



City of Savannah Zoning Board of Appeals

Minutes
November 20, 2025 SZBA 10:00am
112 East State Street, Arthur Mendonsa Hearing Room

November 20, 2025, City of Savannah Zoning Board of Appeals

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

Absent Betty Jones

MPC Staff Present: Edward Morrow, Director, Development Services/Current Planning
Sadie Esch-Laurent, Assistant Planner
Subhashi Karunaratne, Planner, Development Services
Sally Helm, Administrative Assistant II, Development Services/Current Planning
Hind Patel, IT Helpdesk & Support

I. Call to Order and Welcome

II. Invocation and Pledge of Allegiance

III. Swearing in of Witnesses

IV. Notices, Proclamations and Acknowledgements

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

[1. 502 Virginia Ave | variance to side yard setback associated with subdivision of lot | 25-005375-ZBA](#)

Motion

Item removed from the final agenda.

Vote Results (Approved)

Motion: Michael Condon

Second: Betty Jones

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

Benjamin Griffith

- Aye

[2. 2818 & 2820 Bee Rd | Variance to reduce parking requirement in TC-1 zoning district | 25-005377-ZBA](#)

Motion

Item removed from the final agenda.

Vote Results (Approved)

Motion: Michael Condon

Second: Betty Jones

Stephen Merriman, Jr. - Abstain

Michael Condon - Aye

Stephen Plunk - Aye

Betty Jones - Aye

Armand Turner - Not Present

Brad Baugh - Aye

Benjamin Griffith - Aye

VI. Item(s) Requested to be Withdrawn

VII. Approval of Minutes

VIII. Approval of Final Agenda

IX. Consent Agenda

X. Old Business

[3. 912 E. Anderson St. | re-establish nonconforming use in TR-2 zoning district | 25-004727-ZBA](#)

Mr. Edward Morrow, Director of Development Services/Current Planning, presented the Petitioner's request. As the Chair has stated, this is an item that the Board considered last month. The petitioner has not made significant modifications but is requesting to pursue their original request for reestablishment of a nonconforming use. Mr. Morrow said he would give some background information on the petition and then give the Petitioner the opportunity to address the Board. The request is to establish a nonconforming duplex. Originally, two duplexes were on this property as recently as 2004. The property that is shown on the screen still exists. It is the smaller of the two that is adjoining the rear property line near East Henry Lane. One of the two-family dwellings still exists and the Petitioner is proposing to reestablish the second, larger two—family dwelling. It was situated in the center of the property. The Petitioner is requesting to reestablish it. This obviously will require some relief from this Board as it is no longer consistent with the zoning district where this property is located. It is presently zoned TR-2It is a property with significant size and is conforming. It would be permitted to have a duplex with an accessory dwelling unit (ADU). The Petitioner is in essence requesting to have four principal dwelling units on this one property. Typically, this will require a rezoning, but the Ordinance does allow the Petitioner to request reestablishment of a nonconforming use. This is why this Petition is coming back before the Board in this manner.

Mr. Morrow said the Zoning Administrator communicated that he felt it was important to distinguish a request to reestablish a nonconforming structure as opposed to a nonconforming use. The use in question is a duplex; and this is the Petition that this Board would consider and not the reestablishment of a nonconforming structure that was damaged and the Petitioner is requesting to put in back. This is a request to reestablish what is presently a nonconforming use, which is a duplex use. This is not the

reestablishment of a nonconforming structure that was damaged.

Mr. Morrow said the subject property is approximately 6,840 square feet in area. The existing nonconforming over-under duplex on the rear of the lot was built about 1950 per the Tax Assessor and has a footprint of approximately 649 square feet. It has nonconforming side and rear setbacks. There is record of a second two-family structure that was on the property until about 2004. The Tax Assessor's records currently show the duplex in the rear of the property as the primary or principal structure. Presently, the property is conforming with regards to the number of units that it could have; it could potentially have an ADU, except that the ADU has certain constraints that are placed on it and the configuration would be difficult. Therefore, it will probably require demolition of the existing structure to establish the configuration that is being anticipated presently. However, the Petitioner is requesting to reestablish a nonconforming duplex.

Mr. Morrow said previously the property was zoned R4 which is a designation that permitted dwellings up to 12 dwelling units per net acre. This property was nonconforming even under the previous Zoning Board Ordinance by a significant margin that would have been about 25 to 12 units per acre to have those four units before 12 were permitted. Obviously, this is a condition that was established prior to the adoption of the previous Zoning Board's Ordinances as well. Mr. Morrow showed the Board a view of the Sanborn Maps where they know that there was the previous duplex that was there. He stated again that the Petitioner is not requesting to rebuild this structure as they would like to put another duplex here that would be differently orientated and there would be additional parking.

Mr. Morrow believed that the Board members received the handout that shows the Petitioner's reworked plan for the establishment of the duplex. He pointed out that the duplex is placed a little closer to the property line than it was proposed to be placed previously. Mr. Morrow believed that based on some correspondence with the Petitioner, they have added buffering and reduced some of the parking in responds to concerns that this Board heard from the neighbors during the previous hearing. Before there were six parking spaces and two sets of tandem spaces. Now, this has been reduced to two for this dwelling and two for these two dwellings as well. He showed the Board the current configuration and said that the Petitioner would elaborate on this issue. Mr. Morrow stated that the MPC Staff recommends denial of this Petition. He entertained questions from the Board.

Mr. Merriman, Chair, said this is being called "a reestablishment." He asked, originally, many years ago, this was already here and then the larger structure was demolished or lost?

Mr. Morrow answered in response to Mr. Merriman's question, in 2004.

Mr. Merriman asked, "now they want to put it back like it was?"

Mr. Morrow answered not exactly as it was before. He said according to the Sanborn, they can see the location of the previously existing duplex. Therefore, it was more so to the essence of what was here, and not the specifics. The new building would be located closer to the property line and (pointing to a section) parking would be here for one of the duplexes and parking in this general area would be for the other.

Mr. Condon, Board Member, asked that looking at the Sanborn Map at what appears to be the garage in the back, what does the "D" symbol stands for?

Mr. Morrow said the "D symbol" stands for Duplex.

Mr. Condon, Board Member, asked if this was a duplex.

Mr. Morrow answered that both were duplexes. The annotations indicate that the two were duplexes.

Mr. Condon, Board Member, asked if, as far as they know, the unit in the back was not built as a carriage house.

Mr. Morrow answered that it was not built as a conversion but built as a duplex.

Mr. Condon, Board Member, asked even though the zoning did not allow it; but, at some point, it was

built prior to zoning.

Mr. Morrow answered “right.” This was probably done before they had zoning.

PETITIONERS COMMENTS

Mr. Brent White, Agent for Anurita Dass, said they looked at the comments and believe there was a lack of clarity on his part in what they were asking for. This is why they are coming back to the Board and asking for the re-establishment of use. Mr. White wanted to ensure the Board that they did look at trying to configure the site as the Board asked. They even talked with a neighbor regarding the fact this would probably be the best approach for this site. Mr. White said, therefore, he is present to request an approval to reestablish the long standing “duplex use” for 912 East Anderson Street. When they met with the Board last month, they were asked to address the neighbors’ concerns and show how this meets the current Zoning Ordinance with regards to the reestablishment of use. This parcel historically contained two primary residential structures, which is unique. The first was a front over-under duplex and the second was a rear over-under duplex. The two structures co-existed for decades. Mr. White said this is important because having two primary duplexes use on one parcel is not a new extended condition for this parcel. It is the site’s historic development pattern. As he has said, both structures existed together legally and functioned for many years.

Mr. White said the front duplex was destroyed by fire to the best of their knowledge. From what they can say, it was around 2006 or 2007 when the structure was demolished, and it was done for safety reasons. The loss was involuntary; there never was any intention to discontinuing or abandoning their duplex use. So, today they are requesting approval to reestablish the front duplex use. They cannot reestablish the structure in its exact form because they are prohibited by parking and this is why the Board is seeing the configuration that they have today. By reestablishing this front duplex use, it will restore the historic arrangement of two primary duplex uses on the parcel just as they existed before the fire. The Zoning Ordinance requires them to meet five criteria to reestablish. To the best of his knowledge, here is how they meet the criteria: The original building was purposively built as a duplex with two stacked units, separate entries, and a layout that could not function as a single-family home without major redesigned, which never occurred. Its design supported a duplex, and this use should continue. The structure was never converted or redesigned for any other use. It remained a duplex until the day of the fire; and demolition due to fire is not a redesign nor is it abandonment under the Ordinance. The proposed use is the same as in most recent lawful use. No increase in density; no new impacts. The historic pattern of two primary structures remains unchanged. Approving this request is not detrimental to the neighborhood. Rebuilding returns the site to its longstanding residential form and proves the block by replacing a fire damaged site with a new code compliant home, reserves the historic density that has used this for generations. This is a re-establishment of what has always been there, not an extension.

