



City of Savannah Zoning Board of Appeals

Arthur A. Mendonsa Hearing Room
July 25, 2024 10:00 a.m.
Minutes

JULY 25, 2024 CITY OF SAVANNAH ZONING BOARD OF APPEALS

Members Present: Stephen Merriman, Jr., Chair
Michael Condon, Vice-Chair
Benjamin "Trapper" Griffith
Stephen Plunk
Armand Turner

MPC Staff Present: Edward Morrow, Current Development Services Director
Brad Clements, Current Development Senior Planner
Subashi Karunaratne Planner Development Services
Nykobe Richardson, Development Services Tech Intern
Sally Helm, Administrative Assistant II, Development Services
Hind Patel, IT Helpdesk & Support
Pamela Everett, Esq., Assistant Executive Director, Compliance & Operations

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. 824 East Bolton St. | Variance to side yard setback | 24-003626-ZBA

🔗 [824 E BOLTON ST_24-003626-ZBA_APPLICATION.pdf](#)

🔗 [SITE PLAN.pdf](#)

Motion

Item removed from the final agenda.

Vote Results (Approved)

Motion: Stephen Plunk

Second: Michael Condon

Stephen Merriman, Jr.

- Abstain

Michael Condon

- Aye

Stephen Plunk

- Aye

Betty Jones

- Not Present

Armand Turner

- Aye

Brad Baugh	- Not Present
Benjamin Griffith	- Aye

2. [306 W. 40th St | Variance for ADU | 24-003611-ZBA](#)

📎 [306 W 40 ST_24-003611-ZBA_APPLICATION.pdf](#)

Motion

Item removed from the final agenda.

Vote Results (Approved)

Motion: Stephen Plunk

Second: Michael Condon

Stephen Merriman, Jr.	- Abstain
Michael Condon	- Aye
Stephen Plunk	- Aye
Betty Jones	- Not Present
Armand Turner	- Aye
Brad Baugh	- Not Present
Benjamin Griffith	- Aye

3. [125 E. 48th St | relief from nonconformity | 24-003625-ZBA](#)

Motion

Item removed from the final agenda.

Vote Results (Approved)

Motion: Stephen Plunk

Second: Michael Condon

Stephen Merriman, Jr.	- Abstain
Michael Condon	- Aye
Stephen Plunk	- Aye
Betty Jones	- Not Present
Armand Turner	- Aye
Brad Baugh	- Not Present
Benjamin Griffith	- Aye

V. Item(s) Requested to be Withdrawn

VI. Approval of Minutes

4. [Approval of the June 27, 2024 Meeting Minutes](#)

📎 [june-27-2024-city-of-savannah-zoning-board-of-appeals-minutes.pdf](#)

Motion

The approval of the June 27, 2024, Meeting Minutes was tabled until the August meeting in order to give the Board members time to review them.

Vote Results (Approved)

Motion: Stephen Plunk

Second: Michael Condon

Stephen Merriman, Jr.	- Abstain
Michael Condon	- Aye
Stephen Plunk	- Aye
Betty Jones	- Not Present
Armand Turner	- Aye
Brad Baugh	- Not Present
Benjamin Griffith	- Aye

VII. Approval of Final Agenda

VIII. Consent Agenda

IX. Old Business

X. Regular Agenda

[5. 1017 E. Waldburg St | Variance for side yard setback | 24-003609-ZBA](#)

🔗 [1017 E WALDBURG ST_24-003609-ZBA_APPLICATION.pdf](#)

🔗 [Staff Report 1017 E Waldburg.pdf](#)

Mr. Edward Morrow, Director of Development Services/Current Planning presented the Staff report. **Mr. Morrow** stated the Petitioner is requesting approval of a variance to reduce the side yard setback in the TC-1 zoning district from 10 feet to 5 feet for an addition. The subject property measures approximately 4,600 square feet in area (40 feet wide by 115 feet deep), per the Chatham County Tax Assessor. The property is zoned TC-1 (Traditional Commercial-1) and is a conforming parcel with regard to both frontage and area within its zoning district for a single-family detached dwelling. Based on the submitted concept, the addition is proposed to encroach into the required side yard setback up to 5 feet where 10 feet is required. The requested variance is inconsistent with the intent of the Zoning Ordinance but is unlikely to be injurious to the neighborhood or otherwise detrimental to public health. The proposed setback is greater than an existing section of wall of the dwelling currently resting just over 3 feet from the property line. The request represents modification of a structure built in accordance with earlier development standards. That the structure is preexisting is a special circumstance. Adoption of new development standards made the structure legal nonconforming, a condition which necessitates relief for future improvement or expansion MPC Staff recommends approval of the requests for 1) relief from nonconformity and 2) for reduction of the side yard setback in the TC-1 zoning district from 10 feet to 5 feet.

