



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

MPC Arthur Mendonsa Hearing Room- 11:00 A.M.  
112 East State Street, Savannah  
Meeting Minutes

**June 26, 2012 Savannah Zoning Board of Appeals Meeting**

**This is a quasi-judicial proceeding. All those wishing to give testimony during these proceedings will please sign in. Witnesses will be sworn-in prior to giving testimony. All proceedings of the Savannah Zoning Board of Appeals are recorded. Decisions of the Savannah Zoning Board of Appeals are final. Challenges to the decisions of the Savannah Zoning Board of Appeals must be filed through the Superior Court of Chatham County.**

**Note: All persons in attendance are requested to so note on the "Sign-In Sheet" on the table outside the entrance of the meeting room. Persons wishing to speak will indicate on the sheet.**

**I. Call to Order and Welcome**

1. [Call to Order](#)

Chairman Timothy Mackey called the June 26, 2012 SZBA meeting to order at 11:07 a.m.

**II. Notices, Proclamations and Acknowledgements**

**III. Approval of Minutes**

2. [Approval of May 22, 2012 Meeting Minutes](#)

Minutes were approved as written.

**Board Action:**

Approve minutes as written. - PASS

**Vote Results**

Motion: Brian Reese

Second: William Ronning

Sidney J Johnson - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - 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**

3. [204 & 206 W. 55th St., Lot Width Variance - 53883](#)

Attachment: [Staff Report - 53883-2.pdf](#)

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

Attachment: [Submitted Site Plan.pdf](#)

Mr. Jack Butler gave the following summary:

The petitioner, Virginia Brown, Coastal Empire Habitat for Humanity, is requesting approval of a seven-foot lot width variance (from the 60 feet required in the district) in order to create two buildable lots from three existing lots.

Staff recommends that the Board **approve** the requested seven-foot lot width variance.

**Board Action:**

Staff recommends that the Board approve the petition as submitted. - PASS

**Vote Results**

Motion: Sidney J Johnson

Second: William Ronning

Sidney J Johnson - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - Aye

4. [602 Montgomery St. - Lot Coverage Variance - 54286](#)

Attachment: [Staff Report - 54286-2.pdf](#)

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

Attachment: [Submitted Site Plan.pdf](#)

Attachment: [Historic Review Board Decision 4676-2 - 602 Montgomery St 6-13-12.pdf](#)

Mr. Jack Butler gave the following summary:

The petitioner, Amy Lee Copeland, is requesting approval of a 2 percent lot coverage variance over the 75 percent permitted in the district in order to replace a dilapidated building extension housing a bathroom facility.

The proposed addition would reduce the amount of the non-conformity on the subject property. The plans for the proposed new addition must be reviewed by the Historic Review Board. Staff recommends **approval** of the requested lot coverage variance.

**Board Action:**

The proposed addition would reduce the amount of the non-conformity on the subject property. The plans for the proposed new addition must be reviewed by the Historic Review Board. Staff recommends approval of the requested lot coverage variance. - PASS

**Vote Results**

Motion: Brian Reese

Second: William Ronning

Sidney J Johnson - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - Aye

**VI. Old Business**

**VII. Regular Agenda**

5. [1307 E. 37th St. - Use Approval \(Child Care\) - 54590](#)

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

Attachment: [Submitted Documents.pdf](#)

Attachment: [Staff Report - 54590-2a.pdf](#)

Mr. Jack Butler gave the following summary:

The petitioner, Felicia Fagins, is requesting approval of a use, Child Care Center (8-3025a, use #22b), which requires approval by the Zoning Board of Appeals.

Staff recommends **approval** of the proposed use subject to approval of the pick-up and drop-off plan by traffic engineering with the condition that the maximum number of children be set at 28.

**Speaking on the petition:** Ms. Felicia Fagins stated that her mother had a daycare at this address and it was closed about 4 years ago due to the church wanting to open there own daycare center. The church was unable to open the daycare so they asked my mother if she would like to open it back up there. My mother came back to this Board and got approval to open the daycare up at this address but then died before she could proceed. My mother's vision was for me and my sister to have our own daycare so thats why I'm here today to get approval to have it opened.

