



## City of Savannah Zoning Board of Appeals

Virtual Meeting  
November 19, 2020 - 10:00 A.M.  
Minutes

### November 19, 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. 760 Old River Road | Variance | 20-003639-ZBA](#)

##### **Motion**

The petitioner has requested that this item be postponed.

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

Motion: Hunter Hall

Second: Michael Condon

Stephen Merriman, Jr. - Abstain

Trapper Griffith - Aye

Hunter Hall - Aye

Michael Condon - Aye

#### V. Item(s) Requested to be Withdrawn

#### VI. Approval of Minutes

##### [2. Approval of the October 22, 2020 Meeting Minutes](#)

[📎 October 22, 2020 Meeting Minutes.pdf](#)

The minutes were approved as submitted.

**Motion**

Approve as submitted

**Vote Results ( Approved )**

Motion: Trapper Griffith

Second: Hunter Hall

Stephen Merriman, Jr. - Abstain

Trapper Griffith - Aye

Hunter Hall - Aye

Michael Condon - Aye

**VII. Approval of Final Agenda**

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

The final agenda was approved as submitted.

**Motion**

Approve the agenda as submitted.

**Vote Results ( Approved )**

Motion: Hunter Hall

Second: Michael Condon

Stephen Merriman, Jr. - Abstain

Trapper Griffith - Aye

Hunter Hall - Aye

Michael Condon - Aye

**VIII. Consent Agenda**

**IX. Old Business**

**X. Regular Agenda**

[4. 1601 Chevy Chase Road | Variance | 20-004706](#)

📎 [Staff Report 4706-ZBA.pdf](#)

📎 [Map.pdf](#)

📎 [Street View.pdf](#)

📎 [application, 20-004706-ZBA.pdf](#)

📎 [1601 Chevy Chase SWO.pdf](#)

📎 [1601 Chevy Chase Rd Site Plan.pdf](#)

📎 [Photos.pdf](#)

**Mr. Marcus Lotson, Director of Development Services**, stated the petitioner, Dontre Wallace, is requesting approval of a 20-foot rear yard setback variance from the 20-foot rear yard setback

requirement. The petition is related to a second story deck where construction began without a permit and was subsequently ceased by a Stop Work Order placed on the property by the City of Savannah's Code Enforcement department.

The subject property is located at the southwest corner of the intersection of Chevy Chase Road and Delano Street in the Cloverdale subdivision. The property is zoned RSF-6 (Single Family Residential). The RSF-6 zoning classification requires a 20-foot rear yard setback. This setback is measured from the nearest vertical wall of the residence to the property line. Although a survey has not been provided by the applicant, the existing residence appears to be approximately 25 feet from the property line which would be consistent with the 25-foot rear yard setback requirement that existed under the previous ordinance.

The property, which is 6,888 square feet, is developed with a single-story home built in 1972. The residence is 1,586 square feet in size. In addition to the residence, the property includes two accessory buildings, one of which is 100 square feet and the other which is 160 square feet in size.

The petitioner has been cited by the City of Savannah for commencing construction without a building permit. The partially constructed raised deck, which based on photographs is attached to the residence, encroaches into the rear yard setback. The stair that accesses the deck appears to be on the rear property line, also an encroachment.

The purpose of the rear yard setback is to provide adequate separation between structures, as well as to provide privacy. Because the deck is raised, it is considered a structure unlike a driveway or an uncovered at grade patio.

Based on observation, there are no examples of similar structures in the neighborhood and it appears the structure has a significant negative impact on the adjoining property. The Cloverdale subdivision has a well-maintained traditional development pattern and structures of this kind are not in keeping with that pattern.

**Mr. Dontre Wallace, agent for the petitioner**, stated his effort to help Mr. Curry I was trying to produce some drawings, as well as some type of site plan, showing exactly what he has in place. I was trying to help him reorganize and get it approved as it is now.

#### **No Public Comments**

#### **Motion**

Denial of the requested setback variance and recommends that the City of Savannah continue the enforcement action necessary to bring the property into compliance.

