



City of Savannah Zoning Board of Appeals

December 16, 2021 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. 1108 Stiles Avenue | Side Yard Setback Variance Request | 21-006319-ZBA](#)

Motion

The Savannah Zoning Board of Appeals does hereby approve to remove 1108 Stiles Avenue from the Final Agenda.

Vote Results (Approved)

Motion: Karen Jarrett

Second: Michael Condon

Stephen Merriman, Jr. - Abstain

Karen Jarrett - Aye

Trapper Griffith - Aye

Michael Condon - Aye

Stephen Plunk - Aye

V. Item(s) Requested to be Withdrawn

VI. Approval of Minutes

[2. Approval of the November 18, 2021 Meeting Minutes](#)

📎 [November 18, 2021 Meeting Minutes.pdf](#)

Motion

The Savannah Zoning Board of Appeals does hereby approve the November 18, 2021 Meeting Minutes.

Vote Results (Approved)

Motion: Michael Condon

Second: Stephen Plunk

Stephen Merriman, Jr. - Abstain

Karen Jarrett - Aye

Trapper Griffith - Aye

Hunter Hall - Absent

Michael Condon - Aye

Larry Evans - Absent

Stephen Plunk - Aye

VII. Approval of Final Agenda

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

Motion

The Savannah Zoning Board of Appeals does hereby approve the Final Agenda.

Vote Results (Approved)

Motion: Karen Jarrett

Second: Michael Condon

Stephen Merriman, Jr. - Abstain

Karen Jarrett - Aye

Trapper Griffith - Aye

Michael Condon - Aye

Stephen Plunk - Aye

VIII. Consent Agenda

IX. Old Business

X. Regular Agenda

[4. 804 East 35th Street | Variance to the minimum lot area | 21-006321-ZBA](#)

📎 [Application.pdf](#)

📎 [MAP.pdf](#)

📎 [SITE AREA MAP.pdf](#)

📎 [Label List.xls](#)

📎 [Site Visit.pdf](#)

[804 E 35th Proposed Subdivision.pdf](#)

[Staff Report.pdf](#)

Ms. Paul-Leto gave the staff report. The applicant is requesting a fifty-six (56) square foot lot area variance from the 3,000 square foot lot area requirement for a property located within the Traditional Residential Single Family (TR-1) zoning district to subdivide an existing 5,888 square feet lot. The proposed 2,944 square foot lot area does not meet the required minimum lot area of 3,000 square feet within the TR-1 zoning district.

Ms. Paul-Leto explained that the subject property is located on the north side of East 35th Street with East 34th Lane on the south side in the Midtown Neighborhood within the TR-1 (Traditional Residential Single Family) zoning district. The subject property is a 5,888 square foot lot, with an existing one-story building, that the petitioner is planning to subdivide evenly into two separate lots, each being 32 feet in width and approximately 92 feet in depth with a lot area of 2,944 square feet. The minimum lot dimensions for the TR-1 district are 30 feet in lot width and a lot area of 3,000 square feet when abutting a lane; the proposed lots would be 56 square feet short of the required lot area.

Ms. Paul-Leto stated that the petitioner submitted an application for a minor subdivision on October 28, 2021, and subsequently was told by MPC staff that the proposed subdivision did not meet the required minimum lot area. All 19 parcels located along the north and south side of East 35th Street, between Harmon and Paulsen Streets, have a lot depth of 92 feet. However, the parcels vary in lot width. There are 4 parcels out of the 19 developed parcels, including the subject parcel, that have a lot area less than the required minimum 3,000 square foot lot size requirement. She showed the Board a copy of the Sanborn Map of 1916 indicating that the subject parcel included 802, 804, and 810 East 35th Street residential dwellings, as well as two accessory buildings. She stated that based on the Sanborn Map of 1955, 810 East 35th Street became a separate parcel from 803 and 805 East 35th Street.

Ms. Paul-Leto reported that based upon the variance criteria, staff recommends approval of the variance request for 804 East 35th Street.

Ms. Paul-Leto entertained questions from the Board.

Mr. Griffith asked what is the width of the other lots.

Ms. Paul-Leto said the width varies. She explained that four parcels out of the 19 developed parcels, which are on the lane facing East 35th Street, including the subject parcel, have a lot area less than the required minimum 3,000 square feet.