Mr. White said in summary, their request will restore a longstanding, lawful duplex that was involuntarily lost due to a fire. This fits the established development pattern and meets all fire grade materials for reestablishment. Therefore, they are respectfully asking for the Board’s approval today. Mr. White entertained comments and questions from the Board.

PUBLIC COMMENTS

Mr. Paul Neil resides at 910 East Anderson Street. Mr. Neil said at the last meeting his concerns were about parking and disruption. Since that meeting, he has talked with some neighbors who did not attend the meeting. His concerns did not center around the complete zoning questions, but Mr. White has addressed some questions by changing the parking two spaces, which in the beginning were looking like a parking lot. Foliage was added, which is beneficial to the neighborhood. But when they talk about tearing down the building in the back and then redoing it, to him, this is just a lot of disruption in the neighborhood. The materials and paint, whatever that building in the rear is made of nothing, will be torn down. This is a more toxic possibility in the neighborhood if they must tear the building down. At this point addressing the concerns he had previously, he does not see where this is beneficial. Mr. Neil said as he looks at it now, the little it does where the Petitioner will move the fence back in the front and has foliage where the large tree is located, Anderson Street floods. Therefore, anything small that is done here with a root ball will maintain more moisture and not be helpful to the neighborhood because both

Henry and Anderson Streets during heavy rains tend to flood.

Mr. Neil said a much better proposition than his concerns have been dealt with. He believes, therefore, it is better not to disrupt or take a longer time for all the neighbors with whatever noise and building, nor does he believe that it is much of an impact if they leave the building as it is in the back and build the duplex in the front.

Ms. Laura Lane McKinnon said she was representing YIMB Savannah. Ms. McKinnon said that this Petition restores the property's historic pattern of primary over/under duplex in front and a second primary duplex at the rear, which is fully consistent with the neighborhood's traditional density and building forms. She said that rebuilding the front duplex also aligns with the area's longstanding mixed of duplexes, small multifamily buildings, and modestly scaled housing types that together form the neighborhood's traditional density. At a time when their community faces a significant deficit of appropriately sized housing for their demographics, projects like this are especially valuable. This is a desirable location, making it an ideal place to have modest contexture lined homes without changing neighborhood character. Ms. McKinnon said YIMB Savannah strongly supports the approval.

BOARD DISCUSSION

Mr. Griffith, Board Member, said he appreciates that the Petitioner worked with the neighbors. It appears that they have come to an agreement. This is great.

Mr. Plunk, Board Member, agreed with Mr. Griffith. At the last meeting, many neighbors were present opposing this request, but it is nice when the Petitioner can come back and the only neighbors who show up are supportive of the request. It appears that the process worked.

Mr. Merriman, Board Chair, entertained a motion as the Board had no further discussion.

Motion

Approval of the requests for reestablishment of a nonconforming duplex.

Vote Results (Approved)

Motion: Stephen Plunk

Second: Brad Baugh

Stephen Merriman, Jr. - Abstain

Michael Condon - Aye

Stephen Plunk - Aye

Betty Jones - Aye

Armand Turner - Not Present

Brad Baugh - Aye

Benjamin Griffith - Aye

XI. Regular Agenda

[4. 661 E 32nd St | Variances to min. lot size, max. lot coverage, and distance between primary dwelling and ADU | 25-005092-ZBA](#)

Ms. Subhashi Karunarathne, Planner, presented the Petitioner's request. The Petitioner is requesting three variances in association with the construction of an over/under two-family dwelling and an accessory dwelling unit (ADU) in the TR-2 zoning district: To reduce the minimum lot size required to establish an ADU from 5,625 square feet to 4,600 square feet. To reduce the distance between the over-under two-family dwelling and the ADU from 10 feet to 8 feet. To exceed the maximum lot coverage from 40% to 40.3%.

Ms. Karunaratne displayed the Petitioner's property on the screen, which faces East 32nd Street and has lane access from East 32nd Lane. The property is in the Midtown neighborhood, and it has a width of 50 feet and a depth of 92 feet. It is in the TR-2 (Traditional Residential-2) zoning district and is a conforming parcel. The lot has a condemned single-family dwelling with a building footprint of approximately 936 square feet that is to be demolished. She said that the Petitioner is proposing to build an over/under structure that will have approximate square footage of 1,375 and the ADU will have a building footprint of approximately 480 square feet. Two parking spaces will be included, using the existing curb cut off 32nd Street.

Ms. Karunaratne stated that the requested variances are for the minimum lot coverage of 125% as required in the Zoning Ordinance. Presently the Petitioner only has 4,600 square feet while the requirement is 5,625 square feet. Also, there is a ten-foot gap between the primary building and the ADU. The Petitioner is proposing eight feet, and the lot coverage will increase by 0.3%.

Ms. Karunaratne stated that a text amendment came through the Planning Commission to amend some of the requirements for accessory dwelling structures. The Planning Commission recommended approval for the proposed Text Amendment to City Council. One of the amendments is to reduce the requirement to have 125% of the minimum lot coverage be changed to 100%. In this case, if the Text Amendment is approved, the requirement that the Petitioner currently seeking would not be heard. Considering this and looking at the conditions of the lot, the MPC Staff recommends approval for the first request, which is to reduce the minimum lot size, but recommends denial for the other two required variances. Ms. Karunaratne entertained questions from the Board.

Mr. Merriman, Board Chair, said last month he asked Staff about the petition before City Council regarding changing the requirements on 100% to 125% or from 125% to 100%. He believes that at that time, the Board was told that this was on Council's agenda for the next meeting. What happened with that?

Ms. Sally Helm, Board Assistant, said City Council has it slated to be heard on Tuesday, November 25, 2025.

Mr. Merriman, Board Chair, asked if there was any reason for City Council to move it.

Ms. Helm, Board Assistant, answered that City Council did so with their agenda. But the Text Amendment is scheduled to be heard on Tuesday, November 25, 2025.

Mr. Merriman, Board Chair, asked Ms. Karunaratne if the two requests that Staff is recommending denial for seem minimal. What is the reason for recommending denial?

Ms. Karunaratne answered Staff believes that even without approving those two requests, the Petitioner can build a conforming structure.

PETITIONER COMMENTS

Mr. Andrew Savage, Square 23 Property LLC, thanked the Board for hearing their Petition and thanked the Staff for its report. Mr. Savage said they have three requests before the Board, and he wanted to address them one-by-one. For the minimum lot area for the ADU. He is agreement with the Staff's report. No comments here. For the two-foot setback reduction between the structures, after talking with Staff earlier this week, he sharpened his pencil a little bit and dug into the Zoning Ordinance and found a way to make this work without the variance. Therefore, he no longer needs the setback reduction between the structures. For the third request to exceed the maximum lot coverage from 40% to 40.3% - The lot area is 4,600 square feet and 40% of that is 1,840 square feet. His current lot coverage is 1,855 square feet. Therefore, they are talking about a 15 square foot difference. Mr. Savage said he has looked at a lot of plans, and he really sharpened his pencil on these plans as well. There is always a balance with adding housing units that fit on these lots and be functional, but he believes that the design he has now is very functional. Therefore, for reference, if it is a single-family house on the lot, you would be allowed 2,300 square feet of lot coverage for a duplex introduced on terms of feelings like there is plenty of space for this. But he does not believe that this will be a concern.

Mr. Savage thanked the Board again for hearing their requests. He entertained questions from the

Board.

PUBLIC COMMENTS

None

BOARD DISCUSSION

Mr. Baugh said it appears that the three issues have been resolved.

Mr. Merriman, Board Chair, entertained a motion as the Board had no additional comment.

Motion

Approval by the Planning Commission to City Council, MPC Staff recommends approval of the following variance in association with the construction of an over-under two-family dwelling and an accessory dwelling unit (ADU) in the TR-2 zoning district:

To reduce the minimum lot size required to establish an ADU from 5,625 square feet to 4,600 square feet and to exceed the maximum lot coverage from 40% to 40.3%.

