



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
March 27, 2014 10:00 A.M.
Minutes

March 27, 2014 Savannah Zoning Board of Appeals

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

Members Not Present: Brian Reese, Vice Chairman
William Ronning

Staff Present: Jack Butler, Secretary
Constance Morgan Assistant Secretary

Advisory Staff Present: Tom Bolton, City Zoning Inspector

I. Call to Order and Welcome

II. Notices, Proclamations and Acknowledgements

III. Approval of Minutes

1. [The February 27, 2014 SZBA Meeting Minutes will be available at the April 24, 2014 SZBA Meeting](#)

IV. Approval of Final Agenda

2. [Items to be continued](#)

Board Action:

Approval of the request to continued - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Sidney J Johnson - Aye

Eli Karatassos	- Aye
Timothy Mackey	- 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

3. [1302 W. Bay St. | Variances | 786](#)

Attachment: [Staff Report 786.pdf](#)

Attachment: [Images 786.pdf](#)

Present for the petition was: Phillip McCorkle, Agent for Ho Amy L. FKA Leong Wai Y.

Jack Butler gave the following summary;

The petitioner, Phillip McCorkle, agent is requesting approval of a 10 foot building setback variance from the 15 feet required, and eight-space parking variance from the 15 spaces required, and 11 percent variance from the 20 percent open space required, and a 228 point variance from the 405 tree points required (equal to three trees), in order to permit the continued use of the property for retail sales following the widening of West Bay Street. The subject property is one of the few locations in the area of West Savannah where fresh food can be purchased. The petitioners have been in operation as a fish market in this location for twenty years, and the location has been a fish market under various owners for nearly three decades. The widening of West Bay Street/Hwy 80 is an important road improvement project, but has necessitated impacts on several of the businesses in this immediate area. The petitioners have worked with city development staff to develop the present plan. Staff recommends **approval** of the requested variances.

Board Action:

Approval of the requested variances. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

4. [224 E. Duffy St. | Variance | 960](#)

Attachment: [Staff Report 960.pdf](#)

Attachment: [Images 960.pdf](#)

Present for the petition was: Thomas Oxnard III

Jack Butler gave the following summary;

The petitioner, Thomas Oxnard III is requesting approval of a 3.3 foot variance in the required five foot side building setback in order to replace an existing garage in the same footprint. Because the petitioner proposes to replace the existing garage with a similar structure in essentially the same location as it has been for many years, staff recommends **approval** of the requested 3.3 foot variance in the western side building setback.

Board Action:

Because the petitioner proposes to replace the existing garage with a similar structure in essentially the same location as it has been for many years, staff recommends **approval** of the requested 3.3 foot variance in the western side building setback. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

VI. Old Business

5. [311 E. Huntingdon St. | Lot Coverage Variance | 5491](#)

Attachment: [Staff Report 5491.pdf](#)

Attachment: [Aerial Map.pdf](#)

Attachment: [HRB Part II.pdf](#)

Jack Butler gave the following summary;

The petitioner, Ed Hoffman is requesting approval of a 3 percent lot coverage variance (from the 75 percent lot coverage permitted) in order to construct a row house with 78 percent lot coverage. the case was originally submitted to the Zoning Board of Appeals in September, however the requirement for a recommendation from the Historic Review Board has continued the case to this month. The proposed three percent lot coverage variance is minimal. The proposed site design has been approved in concept by the Historic District Board of Review. Staff recommends approval of the requested three percent lot coverage variance.

The petitions 311, 307, and 309 East Huntingdon Street are all Lot Coverage Variances and were discussed and voted on as a group.

