



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
112 State Street, Savannah, GA 2:30 P.M.
MINUTES

December 18, 2012 Savannah ZBA Meeting

Members Present: Timothy Mackey, Chairman
Sidney J. Johnson
Eli P. Karatassos
William Ronning

Members Not Present: Brian Reese, Vice Chairman

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

Advisory Staff Present: Tom Bolton, Zoning Inspector

I. Call to Order and Welcome

1. [Call To Order](#)

Chairman Mackey called the December 18, 2012 SZBA meeting to order at 2:34 P.M.

II. Notices, Proclamations and Acknowledgements

III. Approval of Minutes

2. [Approval of the November 27, 2012 SZBA Meeting Minutes](#)

Attachment: [November 27th.pdf](#)

Board Action:

Approval as submitted with the necessary
corrections if any. - PASS

Vote Results

Motion: Eli Karatassos

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

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

3. [Appeal of Decision - 610 Martin Luther King Jr. Blvd. - 001765](#)

Board Action:

Recommend approval of the request to continue petition to the next scheduled SZBA meeting (January 24, 2013). - PASS

Vote Results

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

4. [Use Approval - Offices - 1301 Lincoln Street - 001757](#)

Attachment: [Staff Report -001757.pdf](#)

Attachment: [Images.pdf](#)

Board Action:

The structure is currently vacant. The site has adequate parking and access for the proposed offices. Staff recommends **approval** of the requested use, with the provision that any modifications to the site meet all City of Savannah design and building codes.

Vote Results

Motion: Eli Karatassos
Second: William Ronning

5. [Setback Variance - 919 Porter Street - 001760](#)

Attachment: [Staff Report -001760.pdf](#)

Attachment: [Images.pdf](#)

Board Action:

Motion to move this item from the Consent Agenda to the Regular Agenda. - PASS

Vote Results

Motion: Sidney J Johnson

Second: Eli Karatassos

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Not Present

William Ronning - Aye

VI. Old Business

VII. Regular Agenda

6. [Setback Variance 919 Porter Street 001760](#)

Attachment: [Staff Report -001760.pdf](#)

Attachment: [Images.pdf](#)

Present for the petition was: Mr. Wallace Bell

Jack Butler gave the following summary;

The petitioner, Wallace Bell, Agent for Michelle Johnson, is requesting approval of a 5-foot variance from the 25-foot rear building setback required in section 8-3163 (c) in order to construct an addition onto the rear of an existing single-family residence. The requested variance would allow the petitioner to increase the size of the existing residence by 60 percent, and would grant the petitioner a similar lot configuration to that in effect on many of the neighboring properties. Staff recommends **approval** of the requested variance.

Speaking on the petition: Mr. Wallace Bell, agent stated that the petitioners would like to make the property a little larger than the property presently. The petitioner plan to bring in their mother/mother-in-law to live and the house is presently too small. The petitioners proposed to increase the size of the property in order to make it more livable.

Ms. Dorothy Polote, neighboring resident stated that she would like to know what type of

improvements were proposed. She added that her concerns were that there have been so many cottages converted into halfway and different types of houses. She stated that she was curious as to who would reside in the house.

Mr. Bell stated that the subject property would be occupied by the homeowners.

Mr. Johnson questioned as to how many would occupy the residence.

Mr. Bell responded that only the homeowners and their mother/mother-in-law will reside at this resident.

Board Action:

The requested variance would allow the petitioner to increase the size of the existing residence by 60 percent, and would grant the petitioner a similar lot configuration to that in effect on many of the neighboring properties. Staff recommends **approval** of the requested variance. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

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

7. [Sign Variance - 11 W. Montgomery Cross Road - 001758](#)

Attachment: [Staff Report -001758.pdf](#)

Attachment: [Images.pdf](#)

Present for the petition was: Ty Robbins, Agent for GMRI Inc (Darden Restaurants),

Jack Butler gave the following summary:

The petitioner, Ty Robbins, Agent for GMRI Inc (Darden Restaurants), is requesting approval of a variance from Section 3112 (i) which limits the number of principal use signs on non-residential structures in order to install a fourth fascia sign in addition to a free-standing sign on a restaurant.

The petitioner has the name of the store on a pole sign and two sides of the building exposed to Montgomery Cross Road, as well as a lobster logo on the same street face as the pole sign. There are no hardships or mitigating circumstances that would support the granting of the variance. Staff recommends **denial** of the requested variance.

