



## City of Savannah Zoning Board of Appeals

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### April 22, 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

##### [1. 1206 East 68th Street | Variance | 21-001706-ZBA](#)

##### **Motion**

Petitioner has requested this item be continued to the May 27, 2021 meeting.

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

Motion: Larry Evans

Second: Stephen Plunk

Karen Jarrett - Aye

Trapper Griffith - Aye

Hunter Hall - Aye

Michael Condon - Abstain

Larry Evans - Aye

Stephen Plunk - Aye

#### V. Item(s) Requested to be Withdrawn

#### VI. Approval of Minutes

##### [2. Approval of the March 25, 2021 Meeting Minutes](#)

📎 [March 25, 2021 Meeting Minutes.pdf](#)

The minutes were approved as submitted.

**Motion**

Approve the minutes as submitted.

**Vote Results ( Approved )**

Motion: Stephen Plunk

Second: Larry Evans

Karen Jarrett - Aye

Trapper Griffith - Aye

Hunter Hall - Aye

Michael Condon - Abstain

Larry Evans - Aye

Stephen Plunk - Aye

**VII. Approval of Final Agenda**

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

The agenda was approved after the petition for 618 Montgomery Street was moved to the Items Requested to be Removed category from the Regular Agenda category. This Item was continued to the May ZBA meeting.

**Motion**

Approve the agenda as submitted.

**Vote Results ( Approved )**

Motion: Stephen Plunk

Second: Larry Evans

Karen Jarrett - Aye

Trapper Griffith - Aye

Hunter Hall - Aye

Michael Condon - Abstain

Larry Evans - Aye

Stephen Plunk - Aye

**VIII. Consent Agenda**

**IX. Old Business**

**X. Regular Agenda**

[4. 618 Montgomery Street | Variance | 21-001760-ZBA](#)

[Aerial Map.pdf](#)

[Street View Images.pdf](#)

[Application.pdf](#)

[Staff Report.pdf](#)

**Motion**

Petitioner has requested this item be continued to the May ZBA meeting.

**Vote Results ( Approved )**

Motion: Stephen Plunk

Second: Larry Evans

Karen Jarrett	- Aye
Trapper Griffith	- Aye
Hunter Hall	- Aye
Michael Condon	- Abstain
Larry Evans	- Aye
Stephen Plunk	- Aye

**5. 3403 Bull Street | Variance | 21-001755-ZBA**

[Aerial Map.pdf](#)

[Application.pdf](#)

[Street View Images.pdf](#)

[Narrative.pdf](#)

[Staff Report.pdf](#)

**Mr. Jordan Holloway, Development Services Planner**, stated the petitioner, Robert McCorkle, is requesting a variance to encroach 8.6 feet into the Ordinance-required 10-foot side yard setback and to encroach 10 feet into the Ordinance-required 20-foot front yard setback at 3403 Bull Street.

The subject property is .10 acres in size and is undeveloped. It is a nonconforming lot within the RTF Zoning District. The property is located on the west side of Bull Street, between West 50th Street and West 50th Lane. The purpose of the variance request is to allow the construction of a single family detached home that fronts Bull Street, encroaching 8.6 feet into the Ordinance-required 10-foot side yard setback, ten (10) feet into the Ordinance-required twenty (20) front yard setback. The two other existing homes on Bull Street, bounded by W. 50th Street and W. 50th Lane, do not conform to the current ordinance front setbacks, and are similar to what the petitioner is requesting. The Petitioner indicates that the side-yard setback encroachment is also in keeping with the setback for the property directly to the south. At the time of staff writing this report, we have received neither opposition nor support from the surrounding property owners.

The variance request is not consistent with the Ordinance and the Comprehensive Plan; however, the front and side-yard setback variance requests are in keeping with the pattern of development in this block. Adhering to the ordinance requirements would negatively affect the streetscape and pattern of development in the neighborhood.

The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district. There are several examples of smaller lot sizes that are developed and encroach within the front and side-yard setbacks in the neighborhood.

The variance is not the minimum variance necessary to make reasonable use of the land, however; the front-yard and side-yard variance requests are reasonable based on the fact that the lot is existing, and it fits the development pattern in the area.

