



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

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Arthur A. Mendonsa Hearing Room  
112 E. State Street, Savannah 11:00AM  
Minutes

**February 22, 2011 Savannah Zoning Board of Appeals**

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

**Members Not Present:** Sidney Johnson

**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 February 22, 2011 SZBA Meeting to order @ 11:53 a.m. He explained the agenda for the benefit of those attending a meeting for the first time.

**II. Notices, Proclamations and Acknowledgements**

**Notices**

2. [SZBA Regular Meeting March 22, 2011 at 2:30 P.M in the Arthur Mendonsa Hearing Room located at 112 East State Street](#)

**III. Approval of Minutes**

3. [Approval of the January 25, 2011 SZBA Minutes](#)

Attachment: [January25 \(2\).pdf](#)

**Board Action:**

Approval of the January 25, 2011 SZBA Meeting Minutes as submitted. - PASS

**Vote Results**

Motion: Brian Reese

Second: Paul Robinson

Timothy Mackey - Aye

Brian Reese - Aye

Paul Robinson - Aye

**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**

4. [Ellen Wyatt - 1204 Richards St. - Setback Variance - 58256](#)

Attachment: [Staff Report - 58256.pdf](#)

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

Attachment: [Fellwood Plat.pdf](#)

Attachment: [Fellwood Notes.pdf](#)

Attachment: [CPD PETITION REVIEW.pdf](#)

Present for the petition was: Carole Pierce for Ellen Wyatt

Jack Butler gave the following summary:

The petitioner, Ellen Wyatt, Agent for CHSA Development, is requesting approval of a 3-foot rear setback variance from the 20-foot rear setback required in the district in order to construct a single-family residence within 17 feet of the rear property line. Staff recommends **approval** of the requested variance. This case is apart of the Sustainable Fellwood Project on Richard Street and Ferrill Street. There have been no objections from any of the neighboring property owners.

**Board Action:**

Staff recommendation of approval to the requested variance. - PASS

**Vote Results**

Motion: Paul Robinson

Second: Brian Reese

Timothy Mackey - Aye

Brian Reese - Aye

Paul Robinson - Aye

5. [Wyatt - 1202 Richards Street - Setback Variance - 57637](#)

- Attachment: [Staff Report - 57637.pdf](#)
- Attachment: [Ortho-Zoning Imagery.pdf](#)
- Attachment: [Fellwood Plat.pdf](#)
- Attachment: [Fellwood Notes.pdf](#)
- Attachment: [CPD PETITION REVIEW.pdf](#)

Present for the petition was: Carol Pierce for Ellen Wyatt

Jack Butler gave the following summary:

The petitioner, Ellen Wyatt, Agent for CHSA Development, is requesting approval of a 7-foot, 9-inch rear setback variance from the 20-foot rear setback required in the district in order to construct a single-family residence within 12-feet, 3-inches feet of the rear property line. Staff recommends **approval** of the requested variance. This case is also a part of the Sustainable Fellwood Project. There have been no objections from any of the neighboring property owners.

**Board Action:**

Staff recommends approval of the requested variance. - PASS

**Vote Results**

Motion: Paul Robinson

Second: Brian Reese

Timothy Mackey - Aye

Brian Reese - Aye

Paul Robinson - Aye

**VI. Old Business**

**VII. Regular Agenda**

6. [Von Lehmden - 101 Daisy Court - Setback Variance - 57078](#)

- Attachment: [Staff Report - 57078.pdf](#)
- Attachment: [Ortho-Zoning-Imagery.pdf](#)
- Attachment: [CPD PETITION REVIEW.pdf](#)

Present for the petition was: Aaron Von Lehmden

Jack Butler gave the following summary:

The petitioner, Aaron Von Lehmden, is requesting approval of a 20-foot rear setback variance from the 25-foot rear setback required by the ordinance in order to construct an

addition onto the rear of an existing residence. The petitioner's parcel, at 8,842 square feet, is substantially larger than the minimum for the district. While the parcel is oddly shaped and oriented, there is sufficient room elsewhere on the lot to locate a building expansion without encroaching on the required setbacks. Staff recommends **denial** of the requested variance.

**Speaking on the petition:** Mr. Von Lehmden, petitioner stated that he was not aware that the property owners behind their subject property had a grievance. He explained his reasons for choosing to build the addition at the specific location of the house. He added that the expansion to the rear of the house was the easy option for the expansion of the house. This was due to the layout of the house, access from within the house, and the esthetics from the outside of the house. He admitted that he would be willing to go over a few additional feet but he was not sure the difference that it would make, if any and he explained why. He asked the board for a continuance in order to meet with the neighboring landowner to discuss a compromise or to review the plan.

