



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
July 24, 2014 10:00 A.M.
Minutes

July 24, 2014 Savannah Zoning Board of Appeals

Members Present: Brian Reese, Vice Chairman
Sidney J. Johnson
Eli P. Karatassos
Thomas Branch III

Members Not Present: Timothy Mackey, Chairman

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

Advisory Staff Present: Thomas Bolton, City Zoning Inspector

I. Call to Order and Welcome

1. [Call to Order](#)

II. Notices, Proclamations and Acknowledgements

III. Approval of Minutes

2. [Approval of the June 26, 2014 SZBA Meeting Minutes](#)

Attachment: [June26 SZBA Meeting Minutes.pdf](#)

Board Action:

Approval of the June 26, 2014 SZBA Meeting Minutes with the necessary amendment. - PASS

Vote Results

Motion: Tom Branch

Second: Sidney J Johnson

Tom Branch - Aye

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey	- Not Present
Brian Reese	- Aye

IV. Approval of Final Agenda

3. [Request for Continuance to August 28, 2014](#)

The petitioners have requested that the following petitions be continued to the August 28, 2014 Savannah Zoning Board of Appeals meeting:

14-003174-ZBA - AJ Crowe, 208 E. 54th Street,
lot coverage variance.

14-002878-ZBA - Gavin Macrae-Gibson, 31 E. Jones Street,
lot coverage variance.

14-002635-ZBA - John Sumner, 400 Block of E. 32nd Street,
coverage, setback, and lot width variances

Board Action:

Staff recommends **approval** of the requested
continuances. - PASS

Vote Results

Motion: Eli Karatassos

Second: Tom Branch

Tom Branch - Aye

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Not Present

Brian Reese - 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. [1012 E. 36th Street | Setback Variance | 3227](#)

Attachment: [Staff Report 3227.pdf](#)

Attachment: [Images 3227.pdf](#)

Jack Butler gave the following summary;

The petitioner, Tom Havens, agent for Metro Savannah Baptist Church, is requesting approval of a 24.5 foot front setback variance from the 50 feet required in order to align a proposed church structure with existing structures. There has not been any contact with staff in opposition of the request. Staff is recommending approval of the petitioner's request.

Board Action:

The proposed variance would permit the accessory structure to align with the existing church building along East 36th Street. Staff recommends - PASS **approval** of the requested 24.5-foot front setback variance.

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Tom Branch - Aye

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Not Present

Brian Reese - Aye

5. [509 Whitaker Street | Setback Variance | 3185](#)

Attachment: [Staff Report 3185.pdf](#)

Attachment: [Images 3185.pdf](#)

Jack Butler gave the following summary;

The petitioner Brett Turner, is requesting approval of a four foot variance in the required five-foot side yard setback and a 30 foot variance from the required 30-foot rear yard setback in order to construct a carriage house garage. The historic planners have reviewed the plan and have found it in keeping with the design of the neighborhood and are in favor of the petition. There has been no contact with staff from anyone opposing the petition. Staff has recommended approval of the petitioner's request.

Board Action:

Staff recommends **approval** of the requested rear and side setback variances with the **condition** that the petitioner obtain approval from Traffic- PASS

Engineering to position the carriage house/garage directly on the rear property line.

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Tom Branch - Aye

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Not Present

Brian Reese - Aye

VI. Old Business

6. [502-504 East Henry St. | Lot Area and Parking Variances | 992](#)

Attachment: [Images 992.pdf](#)

Attachment: [Staff Report 00992.pdf](#)

Present for the petition was: John Sumner

Jack Butler gave the following summary;

John Sumner, for JSRB Ventures, bought forth a request last month for a 120 square foot lot area variance from the 2,100 square foot required in the district, parking variances to allow no off-street parking and an 8 -foot rear yard setback variance to reduce the rear yard from 35 feet to 27 feet in order to construct two townhomes on the subject property. Staff had recommended approval of all the variances with the exception of the parking variance. This is an unusual site; it has no access to the lane in the rear of it; there is no parking on this side of Price Street. The only space in front of the property was designated as a handicap space. Staff was reluctant to recommend a waiver of the parking whereas two homes would have a parking demand. Last month the Board recommended a continuance to allow the petitioner to work with Traffic Engineering to see if a curb cut on Price Street could be obtained. Traffic Engineering declined to issue a curb cut however; it was found that the handicap parking space was no longer necessary. The handicap parking designation was removed and there are now two on-street parking spaces available in a short walking distance to the subject site. The traffic engineering department declined to offer any curb-cuts to this site----so in order to make any use of it as a residential site, parking variances are warranted. Staff has amended it's recommendation from denial to approval of the one space parking variance on each of the subject parcels and approval of the other lot area variances.

