



## City of Savannah Zoning Board of Appeals

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### November 18, 2021 City of Savannah Zoning Board of Appeals

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.

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 in attendance are requested to so note on the "Sign-In Sheet" in the meeting room on the podium. Persons wishing to speak will indicate on the sheet

#### I. Call to Order and Welcome

#### II. Invocation and Pledge of Allegiance

#### III. Notices, Proclamations and Acknowledgements

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

#### V. Item(s) Requested to be Withdrawn

##### [1. 420 E Liberty Street | Accessory Building Variance | 21-005868-ZBA](#)

###### **Motion**

The Savannah Zoning Board of Appeals does hereby approve the withdrawal of the petition as requested.

###### **Vote Results ( Approved )**

Motion: Karen Jarrett

Second: Michael Condon

Stephen Merriman, Jr. - Abstain

Karen Jarrett - Aye

Trapper Griffith - Aye

Hunter Hall - Aye

Michael Condon - Aye

Larry Evans - Aye

Stephen Plunk - Aye

#### VI. Approval of Minutes

##### [2. Approval of the October 28, 2021 Meeting Minutes](#)

📎 [October 28, 2021 Meeting Minutes.pdf](#)

**Motion**

The Savannah Zoning Board of Appeals does hereby approve the October 28, 2021 Meeting Minutes.

**Vote Results ( Approved )**

Motion: Stephen Plunk

Second: Michael Condon

|                       |           |
|-----------------------|-----------|
| Stephen Merriman, Jr. | - Abstain |
| Karen Jarrett         | - Aye     |
| Trapper Griffith      | - Aye     |
| Hunter Hall           | - Aye     |
| Michael Condon        | - Aye     |
| Larry Evans           | - Aye     |
| Stephen Plunk         | - Aye     |

**VII. Approval of Final Agenda**

[3. Approval of the Final Agenda](#)

**Motion**

The Savannah Zoning Board of Appeals does hereby approve the Final Agenda.

**Vote Results ( Approved )**

Motion: Stephen Plunk

Second: Karen Jarrett

|                       |           |
|-----------------------|-----------|
| Stephen Merriman, Jr. | - Abstain |
| Karen Jarrett         | - Aye     |
| Trapper Griffith      | - Aye     |
| Hunter Hall           | - Aye     |
| Michael Condon        | - Aye     |
| Larry Evans           | - Aye     |
| Stephen Plunk         | - Aye     |

**VIII. Consent Agenda**

**IX. Old Business**

**X. Regular Agenda**

[4. 11 Alpine Drive - Variance to allow an existing accessory structure to be over the 40% maximum allowed size requirement based on the principal structure size - 21-005191-ZBA](#)

📎 [Site Visit.pdf](#)

📎 [Letter of Objection #1.pdf](#)

📎 [Application - 11 Alpine Drive 21-005191-ZBA.pdf](#)

📎 [Map.pdf](#)

[Staff Report.pdf](#)

**Ms. Leto** gave the staff report. The petitioner, Lazaro De Jesus Entrena Condom, is requesting a variance to allow an existing accessory structure to be over the 40% maximum allowed size requirement based on the principal structure size. The subject property is approximately 0.27 acres, or 11,775 square feet in size, and is located between Alpine Drive and Alpine Lane, within the Residential Single-Family-10 (RSF-10) zoning district.

**Ms. Leto** stated that the purpose of the variance request is to allow the property owner to continue construction of an accessory structure located to the rear of the property. Per Article 8 Section 8.7.3(e)ii, Size. Residential Districts. Within residential districts, the floor area of an accessory structure shall not exceed 40% of the floor area of the principal building. The existing principal structure, including the attached garage and covered porch, has a total of 1,332 square feet of floor area. The existing, incomplete accessory structure is 1,200 square feet. The subject accessory structure is currently 90% of the floor area of the principal structure.

**Ms. Leto** explained that in accordance with Article 8 Section 8.7.3(d), the height of an accessory building shall not exceed the height of the principal building in a Residential district or where otherwise prohibited by this ordinance. The subject accessory building exceeds the height of the principal building. The applicant did not include a request for a height variance when submitting the variance application. If the Zoning Board of Appeals approves the submitted variance request to allow the accessory building to be over 40% of the principal building, then the applicant would be required to apply for a height variance also.

**Ms. Leto** reported that based on the circumstances and the review criteria, staff recommends denial of the 40% maximum allowed size requirement for the accessory structure variance request for 11 Alpine Drive.

**Ms. Leto** explained that the petitioner was not present in-person and she was not sure if he was online. She entertained questions from the Board.

**Mr. Evans** asked did the petitioner explain what the intended use of the structure would be.

**Mr. Lotson** explained that he had a conversation with the petitioner before he applied for the variance request. He indicated that he wanted to store his equipment in the building.

**Mr. Evans** asked why the petitioner decided to apply for one variance after starting the construction and did not apply for the height variance.

**Mr. Lotson** explained that, after staff received the application, they have not been able to contact the petitioner.

**Mr. Plunk** stated that the petitioner was scheduled on last month's agenda.

**Mr. Lotson** explained that staff has tried to reach the petitioner by phone and email, but have not been able to reach him.

#### **PETITIONER COMMENTS**

The petitioner was not present or online.

#### **PUBLIC COMMENTS**

**Ms. Leto** explained that **Ms. Mildred Calloway, resident and property owner in the Poplar Place neighborhood**, sent an email to staff advising that she is against the structure being built on Alpine Drive.

#### **BOARD DISCUSSION**

**Ms. Jarrett** said that it is clear from the pictures that the construction is sophisticated. It is not just a wood shed that is being built. It appears that the petitioner would have known that he needed to go

through the permit process.

**Mr. Plunk** said he hated to rule on anything without the person being present to answer questions; however, staff has made every possible effort to try to reach the petitioner. Therefore, the Board is left with no choice on this petition.

**Mr. Condon** stated that if the petitioner had made some effort, then the Board could say continue the petition to the next month, but he has not. Looking at the photographs, the structure is tremendously out of scale in the middle of the residential neighborhood. This area is not zoned, as some of the areas in Savannah, where you can put a commercial lot in the middle of a residential neighborhood.

**Mr. Evans** said they received an email from a neighbor in opposition of the request.

**Ms. Jarrett** stated that the fact that the petitioner is building this to store his equipment means he is trying to use the property for his business, which would not be approved to be in a residential area.

**Mr. Merriman** explained that if you are trying to get this type of business, there is a process that you go through when getting your business license.

**Motion**

The Savannah Zoning Board of Appeals does hereby deny the request to allow an existing accessory structure to be over the 40% maximum allowed size requirement for the accessory structure variance request for 11 Alpine Drive.

**Vote Results ( Approved )**

Motion: Trapper Griffith

Second: Michael Condon

|                       |           |
|-----------------------|-----------|
| Stephen Merriman, Jr. | - Abstain |
| Karen Jarrett         | - Aye     |
| Trapper Griffith      | - Aye     |
| Hunter Hall           | - Aye     |
| Michael Condon        | - Aye     |
| Larry Evans           | - Aye     |
| Stephen Plunk         | - Aye     |

**XI. Other Business**

**XII. Adjournment**

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