



CITY OF SAVANNAH

HISTORIC PRESERVATION COMMISSION

REQUEST FOR CERTIFICATE OF APPROPRIATENESS

Petitioner: Christine Wacta
MPC File No.: 26-002683--COA
Address: 405 West 37th Street
PIN: 20073 12009
Zoning: TN-2
Staff Reviewer: Alexander Merced
Date: June 24, 2026

NATURE OF REQUEST:

The applicant would like to rehabilitate and convert the existing detached accessory structure –a single-story garage- into an Accessory Dwelling Unit behind the main house at 405 West 37th Street.

The applicant is also requesting a variance for the standard that reads:

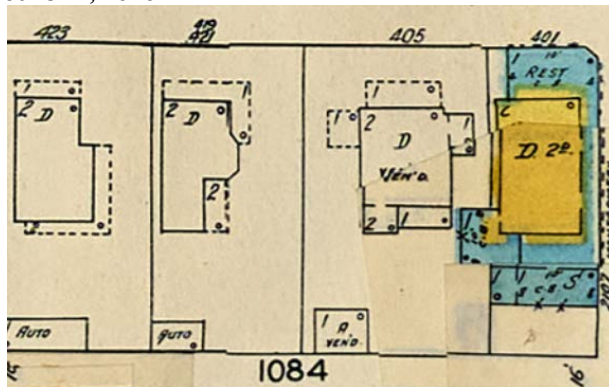
*Side yard setbacks for new accessory structures shall be a minimum of three (3) feet.
[Sec. 7.11.10.xiii.7]*

To allow for 12” eaves that encroach into the 3’ setback area.

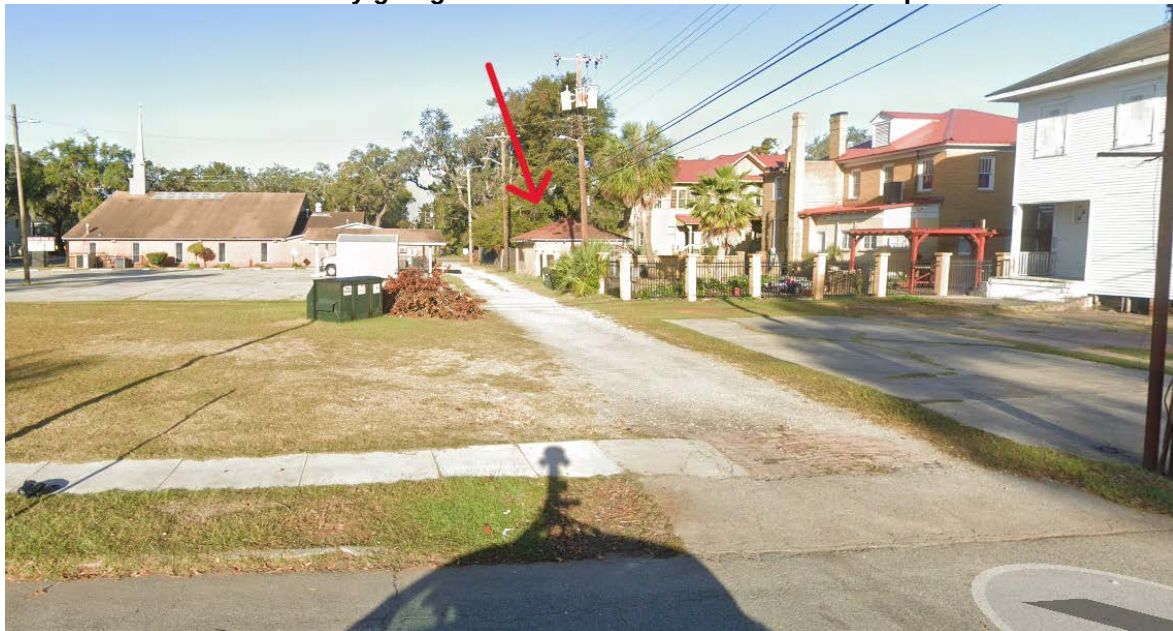
CONTEXT/SURROUNDING AREA:

The main building was constructed in 1920 and is a contributing resource within the Thomas Square-Streetcar National Register Historic District and the local Streetcar Historic District, while the garage was likely constructed around the same time but is listed as non-contributing. It sits on a small block of only three houses, all of which are contributors. Across the lane lies the parking lot of a non-contributing church, and, save from a car port attached to the church, there are no other accessory structures on the lane. Google street view images appear to show the garage has been boarded up since at least 2022.

