



City of Savannah Zoning Board of Appeals

Arthur A. Mendonsa Hearing Room
January 30, 2024 10:00 a.m.
Preliminary Meeting Minutes

JANUARY 30, 2024 CITY OF SAVANNAH ZONING BOARD OF APPEALS SPECIAL CALLED MEETING

Members Present: Stephen Merriman, Jr., Chair
Michael Condon, Vice Chair
Karen Jarrett
Betty Jones
Stephen Plunk
Armand Turner

MPC Staff Present: Pamela Everett, Esq., Assistant Executive Director, Compliance & Operations
Edward Morrow, Development Services Director
Mary E. Mitchell, Administrative Assistant
Hind Patel, IT Helpdesk & Support

I. Call to Order and Welcome

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

NOTE: The Chair, Mr. Stephen Merriman, Jr., does not vote unless there is a tie.

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 were asked to please sign in. They were sworn in by Mr. Merriman. He explained that 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.

The Invocation was given by Mr. Merriman. The Pledge of Allegiance was recited in unison.

II. Invocation and Pledge of Allegiance

III. Notices, Proclamations and Acknowledgements

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

V. Item(s) Requested to be Withdrawn

VI. Approval of Minutes

VII. Approval of Final Agenda

VIII. Consent Agenda

IX. Old Business

2. Bond Establishment - 336 Barnard Street

Mr. Merriman asked Mr. Morrow to give the Staff report for 336 Barnard Street for the Bond Establishment.

Mr. Morrow explained that he would provide a brief background of the history and that Ms. Bolger would speak on the procedural matter that is in question today. He stated that this matter came about regarding a petition that was filed by Mr. Andrew Jones, acting as agent for Ms. Anna Habersham Wright regarding Case 22-006005-ZBA for work to be done at 336 Barnard Street. The hearing was heard before the Savannah Zoning Board of Appeals on January 26, 2023.

Mr. Morrow said the Petitioner, Mr. Andrew Jones is appealing the September 14, 2022, COA that was issued by the Savannah Metropolitan Planning Commission Historic Preservation Staff and the Historic District Board of Review. He provided a brief synopsis of the timeline of events in this case. On August 12, 2022, the Architect, Christian Sottile, for the property at 336 Barnard Street requested an interpretation of the Zoning Ordinance regarding the location of the building's primary residence with regards to the requirements of a particular section of Article 7 in the Zoning Ordinance. On September 14, 2022, the Historic District Board of Review (HDBR) approved a Certificate of Appropriateness (COA) for the request for new construction for a single-family residence at 336 Barnard Street. Two days later, on September 16, 2022, Mr. Jones, Agent for 120 West Jones LLC, applied for an appeal of 22-003805-ZCL which was a Zoning Certification Letter appealing the Zoning Administrator's determination based on Section 7.8 and subsection of the Zoning Ordinance which exempts those parcels that cannot locate their primary entrance on the east/west street from this particular requirement. On October 12, 2022, Mr. Jones, Agent for Ms. Anna Habersham Wright, applied to appeal the COA granted to 336 Barnard Street by the HDBR. He alleged at that time that the Metropolitan Planning Commission and the Board did not properly apply the Standards of the Department of Interior or the City of Savannah Code of Ordinances.

Mr. Morrow stated that on October 27, 2022, Mr. Andrew Jones, Agent, for 120 West Jones, LLC appeal was presented to the Savannah Zoning Board of Appeals (SZBA) regarding the Zoning Administrator's determination. The SZBA voted to approve the appeal of the Zoning Administrator's Zoning Confirmation Letter upholding that decision and directed that the item revert to the Savannah Downtown Historic District Board of Review. On December 14, 2022, the Savannah Downtown Historic District Board of Review reviewed 336 Barnard Street for a special exception to allow the main entrance to face Barnard Street. Then on January 10, 2023, Mr. Andrew Jones, Agent for Ms. Anna Habersham Wright, applied to appeal the December 14, 2022, HDBR's approval of a Special Exception for the property located at 336 Barnard Street. The Special Exception was approved to allow for the new building on the site to construct its main entrance facing the north/south street. Mr. Morrow said this brings them to today where Mr. Jones has further appealed the decision of the SZBA to deny his appeal to overturn that decision.

Mr. Morrow invited Ms. Bolger to make comments about the setting of a bond in relation to this case.

Ms. Bolger was online. She said as a part of the appeal process, the Appellant is required to post a bond to cover cost. Cost does not include attorney's fees. It covers court cost of the opposing party. They are also required to have the bond amount approved by the lower tribunal who made the decision. Therefore, in this case, this would be the SZBA. Mr. Andrews has posted a bond in the amount of \$2,000.00, which is sufficient to cover the cost since that does not include attorney fees. The costs of the City and the SZBA would be minimal in this case. Therefore, she is recommending that the \$2,000.00 bond be approved as it would be sufficient to cover costs.

Mr. Merriman explained that for those who do not know, Ms. Bolger has been hired by the City to represent the SZBA. Therefore, she is their attorney. Mr. Merriman asked Ms. Bolger if she wanted to make any more comments.

Ms. Bolger said no; she believes this covers it. She entertained questions from the Board.

Mr. Merriman asked Mr. Jones if he had any comments.

Mr. Jones answered yes. Mr. Jones said they had the bond since last year. Any approval given will include 2024 upon its renewal.

Mr. Merriman entertained a motion as there were no further comments.

Motion

The Savannah Zoning Board of Appeals does hereby approve the bond in the amount of \$2,000.00 and approve its renewal when it comes due.

Vote Results (Approved)

Motion: Stephen Plunk

Second: Betty Jones

Stephen Merriman, Jr. - Abstain

Karen Jarrett - Aye

Michael Condon - Aye

Larry Evans - Not Present

Stephen Plunk - Aye

Betty Jones - Aye

Armand Turner - Aye

X. Regular Agenda

XI. Other Business

XII. Adjournment

[3. Adjourned](#)

There being no further business to come before the Board, Mr. Merriman adjourned the meeting at 10:25 a.m.

Respectfully Submitted,

Edward Morrow, Director
Development Services

ED: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.