



## City of Savannah Zoning Board of Appeals

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Arthur A. Mendonsa Hearing Room  
June 23, 2022 10:00 A.M.  
Meeting Minutes

### JUNE 23, 2022 CITY OF SAVANNAH ZONING BOARD OF APEALS

Members Present: Stephen Merriman, Jr., Chair  
Michael Condon, Vice Chair  
Hunter Hall  
Betty Jones  
Stephen M. Plunk

Members Absent: Larry Evans  
Karen Jarrett

Others Present: Pamela Everett, Esq., Assistant Executive Director  
Marcus Lotson, Development Services Director  
Nirva Gandhi, Development Services Planner and Historic Preservation Planner  
Jacqualle Johnson, Development Services Planner Technician  
Melissa Paul-Leto, Development Services Planner  
Julie Yawn, Systems Analyst  
Mary Mitchell, Administrative Assistant

#### I. Call to Order and Welcome

##### [1. Call to Order and Welcome](#)

**Mr. Merriman** called the meeting to order at 10:00 a.m. He explained that 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.

#### II. Invocation and Pledge of Allegiance

##### [2. Pledge of Allegiance](#)

Mr. Merriman gave the Invocation. The Pledge of Allegiance was recited in unison.

#### III. Notices, Proclamations and Acknowledgements

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

##### [3. Variance - 520 East 45th Street - 22-002531-ZBA](#)

**Motion**

The Savannah Zoning Board of Appeals does hereby approve to remove 520 East 45th Street as requested.

**Vote Results ( Approved )**

Motion: Hunter Hall

Second: Stephen Plunk

Stephen Merriman, Jr. - Abstain

Hunter Hall - Aye

Michael Condon - Aye

Stephen Plunk - Aye

Betty Jones - Aye

**V. Item(s) Requested to be Withdrawn**

**VI. Approval of Minutes**

[4. Approval of May 26, 2022 Meeting Minutes](#)

📎 [May 26, 2022 Meeting Minutes.pdf](#)

**Motion**

The Savannah Zoning Board of Appeals does hereby approve the May 26, 2022 Meeting Minutes.

**Vote Results ( Approved )**

Motion: Michael Condon

Second: Stephen Plunk

Stephen Merriman, Jr. - Abstain

Hunter Hall - Aye

Michael Condon - Aye

Stephen Plunk - Aye

Betty Jones - Aye

**VII. Approval of Final Agenda**

**VIII. Consent Agenda**

**IX. Old Business**

**X. Regular Agenda**

[5. Variance Request I 308 Kensington Drive I File No. 22-0001724-ZBA](#)

📎 [Front View.pdf](#)

📎 [Left Side View.pdf](#)

📎 [Rear View.pdf](#)

- 📎 [Right Side View.pdf](#)
- 📎 [Tax Map.pdf](#)
- 📎 [Topography Map.pdf](#)
- 📎 [Letter of Support.pdf](#)
- 📎 [Letter of Support-Bielec Letter.pdf](#)
- 📎 [Letter of Support-Jennings Letter.pdf](#)
- 📎 [Aerial View.pdf](#)
- 📎 [Front side view.pdf](#)
- 📎 [Front View 2.pdf](#)
- 📎 [Staff Report .pdf](#)

**Mr. Jacqualle Johnson** gave the staff report. The petitioner, Laura Barrett for Joseph Newman, is requesting the following variances for 308 Kensington Drive:

- an exception for the existing accessory structure to remain in the front yard of the property.
- a 3-foot encroachment to the side yard setback requirement for an existing accessory structure.

