



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
June 27, 2013
Minutes

June 27, 2013 Savannah Zoning Board of Appeals Meeting

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

Members Not Present: Brian Reese, Vice, Chairman

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

Advisory Staff Present: Tom Bolton, Zoning Inspector
Geoff Goines, Zoning Administrator

I. Call to Order and Welcome

1. Call to Order

II. Notices, Proclamations and Acknowledgements

III. Approval of Minutes

2. Approval of the May 23, 2013 SZBA Meeting Minutes

Attachment: [May23rd.pdf](#)

Board Action:

Approval of the May 23, 2013 SZBA Meeting Minutes as submitted. - PASS

Vote Results

Motion: Eli Karatassos	
Second: Sidney J Johnson	
Sidney J Johnson	- Aye
Eli Karatassos	- Aye

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Timothy Mackey	- Aye
Brian Reese	- Not Present
William Ronning	- Aye

IV. Approval of 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. [7001 Chatham Center Drive | Use Approval](#)

Attachment: [Images -002459.pdf](#)

Attachment: [Staff Report -002459.pdf](#)

Present for the petition was: Robert McCorkle

Jack Butler gave the following summary;

The petitioner, Phillip McCorkle as agent for PHRM Holdings, LLC, is requesting approval of the establishment of a special use (83 (q) – Unclassified Light Manufacturing) under the provisions of section 8-3163 (b), which requires approval of the use by the Zoning Board of Appeals. Staff recommends **approval** of the requested use, with the **condition** that the use meet the parking requirements for the number of employees.

Board Action:

Staff recommends **approval** of the requested use, with the **condition** that the use meet the parking - PASS requirements for the number of employees.

Vote Results

Motion: William Ronning

Second: Sidney J Johnson

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Not Present

William Ronning - Aye

4. [530 East 51st Street | Rear Setback Variance](#)

Attachment: [Staff Report -002524.pdf](#)

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Attachment: [Images -002524.pdf](#)

Present for the petition was: Joe Becton, Petitioner

Jack Butler gave the following summary;

The petitioners, Joe and Betty Becton, are requesting approval of a rear setback variance of 40 inches from the required 5-foot rear setback for accessory structures in order to locate a shed 20 inches from the rear property line. This is a conforming 6300 square foot lot. There is a six foot opaque wood privacy fence along the lane and the proposed shed is inside the fence and is invisible from the lane and staff is recommending approval. Staff has received no objection to this petition.

Board Action:

Staff recommends approval of the requested 40- inch rear setback variance. - PASS

Vote Results

Motion: William Ronning

Second: Sidney J Johnson

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Not Present

William Ronning - Aye

5. [1006 May Street | Extension of Approval](#)

Attachment: [Staff Report -002766.pdf](#)

Attachment: [Images -002766.pdf](#)

Attachment: [Past Decisions -002766.pdf](#)

Jack Butler gave the following summary;

The petitioner, Bernard Clarke, agent for Gaines Chapel AME Church, is requesting approval of an additional extension of a March, 2010 decision reducing the separation and buffer requirements between a church and a residential structure. The subject property is a conforming .178 acre lot of record located on May Street and Emerald Drive. In March of 2011 the Zoning Board of Appeals approved a variance from the buffer requirements and on April of last year it was extended for one year. They are requesting an additional extension. They have not yet begun construction of the addition onto the church. Staff is recommending approval of the extension.

Board Action:

There have been no changes in the site or neighborhood in the past 12 months. Staff recommends approval of the requested one year extension. - 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

VI. Old Business

6. 1839 Cokesbury Drive - Home Occupation Standards Variance

Attachment: [Staff Report -001912 June.pdf](#)

Attachment: [Images -001912.pdf](#)

Present for the petition was: Tricia Kelley-Learman

Jack Butler gave the following summary;

The petitioner, Tricia Kelley Learman, is requesting approval of a variance from the standard in Section 8-3002 defining a Home Occupation (page 11) Beauty Parlor as being operated "in a room separate from, but attached to a dwelling unit" in order to operate a one-station salon from a 144-square foot stand-alone shed. This case was continued on May 23rd to allow the petitioner time to meet with the Neighborhood Association. The petitioner has met with the neighborhood association and staff has received a revised letter from the association supporting her request for this use. Staff recommendation remains for denial. The requested use is in itself is not necessarily objectionable however; the precedent of establishing a home occupation in a separate accessory building could open the door to other uses. Also, the city has no mechanism for tracking expansion of approved home occupations. If home occupation is approved for a single seat beauty salon in the back yard it could expand at some point in the future and there would be no way to track that. Therefore, staff recommendation remains the same however, the neighborhood association has withdrawn their objection to the request.

