



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 2:30 PM
Minutes

January 25, 2011 Savannah ZBA Meeting

- Members Present:** Timothy Mackey, Chairman
Paul Robinson, Vice Chairman
Sidney Johnson
- Members Not Present:** Brian Reese
John P. Jones
- Staff Present:** Jack Butler, Assistant Secretary
Constance Morgan, Administrative Assistant
- Advisory Staff Present:** Randolph Scott, City Zoning Administrator

I. Call to Order and Welcome

1. [Call to Order](#)

Chairman Mackey called the January 25, 2011 SZBA Meeting to order @ 2:42 PM. He explained the agenda for the benefit of those attending the meeting for the first time.

II. Notices, Proclamations and Acknowledgements

Notices

2. [SZBA Regular Meeting February 22, 2011 at 11:00 am in the Arthur Mendonsa Hearing Room located at 112 East State Street](#)

III. Approval of Minutes

3. [Approval of the December 21, 2010 SZBA Minutes](#)

Attachment: [21December2010.pdf](#)

Board Action:

Approval of the December 21, 2010 SZBA Minutes as submitted. - PASS

Vote Results

Motion: Paul Robinson
Second: Sidney J Johnson
Sidney J Johnson - Aye
Johnnie P. Jones, Sr - Not Present
Timothy Mackey - Aye
Paul Robinson - Aye

4. [Approval of the December 27, 2010 SZBA Special Meeting Minutes](#)

Board Action:

Approval of the December 27, 2010 SZBA Special Meeting Minutes as submitted. - PASS

Vote Results

Motion: Timothy Mackey
Second: Sidney J Johnson
Sidney J Johnson - Aye
Johnnie P. Jones, Sr - Not Present
Timothy Mackey - Aye
Paul Robinson - Aye

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

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

5. [2027 Lewden Street - Side Setback Variance](#)

Attachment: [Staff Report -89962.pdf](#)
Attachment: [Ortho-Zoning-Coverage.pdf](#)
Attachment: [Northview.pdf](#)
Attachment: [Site Plan - 89962.pdf](#)

Present for the petition was: Ellen Wyatt

Jack Butler gave the following summary:

The petitioner, Ellen Wyatt, Agent for CHSA, is requesting approval of an eight-foot, one-inch variance (from the 15 feet required) in the street side setback on a corner lot in order to construct a single-family residence. Staff recommendation is for approval with conditions.

Speaking on the petition: Ellen Wyatt stated that she was in support of the side corner yard variance. She stated that the approval of this variance supports affordable housing efforts in the West Savannah Neighborhood which is also a part of the neighborhood renaissance. She explained that the residence will be constructed by the youth build program which is a program that employs local at risk youth and helps them achieve a GED and learn skills in the building trade. She asked that the petition be approved.

Board Action:

Staff recommends approval with the condition that the Savannah Traffic Engineering Department approves the vehicular sightlines - PASS at the corner of Lewden and Brittany streets.

Vote Results

Motion: Paul Robinson

Second: Sidney J Johnson

Sidney J Johnson - Aye

Johnnie P. Jones, Sr - Not Present

Timothy Mackey - Aye

Paul Robinson - Aye

6. [2126 E. 39th Street - Setback and Coverage Variance](#)

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

Attachment: [Northview.pdf](#)

Attachment: [Southview.pdf](#)

Attachment: [Southview2.pdf](#)

Attachment: [Site Plan -89280.pdf](#)

Attachment: [Staff Report -89280.pdf](#)

Attachment: [Comment for hearing for albert dryer..pdf](#)

Attachment: [1-24-11 Site Visit.pdf](#)

Present for the petition: Albert Dryer, Petitioner

Jack Butler gave the following summary:

The petitioner, Albert Dryer, is requesting approval of a four-foot side setback variance (from the five feet required by the ordinance) and a 17 percent lot coverage variance (from the 30 percent maximum allowed by the ordinance) in order to build a 10-foot by 26-foot, four-inch addition onto the west side of an existing single family residence. Staff recommends approval of the requested lot coverage variance, but denial of the requested side setback variance.

Discussion:

Mr. Robinson asked staff to explain the process once a structure has been built without going through the proper channels.

Jack Butler interjected saying that the question before the board was not whether or not he should have built the addition but the petitioner did not go through the permitting process.

Randolph Scott stated that his office, department of development services, has issued a stop work order at subject property. The petitioner has been given a court subpoena to appear in court and he was also given the option to petition the Board of Appeals. Mr. Scott explained that the petitioner could be compelled to remove the addition or make a structural correction.

Mr. Robinson asked if the board approves the petition, will the petitioner be allowed to complete the construction.

Mr. Scott responded yes. If the petition is approved at a few inches from the property line it will be enforced.

Mr. Robinson also asked if this board denies the request, will the petitioner then go through the courts in order to have a determination made.

Speaking on the petition: Albert Dryer, the petitioner stated that he was not aware that prior to construction he would have to obtain a building permit. He apologized for any inconveniences that this may have caused his neighbor and for the appearance of attempting to circumvent the process.

Chairman Mackey questioned Mr. Dryer as to whether or not he has at any time built anything himself or if he has had any building constructed in the City of Savannah.

Mr. Dryer responded that he has not built anything himself but he has had a building project done in the past.

Chairman Mackey stated that from his past construction project he should have gained the knowledge on how this process works.

Board Action:

The existing structure exceeds the maximum lot coverage by over 10 percent, but maintains proper building setbacks from adjoining properties. The encroachment to within 1-foot, 6-inches of the western property line would leave insufficient space for building - PASS

maintenance or public safety access to the addition. Staff recommends approval of the requested lot coverage variance, but denial of the requested side setback variance.

Vote Results

Motion: Sidney J Johnson

Second: Paul Robinson

Sidney J Johnson

- Aye

Johnnie P. Jones, Sr

- Not Present

Timothy Mackey

- Aye

Paul Robinson

- Aye

VIII. Other Business

IX. Adjournment

7. [Submittal](#)

There being no other business to come before the board the Chairman declared the SZBA meeting adjourned at 3:15 PM.

Respectfully submitted,

Jack Butler,

Assistant Secretary

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.