Board Action:

Approval of the requested three percent lot coverage variance. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

6. [307 E. Huntingdon St. | Lot Coverage Variance | 5493](#)

Attachment: [Staff Report 5493.pdf](#)

Attachment: [Images 5493.pdf](#)

Board Action:

Approval of the requested three percent lot coverage variance. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

7. [309 E. Huntingdon St. | Lot Coverage Variance | 5494](#)

Attachment: [Staff Report 5494.pdf](#)

Attachment: [Images 5494.pdf](#)

Board Action:

Approval of the requested three percent lot coverage variance. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

VII. Regular Agenda

8. [103 Taylor St. | Variance | 784](#)

Attachment: [Staff Report 784.pdf](#)

Attachment: [Images 784.pdf](#)

Present for the petition was: Mr. Phillip McCorkle, Agent

Mr. Jack Butler gave the following summary;

The petitioner, Phillip McCorkle is requesting approval of a four space parking variance from the four spaces required in order to convert the lower two stories of a four story residence to commercial uses. The subject property is a 1432 square foot lot located at 103 West Taylor Street, midblock between Whitaker Street and Barnard Street/Chatham Square, and comprising a four story residence on a 1,000 square foot footprint. The property is zoned RIPA (Residential Institutional Professional). The proposed use is permitted in the district. The property is not particularly well suited to use as a commercial/retail sales space, being located in the midst of a residential block. The demand for on-street parking in the district is high, due to the general lack of off-street parking associated with residences. The effective waiver of parking for a proposed commercial use, while admittedly adding only a small degree of competition for the off-street parking spaces available, would nevertheless exacerbate an already difficult parking situation. Staff recommends **denial** of the requested four-space parking variance.

Speaking on the petition: Phillip McCorkle, agent explained the proposed use for the subject property. He stated that this area is known as the downtown design district with 18 business in this design district where only two have provided parking. He added that one of the businesses in this area is Mrs. Wilkes. He asked that his client be treated as the other businesses in this area. He asked that the request be approved as submitted.

Board Action:

Approval of the petitioner's request. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

9. [223 E. Gwinnett St. | Use Approval - Inn | 982](#)

Attachment: [Images 982.pdf](#)

Attachment: [Public Comment 982.pdf](#)
Attachment: [Staff Report 982.pdf](#)

Present for the petition was: Mike Winston

Mr. Jack Butler gave the following summary;

The petitioner, Michael Winston is requesting approval of a use, (#6, Inn or Apartment Hotel), which is permitted in the district with Zoning Board of Appeals approval. The petitioner has been offering the home for "vacation rental" use. The City of Savannah has determined that such use should be classified as an "Inn or apartment hotel". The site has off-street parking space for three vehicles. the petitioner is proposing to rent out the second and third floors of the building for the use, and has offered to add an additional two spaces to the rear of the building. The use "vacation rental" is fundamentally residential in nature. The limited available off-street parking in the vicinity is a matter of concern. Staff recommends **approval** of the requested use **with the conditions** that, 1) the use be limited to no more than the second and third floor; 2) that the petitioner provide two additional off-street parking spaces to the rear of the building, and; 3) that no more than three bedrooms may be rented out at any given time.

Speaking on the petition: Michael Winston, petitioner stated that he purchased the subject property about two years ago and has since spent the majority of this time renovating it. He has re-wired the home and renovated it to keep its originality. He added that it is a fairly large home with four bedrooms but he would like to keep it rather quaint; renting to a more mature crowd or persons needing to have small social gatherings. He asked that the petition be approved as submitted.

Board Action:

Approval of the requested use with the **conditions** that the use be limited to no more than the second and third floor, that the petitioner provide two additional off-street parking spaces to the rear of the building, and that no more than three bedrooms may be rented out at any given time. - PASS

Vote Results

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

10. [2016 Skidaway Rd. | Variance | 772](#)

Attachment: [Staff Report 772.pdf](#)
Attachment: [Images 772.pdf](#)

Attachment: [Comment Email Raymonds Lounge site 37& Skidaway.pdf](#)

Present for the petition was: Mr. Jay Maupin, Agent

Jack Butler gave the following summary;

