



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
110 East State Street - 10:AM

November 26, 2014 Savannah Zoning Board of Appeals

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

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

Advisory Staff Present: Tiras Petra, City Zoning Inspector

I. Call to Order and Welcome

1. [Call to Order](#)

Chairman Mackey called the meeting to order at 10:05 A.M. He welcomed everyone in the audience and thanked them for their attendance. He explained the agenda for the benefit of those attending for the first time.

II. Notices, Proclamations and Acknowledgements

Notices

2. [Holiday Meeting Schedule](#)

Due to the holiday, the next SZBA meeting is scheduled for the third Thursday of the month, December 18, 2014 at 10:00A.M .

III. Approval of Minutes

3. [Approval of the October 23, 2014 SZBA Meeting Minutes](#)

Attachment: [October 23,2014 SZBA Meetin Minutes.pdf](#)

Board Action:

Approval of the October 23, 2014 Meeting Minutes. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Tom Branch - Aye

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

IV. Approval of Final Agenda

4. [Items to be Continued](#)

At the petitioner's request, the following items have been continued to the next scheduled hearing:

December 18, 2014.

14-003918-ZBA | Robert McCorkle | 421 Abercorn Street | Appeal of HDBR Decision

14-002878-ZBA | Gavin Gibson | 31 E. Jones Street | Variance

Board Action:

Approval. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Tom Branch - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

Sidney J Johnson - 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

5. [14-005244-ZBA | 2026 Habersham Street | Frontage Variance](#)

Attachment: [Staff Report 5244.pdf](#)

Attachment: [Images 5244.pdf](#)

Present for the petition was: Guy Davidson, Agent

Jack Butler gave a brief summary of the staff report and concluded that staff is recommending approval of the petitioner's request. He added that staff had received no known objections from surrounding property owners. .

Chairman Mackey explained that the Consent Agenda allows members to approve non-controversial items to expedite business and save time during meetings.

Board Action:

The petitioner proposes to meet the building frontage standard along Habersham Street, which is the more heavily travelled of the frontage roads, and to substantially meet the frontage standard- PASS along Plant Street. Staff recommends **approval** of the requested 7 percent frontage variance on the Plant Street face of the subject property.

Vote Results

Motion: Eli Karatassos

Second: Brian Reese

Tom Branch - Aye

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

6. [14-005242-ZBA | 544 E. 32nd St. | Setback Variance](#)

Attachment: [Staff Report 5244.pdf](#)

Attachment: [Images 5242.pdf](#)

Present for the petition was Anne Smith

Jack Butler gave a brief summary of the staff report. In his conclusion he stated that he had received comment from one adjoining property owner who stated the he was in favor of the petition. Staff recommendation was to approve the petitioner's request.

Board Action:

The petitioner proposes to maintain the front setback established by the remaining structure on the block. Staff recommends approval of the requested 17-foot front building setback variance. - PASS

Vote Results

Motion: Eli Karatassos

Second: Brian Reese

Tom Branch - Aye

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

7. [14-005243 | 546&548 E. 32nd St. | Setback Variances](#)

Attachment: [Staff Report 5243.pdf](#)

Attachment: [Images 5243.pdf](#)

Present for the petition was Anne Smith

In Mr. Butler's summary he stated that this variance was very similar to the previous petition; however the petitioner realized that her request for a side-yard setback was not required. She is only requesting a 17 foot front yard setback. Staff has no objections and recommends approval.

Board Action:

Approval of the requested 17-foot front yard setback variance. - PASS

Vote Results

Motion: Eli Karatassos

Second: Brian Reese

Tom Branch - Aye

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

8. [14-005290-ZBA | 312 & 314 Lorch St. | Parking Setback Variance](#)

Attachment: [Staff Report 5290.pdf](#)

Attachment: [Images 5290.pdf](#)

Present for the petition was: Pete Callejas

Jack Butler gave a brief summary of the staff report. He added that staff had received several calls regarding this petition but none were in opposition to the petitioner's request. Staff recommendation was for approval.

Board Action:

The petitioner proposes to align his new residential structures with the existing four townhouse units to the east of the subject property. The alignment will create a similar setback along the block face. **Approval** of the requested structured parking setback variance. - PASS

Vote Results

Motion: Eli Karatassos

Second: Brian Reese

Tom Branch	- Aye
Sidney J Johnson	- Aye
Eli Karatassos	- Aye
Timothy Mackey	- Aye
Brian Reese	- Aye

VI. Old Business

9. [14-004359-ZBA | 317 E. Broad St. | Remote Parking Separation Variance](#)

Attachment: [Staff Report 4359.pdf](#)

Attachment: [Scan_Doc0007.pdf](#)

Attachment: [Maps & Images 4359.pdf](#)

Present for the petition was James Webbena, Agent and Michael Conner, Petitioner

Jack Butler presented board members with a brief history of the petition. He stated that after considerable dialogue with various departments it was determined that the net gain would only be one or two spots in the vicinity; therefore the petitioner was encouraged to find remote parking. In order to use the remote parking site the petitioner is requesting a variance. Staff is recommending approval of the petitioner's request.