**Mr. Mackey** asked if the daycare would be attached to a church?

**Ms. Fagins** stated yes. Brownsville Baptist Church.

**Mr. Johnson** asked what was the issue with Traffic Engineering?

**Ms. Fagins** stated that she was unaware of the issue but she would have it taken care of.

**Mr. Mackey** asked what were the hours of operation?

**Ms. Fagins** stated 6 a.m. to 6:30 p.m.

**Board Action:**

Staff recommends approval of the proposed use subject to approval of the pick-up and drop-off plan by traffic engineering with the condition that the maximum number of children be set at 28. - PASS

**Vote Results**

Motion: Brian Reese

Second: William Ronning

Sidney J Johnson - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - Aye

6. [306 W. Waldburg St. - Use Approval \(Residence\) - 54417](#)

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

Attachment: [Linstroth\\_working - Sheet - A101 - SITEPLAN COntext.pdf](#)

Attachment: [Linstroth\\_85Percent - Sheet - A101 - SITEPLAN.pdf](#)

Attachment: [Linstroth\\_85Percent - Sheet - A401 - EXTERIOR ELEVATIONS.pdf](#)

Attachment: [Staff Report - 54417-2.pdf](#)

Mr. Jack Butler gave the following summary:

The petitioner, Thomas Linstroth, is requesting approval to construct a residential structure on a parcel zoned 3-B in the Victorian District. Such use requires Zoning Board of Appeals approval.

The proposed use is appropriate for the subject property. All properties within 300 feet of the subject property are residential in character. In addition to the Zoning Board of Appeals review of the proposed use of the property, the site and building plans must also receive a Certificate of Appropriateness from the Metropolitan Planning Commission. With this additional review, and the residential nature of the neighborhood, staff recommends **approval** of the requested residential use of the property.

**No one was here to speak on this petition.**

**Board Action:**

The proposed use is appropriate for the subject property. All properties within 300 feet of the subject property are residential in character. In addition to the Zoning Board of Appeals review of the proposed use of the property, the site and building plans must also receive a Certificate of Appropriateness from the Metropolitan Planning Commission. With this additional review, and the residential nature of the neighborhood, staff recommends approval of the requested residential use of the property. - PASS

**Vote Results**

Motion: Brian Reese

Second: William Ronning

Sidney J Johnson - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - Aye

7. [419 E. 54th St. - Lot Coverage Variance - 53575](#)

Attachment: [Staff Report - 53575-2.pdf](#)

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

Attachment: [Coverage.pdf](#)

Attachment: [Submitted Documents.pdf](#)

Attachment: [Proposed Structure Size.pdf](#)

Attachment: [Vicinity.pdf](#)

Attachment: [Comment Emails.pdf](#)

Mr. Jack Butler gave the following summary:

The petitioner, John Largent, Agent for Lonnette Brannen, is requesting approval of a 14 percent lot coverage variance from the 30 percent permitted in the district in order to construct a residence on a vacant lot.

The proposed lot coverage of 44 percent is at the high end of the coverage in the neighborhood, but is less than that on some of the adjoining properties. The subject property is three-quarters the minimum lot size. The proposed residential structure is not unusually large in area. The proposed structure will meet all required setbacks. Staff recommends **approval** of the requested variance.

**Mr. Butler** stated that he received 25 emails from the public that were all opposed to this petition. All had the same reasons that if the variance is granted it would result in a "disproportionate" development of the lot, the architectural design is "ugly" with "inappropriate materials" that would "not fit with the design" of the neighborhood and there are two magnolia trees on the lot that are valued and

appreciated by the neighborhood.

**Speaking on the petition:** Mr. Jack Largent stated that he would like to build a two story home on the lot that would fit in with all of the other homes in the neighborhood.

**Mr. Ronning** asked Mr. Largent if he would be living in the home or would it be for sale?

**Mr. Largent** stated that it would be for sale but they might live in it.

**Mr. Butler** stated that the Mr. Petrea, the Zoning Administrator just pointed out that the ordinance allows the Zoning Administrator to grant additional coverage in under sized lots. The ordinance would allow the petitioner up to 36.6 % lot coverage by right.

**Mr. Ronning** asked if the garage was included in the square footage?

**Mr. Butler** stated yes.

**Speaking against the petition:**

**Mr. Cullen Chambers** stated that he is opposed to the petition because he feels that a house this large put on a smaller lot would hurt the neighborhood.

**Mr. Randy Moffett** stated that he opposes because of the many concerns that have already been discussed and the Neighborhood Association would like to submit an application so that the neighborhood will be included in the National Register of Historic places and by granting this request its going to detract from the Historic uniqueness of the area.

**Mr. Mike Adams** stated that he is opposed because he does not want a huge house placed on this small lot.

**Ms. Rose Lifschutz** stated she is opposed for the same reasons that have already been discussed about the quality of life.