**Mr. Johnson** explained that the subject property is located on the east side of Kensington Drive, adjacent to Andover Drive, within the RSF-10 zoning district. The applicant placed an accessory building in the front yard, and as a result, the applicant was notified by a City Inspector that the structure was non-compliant. Therefore, the applicant is seeking variances for the accessory structure to remain. The building in question appears to encroach in the side yard setback and is placed in the front of the property. The minimum side yard setback for an accessory building is 5 feet from the property line and accessory buildings are not permitted in the front of the property. The property is developed with a single-family residence that also has an existing accessory structure located in the rear. The property is 75-feet in width, 150-feet in depth, and approximately 11,250 square feet. Relative to the location of the accessory structure and setback encroachments, the Zoning Ordinance states in Section 8.7.3 (b)(c) – Accessory Structures the following:

***“An accessory building or structure shall be located in the side (interior) yard or rear yard of the building.”***

***“An accessory building or structure shall not be located within five (5) feet of the side (interior) or rear property lines, except where no setback is required by the zoning district. Provided however, when the building or structure is located within the side yard, such building or structure shall not encroach into the side yard setback.”***

**Mr. Johnson** stated that the petitioner is proposing that the existing structure be located in the front yard and remain approximately 2 feet from the side yard property line. This is the reason for the 3-foot variance request. There are six (6) parcels adjacent to the property that have accessory structures that appear to encroach into the side yard setback.

**Mr. Johnson** informed the Board that he was unable to get a good picture of the area as much vegetation is on the property. But, as the Board can see from the picture shown on the screen, the shed encroaches the five yard setback requirement and covers about three feet of the side yard setback requirement.

**Mr. Johnson** reported that, based upon the review criteria and mitigating factors, staff recommends denial of the variance request for 308 Kensington Drive. He entertained questions from the Board.

**Mr. Plunk** asked Mr. Johnson if he said that the accessory structure is mostly covered by vegetation and this is why they do not have a good picture. How visible is the accessory structure from the street? Was the City Inspector driving through the neighborhood and saw the accessory structure, or was it reported to the City? If the accessory structure is fairly covered, how did it come before the Board if the property owners did not file this themselves?

**Mr. Johnson** explained that the accessory structure is not completely invisible from the roadway. It is approximately 30 percent to 40 percent visible from the road. As far as the City Inspector, Mr. Johnson said he does not know if someone called and reported this or whether the Inspector was driving through the neighborhood and saw the accessory building.

**Mr. Plunk** said several letters of support were received. Has any of the neighborhoods called in opposition of the accessory structure being there?

**Mr. Johnson** answered that staff has not received any letters of opposition.

**Mr. Hall** asked are they talking about more than one accessory structure.

**Mr. Johnson** stated that they are talking about one accessory structure.

**Mr. Hall** asked if the accessory structure is in the front yard.

**Mr. Johnson** replied that the accessory structure is in the front yard.

**Mr. Hall** stated that from the photos, the accessory structure does not appear to be in the front yard.

**Mr. Johnson** explained that the picture he is looking at, it appears that the accessory structure is just a "hair" past the principal structure and this is the reason the City Code Inspector cited the property owner.

**Mr. Hall** said, therefore, the accessory structure is only a few inches into the front yard.

**Mr. Johnson** answered "yes." It is less than a foot.

**Mr. Merriman** asked, for clarity, what makes this accessory structure in compliance? Is it because a few inches encroach past the principal structure and the fact that it is encroaching upon the five feet setback requirement? Otherwise, it would be okay?

**Mr. Condon** asked how big is the accessory structure?

**Mr. Johnson** stated that the petitioner could better answer the size question.

## **PETITIONER COMMENTS**

**The petitioners were sworn-in by Mr. Merriman at the beginning of the meeting.**

**Mrs. Laura Barrett and Mr. Joseph Newman** were present on behalf of the petition, **Mrs. Barrett** said the accessory structure is 9 1/2 feet x 15 feet. She gave the Board a copy of a picture of the accessory structure that she took yesterday. She stated that the photo shows the accessory structure's roofline relative to the principal dwelling. They have a carport that they are considering enclosing and showed the Board a picture of it, so they could get an idea where the accessory structure is placed. **Mrs. Barrett** said the accessory structure is not in the front yard; it is actually in their side yard.