Board Action:

The petitioner proposes to build two dwellings on the property that would be similar in scale to those

originally sited there. Staff recommends **approval** of the requested 120 square foot lot area variance from the 2,100 square feet required in the district, and the 8-foot rear yard setback variances to reduce the rear yard from 35 feet to 27 feet.

- PASS

Because of the unique constraints on the parcel (lack of access to the lane or Price Street, and the presence of street trees along Henry Street that must be preserved) staff recommends **approval** of the requested one space parking variance on each of the two subject parcels.

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Tom Branch

- Aye

Sidney J Johnson

- Aye

Eli Karatassos

- Aye

Timothy Mackey

- Not Present

Brian Reese

- Aye

7. [202 W. Waldburg St. | Setback and Lot Coverage Variances | 2596](#)

Attachment: [Images 2596.pdf](#)

Attachment: [Documents 2596.pdf](#)

Attachment: [Staff Report 2596.pdf](#)

Present for the petition was: Mr. Barry Koncul, Petitioner

Mr. Jack Butler gave the following summary;

The petitioner, Barry Koncul is requesting approval of variances to construct five residences in two buildings (a duplex and a triplex), including a side yard setback variance, a 23-foot rear yard setback variance on three lots, and lot coverage variances and lot area variances. The petitioner received approval of demolish the non-contributing commercial building on the site in May of this year and proposed to subdivide the parcel into five residential lots ranging from 1,333.83 square feet in size up to 2,089 square feet in size for new construction of a two townhouse unit along Barnard Street and three townhouse units on Waldburg Street, each on an individual parcel. The layout and building design have been reviewed by the Design Officer and the MPC. The Design Officer recommends approval of the requested variances as compatible with the development pattern in the vicinity. Staff concurs with the Design Officer. The layout, as approved, requires approval by the Zoning Board of Appeals of the variances outlined in the staff report.

Board Action:

The Design Officer recommends **approval** of the

requested variances as compatible with the development pattern in the vicinity. Staff concurs - PASS with the Design Officer and recommends **approval** of the requested variances.

Vote Results

Motion: Eli Karatassos

Second: Tom Branch

Tom Branch - Aye

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Not Present

Brian Reese - Aye

8. [400 Block of E. 34th St. | Standards Variances |2636](#)

Attachment: [Staff Report 2636.pdf](#)

Attachment: [Images 2636.pdf](#)

Attachment: [COA - 410 East 34th Street 1716 Habersham Street and 1711 Price Street 14-001960-COA.pdf](#)

Present for the petition was: Andy Lynch, Agent

Jack Butler gave the following summary;

The petitioner is requesting approval of variances in order to construct five new buildings on the north side of 34th Street between Habersham and Price Streets. The variances requested are generally to use Hardi panels for exterior wall materials and other variances outlined in the staff report. The subject property consists of three parcels totaling 22,787 square feet (0.52 acres) on 34th Street between Habersham and Price streets. The properties are zoned TC-1 (Traditional Commercial Mid City zoning). These properties have been cleared under a Certificate of Appropriateness issued by the Design Officer for the district and the petitioner proposes to construct five new buildings on the site in a project designated "Midtown." The petitioner has worked closely with preservation staff and has received a Certificate of Appropriateness for the proposed development, with a recommendation for the approval of most of the variances outlined in the report. However, the petitioner is seeking two variances "not" recommended for approval by the Design Administrator; 1) the use of Hardi-panels as a construction material and; 2) to permit store facades that are incorporate less than the minimum 50 percent of the building width in transparent material. The use of Hardi-panel as a building material is prohibited by Section 8-3222 (7)(c)(ii), which requires that wood simulation "[m]aterials shall be horizontal in configuration (lap siding)..." This provision allows the use of artificial wood products (including the so-called "Hardi-board" materials) but expressly forbids the use of panels for exterior wall construction by specifying "horizontal... configuration" of the pieces and "lap siding" construction. He explained the differences in Hardi board versus Hardi panels/sheets.

