



C I T Y O F S A V A N N A H  
Z O N I N G B O A R D O F A P P E A L S

Arthur A. Mendonsa Hearing Room  
112 E. State Street, Savannah 2:30PM  
Minutes

**August 23, 2011 Savannah Zoning Board of Appeals Meeting**

**Members Present:** Timothy Mackey, Chairman  
Brian Reese  
Sidney Johnson

**Staff Present:** Jack Butler, Assistant Secretary  
Constance Morgan, Administrative Assistant

**Advisory Staff Present:** Randolph Scott, City Zoning Administrator

**I. Call to Order and Welcome**

**II. Notices, Proclamations and Acknowledgements**

**Notices**

1. [The Next SZBA Meeting: September 27, 2011 at 2:30 P.M. in the Arthur Mendonsa Hearing Room](#)

**III. Approval of Minutes**

2. [Approval of the July 26, 2011 CZBA Meeting Minutes](#)

**Board Action:**

Approval of the July 26, 2011 Chatham County Zoning Board of Appeals Meeting Minutes as submitted. - PASS

**Vote Results**

Motion: Brian Reese

Second: Sidney J Johnson	
Sidney J Johnson	- Aye
Timothy Mackey	- Aye
Brian Reese	- Aye

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

##### 3. [Chatham Orthopedic - 509 E. 69th St. - Remote Parking - 41204](#)

Attachment: [Chatham Ortho Request Continuance to 9-27.pdf](#)

The petitioner has requested that SZBA petition 509 E. 69th Street be continued to the next regular scheduled SZBA Meeting September 27, 2011 to allow the petitioner time to obtain a lease for remote parking.

#### **Board Action:**

Approval of the petitioner's request for a continuance in order to obtain a lease for remote parking. - PASS

#### **Vote Results**

Motion: Brian Reese	
Second: Sidney J Johnson	
Sidney J Johnson	- Aye
Brian Reese	- Aye
Timothy Mackey	- Aye

**The Consent Agenda consists of items for which the applicant is in agreement with the staff recommendation and for which no known objections have been identified nor anticipated by staff. Any objections raised at the meeting will result in the item being moved to the Regular Agenda.**

#### V. Consent Agenda

#### VI. Old Business

#### VII. Regular Agenda

##### 4. [Setback Variance, 5514 Waters Drive - 40103](#)

Attachment: [Staff Report -40103.pdf](#)  
Attachment: [Ortho-Zoning-Imagery.pdf](#)  
Attachment: [Building Footprints.pdf](#)  
Attachment: [Eastview.pdf](#)  
Attachment: [Orthoview.pdf](#)  
Attachment: [Southview.pdf](#)

Present for the petition was: Thurmond Howard

Jack Butler gave the following summary;

The petitioner, Thurmond Howard, is requesting approval of a five foot side setback variance (from the five feet required in the ordinance) in order to expand a carport and driveway to the edge of the property.

There are no unusual conditions on the subject property, the development pattern in the neighborhood includes the normal side setbacks and the existing structures on the property already encroach on the southern property line. Staff recommends **denial** of the requested variance.

**Speaking on the petition:** Mr. Thurmond Howard, petitioner stated that he would answer any questions that the board may have regarding his request. He stated that he did not understand staff recommendation for denial and asked what was wrong with his request for this setback. He explained that he would like to extend and build an open carport on the north side of his property; 1) it would measure 10x21 feet; 2) it would be attached to the house; 3) it would be open and there would be no electricity or plumbing and 4) it would only be a simple structure to accommodate a second vehicle.

Mr. Sidney Johnson stated that he visited the site during site visits on Monday and asked the petitioner to describe the structure that was presently at this location.

Mr. Thurmond responded that it was a tool shed.

Mr. Johnson asked Mr. Thurmond if he would be encroaching on the neighboring property.

Mr. Thurmond responded no, that there is a brick fence at the end of the property and that he was on the inside of the subject fence.

Mr. Butler then explained that the encroachment is not on the neighboring property; it is on the building setback and by building this to the property line it would be building over a five foot building setback which is partly there for public safety. The idea of keeping some space between the buildings is intended to allow emergency services access to the rear of the building particularly in cases like this where there is no lane.

Chairman Mackey asked the question who would be impacted by the encroachment into the building setback.

Mr. Butler answered that Mr. Thurmond would be encroaching on his building setback. That setback however serves both his lot and the neighboring lot. However, the neighbors would be more impacted by it.

