



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
August 22, 2013 10:00 A.M.
Minutes

August 22, 2013 Savannah Zoning Board of Appeals Meeting

Members Present: Timothy Mackey, Chairman
Brian Reese, Vice Chairman
Eli P. Karatassos
William Ronning

Members Not Present: Sidney J. Johnson

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

Advisory Staff Present: Tom Bolton, City Zoning Inspector

I. Call to Order and Welcome

1. [Call to Order](#)

Chairman Timothy Mackey called the August 22, 2013, Savannah Zoning Board of Appeals meeting to order. He explained the agenda for the benefit of those attending a SZBA meeting for the first time.

II. Notices, Proclamations and Acknowledgements

III. Approval of Minutes

2. [Approval of the June 27, 2013 SZBA Meeting Minutes](#)

Attachment: [June27th.pdf](#)

Board Action:

Approval of the minutes as submitted. - PASS

Vote Results

Motion: Eli Karatassos
Second: Brian Reese
Eli Karatassos - Aye
Timothy Mackey - Aye
Brian Reese - Aye
William Ronning - Aye

3. [Approval of the July 25, 2013 Savannah Zoning Board of Appeal Meeting Minutes](#)

Attachment: [July25th.pdf](#)

Board Action:
Approval of the minutes as submitted. - PASS

Vote Results
Motion: Eli Karatassos
Second: Brian Reese
Eli Karatassos - Aye
Timothy Mackey - Aye
Brian Reese - Aye
William Ronning - Aye

IV. Approval of Final Agenda

4. [Items to be continued to September 26th Meeting](#)

Board Action:
Approval of continuance. - PASS

Vote Results
Motion: Brian Reese
Second: William Ronning
Eli Karatassos - Aye
Timothy Mackey - Aye
Brian Reese - Aye
William Ronning - 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

5. [10 Sherborne Road | Setback Variance |](#)

Attachment: [Staff Report -3921.pdf](#)
Attachment: [IMAGES-003921.pdf](#)

Mr. Jack Butler gave the following summary;

The petitioner, Arthur P. Gnann, is requesting approval of a 6.73-foot variance in the 35 foot rear setback required in order to build a screened porch onto the rear of an existing two-story single-family residence. The porch is a pre-fabricated unit and the encroachment is considered very minor. There have been no objections from the neighbors and staff is recommending approval.

Chairman Mackey asked if there was anyone present who wished to speak against the petition.

There was no response from the audience.

Board Action:

Approval of the requested variance. - PASS

Vote Results

Motion: Eli Karatassos

Second: William Ronning

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - Aye

6. [167 Brickhill Circle | Setback Variance](#)

Attachment: [STAFF REPORT -3757.pdf](#)
Attachment: [IMAGES -003757.pdf](#)

Mr. Jack Butler gave the following summary;

The petitioner, Ken Thrift is requesting approval of a 3-foot 6 inch setback variance in order to install an addition on the rear of an existing residence. The subject property is located at 167 Brickhill Circle. Staff finds that the encroachment is very minor and has no impact on neighboring properties. Staff recommends approval.

Chairman Mackey asked if there was anyone present opposed to the petitioner's request.

There was no response from the audience.

Board Action:

Staff recommends **approval** of the requested 3-- PASS foot, 6-inch variance.

Vote Results

Motion: William Ronning

Second: Eli Karatassos

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - Aye

VI. Old Business

VII. Regular Agenda

7. [309 West Bolton Street | Use Approval \(Residence\)](#)

Attachment: [STAFF REPORT -3783.pdf](#)

Attachment: [IMAGES -003783.pdf](#)

Present for the petition: Ellen Baker Wikstrom, Petitioner

Mr. Jack Butler gave the following summary;

The petitioner, Ellen Baker Wikstrom, is requesting approval of a use, single family residential (with a carriage house), such uses are numbers one and five under Section 8-3028(d) under the Victorian District zoning. He stated that this petition was listed under the Consent Agenda but staff received a fax from a nearby property owner who is objecting to the uses pending further discussion between herself and her architect. The subject parcel is located east of the Montgomery Street commercial corridor on a mid-block lot. The parcel is surrounded on all sides by residential lots (both single family and multifamily). Staff recommendation is for **approval** of the development.