Speaking on the petition: Ty Robbins, Agent for Darden Restaurants stated that he drove around the site today and there is no sign on the rear elevation of the property. To clarify,

there is one sign on the left elevation. He stated that channel letter, the critter, and the pylon sign he would like to replace. He asked staff; would the Red Lobster letter set on the front elevation alone without the logo be co-compliant.

Mr. Butler replied no. The zoning administrator has determined that the current signage is compliant but the expansion of it to include a larger logo, and a sign on west montgomery along with the replacement of the pole sign would be too much signage and would be out of compliance.

Tom Bolton, zoning inspector stated that the ordinance states that two personal use signs are allowed for any non residential use one being a free standing or projectory type sign. He explained that his department has allowed the splitting of the size of the sign on two sides but now the petitioner is requesting another sign and this sign does not have street frontage.

Mr. Karatassos asked Mr. Robbins agent if he would be willing to take time to do additional research to bring back before the board that may help with their decision.

Mr. Robbins stated that he has researched the code and determined exactly how many square feet of signage is allowed on the building and right now it does not add up and if he exceeds the amount of area a bit rest assured that if the variance is granted he will be sure to be compliant with the square footage. Essentially what is being requested today one additional sign on the front of the site which is one additional sign on the property then what is currently there. With this property being at the corner two major roadways in the city he believed that the building demands more identification than other businesses in the city.

Chairman Mackey stated that granting you the ability to put extra signage opens the door for request from every business from Abercorn back and if that becomes the case now we have the proliferation of signage that become bigger and it becomes wider. He added that signage has to be governed. He asked staff if the petitioner was presently in compliance.

Mr. Butler replied that the signage on the building appears to be compliant at present, however, the zoning administrator is the only one that can make this interpretation.

Chairman Mackey offered Mr. Robbins that either he stands with his petition submitted to the board and if there is no one in the audience that wishes to comment the board will call for the vote as it rests or you will retract and you take it off the table and ask for a continuance. This will allow you time for re-negotiations or redesigns.

Mr. Robbins stated that he would prefer a vote today. As mentioned this is a part of Red Lobster's overall store remodel for the purposes of increasing the overall quality of services at the business. The signs do plan a crucial role in advancing the quality of service at the restaurant. He added that this also increases safety when adequate signs are placed at the businesses.

Councilwoman Shazbazz explained that with this being a business in the district for such a long time- a lot of our residents, though the business is not immediately surrounding by residential housing ,there are residents that live near this property. She stated that she heard that the agent stated that he wanted a vote but she felt that he should rethink this and

come back with a different thought though she was not telling him what he should do. Signage in necessary with the new frontage but this business has been here for so long everyone knows that this is Red Lobster. She added that she just wanted to help the young man because she felt she knew the direction the vote would take.

Chairman Mackey echoed her sentiment and stated that he agent should rethink this and go the best route. He added that there is no substitute for good food. If the food is good the people will come.

Mr. Robbins asked that he be allowed a 30 day continuance in order to gain a little more clarity on the code.

Board Action:

A 30 day continuance is granted in order to have the petitioner meet with staff and re-work the proposed signage. - PASS

Vote Results

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

8. [Standard Variance - 513 W. Jones St. - 001766](#)

Attachment: [Staff Report -001766.pdf](#)

Attachment: [Images.pdf](#)

Jack Butler gave the following summary;

The petitioner, Gale Singer, is requesting approval of a 670-foot variance from the provisions of Article D, Section 8-3082, which requires that remote off-street parking must be located no further than 150 feet from the use. In order to use the Liberty Street Parking Garage for remote parking, the requested variance must be approved. Because the subject parcel, a purpose-built commercial building, has no associated on-site parking, it is necessary that off-site parking be assigned for any use of the building that requires dedicated parking. The closest available public off-street parking is located at the Liberty Street Parking Garage. Staff recommends **approval** of a 670-foot variance in the separation between a use and off-site parking, which will allow the Liberty Street Parking Garage to serve as parking location for the petitioner's business.