The petitioner Jay Maupin as agent for Hos Management and Anil R. Patel, is requesting approval of a four space parking variance from the 11 spaces required in order to install a fueling island in front of an existing commercial building. The property is a longtime commercial 13,562 square foot lot located at 2016 Skidaway Road and comprising a three-bay 6,630 square foot commercial building. The property is zoned BC (Community Business). Members/residents in the vicinity voiced concerns regarding 1) hours of operations; 2) types of products being sold and; 3) traffic in the neighborhood. This site in the past has been a number of different uses. The proposed structure is a replacement of an existing structure that is not in compliance with current regulations in parking, setbacks and lot coverage. The proposed commercial building will include fueling islands (which function as parking spaces for the type of business normal conducted at a convenience store/gas station). The proposed structure is a substantial improvement on the existing conditions on the property. Staff recommends **approval** of the requested four space parking variance, with the condition that the site is used as a fuelling station/convenience store.

Speaking on the petition: Mr Jay Maupin, agent noted briefly that there was a stump in the setback that was not mentioned that he would remove.

Board Action:

Approval of the requested four space parking variance, with the condition that the site is used as a fueling station/convenience - PASS store.

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

11. [222 E. 37th St. | Height Variance | 988](#)

Attachment: [Staff Report 988.pdf](#)

Attachment: [3-30-14 ZBA Addendum.pdf](#)

Attachment: [Images 988.pdf](#)

Present for the petition was: Harold Yellin, Agent

Mr. Jack Butler gave the following summary;

The petitioner, Harold Yellin as agent for Sister's Court Limited Partnership, is requesting approval of a 10 foot height variance to permit the renovation of a senior housing structure. The subject property is operated as a Senior Housing project under the auspices of several governmental agencies, including the Georgia Department of Community Affairs. The property is located at 222 E. 37th Street between Abercorn and Lincoln Street and comprising two large residential structures; a former convent built in 1882 and a newer apartment building built in 1998. The subject property is zoned TN-2 (Traditional Neighborhood, Mid-City/Thomas Square Zoning District. Staff recommends **approval** of the requested 10-foot height variance for the 1998 building, increasing its maximum height to 55 feet.

Speaking on the petition: Franklin Williams neighboring resident stated that he understood the need to comply to the ADA. He commended the new owners and added that Sister's Court has been a wonderful neighbor; private and thoughtfully managed. He stated that he had not had an opportunity to view the plans but what drew his attention was the new utility house on the top of the building. He stated that when the public library expanded, the new addition of the HVAC unit sounds were very intrusive. The sounds from these units are very load. He added that what concerned him were the proposed units that will be on the roof of the subject property and the mechanical sounds that will emit from these units and how this disturbance will affect his present quality of life.

Attorney Harold Yellin responded that there are presently eight units on the roof and once the building is rehabbed there will be eight units on the roof. He explained the layout of the roof and added that there will be an overheard structure at the end of the stairs.

Mr. Dan Jenkins, Architect explained, in details, the proposed design. In summary he stated that the overall noise level in the neighborhood will be at 70 decibels. There was a brief period of Q and A with Mr. Jenkins.

Ms. Baker, resident at Sister's Court stated that her concerns were parking and density. She asked how the residents of the building would be placed during the rehab of the building. She stated that the residents of the building have no idea of what will take place during this re-construction.

Attorney Yellin explained that senior housing is one of the most regulated fields. The building needs to be put into compliance. He stated that there will be no change in the number of parking spaces or the number of units. He introduced Ms. Baker to Ms. Sarah Branch who is involved in this process and asked her to get contact information so that she could meet with her and share more light on this process. He stated that there were a lot of things that will have to happen in order to bring this building into compliance. He added that the concerns that Ms. Baker has would be best answered by the business people involved. There may be some disruption but this is a necessity in order to bring the building into compliance but he did not see this as an issue as to whether or not there should be a height variance. He also walked board members through the notification process by law; and he gave them the details on the next steps for this petition if approved by this board. He stated that if approved by this board the petition would have to proceed on to the MPC Board and that it would have to go through site plan and review and design plans. He concluded that this board was the first step.

