



City of Savannah Zoning Board of Appeals

Virtual Meeting
May 28, 2020 - 10:00 A.M.
Minutes

May 28, 2020 City of Savannah Zoning Board of Appeals

This is a quasi-judicial proceeding. All those wishing to give testimony during these proceedings will please sign in. Witnesses will be sworn-in prior to giving testimony.

All proceedings of the Savannah Zoning Board of Appeals are recorded. Decisions of the Savannah Zoning Board of Appeals are final. Challenges to the decisions of the Savannah Zoning Board of Appeals must be filed through the Superior Court of Chatham County.

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

I. Call to Order and Welcome

II. Invocation and Pledge of Allegiance

III. Notices, Proclamations and Acknowledgements

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

[1. River Pointe II Phase II | Variance | Josh Yellin | 20-002054-ZBA](#)

Motion

Petitioner requested this item to be continued until the next ZBA meeting on June 25, 2020.

Vote Results (Approved)

Motion: Michael Condon

Second: Hunter Hall

Tommy Branch - Aye

Michael Brown - Aye

Trapper Griffith - Aye

Hunter Hall - Aye

Michael Condon - Aye

V. Item(s) Requested to be Withdrawn

VI. Approval of Minutes

[2. Approval of February 27, 2020 Meeting Minutes](#)

[February 27, 2020 Meeting Minutes.pdf](#)

Minutes were approved as submitted.

Motion

Approve as submitted.

Vote Results (Approved)

Motion: Michael Condon

Second: Hunter Hall

Tommy Branch	- Aye
Michael Brown	- Aye
Trapper Griffith	- Aye
Hunter Hall	- Aye
Michael Condon	- Aye

VII. Approval of Final Agenda

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

Agenda was approved as submitted.

Motion

Approve the agenda as submitted.

Vote Results (Approved)

Motion: Michael Condon

Second: Hunter Hall

Tommy Branch	- Aye
Michael Brown	- Aye
Trapper Griffith	- Aye
Hunter Hall	- Aye
Michael Condon	- Aye

VIII. Consent Agenda

IX. Old Business

X. Regular Agenda

[4. 213 W. 39th Street - Parking Variance - 20-001137-ZBA](#)

📎 [20-001137_Staff Report.pdf](#)

📎 [Map.pdf](#)

📎 [Photos.pdf](#)

Ms. Debbie Burke, Natural Resources Planner, stated the petitioner, Andre Gadson as agent for Eco Friendly Contracting, is requesting approval of a one space parking variance in conjunction with the conversion of an existing single-family residence to a two-family residence.

The subject property is located at 213 West 39th Street within a TN-2 (Traditional Neighborhood) zoning district. It is developed with a single-family residence approximately 2,000 square feet in size. The property is 3,750 square feet in size and is a conforming lot of record. The required minimum lot area is 1,750 square feet. The lot is 30 feet in width and meets the minimum lot width.

The applicant is proposing to convert an existing single-family residence into a two-family residence, which requires one new off-street parking space. The applicant is requesting a variance from the required off-street parking. Currently there is no off-street parking provided on the subject property.

Mr. Andre Gadson, petitioner, stated from an economic standpoint the reason why we want to convert into a duplex is because of all the money that needs to be put into the house to bring it up to code. We think we would be able to get a better return on a duplex. There are several duplexes on the same street with no off-street parking.

No Public Comments

Motion

Staff recommends denial of the requested one space parking variance in conjunction with the conversion of an existing single-family residence to a two-family residence for 213 West 39th Street.

Vote Results (Approved)

Motion: Michael Condon

Second: Hunter Hall

Tommy Branch - Aye

Michael Brown - Aye

Trapper Griffith - Nay

Hunter Hall - Aye

Michael Condon - Aye

[5. 11 W. Back Street - Expansion of a nonconforming use - 20-001219-ZBA](#)

[20-001219_Staff Report.pdf](#)

[11 W. Back Street Pic.pdf](#)

[Existing.pdf](#)

[Proposed.pdf](#)

[Map.pdf](#)

Ms. Debbie Burke, Natural Resources Planner, stated the petitioner, James Collins for the Carmelite Monastery of Savannah, is requesting approval of the expansion of a non-conforming use in order to demolish existing living quarters and construct a new monastery building for the Carmelite Monastery at 11 West Back Street.

The subject property is 4.83 acres in size and is currently utilized as the Carmelite Monastery of Savannah. There are currently three buildings on site. The applicant is proposing the demolition of one building and the construction of a new, larger building in its place.

