



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
112 E. State Street, Savannah 11:00
Minutes

April 26, 2011 Savannah Zoning Board of Appeals Meeting

Members Present: Timothy Mackey, Chairman
Paul Robinson, Vice Chairman
Sidney Johnson
Brian Reese

Members Not Present:: John P. Jones

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

Advisory Staff Present: Randolph Scott, City Zoning Administrator

I. Call to Order and Welcome

1. [Call to Order](#)

Chairman Mackey called the April 26, 2011 SZBA Meeting to order at 11:07a.m. He explained the agenda for the benefit of those attending the meeting for the first time.

II. Notices, Proclamations and Acknowledgements

III. Approval of Minutes

2. [Approval of the March 22, 2011 SZBA Meeting Minutes](#)

Attachment: [March22.pdf](#)

Board Action:

Approval of the March 22, 2011 SZBA Meeting Minutes as submitted. - PASS

Vote Results

Motion: Brian Reese	
Second: Sidney J Johnson	
Sidney J Johnson	- Aye
Timothy Mackey	- Aye
Brian Reese	- Aye
Paul Robinson	- Not Present

IV. Item(s) Requested to be Removed from the Final Agenda

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. [Lot Size Variances - 113 Burke Avenue - 42480](#)

Attachment: [Staff Report - 42480.pdf](#)
Attachment: [Ortho-Zoning-Imagery.pdf](#)
Attachment: [Site Plan.pdf](#)
Attachment: [Building Setbacks.pdf](#)
Attachment: [Comment Letter.pdf](#)
Attachment: [AERIAL_MAP.pdf](#)

Jack Butler gave the following summary:

The petitioner, Virginia Brown, agent for Habitat for Humanity, is requesting approval of a 30-foot lot width reduction (from the 60 feet required), a 10 percent lot coverage variance (from the 30 percent maximum permitted), a 7-foot front yard setback variance (from the 25 feet required), a 13.5 foot rear yard setback variance (from the 25 feet required), a reduction of one space from the two spaces required, a 4-foot rear setback variance for an accessory structure (from the 5 feet required), and a 4-foot side setback variance for an accessory structure (from the 5 feet required) in order to construct a single-family residence. Staff recommends **approval** of the requested variances.

Board Action:

Staff recommends approval of the requested variances. - PASS

Vote Results

Motion: Brian Reese	
Second: Sidney J Johnson	
Paul Robinson	- Not Present
Sidney J Johnson	- Aye
Timothy Mackey	- Aye
Brian Reese	- Aye

4. [Recreation Park Offices - 7226 Varnadoe Drive - 40986](#)

- Attachment: [VINICITY_MAP.pdf](#)
- Attachment: [Ortho-Zoning-Imagery.pdf](#)
- Attachment: [20606 ZBA - Site Plan.pdf](#)
- Attachment: [AERIAL_MAP.pdf](#)
- Attachment: [Staff Report -40986.pdf](#)

Jack Butler gave the following summary:

The petitioner, Robert Drewry, agent for Chatham County Board of Commissions, is requesting approval of a use (Public Use, #23) in order to install offices and maintenance equipment at an established recreation facility off of Skidaway Road. Staff recommends **approval** of the proposed use.

Board Action:

Staff recommends approval of the proposed use. - PASS

Vote Results

Motion: Brian Reese

Second: Sidney J Johnson

Sidney J Johnson - Aye

Timothy Mackey - Aye

Brian Reese - Aye

Paul Robinson - Not Present

VI. Old Business

5. [Rear Setback Variance - 622 W. 42nd. - 33520](#)

- Attachment: [Staff Report -33520.pdf](#)
- Attachment: [Southview.pdf](#)
- Attachment: [Northview.pdf](#)
- Attachment: [Ortho-Zoning-Imagery.pdf](#)
- Attachment: [Certificate of Compatibility.pdf](#)
- Attachment: [Site Plan-33520.pdf](#)

Jack Butler gave the following summary:

The petitioner, Peter Thompson, Agent for Virginia Morrell, is requesting approval of an 11-foot variance from the required 30-foot rear setback in order to replace a demolished utility room on the rear of an existing residence. The case was continued on March 22nd due to missing signage at the site. The petitioners are seeking to restore an addition to the subject structure that was in place for many years. The addition would encroach on the rear setback no more than it once did. Staff recommends **approval** of the requested variance.

Discussion

Mr. Reese asked that Mr. Butler recapp on what happened to the previous structure and if the petitioner's only request was to replace it.

Mr. Butler explained that the petitioner would like to re-build another structure of the same size and width of the previous structure. He stated that the new structure would not encroach any more than the previous structure had and that the petitioner has gone through the Certificate of Compatibility Review process by the reviewing officer Sarah Ward and has received approval for the design.

