



## City of Savannah Zoning Board of Appeals

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Meeting Minutes  
SZBA March 27, 2025 at 10:00 am

### March 27, 2025, City of Savannah Zoning Board of Appeals

Members Present: Stephen Merriman, Jr., Chair  
Michael Condon, Vice-Chair  
Benjamin "Trapper" Griffith  
Armand Turner  
Betty Jones  
Brad Baugh

Members Absent Stephen Plunk

MPC Staff Present: Brad Clement, Planner, Development Services  
Sadie Esch-Laurent, Assistant Planner  
Sally Helm, Administrative Assistant II, Development Services  
Hind Patel, IT Helpdesk & Support

#### I. Call to Order and Welcome

#### II. Invocation and Pledge of Allegiance

#### III. Swearing in of Witnesses

##### 1. Swear in witnesses

Chairman swore in witnesses.

#### IV. Notices, Proclamations and Acknowledgements

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

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 Item(s) Requested to be Withdrawn

##### 2. 0 East 32nd Street | Variance for reduction of required lot width | 25-001006-ZBA

[!\[\]\(3342c215b2a8b663596a81468d5dc314\_img.jpg\) 0 E 32 ST\\_25-001006-ZBA\\_APPLICATION.pdf](#)

#### **Motion**

Item withdrawn from the final agenda.

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

Motion: Betty Jones

Second: Michael Condon

Stephen Merriman, Jr.

- Abstain

Michael Condon

- Aye

Stephen Plunk

- Not Present

Betty Jones	- Aye
Armand Turner	- Aye
Brad Baugh	- Aye
Benjamin Griffith	- Aye

[3. 1605, 1607 LeGrand Street | Variance for reduction of required lot width | 25-001041-ZBA](#)

📎 [1605, 1607 LEGRAND ST\\_25-001041-ZBA\\_APPLICATION.pdf](#)

**Motion**

Item withdrawn from final agenda.

**Vote Results ( Approved )**

Motion: Betty Jones

Second: Michael Condon

Stephen Merriman, Jr. - Abstain

Michael Condon - Aye

Stephen Plunk - Not Present

Betty Jones - Aye

Armand Turner - Aye

Brad Baugh - Aye

Benjamin Griffith - Aye

**VII. Approval of Minutes**

[4. Approval of the February 27, 2025 Meeting Minutes](#)

📎 [february-27-2025-city-of-savannah-zoning-board-of-appeals-minutes.pdf](#)

**Motion**

Approval of the February 27, 2025 SZBA Meeting Minutes.

**Vote Results ( Approved )**

Motion: Michael Condon

Second: Betty Jones

Stephen Merriman, Jr. - Abstain

Michael Condon - Aye

Stephen Plunk - Not Present

Betty Jones - Aye

Armand Turner - Aye

Brad Baugh - Aye

Benjamin Griffith - Aye

**VIII. Approval of Final Agenda**

**IX. Consent Agenda**

## X. Old Business

## XI. Regular Agenda

### 5. 107 Cockle Shell Rd | Variance to fence height | 25-000796-ZBA

- 🔗 [107 COCKLE SHELL RD\\_25-000796-ZBA\\_APPLICATION.pdf](#)
- 🔗 [Staff Report\\_SE 107 Cockle Shell Rd.pdf](#)
- 🔗 [Letter to City of Savannah 107 Cockle Shell Rd^J 31419.pdf](#)
- 🔗 [D. Struck\\_ Public Comment #25-000796-ZBA.pdf](#)
- 🔗 [Washington, PUBLIC COMMENT, Petition#25-000796-ZBA 107 Cockle Shell Road.pdf](#)

**Ms. Sadie Esch-Laurent, Assistant Planner**, presented the Staff report. **Ms. Esch-Laurent** stated the Petitioner is requesting a variance for an existing fence that exceeds the permitted height of four feet and does not meet the design standards of additional permitted height while forward of the primary dwelling's front façade in the RSF-6 zoning district. The fence is currently six feet in height and is entirely closed or opaque. The Zoning Ordinance permits a front yard fence that is up to six feet in height as long as the portion beyond three feet is 70% transparent. The Petitioner's fence does not meet this standard. The property is located at 107 Cockle Shell Rd, in the Wild Heron Plantation/Southern Woods/Habersham Plantation neighborhood. According to the Chatham County Tax Assessor, the subject property measures approximately 12,900 square feet in area. The property is zoned RSF-6. It is a conforming parcel in this zoning district with one-hundred-twenty-five feet of frontage and a depth ranging from seventy-two to one hundred-thirty-seven feet. Section 9.6.4.d.ii.1 of the Zoning Ordinance says, "Front Yards and Side (Street) Yards (when forward of a front façade): four feet maximum. Additional height may be permitted if the design standards are met." Additionally, Section 9.6.4.e.iv(a) of the Zoning Ordinance states, "The following design standards apply to fences and walls within the front yard of Residential and Mixed uses that exceed four feet in height that the maximum height of the fence or wall shall be six feet. For the purpose of this fence location, the height shall be measured to the top of the post or column.

