



CHATHAM COUNTY ZONING BOARD OF APPEALS

MPC STAFF REPORT

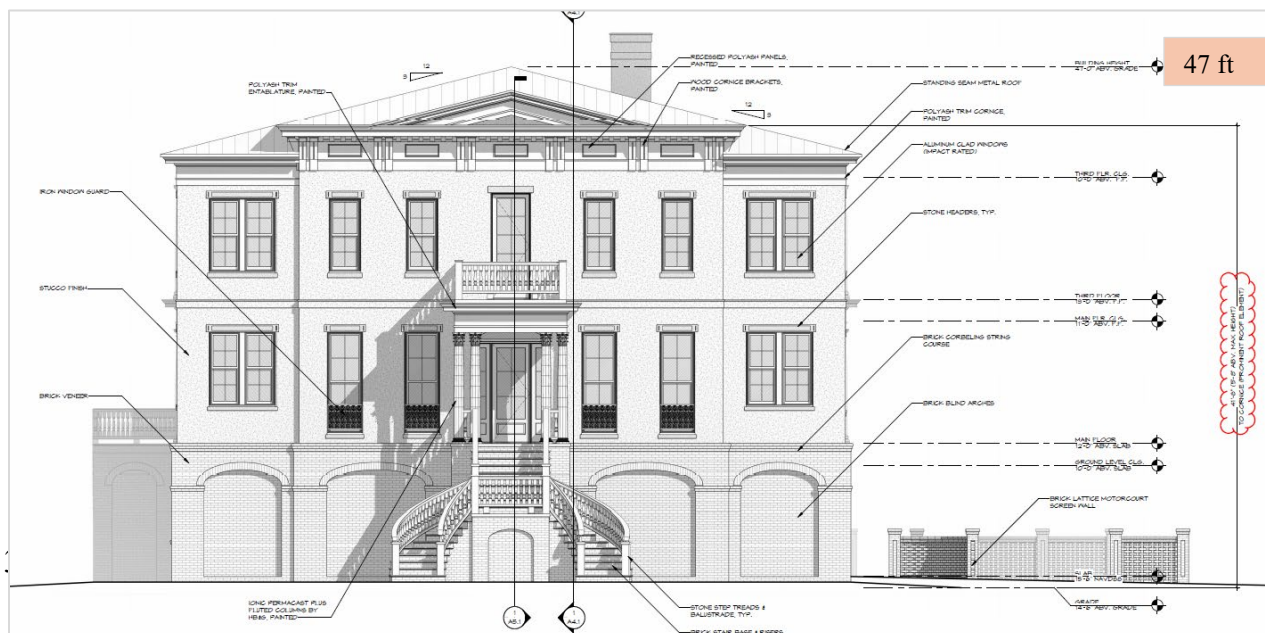
PETITIONER: Ryan Claus, Five Quarter Architecture
FILE NO: ZBA-1225-000593
ADDRESS: 3 Modena Way
DATE: January 27, 2026