**Mr. Robert McCorkle, agent for the petitioner**, stated we support staff's presentation. The lot is unique because it is a corner lot with a historic brick wall built around it. The two houses that are between 50th

and the lane are both almost built on the lot line and very close to the street. Our request is consistent with the other two houses.

### No Public Comments

#### Motion

Approve the variance request to encroach 8.6 feet into the ordinance required ten (10) foot side-yard setback and encroaching ten (10) feet into the ordinance required twenty (20) foot front-yard setback at 3403 Bull Street. Staff recommends denial of the variance request to encroach fifteen (15) feet into the ordinance required twenty (20) foot rear-yard setback.

#### Vote Results ( Approved )

Motion: Stephen Plunk

Second: Larry Evans

Karen Jarrett	- Aye
Trapper Griffith	- Aye
Hunter Hall	- Aye
Michael Condon	- Abstain
Larry Evans	- Aye
Stephen Plunk	- Aye

### [6. 430 East 56th Street | Variance | 21-001649-ZBA](#)

[21010\\_Setback Revisions\\_2021-04-06.pdf](#)

[Application.pdf](#)

[Map.pdf](#)

[Aerial Map.pdf](#)

[Staff Report.pdf](#)

**Mr. Jordan Holloway, Development Services Planner**, stated the petitioner, Robert Poticny, is requesting a variance to encroach three (3) feet into the twenty (20) foot rear yard setback and to encroach six (6) feet into the side yard setback at 430 East 56th Street.

The subject property is .19 acres in size and is developed with a single-family residence. It is a conforming lot within the RSF-6 Zoning District. The property is located on the north side of East 56th Street, between Reynolds Street and Atlantic Avenue. The purpose of the variance request is to allow the construction of an attached garage at the rear of the property, which would have access from East 55th Lane. Due to the peculiar shape of the lot, the petitioner is requesting to encroach three (3) feet into the twenty (20) foot rear yard setback, and to encroach six (6) feet into the ten (10) foot side yard setback at 430 East 56th Street. At the time of staff writing this report, we have received neither opposition nor support from the surrounding property owners.

The variance request is not consistent with the Ordinance; however, staff believes it meets the intent of the Ordinance and the Comprehensive Plan, while not being injurious to the surrounding properties and neighborhood.

There are special conditions/circumstances that are peculiar to the land involved in this request, as the existing lot is peculiar in shape, with the rear of the property being the narrowest point of the lot and the appropriate place for a garage. For this reason, even if the garage was detached instead of attached, a variance request would still be needed due to the limited space at the rear of the lot. Accessory structures have a setback of five (5) feet from side and rear property lines, which this property could not

accommodate with the reasonably proposed size of the garage.

**Mr. Robert Poticny, petitioner**, stated the staff explained thoroughly what we want to do.

**No Public Comments**

**Motion**

Approve the variance request to encroach three (3) feet into the ordinance required twenty (20) foot rear yard setback and to encroach six (6) feet into the ordinance required ten (10) foot side yard setback at 430 East 56th Street.

**Vote Results ( Approved )**

Motion: Hunter Hall

Second: Karen Jarrett

Karen Jarrett	- Aye
Trapper Griffith	- Aye
Hunter Hall	- Aye
Michael Condon	- Abstain
Larry Evans	- Aye
Stephen Plunk	- Aye

[7. E 39th Street | Variance | 21-001758-ZBA](#)

[📎 E 39 St ZBA visuals.pdf](#)

[📎 Staff Report E 39th St rev.pdf](#)

**Mr. Kiakala Ntemo, Urban Planner**, stated the applicant is requesting to subdivide one lot into two lots, with each proposed lot being less than the required lot width and lot area for the zoning district. The applicant is seeking variances for the reduction of 8 feet from the required lot width of each proposed lot and a reduction of 440 sq. ft. from the required lot area of each proposed lot.