Speaking on the petition: Ms. Ellen Wikstrom, petitioner stated that unfortunately she had not had any conversations with any of the neighboring property owners and was not aware of any concerns. She added that she resided in New York City and did not have contact with anyone living in Savannah.

Chairman Mackey stated that Ms. Wallins' letter sent with her concerns had an address in New York City as well.

Board Action:

The review of proposed residential development in the 3-B zoning district is intended to prevent

incompatible uses from developing too closely. Although adjacent to a commercial corridor (Montgomery Street), the immediate neighborhood of the subject parcel is exclusively residential in- PASS character.

Staff recommends **approval** of the proposed residential development of 309 West Bolton Street.

Vote Results

Motion: Brian Reese

Second: William Ronning

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - Aye

8. [10 East 44th Street | Variances](#)

Attachment: [STAFF REPORT -3846.pdf](#)

Attachment: [IMAGES -003846.pdf](#)

Present for the petition: Michael Johnson, Agent and James Adams, Owner

Mr. Jack Butler gave the following summary;

The petitioner, Michael Johnson is requesting approval of rear and side yard setback variances in order to rebuild a stand-alone garage in the same footprint as a former garage. The property is an irregularly shaped 3,791 square foot lot located at 10 East 44th Street and comprising a 1,138 square foot two-story frame single-family residence with attached carport and detached garage on the rear of the property. The property is zoned R-6 (single family residential). The petitioner proposes to demolish the existing garage, which is in a dilapidated condition, and replace it with a similar, slightly larger garage in the same side and rear setbacks as the existing garage. The proposed new garage is proposed to be 2-feet, 3-inches from the rear property line, and 4 feet, 6 inches from the side property line. The required side yard setback is five feet. The required rear yard setback for an accessory building that does not have lane access is five feet. The unusual configuration of the property would make it difficult to locate the accessory parking structure without violating the side setbacks or creating a non standard drive aisle for the use of the structure as a parking shelter. Staff recommends approval of the requested side yard setback. The parking structure is situated to the extreme rear of the property and there is sufficient room to move the replacement structure forward 2-feet, 9 inches to meet the required five foot rear setback. Staff recommends **denial** of the requested rear yard setback.

Speaking on the petition: Michael Johnson stated that he was happy to hear that the staff recommendation for the side yard was approval. While he understood that there is a five yard setback he would like the petition approved for the requested 2-foot 3-inches.

Chairman Mackey expressed his concerns regarding the close proximity of the buildings; though the aesthetics would be pleasing, in the event of a fire or the need for an emergency vehicle it would be very difficult to access the property.

Mr. Johnson responded that these were not inhabited facilities. Both spaces are garages.

Mr. James Adams, property owner stated that due to the nearness to his neighbor on the west, in addition to compliance required by the fire code that it was his plan to add an additional fire retardant to the construction of the building.

Board Action:

Approval of the petitioner's request as applied . - PASS

Vote Results

Motion: Eli Karatassos

Second: William Ronning

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - Aye

9. [540 Maupas Avenue | Height Variance](#)

Attachment: [STAFF REPORT -3782.pdf](#)

Attachment: [IMAGES -003782.pdf](#)

Attachment: [NEIGHBOR COMMENT -3782.pdf](#)

Attachment: [Neighbor Comment re 540 Maupas Avenue - ZBA File No. 13-003782-ZBA.pdf](#)

Present for the petition

Mr. Jack Butler gave the following summary;