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

Motion: Hunter Hall

Second: Michael Condon

Stephen Merriman, Jr. - Abstain

Trapper Griffith - Aye

Hunter Hall - Aye

Michael Condon - Aye

#### [5. 8 Stephenson Avenue | Variance | 20-004914-ZBA](#)

[📎 Staff Report 4914-ZBA.pdf](#)

[📎 Application.pdf](#)

[📎 Aerial Map.pdf](#)

[📎 Map.pdf](#)

[rear of property.pdf](#)

[Site Plan.pdf](#)

[Street View.pdf](#)

**Mr. Marcus Lotson, Director of Development Services**, stated the petitioner, Casey Durden, is requesting approval of a 4 space variance for required off-street parking for a proposed 800 square feet addition to a surgical center. The total number of existing spaces is not decreased.

The subject property is located at the northwest corner of the intersection of Abercorn Street and Stephenson Avenue within a B-C zoning district. The development pattern in the vicinity includes a series of commercial uses including banks and offices, retail, personal services and lodging.

The subject property is .37 acres in size and is developed with a two-story commercial building, originally constructed in 1979. Most recently, the building served as a surgical center for two doctors. The perspective owner intends to also operate as a surgical center, but with a single physician on site. Per the applicant, changes in the uniform Health Facility Construction Guidelines require that the surgical center be enlarged to accommodate equipment and mobility space within the operating theatre related to ADA requirements.

The location of the proposed expansion is the rear of the building, the north side. It does not eliminate any existing parking. The office currently provides 15 off-street spaces and are in the vicinity of other commercial commonly shared parking. The proposed expansion is 800 square feet. Required parking for this addition would be 4 spaces.

**Mr. Casey Durden, agent for the petitioner**, stated the existing surgery center is not code compliant with state standards. The new property owner is a plastic surgeon and he is going to upgrade the surgery center to meet state standards, but in order to do that we have to add a 800 square foot expansion.

#### No Public Comments

#### Motion

Approve the 4 space off-street parking variance.

#### Vote Results ( Approved )

Motion: Michael Condon

Second: Hunter Hall

Stephen Merriman, Jr. - Abstain

Trapper Griffith - Aye

Hunter Hall - Aye

Michael Condon - Aye

#### [6. 130 East 44th Street | Extension | 20-004915-ZBA](#)

[Aerial Map 6135-ZBA.pdf](#)

[Application.pdf](#)

[Map.pdf](#)

[Staff Report.pdf](#)

**Mr. Jordan Holloway, Development Services Planner**, stated the petitioner, Erik Selander & Ellen Harris, are requesting an extension of an approval for a 3'6" side-yard setback variance and a 5' rear-yard setback variance to construct a detached accessory structure.

The City of Savannah Zoning Board of Appeals previously granted approval for this variance request on

November 21, 2019 (19-006135-ZBA). Variances expire after one (1) year if they are not acted upon. Thus, the petitioner is requesting an extension for the previously granted variances.

The subject property is located at 130 E. 44th St. and is improved with a two-story single-family detached residence. The subject parcel has frontage along E. 44th St. and E. Victory Lane.

The existing, conforming subject parcel measures approximately 90 ft. by 110 ft., or 9,900 sq. ft. (0.23 acres) in area. The subject parcel is zoned RSF-6, which requires a minimum of 6,000 sq. ft. of lot area and 60 ft. in width for detached single-family residential.

**Ms. Ellen Harris, petitioner**, stated these variances are consistent with the historic development pattern and a garage was previously onsite and the concrete pad is still present.

### No Public Comments

#### Motion

Approve the requested extension for a 5 ft. accessory building rear-yard setback variance and 3 ft. 6 in. accessory building side-yard setback variance.

#### Vote Results ( Approved )

Motion: Michael Condon

Second: Hunter Hall

Stephen Merriman, Jr. - Abstain

Trapper Griffith - Aye

Hunter Hall - Aye

Michael Condon - Aye

### [7. 135 Hampstead Avenue | Variance and Extension of a Nonconforming Use | 20-005189-ZBA](#)

[Map.pdf](#)

[Application.pdf](#)

[Staff Report 5189-ZBA.pdf](#)

[AERIAL MAP 20-003326-ZA.pdf](#)

[Streetview.pdf](#)

**Mr. Marcus Lotson, Director of Development Services**, stated the petitioners are requesting the expansion of a non-conforming use to expand the existing building by approximately 1,234 square feet and the elimination of four off-street parking spaces for the reconfiguration of the passenger drop off area.