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1. 405 W 37th and accessory garage as shown on the 1955 Sanborn Map



2. View looking west down the lane, red arrow showing subject structure



3. View looking east down the lane with the non-contributing church on the right

FINDINGS:

The following standards from the Sec 3.21.10 Variance Criteria apply:

Variance Criteria.

Criteria for Approval. The responsible review authority shall make a finding that the variance criteria does comply or does not comply with each individual criterion provided below. The Zoning Board of Appeals shall consider the criteria below when determining whether a variance shall be provided:

General Consistency. The variance shall be consistent with the intent of this Ordinance and the Comprehensive Plan, and shall not be injurious to the neighborhood or otherwise detrimental to the public health, safety or welfare.

The proliferation of accessory dwelling units is referenced in the Comprehensive Plan as a strategy to increase small-scale housing options within established neighborhoods. This variance will not be injurious to the neighborhood or detrimental to public health, safety, or welfare.

Special Conditions.

Special conditions and/or circumstances exist which are peculiar to the land, buildings or structures involved and which are not applicable to other lands, buildings or structures in the same zoning district.

The special conditions and/or circumstances do not result from the actions of the applicant.

The special condition arises from the Streetcar District side yard setback requirement for accessory structures (3 feet) conflicting with the Streetcar District eaves requirement of no less than 12 inches. The owner fulfilling the eaves requirement will necessitate an encroachment of 10 inches into the setback requirement, and as the current legally nonconforming structure eaves encroach 14 inches, this is actually an improvement. Because this structure was in place well before the current owner and the introduction of the HPC and Streetcar historic ordinance in 2019, this is not a result of the actions of the applicant. Both above criteria are met.

The special conditions and/or circumstances are not purely financial in nature so as to allow the applicant to use the land, buildings or structures involved more profitably or to save money.

The variance does not enable additional building area, additional floors, or additional density, only the architectural compliance of the eave detail. Furthermore, the applicant is proposing this ADU as living space to accommodate her elderly mother. The criterion is met.

Literal Interpretation. Literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Ordinance and would result in unreasonable hardship on the applicant.

Literal interpretation of the 3-foot eave setback requirement, applied to this specific pre-existing site condition, would deprive the applicant of the right to rehabilitate an existing accessory structure with code-compliant eaves — a right commonly enjoyed by property owners in the same Zoning District whose structures sit further from property lines. The result would be unnecessary and undue hardship, forcing the applicant to choose between two conflicting code requirements where neither choice serves the public interest.

Minimum Variance. The variance, if granted, shall be the minimum variance necessary to make possible the reasonable use of land, buildings, or structures.

The relief requested is the minimum necessary to make rehabilitation feasible. The applicant has voluntarily reduced the eave depth from the existing 16 inches to a proposed 12 inches — 4 inches less than the existing dimension. This proactive reduction pulls each eave 4 inches further from the property line: from 24 inches to 28 inches on the south (lane) elevation, and from 22 inches to 26 inches on the west elevation. The applicant has thereby unilaterally reduced the existing 12-inch nonconformity on the south to 8 inches, and the existing 14-inch nonconformity on the west to 10 inches. Further reduction is not feasible. The HPC Design Standards establish 8 inches as the minimum eave depth; reducing the eave to 8 inches would still produce a 4-inch nonconformity on the south elevation and a 6-inch nonconformity on the west and would compromise the historic carriage-house proportions the Design Standards are intended to preserve. The proposed 12-inch dimension is therefore a reasoned middle ground between architectural integrity and the goal of conformity — not a maximum convenient to the applicant. The 40-inch and 38-inch structure offsets are fixed and cannot be altered. The relief requested is,

in real terms, the minimum that allows the rehabilitation to proceed while satisfying both the Design Standards and a reasonable architectural treatment of the historic accessory structure.