Speaking on the petition: Tricia Kelley Learman stated as instructed she has spoken with the neighborhood association and has received permission for her petition. She stated that she has also spoken with the Alderman (Councilman Hall) and her immediate neighbors regarding this petition and she has received no objections. She asked that the petition be approved.

Board Action:

Approval of the petitioner's request with the - PASS condition that the salon is a one chair operation.

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

VII. Regular Agenda

7. 322 Mall Boulevard | Appeal of Zoning Administrator Decision

Attachment: [Images -002448.pdf](#)

Attachment: [Staff Report -002448 Revised 2.pdf](#)

Board Action:

Petition continued to the next scheduled SZBA - PASS meeting; July 25, 2013.

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

8. 2900 Capital Street | Buffer Variance

Attachment: [Staff Report -002765.pdf](#)

Attachment: [Images -002765.pdf](#)

Board Action:

Petitioner has requested that this item be continued - PASS to the next scheduled SZBA hearing; July 25, 2013.

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. 2005 Waters Avenue | Parking Variance

Attachment: [Staff Report -002443.pdf](#)

Attachment: [Images -002443.pdf](#)

Present for the petition was: Doug Patten

Jack Butler gave the following summary;

The petitioner, Doug Patten as Agent for the City of Savannah, is requesting approval of a variance of eight parking spaces in order to provide 67 parking spaces at a Community Center instead of the 75 required by the ordinance. The subject property is a strip shopping center located at 2005 Waters Avenue comprising a 23,482 square foot building on a two acre parcel. The property is zoned P-R-B* (Planned Residential Building, Special).

The City of Savannah proposes to establish a community center on the site utilizing the same basic building, but adding additional sidewalks and parking on the north end to facilitate the site's use as a CAT transfer station. The raised sidewalks will remove eight parking spaces, leaving 75 on site. The proposed use (community center) would draw patrons from the surround area, many of whom would arrive by public transit, on foot or by bicycle. The eight-space reduction in parking at a community center would not severely limit the public's access to the facility and would provide an enhanced station for public transit. Staff recommends approval of the requested 8-space parking variance.

Mr. Karatossos stated that his company is under contract with CAT however, he does not have a contract or relationship regarding this petition.

Speaking on the petition: Doug Patten, petitioner stated the he was essentially requesting a variance for the community center that he is building for the City of Savannah. With the CAT transfer station going in, it has taken up the parking spots that are available. He stated that there is now an eight space difference.

Board Action:

Staff recommends approval of the requested 8-⁻ PASS

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space parking variance.

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

10. 533 East Congress Street | Lot Coverange and Structured Parking Setback Variance

Attachment: [Staff Report -002456.pdf](#)

Attachment: [Images -002456.pdf](#)

Present for the petition was: Jerry Lominack, Agent

Jack Butler gave the following summary;

The petitioner, Jerry Lominack as agent for David and Kathryn Murph, is requesting approval of a variance of 5 percent in lot coverage above the 75 percent permitted in the district, and a variance from the "structured parking setback" under Section 8-3030(n)(14) b. The subject property is a conforming 2,757 square foot lot of record located at 533 East Congress Street. The property is zoned RIP-A (Residential-Institutional-Professional-Medium Density). The petitioner is proposing to construct a residential structure and carriage house on the parcel, totally 2,204 square feet. The RIP-A zoning district permits a maximum lot coverage of 75%. The petitioner's proposed structure would exceed the maximum by five percent. The Historic District ordinance, (he interjected that this building has been raised and that it no longer exists. He presented a photograph of the subject property from a street level view and the proposed layout that uses about half of the old lot) Section 8-3030 of the Savannah Zoning Ordinance, requires a 30-foot setback from all rights of way for "structured parking." The petitioner proposes to construct a carriage house that would locate parking approximately 25 feet from Houston Street and directly on Congress Lane. The Historic Board of Review has issued a Certificate of Appropriateness (COA) for the design proposed by the petitioner and includes a recommendation that the Zoning Board of Appeals approve the requested variances. The subject property is an historical lot of record in a district that includes many parcels of similar size and shape. Its location is on a corner fronted by a square and backed by a lane places unusual constraints on setbacks for any possible structure. The application of this chapter to this particular piece of property would deprive the petitioner of a building design and scale that is common on parcels in the immediate vicinity. Such conditions are not peculiar to the particular piece of property; in fact, they are regular and normal in the district. Relief, if granted, would not cause substantial detriment to the public good. The proposed building design has been evaluated by the Historic District Board of Review for COAs and recommended approval of the requested variances. The parking setback is being sought as a variance. This section of the ordinance was intended to engage commercial structures with the pedestrian environment by forcing parking to the interior of commercial lots. The standard was not intended to be applied to residential properties.

