



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- 2:30 P.M.
112 East State Street, Savannah
Minutes

May 22, 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. [1. Call to order](#)

Chairman Timothy Mackey called the May 22, 2012 SZBA meeting to order at 2:30 p.m.

II. Notices, Proclamations and Acknowledgements

Notices

2. [June 26, 2012 Regular City Zoning Board of Appeals meeting at 11:00 a.m. in the Arthur A. Mendonsa Hearing Room, 112 E. State Street.](#)

III. Approval of Minutes

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. [Side Setback Variance - 211 W. 38th St.](#)

Attachment: [Staff Report-40685.pdf](#)

Attachment: [Plans.pdf](#)

Attachment: [Photos.pdf](#)

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

Mr. Jack Butler gave the following summary:

The petitioner Matthew Garappolo is requesting approval of a 3.5 foot reduction in side setback in order to construct a carriage house behind an existing residence.

Situating the proposed carriage house within 18 inches of the east side property line would preserve a large oak tree on the west side property line and would not encroach closer than the existing residential structure. Staff recommends **approval** of the requested 3.5 foot setback variance on the east side of the property.

Board Action:

Situating the proposed carriage house within 18 inches of the east side property line would preserve a large oak tree on the west side property line and would not encroach closer than the existing residential structure. Staff recommends - PASS approval of the requested 3.5 foot setback variance on the east side of the property.

Vote Results

Motion: Eli Karatassos

Second: William Ronning

Sidney J Johnson

- Aye

Eli Karatassos

- Aye

Timothy Mackey

- Aye

Brian Reese

- Not Present

William Ronning

- Aye

4. [Lot Coverage Variance - 1109 E. 51st St.](#)

Attachment: [Staff Report-41796.pdf](#)

Attachment: [Site Plans.pdf](#)

Attachment: [Ortho-Zoning-Imagery-41796.pdf](#)

Attachment: [Maps.pdf](#)

Mr. Jack Butler gave the following summary:

The petitioner Robert H. Coffey is requesting approval of a 2.9 percent variance in the maximum 30 percent allowed lot coverage in order to construct a garage and breezeway on a residential property.

Staff recommends **approval** of the requested 2.9 percent lot coverage variance with the condition that the petitioner remove the two existing storage buildings on the property.

Board Action:

Staff recommends approval of the requested 2.9 percent lot coverage variance with the condition that the petitioner remove the two existing storage buildings on the property. - PASS

Vote Results

Motion: Eli Karatassos
Second: William Ronning
Sidney J Johnson - Aye
Eli Karatassos - Aye
Timothy Mackey - Aye
Brian Reese - Not Present
William Ronning - Aye

5. [Lot Coverage Variance - 138 E. 55th St.](#)

Attachment: [Staff Report-41319.pdf](#)
Attachment: [Site Plan.pdf](#)
Attachment: [Ortho-Zoning-Imagery.pdf](#)
Attachment: [Maps.pdf](#)

Mr. Jack Butler gave the following summary:

The petitioner John Largent is requesting approval a 6 percent lot coverage variance above the 30 percent maximum lot coverage permitted in the district in order construct a covered car port.

The subject property currently has greater lot coverage (approximately 45 percent). The proposed coverage is not unusual in the neighborhood and would result in reduction of overall lot coverage. Staff recommends **approval** of a 6 percent lot coverage variance to permit the construction of the proposed 15 by 19 foot carport, provided the petitioner remove the existing sheds on the property.

Board Action:

The subject property currently has greater lot coverage (approximately 45 percent). The proposed coverage is not unusual in the neighborhood and would result in reduction of overall lot coverage. Staff recommends approval of a 6 percent lot coverage variance to permit the construction of the proposed 15 by 19 foot carport, provided the petitioner remove the existing sheds on the property. - PASS

Vote Results

Motion: William Ronning

Second: Eli Karatassos	
Sidney J Johnson	- Aye
Eli Karatassos	- Aye
Timothy Mackey	- Aye
Brian Reese	- Not Present
William Ronning	- Aye

6. [Lot Coverage Variance - 18 E. Macon St.](#)

Attachment: [Staff Report-39314.pdf](#)
Attachment: [Plans.pdf](#)
Attachment: [Ortho-Zoning-Imagery.pdf](#)
Attachment: [Maps.pdf](#)
Attachment: [COA Decision 4625-2 - 18 East Macon St .pdf](#)
Attachment: [Comment ZBA File No. B-120502-39314-2 -- 18 East Macon.pdf](#)

Mr. Jack Butler gave the following summary:

The petitioner Christopher B. Novack is requesting approval of a 1.5% lot coverage variance in order to construct an enclosed porch on an existing single-family residence.

Staff recommends **approval** of the requested 1.5 percent lot coverage variance.