Mr. Mackey then asked if the board approved the petitioner's request would that possibly create a hinderance for emergency vehicles to access this portion.

Mr. Butler responed that it would and it would also preclude his neighbor from building on their side of the fence.

Mr. Thurmond stated that he understood staffs' position and presented the Board with a copy of a signed letter from a neighboring property owner stating that she had no objection

to his request. He concluded that from his property line there would be 14 feet from the north most end of the proposed carport to the neighboring property.

Mr. Butler stated that the question is; is there any justification for encroaching on side setbacks in this location and there isn't.

Mr. Reese questioned how far could the petitioner extend the carport and it be viable without encroaching.

Mr. Butler responded that he could extend it five feet.

Mr. Randolph Scott, City Zoning Administrator answered Mr. Reese saying that there were no options given to the five feet. The footage from what he has would make it 18 feet wide for the proposed carport. The petitioner says he wants to have two cars but have we considered how wide would make this adequate. He stated that he did not agree to go into the property line because his neighbor now may not be his neighbor in the future. Mr. Scott also high lighted that the eaves and the run-off could possibly be on the neighboring property but if it is five feet and this is not adequate then we can consider a variance of one foot encroachment or a two foot encroachment.

Chairman Mackey asked the petitioner if he would be willing to continue his petition for thirty days in order to meet with staff to consider additional options.

Mr. Thurmond agreed that he would continue his petition for 30 days.

**Board Action:**

Motion to continue to the next SZBA meeting, September 27, 2011 in order to allow petitioner to redesign project for less - PASS encroachment.

**Vote Results**

Motion: Brian Reese

Second: Sidney J Johnson

Sidney J Johnson - Aye

Timothy Mackey - Aye

Brian Reese - Aye

5. [Use Approval - Parking Lot - 342 Drayton St. - 49495](#)

Attachment: [Staff Report -49495.pdf](#)

Attachment: [Ortho-Zoning-Imagery.pdf](#)

Attachment: [Building Footprints \(incl demolished building\).pdf](#)

Attachment: [Site Plan.pdf](#)

Present for the petition was: Mr. Mark Crapps, Agent

Jack Butler gave the following summary:

The petitioner, Mark Crapps, Agent for Colonial Dames of America, is requesting approval of a use, automobile parking lot (Section 8-3025(a), Use (46)).

The proposed use is not strictly in keeping with the character of the Landmark Historic District, however staff recommends **approval** of the proposed use, with the **condition** that the site be surrounded and buffered on all sides by an opaque wall of an approved material at least six feet in height.

**Speaking on the petition:** Mr. Mark Crapps, agent for Colonial Dames of America stated that he wanted to reassure the board that the existing wall between the parking lot and that Mr. Hartridge's residence will be resupported and that he is in agreement with the staff recommendation, however, he would like staff to reconsider the height of the opaque fence. He added that he would like to propose a three foot wall instead of a six foot wall. From a security standpoint a six foot wall could be a potential crime scene. He requested that the petition be approved as submitted.

Mr. Johnson questioned Mr. Crapps regarding adding security cameras to the site in order to provide addition safety to the area. He also suggested adding security guards for protection. He stated that he was not in favor of a three foot fence.

Mr. Reese questioned if the six foot wall have to be opaque or could it be an iron wall.

Mr. Butler explained that what staff is looking for is an opaque screening from pedestrian and vehicular traffic. A three foot wall will not screen cars. The idea behind a three foot wall is to basically block the headlights of cars from shining into the right of way. In order to provide any type of visual screening it needs to be six foot tall. As far as the security concerns, people can hide behind cars; they can hide under cars and they can hide behind a three foot wall.

Ms. Jane Espy, Chairman of Colonial Dames of America stated that the hours of operation would be mostly evening events but the plan is to rent spaces for some of those that will be staying over night. She also mentioned the expense of the six foot wall and stated she would prefer to only have to erect a three foot wall.

Jack Butler referred the Board members to a letter that was submitted by Ms. Jane Love a neighboring resident and transportation planner. He stated that Ms. Love was not opposed to the use however she is asking for an eight foot wall to more effectively screen the lighting.

Mr. Scott stated that zoning staff has had issues regarding the subject property since the gas station was demolished and the issues regarding parking and citations of the previous owners. He made it clear if the ZBA approves the use, the petitioner will have to received the necessary permits, go through site plan review, to make this an acutal parking lot. The stops that are at this location were put out without permits and are being utilized outside of compliance. Staff is working in order to get a better product.

