



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 Mendonsa Hearing Room
110 E. State Street - 10:00 A.M.
Minutes

September 22, 2016 Savannah Zoning Board of Appeals Meeting

This is a quasi-judicial proceeding. All those wishing to give testimony during these proceedings will please sign in. Witnesses will be sworn-in prior to giving testimony. To have evidence included in the official record, all documents must be stamped in prior to being presented during the hearing.

All proceedings of the Savannah Zoning Board of Appeals are recorded. Decisions of the Savannah Zoning Board of Appeals are final. Challenges to the decisions of the Savannah Zoning Board of Appeals must be filed through the Superior Court of Chatham County.

Note: All persons wishing to speak are requested to sign on the "Sign-In Sheet" on the lectern.

I. Call to Order and Welcome

II. Invocation and Pledge of Allegiance

III. Notices, Proclamations and Acknowledgements

IV. Approval of Minutes

1. [Approval of the August 25, 2016 Meeting Minutes](#)

Attachment: [August 25, 2016 SZBA Minutes.pdf](#)

Board Action:

Approve the minutes as written. - PASS

Vote Results

Motion: Timothy Mackey

Second: Parker Morgan

Tom Branch - Aye

Timothy Mackey - Aye

Tonia Miller - Not Present

Parker Morgan - Aye

V. Approval of Final Agenda

Approval of Final Agenda

2. [Request for Rehearing, 16-004052-ZBA, 107 E. Park Ave. Unit #3, STVR](#)

Attachment: [Staff Report 4052.pdf](#)
Attachment: [Maps and Images 4052.pdf](#)

Board Action:
Staff recommends **approval** of the request for rehearing. - PASS
If the board approves the request, the item will be heard under "Old Business."

Vote Results
Motion: Parker Morgan
Second: Timothy Mackey
Tom Branch - Aye
Timothy Mackey - Aye
Tonia Miller - Not Present
Parker Morgan - Aye

3. [Request for Rehearing, 16-004051-ZBA, 107 E. Park Ave. Unit #2, STVR](#)

Attachment: [Staff Report 4051.pdf](#)
Attachment: [Maps and Images 4051.pdf](#)

Board Action:
Staff recommends **approval** of the request for rehearing. - PASS
If the board approves the request, it shall hear the matter under "Old Business."

Vote Results
Motion: Parker Morgan
Second: Timothy Mackey
Tonia Miller - Not Present
Parker Morgan - Aye
Tom Branch - Aye
Timothy Mackey - Aye

4. [Final Agenda Approval](#)

Board Action:
Approval of the agenda as stated. - PASS

Vote Results
Motion: Timothy Mackey

Second: Parker Morgan	
Tom Branch	- Aye
Timothy Mackey	- Aye
Tonia Miller	- Not Present
Parker Morgan	- 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.

VI. Consent Agenda

5. [905 Abercorn St. | Use Approval \(Cultural Facility\) | 4662](#)

- Attachment: [Staff Report 4662.pdf](#)
- Attachment: [Maps and Images 4662.pdf](#)
- Attachment: [Petitioner Explanation 4662.pdf](#)

Board Action:
Staff recommends **approval** of the requested use #15, Cultural Facility. - PASS

Vote Results
Motion: Timothy Mackey
Second: Parker Morgan

Tom Branch	- Aye
Timothy Mackey	- Aye
Tonia Miller	- Aye
Parker Morgan	- Aye

6. [103 W. 51st St. | Use Approval \(Group Care Home for the Elderly\) | 4726](#)

- Attachment: [Staff Report 4726.pdf](#)
- Attachment: [Maps and Images.pdf](#)
- Attachment: [Board Decision - 2012.pdf](#)
- Attachment: [Comment 4726.pdf](#)

Board Action:
In reliance of the 2012 decision, the petitioner has worked to expand and improve the subject property to accommodate the use. Staff recommends that the Board **approve** the petition for a use under Section 8-3025(a), Group Care Home for the Elderly (use # 18f), with the **condition** that the number of residents be limited to a maximum of seven individuals. - PASS

Vote Results

Motion: Parker Morgan
Second: Tom Branch
Tom Branch - Aye
Timothy Mackey - Nay
Tonia Miller - Aye
Parker Morgan - Aye

7. [510 Durant Ave. | Setback and Lot Coverage Variances | 4714](#)

Attachment: [Staff Report 4714.pdf](#)
Attachment: [Maps and Images 4714.pdf](#)

Board Action:
The proposed garage is in keeping with similar structures in the vicinity, many of which are placed at or just off the rear and side property lines. Staff recommends **approval** of the requested variance of three feet from the five-foot side-yard setback - PASS required, the requested two-foot rear building setback variance from the five feet required, and the variance of four percent in the 30 percent maximum lot coverage required.