Ms. Virginia Mobley stated that she met with the property owners in the area earlier and had she known that the residents of Sister's Court had not been notified she would have

personally invited them to that meeting. She added that the residents on adjacent streets are in support of this project and understand the re-alignment of this building but their concern is visual impact. She added that she was aware that this would be address further along in this process (design review). She asked that there be visual compatibility with the existing building but overall the neighboring residents are in support of the re-alignment of the building and the additional height.

Board Action:

Approval of the requested 10-foot height variance for the 1998 building, increasing its maximum height to 55 feet. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

12. [324 E. State St. | Use Approval - Assembly Hall | 931](#)

Attachment: [Staff Report 931.pdf](#)

Attachment: [Images 931.pdf](#)

Present for the petition was: Dolly Chisholm, Agent

Mr. Jack Butler gave the following summary;

The petitioner, Daniel Carey, as agent for the Historic Savannah Foundation is requesting approval of a use #29 (Assembly Hall) for the Davenport House Museum. He is requesting the establishment of a use accessory to the primary use of the property (as a Museum), which is permitted in the district subject to review and approval by the Zoning Board of Appeals. Staff recommends **approval** of the use.

Board Action:

Approval of the proposed use. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

13. [319 E. 31st St. | Variances | 998](#)

Attachment: [Staff Report 998.pdf](#)

Attachment: [Images 998.pdf](#)

Present for the petition was:

Mr. Jack Butler gave the following summary;

The petitioner John Sumer, Agent for both 319 and 323 E. 31st Street is requesting a variance at these locations. At 319, the petitioner is requesting a one space parking variance from the one space required and a 3% lot frontage variance from the 70% lot frontage variance in order to construct a residence on a lot of record. The petitioner proposed to construct a 20-foot wide house on a 30 foot wide lot. The Mid City Zoning requires that building frontages constitutes 70 percent of the total lot frontage and observe the minimum 5 foot side setback. The petitioner proposes to build a structure which meets the setback requirement of five feet on both sides, but would only cover 67% of the lot face.

At the location at 323 E. 31st Street, the petitioner is requesting approval of two, one-foot side yard setback variances from the five feet required in order to construct a residence on a lot of record. The petitioner proposes to construct a 22 foot wide house on a 30 foot wide lot. The Mid City Zoning requires that building frontages constitute 70 percent of the total lot frontage and observe the minimum five foot side setback. The petitioner proposes to build a structure which meets the lot frontage requirement of 70% but would encroach on the side setback by one foot on either side (4 feet on either side). Staff recommends **approval** of the requested variances at both 319 and 323 East 31st Street.

Board Action:

Approval of the requested three percent lot frontage variance and the one space parking variance. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

14. [323 E. 31st St. | Variances | 996](#)

Attachment: [Staff Report 996.pdf](#)

Attachment: [Images 996.pdf](#)

Board Action:

Approval of the requested one-foot side setback variances on the east and west side property lines of the property. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

15. [6715 Skidaway Rd. | Variances | 1046](#)

Attachment: [Staff Report 1046.pdf](#)

Attachment: [Images 1046.pdf](#)

Attachment: [Savannah Sharks Colored Exhibit - Mr Butler 3-24-14.pdf](#)

Present for the petition was: Terry Coleman

Mr. Jack Butler gave the following summary;

The petitioner, Terry Coleman, agent for Roy Lynch, is requesting approval of a 23 foot reduction in the required 85 foot (from right-of-way centerline) setback and a 20 foot reduction in the required 25-foot rear yard setback in order to construct a 8,400 square foot commercial building to be a cheer leading school. The subject property is a vacant 31,500 square foot (0.72 acre) lot of record located at 6715 Skidaway Road, between Skidaway Road and the Truman Parkway. The property is zoned B-N (neighborhood Business) and R-6 (Single-Family Residential). The dimensions of the site are somewhat unusual due to near encroachment of the Truman Parkway. Because of the rear of the parcel backs onto the Parkway right-of-way there is little purpose to be gained from requiring a 24-foot rear building setback. Staff recommends **approval** of the requested 20 foot rear setback variance; however the lot is 130 feet deep at the southern end, slowly tapering to 40 feet deep, 350 feet to the north. There is ample room to build a significant commercial building on the lot without requiring a variance from the street-side setback. Staff recommends **denial** of the requested 23-foot variance from the required 87-foot (from right-of-way centerline) front building setback.