**Mrs. Barrett** said she thought they were doing the correct thing. She called the President of the Kensington Park Neighborhood Association and was told by the President and a Board member that she just needed to keep the structure behind the carport. **Mrs. Barrett** said she asked her neighbors on the east side (Mr. & Mrs. Bielec) if they would object to her putting an accessory structure here and informed the neighbors that they would landscape the area to their satisfaction. She also told the neighbors that the structure may be a little over the property line. The neighbors told them that it was okay. These neighbors have sent the staff a letter supporting the accessory structure being there. **Mrs. Barrett** said they were also given a letter of support from their neighbors on the other side, Mr. & Mrs. Jennings.

**Mrs. Barrett** informed the Board that they used the highest quality of materials to build the accessory structure as they did not want to build something that would fall apart in five years. She did not do something that she thought was incorrect. She applied for a building permit. **Mrs. Barrett** respectfully requested that the Board approve their request.

## **PUBLIC COMMENTS**

None.

Letters of support were received from **Mr. & Mrs. Beclec of 310 Kensington Drive, Mr. & Mrs. Jennings of 306 Kensington Drive, and Ms. Pam Miller, President of the Neighborhood Association.**

## **BOARD DISCUSSION**

**Mr. Hall** said he appreciates the staff's diligence in this matter.

**Ms. Jones** asked what happens if the petitioner's request is denied?

**Mr. Merriman** explained that the structure would need to be removed or torn down.

**Mr. Johnson** pulled up the Google street review showing the structure. He said the structure is somewhat covered by vegetation and, therefore, it is not completely visible from the street.

**Mr. Merriman** entertained a motion.

### **Motion**

The Savannah Zoning Board of Appeals does hereby approve the front yard and side yard setback requirement for an existing accessory structure at 308 Kensington Drive.

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

Motion: Stephen Plunk

Second: Michael Condon

Stephen Merriman, Jr. - Abstain

Hunter Hall - Aye

Michael Condon - Aye

Stephen Plunk - Aye

Betty Jones - Aye

## **6. Variance Request I 203 West Anderson Street I 22-002535-ZBA**

📎 [Aerial Map.pdf](#)

📎 [Sanborn Map 1955.pdf](#)

📎 [Tax Map.pdf](#)

📎 [Lane.pdf](#)

📎 [Front.pdf](#)

📎 [Rear.pdf](#)

📎 [Site Plan.pdf](#)

📎 [Staff report.pdf](#)

**The petitioner was sworn-in by Mr. Merriman during the beginning of the meeting.**

**Mr. Jacquale Johnson** gave the staff report. The agent for the petitioner, Ellen Harris, is requesting a two (2) space parking variance from the two (2) space requirement for a proposed duplex. The applicant is proposing to construct a new over/under duplex on a vacant lot at 203 West Anderson Street.

**Mr. Johnson** stated that the subject property has frontage on 203 West Anderson Street and is zoned TN-1 (Traditional Neighborhood-1). It is 0.07 acres in size, with a lot width of 27 feet and is located in the Victorian Historic District. The Victorian Historic District consists primarily of single family detached residences, two family residences, and apartment buildings. The subject property is generally consistent with the development pattern in the area.

**Mr. Johnson** explained that 203 West Anderson Street is a 2,700 square foot existing vacant lot. The petitioner is proposing to construct a two-family residence (a duplex). The minimum space requirement for this district is one (1) parking space per unit. The applicant would be required to provide two off-street parking spaces. He explained that within the block face on the south side of Anderson Street, between Jefferson Street and Barnard Street, there are two (2) duplexes, one triplex, one single family residence, and an apartment building. Each of these structures, except the single-family home, have access to Anderson Lane to accommodate parking. The subject property does not have access to Anderson Lane. The development pattern in the Victorian Neighborhood and on the block of the subject property includes buildings that address the front property line. It is undesirable to set structures back from the property line in this neighborhood, which is what would be required to accommodate parking on a 27' wide lot.

**Mr. Johnson** reported that based upon the review criteria, staff recommends approval of the requested variance for 203 West Anderson Street. He entertained questions from the Board.