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The setback variance requested is in keeping with the common lot layout in the immediate area. Staff recommends approval of a variance of 5 percent in lot coverage above the 75 percent normally permitted in the district, and approval of a variance from the "structured parking setback" standard under Section 8-3030(n)(14)b.

Board Action:

Staff recommends approval of a variance of 5 percent in lot coverage above the 75 percent - PASS permitted in the district, and approval of a variance from the "structured parking setback" standard under Section 8-3030(n)(14)b.

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

11. [545 East McDonough Street | Structured Parking Setback Variance](#)

Attachment: [Staff Report -002764.pdf](#)

Attachment: [Images -002764.pdf](#)

Present for the petition was: Roy Ogletree, Petitioner

Jack Butler gave the following summary;

The petitioner, Roy Ogletree, is requesting approval of a variance from the requirement of Historic Ordinance Section 8-3030 (n)(14)d that require structured parking to be set back 30 feet from the right-of-way. The subject parcel is a vacant 2,498 square foot lot located at 545 E. McDonough and fronting on Houston Street (Crawford Square). The property is zoned RIP-A (Residential-Institutional-Professional, Medium Density). The petitioner proposes to subdivide the parcel roughly in half and construct two townhomes with ground floor parking beneath an upper two-story living area. The two ground floor parking garages will be located at the zero lot line from McDonough and Perry streets (respectively) and 11 feet from Houston Street. Access to the parking areas will be through a gated driveway interior to the lot. The Savannah Historic District requires that "structured parking" be located a minimum of 30 feet from all public rights of way.

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The parcel is an historic lot of record located in a neighborhood of similarly sized and shaped lots. The application of this chapter to this particular piece of property would deny the petitioner the right of a use (structured parking) that is common on similar lots in the vicinity. The application of this chapter to this particular piece of property would deny the petitioner the right of a use (structured parking) this is common on similar lots in the vicinity. Such conditions are common throughout the district. Relief, if granted would not cause substantial detriment to the public good or impair the purposes and intent of the Savannah Zoning Ordinance. The proposed building design has been evaluated by the Historic District Board of Review, which granted a COA and recommended approval of the requested variance. The parking setback from which a variance is sought is intended to engage commercial structures with the pedestrian environment by forcing parking to the interior of commercial lots; the standard was not intended to be applied to residential properties. Staff recommends approval of a variance from the "structured parking setback" requirement under Section 8-3030(n)(14)b for the two proposed townhomes on the subject parcel.

Board Action:

Staff recommends approval of a variance from the "structured parking setback" requirement under Section 8-3030(n)(14)b for the two proposed townhomes on the subject parcel.

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

12. 3515 Montgomery Street | Sign Area Variance

Attachment: [Staff Report -002767.pdf](#)

Attachment: [Images -002767.pdf](#)

Present for the petition was: Doug Bean

Jack Butler gave the following summary;

The petitioner, Angela Bean, Agent for Savannah College of Art and Design (SCAD), is

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requesting approval of a 30.3 square foot (194%) area variance in order to install a facia sign on a building. The subject property is a multi-story dormitory structure located at 3515 Montgomery Street and is zoned RD for residential dormitory. The petitioner wishes to install vertical signage on the Montgomery Street face of the building running from approximately 12 feet above ground level to within six feet of the roof line and constituting 62.3 square feet of signage. The sign would consist of the letters "S," "C," "A," and "D" 48 inches tall and 54 inches wide, internally lit and mounted to the Southeast face of the building. A maximum of 32 feet of signage would be permitted under the ordinance.

The Zoning Board of Appeals may authorize a variance in an individual case upon a finding that: 1) there are extraordinary conditions; there are no extraordinary conditions in this case; 2) the application of this chapter to this particular piece of property would require a sign no more than 32 square feet in area; 3) such conditions are not peculiar to the particular piece of property involved. Relief if granted could cause detriment to the public good and impair the purposes and intent of the Savannah Zoning Ordinance. The proposed sign is nearly twice the area allowed under the ordinance and is substantially larger than any signage in the immediate area. The subject property is directly across Montgomery Street from large single family areas zoned R-4 there is no justification other than the desire to have a very large sign. Staff recommends denial of the requested variance.