Board Action:

Staff recommends approval of the requested variance. - PASS

Vote Results

Motion: Brian Reese

Second: Sidney J Johnson

Sidney J Johnson - Aye

Timothy Mackey - Aye

Brian Reese - Aye

Paul Robinson - Not Present

VII. Regular Agenda

6. [Setback Variance - 160 Bordeaux Lane - 41859](#)

Attachment: [Staff Report -41859.pdf](#)

Attachment: [Site Plan.pdf](#)

Attachment: [Ortho-Zoning-Imagery.pdf](#)

Attachment: [Southview.pdf](#)

Attachment: [Site Photos.pdf](#)

Attachment: [Adjoining Property Owner Testimony.pdf](#)

Present for the petition was: Jeffrey Stevenson, petitioner

Jack Butler gave the following summary:

The petitioner, Jeffrey Stevenson, is requesting approval of a 5-foot rear setback variance (from the 25 feet required), a 4-foot side setback variance (from the 5 feet required), and a 1.1 percent (330 square foot) lot coverage variance (from the 30 percent maximum) in order to allow a carport and sunroom attached to a single-family residence.

The petitioner's carport and screened porch are not unusual in the neighborhood, and do not encroach on adjoining properties more than is typical in the neighborhood. The neighbor to the east, whose property is closest to the encroaching carport, has submitted a letter asserting that the carport does not create drainage or runoff issues on her property. Staff recommends **approval** of the requested variances.

Speaking on the petition; Mr. Stevenson stated that he has been a resident on this property for nineteen years and that the carport has been there for the last four years without any complaints from his neighbors. He asked that the petition be approved as submitted.

Board Action:

The petitioner's carport and screened porch are not unusual in the neighborhood, and do not encroach on adjoining properties more than is typical in the neighborhood. The neighbor to the east, whose property is closest to the encroaching carport, has submitted a letter asserting that the carport does not create drainage or runoff issues on her property. Staff recommends **approval** of the requested variances. - PASS

Vote Results

Motion: Brian Reese

Second: Sidney J Johnson

Sidney J Johnson

- Aye

Timothy Mackey

- Aye

Brian Reese

- Aye

Paul Robinson

- Not Present

7. [Special Use \(Child Care Center\) - 4018 Walton St. - 51529](#)

Attachment: [Site Plan.pdf](#)

Attachment: [Ortho-Zoning-Imagery.pdf](#)

Attachment: [Staff Report -51529.pdf](#)

Present for the petition: Ms.Janice Swan, Petitioner and Ms.Valarie Davis

Jack Butler gave the following summary:

The petitioner, Janice Swan, is requesting approval of a special use (22b – Child Care Center), which is permitted in the R-6 zoning district with Board of Appeals approval, and a variance from the requirement that said use be located on a collector street or higher classification.

The primary potential negative impact from the proposed use would be from traffic on an otherwise lightly traveled residential cul-de-sac. Staff recommends approval of the requested use and a variance of the required provision that such a use be located on a collector street or higher, provided the petitioner obtains approval from the Traffic Engineering Department for both delivery and pick-up facilities and impact on the traffic pattern in the neighborhood.

Speaking on the petition: Ms. Janice Swan, petitioner added that she has spoken with her neighbors regarding her proposal and everyone is in agreement. She explained that she plans to have 12 students enrolled in the facility. Presently there are eight (8) children enrolled; her proposal is to increase enrollment by four (4). She agreed that she will also reside at the facility.

Ms. Valerie Davis, co-owner explained that the daycare location on Walton Street is functioning as a family daycare at the present time. She also explained: 1) the transporting of children between the two facilities (Walton Street & Hampstead Avenue); 2) the State requirements on the number of enrollment in a family daycare and; 3) the hours of operation for these facilities. She asked that the petition be approved as submitted.

Board Action:

Staff recommends approval of the requested use and a variance of the required provision that such a use be located on a collector street or higher, provided the petitioner obtains approval from the Traffic Engineering Department for both delivery and pick-up facilities and impact on the traffic pattern in the neighborhood. - PASS

Vote Results

Motion: Paul Robinson
Second: Sidney J Johnson
Sidney J Johnson - Aye
Timothy Mackey - Aye
Brian Reese - Aye
Paul Robinson - Aye

8. [Rear Setback Variance - 13104 Hermitage Rd. - 48448](#)

- Attachment: [Staff Report -48448.pdf](#)
- Attachment: [Ortho-Zoning-Imagery.pdf](#)
- Attachment: [Building Coverage.pdf](#)
- Attachment: [Site Plan.pdf](#)
- Attachment: [AERIAL_MAP.pdf](#)

Present for the petition: Paul Bush

Jack Butler gave the following summary:

The petitioner, Paul Bush, is requesting approval of a rear setback variance of 10 feet from the 35 feet required in order to construct an addition onto an existing single-family residence. The rear setbacks observed by houses in the immediate neighborhood are considerably less than required by the ordinance, and the residence on the subject property is among the smaller residences in

the neighborhood. The requested 10-foot rear setback variance would maintain a 25-foot rear yard, which is larger than the rear yard on either neighboring property. Staff recommends **approval** of the requested variance.