Special Privilege Not Granted. The variance shall not confer on the applicant's property any special privilege that is denied by this Ordinance to other lands, buildings or structures in the same zoning district.

The variance, if granted, places the applicant on equal footing with other property owners in similar circumstances, not in a position of advantage. Other comparable eave- and accessory-setback variances in the same and adjacent zoning districts have been granted, and, given the existing conditions, granting this variance would not constitute any special privilege.

The following standards from the Sec 7.11 - Streetcar Historic District Ordinance apply:

Secretary of the Interior's Standards and Guidelines for Rehabilitation. Material changes to contributing resources and resources that are eligible for listing as contributing shall be evaluated by use of the current edition of the Secretary of the Interior's Standards and Guidelines for Rehabilitation as published by the U.S. Department of the Interior. In considering proposals for alterations to contributing resources, the documented original design of the resource may be considered.

Secretary of the Interior's Standards 2- Historic Character. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

The contributing main house will remain untouched. The garage proposed for alteration is non-contributing, and the alteration itself will not affect the historic character of the main house. The standard is met.

Visual Compatibility Criteria. To maintain the special character of the Streetcar Historic District as identified in the architectural survey and visual analysis, new construction and any material change in appearance shall be consistent with the standards, criteria and guidelines developed for the district. The applicable criteria below shall be used to assess new construction and material changes. These criteria shall not be the basis for appeal to any board, commission or administrator described in this Ordinance, or to the Mayor and Aldermen.

Height. The overall height and the height of individual components of the proposed building or structure shall be visually compatible with contributing buildings and structures to which it is visually related.

There are no other contributing structures on the lane, and the proposed work will meet the height requirements and remain visually compatible with the surrounding contributing houses.

Scale. The overall scale and the scale of individual components of the proposed building or structure shall be visually compatible to the contributing buildings and structures to which it is visually related.

The scale of the ADU will remain in harmony with the surrounding contributing houses. The standard is met.

Setbacks. The setbacks of the proposed building or structure shall be visually compatible with setbacks of contributing buildings and structures to which it is visually related.

As stated previously, the eaves of the proposed building will encroach into the required setbacks, and for this the applicant is applying for a variance.

Materials. *The relationship of materials and textures of the proposed building or structure shall be visually compatible with the contributing buildings and structures to which it is visually related.*

Approved materials will be used that are visually compatible with the surrounding contributing houses. The standard is met.

Roof Shapes. *The roof shape of the proposed building or structure shall be visually compatible with contributing buildings and structures to which it is visually related.*

The applicant is open to retaining the same roof shape as the garage has currently. The standard is met.

Streetcar Historic District Design Standards.

New Construction, Additions, and Alterations. The intent of these standards is to ensure appropriate new construction, additions, and alterations within the Streetcar Historic District. They are not intended to promote copies of the architectural designs of the past, but to encourage contemporary designs that protect and complement existing contributing resources. They are further intended to protect the historic integrity of the contributing resource.

The following design standards shall apply to new construction, additions, alterations to contributing and non-contributing resources, and site alterations, unless otherwise specified. Though certain building materials are prescribed below, the Historic Preservation Commission may approve alternative materials that are not listed as prohibited upon a showing by the applicant that the material or product is visually compatible with historic building materials and has performed satisfactorily in the local climate.

Height and Mass. *The intent of these standards is to ensure that the height and mass are in context with contributing buildings in the same or adjacent block faces.*

The height and mass shall be subdivided both horizontally and vertically to convey human scale and visual interest that reflects the traditional size of buildings.

As no other contributing accessory structures exist on the lane, both of the above standards are met.

Exterior walls, New construction, alterations to non-contributing resources, and additions.

