



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  
September 26, 2013 10:00 A.M.  
Minutes

**September 26, 2013 Savannah Zoning Board of Appeals Meeting**

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

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

**Advisory Staff Present:** Geoff Goines, City Zoning Administrator

**I. Call to Order and Welcome**

1. [Call to Order](#)

Chairman Mackey called the September 26, 2013 SZBA Meeting to order at 10:00 am. He explained the agenda for the benefits of those attending a Board of Appeals Meeting for the first time.

2. [Adjourn to Executive Session to Discuss Pending Litigation](#)

Chairman Mackey asked for a motion and a second on the motion in order for the Board to adjourn to Executive Session. He stated that this Board has the ability to go into Executive Session which is a private session meeting of the Board to handle legal, pending legal, property and/or personnel issues.

**Board Action:**

Adjourn to Executive Session.

- PASS

**Vote Results**

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

3. [Reconvene from Executive Session](#)

The Board reconvened from Executive Session. Mr. Reese abstained from the vote.

**Board Action:**

Motion to reconvene. - PASS

**Vote Results**

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

**Board Action:**

Motion to re-enter the decision of the Board from April 25, 2013 in compliance of Superior Court Order of September 11, 2013 which is directing such action. - PASS

**Vote Results**

Motion: William Ronning  
Second: Eli Karatassos  
Sidney J Johnson - Aye  
Eli Karatassos - Aye  
Timothy Mackey - Aye  
Brian Reese - Abstain  
William Ronning - Aye

**II. Notices, Proclamations and Acknowledgements**

### III. Approval of Minutes

#### 4. [Approval of the August 22, 2013 SZBA Meeting Minutes](#)

Attachment: [August 22nd.pdf](#)

**Board Action:**

Approval of the minutes as submitted. - PASS

**Vote Results**

Motion: Eli Karatassos

Second: Brian Reese

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - Aye

### IV. Approval of Final Agenda

#### 5. [4118 Walton Street | Variance | Request to Remove from Final Agenda](#)

The petitioner has requested that this item be removed from the Final Agenda and rescheduled to the October 24, 2013 SZBA hearing.

**Board Action:**

Approval of the petitioner's request to postpone this item until the next scheduled meeting; October 24, 2013. - PASS

**Vote Results**

Motion: Eli Karatassos

Second: Brian Reese

Sidney J Johnson - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - Aye

Eli Karatassos - Aye

#### 6. [309 East 34th Street | Appeal of Decision | Request to Remove from Final Agenda](#)

The petitioner requested that this petitioned be postponed to the next scheduled SZBA hearing; October 24, 2013.

**Board Action:**

Approval of the petitioner's request to postpone this item until the next scheduled meeting; October - PASS 24, 2013.

**Vote Results**

Motion: Eli Karatassos

Second: Brian Reese

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - Aye

7. [1112 East 69th Street | Assorted Variances | Request to Continue to October 24](#)

This petition is postponed to the next schedule SZBA hearing, October 24, 2013.

**Board Action:**

Approval of the petitioner's request to postpone this item until the next scheduled meeting; October - PASS 24, 2013.

**Vote Results**

Motion: Eli Karatassos

Second: Brian Reese

Sidney J Johnson - Aye

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**

8. [545 East McDonough Street | Balcony Variance](#)

Attachment: [Images -3781.pdf](#)

Attachment: [Supporting Documents -3781.pdf](#)

Jack Butler gave the following summary;

The petitioner, Roy Ogletree as Agent for East End Redevelopment LLC., is requesting approval of a one-foot variance from the three-foot depth standard for balconies in the Historic District (Section 8-3030 (10) (b)) in order to install four-foot deep balconies on new residential construction.

This case was continued in August because of missing notice signs, but the signage has been properly installed.

Staff recommends **approval** of the requested one-foot variance.

**Board Action:**

**Approval** of the requested one-foot balcony depth variance because it would be visually compatible, as recommended by the Historic District Board of - PASS Review.

**Vote Results**

Motion: Brian Reese

Second: William Ronning

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - Aye

9. [705 E 52nd Street | Lot Coverage Variance](#)

Attachment: [Staff Report -004304.pdf](#)

Attachment: [Images 4304.pdf](#)

Jack Butler gave the following summary;

The petitioner, Gretchen S. Johnson (Patricio) is requesting approval of a variance of 5 percent in lot coverage to increase the coverage of a residential lot to 35 percent to permit the construction of additions on an existing family resident. Staff recommends approval of the requested five percent lot coverage variance.

**Board Action:**

**Approval** of the requested five percent lot coverage - PASS variance.

**Vote Results**

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

## VI. Old Business

### 10. [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](#)

Jack Butler gave the following summary;

The petitioner, Honza Minichbauer as Agent for Douglas and Tommie Swank, is requesting approval of a three-foot variance from the height standards in order to erect a nine-foot tall wooden fence to replace a nonconforming fence that was recently demolished.