Speaking on the petition: Mr. Bush informed the board that he would answer any questions that they may have and that he was in agreement with the staff recommendation. He asked that the petition be approved as submitted.

Board Action:

Staff recommends approval of the requested variance. - PASS

Vote Results

Motion: Paul Robinson

Second: Brian Reese

Sidney J Johnson - Aye

Timothy Mackey - Aye

Brian Reese - Aye

Paul Robinson - Aye

9. [Lot Variances - 730 Washington Avenue - 49505](#)

Attachment: [Staff Report -49505.pdf](#)

Attachment: [Ortho-Zoning-Imagery.pdf](#)

Attachment: [Building Lane Setbacks.pdf](#)

Attachment: [Board Decision 1-26-10.pdf](#)

Attachment: [Site Plan.pdf](#)

Present for the petition was: Deborah Nease

Jack Butler gave the following summary:

The petitioner, Deborah Nease, is requesting approval of a lot coverage variance of 314 square feet (3 percent), a side setback variance of 2 feet from the five feet required and a rear setback variance of 5 feet from the 5 feet required in order to build a stand-alone garage on a lane to the rear of an existing residence. The construction of the proposed garage would be similar to that on many of the nearby properties. Staff recommends **approval** of the requested variances.

Speaking on the petition: Ms. Nease stated that she would like to build a garage to house her car and to store gardening tools. She asked that the petition be approved.

Board Action:

The construction of the proposed garage would be similar to that on many of the nearby properties. Staff - PASS recommends approval of the requested variances.

Vote Results

Motion: Brian Reese
Second: Sidney J Johnson
Sidney J Johnson - Aye
Timothy Mackey - Aye
Brian Reese - Aye
Paul Robinson - Aye

10. [Use Approval \(Adult Day Care Center\) - 928 W. 38th St. - 51183](#)

Attachment: [Staff Report -51183.pdf](#)
Attachment: [Ortho-Zoning-Imagery.pdf](#)
Attachment: [Lot Layout.pdf](#)
Attachment: [Building Photo.pdf](#)

Present for the petition was: Ms. Leisa Thornton

Jack Butler gave the following summary:

The petitioner, Leisa Thornton, agent for Shinita Miller-Young, is requesting approval of a use (Adult Daycare Center, 18m) which is permitted with Zoning Board of Appeals approval. The proposed Adult Daycare Center meets the standards for approval with the exception of final approval by the Traffic Engineer and an approved site plan. Staff recommends approval of the proposed use with the conditions that the petitioner obtain approval from the Traffic Engineer and MPC site plan approval prior to being issued a Certificate of Occupancy.

Mr. Reese asked the requirements of caregiver/client ratio and how many clients would be attending the facility.

Jack Butler responded that there will be 12 clients at the Adult Daycare Center but he would have to research the number of adults per patient.

Speaking on the petition: Ms. Thornton re-iterated that that the daycare center proposed use is of a moderate size (12 customers) and the hours of operation are limited to daytime (7am to 6pm). She explained to the board the services that would be provided at this facility; by whom these services would be needed and; a layout of the facility's floor plan. She added that her brother will reside at the facility and that she will hire at least 2-3 employees (CNAs) to care for the clients during the day (ie) preparing and serving their meals, taking blood pressures and reading glucose levels. She said that she would administer all medications and/or provide all therapeutic needs.

Mr. Mackey stated his concerns regarding: 1) the caregiver/client ratio; 2) the potential need for additional rest rooms and; 3) the ability of staff to monitor clients at all times.

Mr. Robinson questioned Mr. Scott if he generally had many complaints from the neighbors of this type of facility.

Mr. Scott replied that it is very seldom that his office receives legitimate complaints regarding the elderly and that this is a use that is more so welcomed. He added that he has never received a noise complaint from this type of facility and the property is always well maintained for the elderly.

Board Action:

Motion to approve petitioner's request with the condition that the petitioner has no more than 8 clients. - PASS

Vote Results

Motion: Brian Reese
Second: Sidney J Johnson
Sidney J Johnson - Aye
Timothy Mackey - Aye
Brian Reese - Aye
Paul Robinson - Nay

Board Action:

Substitute Motion whereas petitioner will be allowed 12 clients instead of eight (8). - FAIL

Vote Results

Motion: Paul Robinson
Second: Sidney J Johnson
Sidney J Johnson - Aye
Timothy Mackey - Nay
Brian Reese - Nay
Paul Robinson - Aye

VIII. Other Business

11. [E-Agenda](#)

Jack Butler explained that due to the tight schedule this month, that he would request that board members prepare for a short introductory class on e-agenda next month. He asked that board members arrive at 2:00p to allow for a half hour training prior to the scheduled meeting.

IX. Adjournment

12. [Submittal](#)

There being no other business to come before the Board, Chairman Mackey declared the April 26, 2011 SZBA Meeting adjourned at 12:36pm.

Respectfully submitted,

Jack Butler,

Assistant Secretary

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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.