And based on the lack of hardship and the Petitioner's ability to meet these development standards, Denial of the following variance:

1. To reduce the distance between the over-under two-family dwelling and the ADU from 10 feet to 8 feet.

Vote Results (Approved)

Motion: Stephen Plunk

Second: Michael Condon

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

5. 618 E. Duffy Ln | variances to front & rear yard setbacks, roof overhangs, & off-street parking | 25-005150-ZBA

Ms. Subhashi Karunaratne, Planner, presented the Petitioner's request. The Petitioner requests the following four variances in association with the construction of a primary dwelling in the TR-1 zoning district: To reduce the front yard setback from 5 feet to 0 feet; To reduce the rear yard setback from 20 feet to 12 feet; Relief for eaves or roof overhangs to encroach into the side yard setbacks and rear yard setback by 1 foot and Relief from the off-street parking requirement.

Ms. Karunaratne, Planner, highlighted a copy of the Petitioner's property on screen and pointed out to the Board that this property is a small lot and faces East Duffy Lane. A railroad track is on the East. It is

in the Eastside Neighborhood. According to the Chatham County Tax Assessor, the subject property measures approximately 1,776 square feet, 37 feet width and 48 feet depth, and currently the property is vacant. It is nonconforming by the zoning district because of the lot area for Single-Family Detached and Two-Family (over/under) uses. The parcel only has access from East Duffy Lane. The Petitioner is proposing to build a primary dwelling of approximately 1,475 square feet off two floors.

Ms. Karunaratne, Planner, said according to the Zoning Ordinance, a nonconforming lot area that existed before the Ordinance may still be used for a single-family home if it has public water and sewer services from the City. Currently, the property has these facilities, therefore, they can by right build a single-family house. The Petitioner needs five feet minimum or 10 feet maximum for the front yard setback and 20 feet rear yard setback. The awnings overhang can be extended up to two feet if they are three feet away from the property line. Ms. Karunaratne said the neighboring properties are at zero feet on the property line. This is the character of this block face. The Zoning Ordinance requires that all existing or proposed developments provide off-street parking. For single-family detached dwellings, only one parking space is required. The Petitioner is asking for a variance from this requirement. The property is located within a flood zone identified by the Savannah 100-Year Storm Hydraulic Model. Any structure built on the property must abide by the Standards in Chapter 7 – Flood Damage Prevention of the City of Savannah Ordinance. Ms. Karunaratne said a similar request was made to the Zoning Board of Appeal (ZBA) in 2006 on this lot for the construction of a single-family residence, for variances, setbacks, and lot coverage during that time. The ZBA granted approval for those requests at that time.

Ms. Karunaratne, Planner, stated that Staff found during their research that a conforming structure could be built on the lot with 20 feet rear yard setback and 5-foot front yard setback with parking included in a garage. Therefore, the Petitioner can build some of this nature on their lot. Based on this finding, Staff recommended denial of all the variances. She entertained questions from the Board.

Mr. Condon, Board Member, asked Staff if they knew whether the Petitioner has talked with the Flood Administrator.

Ms. Karunaratne answered that she does not know whether the Petitioner has talked with the Flood Administrator. But she is aware that the Petitioner has talked with Traffic Engineering and Zoning.

PETITIONER COMMENTS

Ms. Bridgett Nicksic, Agent for the Lyn Collective LLC, came forward and thanked Ms. Karunaratne for presenting their Petitioner. Ms. Nicksic said she read the Staff's proposal. This is a great learning experience for her. She confirmed that she originally requested all the setbacks, while not sure of what she could and could not do. After speaking with the Staff about it, and talking to Traffic, they informed her that she could do this with a 12-foot apron and go into a nine-foot ribbon on the side together to off-street parking spots. Therefore, initially, this is what she was aiming to do. After speaking to and reading the suggestions from the Staff, she is fine with not asking for any of the variances that she originally asked for. But, in the proposal that they just shared on the screen, adding a garage would require that for her to have a proper three-bedroom house that she plans to build, she would need to do two stories on top. Ms. Nicksic said she believes her maximum would be 36 feet. She asked if it is 36 feet from the street. Her intention is to elevate the land because there is quite a bit of water that sits on that side of Duffy Street and on the lot. Obviously, no one wants that, therefore, if she brings in soil to elevate the property, install a drainage system so that the water will be diverted away from the back of the property, will help greatly. Ms. Nicksic said she would implement this so that the water would drain out. She asked if she elevates the land, would the 36 feet go from the ground that she will bring into the top of the roof? Or is it from the street level?

Mr. Condon, Board Member, answered that it would be from the street level. This is where it would start. He informed Ms. Nicksic that she missed one thing. She needs to meet with the Flood Zone Administrator. Staff will be able to give her the Flood Zone's contact information. He will advise Ms. Nicksic where she needs to be. Mr. Condon informed Ms. Nicksic that she might still need a variance. He recommended to her that she ask the ZBA to postpone this Petition to the next meeting so she could have a meeting with the Flood Zone Administrator so a determination may be made as to whether they need to come back with this request. Mr. Condon informed Ms. Nicksic that he is familiar with this area. He stated that Ms. Nicksic might not be able to put fill in here. Therefore, she needs to know these things before she goes forward.

Ms. Nicksic said she gave the Board some pictures of a house, but that is not the actual house she wants to build. She was only trying to give the Board something visual if she did two off-street parking spots and a garage, given that the design is her background; just knowing scale wise that she must have a proper two-car garage, which is what she wants. There is no street parking. The garage will provide her with room for a door entry. She believes she would need two stories, 8 ½ feet ceilings. Ms. Nicksic said what she is proposing and/or asking for would be a setback variance from the back. For her to have a proper living room, dining room, kitchen, and a master bedroom on the main floor and extra bedrooms upstairs, she would need extra footage. When you walk into a door, you need space to build stairs. The stairs take up a lot of square footage. Therefore, she would only be asking for a little amount of a setback variance from the rear, leaving the sides. The five-foot setback in the front is fine.

Mr. Condon, Board Member, said Ms. Nicksic needs to talk with the Flood Zone Administrator to get information on what her basic level must be. For example, she may have a garage, but the first livable area must be at a certain height. After she talks with the Flood Zone Administrator, then a determination could be made as to how much space she has remaining for the 36 feet. This is why she might want to postpone her Petition until she gets all the proper information. He told Ms. Nicksic that she might want to modify her application.

Mr. Merriman, Board Chair, informed Ms. Nicksic that she is somewhat redesigning her entire project. The Petition before the ZBA today is requesting four variances. Based on what the Board is hearing now, it appears that none of this will apply to her. Mr. Merriman informed Ms. Nicksic that he believes she needs to reapply for the variances she really needs and properly post her Petition and return to the Board for that hearing. Mr. Merriman asked the Staff what Ms. Nicksic needs to do. Does she ask for continuance, or does she withdraw her petition and start over?

Ms. Helm, Board Assistant, said Ms. Nicksic could do a continuance, but it cannot be heard before the December 2025 meeting due to the public notice requirement. It will have to be January 2026.

Ms. Nicksic said she agreed with the suggestion. She said after speaking with the Staff, she is opened to having everyone get what they need. But she has a question. She understands that the garage is something new as of 2019. She is curious with the new building requirement that if you have a garage, given the aesthetic of the neighborhood, there are no garages here. Is this a sticking point, or is it more that they just want off-street parking here?

Mr. Condon, Board Member, informed Ms. Nicksic that she would need off-street parking.

Mr. Merriman, Board Chair, asked Staff if they wanted to address any of the issues that were discussed during this hearing.

Mr. Morrow answered no; but it appears that this will be a two-month process or two meetings. He recommended that the Petition be continued to the February 2026 meeting.

Mr. Merriman, Board Chair, said, if possible, it would be good if Ms. Nicksic did not have to pay another fee. Would this be a continuance or a withdrawal?

Mr. Morrow said he believes that one of the previously requested variances would still be a part of Ms. Nicksic's petition.

Mr. Merriman, Board Chair, said it will be a continuance. He entertained a motion.

Motion

Item continued to the February SZBA Meeting Agenda.

Vote Results (Approved)

Motion: Michael Condon

Second: Stephen Plunk

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

6. 301 Forrest Ave | variances to side & front yard setbacks, relief from nonconformity to reconstruct and expand a nonconforming structure | 25-005259-ZBA

Ms. Subhashi Karunarathne, Planner, presented the Petitioner's request. The Petitioner requests the following three variances in association with the reconstruction of a nonconforming primary dwelling in the RSF-5 zoning district: To reduce the side yard setback, to reduce the front yard setback, and relief from nonconformity to reconstruct and expand a nonconforming structure.