Speaking on the petition: Doug Bean, agent stated that his son sold SCAD a sign based on the architects drawings and checked SAGIS for the zoning classification. Of course he was not blaming SAGIS, but the information here was inaccurate. He stated that his client, SCAD, thinks that what they are proposing is a good balance, a good size for a sign on a building that is fifty feet tall and 200 feet wide. He stated that he thought that he had two potential routes of relief for his client. Probably the most significant in his experience has been when he has sold signs in residential zones for uses that are primarily institutional we have been granted variances for the next tier of zoning classification; churches, schools, and shelters. He stated that if the property were zoned RIP he would actually be allowed larger signage. He asked the board to consider and explained the design of the signage, the lighting and part of the history of the signs in that area. He asked that the board approve the petition as requested.

Board Action:

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

13. 23 East Charlton Street | Remote Parking Separation Variance

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Attachment: [Staff Report -002762.pdf](#)
Attachment: [Images -002762.pdf](#)
Attachment: [Scad Bus Link.pdf](#)
Attachment: [SCAD Parking Calculations.pdf](#)

Present for the petition: Attorney Harold B. Yellin, Agent

Jack Butler gave the following summary;

The petitioner, Harold B. Yellin, Agent for Savannah College of Art and Design (SCAD), is requesting approval of a variance of the maximum separation standard for remote parking in order to use the subject property as a college classroom. The subject property is a three-story brick institutional building with an 8,779 square foot footprint located at 23 East Charlton Street at the corner of Charlton and Drayton streets. The property is zoned RIP-A (Residential-Institutional-Professional). The petitioner, the Savannah College of Art and Design, has acquired the building with the intent to use it as classroom and office space with a maximum of 307 students and 16 SCAD employees. The required parking for the use would be 111 parking spaces. There are 32 parking spaces on site. The petitioner has been granted "credit" for 50 of the parking spaces needed by the Zoning Administrator for a prior use on the site. With the 32 spaces, this accounts for 82 parking spaces. The petitioner has leased access to 11 spaces on the "Colonial Dames Parking Lot" across the street from the subject property. This leased space is within the 150-foot separation requirement for remote parking and brings the total allocated spaces to 93. The petitioner has leased an additional 18 spaces in the Desoto Properties Liberty Street Parking Garage, located at 15 West Liberty Street, approximately 1,000 linear feet (by street) from the subject property. These spaces would be used by faculty at the proposed classroom building to leave the 93 spaces in closer proximity for the use of students. The leased space at the Desoto garage brings the total allocated spaces to 111 (the required amount under the ordinance) but is 850 feet further from the subject property than permitted under the ordinance. Therefore the petitioner is seeking a variance from that standard. He provided photographs of the subject property, the renovations at street level and across the street at the Colonial Dames Parking Lot. The petitioner seeks an 850-foot separation variance for these 18 spaces.

The Zoning Board of Appeals may authorize a variance in an individual case upon a finding that: there are extra-ordinary and exceptional conditions; The property in question is and has been a large, institutional structure with limited parking on site. Virtually any use that utilizes the majority of the building would require off-site parking accommodations. The application of this chapter to this piece of property would severely limit the use of the subject property. Such conditions are not peculiar to the particular piece of property. Parking is constrained throughout the Landmark Historic District. Relief, if granted, would not cause substantial detriment to the public good; the petitioner has secured off-site parking for the required parking not available on-site; has an effective trolley bus system for students attending the proposed class building and has a student body that is largely pedestrian and uses non-motorized transportation extensively. Staff recommends approval of the requested 850-foot separation variance for 18 of the 111 parking spaces required.

At the request of the Chairman, Mr. Butler explained the Board's charge. He stated that the charge of the board would be to decide whether or not the 18 spaces that SCAD has

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reserved in this building may be used as remote parking for a portion of the use proposed in this location. This is a separation of about 1,000 feet by street.

Mr. Ronning asked staff to explain the credit for the 50 parking spaces.

Mr. Butler stated that the Zoning Administrator's representative, Mr. Bolton is here and can speak to this, however he gave a brief thumbnail. Uses that have been in place for a lengthy period of time without providing the required parking are considered to be an existing demand on parking, therefore; the zoning administrator issues a or "grandfathering" of the parking from the prior use. So when the engineering firm vacated this location they left behind 50 parking spaces that were allocated to the site because of their use to that building for a number of years. SCAD has been grandfathered those 50 spaces.