Permitted materials, Exterior walls, New construction, alterations to non-contributing resources, and additions. *Brick, stone, wood, true stucco, and wood or fiber cement siding.*

The exterior walls will be constructed of wood lap siding. The standard is met.

Prohibited materials, Exterior walls, New construction, alterations to non-contributing resources, and additions. *Vinyl siding, aluminum siding, rolled asphalt, EIFS, one-part stucco over insulation and/or wood or metal framing, T-111, corrugated metal, and unpainted exposed CMU blocks.*

The standard is met.

Windows, New construction, alterations to non-contributing resources, and additions.

Materials, Windows, New construction, alterations to non-contributing resources, and additions.

Window casings and sashes shall be made of PVC, metal, wood or clad wood material.

Andersen 400 Series windows will be used, which are made of clad wood and are approved in the historic districts. The standard is met.

Window glass shall be transparent with no dark tints or reflective effects (except for stained glass windows). This provision does not preclude the use of Low Emissivity or laminated glass.

Solid vinyl windows are prohibited.

Each of the above standards are met.

Configuration, Windows, New construction, alterations to non-contributing resources, and additions.

Windows shall be taller than they are wide, except for accent windows, which may be round or other shapes.

All windows meet the standard except for one on the rear façade. Staff recommends this window be adjusted to meet the standard.

Windows shall be single-hung, double-hung, triple hung, awning, or casement, except for accent windows which may also be fixed or hopper.

The windows will be single-hung. The standard is met.

Framing members shall be covered with appropriate trim; trim shall feature a header, surrounds, and pronounced sill where appropriate.

The standard is met.

Window sashes shall be inset a minimum of three (3) inches from the façade of a building, except for wood frame buildings.

The ADU extension will be wood frame. The standard does not apply.

All residential facades visible from a street shall incorporate transparent features (windows and doors) over a minimum of 30% of the ground floor façade.

Retail uses shall incorporate transparent features (windows and doors) over a minimum of 70% of the ground floor façade.

All other nonresidential facades shall incorporate transparent features (windows and doors) over a minimum of 50% of the ground floor façade.

The ADU is being extended vertically from the existing garage, so there will be no new ground floor. Therefore, the above standards do not apply.

Doors/Entrances, New construction, alterations to non-contributing resources and additions.

Doors/Entrances, Materials, New construction, alterations to non-contributing resources and additions.

Doors shall be made of glass, wood, clad wood or steel (without wood grain simulation).

Doors shall not have a decorative diamond inset or half-moon inset.

The door will be made of wood and will not have a diamond or half-moon inset. The standard is met.

Doors/Entrances, Configuration, New construction, alterations to non-contributing resources and additions.

Entrances shall face the primary street on which the building is located (normally the street from which it takes its address).

The standard is met.

Porches, Stoops, Balconies and Decks, New construction, alterations to non-contributing resources and additions. Front porches or covered or uncovered stoops shall be required on all entrances for new ground floor residential construction.

Materials, Porches, Stoops, Balconies and Decks, New construction, alterations to non-contributing resources and additions.

Porch elements shall be constructed of brick, painted or stained wood, wood composite, precast stone, marble, sandstone, or slate.

Prohibited material: Vinyl.

The deck, railing, and stairs will be made of wood, and altogether will extend 7'11" from the front face of the ADU

Configuration, Porches, Stoops, Balconies and Decks, New construction, alterations to non-contributing resources and additions.

Wood portico posts shall have cap and base molding.

The standard is met

Balusters shall be placed between upper and lower rails, and the distances between balusters shall not exceed four (4) inches on center. The height of the railing shall not exceed 36 inches for single- and two-family dwelling units.

The railing will be 36 inches tall with 2x2 balusters at 4 inches on center. The standard is met.

Roof, New construction, alterations to non-contributing resources and additions.

Roof, Materials, New construction, alterations to non-contributing resources and additions.

Roof coverings shall be standing seam metal, v-crimp, slate or equivalent synthetic, or architectural asphalt or similar shingles.

The roof will be made of architectural shingles. The standard is met.