Vote Results
Motion: Timothy Mackey
Second: Parker Morgan
Tom Branch - Aye
Timothy Mackey - Aye
Tonia Miller - Aye
Parker Morgan - Aye

8. [501 E. 51st St. | Setback Variances | 4720](#)

Attachment: [Staff Report 4720.pdf](#)
Attachment: [Maps and Images 4720.pdf](#)

Board Action:
Staff recommends **approval** of a side-yard setback variance of 13.75 feet from the 15 feet required - PASS and a rear-yard setback variance of 4.5 feet from the five feet required by the ordinance.

Vote Results
Motion: Timothy Mackey
Second: Parker Morgan
Tom Branch - Aye
Timothy Mackey - Aye

Tonia Miller - Aye
Parker Morgan - Aye

9. [540 E. 54th St. | Setback and Lot Coverage Variances | 4881](#)

Attachment: [Staff Report 4881.pdf](#)
Attachment: [Maps and Images 4881.pdf](#)

Board Action:
Staff recommends **approval** of the requested 14-foot variance in the 15-foot street side yard building setback and a 14 percent variance in the required 30 percent maximum lot coverage to permit the replacement of a fire-damaged garage with a similarly sized garage in the same location. - PASS

Vote Results
Motion: Timothy Mackey
Second: Parker Morgan
Tom Branch - Aye
Timothy Mackey - Aye
Tonia Miller - Aye
Parker Morgan - Aye

VII. Old Business

10. [16-004052-ZBA 107 E. Park Ave Unit 3](#)

Board Action:
Staff recommends approval. - PASS

Vote Results
Motion: Parker Morgan
Second: Timothy Mackey
Timothy Mackey - Aye
Tonia Miller - Nay
Parker Morgan - Aye
Tom Branch - Aye

11. [16-004051-ZBA 107 E. Park Ave Unit 2](#)

Board Action:
Staff recommends approval. - PASS

Vote Results

Motion: Parker Morgan
Second: Timothy Mackey
Tom Branch - Aye
Timothy Mackey - Aye
Tonia Miller - Nay
Parker Morgan - Aye

12. [215 E. Gwinnett St. | Short Term Rental | 3486](#)

Attachment: [Staff Report 3486.pdf](#)
Attachment: [Maps and Images 3486.pdf](#)
Attachment: [Comments 3486.pdf](#)
Attachment: [060316 Report on Short Term Vacation Rentals through April 15 2016 \(1\) \(2\).pdf](#)
Attachment: [Petitioner Statement Re ZBA item 3486 -215EGwinnett.pdf](#)

Board Action:

Staff recommends **approval** of the proposed use #8a (Short Term Vacation Rental); with the **condition** that the approval is for the existing structure only; any additional residential units added to the parcel must be separately evaluated for the use. - PASS

Vote Results

Motion: Parker Morgan
Second: Timothy Mackey
Tom Branch - Aye
Timothy Mackey - Aye
Tonia Miller - Nay
Parker Morgan - Aye

13. [36 Martin Luther King Jr. Blvd. | Variance of Historic District Standard | 4212](#)

Attachment: [Maps and Images 4212.pdf](#)
Attachment: [Building Height Map.pdf](#)
Attachment: [Preservation Brief 14_ New Exterior Additions \(Rooftop\).pdf](#)
Attachment: [419 West Congress HDBR July 2016 optimized.pdf](#)
Attachment: [Staff Report 4212.pdf](#)
Attachment: [Board Decision 16-004018-COA \(unsigned\).pdf](#)

Board Action:

Staff recommends that the Zoning Board of Appeals **affirm** the Historic District Board of Review's interpretation of "from the front elevation."

Staff recommends **approval** of the requested variance from the requirement of Section 8-3030(n)(11)(b). - PASS

Vote Results

Motion: Parker Morgan
Second: Timothy Mackey
Tom Branch - Aye
Timothy Mackey - Aye
Tonia Miller - Aye
Parker Morgan - Aye

VIII. Regular Agenda

14. [313 W. Waldburg St. Unit A | Short Term Rental | 4855](#)

Attachment: [Staff Report 4855.pdf](#)
Attachment: [Maps and Images 4855.pdf](#)

Board Action:

Staff recommends **approval** of the proposed use #8a (Short Term Vacation Rental). - PASS

Vote Results

Motion: Parker Morgan
Second: Timothy Mackey
Tom Branch - Aye
Timothy Mackey - Aye
Tonia Miller - Nay
Parker Morgan - Aye

15. [313 W. Waldburg St. Unit B | Short Term Rental | 4856](#)

Attachment: [Staff Report 4856.pdf](#)
Attachment: [Maps and Images 4856.pdf](#)

Board Action:

Staff recommends **approval** of the proposed use #8a (Short Term Vacation Rental). - PASS

Vote Results

Motion: Parker Morgan
Second: Tom Branch
Tom Branch - Aye
Timothy Mackey - Not Present
Tonia Miller - Nay

Parker Morgan - Aye

16. [115 E. Park Ave. Unit A | Short Term Rental | 4818](#)

Attachment: [Staff Report 4818.pdf](#)
Attachment: [Maps and Images 4818.pdf](#)

Board Action:
Staff recommends **approval** of the proposed use - PASS
#8a (Short Term Vacation Rental).