Speaking on the petition: Harold Yellin, agent introduced with him Mr. Martin Smith, Director for New Design and Mr. Chuck Smith, Associate Vice President for University Resources. He stated that both gentlemen were available to answer any questions from the board. He went on to state that the subject property is located at 23 E. Charlton Street and SCAD would like to use the building for classrooms. In particular, the classroom will be the illustration classes. This building was previously used for a wide variety of uses; most recently it was used by EMC Engineering. He gave a brief history on the building; its uses and prior occupants. He stated that originally his petition was for a parking variance of 29 parking spaces. He explained how this number was calculated. He stated that they are grandfathered per the city zoning administrator for 50 parking spaces. He added that this is a very conservative number. He thought that the grandfathering would be closer to 100. After filing this petition SCAD went out and aggressively looked for parking spaces. They were able to find two spaces nearby for additional parking. Seventeen spaces were found at the Liberty Street Parking Garage and twelve spaces at Andrea Low across the street. He stated by introducing these additional parking spaces his client now has every parking space required under the code. The only issue now is that some of the spaces are farther away than 150 feet. He clarified that his client is no longer asking for a 29 parking space variance. They have found the spaces. He is not asking for a distance variance for 18 of the 111 parking spaces for their building. In support of that the petition he asked that the board consider the following; 1) utilizing the three closest parking lots to the building; 2) bike racks are available and will accommodate 60 bicycles and; 3) SCAD has its own bus system. He stated that he would respectfully request approval of staff recommendation and would happily answer any questions from the board.

Mr. Ronning questioned Attorney Yellin; he had mentioned that under the UZO that is being discussed, there would be some relief for biking purposes. He asked if he knew what that relief would be.

Attorney Yelling responded that draft three would be available this summer, but that he was reluctant to tell what draft three says. He referred to Jack Butler.

Mr. Butler responded that he did not know.

Attorney Yellin stated that at one time there was a discussion where there would be one parking space for every three bikes and then it was stated that there may be one space for every two. He added that the City of Savannah has changed dramatically. There has been a large increase of bikers in the last three years. He added that he felt that SCAD has had a

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lot to do with this increase. He stated that they intend to have these racks; that they are optimistic and, they are looking at having sixty bike racks for the students.

Esther Shaver, neighborhood resident, stated that her first concern was the bicycle rack. She stated that though she thought the racks were great; the 60 bike racks will take up the spaces next to the building (which is counted as seven parking spaces). SCAD is counting the bike racks as a good thing; but what is not being communicated is that the racks will accommodate seven parking spaces. She added that the spaces that are leased at Colonial Dames is a month to month lease. She stated that the Colonial Dames parking requires paperwork that gives authorization to park in these spaces. This will not be available to the students. Under the proposed plan it will only allow 25 spaces available to students. She continued to voice her concerns regarding the congestion that will be caused in this area due to the limited parking available and the disruption in her quality of life as she knows it. She concluded that staff says that in the authorizing of a variance one of the reasons is that relief, if granted would not cause substantial detriment to the public good or impair the purposes or intent of the Savannah Zoning Ordinance. Those of that live in this area feel that it is a detriment to the property owners, its value, the ability to park at night, and for the business owners to run their businesses.

Mr. Karatossos questioned Esther Shaver if she were familiar with where the City of Savannah Parking Service has its five and twelve hours parking meters. He stated that they were on the perimeter of the central business district. They are set up for multiple hours to allow those to work, to shop, and to park without having to worry about limited time on the meters. He went on to voice his opinion on the growth and changes that have occurred in this city. He stated that the pedestrian traffic in this city was fabulous and that its citizens should be less dominate on parking lots.

Ms. Shaver stated that when she speaks about parking spaces that she agreed with Mr. Karatossos. But the people that live around here have cars. When the students come and fill the parking spaces the residents will have no place to park.

Chris Novack, 18 E. Macon Street resident stated that there have been a lot of changes that have taken place in Savannah. The grandfathering law is fine over the years that it has taken place but from an overall perspective a parking study and traffic study is what is necessary for this immediate area of the City of Savannah and maybe further out in the boundaries. He continued that the changes that are taking place from an urban perspective require certain factors to be implemented; to further justify the 50 spaces and to determine whether the students have certain time frames and when they are going to be there. He added that Ms. Shaver made a point regarding the Colonial Dames spaces. A month to month parking facility leasing is not appropriate. A two year lease would be more appropriate.

Martin Smith, Director New Design submitted that he saw where there was a mistake in the Colonial Dames lease and that the lease has been revised to a 24 month lease.

Chairman Mackey questioned Mr. Geoff Goines, City Zoning Administrator, in terms of residential parking for those residents that live in the downtown area. Does the city provide a residential parking sticker.

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Mr. Goines responded that this was his understanding, but he does not administer this portion of the ordinance.

Chairman Mackey continued--- if Mr. Goines could answer the question, does this guarantee these residents parking in front of or very close proximity.