The petitioner requests expansion of a nonconforming use in order to construct a new two-story monastery building within the same general area of the subject property as the existing living quarters, which will be demolished. The new structure will have a footprint of 12,108.1 square feet and a total size of 19,526.24 square feet. The proposed structure meets the required front (30 feet), side (20 feet), rear (30 feet), and access easement (5 feet) setbacks as established in Sec. 5.7.6 Development Standards for Permitted Nonresidential Uses, of the current zoning ordinance. In addition, the proposed structure is

below the maximum height requirement of 40 feet (it will be 30 feet to the parapet, per the applicant) and 40% building coverage (with the new structure, the building coverage would be approximately 10%).

Per Table 9.3-1 Minimum Space Requirements of the current zoning ordinance, monastery/convent uses require one parking space per two beds. The applicant states that there will be 18 beds in the proposed structure. The proposed project includes parking spaces for two (2) ten passenger vans for the resident use.

Staff found no evidence that the proposed expansion of the existing nonconforming use would be detrimental to the general public or adjacent neighbors. The proposed use is consistent with the existing use that is currently, and has been for quite some time, taking place on the subject property. All of the General Site Standards relating to the proposed structure have been met.

Mr. James Collins, petitioner, stated the facility is needed to better fulfill the mission of the Carmelites.

No Public Comments

Motion

Staff recommends approval of the requested expansion of a nonconforming use at 11 West Back Street for the construction of living quarters at the Carmelite Monastery of Savannah.

Vote Results (Approved)

Motion: Trapper Griffith

Second: Michael Condon

Tommy Branch	- Aye
Michael Brown	- Aye
Trapper Griffith	- Aye
Hunter Hall	- Aye
Michael Condon	- Aye

[6. 1308 Martin Luther King Jr. Blvd. - Parking Variance - 20-001620-ZBA](#)

[Map.pdf](#)

[20-001620-ZBA_Staff Report 1308 MLK Jr Blvd.pdf](#)

[Streetview 1308 MLK.pdf](#)

Ms. Debbie Burke, Natural Resources Planner, stated the petitioner, Stanley Knowles, is requesting approval of a one-space parking variance in conjunction with the conversion of a vacant, existing two-story structure into a retail establishment on the ground floor with upper story residential.

The subject property is located at 1308 Martin Luther King Jr. Boulevard within a TC-2 (Traditional Commercial-2) zoning district. It is developed with a two-story structure that has a footprint of 2,601 square feet, per the Chatham County property record card. The property is 2,650 square feet in size and is a conforming lot of record. The lot is 50 feet in width and 53 feet deep. The minimum lot width for a TC-2 nonresidential lot is 20 feet and there is no minimum lot width required for upper story residential uses. There is no minimum lot area or lot depth for nonresidential or upper story residential uses in the district.

The applicant is proposing to convert an existing vacant, two-story structure into ground floor commercial and upper story residential. Per Sec. 9.3.7.d Victorian and Streetcar Parking District, for the first 3,000 square feet of any nonresidential use, there shall be no minimum off-street parking space requirement. The ground floor area of the structure is 2,650 square feet, resulting in no off-street parking spaces required for the proposed commercial uses. The Ordinance requires one off-street parking space per upper-story residential unit. The applicant is proposing two upper story residential units, which would require two off-street parking spaces. The applicant is requesting a variance from the required off-street

parking. Currently, there is no off-street parking provided on the subject property. The applicant states that they have attempted to purchase property from adjacent property owners in order to provide off-street parking for the subject property, but none have been willing to sell.

The requested variance is not contrary to the intent of the ordinance and justification has been provided to allow the proposed variance. The subject property is developed with an existing, vacant building that covers all but 49 square feet of area. There is not adequate area to provide any parking onsite and any use would require off-street parking per the Ordinance. Without the approval of a parking variance, the existing structure is not usable.

Mr. Stanley Knowles, petitioner, stated he agrees with the staff's recommendation.

No Public Comments

Motion

Staff recommends approval of the requested one space parking variance in conjunction with the conversion of an existing, vacant two-story structure into a retail establishment on the ground floor with upper story residential at 1308 Martin Luther King Jr Boulevard.

Vote Results (Approved)

Motion: Hunter Hall

Second: Michael Condon

Tommy Branch	- Aye
Michael Brown	- Aye
Trapper Griffith	- Aye
Hunter Hall	- Aye
Michael Condon	- Aye

[7. 100 Aberdeen Street - Setback and Parking Variances - 20-001693-ZBA](#)

📎 [20-001693-ZBA_Staff Report 100 Aberdeen Street.pdf](#)

📎 [Map.pdf](#)

📎 [Plans.pdf](#)

Ms. Debbie Burke, Natural Resources Planner, stated the petitioner, Bobby Vermillion, is requesting approval of a three foot parking area setback variance along Aberdeen Street. A ten foot buffer variance on the southern property line, an 11 foot side yard setback variance along the north property line, and a 16 foot buffer variance for the northern corner of the property. In conjunction with the conversion of an existing one story structure for warehouse use, construction of a two story addition to the existing structure to be used as a art studios, and the construction of a new two story structure to be used for warehouse use at 100 Aberdeen Street.