The subject property is developed with a 12-story multifamily residential building constructed in 1985, per the office of the Chatham County Tax Assessor. The building includes 138 dwelling units and is operated as a rent-assisted, low income housing development under the Housing Choice Voucher Program of the Federal Housing and Urban Development Department. The structure is classified as non-conforming, as it is not compliant with a number of development standards including height and parking.

The applicant is in the process of renovating the interior of the residential building and is proposing to provide a community space on the ground floor and the reconfiguration of the vehicular drop-off area as a part of the renovation.

**Mr. Joshua Yellin, agent for the petitioner**, stated there is currently 84 spaces and this will be a reduction to 81 spaces. Not only is this site low income, but it's senior affordable with a Section 8 component that does allow for disabilities. With this being senior affordable housing, it greatly reduces the

parking demand that is needed for this site. Even with the reduction based on other case studies, we do believe that the parking is sufficient and inline with other ordinances across the country as its relates to senior affordable housing.

**Mr. Trapper Griffith, Board Member**, asked how many units are in the building?

**Mr. Yellin**, stated 138.

**Mr. Brandon Kearse, petitioner**, stated they are excited to renovate the building and to make it a better place for the seniors.

**Public Comments:**

**Ms. Virginia Morrison**, stated we in the neighborhood are in agreement of the renovation. She asked how the residents will be handled during the renovations.

**Mr. Yellin**, stated they will move current residents into vacant units while the others are being renovated. Then, move them back into the newly renovated unit. This will take place floor by floor. No one will be displaced and not allowed back into the building.

**Ms. Morrison**, asked, if this is approved, when is the start date?

**Mr. Kearse**, stated originally it was January 2021, but it has been pushed to April 1, 2021 and it should take about 12 months to complete.

**Motion**

Approve the expansion of a nonconforming use for 135 Hampstead Avenue and the elimination of 4 off-street parking spaces to accommodate the proposed building expansion and the passenger drop off reconfiguration.

**Vote Results ( Approved )**

Motion: Hunter Hall

Second: Michael Condon

|                       |           |
|-----------------------|-----------|
| Stephen Merriman, Jr. | - Abstain |
| Trapper Griffith      | - Aye     |
| Hunter Hall           | - Aye     |
| Michael Condon        | - Aye     |

[8. 11 West Back Street | Variance | 20-005203-ZBA](#)

📎 [Application.pdf](#)

📎 [SZBA Staff Report.pdf](#)

📎 [Map.pdf](#)

📎 [Carmelite Monastery ZBA application.pdf](#)

📎 [Aerial Map.pdf](#)

**Mr. Jordan Holloway, Development Services Planner**, stated the petitioner is requesting approval of a height variance to exceed the allowable building height by five (5) feet at the stair and elevator tower for the Carmelite Monastery.

The subject property is located at 11 West Back Street within the RSF-10 (Residential Single Family-6) Zoning District on a 6.76-acre conforming lot with a monastery that is currently undergoing a building expansion.

To comply with building ordinance requirements, the petitioner is asking for a five (5) foot height variance for the elevator tower and stairs for rooftop access for HVAC systems. The RSF-10 Zoning District has a height limit of forty (40) feet.

**Mr. Bryan Harder, agent for the petitioner,** stated he has nothing further to add but can answer any questions from the Board.

**No Public Comments**

**Motion**

Approve the requested variance to exceed the allowable building height by five (5) feet at the stair and elevator tower.

**Vote Results ( Approved )**

Motion: Michael Condon

Second: Trapper Griffith

Stephen Merriman, Jr. - Abstain

Trapper Griffith - Aye

Hunter Hall - Aye

Michael Condon - Aye

**XI. Other Business**

[9. Nomination for Chairman](#)

The Board nominated Mr. Stephen Merriman for Chairman.

**Motion**

Mr. Stephen Merriman - Chairman

**Vote Results ( Approved )**

Motion: Trapper Griffith

Second: Michael Condon

Stephen Merriman, Jr. - Abstain

Trapper Griffith - Aye

Hunter Hall - Aye

Michael Condon - Aye

[10. Nomination of Vice-Chairman](#)

The Board nominated Mr. Michael Condon for Vice-Chairman

**Motion**

Mr. Michael Condon - Vice-Chairman

**Vote Results ( Approved )**

Motion: Stephen Merriman, Jr.

Second: Trapper Griffith

Stephen Merriman, Jr. - Aye

Trapper Griffith - Aye

Hunter Hall - Aye

Michael Condon - Abstain

## 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.*