Ms. Karunarathne displayed the Petitioner's parcel on the screen. It is located between Forrest Avenue and Elgin Street. She informed the Board that this Petition has a history because it came to the ZBA in December 2024 requesting approval for the following variances: Reduce the side yard setback from 10 feet to 3.15 feet and Relief from nonconformity to expand an existing nonconformity structure. The ZBA's decision approved the variances. Ms. Karunarathne showed the Board the plans that were submitted at that time. She stated that the white portion of the rendering was the existing nonconforming structure and the colored portions were the expansion to this structure. The mark and brad dotted line were the setbacks. She said as the Board can see, the expansion was encroaching into the side yard setback according to the submitted proposal during that time. The structure and the side yard setback were existing back then. Ms. Karunarathne said before she goes into what happened after the ZBA's approval, she wanted to give the Board a recap of the site.

Ms. Karunarathne said the property measures approximately 6,000 square feet in area. It is a conforming lot because the zoning is RSF-5 (Residential Single Family-5) and the district requires 5,000 square feet. The dwelling that existed on the parcel is nonconforming, as she mentioned with one side yard setback and the front yard setback. The zoning district requires 10 feet side yard setback and a 20-foot front yard. The property is within the Twickenham Neighborhood. The proposal was to add a second story addition to the existing structure. With this proposal, the first story would increase by 15 square feet, and the second story would increase by 110 square feet. The existing structure had a living area of 1,188 square feet and the proposed additions would bring up the living area to 1,313 square feet. This proposal wanted to have these variances; and the ZBA approved the request. The Petitioner then proceeded with the constructions, but after realizing that there was significant damage to the existing structure, they demolished it. The Petitioner received "stop work" orders several times. Ms. Karunarathne showed the Board pictures of how much demolition was done. She also showed the Board pictures of what remains of the structure, which are: The chimney and the porch column and a little bit of stairway facing the front.

Ms. Karunarathne showed the Board the current condition of the site. She said that new structures are now put in place for reconstruction of the previous structure encroaching into the setbacks. The Petitioner is appearing before the Board today asking for the same variance request. It is the Staff's understanding that the Petitioner is also seeking to be able to reconstruct a nonconforming primary structure and add the expansion on top of the nonconforming structure. She said the Petitioner can construct a conforming structure on the property because it is almost 90% off the nonconformity list. The structure is no longer there; therefore, based on that, the Staff is recommending denial of all the variances.

PETITIONER COMMENTS

Mr. Gavin Macrae-Gibson stated that they acknowledge what the Staff is saying by making a distinction between the request to substantially renovate, which they received unanimously approval for last year. But now they are back with a request to "reconstruct." Mr. Macrae-Gibson said they want the Board to

look at the entire picture as there is a wider view. He said often when people come back to the Board, they are asking for something new, such as a change in design or perhaps footprint design, but in this case, it is a matter of procedure and not a matter of design. He said he wanted to take the Board through the details so that there would be no difference at all in the proposed building.

Mr. Macrae-Gibson said this is a request to build the same building that had been approved, a two-story single-family house, aligned on both Forrest Avenue and Elgin Street sides, with the setbacks of the neighboring properties. He has lived in Savannah for 11 years and he loves it. He wants to give magic to 301 Forest Avenue. The property is located in Twickenham, close to downtown, but not too close. It is a well-maintained family block where many people are proud of their generations. This property is beautiful, with wonderful live oak trees on the corner of Elgin Street and Forest Avenue. The building dated from 1940, one side is a doctor's office and his practice, but sadly, the house had become "very run down." The neighborhood was delighted when they saw the construction going on. There are several letters in the Staff's file to this effect. The unanimous approval from the ZBA last year was based on a significant partial demolition of the existing house and the rebuilding and expansion of the existing structure. He showed the Board a picture of the structure, which was nonconforming on the side yard and front. He showed the Board a picture of the existing building that was approved last year. He read a sign that said, "there will be no changes whatsoever to this design. "

Mr. Macrae-Gibson said the approved design was to create a house that was substantially a new building with a new interior, new roof, new exterior walls on the west, and the rear half and new sections on the south and north, as well as the enclosure of the front porch; the east and yet retain parts of the exterior framing along the Forest Street side. They now return to the Board to ask for the same building to be approved, but as a reconstruction rather than as a substantial renovation and enlargement. He wanted to emphasize again that there would be no changes of any kind to the appearance, mass size, or design. Mr. Macrae-Gibson said he also wanted to explain to the Board how this situation arose and explain the hardship involved.

Mr. Macrae-Gibson stated that the building permit was issued on April 9, 2025. Selective partial demolition framing was performed, leaving the remaining structure in accordance with the ZBA's approval as well as masonry chimney. Therefore, as the Board sees, this is what was shown at the approval the last time. The house they see was substantially changed to the design that was approved. The roof had a completely new rear section, new interior, and major changes to all sides. The building permit was secured in April; and so, the active partial demolition was performed according to the approved plans. But the condition of the Department of Building (DOB), the remaining framing was found to be unusable due to termite damage, water, rot, and mold. These are the areas that the Board is seeing here, which they wanted to keep, but could not. These areas were shown in the red color on the screen. He showed the Board the removals that were approved. What they found was that the structure was useable. He wanted to point out especially that the damage to the structure could not have been foreseen in advance because it was covered by layers of sidings, sheathing, as well as the internal finishings.

Mr. Macrae-Gibson said there are no financial incentives to undertake. The careful demolition that was performed, that kind of selective demolition is much more expensive than wholesale demolition. They got to this condition where they were expecting to be able to implement the design, but they found that it was severely damaged. The DOB agreed with them that the framing was not useable based on the termite damage throughout, to all the supporting members that the Board sees present, water damage, rot, mold, and a bad condition. This could not have really been seen in advance because it was concealed. Therefore, the Building Department agreed with them that it was unusable, and they asked that it be removed; and issued a revised permit on September 1, 2025, not with no change in the design, but to remove the unusable framing and reconstruct it. The DOB was correct in that it was unusable and they asked that it be taken down. Therefore, it was removed accordingly and then the work on the footings proceed based on the revised permit. Three weeks' work was performed and foundations were completed. They were inspected and approved by the DOB. Then the DOB informed them that they had made a mistake and asked that they seek reapproval from the Board because the structure d been demolished before the permit was issued. They were apologetic and told them that they would have to place a "stop work" order on the property until they returned to the ZBA and ask for a reconstruction rather than renovation.

Mr. Macrae-Gibson stated, however, they do understand that as a matter of principal, the technical difference between the request to the Board to substantially demolish, enlarge and rebuild, which was

approved last year, and the request now is to reconstruct, based on the field commission. This is the reason for today's hearing, but despite the technical differences of process, there would be no difference of any kind in the results and building. Now, while there may be a difference in principle, this will be an identical outcome. He said in addition, the Staff has noted that the building could be located further into the site, but he wanted to find out if this would be as contextual to the neighborhood since the front and side elevations would then not align with the neighbors. As the Board can see, this is along Elgin Street, and these houses align along here and the same is true of the front along Forrest Avenue. They would be concerned about moving the house back so that it would not align with the neighbors' as he would be afraid of missing the true effect on the block.

Mr. Macrae-Gibson said the zoning variance does not result in a building different from the other surrounding buildings as far as setbacks are concerned since few of those buildings are conforming, including none of the immediate neighbors. Therefore, the original location is far more in keeping with the surrounding houses. He believed this was discussed in detail at the approval where there was unanimous agreement. Finally, as he believes the Board can see, there is considerable hardship here if they are required to remove the entire building as they would have to remove all the foundations that have been built following the revised DOB approval, as well as remove the large masonry chimney. However, the chimney is fully reusable and is a particular artifact of the neighborhood's history as it has been here since 1940. The surrounding houses were built, and it is somewhat an icon at the corner of Forrest Avenue and Elgin Street. A sincere attempt was made to comply with the original approval as far as selective demolition, but the condition of the steel framing could not reasonably be anticipated. So, the removal of that damaged frame was unavoidable, and the DOB issued a revised permit for that demolition. While there is a difference of principle, between substantial renovations and reconstruction, there is an identical outcome. The building would be the same in all aspects at this location in appearance. As a result, they are asking the Board's reconsideration of these factors and ask for reapproval of the same design that they unanimously voted for last year. Mr. Macrae-Gibson entertained questions from the Board.