**Board Action:**

Motion to continue to the March 22, 2011 scheduled SZBA meeting in order to allow the petitioner time to meet with the adjoining property owner to discuss a compromise. - PASS

**Vote Results**

Motion: Paul Robinson  
Second: Brian Reese  
Timothy Mackey - Aye  
Brian Reese - Aye  
Paul Robinson - Aye

7. [Knox - 1020 Abercorn - Use Approval \(Church\) and Parking Variance - 58534](#)

- Attachment: [Staff Report - 58534.pdf](#)
- Attachment: [Use of 1020 Abercorn.pdf](#)
- Attachment: [floor plan of 1020 Abercorn St.pdf](#)
- Attachment: [Ortho-Zoning-Imagery.pdf](#)
- Attachment: [CPD PETITION REVIEW.pdf](#)
- Attachment: [Petition - 26 Signatures Pro.pdf](#)
- Attachment: [Picture 001.pdf](#)
- Attachment: [Picture 002.pdf](#)
- Attachment: [Picture 003.pdf](#)

Present for the petition was: Mr. Robert Knox

Jack Butler gave the following summary:

The petitioner, Robert C. Knox II, is requesting approval of a use, #9 (church or other place of worship) from Section 8-3028 (Victorian District) Section (d). The petitioner is also

seeking approval of a remote parking plan. The proposed use of the property as a meeting room and offices for a church is not likely to be detrimental to the character of the neighborhood and is in keeping with the uses approved for the district. Staff recommends **approval** of the proposed use.

The requested waiver of the parking requirement, and proposed use of remote parking that is not dedicated to the proposed use by ownership or could place an additional demand on existing on-street parking. Staff recommends **denial** of the requested parking variance.

**Speaking on the petition:** Robert Knox, property owner stated that since staff recommendation for approval of a parking variance requires either ownership or long term lease, neither of which he has, that Mr. Butler suggested to him that he take pictures of the nearby areas to better acquaint the board with the locale. He presented pictures depicting the area from all directions. Mr. Knox stated that he has owned the subject property since 2005 and he anticipates that 20 people will be the maximum that will occupy the space at one time.

Mr. Moore stated the space will be used for counseling but it is also used as an office space that will have at least one or two people at a time. There will also be small groups of bible study that will meet after hours or on saturday and sunday night. The sanctuary is located at the Habersham Street YMCA.

**Randolph Scott**, zoning administrator pointed out that when this petition was brought to his attention through the newspaper; it was being proposed as a church and thus the reason it came through. But during that meeting and visits since that time and especially today he added, he was getting the feel that this is something other than a church. The point that he made was that if this structure is not utilized as a church as it was proposed initially then this could possibly alter the other businesses claim of being restricted.

Mr. Moore stated that nothing has changed from the initial petition. The structure will be used for church purposes. The number of people that will attend or what time of day that they will be in attendance is up for debate.

Mr. Butler stated that it was his understanding from the information that was provided to him was that this would be a place primarily for members to gather in smaller groups and pray and therefore meets the standards of a church.

Mr. Walt Freeman clarified that the space of the buildings was actually 1100 square feet.

Mr. Reese questioned the petitioner asking if he had an unwritten agreement or consent to use the parking lot at 1020 Drayton Street.

Mr. Freeman stated that the agreement was written but it was not a lease. The parking space can not be officially leased, but that they have written permission to use the parking space on saturdays and sundays at their own risk.

**Board Action:**

Staff recommends approval of a proposed use,

(church or other place of worship). - PASS

**Vote Results**

Motion: Brian Reese

Second: Paul Robinson

Timothy Mackey - Aye

Brian Reese - Aye

Paul Robinson - Aye

**Board Action:**

Motion to waive parking requirement. - PASS

**Vote Results**

Motion: Paul Robinson

Second: Brian Reese

Timothy Mackey - Aye

Brian Reese - Aye

Paul Robinson - Aye

**VIII. Other Business**

8. [E-Agenda](#)

Mr. Butler apprised board members that all other boards are currently using the e-agenda system. He explained how the system is being used and stated that in the past because there were board members that were not as computer savvy as others, staff chose to continue in this sort of half use of the e-agenda. For all other boards MPC, County Zoning Board of Appeals, Historic Review Board, etc votes are done on laptops and the results are displayed on the screen. The decisions are ready immediately after the meetings. He alerted board members that staff would like to schedule a training session to acquaint them with the software in April with the goal for going to e-agenda in May.

**IX. Adjournment**

9. [Submittal](#)

There being no other business to come before the board, the Chairman declared the February 22, 2011 Savannah Zoning Board of Appeals adjourned @ 12:40 a.m.

Respectfully submitted,

Jack Butler,

Assistant Secretary

*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.*