The case was continued in September to permit the petitioner to revise the proposed fence.

No justification for the proposed excessive wall height has been offered other than that the removed wall was of similar excessive height. The intent of the limitation on wall height in residential neighborhoods to a maximum of six feet in height is to prevent the creation of fortress-like or bunker-like yards fronting residential streets.

Staff recommends **denial** of the requested variance.

#### **Board Action:**

**Denial** of the requested variance. - PASS

#### **Vote Results**

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

### 11. [2900 Capitol Street | Buffer Variance](#)

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

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

Present for the petition was: Patrick Connell, Agent

Jack Butler gave the following summary;

The petitioner, Robert Evans, is requesting approval of a 25-foot variance in the 30-foot vegetative buffer requirement in order to allow an 8-foot opaque fence and five-foot vegetative buffer to screen an outdoor automotive storage yard at his structure on 2900 Capitol Street.

The case was initially filed for the June meeting, but was continued to September 26th at the petitioner's request. Staff has requested since June 5th that the petitioner provide a landscape plan for the proposed reduced buffer. The submitted plan does not meet the minimum standards of a landscaping plan. The proposed reduced buffer might be sufficient to meet the intent of the ordinance: "to achieve a degree of opacity that prevents clear recognition of the use," however no irrigation plan has been submitted to support the proposed reduced buffer, and staff has been advised by an arborist for the City of Savannah that a five-foot hedge (such as is proposed here) would not thrive or be maintainable in this location. Staff recommends **denial** of the requested variance.

**Speaking on the petition:** Mr. Patrick Connell, agent for Robert Evans gave a graphic view of the proposed placement of the fence. He stated that one of the criticisms of the proposal was that there was not an irrigation plan provided. The plan does call for drip line irrigation, but the petitioner had not gone the extra step to have one drawn because he did not know that the use would be permitted. He stated that he would have the plan drawn and bring it back to the Board if the Board chooses.

Mr. Karatossos questioned how high was the buffer requirement.

Mr. Butler responded that the buffer would have to be tall enough at maturity to screen the fence and the fence must be eight feet high. He stated that this must be 30ft in width planted vegetative buffer sufficient to screen the fence. He explained in detail the requirement.

Mr. Connell stated that he felt that there was something lost in the translation but as he understood it the vegetation could also include grass under the ordinance. The ordinance does not state that it all has to be shrubs.

Mr. Butler stated that the requirement of the ordinance is that the planted vegetative buffer screen the opaque fence (the use) completely. Grass would not accomplish that. Low shrubs like azaleas would not accomplish that. There will have to be substantial plantings. He added that there will not have to be a 30 foot deep hedge but it must be a planted area that completely screens the use behind it.

Mr. Connell interjected that he thought that they were getting lost again here in translation. He said that partially a 30 foot buffer may be made of grass. It would then still meet the ordinance if it had an eight foot hedge that shielded the fence from view. This is what the

buffer requires. He stated that this is what he has done and presented photographs of the plants that were recommended by Gordon Denny, Savannah Arborist. He added that he has adopted the plant suggestions of Mr. Denney as they will provide the screening of the fence at maturity and will not encroach onto the public sidewalk.

**Board Action:**

Approval of the petitioner's request **with the following conditions:** 1) that the fence be located at least 10 feet away from the public sidewalks on all sides; 2) that the petitioner install drip irrigation to maintain the buffering vegetation; 3) that the petitioner install the plant varieties recommended by Savannah Arborist Gordon Denny and; 4) that the petitioner maintain the planted vegetative buffer so that it does not encroach onto the public sidewalk. - PASS

**Vote Results**

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

**VII. Regular Agenda**

12. [1733 Stuyvesant Street | Setback Variances](#)

Attachment: [Staff Report -4344.pdf](#)

Attachment: [Images -4344.pdf](#)

Present for the petition was Mr Grady Reddick, Petitioner

Jack Butler gave the following summary:

The petitioner, Grady Reddick, is requesting approval of two foot side setback variances from the 15 foot side setbacks required in the ordinance in order to build a new residence within 13 feet of the east and west borders of the subject property. The petitioner is proposing to construct a new residence on the property. Staff finds that the petitioner's proposal is in keeping with the general development pattern in the neighborhood. Staff recommends approval of the 2 foot side setback variance.



**Board Action:**

Approval of the requested two-foot side setback variances on either side of the subject property. - PASS

**Vote Results**

Motion: Brian Reese

Second: William Ronning

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

William Ronning - Aye

**VIII. Other Business**

**IX. Adjournment**

13. [Adjournment of the September 26, 2013 SZBA Meeting](#)

There being no further business to come before the Board, Chairman Timothy Mackey declared the September 26, 2013 Savannah Zoning Board of Appeals Hearing 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.*

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