Board Action:

Staff recommends **approval** of the requested 1.5 percent lot coverage variance. - PASS

Vote Results

Motion: Eli Karatassos	
Second: William Ronning	
Sidney J Johnson	- Aye
Eli Karatassos	- Aye
Timothy Mackey	- Aye
Brian Reese	- Not Present
William Ronning	- Aye

VI. Old Business

VII. Regular Agenda

7. [Use Approval \(Child Care Center\) - 514 Tatem St.](#)

Attachment: [Staff Report-40155.pdf](#)
Attachment: [Ortho-Zoning-Imagery.pdf](#)
Attachment: [Maps and Docs.pdf](#)

Mr. Jack Butler gave the following summary:

The petitioner DeAndrea Savage is requesting approval of a use (22b, Child care center) in a residence at 514 Tatem Street.

Staff recommends that the board **deny** the proposed use at this location due to the limited access of Tatem Street and the small size of the petitioner's property. Should the board choose to approve the use, staff recommends that the approval include the conditions that the center shall be limited to a maximum of 16 children and that the driveway and parking paving shall meet the approval of the city Traffic Engineer.

Speaking on the petition: Ms. DeAndrea Savage stated that she had plans to make a circular drive way and also to extend her existing drive way to make it double parking side by side. I was also asking for 12 to 18 kids but with the house being on a dead end I know I can only be approved for 12 so that is fine. I just want to provide quality child care that every neighborhood needs.

Ms. Newton and Ms. Jones stated with a daycare on a dead end street would be a disaster for parking.

Board Action:

Staff recommends that the board deny the proposed use at this location due to the limited access of Tatem Street and the small size of the petitioner's property. - PASS

Vote Results

Motion: Eli Karatassos

Second: William Ronning

Timothy Mackey

- Aye

Brian Reese

- Not Present

William Ronning

- Aye

Sidney J Johnson

- Aye

Eli Karatassos

- Aye

8. [Reactivation of Non-Conforming Use - 2207 Harmon St.](#)

Attachment: [Staff Report-40389.pdf](#)

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

Attachment: [Maps.pdf](#)

Attachment: [Exterior Photos.pdf](#)

Present for the petition was: Frank L. Ellsworth

Mr. Jack Butler gave the following summary:

The petitioner Frank L. Ellsworth, as Agent for Riette S. Bradley, is requesting approval of the

reactivation of a non-conforming use (Contracting Business Office) in a purpose built structure under the provisions of Section 8-3133 (c).

The structure is clearly commercial in design and has been used exclusively for a variety of commercial enterprises over the years, regardless of the zoning classification of the property. The property was vacant and unused for over a year, requiring Zoning Board of Appeals approval for reactivation. Conditions in the vicinity have not changed since the structure was last occupied by a commercial use. Staff recommends **approval** of the proposed reactivation of the purpose-built structure for a non-conforming use with the **condition** that there be no storage of construction materials outside the structure.

Mr. Karatassos asked if there was any interior space that a truck could drive in to?

Mr. Butler stated no there is only on-street parking.

Mr. Karatassos asked if the petitioner accepts the condition of the motion.

Speaking on the petition: Mr. Ellsworth stated yes.

Board Action:

The structure is clearly commercial in design and has been used exclusively for a variety of commercial enterprises over the years, regardless of the zoning classification of the property. The property was vacant and unused for over a year, requiring Zoning Board of Appeals approval for reactivation. Conditions in the vicinity have not changed since the structure was last occupied by a commercial use. Staff recommends approval of the proposed reactivation of the purpose-built structure for a non-conforming use with the condition that there be no storage of construction materials outside the structure.

- PASS

Vote Results

Motion: Eli Karatassos
Second: William Ronning
Sidney J Johnson - Aye
Eli Karatassos - Aye
Timothy Mackey - Aye
Brian Reese - Not Present
William Ronning - Aye

9. [Remote Parking Plan - 403 Pennsylvania Ave.](#)

Attachment: [Staff Report-41538.pdf](#)

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

Attachment: [Maps.pdf](#)

Present for the petition was Mr. Abraham Postell and Mr. W E Gamble

Mr. Jack Butler gave the following summary:

The petitioner, Abraham Postell, is requesting approval to develop and use a remote parking for a commercial operation on an adjacent residential lot under the provisions of section 8-3093.

The proposed use is appropriate for the subject property, which is already being used for similar uses. However, the petitioner has proposed to leave the remote parking area in an unimproved state, utilizing drip pans and other temporary expedients to avoid contamination of the soil. This is not acceptable.

Staff recommends that the Board **approve** the requested remote parking with the **condition** that the petitioner develop the property through the Site Plan Review process, including an appropriate surface material, parking space markings and buffering between the residential uses nearby and the public right-of-way.

Mr. Mackey asked the petitioner if he understood the conditions of the motion.

Mr. Karatassos asked the petitioner if he understood that staff is recommending the property go through the Site Plan Review process.