PETITIONER COMMENTS

Mr. Rayfield Reeves for Live Oak Livings, LLC was sworn-in by Mr. Merriman. Mr. Reeves stated that the minimum lot requirement for the square footage is less than the 3,000 square feet.

PUBLIC COMMENTS

None.

BOARD DISCUSSION

The Board was in agreement with the staff's recommendation. Mr. Merriman entertained a motion.

Motion

The Savannah Zoning Board of Appeals does hereby approve the requested variance at 804 East .35th Street.

Vote Results (Approved)

Motion: Karen Jarrett

Second: Stephen Plunk

Stephen Merriman, Jr.	- Abstain
Karen Jarrett	- Aye
Trapper Griffith	- Aye
Michael Condon	- Aye
Stephen Plunk	- Aye

[5. 506 East 40th Street | Variance request to the minimum lot width and minimum lot area | 21-006320-ZBA](#)

📎 [Application.pdf](#)

📎 [MAP.pdf](#)

📎 [Label List.xls](#)

📎 [504 E 40th Proposed Plat.pdf](#)

📎 [Site Visit - 12_01_2021.pdf](#)

📎 [Staff Report.pdf](#)

📎 [Letter of Support #1.pdf](#)

Ms. Melissa Paul-Leto gave the staff report. The petitioner, Rayfield Reeves for Live Oak Living, LLC, is requesting less than one-foot of a lot width variance to the minimum 30-foot lot width, and variances to the minimum lot area for the purpose of subdividing a 60-foot-wide-lot into two lots. The resulting lots would be 2,681.8 and 2,760 square feet, where 3,000 square feet is the minimum lot area. The property is within the Traditional Neighborhood (TN-2) zoning district.

Ms. Paul-Leto explained that the subject property is located on the north side of East 40th Street located between East Broad Street and Price Street, in the Baldwin Park Neighborhood within the Traditional Neighborhood (TN-2) zoning district. The subject property is a 5,520 square foot lot with an existing two-story building, that the petitioner is planning to subdivide into two separate lots. The developed lot with a two-story residence would have a 30-foot lot width. The undeveloped land would have 29.15 feet in lot width. Both proposed lots are approximately 92 feet in depth. The minimum lot dimensions for the TN-2 zoning district are 30 feet in lot width, with a minimum lot area of 3,000 square feet; one of the proposed lots would be less than one-foot short of the required 30-foot lot width, and a proposed lot area of 2,681.8 square feet. The lot with a two-story residence would have a 30-foot lot width and a 2,760 square foot lot area.

Ms. Paul-Leto stated that the petitioner applied for a minor subdivision on October 28, 2021, and subsequently was told by MPC staff that the proposed subdivision did not meet the required minimum lot width, as well as lot area. There are a total of 26 parcels facing East 40th Street, between Price and East Broad Streets. Four out of the 26 parcels have a lot depth of 91 feet. The remaining parcels all have a lot depth of 92-feet. However, the parcels vary in lot width. There are 6 parcels out of the 26 developed parcels, including the subject parcel, that have a lot area less than the required minimum 3,000 square foot lot size requirement.

Ms. Paul-Leto reported that based upon the variance criteria, staff recommends approval of the variance request for 506 East 40th Street.

Ms. Paul-Leto entertained questions from the Board.

Ms. Jarrett asked where will parking be located.

Mr. Reeves stated that there is no proposed parking, other than the on-street parking, because there is

no lane in the back for that access.

Ms. Jarrett asked isn't it a requirement for off-street parking.

Ms. Paul-Leto answered that it is a requirement that parking be provided. While she understands that this area does not have a lane, a parking space in front of each house will need to be provided.

Mr. Reeves stated that they will be able to provide the parking. He believes this would fall within the building department, as far as how backyard setbacks are done. He is not opposed to having parking on the property.

Ms. Jarrett asked if there is enough space, with the existing house being there, to put an off-street parking space here and not have it encroaching into the sidewalk.

Mr. Reeves answered presently they have not looked at the size of house they will put here. The main thing they discussed was trying to save the historic house. He has not looked down the block or across the street. Mr. Reeves said 508 East 40th Street burnt down and then 506 East 40th Street was burned, but he is not sure if the houses across the street have any off-street parking.

Ms. Jarrett said the houses across the street are existing residences.

PETITIONER COMMENTS

Mr. Merriman stated that the petitioner has already made some comments, but he asked him if he wanted to make any additional comments.

Mr. Reeves said they will work on the off-street parking issue. They will figure out a rendering for the site plan.