Mr. Goines responded that he did not know the stipulation on that program so he could not say for sure.

Bill Lovett, neighborhood resident stated that to answer the Chairman's question, the residents are not guaranteed a parking space. However, the residents do not have to pay for parking within a one block radius in either direction of their homes .

Sherry Peterson, neighborhood resident stated that she was delighted to have SCAD in the city. SCAD has done wonderful things. She loves their expansion and feels that their bus service is fabulous but the rate of their expansion and their urban development calls for exactly what Mr. Karatossos has said. It is time to get off site parking. SCAD has created the perfect avenue for this. They have the bus system and it will probably be a lot cheaper than having these leases for these parking lots. The students could park off-site and the buses could bring them right to the site.

Mr. Karatossos interjected that the Chatham Area Transit has taken the old Greyhound Bus terminal. A substantial number of bike racks are being installed here. CAT will also have a bike share program. This will be at all the transfer station locations so that people can either ride the bus, ride a bike or ride their bikes and take the bus back into town. There will be a shuttle stop at all the stations also. He stated that he did not know if the SCAD shuttle will also have this type of service, but he would inquire.

Sherry Peterson agreed. She added that park and ride would be the best solution for the neighborhood, the students and the school.

Carolyn Donovan, resident of Three East Macon Street stated that in her opinion SCAD is a wonderful neighbor. She stated that she choose this square because of its safety, because of SCAD's presence and she is thrilled to say that SCAD has been a good neighbor. However, SCAD holds night classes and parking is not regulated after 5:P.M. This is a free for all regardless of the time a person is there. The length of time does not matter on the meter after 5PM. She stated that she was aware of the problems around the Richard Arnold building when SCAD moved in and they had bus systems and the same student mix but the students took over all of the metered parking. It took the parking administrator to solve the lack of parking spaces for the current residents and businesses in that area. Parking Services reduced the parking meters down to one hour. She stated that she did not know where the additional parking spaces were coming from. The 50 spaces that Mr. Yellin is stating that they have are simply not there. She voiced concerns regarding three other buildings owned by SCAD.

Jeanne Glover, resident at 113 E. Jones Street spoke regarding the quality of life that she and her family have currently experienced since living in their home since 1992. She stated that she was in favor of the traffic study that Mr. Novak mentioned. This study should be preformed by an independent study and that it should be done while SCAD is in its regular session not summer session. It should also be done during St Vincent

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Academy's session. She continued that during school session it is difficult to find parking close to where they live due to the lack of parking spaces. They have often had to circle the blocks several times and park sometimes four or five blocks and return to their home. There is added frustration during the times that she and her family need to unload groceries and bulk items to their home. She stated that this is also compounded by the fact that they are not permitted to park on the block on the both the south and north side consecutively on Friday and Saturday nights during the city's street cleaning. She added that it has been her personal experience that parking services will not allow double parking (for just a few minutes) with flashers to unload or load heavy items and or multiple items to and from their cars. They are ticketed if this is done. The homeowners in this area only have adequate parking during the times that SCAD is not in regular session and when there is not a main event nearby. She added that this variance will increase the residents becoming victims of crime and decrease the quality of life and potentially the home values for areas homeowners and residents. She stated that the burden should be on SCAD to shuttle its students to and from class using its own bus transportation system rather than significantly inconveniencing the nearby homeowners and residents.

Mr. Karatossos asked Ms. Donovan what was it she would have the Board to do. He stated that he understood the concerns of the neighboring homeowners/residents but the difficulty for him was that the request before the board is not to allow SCAD to occupy or have classes in the building....He stated that the board is here to hear the cases not to do an independent study. He stated that if the Board instructs SCAD that they will not be allowed the 18 spaces over 150 feet away.... it does not change the fact that they own the building and they will find some sort of classroom use of the building, so the board is confined to a very small issue. What everyone is saying obviously has merit because it effects them. The board's choice is very narrow.

Nina Smith, Girl Scouts of Historic Georgia offered her support to SCAD. She thinks that they are wonderful. She stated that parking is an issue for the girl scouts as well as the residents that live in the area. EMC has informed her when they were there that the only available parking for that building was the parking lot and the alley behind it. She had asked if there were any additional parking and she was told no. She stated that there was 39 spaces available with the purchase of that building. In summary she stated that the students should have the same pot luck of finding a parking space as the girl scouts that come in from all over the country, all over the world, and for the residents that come in after a hard day of work and have to battle for a parking spot.