The proposal is not consistent with the intent of the Zoning Ordinance. The fence exceeds four feet in height and does not meet the design standards for additional height to be permitted. The parcel is uniquely shaped, which is not necessarily a hardship and has no bearing on the fence height request. The requested variance is likely not financial in nature. Approval of the variance would confer special privilege upon the Petitioner. MPC Staff recommends denial of the requested variance for an existing fence that exceeds the permitted height of four feet and does not meet the design standards of additional permitted height while forward of the primary dwelling's front façade in the RSF-6 zoning district.

**Ms. Brooke Novak, Petitioner**, said according to the zoning standards they want her to move the front of the fence line back to the front of the facade. She stated that if they bring new posts in and push that fence back, they will lose approximately eight-hundred square feet of yard. They were told in order for this to be a true privacy fence, it would need to be flush with the front of the home. The whole property is approximately .33 acres, to lose eight hundred square feet of privacy yard would be substantial. They are not blocking the front door, the driveway, or sidewalk. If they cut the fence down to four feet, that defeats the whole purpose of having a fence and if they move it back, they lose a substantial amount of yard. They went to the neighbors to get their support on the look of the fence.

**Mr. Merriman, Chairman**, asked how long the fence has been in place.

**Ms. Novak** said about a year. It was built after purchasing the home. When looking at the zoning ordinance, the section about being forward of the front facade is not in the same code section as height and building materials so it was overlooked. They debated about going flush with the home or the walkway. The current placement is what they felt would utilize the most yard space.

**Mr. Condon, Board Member**, asked the Petitioner how they ended up here today.

**Ms. Novak** said it was a neighbor dispute. They called Code Compliance.

## NO PUBLIC COMMENT

## BOARD DISCUSSION

Mr. Baugh said due to the shape of the lot this might make sense where it would not somewhere else. Mr. Merriman said the issue is the height of the fence and being forward of the front facade. Mr. Condon said if the fence were four-feet tall it would be ok or if it were set back, as it is, flush with the house, it would be ok. Mr. Condon asked for the public comments submitted to be pulled up for review. Mr. Turner said it seems the neighbors are split on support or no support. Ms. Jones asked if the portion of the fence in question could be lowered to four feet. Mr. Merriman said that is what the ordinance says they should do if it is in front. Mr. Griffith said there are two options the Petitioner can take to conform the fence, either move it back and keep it at six-feet or leave it where it is and take it down to four-feet. There being no further discussion, the Board entertained a motion.

### **Motion**

Denial of the requested variance for an existing fence that exceeds the permitted height of 4 feet and does not meet the design standards of additional permitted height while forward of the primary dwelling's front facade in the RSF-6 zoning district.

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

Motion: Benjamin Griffith

Second: Armand Turner

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

## [6. 105 West Quail Forest Ct | Variance to front yard setback | 25-001065-ZBA](#)

🔗 [105 W QUAIL FOREST CT\\_25-001065-ZBA\\_APPLICATION.pdf](#)

🔗 [Staff Report\\_SE 105 W Quail Forest Ct.pdf](#)

**Ms. Sadie Esch-Laurent, Assistant Planner**, presented the Staff report. **Ms. Esch-Laurent** stated the Petitioner requests a variance to the front yard setback from twenty-feet to five-feet to install a carport within the front yard of a dwelling in the RSF-5 zoning district. The property is located at 105 W. Quail Forest Court, with a PIN of 20784 09006, in the Largo Woods/Quail Forest neighborhood. According to the Chatham County Tax Assessor, the subject property measures approximately 6,570 square feet. The property is zoned RSF-5. It is a conforming parcel in this zoning district with varying lengths of frontage and depth due to the shape of the parcel. The principal dwelling on the lot was built in 1988 and is conforming in its current state. It has a building footprint of 1,614 square feet. Per the information received from the Petitioner, a member of the household is disabled. The variance for the carport is being requested to help facilitate a safe entrance into the house. The Zoning Ordinance requires minimum front yard setbacks of twenty feet. The Petitioner is requesting to encroach into the front yard setback by fifteen feet to build an attached carport. The proposed carport is twenty-feet by twenty-four-feet. There is a ten-foot utility easement in front of the subject property. The proposed five-foot front yard setback and the ten-foot utility easement would leave fifteen feet between the proposed carport and the public right-of-way.