The subject property is located on the south side of East 39th Street, between Cedar Street, East 39th Lane, and Live Oak Street, within the TR-3 (Traditional Residential) Zoning District. The property is a 5,120 sq. ft. vacant lot that the petitioner is concurrently requesting to subdivide into two separate lots, Lot 3 and Lot 4 (21-000205-SUBP). Both proposed lots, Lots 3 and 4, have the same dimensions. A width of 32 feet, depth of 80 feet, and an area of 2,560 sq. ft. The minimum lot dimensions for the TR-3 district are 40 ft in lot width and an area of 3,000 sq feet. Both proposed lots are 8 ft short of the required lot width and 440 sq ft short of the area requirement. The majority of lots within the immediate vicinity of the subject property meet and exceed the dimensional requirements of the zoning district. Although a few substandard lots are present, they are sparse and do not set the precedence in the development pattern of the neighborhood.

The requested variance is not likely to adversely impact the public health, safety, or welfare of the neighborhood. However, the proposed lots are not consistent with the intent of the Ordinance and Comprehensive Plan in establishing consistency in development patterns.

The circumstance exists because the applicant is requesting variances to grant approval for a petitioned subdivision. The subject property is developable and conforming in its current state.

The variance, if granted, is not the minimum variance necessary to make possible the use of land, buildings or structures. The subject property could be developed as is, without the subdivision and variance.

**Mr. Robert McCorkle, agent for the petitioner**, stated historically the lots in the Live Oak neighborhood

were designed 30 feet wide. Over the years, those lots have been recombined and subdivided and have various sizes throughout the neighborhood. We submitted a subdivision plat to divide this lot into two lots that will be 32 feet wide, in order to build two single family residents. I have requested this same exact variance and got approved on numerous lots in the areas around this property. I ask that the Board deny staff's recommendation and approve the petitioner's request for the variances.

**Ms. Karen Jarrett, Board Member**, stated staff has concerns with the width and lot area of the proposed lots.

**Mr. Ntemo**, stated yes.

### No Public Comments

#### Motion

Approve the request for the lot width and area variances at East 39th Street (PIN: 20062 30009).

#### Vote Results ( Approved )

Motion: Stephen Plunk

Second: Hunter Hall

Karen Jarrett	- Nay
Trapper Griffith	- Aye
Hunter Hall	- Aye
Michael Condon	- Abstain
Larry Evans	- Aye
Stephen Plunk	- Aye

### [8. 107 Division Street | Variance | 21-001765-ZBA](#)

[📎 Visuals for 107 Division.pdf](#)

[📎 Staff Report 107 Division St.pdf](#)

[📎 Signed Petition.pdf](#)

[📎 letter of opposition from Mr & Mrs Wright.pdf](#)

**The next three items were all presented in one presentation but voted on separately.**

**Mr. Kiakala Ntemo, Urban Planner**, stated the applicant is requesting a 10 foot lot width variance from the 60 foot lot width requirement, in order to subdivide an existing 100 foot wide lot into two 50 foot wide lots. The proposed 50 foot lots will still exceed the required lot area. No setback variances will be required.

The subject property is located on the south side of Division Street, between Fair Street and Alfred Street, in the Woodville Neighborhood within the RSF-6 (Residential Single Family) Zoning District. The property is a 13,150 sq. ft. vacant lot that the petitioner is planning to subdivide evenly into two separate lots, each being 50 feet in width and approximately 131.5 ft in depth and an area of 6,575 sq. ft. The minimum lot dimensions for the RSF-6 district are 60 ft in lot width and an area of 6,000 sq feet; both proposed lots would be 10 ft short of the required lot width.

Division Street is a residential street of approximately 30 feet in width. A Chatham Area Transit route passes along this roadway. This proposal and potential development in the future may increase the presence of on-street parking, which could conflict with the public transit bus stops.

The City's Zoning Ordinance requires one off-street parking space per residential unit. The applicant has provided two renderings for single-family dwellings on the proposed lots; one of which appears to have

both a driveway and a garage, providing off-street parking for at least two vehicles. The other appears to only provide one off-street parking space. Per the building footprint of the proposed dwellings on the subdivision plan and the dimensional standards of the zoning district, it appears the applicant has enough space to provide at least two off-street parking spaces in the driveway for each proposed dwelling unit.

The immediate vicinity of the subject property consists of numerous vacant properties. Although there are several houses built on conforming lots, there is no established development pattern due to the large presence of undeveloped, vacant lots in this area of Woodville. The noticeable presence of vacant lots may mean that the development of larger lots (similar in size to the subject property) are not profitable at this specific location. The applicant has successfully developed a number of single-family dwellings in the nearby area. (117 Division Street and 36 & 38 Fair St).