Mr. Alex Ikeogu, Property Owner and Mr. Stan Perkins, Project Manager, stated this is a project they are trying to complete. They agreed with Staff and are here to answer any questions anyone may have.

Board Discussion

None

Motion

Approval of the requests for 1) relief from nonconformity and 2) for reduction of the side yard setback in the TC-1 zoning district from 10 feet to 5 feet.

Vote Results (Approved)

Motion: Armand Turner

Second: Stephen Plunk

Stephen Merriman, Jr.	- Abstain
Michael Condon	- Aye
Stephen Plunk	- Aye
Betty Jones	- Not Present
Armand Turner	- Aye
Brad Baugh	- Not Present
Benjamin Griffith	- Aye

6. 2023 Tuskegee St | Variance to reduce front yard setback | 24-003425-ZBA

🔗 [0 TUSKEGEE ST_24-003425-ZBA_APPLICATION.pdf](#)

🔗 [Staff Report 2023 Tuskegee St.pdf](#)

Mr. Edward Morrow, Director of Development Services/Current Planning presented the Staff report. **Mr. Morrow** stated the Petitioner requests approval of a variance to reduce the front yard setback in the RSF-5 zoning district from 20 feet to 12 feet. The subject property measures approximately 4,400 square feet in area (40 feet wide by 110 feet deep), per the Chatham County Tax Assessor. The property is zoned RSF-5 (Residential Single Family-5) and is a nonconforming parcel with regard to both frontage and area within its zoning district. Based on required setbacks, the potential building envelope on the parcel is 30 feet wide by 70 feet in depth or 2,100 square feet. A maximum home footprint of 30 feet by 58 feet (1,740 square feet) would be permitted without a variance to the maximum lot coverage of 40%. The RSF-5 district permits construction up to 36 feet in height (approximately 3 stories) As proposed, the home would be 1,050 square feet in area (25 feet wide by 42 feet in depth), or approximately 23% lot coverage. The conceptual sketch submitted shows a 20-foot by 6-foot porch extending 8 feet into the required front setback of 20 feet. The proposed dwelling appears to encroach 2 feet into the setback. The property contains a canal that runs diagonally across its width, altering the likely building footprint. The development pattern is mixed in that the area was historically platted with 20-foot-wide lots, many of which have been recombined and/or developed as 40- and 80-foot parcels. Most on the subject block face have a front setback of at least 20 feet. The presence of the canal is a special condition, and its location on the parcel is such that a conforming structure is possible but would be significantly shorter in depth than many nearby homes. Ideally, the loss in depth could be recouped in the creation of a 2 or 3 story structure. MPC Staff recommends denial of a variance to reduce the front yard setback in the RSF-5 zoning district from 20 feet to 12 feet.

Mr. Michael Canada, Petitioner, introduced himself but had nothing to say.

Mr. Condon, Board Member, stated that Staff is recommending denial due to the size of the project. Mr. Condon asked if there was a reason the Petitioner wanted to build outside of the building envelope that is available, why is the house as big as it is when you could get a building permit if the house was a little smaller or built vertically.

Mr. Canada said he was just going with what the builder's proposed.

Mr. Condon said the Petitioner could either shrink the size of the proposed floor plan or, instead of a single story, he could build a two story and be able to get the larger square footage just on multiple floors.

Mr. Craig Cook said he was assisting the Petitioner with the application to America's Home Places. They have models to choose from and the proposed petition is the pre-designed American Model plan they chose. When the land surveyor went to the site, he told them the canal would be a problem and he would need to move the home further to the curb.

Mr. Condon said his concern is the proximity to the canal. That could potentially be a problem in the future.

Mr. Plunk asked if the Petitioner was opposed to a two story instead of a one story to allow more room in the other direction.

Mr. Cook said that was a good idea. They will go back to the builder and pick another model.