MPC Staff recommends denial of the requested variance to the front yard setback from twenty feet to five feet to install a carport within the front yard of a dwelling in the RSF-5 zoning district. However, if the

Board is inclined to support the variance request, MPC Staff recommends the following condition: The sides of the carport should be constructed in a manner that maintains visibility for traffic navigating Quail Forest Court.

**Ms. Bonnie Taylor, Petitioner**, said her and her husband are requesting the variance to install a carport. They have lived in this home for thirty-two years and her husband is a disabled veteran who served twenty-eight years in the military. One day last year my husband went to get in the car, it had been raining earlier, he slipped and fell. He fell into the car and dented the car. If the car had not been there, he would have hit the concrete and been seriously injured. At that point we decided that we would like to install a carport for that to not happen again. They discussed this with our neighbors; they all were in support. There are other homes in our neighborhood that have carports that do not meet the setback. They want to be able to stay in their home and would like to be able to prevent any further injuries.

**Mr. Merriman, Chairman**, asked if the sides would be open on the requested carport.

**Ms. Taylor** said this would not be a closed carport. There will be a roof that will be attached to the house with gutters for the drainage of the water.

### **NO PUBLIC COMMENT**

### **BOARD DISCUSSION**

Mr. Condon said normally he is not in favor of such things. This may be a special situation having a disabled veteran who is aging in his home and needs to keep his line of way to the car clear. The gutters show the intent to keep the water off the driveway. They are trying to do the right thing. Mr. Turner said the examples provided appear to fit the makeup of the neighborhood. Ms. Jones said the sides will be open which will make it open/visible for the public. Mr. Griffith said he wishes the carport did not have to be affixed to the house. It would be easier to take it down if needed. Mr. Merriman said that it would require another variance since the ordinance says it needs to be attached.

#### **Motion**

Approval of the requested variance to the front yard setback from 20 feet to 5 feet to install a carport with open sides and gutters within the front yard of a dwelling in the RSF-5 zoning district.

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

Motion: Michael Condon

Second: Armand Turner

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

☞ [Staff Report\\_SE 2142 E 42nd St.pdf](#)

☞ [F. Maher\\_ Public comment-2142 E 42.pdf](#)

☞ [S. Mays\\_ Public comment #25-001068-ZBA.pdf](#)

**Ms. Sadie Esch-Laurent, Assistant Planner**, presented the Staff report. **Ms. Esch-Laurent** stated the Petitioner requests three variances associated with converting an existing accessory structure into an ADU within the RSF-6 zoning district: To reduce the minimum lot size requirement of 125% to 100% to establish an ADU. To exceed the 40% square footage maximum in relation to the principal dwelling and the seven hundred square foot maximum floor area for an ADU, and to reduce the rear setback of an ADU from three feet to zero feet. The property is located at 2142 E. 42nd Street, in the Victory Heights neighborhood. According to the Chatham County Tax Assessor, the subject property measures approximately 6,000 square feet in area. The property is zoned RSF-6. It is a conforming parcel in this zoning district with sixty feet of frontage and one hundred feet of depth. The principal dwelling on the lot was built in 1941 and is conforming. It has a building footprint of approximately 1,025 square feet, according to the Tax Assessor. There is an existing accessory structure on the lot that was built in 1985. It is seven hundred twenty square feet. The Petitioner is proposing to convert the existing accessory structure into an ADU. Additionally, the property will retain two off-street parking spaces.

One hundred twenty percent of the minimum lot area required by the zoning district would be 7,500 square feet, whereas the subject property has 6,000 square feet. The Petitioner is requesting to reduce the 125% minimum lot size requirement to 100%. The Petitioner is also requesting to exceed the maximum by 30%, as the ADU would have a building footprint of 70% of the principal dwelling. Additionally, the ADU would exceed seven hundred square feet maximum by twenty square feet. As the subject property abuts a lane, a rear yard setback of three feet is required for the ADU. The Petitioner is requesting three feet of relief for a 0-foot setback from the lane.