Roof, Configuration, New construction, alterations to non-contributing resources and additions.

Gable and hip roof shall be symmetrically pitched between 4:12 and 10:12.

The applicant has indicated that she is open to either a gable or hipped roof. Staff recommends using a hipped roof pitched within the allowable range in order to maintain the same roof shape as the existing structure.

Gable end rakes shall overhang at least eight (8) inches.

Eaves and rakes on accessory buildings and dormers shall overhang at least eight (8) inches.

Soffits shall be placed perpendicular to the building wall, not sloping in plane with the roof (except for gable end rakes).

The proposed eaves will be 12 inches, which is 4 inches shorter than the existing 16 inch eaves that are already on the garage. The above standards are met.

Additions. *In addition to compliance with the Visual Compatibility Criteria and the Victorian Historic District Design Standards, additions to contributing resources shall also comply with the Secretary of the Interior's Standards and Guidelines for Rehabilitation and the following standards:*

Additions shall be subordinate in mass and height to the resource.

The addition will be subordinate in mass and height to the principal structure. It will be 24'1" tall. The main house is 31'3" tall. The standard is met.

Additions shall not obscure any character-defining features.

The standard is met.

Additions shall not be on the primary or front façade of the resource.

The addition will be above the existing garage in the rear yard of the property. The standard is met.

Accessory Structures. *(including garages, carports and accessory dwellings units, excluding fuel canopies). In addition to compliance with the Visual Compatibility Criteria and the Victorian Historic District Design Standards, accessory structures shall also comply with the requirements set forth in Sec. 8.7, Accessory Structures and Uses, and the following standards:*

New accessory structures shall be located in the rear yard.

The standard is met.

New accessory structures shall be in scale with other contributing accessory structures on the lane.

There are no other contributing accessory structures on the lane.

The height and mass of the primary building shall not be exceeded by any new accessory structure on the same parcel.

The standard is met.

Accessory structures shall not be more than two (2) stories tall.

The accessory structure will be two stories tall. The standard is met.

New accessory structures may have up to a five (5) foot lane setback to allow a turning radius into the garage.

The existing garage is set back from the lane by 40 inches, and the current 16-inch eaves leave a total setback of 24 inches. The addition will maintain the same structure footprint, but the eaves will be reduced to 12 inches, leaving a 28-inch setback from the lane. The standard is met.

Side yard setbacks for new accessory structures shall be a minimum of three (3) feet.

The existing garage building is currently legally nonconforming in this regard as the current configuration existed before the introduction of the HPC in 2019. It is set back from the west property line by 38 inches, with the current 16-inch eaves leaving a total setback of 22 inches. As stated above, the addition will maintain the same structure footprint, but the eaves will be reduced by 4 inches, leaving a 26-inch side yard setback. The applicant is applying for a variance to get relief from this standard.

The following standards from the Sec 8.7 - Accessory Structures and Uses apply:

Accessory Structures and Uses, Generally. All accessory structures and uses shall be consistent with all standards of the base zoning district (Article 5.0), any applicable overlay district (Article 7.0) and any applicable use standards (Article 8.0), except as expressly set forth below. Accessory structure and uses shall:

Be accessory and clearly incidental and subordinate to a permitted principal use. No accessory use may be established on a site prior to the establishment of a permitted principal use.

Be located on the same property as the principal use or structure.

Not involve uses or structures not in keeping with the character of the principal use or principal structure served.

Be located within a district that permits the principal use.

Not be erected in any required setback area, except as expressly set forth in this Ordinance.

A parcel shall include only one accessory dwelling unit or one caretaker's dwelling unit.

The setback requirement is being addressed with a variance request. All other above standards are met.

Accessory Structures. Accessory structures, not to include accessory dwelling units, are allowed in all zoning districts and shall be subject to the following requirements, except as expressly provided elsewhere in the Section:

Accessory Structures, Location. Accessory structures shall be located in the side (interior) yard or rear yard of the principal building, with the exception of the following:

Guard or gate house;

Gazebo;

Pump or well house; and

Other similar structures.