Speaking on the petition: Mr. Harris, neighboring resident, stated that he was opposed to the petition.

Ms. Catherine Stallings, neighboring resident, voiced her concerns regarding the parking and stated that she was in opposed to the petition.

Board Action:

Approval of the requested 710-foot remote parking separation variance. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Tom Branch - Aye

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

10. [14-004767-ZBA | 1935 E. Victory Dr. | Appeal of Zoning Administrator Ruling](#)

Attachment: [Staff Report 4767.pdf](#)

Attachment: [Zoning Administrator Decision.pdf](#)

Attachment: [Petitioners Submittal.pdf](#)

Attachment: [Sec. 8-3165 - Appeals of Zoning Administrator Decision.pdf](#)

Attachment: [Sec. 8-3112 \(c\) Restricted sign.pdf](#)

Attachment: [Council Minutes 9-22-11.pdf](#)

Attachment: [Mayorandaldermenreport.pdf](#)

Attachment: [Images 4767.pdf](#)

Present for the petition was: Robert McCorkle, Agent

Jack Butler gave a quick summary of the staff report. He stated that the sign ordinance section is both convoluted and contradictory in places, even after attempts to remedy inconsistencies. Problematic language persists in references, definitions, and in sections which were imperfectly modified over a series of amendments to the ordinance. It is clear that the Zoning Administrator made an interpretation based on the unclear language in the ordinance. The intent of the Council in adopting the ordinance section in 2007 is not apparent from the existing minutes. The perpetuation of the change to subsection (e) in two subsequent amendments to the sign ordinance (in 2011 and 2013) did not address that change and merely perpetuated the alteration. Since the issue is broader than the immediate petition, and would have the effect of barring (or permitting) an entire class of signage, it is the recommendation of Staff that the Zoning Board of Appeals **table the current petition and return the question to the Zoning Administrator** with the direction that he work with MPC staff to clarify the intent of the City of Savannah regarding mechanically changing sign faces through public hearing and to craft an amendment to the ordinance to codify that intent.

Speaking on the petition: Robert McCorkle, agent stated that though the language in the ordinance was convoluted there was no language in the ordinance that prohibits mechanical signs. He stated that he did not agree with the staff recommendation and asked that the petition be approved.

Tiras Petra, Principle Zoning Inspector, stated that the city takes the position that if a use is not addressed in the ordinance, it is an illegal use.

Richard Estes, asked that the board give every consideration to his petition.

Mickey Stephens, stated that his only concern here was that there not be a proliferation of signs in this area.

Board Action:

Approval of the petitioner's request as submitted. - PASS

Vote Results

Motion: Eli Karatassos

Second: Brian Reese

Tom Branch - Aye

Sidney J Johnson - Abstain

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

VII. Regular Agenda

11. [14-005249-ZBA | 200-500 W. River St. | Standards Variances](#)

Attachment: [Staff Report 5249.pdf](#)

Attachment: [HDBR 10-08-2014 Minutes Special Called Meeting.pdf](#)

Attachment: [HDBR Board Decision 14-004597-COA.pdf](#)

Attachment: [Images 5249.pdf](#)

Attachment: [KesslerHDBRPartI_PowerPlant04.pdf](#)

Present for the petition was: Christine Sottile, Agent

Jack Butler gave a brief summary of the staff report and stated that the staff recommends denial of the requested variances.

Speaking on the Petition: Harold Yellin, agent stated that though there appears to be a lot of variances (14) requested by the petitioner, there are ten buildings associated with this development. This is a substantial investment in the community which the historic review board has unanimously endorsed. He added that he was now requesting variances applicable to height and mass only and that he would return to the Historic Board for designs and if there were variances needed for the design he would petition this board again for approval of those variances. He asked that the board consider the unusual

circumstances of this property and approve the petition as submitted.

Ellen Harris, Director Historic Preservation stated that she was present to represent the recommendation of the HRB. She explained the process of how the historic review board came to their conclusions.

Board Action:

Approval of the petitioner's request. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Tom Branch - Aye

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

12. [14-005175-ZBA | 1629 E. Duffy St. | Special Use \(Child Care\)](#)

Attachment: [Staff Report 5175.pdf](#)

Attachment: [Images 5175.pdf](#)

Present for the petition was: Richard and Janice Halston, Petitioners

Jack Butler gave a summary of the staff report. He informed the members of the board that staff had received emails regarding this petition and that copies were at their station for their consideration. Staff recommends approval of the requested expansion of the child care center to up to 12 children, maximum, with the condition that the petitioner provides two off street parking spaces, off-street pick-up and drop-off provisions for the children, and a buffer plan sufficient to screen the play area.