The petitioner, Honza Minichbauer is requesting approval of a three-foot fence height variance from the height standards in order to erect a nine-foot tall wooden fence to replace a non conforming fence that was recently demolished. The subject property is a conforming 8,157 square foot residential property located at 540 East Maupas Avenue and comprising a two story frame residence with a 1,599 square foot footprint. The property is zoned R-6 (single family residential). Until recently, the side and rear yards of the residence were enclosed by a nine foot high wooden fence covered with vegetation. The petitioner demolished the wooden fence fronting on the East Broad and East Maupas faces of the building and proposes to replace it with a similar fence along East Broad Street (side yard) and with a seven-foot wooden fence topped by a two-foot iron rail fence on the East Maupas face (front yard). The Savannah Zoning Ordinance, Section 8-3051 stipulate that no wall or fence in a front or side yard within any R zoning district, except the historic district, shall exceed six feet in height.

There was a brief period of questions and answers from the board.

Speaking on the petition was: Mr. Minichbauer, agent explained that the proposed fence would be 6 feet with an additional lattice of 3-feet added making the fence a total height of 9-feet. He added that the same fence was here but hidden by vegetation. Instead of removing the fence piece by piece the entire fence was removed which will not allow the proposed fence to be grandfathered.

Mr. Butler explained that there is a cap on the fence height in this area which is six feet regardless to the type of material used. He added that the standards vary depending on the locations in the city. In the Historic District for instance an 11-foot fence is allowed with Historic Board of Approval.

Board Action:

Motion to postpone until the next scheduled SZBA meeting, September 26, 2013 - PASS

Vote Results

Motion: Eli Karatassos

Second: William Ronning

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Nay

William Ronning - Aye

10. [124 East Taylor Street | Parking Variance](#)

Attachment: [STAFF REPORT -3906.pdf](#)

Attachment: [IMAGES -003906.pdf](#)

Present for the petition was:

Mr. Butler gave the following summary:

The petitioner, Linda Ramsay is requesting approval of a variance of two spaces from the two required in order to operate a gallery from a single family residence. The subject property is a conforming 2,989 square foot lot located mid-block at 124 E. Taylor Street and comprising a 1,500 square foot footprint three-story stucco main residence, a two-story carriage house and one-car garage, and a paved interior courtyard. The property is zoned RIP-A (residential-institutional-professional). The petitioner proposes to create a gallery on the ground floor of the main residence. The use is permitted by right in the district. The single parking space on the property serves both the main residence and the carriage house. The gallery would require an additional two spaces, according to the Zoning Administrator. The petitioner is requesting a variance from the two spaces required

by the gallery use. Staff recommends denial of the requested variance.

Speaking on the petition: Linda Ramsay stated that there were no exceptional conditions on this property. She explained that this was the most metered street in the district. Virtually all parking to the east and some to the north is unmetered. As a result, people park where there are no meters. They do not park at the metered spaces if they have a choice.

Ervin Houston, Board Captain of the Downtown Neighborhood Association. He stated that since the meters were been installed on this street there has been virtually no problem parking. He stated that out of curiosity he went out and counted the parking spaces and found that there were nineteen spaces; of these spaces (by 9:45am) six spaces were blocked by bags/construction equipment. There were seven spaces taken by privately owned automobiles and there were six spaces free. This has been fairly typical since the construction started. No one is suffering any harm from the construction or the reduced parking. He concluded that he saw no detriment to the public good granting a variance on this issue especially in this case. He stated that he felt that the public good was the residents on East Taylor Street.

Board Action:

Approval of the petitioner's request. - PASS

Vote Results

Motion: Eli Karatassos

Second: Brian Reese

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - Aye

VIII. Other Business

IX. Adjournment

11. [Adjournment of the August 22, 2013 Savannah Zoning Board of Appeals Meeting](#)

There being no other business to come before the board, Chairman Timothy Mackey declared the August 22, 2013 Savannah Zoning Board of Appeals Meeting Adjourned.

Respectfully submitted,

Jack Butler, Secretary

/cm

NOTE: Minutes are not official until signed.

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.*

Board Action:

Meeting adjourned. - PASS

Vote Results

Motion: Eli Karatassos

Second: Brian Reese

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - Aye

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