The subject property is one of several vacant undeveloped lots in an area of an older, residential neighborhood with a low housing stock.

We have received several letters of opposition for all three petitions. A letter of opposition was submitted via fax for all three properties with 86 signatures. 131 Wright Street did receive specific opposition in, comparison to the others.

**Mr. Leroy Williams, petitioner**, stated he has been building in this neighborhood for about three years. The residents in the community don't want any growth. If they do want growth, then they want to predict how it's going to be and what you got to do. There isn't anyone buying these properties, but they want to tell me what to do with them. I just want to build some nice quality homes and sell them. Some residents explained to me that there is an elderly lady behind 131 Wright Street that has concerns. I told them I do not have a problem putting up a privacy fence on my side and her side and they said they didn't want that. They just don't want anything going on that side.

**Mr. Stephen Plunk**, Board Member, asked the petitioner if he was ok with staff's condition, regarding the parking space, attached to the recommendation?

**Mr. Williams**, stated yes. I plan on building garages attached to the homes for parking.

#### **Public Comments:**

**Ms. Dorothy Ware**, spoke in opposition. She stated she grew up in this neighborhood and wants to see the neighborhood grow in the right way. He wants to put two houses on a 100 foot lot. Why can't he just build one house on the 100 foot lot? I live right behind where he wants to build on the left side on Wright Street.

**Mr. Tyrone Ware, President of the Woodville Community**, spoke in opposition. He asked the Board to adhere to the Zoning Ordinance. I have spoken with most residents. They are in agreement with the request on Division Street and 128 Wright Street because there are a lot of homes over there.

**Mr. Michael Condon, Board Member**, asked for clarity that the neighborhood is not against 107 Division Street and 128 Wright Street, but they are not okay with 131 Wright Street.

**Mr. Ware**, stated that's correct.

**Mr. Plunk**, asked Mr. Ware if he was involved with the signed petition?

**Mr. Ware**, stated he did not sign the petition.

**Mr. Dexter Treadwell**, spoke in support. He stated Woodville needs growth.

**Ms. Sandra Booker**, messaged in that she is opposed to 131 Wright Street.

#### **Motion**

Approve the request for the variances at 107 Division Street, with the condition that the applicant provide off-

street parking for more than one vehicle for each proposed lot.

**Vote Results ( Approved )**

Motion: Hunter Hall

Second: Stephen Plunk

Karen Jarrett	- Nay
Trapper Griffith	- Aye
Hunter Hall	- Aye
Michael Condon	- Abstain
Larry Evans	- Aye
Stephen Plunk	- Aye

[9. 128 Wright Street | Variance | 21-001762-ZBA](#)

[📎 Visuals for 128 Wright.pdf](#)

[📎 Staff Report 128 Wright St .pdf](#)

[📎 Signed Petition.pdf](#)

[📎 letter of opposition from Mr & Mrs Wright.pdf](#)

**Mr. Kiakala Ntemo, Urban Planner**, stated the applicant is requesting a 10 foot lot width variance from the 60 foot lot width requirement, in order to subdivide an existing 100 foot wide lot into two 50 foot wide lots. The proposed 50 foot lots will still exceed the required lot area. No setback variances will be required.

The subject property is located on the east side of Wright Street, between Fair Street Division Street, in the Woodville Neighborhood within the RSF-6 (Residential Single Family) Zoning District. The property is a 13,150 sq. ft. vacant lot that the petitioner is planning to subdivide evenly into two separate lots, each being 50 feet in width and approximately 131.5 ft in depth and an area of 6,575 sq. ft. The minimum lot dimensions for the RSF-6 district are 60 ft in lot width and an area of 6,000 sq feet; both proposed lots would be 10 ft short of the required lot width.

Wright Street is a dead-end street, (no cul-de-sac) approximately 26 feet in width, 4 feet less than Division Street and Albion Street. The street’s narrow width and no ability to turn around at its terminating point may present a challenge for increased vehicular traffic and on-street parking; especially, if more houses are developed on the street in the future.