Mr. Merriman, Board Chair, asked Mr. Macrae-Gibson if he proceeded with pouring the new footers and building the piers because he got approval from Building Department. But, after doing so, the Building Department told him that they made a mistake and that he had to come back to ZBA.

Mr. Macrae-Gibson answered that is correct. They realized that after they released the permit to demolish. On a technical level, they should have had a ZBA approval for reconstruction rather than renovation, but they did not know that, and they had not informed them of this. They just told them that they could not use the frame as it was completely unusable. They were told you need to remove it and proceed with the same design. This is what they did. But now they find themselves in a position where it is a "technical difference" between renovation and enlargement for which they have secured approval from the Board and reconstruction to create the exact same building. Therefore, the DOB put a "stop work" order on this until they get reapproval from the ZBA for the reconstruction, but for the exact same building.

PUBLIC COMMENTS

Mr. Robert Cooper, a neighbor, resides at 307 Forrest Avenue, came forward, and said he appreciates the ZBA hearing this request. Mr. Cooper lives directly across the street from 301 Forrest Avenue. He has not lived in this area for a long time as he bought his home in January, 2025. But he loves this area. Mr. Cooper said he lived in Gordonston for several years; he was reared in downtown Savannah. His parents bought their home on East Perry Street in 1959. He is appreciative of the possibility for the complexity of these projects. The reason he is present at the meeting is because when he bought his house, the house was still there at 301 Forrest Avenue. Mr. Cooper said he remembers sharing with the neighbors that he was looking forward to seeing what happened as this was a great looking house. This was one of the earliest structures in Twickenham. Coming to the meeting, he did not know what the plans were for this property. The house was torn down. But hearing the property owner wants to move forward, he approves of the Petitioner's plan.

Ms. Jennifer Cox was online. Ms. Cox resides at 233 Forrest Avenue. She is privileged to home school her children. They spend a lot of time on the front porch reading; and see a lot of what is going on in the neighborhood. Ms. Cox said she wanted to clarify some discrepancies of what Mr. Macrae-Gibson said

because based on her photo evidence (and she has been documenting a lot of the photographs along the way of things that her husband and she have concerns about. Ms. Cox said on August 18th, the final wall was pulled down with a rope by the construction company that had been coming and going for several months. When the asbestos siding was removed, the workers were not wearing any protective gear. A stop work order was placed on the property. On September 19th, the cinderblock pieces were delivered, but the stop work order was still there. The next Saturday morning, bright and early, the workers came and put in all the footings and poured the concrete. Since this was a Saturday, they could not call the City to have someone come out and stop the work while it was in process. Ms. Cox said when this was passed a year ago, they were hopeful as Mr. Coope said that this house was going to be a benefit in their area. She has lived in this area more than 12 years. Her grandfather was reared one block away. She was reared on Kinzie Avenue; Twickenham and Gordonston have been home to her family for many years. They were hopeful that what had been a slum house for most of the time was going to be turned around. She and her neighbors were hopeful that the original structure was going to be salvageable; even though, they had concerns about this as it had been a slum house and in disrepair for many years. This house was condemned at one point.

Ms. Cox said that the footings that were put in were not done during a period with a proper permit. The existing structure is no longer here. The chimney is not an icon as Mr. Macrae-Gibson said. There is nothing about this house that is an icon. Most of the neighborhood people that she has spoken to on regular basis say this house was always an eye sore. They were grateful when Mr. Macrae-Gibson purchased the house and were hopeful that it would be turned around, but the current variances do not apply because there is no existing structure. Ms. Cox said, additionally, this is a tight corner because of the way the tree is placed, where the curbing is located on the angle of the road because there is a slight turn as it crosses Elgin Avenue. Also, sometimes, there is a sight issue. So, having the structure so close over to the right-of-way, she believed it is not beneficial to the neighborhood.

Mr. Mike Kossman lives in the 100 Block of Forrest Avenue. Mr. Kossman said he wanted to echo the sentiments of the previous speaker. He agrees that the asbestos siding was a big issue. His understanding is that Mr. Macrae-Gibson is an architect and should know about permitting and the removal of asbestos. But, to watch them remove that material without any protective equipment, without any sort of fencing to keep the asbestos from blowing in the neighborhood, was a big concern. Mr. Macrae-Gibson spoke about hardships, developments, and about the people who have lived in the area for generations, but hardships and developments only last for a short period, but the people who live here for generations will be here.

Mr. Kossman said the hardship and development would be, for example, having to spend thousands of dollars to do the asbestos abatement. Now, when you chose not to do that, you are saying a temporary hardship and development is more important to get past that than it is to ensure that the people who have lived here for generations will be exposed to the debris from the demolition for generations. Therefore, the Petitioner is saying that it is more important for him to make a few extra thousand dollars as opposed to the safety of the people in the neighborhood. Mr. Kossman stated that the Georgia Department of Natural Resources and Environmental Protection Division does require that the Petitioner get an asbestos study and place the study on file prior to demolition. He is curious as to whether this is on file. Elgin Street is the only street in the neighborhood that has speed bumps on it. The reason is because Savannah High School is here. A lot of buses and cars are here. A lot children walk along Elgin Street. The City decided to put speed bumps here. Mr. Kossman said he rides through this neighborhood regularly and has done so for more than two decades. The intersection of Elgin and Forrest Streets, if you are on Elgin Street going north, which would place this property on the lefthand side, prior to going through the stop sign, the sightline in this intersection is already poor. Therefore, if this expansion would reduce those sightlines at all, ultimately it would make it so that people who are trying to transit through the neighborhood are not able to do this safely. They would not be able to see the cross traffic coming. He, too, has photographic evidence showing that they were tearing off asbestos and throwing it on the ground. It was not a careful deconstruction as Mr. Macrae-Gibson said.

Mr. Merriman, Board Chair, invited Mr. Macrae-Gibson to respond to the public comments.

Mr. Macrae-Gibson responded that concerning the issues of sightlines on Forrest and Elgin Streets, the reconstruction of the house would be the same. There will be no change. The expansion is on the back. As for as the work order, they did perform all the work according to the permits. He gave the following

timeline to the Board: they began the demolition, selective demolition to carefully remove those parts of the building that had been approved to be removed by the Board in its previous approval. They got down to the point where the parts that were to remain were remaining; at this point, the Building Department put a stop work order on it because of the condition of the framing. So, they asked them for a revised permit or give them the authority to remove the framing that they wanted them to remove. This was released on September 1st. They then proceeded to excavate the footings and build the footings. This work occurred between September 1st and September 22nd. During this time, they did three weeks of work on building the footings. The footings were approved, reviewed, and inspected by the City. This was the condition after they had been approved for continuation, they were ready to be framed. Then the Building Department got back with them and said that they made a mistake; they apologized for having issued a permit to demolish the structure that could not be reused. It was at this point they were told that there is a "technical process problem" and that it would have to go back to the Board to ask for a reconstruction of the building, rather than the renovation expansion. This was done because the Building Department determined that they should have asked them to go back to the Board originally instead of issuing them the revised comment. Mr. Macrae-Gibson said this is why they find themselves in the position of having built the footings, having them approved by the City based on their revised comment and now coming back to the Board to ask for a reconstruction, rather than a renovation expansion for the exact same building. There is no change at all to the design that has already been approved.

Mr. Macrae-Gibson stated, as he said earlier, a lot of discussion was held during the first meeting regarding the appropriateness of this building and its value to the neighborhood. He said also in his response to Ms. Cox, he explained the nature of the design in the beginning as they were concerned about access in the back, parking, not having cars on the street, etc., would interrupt their parking. All of this was considered along with their design. He believed that Ms. Cox was pleased with the design just as everybody who commented on the Twickenham Website. This has taken a bit longer than expected and of course they have been stopped for three months waiting for this hearing.

BOARD DISCUSSION

Mr. Baugh, Board Member, asked when the stop work order was issued.

Ms. Akeila Wright, City of Savannah, said the stop work order was issued by the Building Department. She will meet with this department and find out what happened.

Mr. Merriman, Board Chair, asked Staff if they could pull up the information.

Ms. Karunarathne, Planner, said the permit was issued on September 29th.

Mr. Merriman, Board Chair, asked Ms. Karunarathne if she had a copy of the stop work order.