Jamie Brantley, Girl Scouts of Historic Georgia stated that one aspect of this issue that she would feel irresponsible for is if she did not bring to the attention of the board would be that Drayton Street is basically a race track into downtown Savannah and there are issues of the scouts running back and forth across the street. She stated that the area in question literally has children running back and forth across the street all day long and some times well into the night. She asked that the board take this into consideration. As the students race into the parking lot for spaces and there are children dashing back and forth is a bad recipe. She asked that they address the safety of the children in this area also.

Kevin Klinkenberg, 316 E. 31st Street stated that on behalf of the Downtown Neighborhood Association they would not like to see any more parking variances issued regardless of the user in downtown because of the crunch that there is or until UZO is

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adopted. There is an opportunity here to broker some sort of deal and work together. He stated that it may be a very prudent move on behalf of the board to allow SCAD and the residents of the neighborhood to get together to talk through some of these issues and come back. In conclusion, he stated that he thought that there would be a solution that they could all come to and the association was willing to do whatever they could to help bring about that solution.

Walter C. Hartridge, 119 E. Charlton Street stated that he has lived in the historic area all of his life and that SCAD has come in and that they have done some good things, however; he pointed out that there has been a pattern historically, of do it and then ask later. He continued that SCAD could have requested all of this before the property was purchased. He stated that he did not think that it was enough to say (with all due difference Mr. Karatossos) well they have it, you're stuck with it, they (scad) is there. No, this is not correct. The residents were there, the tax payers were there, the people that have been living here all their lives are entitled to consideration. SCAD pays no taxes to the city or the county he stated that he was aware of; the residents pay these taxes. The residents also provide the setting that the tourist come to see and are entitled to consideration. He asked that the board not rush to judgment. Due to this being the summer months and most of the department representatives that should be a part of this dialogue are not available. He agreed with Attorney Yellin regarding the basic history of the subject property and the wonderful organization owners of Louisa Parker -House for the Friendless. He continued with a further history of the property. He stated that EMC has never created a problem in this neighborhood. Procedurally, he added that this case was a problem. He went on to read the public notice that was mailed out to surrounding property owners which read; Request: The petitioner, Harold B. Yellin agent for Savannah College of Art and Design is requesting approval of a variance of 29 parking spaces from the 111 required (26 percent) in order to use the subject property as a college classroom. He explained that a college classroom is a use. It is a RIPA district. The previous use was offices. This led him to his major point which read in the Staff Report that the petitioner has been granted "credit" for 50 spaces needed by the Zoning Administrator for a prior use on the site. With the 32 spaces, this accounts for 82 parking spaces. He stated that he had found no authority in the ordinance for granting "credit" or grandfathering for 50 spaces. He added that, to him, this was arbitrary. As one of the former speakers had stated "Where will the spaces come from"? It is obvious the college has done some wonderful things. Mr. Karatossos as you asked what is it that you want us to do? Deal with this and be realistic about it. There is no question about the fact that the intensive use of this building by students 24 hours a day is going to put a tremendous amount of pressure on the residents and businesses of this neighborhood. He continued on as he said that the gears have seemingly shifted because the staff report states that rather than asking for a 29 space variance it says that SCAD is requesting approval of a variance of the maximum separation standard for remote parking in order to use the subject property as a college classroom. This has to do with the Desoto Properties Liberty Street Parking facility which is over 1,000 linear feet away. It is not limited to this he submitted. The notice read 29 spaces variance requested. It is not limited to simply asking for a variance on the maximum separation. He stated that all that he has submitted was on the table and this body needs to know the amount of the intensity of use, the hours of use, and what the traffic patterns really are in the neighborhood. He added that this procedure as it is is legally flawed and needs to go back to the drawing board before the neighborhood is inundated with student parking. He asked---- Mr. Karatossos you seemed to have rendered a judgment prior to hearing everything and you have made a presentation about as in fashion as his and yet he sits on this body. The Chairman was not

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present as this time and he mentioned that there was another board member absent.

Mr. Karatossos stated that there was a quorum present and asked Mr. Hartridge to rest assure of one thing..... The fact that the SCAD owns the building does not have a lot to do with the history of this group. He informed him of a petition and the outcome during his service on the board; a young woman that owned property in the historic area had renovated her property. In doing so she replaced 36 of the windows during the renovations. Once the renovations were completed she discovered that she did not replace the windows with the correct type of windows. She came before this board to ask for forgiveness. The decision of the board was that she had to remove the windows and replace them with the proper type windows

Mr. Hartridge responded that prudence would have mandated investigating all of this prior to purchasing the building, gutting it and going ahead and like it or lump it to the residents.