The City’s Zoning Ordinance requires one off street parking space per residential unit. The applicant has provided two renderings for single-family dwellings on the proposed lots; one of which appears to have both a driveway and a garage, providing off-street parking for at least two vehicles. The other appears to only provide one off-street parking space. Per the building footprint of the proposed dwellings on the subdivision plan and the dimensional standards of the zoning district, it appears the applicant has enough space to provide at least two off-street parking spaces in the driveway for each proposed dwelling unit.

The immediate vicinity of the subject property consists of numerous vacant properties. Although there are several houses built on conforming lots, there is no established development pattern due to the large presence of undeveloped, vacant lots in this area of Woodville. The noticeable presence of vacant lots may mean that the development of larger lots (similar in size to the subject property) is not desired at this specific location. The applicant has successfully developed several single-family dwellings in the nearby area (117 Division Street and 36 & 38 Fair St).

**All discussion is under item 107 Division Street.**



**Motion**

Approve the request for the variances at 128 Wright Street, with the condition that the applicant provide off-street parking for more than one vehicle for each proposed lot.

**Vote Results ( Approved )**

Motion: Hunter Hall

Second: Stephen Plunk

Karen Jarrett	- Nay
Trapper Griffith	- Aye
Hunter Hall	- Aye
Michael Condon	- Abstain
Larry Evans	- Aye
Stephen Plunk	- Aye

[10. 131 Wright Street | Variance | 21-001761-ZBA](#)

- 📎 [Visuals for 131 Wright.pdf](#)
- 📎 [Staff Report 131 Wright.pdf](#)
- 📎 [Letter of Opposition from Pamela Anderson](#)
- 📎 [Signed Petition.pdf](#)
- 📎 [letter of opposition from Mr & Mrs Wright.pdf](#)

**Mr. Kiakala Ntemo, Urban Planner**, stated the applicant is requesting a 10 foot lot width variance from the 60 foot lot width requirement, in order to subdivide an existing 100 foot wide lot into two 50 foot wide lots. The proposed 50 foot lots will still exceed the required lot area. No setback variances will be required.

The subject property is located on the west side of Wright Street, between Division Street and Albion Street, in the Woodville Neighborhood within the RSF-6 (Residential Single Family) Zoning District. The property is a 13,150 sq. ft. vacant lot that the petitioner is planning to subdivide evenly into two separate lots, each being 50 feet in width and approximately 131.5 ft in depth and an area of 6,575 sq. ft. The minimum lot dimensions for the RSF-6 district are 60 ft in lot width and an area of 6,000 sq feet; both proposed lots would be 10 ft short of the required lot width.

Wright Street is a dead-end street (no cul-de-sac) approximately 26 feet in width, 4 feet less than Division Street and Albion Street. The street’s narrow width and no ability to turn around at its terminating point may present a challenge for increased vehicular traffic and on-street parking on; especially, if more houses are developed on the street in the future.

The City’s Zoning Ordinance requires one off-street parking space per residential unit. The applicant has provided two renderings for single-family dwellings on the proposed lots; one of which appears to have both a driveway and a garage, providing off-street parking for at least two vehicles. The other appears to only provide one off-street parking space. Per the building footprint of the proposed dwellings on the subdivision plan and the dimensional standards of the zoning district, it appears the applicant has enough space to provide at least two off-street parking spaces in the driveway for each proposed dwelling unit.

The immediate vicinity of the subject property consists of numerous vacant properties. Although there are several houses built on conforming lots, there is no established development pattern due to the large presence of undeveloped, vacant lots in this area of Woodville. The noticeable presence of vacant lots may mean that the development of larger lots (similar in size to the subject property) are not profitable at this specific location. The applicant has successfully developed several single-family dwellings in the nearby area (117 Division Street and 36 & 38 Fair St).

**All discussion is under item 107 Division Street.**

**Motion**

Approve the request for the variances at 131 Wright Street, with the condition that the applicant provide off-street parking for more than one vehicle for each proposed lot.

**Vote Results ( Approved )**

Motion: Trapper Griffith

Second: Larry Evans

Karen Jarrett	- Nay
Trapper Griffith	- Aye
Hunter Hall	- Nay
Michael Condon	- Abstain
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.*