Ms. Karunarathne answered no.

Mr. Condon, Board Member, said the work began on September 1.

Mr. Baugh, Board Member, said the foundation work passed on September 9th. This is a messy situation.

Mr. Condon, Board Member, said if the Petitioner had been able to save one wall, they would not be here today. Unfortunately, the Building Department asked the Petitioner to remove the wall. If he had not been given the impression that these things had not been signed off, it would be easy for this Board to say, "slide the thing over and let's call it a day." But the City told the Petitioner that he could do it. And he put his piers in; the City then inspected the piers. By inspecting the piers, they were given time for the approval. Mr. Condon said, therefore, he believes that the Petitioner is in a position now where the Board must go along with finishing it.

Mr. Merriman, Board Chair, agreed with Mr. Condon.

Mr. Griffith, Board Member, said if the Board would be approving what they approved last year, he had no problem approving it.

Mr. John Anagnost, Zoning Administrator City of Savannah, was online. Mr. Anagnost said a stop work note was put on the permit on August 27th. This is the date when the stop work order would have been issued.

Mr. Merriman, Board Chair, asked if the permit was finalized on September 29th.

Mr. Anagnost answered that this seems to be the date when the revised permit was issued by the Building Department.

Mr. Merriman, Board Chair, said the work was stopped in August. The Petitioner submitted a revised plan, it was approved; and now the work could go forward.

Mr. Anagnost said the revised plan was not shared with the Zoning Department. It seems as if they only let the building reviewers look at it.

Mr. Merriman, Board Chair, asked Mr. Anagnost if he had anything else he wanted to add.

Mr. Anagnost answered no.

Mr. Merriman, Board Chair, said they have come up with a couple of different scenarios, but also the same situation a few times. All of them are human beings and make mistakes. All the institutions involved herein are departments made up of human beings and are good people. But, when they make mistakes, they need to own them and do whatever they can to make them good. Mr. Merriman said he believes that this is another indication where there was a lack of communication or dropping the ball on their end, meaning the City. He agreed with Mr. Condon that they need to do what they can to make this work for the Petitioner because he has acted in good faith.

Mr. Merriman entertained additional comments from the Board. There were none. Mr. Merriman entertained a motion.

Motion

Approval of the following variances:

To reduce the side yard setback;

To reduce the front yard setback;

Relief from nonconformity to expand a nonconforming structure.

Vote Results (Approved)

Motion: Michael Condon

Second: Betty Jones

Stephen Merriman, Jr. - Abstain

Michael Condon - Aye

Stephen Plunk - Aye

Betty Jones - Aye

Armand Turner - Not Present

Brad Baugh - Aye

Benjamin Griffith - Aye

[expand nonconforming structure | 25-005293-ZBA](#)

Ms. Subhashi Karunaratne, Planner, presented the Petitioner's request. The Petitioner is requesting three variances in association with an addition to an existing nonconforming primary dwelling in the RSF-6 zoning district: To reduce the side yard setback to 0 feet from 5 feet, to exceed the maximum lot coverage of 40% by 1.4%, and relief from nonconformity to expanding a nonconforming structure.

Ms. Karunaratne, Planner, displayed a photo of the Petitioner's property on the screen. The property faces Washington Avenue and has access from Washington Avenue Lane. When compared to other lots on the block, it is a little smaller and has an area of 5,700 square feet, which is 300 less than what is needed for RSF-6. It has a lot width of 60 feet and is nonconforming by the lot area. The dwelling that exists on the parcel was built in 1931 and is nonconforming because of the encroachment to the side yard setback. Presently, it is sitting on the property line. The property is in the Ardsley Park/Chatham Crescent Conservation District and Neighborhood. The Petitioner is proposing to construct a second story addition to the existing structure. The addition will be 22 feet – 3 inches in height. The addition to the ground floor will be around 85 square feet, while the addition to the second story will be around 300 square feet. The total living area after the additions will be 2,281 square feet.

Ms. Karunaratne, Planner, gave the following comparison of what is existing. The carport shown on the right side of the picture shown on the screen was sitting on the property line. A second floor will be added to the existing carport. She said, pointing to another section, will be a new addition to the ground floor and the second floor. This will be set on the property line. If the Petitioner had the required area for RSF-6 zoning district, which is 300 square feet, they might not have needed to ask for these variances, therefore, based on this argument, MPC Staff is recommending approval for the requested variances. Ms. Karunaratne entertained questions from the Board.

PETITIONER COMMENTS

Mr. Sebastian von Marschall, Agent for Nicholas and Katherine Caparisos, came forward. Mr. von Marschall thanked the MPC Staff for their conversation in answering some questions about the request. He wanted to share with the Board a little context and precedent for their request in the immediate area. He wanted to focus on the zoning map for the block bordered by Washington Avenue and the two side streets.

Mr. Von Marschall said the property in question is number 4 located on the center of the block. As the MPC Staff pointed out, of the 16 lots on this block, the majority exceed or are considerably larger than the 60 feet x 95 feet depth, which is to say that they have an easier time meeting setback and lots' coverage requirements because there are more lots and less buildings bumping up against the setback. The remaining properties that are 60 feet x 95 feet are smaller. Their cursory review suggests that a few of them are currently nonconforming in a similar way, which is to say that they are near or on property lines. Some of them clearly exceed the 40% lot coverage. Mr. von Marschall said, therefore, they feel that their request is reasonable because they feel it sets a precedence for asking for this in the immediate area for both the lot coverage and the setback.

Mr. Von Marschall wanted to point out that they recently completed a project around the corner in this same historic district. He showed the Board some pictures of the completed project. At 520 East 45th Street, a similar second story addition was approved and constructed on a historic house. Mr. Von Marschall believed they were slightly different, but the addition was also near the property lines and setback considerations are here. Lastly, he wanted to point out, he was not sure this was added to the record, but they received a written letter of support from the neighbors directly to the west, Mr. & Mrs. Baltrop at 119 Washington Avenue. Mr. von Marschall entertained questions from the Board.

Mr. Condon, Board Member, asked Mr. von Marschall if he talked with the neighbors at 129 Washington Avenue.

Mr. Von Marschall answered no.

Mr. Condon, Board Member, stated that maybe he is confused, but it does not appear that 119 and 127 are the side where the construction will occur.

Mr. Von Marschall stated that it is the property immediately to the west, which is 119. Surprisingly, the zoning map does not seem to capture the carport, which is on the westside of construction number 4. There is a one-story wing on the other side, which is unaffected.

PUBLIC COMMENTS

None.

BOARD DISCUSSION

Mr. Merriman, Board Chair, entertained a motion as there was no further discussion.

Motion

Approval of the Petitioner requests the following three variances in association with an addition to an existing nonconforming primary dwelling in the RSF-6 zoning district:

To reduce the side yard setback to 0 feet from 5 feet;
To exceed the maximum lot coverage of 40% by 1.4%;
Relief from nonconformity to expanding a nonconforming structure.

Vote Results (Approved)

Motion: Stephen Plunk

Second: Benjamin Griffith

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

8. 615 E 38th St | Variance to min lot size for ADU in TR-1 zoning district | 25-005376-ZBA

Ms. Subhashi Karunaratne, Planner, presented the Petitioner's request. The Petitioner is requesting a variance to reduce the minimum lot size required to establish an accessory dwelling unit (ADU) from 3,750 square feet to 3,663 square feet in the TR-1 zoning district. She showed the Board a picture of the Petitioner's property, which faces East 38th Street. It is in the Midtown Neighborhood. According to the Chatham County Tax Assessor, the subject property has a 37 feet width and a 99 feet depth. It is a nonconforming parcel in this zoning district due to lot width, as it does not have lane access. The lot is currently vacant, and the Petitioner is proposing to build a primary dwelling with a building footprint of approximately 1,070 square feet and an ADU that will have an area of approximately 397 square feet. The lot is not large enough for the ADU construction. The proposed ADU has a building footprint of less than the 40% requirement and it would need all the setback requirements as well. Ms. Karunaratne said all the parking requirements would also need to be met.

Ms. Karunaratne said as she informed the Board earlier, the Text Amendment that is being reviewed

112 East State Street, Arthur Mendonsa Hearing Room

now by the Savannah City Council if it is approved, this variance would not be before this Board for its approval. Therefore, based on the Text Amendment that was recently recommended for approval by the Planning Commission to City Council, the MPC Staff recommends approval of the requested variance to reduce the minimum lot size required to establish an ADU from 3,750 square feet to 3,663 square feet in the TR-1 zoning district. Ms. Karunarathne showed the Board a copy of the construction plan. She entertained questions from the Board.

