

SAVANNAH ZONING BOARD OF APPEALS

MPC STAFF REPORT

PETITIONER: GARY RAWLINSON & CHRISTINE WACTA
405 WEST 37TH STREET
SAVANNAH, GA 31401

FILE NO: B-120328-41618-2

ADDRESS: 421 WEST 37TH STREET

DATE: APRIL 24, 2012

Nature of Request

The petitioners, Christine Wacta and Gary Rawlinson, are requesting approval of a 12.66 foot front setback variance in order to reconstruct a porch that was part of the historic building.

Findings

1. The subject property is a conforming 7,300 square foot lot of record located at 421 West 37th Street and comprising a two story residential structure.
2. The property is zoned R-B (Residential Business).
3. The petitioners have removed a dilapidated porch from the residential structure as part of a building renovation project.
4. The former porch encroached into the front building setback by 12.66 feet.
5. The petitioners are requesting a building setback variance of 12.66 feet in order to reconstruct the porch in the same footprint.
6. The Zoning Board of Appeals may authorize a variance in an individual case upon a finding that:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.
There are no extraordinary or exceptional conditions pertaining to the property in question.
 - (b) The application of this chapter to this particular piece of property would create an unnecessary hardship.
The application of this chapter to this particular piece of property would

prevent the restoration of the residential structure to its historic condition.

- (c) Such conditions are peculiar to the particular piece of property involved.
Such conditions are not peculiar to the particular piece of property involved.
- (d) Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the Savannah Zoning Ordinance.
Relief, if granted, would not cause substantial detriment to the public good.

Staff Recommendation

Although the subject property is not in a historic district (being between the Cuyler-Brownsville and Mid-City historic districts), the structure itself predates zoning. The original structure on the site encroached on the front setback established by zoning throughout its existence, prior to the removal of the porch as part of a renovation effort. The encroachment is equal to the encroachment by other buildings in the immediate vicinity.

Staff recommends **approval** of the requested setback variance.