MPC Staff recommends approval of the requested three variances associated with converting an existing accessory structure into an ADU within the RSF-6 zoning district with one condition:

To install gutters to prevent runoff.

**Mr. Merriman, Chairman**, asked if the building shown is what they are intending to turn into an ADU and is this consistent with the development pattern in the area.

**Mr. Josh Yellin, Agent for the Petitioner**, said this garage could not be built today with the current standards. We are trying to make this site conforming. In order to do that we must ask for the variances for an ADU. This request is common for this area. There are numerous examples of these garages being used as ADU's in the vicinity. There were letters that were against this project, but they believed this was new construction and would eat up the existing yard space for the tenants in the primary house. We want to make it clear that is not the case. This is an existing structure there. That structure will be better utilized as an ADU. This will not increase any encroachment. We will just be converting what is already there into a dwelling unit.

## **NO PUBLIC COMMENT**

## **BOARD DISCUSSION**

Mr. Baugh agrees with Staff recommendations. Mr. Condon agrees. Mr. Griffith said this was a good project.

### **Motion**

Approval of the requested three variances associated with converting an existing accessory structure into an ADU within the RSF-6 zoning district:

To reduce the minimum lot size requirement of 125% to 100% to establish an ADU;

To exceed the 40% square footage maximum in relation to the principal dwelling and the 700 square foot maximum floor area for an ADU;

To reduce the rear setback of an ADU from 3 feet to 0 feet.

with the condition of installing gutters to prevent runoff.

### Vote Results ( Approved )

Motion: Brad Baugh

Second: Michael Condon

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

### [8. 814 West 39th Street | Variance to side setback | 25-001089-ZBA](#)

🔗 [814 W 39 St\\_25-001089-ZBA\\_Application.pdf](#)

🔗 [Staff Report\\_SE 814 W 39th St.pdf](#)

**Ms. Sadie Esch-Laurent, Assistant Planner**, presented the Staff report. **Ms. Esch-Laurent** stated the Petitioner requests a variance to reduce the side yard setback from three feet to zero feet in association with a proposed addition to the primary dwelling within the TR-3 zoning district. The property is located at 814 W 39th Street, in the Cuyler/Brownville neighborhood and historic district. The Historic Preservation Commission heard this petition yesterday where it was approved and recommended approval to the Zoning Board of Appeals. According to the Chatham County Tax Assessor, the subject property measures approximately 3,510 square feet in area. The property is zoned TR-3. It is a conforming parcel in this zoning district with thirty feet of frontage and one hundred seventeen feet of depth. The parcel has lane access. The principal dwelling on the lot was built in 1920 and is nonconforming in its current state with side setbacks of zero feet where three feet are required. It has a current building footprint of approximately 1,189 square feet. The Zoning Ordinance requires side yards setbacks to be a minimum of three feet. The Petitioner is requesting a nine-foot by nine-foot rear addition to the dwelling, which will be aligned with the current zero-foot side setbacks of the house. The Petitioner's request would increase the building footprint by eighty-one square feet to a total of 1,270 square feet. However, Staff analysis revealed that the addition may be larger than that of the request. MPC Staff recommends denial of the requested variance to reduce the side yard setback from three feet to zero feet in association with a proposed addition to the primary dwelling within the TR-3 zoning district.

**Mr. Karl Joseph, Petitioner**, said the bonus room addition would be nine feet by nine feet. Because of the position, there is a mud room on the right side. They originally talked about extending the room out to the end of the building but because of the mud room it does not make sense. They chose to do the bonus room and then build out a deck which makes it extend to the end of the property.

### NO PUBLIC COMMENT

### BOARD DISCUSSION

**Mr. Condon** said his concern is building something on a zero-side lot line which would require them to

gain permission from the neighbor to be working in their yard, even take the fence down. In addition to that, if there was a dispute with the neighbor, how would it be maintained? There is no favor on a zero-side yard lot line.

#### **Motion**

Denial of the requested variance to reduce the side yard setback from 3 feet to 0 feet in association with a proposed addition to the primary dwelling within the TR-3 zoning district.

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

Motion: Michael Condon

Second: Betty Jones

Stephen Merriman, Jr. - Abstain

Michael Condon - Aye

Stephen Plunk - Not Present

Betty Jones - Aye

Armand Turner - Aye

Brad Baugh - Aye

Benjamin Griffith - Aye

#### **XII. Other Business**

#### **XIII. 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.*