PETITIONER COMMENTS

Mr. Samuel Kopelman of 1005 East 35th LLC was online. Mr. Kopelman said he was present to answer questions from the Board.

PUBLIC COMMENTS

None.

BOARD DISCUSSION

None. Mr. Merriman, Board Chair, entertained a motion.

Motion

Approval of the requested variance to reduce the minimum lot size required to establish an accessory dwelling unit (ADU) from 3,750 square feet to 3,663 square feet in the TR-1 zoning district.

Vote Results (Approved)

Motion: Stephen Plunk

Second: Betty Jones

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

9. 772 E Park Ave | Variance to min. lot size to establish an ADU in TR-3 zoning district | 25-005283-ZBA

Mr. Edward Morrow, Director of Development Services/Current Planning, presented the Petitioner's request. The request is in relationship to the establishment of an ADU that assuming the City Council agrees with the Planning Commission regarding that this nature should no longer be expected. Mr. Morrow said this is purely related to the minimum lot size that is required to establish an accessory dwelling unit by the base zoning district. Therefore, a single-family residence in the TR-3, a detached single-family is required to have 3,750 square feet, which is 125% of the minimum lot area. This lot is 3,665 which is a difference of 84 square feet. Mr. Morrow showed the lot on the screen. It was recently subdivided. They are 30-foot parcels and 121 feet depth. An existing dwelling on the property that is going to be demolished to make room for a new single-family dwelling on either side. But this is specifically in relation to the parcel address at 772 East Park Avenue.

Mr. Morrow said that the Petitioner proposes to build a primary dwelling with a building footprint of approximately 1,320 square feet: an ADU with a building footprint of approximately 480 square feet. He showed the Board a picture of the principal proposed dwelling and the ADU. It is the Staff's understanding that the Petitioner will meet all the other applicable development standards associated with this development. Mr. Morrow showed the Board a copy of the plat that was recently submitted to Staff

showing the structure that is requested to be demolished.

Mr. Morrow stated that based on the Planning Commission's support and hopefully City Council's approval of the ADU text amendment, MPC Staff recommend approval of this request. He entertained questions from the Board.

Mr. Merriman, Board Chair, said that he knows that MPC recommended approval. Do you know how City Council is leaning towards the recommendation?

Mr. Morrow answered that he believes City Council supports the text amendment. This is the second iteration of modification to that text. Each time, leaning more towards the ability to provide affordable housing. The text amendments are consistent with GPS and the Housing Savannah Action Plan. Consequently, he believes that this is something that City Council supports.

PETITIONER COMMENTS

Mr. Andrew Savage thanked the Staff for their report. Mr. Savage said he had no additional comments.

PUBLIC COMMENTS

None.

BOARD DISCUSSION

None. Mr. Merriman entertained a motion.

Motion

Approval of the requested variance to reduce the minimum lot size required to establish an accessory dwelling unit (ADU) from 3,750 square feet to 3,665 square feet in the TR-3 zoning district.

Vote Results (Approved)

Motion: Stephen Plunk

Second: Betty Jones

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

[10. 602 E 33rd St. | variance to min lot size and max footprint for ADU | 25-005301-ZBA](#)

NOTE: Mr. Brad Baugh, Board Member, recused himself from participating in this Petition.

Mr. Edward Morrow, Director of Development Services/Current Planning, presented the Petitioner's request. Mr. Morrow said that the request at the above address is going to be somewhat reminiscence to the request at 1108 Abercorn Street that this Board heard earlier this year where a proposal was heard in the TN district to construct an accessory dwelling unit within the same footprint. He said they are evaluating a similar request at present.

Mr. Morrow stated the Petitioner can construct a conforming single-family residence and with this request. They are proposing to construct an ADU that will be within that same footprint of the single-family

residence. It would occupy the majority of the first floor. The principal dwelling would be on the second and third floors above. Therefore, the Petitioner is requesting relief from two requirements to make this happen. The first relief is that they are running against the minimum lot area required to establish an ADU. This is just under 100%.

Mr. Morrow said that the second relief the Petitioner needs is permission to exceed the 40% maximum in relation to a principal dwelling that an ADU is allowed to be. The proposed ADU would be 70% of the building footprint of the principal dwelling.

Mr. Morrow showed the Board a picture of the subject parcel. The property is owned by Land Bank Authority. There was a time when it was a conforming parcel and was 30 feet wide. It was cutoff; he believes subsequently by the railroad. There was an additional road placed here, which prompted the need to partition this parcel. It lost 190 square feet. Therefore, it is still 2,810 square feet, which was able to retain the majority of its area. It still largely functions as a single-family parcel. It is irregular shaped at 2,810 square feet. The parcel has lane access from the rear, and this is the proposed means of vehicle access for two off-street parking spaces. One parking space for the principal dwelling and the other, though not required for the accessory dwelling unit that is requested. Mr. Morrow said the lot is currently vacant. The Ordinance has some stipulations for accessory dwelling units that say that "one must have a shared wall and have a separate entrance." Both requirements have been met. The ADU will be 671 square feet. The entirety of the building footprint is 941 square feet. This is where they get the 72% ratio, where a maximum of 40% is allowed.

Mr. Morrow said that in the TR-2 zoning district, single-family detached lots are presently required to have 3,750 square feet to establish an ADU. This standard is going to be reduced to 100% of the area required within the base zoning district. This parcel is still at 93.6%, which is just short of that 100% that would take effect should the Text Amendment is approved by City Council. If you were to establish a duplex in this zoning district over/under is permitted. In previous conversations, it is the Staff's position that this type of configuration is more likely described as an over/under duplex. This configuration in the zoning district requires 4,500 square feet. Therefore, it would be 2,250 square feet of lot area per dwelling unit. Obviously, this parcel is deficient for the purpose of establishing an over/under duplex.

Mr. Morrow stated that there are some relevant standards should the Board need to refer to them in the Board's discussion. But he would pause and have the Petitioner come forward and explain the details. The Staff's decision is split. Staff recommends approval of the relief from the minimum lot area required to establish the ADU, but denial of the request to permit it to be 72% instead of 40% as obviously the walls could be modified to reduce the footprint of the ADU in relationship to the principal. He entertained questions from the Board.

PETITIONER COMMENTS

Attorney Josh Yellin, Agent for Brad Baugh, came forward and said as Mr. Morrow mentioned, this is a Savannah Land Bank Authority property. Mr. Baugh and the Land Bank Authority are swapping property. They all know that when the Land Bank buys property, they are often hairy and difficult to develop. This is why the Land Bank steps in. But when they looked at this site and the suitability for trying to build a single-family home here that could be developed and sold, it was not as promising as some other property that Mr. Baugh had on the other side of town. So, they are going to, if this is approved, swap properties so that this site can be approved for the over/under ADU, whereas the other site on the east side can be used for a more traditional land bank development, being probably a single-family home that will be sold for a Ford One Housing Covenants. Attorney Yellin said he just wanted to clarify the confusion in terms of who owns the property, who the applicant is and what the intent of this proposal would be. This proposal is like one that the Board heard before them in April, 2025. Briana Paxton, on behalf of 1201 Abercorn Street submitted the application, but it was for another similar docket on Abercorn Street for a performing parcel to put in an over/under ADU. This over/under ADU concept is not prohibited in any way by the Ordinance. It is still considered for a cash accessory dwelling unit, which is permitted by right. What is interesting here is if they take two boxes and put them side-by-side, they will have a single-family home and an attached ADU. By going vertically with them and splitting them up by stories, they must come in and get the variance. Attorney Yellin said he believes a part of it is that the variance for the Ordinance, itself, does not to the 40% rule; it does not do a very good job addressing an attached ADU. It makes perfect sense when you are talking about a carriage house at the rear of the property. But of course, they want it to feel subservient and not be the primary structure of the building. It

should look different than the primary structure.