Speaking on the petition: Mr. Postell stated yes he understood.

Mr. Gamble stated he is the agent for the owner and was under the impression that it would be okay just to have oil pans placed under the cars. As the agent I can not agree to the expense for the Site Review process because that has not been discussed with the property owner.

Board Action:

Mr. Sidney J. Johnson made a motion to deny the petition. - PASS

Vote Results

Motion: Sidney J Johnson

Second: William Ronning

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Not Present

William Ronning - Aye

10. [Reactivation of Non-Conforming Use - 2117A E. Gwinnett St.](#)

Attachment: [Staff Report-42058.pdf](#)

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

Attachment: [Northview.pdf](#)

Attachment: [Maps.pdf](#)

Attachment: [Interior Photos.pdf](#)

Present for the petition were: Rolonda and Felincia Vinson

Mr. Jack Butler gave the following summary:

The petitioners Rolonda Vinson and Felincia Vinson, as Agent for Thomas Pickett, are requesting approval of the re-establishment of a non-conforming use in a purpose-built structure under the provisions of section 8-3033 (c).

The structure, although clearly a residential property originally, has been subsumed by a much larger commercial building that has been in operation in a variety of capacities over many years, including a plumbing business and most recently as a restaurant. The structure remains primarily commercial in character.

Conditions in the neighborhood have not changed since the structure was last occupied by a commercial operation, and the property owner (Mr. Pickett) is a partner in the proposed take-out restaurant business. Staff recommends **approval** of the requested reactivation of a non-conforming use in a purpose-built commercial structure.

Speaking on the petition: Ms. Roloanda Vinson stated that they would like to open a small take-out restaurant that would close by 7 every night. The property has plenty of parking for the customers to use.

Ms. Parrish stated she was opposed to the petition because her fathers house is right next door and people park and block his drive way so we can not access the drive way. The trash containers are not big enough for a restaurant use and they are always being knocked over and the dogs tears the trash up and it ends up in my fathers yard and we have to pick it up.

Ms. Vinson stated she understands what Ms. Parrish is saying and they will do anything they need to do to fix the problems.

Ms. Reese stated that the building has too many different businesses going on and the concern is that there has been many restaurants in that location that has not be successful.

Ms. Pennil stated she is opposed to the petition because there is a lot of activity going on at that property.

Mr. Maxwell stated he is opposed to the petition because it will create a traffic problem.

Mr. Ronning asked how would the time restriction effect the other businesses in the building?

Mr. Petrea stated the hours are specific to each use on the property.

Board Action:

Resolved, that the Savannah Zoning Board of Appeals does hereby approve the petition with the following

conditions: The petitioners shall cease the use of residential garbage bins and shall obtain and appropriately install a commercial dumpster, The petitioners shall install “No Parking Here” signs at the edge of the property to protect the adjoining property to the east, The hours of operation shall be limited to no later than 11 p.m. - PASS

Vote Results

Motion: Sidney J Johnson

Second: William Ronning

Sidney J Johnson

- Aye

Eli Karatassos

- Aye

Timothy Mackey

- Not Present

Brian Reese

- Not Present

William Ronning

- Aye

11. Parking Variance - 2127 E. Victory Dr.

Attachment: [Staff Report-42458.pdf](#)

Attachment: [Site Plan.pdf](#)

Attachment: [Parking Study.pdf](#)

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

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

Attachment: [Chick-fil-A variance explanation.pdf](#)

Present for the petition were: Mr. Todd Rogers and Ms. Getra Thomason

Mr. Jack Butler gave the following summary:

The petitioners Todd M. Rogers, P.E., as Agent for Bruce J. Remler, are requesting approval of a 51 percent parking variance in order to redevelop a restaurant in a shopping center.

The subject property is located at 2127 East Victory Drive and comprises a 19,792 commercial lot presently occupied by a Captain D’s restaurant. The property is part of a commercial strip center in the Southeast Quadrant of the intersection of East Victory Drive and Skidaway Road.

Since there is adequate parking on adjacent commercial properties in the same shopping plaza, staff recommends **approval** of the requested 51% parking variance.

Mr. Karatassos asked if it was a double lane drive thru?

Mr. Butler stated yes.

Speaking on the petition: Mr. Rogers stated that they had a traffic study done about a month ago and currently with the Captain D's the maximum parking that was used was 32% of the lot.

Mr. Karatassos asked if they were currently going through the Site Plan Review process?

Mr. Rogers stated yes.

Ms. Thomason stated they think this is a great location for the Chick-fil-A and are excited to get this approved.

Board Action:

Since there is adequate parking on adjacent commercial properties in the same shopping plaza, staff recommends approval of the requested 51% parking variance. - PASS

Vote Results

Motion: William Ronning

Second: Sidney J Johnson

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Not Present

Brian Reese - Not Present

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.