Mr. Merriman stated that the parking is something that Mr. Reeves will need to work out to get his plan approved. The parking is an important issue. He asked the Board if they had any additional questions for the petitioner.

PUBLIC COMMENTS

None.

BOARD DISCUSSION

Ms. Jarrett said she is hopeful that the petition will be continued until they get verification that the petitioner is able to get off-street parking.

Mr. Plunk agreed that, theoretically, parking is a separate issue. But, in this case, it has to be considered as one issue.

Mr. Condon agreed with the parking situation. He was hopeful that this petition would be continued in order for the petitioner to work out a solution for parking.

Mr. Reeves stated that he was in agreement that the petition be continued in order for them to develop a solution for the off-street parking.

Mr. Merriman entertained a motion.

Motion

The Savannah Zoning Board of Appeals does hereby continue the petition as requested by the petitioner.

Vote Results (Approved)

Motion: Stephen Plunk

Second: Karen Jarrett	
Stephen Merriman, Jr.	- Abstain
Karen Jarrett	- Aye
Trapper Griffith	- Aye
Michael Condon	- Aye
Stephen Plunk	- Aye

[6. 2318 Barnard Street | Variance request for a 5-foot reduction to the minimum 5-foot minimum rear yard setback requirement | 21-006315-ZBA](#)

[Application.pdf](#)

[Label List.xls](#)

[MAP.pdf](#)

[Site Visit.pdf](#)

[Staff Report.pdf](#)

[SIGNED Board Decision - 21-006041-COA - 2318 Barnard St.pdf](#)

Ms. Melissa Paul-Leto gave the staff report. The petitioner, Ellen I. Harris of Ethos Preservation, is requesting a variance for a 5-foot reduction to the 5-foot minimum rear yard setback requirement for a detached accessory dwelling unit.

Ms. Paul-Leto explained that the subject property, 2318 Barnard Street, is located on the east side of Barnard Street, between West 39th and West 40th Streets with the rear yard facing Howard Street. The subject parcel is located within the Streetcar Historic District, as well as the Traditional Neighborhood (TN-2) zoning district. It is currently a vacant parcel and has a total lot area of 2,992.8 square feet and an average depth of approximately 99.78 feet with an average width of 30 feet. The petitioner is seeking a variance to Section 8.7.4.iii - Detached accessory dwelling units shall have a rear-yard setback requirement of at least five (5) feet, provided that if the accessory dwelling is located on a lot that abuts a lane, the rear-yard setback requirement shall be at least three (3) feet. The petitioner is proposing a zero (0) foot rear yard setback for the proposed two-story carriage house on Howard Street, where five (5) feet is the minimum requirement. The Sanborn Map of 1916 indicates that there was a two-story accessory structure within an automobile garage on the subject parcel. Ms. Paul-Leto said every parcel within this subject block has an accessory structure with a zero rear yard setback being a shed, a garage, or an accessory dwelling unit. The Sanborn Map of 1955 indicates that the subject parcel included 2320 and 2318 Barnard Street as a two-story duplex. Based on this map, 2316 and 2322 Barnard Street is the only one on this block that has a two-story detached accessory dwelling unit with the zero rear yard setback. The 2310 Barnard Street had a one-story automobile garage with a zero rear yard setback.

Ms. Paul-Leto said that the petitioner applied for a COA to the Historic Preservation Commission [HPC] and was approved on November 22, 2021 for the new construction of a two-story principle house and a two-story accessory structure. She explained that the HPC staff report states that the corner lot adjacent to the subject property is the only accessory dwelling which remains along Howard Street, and the variance will allow for these two structures to be in-line with one another. Ms. Paul-Leto also stated that the HPC staff found that the setbacks proposed for the main building and the carriage house to be visually compatible. The HPC staff recommended, along with other conditions, that the variance which the Board is reviewing today be approved.

Ms. Paul-Leto stated that the SZBA members, as well as she as the planner assigned to this variance request, are required to review the variance through the TN-2 Development Standards and the City of Savannah's variance criteria. She said the subject property is a vacant lot where the applicant could design within the TN-2 Development Standards. Based on the proposed site plan, it conforms with the minimum 10 foot separation from the principal structure and the accessory dwelling structure by offering a 15-foot separation. The applicant could either move the accessory dwelling structure closer to the principle structure or would be able to meet the five feet rear yard setback. Or, they could build the

accessory structure in a smaller footprint that would result in a five-foot rear yard setback compliance. There are options that the applicant could choose from; however, their intention is to have a zero rear yard setback line. Ms. Paul-Leto showed the Board the site plan that indicated the separation.