Mr. Plunk and **Mr. Condon** asked the Petitioner if he would like to continue the petition to another meeting to allow time to revise the plans rather than getting a denial today.

Motion

The Board approved the Petitioners request to continue the item until the August meeting to allow the petitioner time to revise their plans.

Vote Results (Approved)

Motion: Stephen Plunk

Second: Michael Condon

Stephen Merriman, Jr.	- Abstain
Michael Condon	- Aye
Stephen Plunk	- Aye
Betty Jones	- Not Present
Armand Turner	- Aye
Brad Baugh	- Not Present
Benjamin Griffith	- Aye

7. 1202 Lawndale Rd. | Variance to reduce rear yard setback | 24-003517-ZBA

🔗 [R. White- 24-003517-ZBA, 1202 Lawndale Rd..pdf](#)

🔗 [P. Rabbitt- 1202 Lawndale Rd, Savannah.pdf](#)

🔗 [LAREMONT-1202 LAWNDAL RD CONCEPT PLAN AND DIMENSIONS_.pdf](#)

🔗 [Staff Report 1202 Lawndale Road.pdf](#)

🔗 [1202 LAWNDAL RD_24-003517-ZBA_APPLICATION_.pdf](#)

🔗 [combined photos.pdf](#)

Mr. Edward Morrow, Director of Development Services/Current Planning presented the Staff report.

Mr. Morrow stated the Petitioner is requesting a variance to reduce the minimum rear yard setback from 25 feet to 9 feet for the purpose of enclosing an existing concrete pad. The subject property measures approximately 10,800 square feet in area (90 feet wide by 120 feet deep), per the Chatham County Tax Assessor. The property is zoned RSF-10 (Residential Single family-10) and is a conforming parcel with regard to both frontage and area within its zoning district. The parcel is a corner lot with frontage on both Lawndale Road and Sweetbriar Circle. Once covered and enclosed, the existing 23-foot by 17-foot concrete slab (391 square feet) would be regarded as part of the principal dwelling, bringing it within the scope of setback and lot coverage provisions of the Ordinance. The existing dwelling is compliant with these requirements, but enclosure of the slab would bring the structure within 9 feet of the rear property line where 25 feet is the minimum setback required. The RSF-10 zoning district permits a

maximum of 40% lot coverage. If approved, the enclosure would not cause the structure to exceed this standard. There are no special circumstances or conditions other than the existence of the concrete slab. The Petitioner's dwelling is near the maximum permissible lot coverage, and any conforming expansion would likely be vertical rather than horizontal. MPC Staff recommends denial of the request to reduce the rear yard setback in the RSF-10 zoning district from 25 feet to 9 feet.

Ms. Javette Pinkney Laramont, Petitioner, said the home that was built in 1959 does not have a structure in the rear yard other than a slab that is used as a patio. She stated that the home has mixed roof lines and her intent is to build the structure conforming with the existing roof line. Preconstruction was started, it was then she realized she needed to be within a permissible status. The framework that is up is temporary and will be modified significantly because the contractor put an overhang that was too close to the neighbor's property. She is seeking approval to move forward.

Mr. Condon asked the Petitioner if the roof currently there is temporary.

Ms. Laramont said yes, the roof line will conform with the existing roof line.

Mr. Condon said it appears the roof extends past the slab that is currently there.

Ms. Laramont said the contractor thought that was the best way to preserve the slab. She said she does not want that and will be removing the portion not used. That will allow instillation of the proper drainage to ensure keeping the water at bay.

Mr. Paul Rabbitt, Member of the Public, stated he originally sent a letter in support of the petition but since had some concerns arise. He said the existing structure was built; it is 3-4 feet away from a deteriorating wall. There is a gutter on the front that can be seen over his terrace. The outlet for the running water is going over the wall toward his home. He expressed concerns about the current structure, the roof line, and the drainage.

Mr. Plunk said the Petitioner has stated that she is moving the temporary structure back one full slabs worth. With that not being as close, would that allay some or all of your concerns?

Mr. Rabbit said he has spoken to the Petitioner. He would be comfortable with that.

Ms. Laramont said she appreciates her neighbor's concerns. There will be a re-design done. She mentioned having conversation with the neighbor about securing the wall between the property. There has been some improvement already made.

BOARD DISCUSSION

Mr. Condon asked if what is being proposed is 9 feet off the brick wall shown.