**Mr. Hall** asked if another property owner is able to build over the lane?

**Mr. Johnson** answered no. The lane does not go all the way through to this part of West Anderson Street.

**Mr. Plunk** asked if the petitioner needs a variance to build the two-family duplex?

**Mr. Johnson** answered yes; duplexes are allowed in the T-N-1 Traditional Neighborhood District.

**Mr. Condon** asked what is the minimum square footage of the lot required? He does not want the petitioner to be short of footage and then come back to the Board.

**Mr. Johnson** stated that the property is already nonconforming. Therefore, it is grandfathered.

**Mr. Condon** stated that T-N-1 allows for it; and it is grandfathered because of its historic size.

### **PETITIONER COMMENTS**

**Ms. Ellen Harris of Ethos Preservation** came forward and thanked the staff for their recommendation. Ms. Harris said as the Board sees, this property is unusual as the lane does not extend all the way through. It is only 27 feet wide, which makes it difficult to have a driveway off of Anderson Street. She does not know if a curb cut could get an approval here. They could push the building back, but this would disrupt the historic element pattern and then it would necessitate other variances that would be required. They feel that the two space parking variance would be consistent with other houses on the block. Ms. Harris thanked Mr. Condon for mentioning the minimum lot size. They did confirm that a duplex is allowed within this existing lot size. Ms. Harris entertained questions from the Board.

### **PUBLIC COMMENTS**

NONE.

### **BOARD DISCUSSION**

The majority of the Board was in agreement with the staff recommendation.

### **Motion**

The Savannah Zoning Board of Appeals does hereby approve the minimum parking requirement to construct a duplex at 203 West Anderson Street.

**Vote Results ( Approved )**

Motion: Stephen Plunk

Second: Betty Jones

Stephen Merriman, Jr. - Abstain

Hunter Hall - Nay

Michael Condon - Aye

Stephen Plunk - Aye

Betty Jones - Aye

[7. Variance Request I 2112 Iowa Street I 22-002532-ZBA](#)

📎 [Tax Map.pdf](#)

📎 [Aerial View.pdf](#)

📎 [Front.pdf](#)

📎 [Left Front.pdf](#)

📎 [Rear Left.pdf](#)

📎 [Rear Right.pdf](#)

📎 [Rear.pdf](#)

📎 [Right Front.pdf](#)

📎 [Proposed Building Elevation.pdf](#)

📎 [Iowa Street Floor Plan for ZBA.pdf](#)

📎 [Staff report.pdf](#)

**The petitioner and others wishing to speak on this request were sworn-in by Mr. Merriman at the beginning of the meeting.**

**Mr. Jacquale Johnson** gave the staff report. The petitioner, Nathaniel Watson, is requesting four (4) variances for the property at 2112 Iowa Street:

- Proposed Lot A: A 10-foot lot width variance from the 60-foot lot width requirement.  
A 583 square foot lot area variance from the 6,000 square foot requirement
- Proposed Lot B: A 10-foot lot width variance from the 60-foot lot width requirement.  
A 602 square foot lot area variance from the 6,000 square foot requirement

**Mr. Johnson** stated that the subject property has frontage on 2112 Iowa Street and is located in the RSF-6 (Residential Single Family-6) zoning district. The subject property is 0.25 acres in size, has a lot width of 100 feet, and is located in the East Savannah neighborhood. The East Savannah neighborhood consists primarily of single family detached residences, two family residences, and apartment buildings. The proposed lot width is generally consistent with this pattern. He explained that within the block face of Iowa Street, between Long and Treat Avenue, there are twelve (12) parcels with a 50-foot lot width.. The petitioner desires to demolish the existing structure and subdivide the 100-foot lot into two (2) 50-foot lots. Both lots would not meet the minimum lot width and size requirement for the RSF-6 district zoning regulation. In addition, the applicant would be required to provide one off-street parking space for each

new dwelling unit. Relative to the lot width and area requirements for RSF-6, the Zoning Ordinance states in Section 5.7.4 – Development Standards for Permitted Housing Types: “**The minimum lot width for RSF-6 of 60 feet and lot area of 6,000 sq feet.**”

**Mr. Johnson** reported that based upon the review criteria, staff recommends approval of the requested variances for 2112 Iowa Street. He entertained questions from the Board.