In conclusion, he stated that the petitioner has declined to meet the design requirement of Section 8-3222(7)(c)(ii), which requires that "All other nonresidential facades visible from

the streets shall incorporate transparent features (windows and doors) over at least 50 percent of the ground floor façade." Staff recommends **denial** of the variance request to use Hardi panels for exterior wall materials, and **denial** of the variance request to permit the ground floor storefront design on the East 34th Street to incorporate less than the required minimum of 50 percent of transparent material in the façade however; staff recommends **approval** of the other variance outlined in the report.

Ellen Harris, Director of Historic Preservation stated that as a point of clarification that the Design Administrator for the district is the City Manager. Preservation staff makes its recommendations to her but she ultimately signs and issues the Certificate of Appropriateness. Ms. Harris addressed questions from the Board regarding Hardi panel versus Hardi board and explained the reasons for the standard. The other question was about the minimum 50% store front. This is specifically applied to the corner store front on 34th and Habersham Street and is specific to the 34th Street elevation.

Speaking on the petition: Andy Lynch as agent for Enright Properties stated that he was solely seeking a variance for the new construction project. He asked that the Board only consider the commercial frontal along Habersham and 34th Streets. Regarding the Hardi panels material, he added that he has also found a design solution for this material and would like to withdraw the variance request for consideration.

Ryan Dars, neighboring resident questioned the proposed use at the subject site and if parking has been considered.

Board Action:

Approval of the variances recommended by staff.
Approval of a variance of 7percent in transparent material on the East 34th Street storefront, to permit a store frontage design with as little as 43 percent transparent material. **At the petitioner's request, the petition to make use of Hardi Panels as an exterior building material was withdrawn form consideration.** - PASS

Vote Results

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

Attachment: [Images 001000.pdf](#)

Attachment: [Public Comment 2 on 536 Selma Stree Variances.pdf](#)

Attachment: [Public Comment 536 Selma Stree Variances.pdf](#)

Attachment: [Staff Report 1000.pdf](#)

Present for the petition was: Jeff Halliburton, Agent

Jack Butler gave the following summary;

The petitioner, Jeff Halliburton, agent for Noble Boykin and Henry Morgan, is requesting approval of variances to construct a five-story multi-family multi use structure. The variances are; 1) a 16 space parking variances; 2) a 15% lot coverage variance; 3) a variance from the structured parking setback requirement of the district; 4) a variance of one foot in minimum ground floor height and 1.33 foot variance in second floor height; 5) variances to allow window column and pilaster groupings of various widths; 6) a variance to permit a two-section horizontal divide (rather than the three sections required in the ordinance); 7) a variance from the requirement that the top story of buildings over three stories in height be visually distinct from the lower stories; 8) a variance from the 30 foot structured parking setback requirement in the Historic District and; 9) a variance from the requirement that rooflines be required to vary every 120 feet (allowing a 259-foot continuous roofline). *He noted that lately staff has been receiving a laundry list of variances request for projects that he felt was inappropriate. The standards he continued, exist for a reason and that the scope of the variances that are being brought to the Board are increasing with time. This is creating a case where each project is becoming a re-design of the district.* He continued that the subject property is a 49,000 square foot parcel consisting of two lots located 536 Selma Street. The petitioner is proposing to construct a multi-story, mixed-use building with a ground floor retail and four floors of residential units above. The proposed development has received Part 1: Height and Mass approval from the Historic District Board of Review, and the board has issued a recommendation for approval of the requested variances outlined in the staff report. The subject property is isolated behind existing two-story residential structures, a ramp to a highway, a church, and Garrison Elementary School. The proposed variances are recommended by the Historic District Board of Review and will have little to no impact on adjoining properties. The structured parking setback is intended to encourage engagement between the ground floor of buildings in the District with the street. The proposed development, however, is located at the end of a dead-end road adjacent to a ramp to Interstate 16, with no street frontage to engage. The site is presently undeveloped and it should be possible for the petitioners to meet the minimum parking standards for the project. The lot coverage variance is insignificant, provided the project does not increase rain runoff on adjoining properties. This aspect of the project will be reviewed by the City of Savannah Stormwater prior to the issuance of any permits. Staff recommends **denial** of the requested parking variances as it is possible to provide the required parking on site or to adjust the scale of the project to meet the parking requirement. However, staff recommends **approval** of all other requested variances **with the conditions** that the project design obtain the approval of the Stormwater Department for stormwater retention, and of the Historic District Board of Review for Part II: Design Details.