Speaking on the petition: Janice Halston, petitioner stated that at the present there are children being dropped off at the site. She added that she was not prepared to add a circular driveway at the site. After further discussion, Ms. Halston decided to withdraw the petition.

Board Action:

Petitioner withdrew the petition. -

Vote Results

Motion:

Second:

13. [14-005141-ZBA | 2115 Hagood St. | Use Approval \(Group Home for the Elderly\)](#)

Attachment: [Staff Report 5141.pdf](#)

Attachment: [Images 5141.pdf](#)

Present for the petition was: Johnny and Patricia Lonnon

Jack Butler gave a brief summary of the staff report. Staff recommends approval of the proposed use with the condition that the use be limited to no more than four clients and a caretaker and that the petitioner be required to obtain all necessary state licensing for the operation of such a facility.

Speaking on the petition: Jean Edwards neighboring resident voiced her concerns regarding the proposed residents of the facility.

Patricia Lonnon, petitioner stated that she has petitioned to open a group care home for the elderly that needed assistance with their daily routine.

Mr. Butler explained in detail the criteria for a group care home and the individuals that would be eligible for the facility.

Board Action:

Approval of the proposed use, 18(f) Group Care Home for the Elderly, with the **conditions** that the use be limited to no more than four clients and a caretaker (five individuals), and that the petitioner be required to obtain all necessary state licensing for the operation of such a facility. - PASS

Vote Results

Motion: Eli Karatassos

Second: Sidney J Johnson

Tom Branch - Aye

Sidney J Johnson - Aye

Eli Karatassos - Aye

Timothy Mackey - Aye

Brian Reese - Aye

14. [14-005250-ZBA | 1102 E. Duffy St. | Use Approval \(Group Home for the Elderly\)](#)

Attachment: [Staff Report 5250.pdf](#)
Attachment: [1102 E Duffy Petitioner's Submittal.pdf](#)
Attachment: [Images 5250.pdf](#)

Present for the petition was: Parker Morgan, Agent

Jack Butler gave a summary of the staff report. Staff recommends approval of the proposed use with the conditions that the use be limited to five clients and a caretaker (six individuals) and the petitioner be required to obtain all necessary state licensing for the operation of such a facility.

Speaking on the petition: Parker Morgan agent for Kelvin Davis respectively requested that the staff recommendation be approved. He added that he and/or Mr. Davis was available for any questions or concerns.

Board Action:

Approval of the proposed use, 18(f) Group Care Home for the Elderly, with the **conditions** that the use be limited to five clients and a caretaker (six individuals), and that the petitioner be required to obtain all necessary state licensing for the operation of such a facility. - PASS

Vote Results

Motion: Eli Karatassos
Second: Sidney J Johnson
Tom Branch - Aye
Sidney J Johnson - Aye
Eli Karatassos - Aye
Timothy Mackey - Aye
Brian Reese - Aye

15. [14-005251-ZBA | 828 E. Anderson St. | Use Approval \(Group Home for the Elderly\)](#)

Attachment: [Staff Report 5251.pdf](#)
Attachment: [828 E Anderson Petitioner's submittal.pdf](#)
Attachment: [Images 5251.pdf](#)

Present for the petition was: Parker Morgan, Agent

Jack Butler gave a brief summary of the staff report. Staff recommends approval of the proposed use with the conditions that the use be limited to no more than four clients and a caretaker and that the petitioner be required to obtain all necessary state licensing for the operation of such a facility.

Board Action:

Approval of the proposed use, 18(f) Group Care Home for the Elderly, with the **conditions** that the use be limited to no more than four clients and a caretaker (five individuals) , and that the petitioner be required to obtain all necessary state licensing for the operation of such a facility. - PASS

Vote Results

Motion: Sidney J Johnson

Second: Tom Branch

Tom Branch	- Aye
Sidney J Johnson	- Aye
Eli Karatassos	- Aye
Timothy Mackey	- Aye
Brian Reese	- Aye

VIII. Other Business

16. [Nominating Committee Report](#)

Mr. Sidney Johnson reported that the nominating committee has nominated Mr. Brian Reese as Chairman and Mr. Timothy Mackey to serve as Vice Chairman. A vote will be taken at the next schedule meeting; December 18, 2014.

IX. Adjournment

17. [Adjournment of the November 26, 2014 SZBA Meeting](#)

There being no other business to come before the board, Chairman Timothy Mackey declared the November 26, 2014 SZBA meeting adjourned.

Respectfully submitted,

Jack Butler, SZBA Secretary

/cm

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.