### **PETITIONER COMMENTS**

**Mrs. Charletta Wilson-Jacks** came forward and stated that she is the petitioner's sister. **Mr. Nathaniel Watson**, petitioner, thanked the Board and staff for hearing their petition.

**Mrs. Wilson-Jacks** stated that they are excited about the opportunity to further stabilize this neighborhood. Both she and her brother were reared in Savannah. They believe in solid community development. They are also excited about the fact that they are putting back in place lots that actually mirror the existing lot pattern in the neighborhood. Ms. Wilson-Jacks asked the Board to approve their request.

**Ms. Jones** asked the petitioners if this would be affordable housing.

**Mrs. Wilson-Jacks** explained that she comes with a background in professional planning and one of the things that she is finding in her profession is that there is a lack of affordability; not only in housing, but housing for the workforce population. Their aim is to provide affordable housing, as they recognize that this is one of the major problems facing cities today.

### **PUBLIC COMMENTS**

**Mr. Adrian Hamilton** came forward and stated that he, along with his wife, are the residents that live at 2116 Iowa Street. Mr. Hamilton explained they received the notification letter regarding this hearing and came to voice their concerns. Mr. Hamilton stated that Ms. Wilson-Jacks said they want to revitalize the neighborhood. However, building more housing on an already tight street does not revitalize the neighborhood. You may put more people in a neighborhood, but that is not revitalizing it. Revitalizing the area is to give people the opportunity to own the home. But, renters is one of the problems they have presently on Iowa Street. He and his wife are owners. They fight hard to try to keep the neighborhood clean, etc. Every time a new house is built in their area, it becomes rental property.

**Mr. Hamilton** explained that the last time 2112 Iowa Street was occupied, a shooting occurred. Two houses down the street, a shooting was there. All of these were people who owned the property, but they moved out, and rented the properties. They are fighting to keep their area safe and clean, and they will do so every day. By adding more rental properties to a neighborhood that they are trying to bring together, will only create more grief. Parking is already a problem in their neighborhood. If you come on Long Street and turn onto Iowa Street, you have a tight problem trying to pass all the cars parked on Long Street. Every time something is added that does not better the neighborhood, all they are doing is adding more to their problem. They have nothing against anybody who wants to build or upgrade the housing that is presently here. They know who the house belongs to, but when you start adding, encroaching, and making it smaller and smaller, everything becomes overcrowded.

**Mr. Hamilton** said when the houses on Pennsylvania Avenue were built, they had the same problem. The old apartments were demolished and new apartments were build. But, as soon as the new apartments were built, the same old problem came back. Therefore, they are dealing with more houses and more apartments. Consequently, they feel that the problem is being taken off Long Street and being put on Iowa Street. This is an overcrowded process. It appears that the renters do not care about the neighborhood. This is not just the concern of his wife and he, but the entire neighborhood. Mr. Hamilton said he goes up and down Iowa Street and talks with the neighbors. Their biggest problem is when you have people who do not care about the neighborhood, you will have problems. People who take pride in their neighborhood will keep it clean. Putting more houses in their area will not improve the well-being of their neighborhood. Last year, 37 gun shells were removed from his yard because the neighbors who were renting were fighting each other with guns.

**Mr. Hamilton** explained that many people in this neighborhood want to move because the area is actually getting worse. It is because more population has been added. The apartments that were in their area were all one floor. Now, the apartment floors and population have tripled. They need to take a look at safety before they try to put more houses here.



