traditional Neighborhood).

Findings

1. The subject property, located at 1524 Habersham Street, is currently vacant. The petitioner indicates that it is their intention to construct a two family dwelling on the subject parcel.
2. The TN-2 district calls for a minimum lot width of thirty (30) feet and a minimum lot area of 2,200 square feet per attached residential unit. The subject property is thirty (30) feet in width and has a lot area of 3,750 square feet, a conforming lot for a single family residence.
3. The petition has been reviewed by the City's Visual Compatibility Officer (VCO). The VCO is not supportive of the application.
4. In accordance with Section 8-3163 of the Savannah Zoning Ordinance, the Board of Appeals may authorize upon appeal in specific cases such variance from the terms of the regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions will, in an individual case, result in unnecessary hardship, so that the spirit of the regulations will be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in an individual case upon a finding by the Board of Appeals that:
 - a. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.**

The subject property is a conforming lot within the TN-2 district.
 - b. **The application of these regulations to this particular piece of property would create an unnecessary hardship.**

Strict application of the regulations of the Zoning Ordinance would not create an unnecessary hardship. However, the applicant would not be able to develop the property in the manner proposed.
 - c. **Such conditions are peculiar to the particular piece of property involved.**

The conditions described above are not peculiar to the particular piece of property involved.

- d. **Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the Savannah Zoning Ordinance.**

Relief, if granted, would not cause substantial detriment to the public good.

Summary Of Findings

All of the conditions necessary for granting a two (2) foot lot side yard setback variance for each side and a 650 square foot lot area variance appear not to be met.

Ms. Letcher stated she would like to build a duplex on the lot.

Mr. Jones stated the staff report said that the requirements appear not to be met. He asked the petitioner if she reworked her plans if she felt that it may offer a better situation?

Ms. Letcher stated yes, because she had not submitted any plans. She said she knew she had to get the zoning changed because right now it was for single family.

Mr. Mackey asked Staff if this was in Thomas Square?

Ms. Burke stated Mid-City. She said she felt the main issue that the Visual Compatibility Officer had was they could not tell based on what was submitted what kind of distance there would be between what the petitioner was proposing and the adjacent buildings. Whereas, the others they have seen in which they were also supportive they could tell what the distance was going to be between them.

Mr. Stephens asked the petitioner if she would be willing to a continuance to allow her time to rework her plans so everyone would understand what she was trying to do.

Ms. Letcher stated yes. She said when they talk about plans she thought the building itself and she forgot that she gave them the site plan. She said she was going to come 4 feet from the building that was to the right of her and 4 feet from her property line from the building to the left of her. She said if that was not enough room she could reduce her duplex.

Mr. Mackey stated what he was concerned about was where the requirement that there be plans because what the Board had was a sketch. He said he would not feel comfortable and there have been other petitions today as well where they were going off the top of their head stating what it would like. He said the Board was not privy to see what it looked like and he felt that was what the Board's charge was. He said the Board should be able to see visually. And for the Board to be able to conceptualize exactly what it was they were granting. He said not in Ms. Letcher's case, but in another case, the person's intent for the building was to turn it into a personal care home which was different than the Board's understanding. He said with regard to Ms. Letcher he felt what the Board had was a sketch. He asked where was the requirement that there be something detailed which he knew there was a cost involved for the Board to see.

Ms. Burke stated after they went on the field trip that was something that came up. She said that the Board was being requested to grant variances and not seeing anything. She said she

went back and looked at the application and there was a requirement at the top of the application that the applicant have to have a required plot plan or site plan and supporting documentation in order to demonstrate what they were looking for. She said she felt it may depend on when they receive the application what was deemed as acceptable. Several of the applications that Staff received had more detail and some had larger site plans that were done by an architect or engineer. She said Staff sometimes received them and sometimes they did not.

Mr. Randolph Scott (City Development Services) stated with regards to the site plan, it was about trying to help the applicant along regarding the cost. He said for the Board, they were looking at approving a variance, usually a horizontal, vertical distance. Whereas, in a neighborhood like Mid – City which you also have a Visual Compatibility Officer that reviews the application, the Board could rest assure that something that was not visually compatible would also have to be approved by the Visual Compatibility Officer. He said with regards to this plan he felt that there was not enough information. He said the petitioner could call their office so they could get a better understanding of what she was going to do.

Mr. Stephens asked Ms. Letcher if she would be in agreement of a continuance?

Ms. Letcher stated yes.

Mr. Mackey asked if this was her first project?

Ms. Letcher stated no, she did the renovations on the old WSOK building. She said she had several lots on this block. She said she probably needed to also talk to Mr. Scott about her property at 415 – 417 East 31st Street which was also on today's agenda.

Mr. Jones asked if she was also asking for a continuance on her other petition (B-06039-57378-2, 415 – 417 East 31st Street)?

Ms. Letcher stated yes.

SZBA Action: Mr. Jones made a motion that the Savannah Zoning Board of Appeals continue until the next meeting (May 23, 2006). Mackey seconded the motion and it was unanimously passed.

RE: Petition of Paula Letcher
B-060329-57378-2
415 – 417 East 31st Street

Ms. Letcher requested a continuance.

SZBA Action: Mr. Jones made a motion that the Savannah Zoning Board of Appeals continue until the next meeting (May 23, 2006). Mackey seconded the motion and it was unanimously passed.

RE: Other Business

Mr. Robinson asked Staff if she could read the statement about the requirement for drawings?

Ms. Burke stated on the application it says – “all supporting documents with the required plot or site plan must be submitted and there must be ten copies.” She said if it was the larger ones so they could be distributed to everybody.

Mr. Robinson suggested that it be added to the application that it be a to scale plot plan or site plan and that it not be less than some measurement, which he was not sure what that should be.

Mr. Mackey asked what was standard? He said he agreed with Mr. Robinson and felt that it needed to be required. He said he felt some of them the Board was just getting in the blind. He said not picking on the previous case. However, he knew from MPC it was all laid out. He said he felt that it also needed to be laid out for Board of Appeals.

Ms. Burke stated she will talk to Mr. Hansen about how they can start doing that.

Mr. Mackey stated it was more paper, but the burden was no less on the Board.

Mr. Robinson stated Staff can decide the scale. He said he would also like to recommend that they require applicants to erect two signs when there was a condition in which they have a structure in one place and they were looking for remote parking. He said there may be some other kind of condition where you have two sites that were related in an application. He said in the case of SCAD people who lived next to or around the parking lot did not know what was going on. He asked if the Board had to put those recommendations in the form of a motion?

Mr. Mackey stated he felt that was a notification and in the notification he thought it was covered under ordinance. But he agreed with Mr. Robinson and felt whatever was necessary to add those two recommendations. He said he felt if the Board agreed then to do whatever was necessary to get the language changed.

Ms. Burke stated okay. She said will work with Mr. Hansen to find out they were going to do that.

Mr. Stephens stated because Ms. Adams was out on medical leave the Board will receive minutes for February, March, and April meetings in their May packets.

RE: Adjournment

There being no further business to come before the Savannah Zoning Board of Appeals the meeting was adjourned 4:20 p.m.

Respectfully submitted,

Deborah Burke,
Assistant Secretary

DB:ca