Mr. Morrow said yes.

Mr. Plunk asked if that would include the entire slab.

Mr. Morrow said it was his understanding based on the conversation today, some of the slab shown will go away.

Mr. Condon said the Petitioner is going to remove a portion of the slab. The only thing that she will be able to work off is the 9 feet.

Mr. Plunk said he wants to make sure the neighbors' concerns are addressed.

Mr. Turner said it seems like the neighbor is somewhat comfortable with 9 feet.

Motion

Approval of the request to reduce the rear yard setback in the RSF-10 zoning district from 25 feet to 9 feet.

Vote Results (Approved)

Motion: Stephen Plunk

Second: Armand Turner

Stephen Merriman, Jr.	- Abstain
Michael Condon	- Aye
Stephen Plunk	- Aye
Betty Jones	- Not Present
Armand Turner	- Aye
Brad Baugh	- Not Present
Benjamin Griffith	- Nay

8. 4805 Spring Hill Rd | Variance to reduce lot width | 24-003426-ZBA

🔗 [4805 SPRING HILL RD_24-003426-ZBA_APPLICATION.pdf](#)

🔗 [Public comment G. Morgan -Petition #24-003426-ZBA.pdf](#)

🔗 [Staff Report 4805 Spring Hill Rd.pdf](#)

Mr. Edward Morrow, Director of Development Services/Current Planning presented the Staff report. **Mr. Morrow** stated the Petitioner is requesting a variance to reduce the minimum lot width in a RSF-6 zoning district from 60 feet to 58.05 feet for the creation of three lots. The subject property measures approximately 43,560-sqft in area per the Chatham County Tax Assessor. The property is zoned RSF-6 (Residential Single Family-6) and exists in its current configuration as a conforming parcel with regard to both frontage and area within its zoning district. Based on required setbacks, the potential building envelop on the proposed lots would be as large as 48 feet wide by 209 feet deep and sufficient to build single family homes conforming to all other relevant development standards applicable to the RSF-6 zoning district. The RSF-6 zoning district permits a maximum of 40% lot coverage where a parcel has street access. As proposed, the parcels would contain approximately 14,500 square feet and would permit up to 5,600 square feet in building footprint area per parcel in a zoning district where 6,000 square feet in area is the minimum required. MPC Staff recommends **approval** of a variance to reduce the lot width in the RSF-6 zoning district from 60 feet to approximately 58 feet.

Mr. Kevin Cohen, the Petitioner, said he has nothing to add to the Staff report and is open to any questions.

PUBLIC COMMENT

Mr. Larry Brown said he lives to the left of the property. He is concerned about the size of the homes being proposed since the existing homes are much larger. He feels it will lower existing property values. Mr. Brown also expressed concern with the amount of traffic causing parking issues. He supports one or two homes but not three.

Mr. Gerald Morgan said owns the property adjacent to the Petitioner's property. He strongly opposed the Petitioner's request. The decrease in property value and increase traffic were the main concerns.

Mr. Cohen said the homes being proposed are 1,500 square feet. The lots are 14,500 square feet.

Mr. Condon said the zoning for the parcel is RSF-6. That zoning would allow the Petitioner by right to build 6 homes on the lot.

Mr. Merriman asked if the lots were 60-foot lots, by right, the Petitioner would not have to come before the Board. The Petitioner is asking to make the lots 58 feet, that is why he is before the Board. The Petitioner is well within the square footage.

Mr. Morrow said that is correct.

BOARD DISCUSSION

Mr. Condon said he understands the neighbors' concerns. The zoning allows the Petitioner to build 6 homes without coming before the Board.

Motion

Approval of the requested variance relief to reduce the lot width in the RSF-6 zoning district from 60 feet to 58 feet.