Attorney Yellin said here they will have a primary structure that is going to be double the size of the ADU. He believes the intent of the Ordinance is that there is something that will be integrated into the same building. With that petition on Abercorn Street, it was approved for the over/under ADU. A part of what they see, and he is aware that some semantics may be here, that this concept of over/under ADUs is not actually unique. He believes they see this all over town and it simply gets mischaracterized. Attorney Yellin said he believes it would be good to hard press and ask any Downtown Historic District property owner, "how do you feel about your garden level apartment?" Do you live in a duplex? They would answer, "absolutely, not!" "We live in a single-family home, and we have a garden unit." He said this is what they are trying to do here. They have an ADU on the bottom, with the primary structure on the top. No different than any apartment or any home downtown with a garden apartment. As was mentioned, this lot is substandard and is located next to railroad tracks and a one-way street. They are faced with a kind of significant nonconformities of this lot. They looked at trying to put in a duplex as was mentioned, but that requires a variance and that could not be granted. They tried to rezone the property, but that would not actually relieve the issue because in all the TR districts, (TR 1, TR 2, TR 3) they would be faced with the similar constraints that for whatever reasons in the Ordinances, an over/under duplex requires a minimum lot width, which makes no sense. Attorney Yellin said he gets it for side-by-side duplexes, one has 20 feet and 20 feet; but he is not sure why they would need 40 feet when they are going up. This is what they are coming in to do. They are trying to find a way to deal with this as a primary house but also acquire a secondary ADU to provide that additional unit that they know is necessary in the City of Savannah. They have been able to show the Sanborn Maps, which show that this development is in keeping with the traditional pattern of the area. There have been many two-family dwellings in the area, and they also have many examples of similar structures in the vicinity of similar sizes and patterns where each has two dwelling units within them. This was the inspiration for the property. Kevin Rose is the architect for this. Therefore, they have a fully designed plan that was submitted as a part of the application.

Attorney Yellin said they wanted to mention that outside of this variance to permit the over/under ADU, they are not seeking any other variances for this site. He believes this is important to know. They are meeting the lot coverage requirements; they are meeting the setbacks requirements, and they are meeting the parking requirements. The variance that they are asking for is simply to be able to put one unit on the ground floor and the second unit on the second and third floors. Attorney Yellin said again that they are asking for approval similar the one that was approved in April, 2025 by this Board for a similar over/under ADU concept. He entertained questions from the Board.

PUBLIC COMMENTS

None.

BOARD DISCUSSION

Mr. Merriman, Board Chair, asked Mr. Morrow to please pull up the Ordinance that addresses the attached ADUs. He remembered the petition the Board heard in April, 2025. If he is not mistaken, it involved some of the same folks. He remembered that Mr. Morrow mentioned in the Staff report that an attached ADU must have a shared wall. Does it say that? Please pull it up so the Board can see that.

Mr. Morrow pulled up the Ordinance and read that: "When it is attached, it shall share a common wall and a separate entrance from the principal dwelling."

Mr. Merriman, Board Chair, asked Mr. Condon, Board Member, where the part is that mentions the stairway.

Mr. Condon said if you have an entryway and a wall touches the first floor, which is all that is required. Right?

Mr. Merriman, Board Chair, asked Mr. Morrow if he agreed with that.

Mr. Morrow answered yes. The Staff did get a full plan set. The front entrance goes up and serves the second and third floors. The back porch has a door for the ADU.

Mr. Merriman, Board Chair, asked the Board if they had any more questions for the Staff. He said he was fine with what has been given. This was why he asked Mr. Morrow to pull up that section regarding the ADUs. He asked the Board if they had any questions for the Petitioner or Staff.

Mr. Merriman entertained a motion as there were no additional questions

Motion

Approval of the following variance in association with the construction of a new principal dwelling and ADU on an existing nonconforming lot in the TR-2 zoning district:

Relief from the minimum lot area required to establish an ADU;

Permission to exceed the 40% building footprint maximum in relation to the principal dwelling, allowing an ADU up to 72%.

Vote Results (Approved)

Motion: Michael Condon

Second: Stephen Plunk

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

[11. 618 Montgomery St | Variance for relief from off-street parking | 25-005329-ZBA](#)

Mr. Edward Morrow, Director of Development Services/Current Planning, said that he had a conversation with the Petitioner of this request since the start of the Board's meeting today. Based on those conversations, the Petitioner has requested that his Petition be considered by the Board at its February, 2026 meeting to allow him to modify his request so that it could be properly readvertised.

Mr. Merriman entertained a motion to continue 618 Montgomery Street to the February 26, 2026 SZBA meeting as requested by the Petitioner.

Motion

Item continued to the February SZBA Meeting Agenda.

Vote Results (Approved)

Motion: Stephen Plunk

Second: Michael Condon

Stephen Merriman, Jr.	- Abstain
Michael Condon	- Aye

Stephen Plunk	- Aye
Betty Jones	- Aye
Armand Turner	- Not Present
Brad Baugh	- Aye
Benjamin Griffith	- Aye

[12. 809 W 53rd St | Variances to exceed max. lot coverage, and front & rear yard setbacks | 25-005378-ZBA](#)

Mr. Edward Morrow, Director Development Services/Current Planning, presented the Petitioner's request. The Petitioner is requesting the following three variances in association with the construction of a primary dwelling on a vacant nonconforming lot in the RSF-6 zoning district: To reduce the front yard setback from 20 feet to 15 feet, to reduce the rear yard setback from 20 feet to 12 feet, and to exceed the maximum lot coverage from 40% to 44%.

Mr. Morrow showed the subject property on the screen. A school is located on the south side of the property. The Clinch Street right-of-way passes through this area. Previously, this Board granted some rear setback reliefs on a parcel next door. Now, the adjoining property owner has come forth and asking for similar relief to construct a single-family dwelling here. The property is in the Liberty City/Summerside/Southover/Richfield neighborhood. According to the Chatham County Tax Assessor, the property is 2,370 square feet. It has 30 feet width on both rights-of-way, but the sides are different measurements. The short side is 76 feet, and the long side is 82 feet. Mr. Morrow said the property is currently vacant and the Petitioner is proposing to construct a dwelling. Based on the concept that the Staff received, the Petitioner is proposing a footprint that is approximately a 50 x 21. This gives the Petitioner a footprint of about 1,042 square feet for the proposed dwelling. The Petitioner is asking for permission to move the house closer to the street, to extend the rear of the home closer to the property line and cover more of the parcel than the home would be permitted. Therefore, as he has said, this gives the Petitioner a 44% lot coverage and a building footprint of 1,042 square feet.

Mr. Morrow said in looking at the criteria, the MPC Staff believe that some relief is warranted in association with this request. As the Board can see, a setback was granted from the ZBA on May 22, 2025, for an adjoining property. Mr. Morrow said based on that, the Staff wanted to share as best as they could, all the associated developments standards with this proposal. The Staff is recommending denial as requested, but approval of an alternate recommendation of a 10-foot rear setback allowance. The building footprint based on the identified need to ensure that the Petitioner can provide off-street parking (this was not a request that was made in association with this petition), the proposed driveway is 15 feet, but a conforming driveway will be required to be 25 feet. Mr. Morrow said it would be difficult for the Petitioner to meet the off-street parking requirement if the house was permitted to be that close to the street. Therefore, the Staff is recommending a 25-foot front setback and a little additional relief on the rear back to 10 feet. This will result in a building envelope of about 818 square feet. Rather than the original 50 x 21 home that the Petitioner would like to build, Staff recommends that they give the Petitioner the opportunity to construct a home that is 20 x 41 to accommodate off-street parking.

Mr. Morrow said hopefully this makes sense. He wanted to show the Board that this required some thought. If no variances were granted, the building envelope for this parcel would be 619 square feet. Therefore, to go up from no variance situation to 619 up to the Staff's recommendation does indicate some thought was put into this to ensure that the Petitioner will not face downstream issues if the Board approves the request. Mr. Morrow entertained questions from the Board.

Mr. Merriman, Board Chair, asked if the requested variances are consistent with the variances they granted the neighbor.

Mr. Morrow said that the other neighbor did not have the same request. The Board granted only setback relief to this neighbor. He said this would put the houses near the same place from the right-of-way. The rear of the proposed homes would be nearly the same if 10 feet were granted.

PETITIONER COMMENTS

Mr. Morrow said he believes that Ms. Esch-Laurent talked with the Petitioner, but unfortunately Ms. Esch-Laurent is out of town. He was not aware that the Petitioner would not be here today.

Mr. Merriman, Board Chair, said he believes this Petition should be continued to the January meeting. He entertained a motion.

Motion

Item continued to the January SZBA Meeting agenda. The Petitioner was not present at the meeting.

Vote Results (Approved)

Motion: Stephen Plunk

Second: Michael Condon

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