The subject property is within an IL-T (Light Industrial-Transition) zoning district. It is a .83 acres conforming lot of record that is currently developed with one 10,000 square foot, single story structure. The applicant is proposing to convert the existing building into a warehouse and build a two story, 3,600 square foot addition to the structure for art studio use. In addition, the applicant is proposing to construct a new, two story, 8,030 square foot building on the lot for warehouse use. The adjacent property that abuts the subject property on the south, east, and a portion of the north property line is developed as a tiny home subdivision. The property to the north is a communication tower and the property to the west is developed for industrial uses.

The applicant is requesting the following variances in order to develop the site as described above:

1. 1. Reduction in the parking area setback from ten feet from the right-of-way of Aberdeen Street to seven feet.
2. 2. Reduction in the required buffer on the south end of the property where the addition of the art studio space is proposed from 20 feet to ten feet.
3. 3. Reduction of the interior side yard (north property line) setback from 15 feet to four feet.
4. 4. Reduction of the buffer at the north corner of the property from 20 feet to four feet.

Although the requested variances would not appear to be injurious to the neighborhood surrounding the subject property and would not be detrimental to the public health, safety or welfare, hardships have not been demonstrated to justify the recommendation of approval of the variances requested.

Mr. John Clegg, agent for the petitioner, stated they met with City Traffic Engineering and they were agreeable with the parking along Aberdeen, for a few reasons, if we added a couple of stop signs and improve lighting.

Mr. Bobby Vermillion, agent for the petitioner, reviewed all the requested variances. He stated they spoke with the director of the tiny home project about allowing them to do a mural on the south side of the building and they are in support of this project.

No Public Comments

[8. 134 E. 51st Street - Accessory Structure Setback Variance - 20-002123-ZBA](#)

📎 [Staff Report 2123.pdf](#)

📎 [Aerial E 51st.pdf](#)

📎 [Lane Context.pdf](#)

📎 [Parking Pad.pdf](#)

📎 [Site Plan.pdf](#)

Mr. Hunter Hall, Board Membe, recused himself

Mr. Marcus Lotson, Director of Development Services, stated the petitioner, Julie Wade, requests approval of a 5 foot rear yard accessory structure variance from the 5 foot minimum required in the RSF-6 (Residential Single-Family-6) zoning district. The request relates to the proposed construction of a single story, one car garage.

The subject property is a recently subdivided parcel and is located at 134 E. 51st Street. It is developed with a single-family dwelling, which is a new construction. The parcel is on a block bounded by E. 51st Street, Habersham Street, E. 50th Lane and Vetsburg Place. Including the subject property, there are nine residential dwellings in the block, eight of which include accessory buildings. The property is zoned RSF-6 (Residential Single-Family-6). The parcel is a conforming lot of record and is within the Ardsley Park / Chatham Crescent Conservation Overlay District. Each parcel within the block is conforming; however, they were all developed prior to zoning in the City of Savannah.

Per the application, the petitioner requests approval of a 5 foot variance from the setback standard of five (5) feet for the rear yard as required by Article 8 Section 8.7.3(c)(i) of the *City of Savannah Zoning Ordinance* for the construction of a one story accessory building. The applicant has stated that the building will be used to provide off-street parking for a vehicle.

The petitioner initially sought dedicated on street parking and permission to install an electric vehicle charger on E. 51st Street. That request was denied, so the applicant installed the charger in the rear yard and established one off-street parking space. The intent of the variance is to build a garage over the existing space.

Relative to the development pattern, the block includes estate-sized homes which were developed throughout the 1920's. The accessory buildings along E. 50th Lane appear to be built on or encroach into the right of way. The lane itself is a typical service lane found in neighborhoods of the era. Several homes

along the lane use it for vehicular access.

The variance, if granted, is in keeping with the historic development pattern for parcels in this area. However, in review of the variance criteria, staff finds that a 100% variance is not justifiable. The Board may determine that a lesser variance could be in keeping with surrounding properties and meet the intent of the ordinance.

A letter was read into the record from several neighbors in opposition.

Ms. Julie Wade, petitioner, stated she spoke with several of the neighbors probably after the opposition letter went out. They thought we were requesting to go 5 feet into the lane, past our property line. I clarified that we wanted to stay on our property, we just wanted to build right to the property line. There are several other buildings right on the property line in the neighborhood.

No Public Comments

Motion

Motion to approve the requested 5 foot variance from the rear-yard setback standard of 5 feet for the construction of an accessory building at 134 4 E. 51st Street.

Vote Results (Approved)

Motion: Michael Condon

Second: Trapper Griffith

Tommy Branch - Aye

Michael Brown - Aye

Trapper Griffith - Aye

Hunter Hall - Abstain

Michael Condon - Aye

XI. Other Business

XII. Adjournment

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