Vote Results (Approved)

Motion: Michael Condon

Second: Armand Turner

Stephen Merriman, Jr.	- Abstain
Michael Condon	- Aye
Stephen Plunk	- Aye
Betty Jones	- Not Present
Armand Turner	- Aye
Brad Baugh	- Not Present
Benjamin Griffith	- Aye

9. 531 Seiler Avenue | Variance to building frontage minimum | 24-002936-ZBA

🔗 [531 SEILER AVE_24-002936-ZBA_APPLICATION.pdf](#)

🔗 [STAMPED DRAWINGS - 24-001193-COA - 531 SEILER AVE.pdf](#)

🔗 [Staff Report - 531 Seiler Ave_EM.pdf](#)

Mr. Edward Morrow, Director of Development Services/Current Planning presented the Staff report. **Mr. Morrow** stated 531 and 533 Seiler Avenue are associated petitions. Mr. Morrow said the Petitioner requests a variance for a reduction of the minimum required building frontage in the TN-2 zoning district from 70% (31.5 feet) to 56.4% (25.4 feet) to accommodate a driveway on the side of the dwelling. This request is made for the purpose of providing at least one off-street parking space as required by NewZO. The lot does not have lane access at the rear. 531 and 533 Seiler Avenue are currently unimproved lots measuring 45 feet in width by 94.4 feet in depth with a total area of plus or minus 4,250 square feet each. They are conforming lots in the TN-2 zoning district by area and frontage. Subdivision of the lot was approved in April 2023, indicating preliminary approval of a request for a curb cut onto Seiler Avenue. Google Streetview imagery dating to November 2007 indicates the parcel once contained a commercial structure that, at that time, served as a laundry or dry cleaners. An Environmental Site Assessment Waiver request accompanied the plat application. Google Streetview imagery dating to November 2007 indicates the parcel once contained a commercial structure that, at that time, served as a laundry or dry cleaners. An Environmental Site Assessment Waiver request accompanied the plat application approving the construction of a new single-family residence on each property. Based upon the development pattern and variance criteria, MPC Staff recommends approval of the requested variance for the reduction of the required minimum building frontage.

Mr. Christian Dean, Residential Concepts Design Group, said the original lot, when the dry-cleaning place was on there, was three lots. When they originally considered doing something on this lot, they talked about three separate structures. Knowing the need for off-street parking, they felt it was beneficial to combine the lots and make two lots to make the houses the right size and still have off-street parking. They were not aware then this would fall under new zoning and that is why they are here today.

BOARD DISCUSSION

None

Motion

Approval of the requested variance for the reduction of the required minimum building frontage from 70% to accommodate a driveway and meet the off-street parking requirement.

Vote Results (Approved)

Motion: Benjamin Griffith

Second: Stephen Plunk

Stephen Merriman, Jr.	- Abstain
Michael Condon	- Aye
Stephen Plunk	- Aye
Betty Jones	- Not Present
Armand Turner	- Aye
Brad Baugh	- Not Present
Benjamin Griffith	- Aye

10. 533 Seiler Avenue | Variance to building frontage minimum | 24-002937-ZBA

🔗 [533 SEILER AVE_24-002937-ZBA_APPLICATION.pdf](#)

🔗 [Staff Report - 533 Seiler Ave_EM.pdf](#)

🔗 [STAMPED DRAWINGS - 24-001194-COA - 533 SEILER AVE_.pdf](#)

This item was presented with the previous petition (531 & 533 Seiler Avenue). See minutes from the 531 Seiler Avenue petition.

Motion

Approval of the requested variance for the reduction of the required minimum building frontage from 70% to accommodate a driveway and meet the off-street parking requirement.

Vote Results (Approved)

Motion: Armand Turner

Second: Michael Condon

Stephen Merriman, Jr.	- Abstain
Michael Condon	- Aye
Stephen Plunk	- Aye
Betty Jones	- Not Present
Armand Turner	- Aye
Brad Baugh	- Not Present
Benjamin Griffith	- Aye

11. 2201 Fernwood Ct. | Relief from nonconformity for an existing ADU | 24-003627-ZBA

🔗 [Staff Report 2201 Fernwood Ct.pdf](#)

- 🔗 [2201 Fernwood Site Plan.pdf](#)
- 🔗 [Property Record Card.pdf](#)
- 🔗 [2201 FERNWOOD CT_24-003627-ZBA_APPLICATION_.pdf](#)

As the Board was making a motion to approve the final agenda, the Petitioner made a request to have the item removed from the final agenda.

Motion

The Board approved the Petitioners request to remove the petition from the final agenda.

Vote Results (Approved)

Motion: Stephen Plunk	
Second: Michael Condon	
Stephen Merriman, Jr.	- Abstain
Michael Condon	- Aye
Stephen Plunk	- Aye
Betty Jones	- Not Present
Armand Turner	- Aye
Brad Baugh	- Not Present
Benjamin Griffith	- 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.