Speaking on the petition: Jeff Halliburton, as agent for Noble Boykin gave a brief introduction of the property owners and others involved with the project. He explained that this project and its design has gone before the Historic Review Board (HRB) at least three

times. He stated that a lot of the design or whether or not it is an institutional nature came directly from the HRB recommendation. Most of the variances that have been recommended for approval are exactly those that have gone through a lot of detailed work--the combined efforts of the HRB. He continued that the land use and what the client is asking for is student housing. Unfortunately, in the Savannah Zoning Ordinance you can not have a private facility classified as student housing. He stated that working with MPC staff a different zoning district was found that allowed multi-family residential. Though this is not your traditional multi-family project, the multi-family residential district which was the primary use of this facility was the only definition available that this land use could fit into. He stated that the reason for his request is that there is no private student housing designation available in the zoning ordinance. He gave a break down of the actual facility and stated that by the ordinance he is required to have nine more parking spaces than if this was a project of Savannah or Armstrong State University or Savannah College of Art and Design. In summary, he stated that technically and by ordinance his request is for a 16 lot variance but in reality those 16 spaces are provided (managed) plus an additional three (3) spaces.

Todd (last name inaudible), architect stated that this project has not been a quick process and asked that relief be given to the guidelines.

Noble Boykin, owner gave a brief history of the area and stated his concerns regarding preserving the area.

Henry Morgan, owner stated that during the times that he has visited the area (during public events) the majority of the parking is done on the school site (Garrison Elementary).

Board Action:

Approval of the staff recommendation with the exception of the staff recommendation for denial on the parking. It is recognized that given the particular use and tenancy of the building that the parking will not be an issue as noted in the denial by staff therefore, the board recommends approval of the petitioner's requested 16 parking spaces variance. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Tom Branch - Nay

Sidney J Johnson - Aye

Eli Karatassos	- Aye
Timothy Mackey	- Not Present
Brian Reese	- Aye

VII. Regular Agenda

10. [534 E. State Street | Lot Width Variance | 2986](#)

Attachment: [Images 2986.pdf](#)

Attachment: [Staff Report 2986.pdf](#)

Jack Butler gave the following summary;

The petitioner, J. Leander, LLC is requesting approval of two, five-foot lot width variances in order to subdivide an existing duplex into two parcels. The subject property is a 1,424 square foot lot of record located at 532 and 534 E. State Street and comprising a duplex structure of 1,120 square foot footprint. Staff recommendation is for approval.

Board Action:

The petitioner proposes to divide the property so that the two residential units are legally independent. No physical changes to the property - PASS are contemplated. Staff recommends **approval** of the requested lot width variances.

Vote Results

Motion: Sidney J Johnson

Second: Eli Karatassos

Tom Branch - Aye

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Not Present

Brian Reese - Aye

11. [118 W. Waldburg St. | Use Approval \(#6, Inn\) | 3221](#)

Attachment: [Staff Report 3221.pdf](#)

Attachment: [Images 3221.pdf](#)

Attachment: [Petitioner - 118 west waldburg street.pdf](#)

Attachment: [Public Comment.pdf](#)

Present for the petition was:

Jack Butler gave the following summary;

The petitioner, Rich Randon Holdings LLC, is requesting approval of a use, (#6, Inn or Apartment Hotel), which is permitted in the district with Zoning Board of Appeals approval. The subject property is a 5,490 square foot lot located at 118 W. Waldburg Street comprising a 3,490-square foot footprint multi-story, three bedroom house residence. The property is zoned R-3 (Residential, Victorian District zoning). The petitioner has been offering the home for "vacation rental" use, managed by a commercial vacation rental firm, Lucky Savannah. The City of Savannah has determined that such use should be classified as an "inn or apartment hotel" which requires Zoning Board of Appeals approval. He added that staff did receive one letter from the public in opposition to the petitioner's request that stated parking concerns. The petitioner has provided a parking plan for the proposed use and is using a professional management company to supervise rentals. Staff recommends approval of the request.

Board Action:

The petitioner has provided a parking plan for the proposed use and is using a professional management company to supervise rentals. Staff recommends **approval** of the requested use. - PASS

Vote Results

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

12. [1800 Victory Drive/2 Victory Manor | Setback Variance |2840](#)

Attachment: [Staff Report 2840.pdf](#)

Attachment: [Images 2840.pdf](#)

Present for the petition was: Evan Bennett, for Adam Ragsdale

Jack Butler gave the following summary;

The petitioner, Adam Ragsdale, agent for Morley Investment Group, is requesting approval of a nine-foot variance from the 35-foot building setback requirement in order to expand an existing commercial building. The subject property is a shopping center located at 1800 East Victory Drive. Staff is recommending **approval** of the nine foot setback variance. There has been no objections to the project but staff has received a few inquiries that once explained the citizens have been satisfied.