Nature of Request

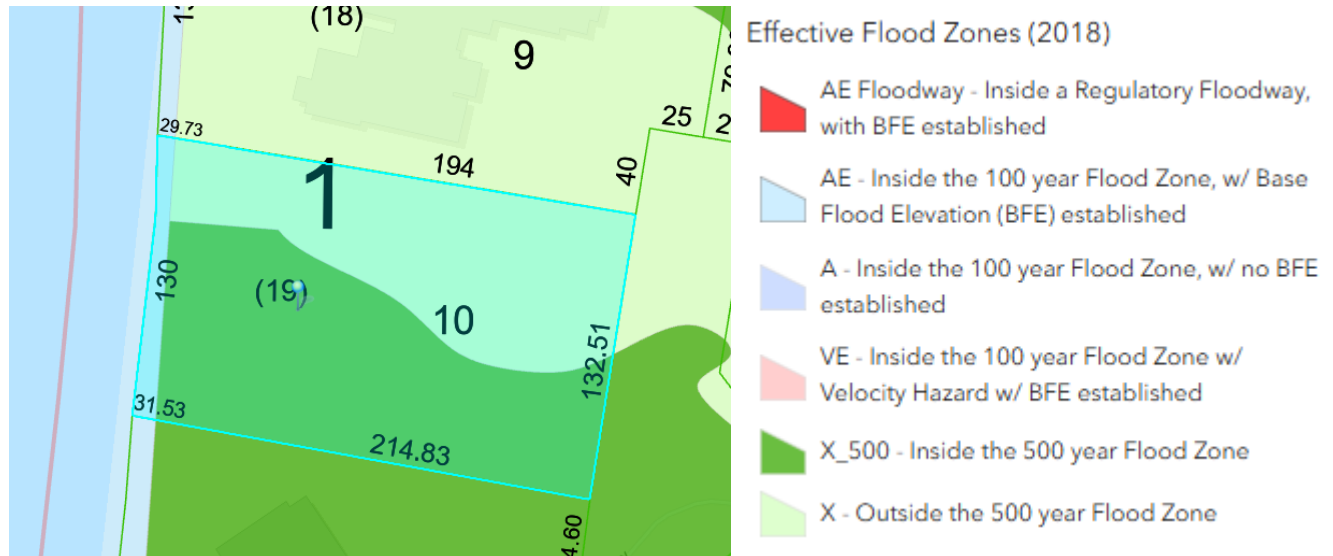
The petitioner is requesting approval of an eleven (11) foot height variance from the 36 foot maximum height allowed by Section 4-6.1 of the Chatham County Zoning Ordinance in order to construct a single family residence with a height of 47 feet to the roof top. The subject property, located at 3 Modena Way, is zoned R-1/EO (One-Family Residential/Environmental Overlay).

Findings

1. Development standards for the R-1 zoning district, where dwellings are served by public water and private wastewater systems, require a minimum lot width of 75 feet and a minimum lot area of 15,000 square feet. The subject parcel is currently vacant and contains approximately 27,820 square feet, with an approximate width of 132 feet and depth of 194 feet (SAGIS and Chatham County Tax Assessor).
2. The proposed development consists of a single-family residence with a building footprint of approximately 4,055 square feet. The proposal complies with all applicable setback requirements; however, the proposed building height of 47 feet exceeds the maximum permitted height of 36 feet. The proposed increase of height is based on the chosen design for the building.



4. The subject property is located primarily within the 500-year floodplain, with a small portion adjacent to the marsh falling within the 100-year floodplain. The proposed development does not encroach into the 100-year floodplain or any applicable state or local buffer areas. Since the proposed use is a single-family residence, the floodplain ordinance does not require additional regulations for development within the 500-year floodplain.



Effective flood zones

5. In accordance with Section 10-6.3 of the Chatham County Zoning Ordinance, the Board of Appeals may authorize upon appeal in specific cases such variance from the terms of the regulations as will not be contrary to the public interest where owing to special conditions, a literal enforcement of the provisions will, in an individual case, result in unnecessary hardship, so that the spirit of the regulations will be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in an individual case upon a finding by the Board of Appeals 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 conditions related to the size, shape, or topography of the property, which is considered a standard parcel within the zoning district and meets the minimum lot area and width requirements.

- a. **The application of these regulations to this particular piece of property would create an unnecessary hardship.**

Application of the regulations of the Zoning Ordinance would not create unnecessary hardship.

b. Such conditions are peculiar to the particular piece of property involved.

The conditions described above are not peculiar to the particular piece of property involved.

c. 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 likely cause detriment to the public good or impair the purposes of the Ordinance.

Recommendation

Because the requested variance does not constitute a hardship under the variance criteria, MPC staff recommend **denial** of the petitioner's request for an eleven-foot height variance from the maximum permitted height.