Board Action:

Because the subject parcel, a purpose-built commercial building, has no associated on-site parking, it is necessary that off-site parking be assigned for any use of the building that requires dedicated parking. The closest available public off-street parking is located at the Liberty Street Parking Garage. Staff recommends **approval** of a 670-foot variance in the separation between a use and off-site parking, which will allow the Liberty Street Parking Garage to serve as parking location for the petitioner's business. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Not Present

William Ronning - Aye

9. [Setback Variance - 506 McDonough St. - 001767](#)

Attachment: [Staff Report -001767.pdf](#)

Attachment: [Images.pdf](#)

Attachment: [COA - 502-508 E McDonough St 12-001400-COA Part I 11-14-12.pdf](#)

Present for the petition:

Jack Butler gave the following summary;

The petitioner, Matthew Allan, as Agent for Jerry Leander LLC., is requesting a variance from the requirements of Section 8-3030, Subsection 14-B, which requires a 30-foot streetside setback for all structured parking.

The intent of Section 8-3030, Subsection 14-B, is to maintain an “engaged” streetscape on public rights of way and is primarily intended to reference commercial and large-scale parking structures at street level. Individual residential parking garages are common throughout the district and almost invariably encroach on the 30-foot setback required by the ordinance.

Further, Hull Street, although a “street” by designation, functions as a rear-entrance/service lane to the commercial center on Oglethorpe Street and the developed residential properties on McDonough Street. The 30-foot setback does not apply to lanes, but the nominal status of Hull Street imposes a development condition on the petitioner that is not in force elsewhere in the District.

Staff recommends **approval** of the requested variance from the requirements of Section 8-3030, Subsection 14-B.

Speaking on the petition: Mathew Allen was present but stated that he did not want to make comment.

Mr. Johnson recused himself from the vote because of potential conflict as he also serves on the Historic Reveiw Board.

Board Action:

The intent of Section 8-3030, Subsection 14-B, is to maintain an “engaged” streetscape on public rights of way and is primarily intended to reference commercial and large-scale parking structures at street level. Individual residential parking garages are common throughout the district and almost invariably encroach on the 30-foot setback required by the ordinance.

Further, Hull Street, although a “street” by designation, functions as a rear-entrance/service lane to the commercial center on Oglethorpe Street and the developed residential properties on McDonough Street. The 30-foot setback does not apply to lanes, but the nominal status of Hull Street imposes a development condition on the petitioner that is not in force elsewhere in the District. - PASS

Staff recommends approval of the requested variance from the requirements of Section 8-3030, Subsection 14-B.

Vote Results

Motion: Eli Karatassos

Second: William Ronning

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

VIII. Other Business

10. [Approval of ZBA Handbook/Bylaws](#)

Attachment: [\(REV\)CityZoning Board of Appeals Orientation Manual.pdf](#)

Mr. Butler quickly outlined the changes that were made to SZBA Bylaws. He stated that the changes were redlined in the bylaws and that mostly they were small typographical and spelling errors. He read a few examples of these errors (that have been corrected) in the handbook. He explained that the handbook was written by the City Attorney and the scenarios were drafted by him as illustrations for education of new board members. The stated that the case studies were not the bylaws and the case studies will remain in the handbook. The only changes made here was to clarify the language.

Mr. Butler concluded that in regards to the Bylaws, Article H from the Zoning Handbook, the changes that were made here were to the section that allows the board the power to change the meeting date. Originally the Bylaws read; the Zoning Board of Appeals would meet at 2:30 P.M on the fourth Tuesday of each month. This was changed to read; that on once each month at the same weekday and time on the fourth week of the month on a day

and time determined by the board. This allows the board to set the time any way that they decided. This is the only subsequent change.

Chairman Mackey stated that as chairman he would like to request that these changes, outside of grammatical errors, are sent to city legal.

Mr. Butler stated that this had been done and that the Zoning Board of Appeals was allowed to alter their own bylaws.

Chairman Mackey confirmed that starting in January the Savannah Zoning Board of Appeals will meet on the fourth Thursday of the month (January 24, 2013) at 10:00 A.M.

Board Action:

Approval of revised Handbook and Bylaws as presented by staff and that each Board Member receives copies of the revised editions as soon as available. - 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

IX. Adjournment

11. [Adjournment of the December 18, 2012 SZBA Meeting](#)

There being no other business to come before the board, the Chairman declared the December 18, 2012 Savannah Zoning Board of Appeals meeting adjourned.

Respectfully submitted,

Jack Butler, Secretary

/cbm

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.