Ms. Paul-Leto stated that based upon the review criteria, staff recommends denial of the requested variance for 2318 Barnard Street.

Ms. Paul-Leto entertained questions from the Board.

Ms. Jarrett stated that she had a question about the recommendation from the HPC. Did the HPC recommend a three-foot setback?

Ms. Paul-Leto explained that the HPC is recommending a zero foot setback.

PETITIONER COMMENTS

Ms. Harris of Ethos Preservation thanked the staff for a thorough review. She stated as the Board can see, this is a vacant lot that the property owner is building a single-family residence on, as well as a carriage house. All the residences that are located along Barnard Street face Barnard Street. None of the houses face Howard Street. The same is true on the other side of the block. All these residences face Whitaker Street and their backs are facing Howard Street. Therefore, in this particular block, Howard Street is essentially acting as a lane; and always has historically. The Sanborn Map 1916 shows that carriage houses and automobile structures were along Howard Street at a zero lot line context.

Ms. Harris said they believe that the special condition is Howard Street is acting as a lane in this particular location. Therefore, the variance criteria are met. If Howard Street was termed a lane instead of a street, the zero rear yard setback would be permissible. But, the Zoning Administrator determined that because Howard Street is termed a street, a five foot rear yard setback is required for a variance. Ms. Harris said they can meet the ordinance by moving the carriage house four or five feet; and would be in compliance with all the other standards. This does not jeopardize the property; however, they believe that it would be more important to reinforce the existing historic context as well as reinforcing the historic pattern of what is partially still there and what was always there. Ms. Harris entertained questions from the Board.

PUBLIC COMMENTS

None.

BOARD DISCUSSION

The Board discussed that if Howard Street was a lane, the petitioner would not need a variance.

Motion

The Savannah Zoning Board of Appeals does hereby approve the requested variance at 2318 Barnard Street.

Vote Results (Approved)

Motion: Michael Condon

Second: Stephen Plunk

Stephen Merriman, Jr. - Abstain

Karen Jarrett - Aye

Trapper Griffith - Aye

Michael Condon - Aye

[7. 10 Alfred Street | Lot Width Variance Request | File No. 21-006310-ZBA](#)

📎 [Staff Report 6310.pdf](#)

📎 [Map.pdf](#)

📎 [Adjacent Properties.pdf](#)

📎 [Application.pdf](#)

📎 [Lot Width Exhibit.pdf](#)

📎 [Street View.pdf](#)

Mr. Marcus Lotson gave the staff report. The applicant is requesting a 10-foot lot width variance from the 60-foot lot width requirement, in order to subdivide an existing 100-foot-wide lot into two 50-foot-wide lots. The 10-foot variance is being requested for both proposed lots. The subject property is located on the north side of Alfred Street, east of Lissner Avenue, in the Woodville Neighborhood. The property is within the RSF-6 (Residential Single Family) Zoning District. Within the RSF-6 zoning district, the minimum lot width requirement is 60 feet. The minimum lot area requirement is 6,000 square feet.

Mr. Lotson stated that the subject property is a 15,200 sq. ft. vacant lot that the petitioner is planning to subdivide evenly into two separate lots, each being 50 feet in width and 152 feet in depth. The intent of the proposed subdivision is to develop each new lot with a single-family residence. Between the S&A Railroad right-of-way and the eastern terminus of Alfred Street, there are 19 total parcels including both sides of the street. Among these, only two have a lot width of less than 100 feet. Of those two, one is developed with a single-family residence, the other is an undeveloped lot.

Mr. Lotson explained that some vacant parcels exist in the vicinity; however, the opportunity to maintain the historic development pattern is clearly present. The Woodville Neighborhood historically included farm lots and personal agriculture. In the ensuing years, some lots became unused as personal residences due to changing lifestyles and the impact of industrial development on nearby properties. In more recent times, a number of new single-family residences have been constructed in the community.

Mr. Lotson said the staff has found that the request of the variance is not consistent with the intent of the Ordinance and may adversely impact the welfare of the neighborhood by changing the development pattern. Staff also found that the subject property is essentially identical to properties in the vicinity and no special conditions or circumstances are apparent.