The accessory addition will be built above the existing accessory structure which is in the rear yard. The standard is met.

Accessory Structures, Height. *The height of an accessory building shall not exceed the height of the principal building in a Residential district or where otherwise prohibited by this Ordinance.*

As stated above, the finished addition will be 24'1" and the principal building is 31'3". The standard is met.

Accessory Structures, Building Coverage. *Within all zoning districts, accessory structures shall be included in the calculations for maximum building coverage.*

The maximum building coverage in TN-2 is 60%. Currently the property has 27.3%, which will remain unchanged. The standard is met.

Accessory Structures, Size, Residential Districts. *Within residential zoning districts, the floor area of an accessory structure shall not exceed 40% floor area of the principal building.*

According to the Chatham County Tax Assessor, the principal building has an area of 1287 square feet, and the living space within the addition will be 504 square feet. This constitutes 39% of the principal building. The standard is met.

Accessory Dwelling Units (not including Caretaker's Dwelling Unit). *One (1) accessory dwelling unit shall be permitted as an accessory use to a principal dwelling located in the A-1, RSF-, RTF-, RMF-, TR-, TN-, TC-, D- and PD districts. Such use is not required to be included in the gross residential density calculations. Manufactured homes, shipping containers, recreational vehicles, and travel trailers shall not be used as accessory dwelling units. For such use, the following shall apply:*

Accessory Dwelling Units, Location.

The unit may be attached to or detached from the principal dwelling.

Detached accessory dwelling units shall meet the same side-yard setback requirement as the principal structure. Such units shall be separated from the principal structure by at least 10 feet.

The front most portion of the addition, which is the deck and stairs, is 18'5" from the principal structure. The standard is met.

Accessory Dwelling Units, Building Size.

The building footprint of the accessory dwelling unit shall be a maximum of 40% of the building footprint of the principal dwelling not to exceed 700 square feet.

As stated above, according to the Chatham County Tax Assessor, the principal building has an area of 1287 square feet, and the addition will have an area of 504 square feet, which is 39%. The standard is met.

The accessory dwelling unit shall contain no more than one (1) bedroom.

The unit will have one bedroom. The standard is met.

Accessory Dwelling Units, Architectural Style. Such use shall be designed in a similar architectural style as the principal dwelling. If the site is located within an overlay district, the standards of the overlay district shall apply.

The architecture of the existing structure will not change, and the addition will be visually compatible with the principal dwelling and the others around it. The standard is met.

Accessory Dwelling Units, Parking and Access.

If parking is provided for the accessory dwelling, it shall be provided on the same lot on which the principal dwelling is located.

Where there is no lane and parking is provided, the parking space shall be served by the same driveway as the principal dwelling.

The unit will continue to be served by the same driveway as the principal dwelling. The standard is met.

Accessory Dwelling Units, Height.

Accessory dwelling units shall not exceed 25 feet or the height of the principal building, whichever is less.

As stated above, the finished addition will be 24'1" and the principal building is 31'3". The standard is met.

Any portion of an accessory dwelling unit over 15 feet in height shall be located at least 15 feet from a rear property line that does not abut a lane.

The property abuts a lane. The standard does not apply.

STAFF RECOMMENDATION:

Approve the addition of an Accessory Dwelling Unit on top of the existing non-contributing garage at 405 West 37th Street with the following condition because it is visually compatible and meets the standards.

1. Utilize a hipped roof with a pitch between 4:12 and 10:12.

AND

Recommend that the Savannah Historic Preservation Commission recommends approval to the Savannah Zoning Board of Appeals for the requested variance from the standard that reads:

*Side yard setbacks for new accessory structures shall be a minimum of three (3) feet.
[Sec. 7.11.10.xiii.7]*

To allow for 12” eaves that encroach into the 3’ setback area, because the variance criteria are met.

MW: CC: APM

Note: This recommendation could change subject to new information provided at the Historic Preservation Commission meetings. Final decisions will be made by the Historic Preservation Commission at the public hearing based on information provided at the meeting, as well as information submitted for the staff recommendation.