Mr. Butler addressed the issue of the Public Hearing Notice. He stated that Mr. Hartridge was correct. The initial notice that went out was for a variance of 29 spaces and you have indicated that this would be acceptable to you and if he demands it, the board would be willing to consider a motion for a variance for 29 parking spaces making the issue moot. However; subsequent to the notices being mailed out the petitioners were able to find and secure parking. The sole question is not quality of life or issues of this nature. The sole issue is whether or not they will be allowed to use the 17 parking spaces that they can reserve at the parking garage for this use.

Mr. Karatossos questioned that the fact that the notice was for the 29 parking variance and the request before us is less intrusive, is staff required to re-advertise.

Mr. Butler responded no. He continued that Mr. Hartridge was correct in that the staff report should have addressed the issue of the 29 parking space variance request. It did not because that issue was no longer on the table (we thought) however, if he insist the board may initially consider that. That issue was properly advertised; it is on the signs, it is in the notice that was sent out. The board may consider, if it so chooses, but the board is not bound to make a motion on that particular.

Mr. Yellin addressed the board to inform them that the lease mentioned is a two-year lease and not a month to month lease as was presented. He added that sixty bikes will not impact seven parking spaces as was suggested and he thanked those that stood up and said nice things about SCAD. He stated that there were a few concerns that he would like to address; 1) about the parking study needed, the 50 parking spaces was done as part of a study by the city zoning administrator and parking services that took ten days to prepare; 2) the parking meter study; if this is something that the neighbors would like to do SCAD will join in with this; 3) the locker comments; the building will have lockers so the students will not have to drag their illustrations around with them and 4) a gentlemen here stated that he was here on behalf of the DNA; he probably meant to say that he was a member of the DNA, because one of our employees is a member of the board of the DNA and there have been no meetings. Last but not least, he stated that he would like to address the comments made by Mr. Hartridge. As agent, he has come before the board because his client feels that they have done the right thing. Rather than asking for a 29 parking space variance they have aggressively gone and found parking spaces at a cost. These are

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not free spaces; these spaces are being paid for. He added that Mr. Butler is correct, if the board would rather go back and give them the 29 parking space variance this is fine but his client is trying to do the right thing by getting all the parking spaces needed with the only issue being the distance needed to the parking spaces. This board, as Mr. Mackey said at 10:00 A.M., is quasi judicial and you serve and you can make any decision that you want. If he had asked for a 10 foot height variance you can go to 15 or you can go to three. This is the discretion of the board no matter what is requested. In this particular case, the request is for a distance variance. This is part of what you do as quasi judicial. In summary, he stated that something is going to go in this building whether it is an office, a hotel or a restaurant. It will not remain empty. The solution here is to put in something that fits. SCAD is a good fit. He respectfully requested that staff recommendation be approved.

Mr. Karatossos attempted to explain to those interested the board's charge.

Mr. Ronning informed questioning residents that Mr. Hartridge was very keen and he could address their questions. He stated that he also had questions as to how the parking study was performed.

Mr. Goines responded that the study was done by parking services and presented a letter to the board that explained how the study was done. It is based on a long standing interpretation that has been validated by the city attorney.

Mr. Johnson made the motion to approve the staff recommendation. The motion died for the lack of a second.

Mr. Ronning stated that he was unsure of how he wanted to vote. He did not know the answer, but the pressure that is being applied here...something has to give. He stated that this board is not the body to make the solution; the city has to do something.

Mr. Karatossos stated that Mr. Ronning was correct but the charge of the board is to resolve a technical issue and no one denies anything that has been said here.

Mr. Ronning stated that the issue is that we are going here looking at a finding of fact the application of this chapter to this particular piece of property would create an unnecessary hardship if we grant the variance for the 18 spaces there is nothing to stop SCAD from going across the street to gain 18 more from Colonial Dames and they would be within their right. But granting this variance based upon that factor, definitely creates more undo hardship than is necessary.

There was further discussion among the board members.

Board Action:

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Staff recommends approval of the requested 850-₋ PASS foot separation variance for 18 parking spaces.

Vote Results

Motion: Sidney J Johnson

Second: Eli Karatassos

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Not Present

Brian Reese - Not Present

William Ronning - Nay

VIII. Other Business

IX. Adjournment

14. Adjournment of the June 27, Savannah Zoning Board of Appeals Meeting

There being no other business to come before the board, Chairman Pro-tem Mr. Eli Karatossos declared the June 27, 2013 Savannah Zoning Board of Appeals adjourned.

Respectfully submitted,

Jack Butler, SZBA Secretary

/cm

Note: Minutes of the meeting 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.