**Mrs. Wilson-Jacks**, in response to the public comments, said they want Mr. Hamilton to understand that they are committed to home ownership. She knows exactly how Mr. Hamilton feels because the same thing is happening in her neighborhood and also in her 90-year old mother's neighborhood. You can only change the neighborhood when you stabilize the neighborhood with homeowners. Just as she responded to Ms. Jones when she asked about the type of housing, it is vacant so that those who are in the workforce can come into a home and begin to stabilize it. Mrs. Wilson-Jacks agreed with Mr. Hamilton that when there are renters, there is no investment or commitment to the environment that they are in; but, their commitment is to stabilize the neighborhood; to be sure that it is focused on homeownership. They, as people who are committed to this in their own personal lives, can assure them that when you bring in these types of owners they begin to have that investment and they understand that they have to change the neighborhood. Mrs. Wilson-Jacks promised Mr. Hamilton that her family will be right there with him. She wanted Mr. Hamilton to understand that they must deal with the environmental issues, crime and trash. She said this comes from those persons who own the property and will take pride and value in being homeowners. She realizes that renters do not have this type of pride as they go from place to place. Consequently, she wanted Mr. Hamilton to know that she sympathizes and empathizes with him because, as she foresaid, she and her mother are going through the same problems in their neighborhood. But, you can only change these conditions when you are invested in the neighborhood.

**Ms. Jones** asked Mrs. Wilson-Jacks if she was saying that the homes will be for home ownership?

**Mrs. Wilson-Jacks** answered "absolutely." They are not in the business of home rental, they are in the business of home ownership. This is what they are promoting. When the question was asked about affordable housing, it is more for workforce housing because they know that even government employees sometimes cannot afford housing. They all know what is going on now with the housing market. Therefore, their commitment is with home ownership. It is not for rental. She thanked the Board for its consideration.

**Mr. Lotson** explained that he appreciates the public comments; this is the reason that they do the public notices, advertisement, etc. so that the people in the neighborhoods can participate in these hearings. But, he just wanted to put on the record, that in terms of the staff's position on this petition and their review of the request, he wanted to make it clear that staff's review is based primarily on the review criteria of the Zoning Ordinance from the standpoint of the proposed subdivision, as well as the development pattern in the neighborhood. He believes all the points that were made were valid, but are somewhat outside of the staff's purview. Mr. Lotson just wanted to make it clear for the audience and the Board, that staff's position in terms of their recommendations are based on the findings that are outlined in the staff report.

**Mr. Merriman** said he agrees with Mr. Lotson's comments. He is sympathetic to all the comments that were made. However, the Board has to keep its discussion and considerations in line with the criteria for the variances that are before them.

**Mr. Watson** explained the reason he bought the property is because the owner, Mrs. Ernestine Robinson, explained to him that she always had problems with renters and she decided that she could not handle it any longer. Mrs. Robinson sold the property to him; and he explained to Mrs. Robinson that he was not going to rent the property. He purchased the property with the intent of building affordable housing and sell them as such. Mr. Watson said he understands Mr. Hamilton's concern, but they will not rent the homes; they will build and sell the homes for homeownership and move on to another project.

**Mr. Hall** asked Mr. Watson if they currently manage any rental property?

**Mr. Watson** answered that they have a family house that he was reared in on Victory Drive. His mother has rented the property since the family moved; he is the property manager and takes care of it. Other than this property, they have no other rented property.

## **BOARD DISCUSSION**

The Board understood the public concerns, but they have no purview over the concerns that were voiced. Therefore, they were in agreement with the staff recommendation.

### **Motion**

The Savannah Zoning Board of Appeals does hereby approve the minimum lot width and lot area to subdivide

and construct two single family residences at 2112 Iowa Street.

**Vote Results ( Approved )**

Motion: Michael Condon

Second: Stephen Plunk

Stephen Merriman, Jr. - Abstain

Hunter Hall - Aye

Michael Condon - Aye

Stephen Plunk - Aye

Betty Jones - Abstain

**XI. Other Business**

**XII. Adjournment**

8. Adjourned

There being no further business to come before the Board, Mr. Merriman adjourned the meeting at approximately 10:55 a.m.

Respectfully Submitted,

Marcus Lotson  
Development Services Director

ML:mem

*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.*