Vote Results
Motion: Parker Morgan
Second: Tom Branch
Tom Branch - Aye
Timothy Mackey - Not Present
Tonia Miller - Nay
Parker Morgan - Aye

17. [1111 Abercorn St. | Short Term Rental | 4882](#)

Attachment: [Staff Report 4882.pdf](#)
Attachment: [Maps and Images 4882.pdf](#)

Board Action:
Staff recommends **approval** of the proposed use - PASS
#8a (Short Term Vacation Rental).

Vote Results
Motion: Parker Morgan
Second: Timothy Mackey
Tom Branch - Aye
Timothy Mackey - Aye
Tonia Miller - Nay
Parker Morgan - Aye

18. [607 Drayton St. | Appeal of HDBR Decision | 4557](#)

Attachment: [Maps and Images 4557.pdf](#)
Attachment: [16-003492-COA.pdf](#)
Attachment: [Staff Report 4557.pdf](#)

Board Action:
Board made a motion to approve the appeal. - PASS

Vote Results

Motion: Timothy Mackey	
Second: Tonia Miller	
Tom Branch	- Aye
Timothy Mackey	- Aye
Tonia Miller	- Aye
Parker Morgan	- Abstain

19. [205 E. Montgomery Cross Rd. | Sign Separation Variance | 4879](#)

- Attachment: [Staff Report 4879.pdf](#)
- Attachment: [Maps and Images 4879.pdf](#)
- Attachment: [Notice to Move Sign 4879.pdf](#)
- Attachment: [Petitioner Images.pdf](#)
- Attachment: [Comments.pdf](#)

Board Action:

	- PASS
Board made a motion to deny.	

Vote Results

Motion: Timothy Mackey	
Second: Tonia Miller	
Tom Branch	- Aye
Timothy Mackey	- Aye
Tonia Miller	- Aye
Parker Morgan	- Nay

20. [509 W. 31st St. | Separation Variance \(Vehicle Repair\) | 4306](#)

- Attachment: [Maps and Images 4306.pdf](#)
- Attachment: [508 W 32nd Street adjoining residences..pdf](#)
- Attachment: [Staff Report 4306.pdf](#)

Board Action:

Staff recommends **approval** of the requested 150-foot separation variance, with the following conditions:

- (1) The hours of operation shall be limited to 7 a.m. to 7 p.m.;
- (2)The petitioner shall install and maintain a seven-foot architectural fence between the subject property and the residential properties to the south;
- (3) The proposed use, not to include washing and detailing, shall be conducted only within an enclosed building. - PASS
- (4) The proposed use, including washing and

detailing, shall not be conducted in the public right-of-way.
(5) Bay doors are permitted, but may only face 31st Street, and may be open only during hours of operation.

Vote Results

Motion: Parker Morgan
Second: Tonia Miller
Tom Branch - Not Present
Timothy Mackey - Aye
Tonia Miller - Aye
Parker Morgan - Aye

21. [140 E. 56th St. | Setback Variance | 4884](#)

Attachment: [Staff Report 4884.pdf](#)
Attachment: [Maps and Images 4884.pdf](#)
Attachment: [Site Plan 4884.pdf](#)

Board Action:

Board made a motion to approve a six foot variance. - PASS

Vote Results

Motion: Parker Morgan
Second: Tonia Miller
Tom Branch - Not Present
Timothy Mackey - Aye
Tonia Miller - Aye
Parker Morgan - Aye

22. [101 Millen St. | Setback Variance | 4883](#)

Attachment: [Staff Report 4883.pdf](#)
Attachment: [Maps and Images 4883.pdf](#)
Attachment: [24 Hudson Revised Permit Set 082316.pdf](#)

Board Action:

Staff recommends **approval** of the requested variance of 10-feet in the required 15-foot street-side yard building setback. - PASS

Vote Results

Motion: Parker Morgan

Second: Tonia Miller	
Tom Branch	- Not Present
Timothy Mackey	- Aye
Tonia Miller	- Aye
Parker Morgan	- Aye

23. [1133 E. 50th St. | Setback Variance | 4880](#)

- Attachment: [Maps and Images 4880.pdf](#)
- Attachment: [Site Plan 4880.pdf](#)
- Attachment: [Staff Report 4880.pdf](#)

Board Action:	
Board made a motion to approve.	- PASS
Vote Results	
Motion: Parker Morgan	
Second: Timothy Mackey	
Tom Branch	- Not Present
Timothy Mackey	- Aye
Tonia Miller	- Aye
Parker Morgan	- Aye

IX. Other Business

X. Adjournment

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.