Speaking on the petition: Terry Coleman, agent stated that he understood the recommendation of staff but that he has gone through several different site plans in order to understand how to develop this piece of property. He stated that the Savannah Sharps are currently located in another facility that has a very shallow ceiling. They need to relocate and would like to stay in this geographical area. He explained that staff's recommendation to reconfigure the layout of the facility would not allow parking. Under the ordinance the required parking has to be outside setback. He asked that the petition be approved as submitted.

Board Action:

Approval of the petitioner's request - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

16. [1008 Wolf St. | Use Approval - Group Home | 962](#)

Attachment: [Staff Report 962.pdf](#)

Attachment: [Images 962.pdf](#)

Present for the petition was: Mr. Ken Wilson

Mr. Jack Butler gave the following summary;

The petitioner, Kenneth Wilson, agent for Leslee Wilson, is requesting approval of a use, 18(f) (Personal Care Home for the Elderly), which must be approved by the Zoning Board of Appeals. The subject property is a 3,772 square foot lot of record with a 2,165 square foot residential structure located on the property. The property is zoned residential (R-4). The petitioner proposed to establish a use, 18 (7) Personal Care Home for the Elderly. He proposed to house six elderly residents. The building has four bedrooms, two bath, living room, dining room, kitchen and pantry downstairs, and bedroom and bath upstairs for the 24 hour staff the petitioner proposes to hire. Staff recommends **approval** of the requested use, with the condition that the petitioner must maintain certification through the Georgia Department of Community Health (DCH).

Chairman Mackey questioned staff as to whether or not this type of facility was allowed as a matter of right in a residential area.

Mr. Butler responded that it was not and that they require Board review and explained why.

Board Action:

Approval of the requested use, with the condition that the petitioner must maintain certification through the Georgia - PASS

Department of Community Health (DCH).

Vote Results

Motion: Sidney J Johnson

Second: Eli Karatassos

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

17. [230A Sudgen St. | Variances | 505](#)

Attachment: [Staff Report 505.pdf](#)

Attachment: [Images 505.pdf](#)

Present for the petition was: Mr. Romane Lark, Owner

Mr. Jack Butler gave the following summary;

The petitioner, Romane Lark, is requesting approval of a two-space parking variance from the two spaces required in order to construct a single-family residence.

The subject property is located at 230A Sugden Street. The property is zoned R-4 (Four-family Residential). The property is a 2,936 square foot lot of record located at 230A Sugden Street. The petitioner is proposing to construct a single family residence on the parcel. The proposed structure would be 18 feet, 8 inches wide would observe the required setbacks. The subject parcel is 29 feet wide. Staff recommends **approval** of the requested two-space parking variance.

Board Action:

Approval of the requested two-space parking variance. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

VIII. Other Business

18. [Meeting Attendance](#)

Chairman Mackey discussed the vacancies on the board and asked that each member be present for the meetings. He acknowledged the strain it puts on the Board when a member is not in attendance and the unfairness to the petitioners if there is no quorum.

IX. Adjournment

19. [Adjournment of the March 27, 2014 SZBA Meeting](#)

There being no other business to come before the board, Chairman Mackey declared the March 27, 2014 SZBA meeting adjourned.

Respectfully submitted,

Jack Butler, Secretary

/cm

NOTE: Minutes are not official until signed.

The Chatham County – Savannah Metropolitan Planning Commission provides meeting summary minutes which are adopted by the respective Board. *Verbatim transcripts of minutes are the responsibility of the interested party.*

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