Speaking on the petition: Evan Bennett, of Wolverton & Associates offered a clearer version of the proposed plan. He stated that at present the existing Baldinos encroaches

into the building setback and the proposed expansion extends that building phase. He added that there will be no additional building encroachment beyond this.

Board Action:

Staff recommends **approval** of the requested 9-foot front building setback variance along the western 130 feet of Victory Drive frontage.

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Tom Branch - Aye

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Not Present

Brian Reese - Aye

13. [87 Highlands Boulevard | Special Use & Variance | 3226](#)

Attachment: [Staff Report 3226.pdf](#)

Attachment: [Images 3226.pdf](#)

Attachment: [Comment - Application # 14-003226-ZBA Highlands Benton Blvd..pdf](#)

Attachment: [14-189 Master Site Plan-PS 1.pdf](#)

Present for the petition was: Attorney Harold Yellin

Mr. Jack Butler gave the following summary;

The petitioner, Terry Coleman, agent for Wells Fargo Bank, is requesting approval of a use, #75b (Mini-Storage) and a variance of one acre to increase the area of the proposed mini-storage from 4.0 acres maximum to 5.0 acres. The subject property is an undeveloped 10.36 acre tract at the corner of Benton and Highlands Boulevard and is zoned PUD-C (Planned Unit Development-Community). He noted that the sign was properly posted and notices were sent to adjoining property owners within 300 feet. The petitioner seeks to develop a mini-storage warehouse complex of two multi-bay buildings, parking and an office space. The total project would encompass five acres. The proposed scope of the project is marginally larger than similar developments, but not out of character for the scope of development in the vicinity. Staff recommends **approval** of the requested use and the variance. He added that one email was submitted to staff by a Mr. Van Doyle who is in opposition to the expansion of the use.

Speaking on the petition: Harold Yellin, as agent for Stop and Store gave a brief introduction of those accompanying him. He presented a concept plan to board members and gave a brief summary of the project. He respectfully requested approval of the staff recommendation and stated that he would answer any questions or concerns from the board.

John Manly as agent for Godley Station Enterprises stated that he was not in opposition

to this project as of yet; he stated that his client was only seeking more information. He asked that this item be continued to the next scheduled SZBA meeting in order to give him the time to meet with Mr. Yellin and his clients to understand what this development is.

Jerry Wardlaw, representing Landmark 24 Development (who owns most of the property on the west side of Benton Blvd) stated that he was unaware of the petitioner's request or the subject development and would like more information regarding this proposed development. He asked that he be allowed the opportunity and given the time to dialogue with the petitioner's agent to discover how the requested variance would effect the 5,000 residents that this entranceway is across from. He added he was not in favor of the entranceway being on Benton Blvd but that the entrance should be on Highlands Blvd which was built more for commercial traffic. He concluded that his position on the project was not clear because he did not have enough knowledge about the project to make a decision.

Harold Yellin, agent stated that he added that he contacted Mr. Manley and personally made him aware that he would come before the ZBA for use approval and then on to the Architectural Review Board. He added that their request is for a delay for more information; he stated that he did not have any additional information to give other than the proposed use and the use is going to be self storage. He asked that the petition be approved as submitted.

Board Action:

The proposed vacant parcel is part of a planned unit development and has been designated for suburban commercial development. The proposed mini-storage warehouse development is in keeping with this designation. The proposed scope of the project is marginally larger than similar developments, but not out of character for the scope of development in the vicinity. Staff recommends **approval** of the requested one-acre variance in size of the proposed mini-storage warehouse development. - PASS

Vote Results

Motion: Sidney J Johnson

Second: Tom Branch

Tom Branch	- Aye
Sidney J Johnson	- Aye
Eli Karatassos	- Aye
Timothy Mackey	- Not Present
Brian Reese	- Not Present

VIII. Other Business

IX. Adjournment

14. [Adjournment of the July 24, 2014 SZBA Meeting](#)

There being no other business to come before the July 24, 2014 SZBA meeting; Mr. Eli Karatossos declared the meeting adjourned.

Respectfully submitted,

Jack Butler, SZBA 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.