Mr. Crapps concluded that he wanted to reassure everyone that he has gone before the

MPC and that he has submitted a General Development Plan for approval and that he has gone thru SPR (site plan review) and received comments from each department's concern.

**Board Action:**

Staff recommends **approval** of the proposed use, with the **condition** that the site be surrounded and buffered on all sides by - PASS an opaque wall of an approved material at least six feet in height.

**Vote Results**

Motion: Sidney J Johnson

Second: Brian Reese

Sidney J Johnson - Aye

Timothy Mackey - Aye

Brian Reese - Aye

6. [Renewal of Nonconforming Use - 57 Coffee Bluff Villa Rd. - 51056](#)

Attachment: [Staff Report -51056.pdf](#)

Attachment: [Ortho-Zoning-Imagery.pdf](#)

Attachment: [Northview.pdf](#)

Attachment: [Building Footprints.pdf](#)

Attachment: [Site Layout.pdf](#)

Attachment: [Interior Layout.pdf](#)

Present for the petition was: Mr. John Krueger

Jack Butler gave the following summary;

The petitioner, John Krueger, agent for Charlesetta Coleman, is requesting approval of the re-establishment of a nonconforming use in a building designed and constructed to house the use (a barbecue carry-out restaurant), (Section 8-3133(c)).

The subject property and structure (a kitchen building with an surrounding deck) had been a landmark business in the Coffee Bluff community for many years. The structure, which is designed exclusively as a commercial kitchen, has been idle and vacant since the demise of the previous business (Two Bubbas Barbecue) in 2008. Staff recommends **approval** of the re-establishment of a carry-out (only) restaurant at 57 Coffee Villa Road, with the **condition** that the business shall remain carry-out only, and the structure shall not be expanded or enlarged (Section 8-3135).

**Speaking on the petition:** John Kruegar, petitioner stated that he would answer any questions from the board and that he has no plans to expand or change the nature of the restaurant. He stated that the restaurant will be strictly take out and simple dining and

that he has no plans to sell alcohol at this location.

**Board Action:**

Approval of staff recommendation of the re-establishment of a carry-out (only) restaurant at 57 Coffee Villa Road, with the condition that the business shall remain carry-out only, and the structure shall not be expanded or enlarged (Section 8-3135). - PASS

**Vote Results**

Motion: Sidney J Johnson

Second: Brian Reese

Sidney J Johnson - Aye

Timothy Mackey - Aye

Brian Reese - Aye

7. [Setback Variance - 7203 Skidaway Road - 52315](#)

Attachment: [Staff Report -52315.pdf](#)

Attachment: [Ortho-Zoning-Imagery.pdf](#)

Attachment: [Proposed Addition.pdf](#)

Attachment: [IVM ZBA Drawings 7-21-11.pdf](#)

Attachment: [BOARD DECISION -091028-50713-2.pdf](#)

Present for the petition: Shedrick Coleman

Jack Butler gave the following summary;

The petitioner, Shedrick Coleman as agent for John Schottle, DVM, is requesting approval of a 10-foot side yard variance in order to expand a commercial structure on an irregularly shaped lot. The subject property is located at 7203 Skidaway Road. The property is zoned B-H (Highway Business). Staff recommendation is for **approval** of the requested setback variance of 10 feet from the north side setback bordering PIN 2-0429 -01-062, the Memorial Stadium Lifting Station.

**Speaking on the petition:** Shedrick Coleman, Agent for John Schottle stated that he would address any questions or concerns that the Board may have but otherwise he would ask that the petition be approved as submitted.

**Board Action:**

Approval of staff recommendation of the requested setback variance of 10 feet from the north side setback bordering PIN 2-0429 -01-062, the Memorial Stadium Lifting Station. - PASS

**Vote Results**

Motion: Brian Reese	
Second: Sidney J Johnson	
Sidney J Johnson	- Aye
Timothy Mackey	- Aye
Brian Reese	- Aye

**VIII. Other Business**

**IX. Adjournment**

8. Submittal

There being no other business to come before the Board, the Chairman declared the August 23, 2011 SZBA Meeting adjourned at 3:28 P.M.

Respectfully submitted,

Jack Butler,

Assistant Secretary

/cm

*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.*