Mr. Lotson stated that staff received a letter from the property owner at 8 Alfred Street, Ms. Tamara Glover. Ms. Glover is immediately adjacent to the subject property. He explained that the letter was not attached to the agenda as it was received after the agenda was published. Ms. Glover is in opposition to the variance request. Mr. Lotson explained that the subject property does not include the corner lot. There is an existing 50 foot lot that is not a part of the petitioner's property that Ms. Glover mentioned in her letter.

Mr. Lotson reported that staff recommends denial of the variance request for 10 Alfred Street, based upon the existing pattern of lot sizes in the vicinity of the subject property and the lack of consistency with the variance criteria.

Mr. Lotson entertained questions from the Board.

Mr. Merriman asked what is the minimum lot width in this area.

Mr. Lotson answered that the minimum lot width in the RSF-6 zoning classification is 60 feet. It is a 10-foot variance for the two proposals.

Mr. Condon stated that he sees one 50 foot lot with a house on it on the entire block. Is this an older historic house?

Mr. Lotson replied "yes."

PETITIONER COMMENTS

The petitioners were not present in person or on-line.

PUBLIC COMMENTS

Mr. Tyrone Ware, President of the Woodville Neighborhood Association, came forward. Mr. Ware was sworn-in by Mr. Merriman. Mr. Ware said they are a community more than 152 years old. They are agriculture based and were annexed into the City in 1977. He explained that many petitions come before this Board because they have many different lot sizes. He said the community has also experienced unprecedented growth, but it is good growth. Many builders come to their area and want to divide the size of the lots to 50 feet. In many cases they are agreeable with this, but in this case they are not agreeable as it will create a hazard on the corner. Mr. Ware said this corner shares much trailer traffic. The Woodville Community is in agreement with the staff’s recommendation. They are hopeful that the Board will deny this petition.

BOARD DISCUSSION

The Board discussed that this is an area where they have had other subdivisions trying to make the lots into smaller sizes. They have heard over and over from the neighbors that this is not what they want. The Board asked staff if they knew why the petitioners did not show for the hearing. Mr. Lotson answered that he did not know. The petitioners were aware that their petition was on the docket to be heard today.

Mr. Merriman entertained a motion.

Motion

The Savannah Zoning Board of Appeals does hereby deny the 10-foot variance request, due to the existing pattern of lot sizes in the vicinity of the subject property and the lack of consistency with the variance criteria, for 10 Alfred Street.

Vote Results (Approved)

Motion: Trapper Griffith

Second: Karen Jarrett

Stephen Merriman, Jr.	- Abstain
Karen Jarrett	- Aye
Trapper Griffith	- Aye
Michael Condon	- Aye
Stephen Plunk	- Aye

XI. Other Business

[8. 2022 Historic Preservation Calendar Presentation](#)

📎 [Final Calendar - 12.1.2021.pdf](#)

Mr. Lotson stated that for several years, the Historic Preservation Department has put together

an annual calendar with a theme associated with Savannah. He explained that this year, they have released the 2022 Calendar and it focuses on the book and movie "Midnight in the Garden of Good and Evil." Mr. Lotson invited Ms. Michalak to come and make her presentation.

Ms. Leah Michalak, Historic Preservation Director, explained that this is the 25th Anniversary of "**Midnight in the Garden of Good and Evil,**" the non-fiction novel by John Berendt which was officially released on January 13, 1994. The 2022 calendar highlights local folks and discusses different parts of the movie and the book. Each month highlights holidays, as well as the Planning Commission meetings and the three Historic Board's. meetings The calendar also highlights Jim Williams and his history, the parks, and squares that are featured in the book and movie.

Ms. Michalak explained that Jim Williams's profession was historic work. Mr. Williams restored more than 50 buildings throughout the City and also hosted lavish and coveted parties at the Mercer House. Within his home, he kept a private collection of one-of-a-kind antique art, furniture, and decor. She stated that the calendar also highlights Mayor Floyd Adams, Jr., who took office in January of 1996, as the first Black mayor in Savannah's history.

Ms. Michalak gave the Board members a copy of the 2022 Calendar.

Mr. Lotson introduced the two new employees, **Mr. Jacqualle Johnson and Mr. Nivra Gandhi.** Mr. Johnson will be working as a Planning Tech in Development Services and Mr. Gandhi is assigned to Development Services and Historic Preservation departments as a Planner.

The Board welcomed the new employees.

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.