**Ms. Wood** stated that she opposed because she thinks that Zoning should be followed because everytime a variance is granted it changes the character of the neighborhood and that house is too large to fit on that lot.

**Board Action:**

The proposed lot coverage of 44 percent is at the high end of the coverage in the neighborhood, but is less than that on some of the adjoining properties. The subject property is three-quarters the minimum lot size. The proposed residential- PASS structure is not unusually large in area. The proposed structure will meet all required setbacks.

Staff recommends approval of the requested variance.

**Vote Results**

Motion: Brian Reese

Second: Sidney J Johnson

Sidney J Johnson - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - Nay

8. [103 W. 51st St. - Use Approval \(Group Home for the Elderly\) - 53374](#)

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

Attachment: [Staff Report - 53374-2.pdf](#)

Mr. Jack Butler gave the following summary:

The petitioners, Paul and LaVern Young, are requesting approval of a use under Section 8-3025(a), Group Care Home for the Elderly (use # 18f) which is permitted in the District with Zoning Board of Appeals Approval.

The proposed use is appropriate for the subject property, and the petitioner appears to have planned well for the preparation of the site for the proposed use.

Staff recommends that the Board **approve** the petition for a use under Section 8-3025(a), Group Care Home for the Elderly (use # 18f), with the condition that the proposed addition of two additional bedrooms be completed prior to the initiation of the use, and that the number of residents be limited to a maximum of seven individuals.

It should be noted that the petitioner's application requested a change in zoning (from R-4 to R-6 single-family residential), but that portion of the request was withdrawn since it was not necessary for the proposed use to be approved.

**Speaking on the petition:** Ms. LaVern Young

**Mr. Mackey** asked if this would be 24 hour care?

**Ms. Young** stated yes it will be 24 hour care.

**Mr. Mackey** asked what kind of patients will reside there?

**Ms. Young** stated well controlled elderly people?

**Mr. Johnson** asked what status will all the other employees be?

**Ms. Young** stated she is a registered nurse and it will be managed by myself, my husband and my daughter at first, if things become successful then we will move on to a larger staff.

**Board Action:**

The proposed use is appropriate for the subject property, and the petitioner appears to have planned well for the preparation of the site for the proposed used.

Staff recommends that the Board approve the petition for a use under Section 8-3025(a), Group Care Home for the Elderly (use # 18f), with the condition that the proposed addition of two additional bedrooms be completed prior to the initiation of the use, and that the number of residents be limited to a maximum of seven individuals. - PASS

**Vote Results**

Motion: Sidney J Johnson

Second: William Ronning

Sidney J Johnson - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - Aye

9. [7650 Waters Ave. - Parking Variance - 53031](#)

Attachment: [Staff Report - 53031-2.pdf](#)

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

Attachment: [Site Plan Submittal.pdf](#)

Mr. Jack Butler gave the following summary:

The petitioner, Brian Felder, Agent for Robert A. Vaught, is requesting approval of a 10-space parking variance from the 29 spaces required for a dentist's office.

The proposed use is appropriate for the subject property, and the petitioner has provided leased parking on an adjacent commercial property. The orthodontist's office would operate in part "after hours" to the retail uses on the adjacent commercial property, at a time when there are likely to be open spaces in that parking area. The required parking for a dentist's office or similar use is calculated at one space per 175 square feet or at three spaces per health care professional (whichever is greater); the petitioner proposes to have six trained health care professionals which would require 18 spaces.

There is no potential detriment to the public good that could result from the requested variance. Staff recommends that the Board **approve** the requested 10-space parking variance for the use of the property as a dental office, only.



**Board Action:**

The proposed use is appropriate for the subject property, and the petitioner has provided leased parking on an adjacent commercial property. The orthodontist's office would operate in part "after hours" to the retail uses on the adjacent commercial property, at a time when there are likely to be open spaces in that parking area. The required parking for a dentist's office or similar use is calculated at one space per 175 square feet or at three spaces per health care professional (whichever is greater); the petitioner proposes to have six trained health care professionals which would require 18 spaces. - PASS

There is no potential detriment to the public good that could result from the requested variance. Staff recommends that the Board approve the requested 10-space parking variance for the use of the property as a dental office, only.

**Vote Results**

Motion: William Ronning

Second: Sidney J Johnson

Sidney J Johnson - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - Aye

**VIII. Other Business**

**IX. Adjournment**

*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.*