

CHATHAM COUNTY - SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC STAFF REPORT

August 13, 2024

Subdivision/Final Plat

Kelly Ward, Lots C and D

PIN 20042 13016

913 East Waldburg Street

1 Lot to 2 Lots, 0.161 acres (7,016 sf)

MPC File No. 24-003925-SUBP (24-003973-ZA)

Benjamin Summerlin, Agent

MPC Staff

Nature of Request

The Petitioner requests MPC approval of a Final Plat for a proposed subdivision of one lot to create an additional lot. The proposed subdivision would create a non-conforming lot in the TR-2 (Traditional Residential-2) zoning district. The subdivision would leave an existing over-under duplex on a lot deficient in both frontage and area for the use. The new lot that would be created would meet the requirements of the district for a single-family home with lane access, however.

Findings

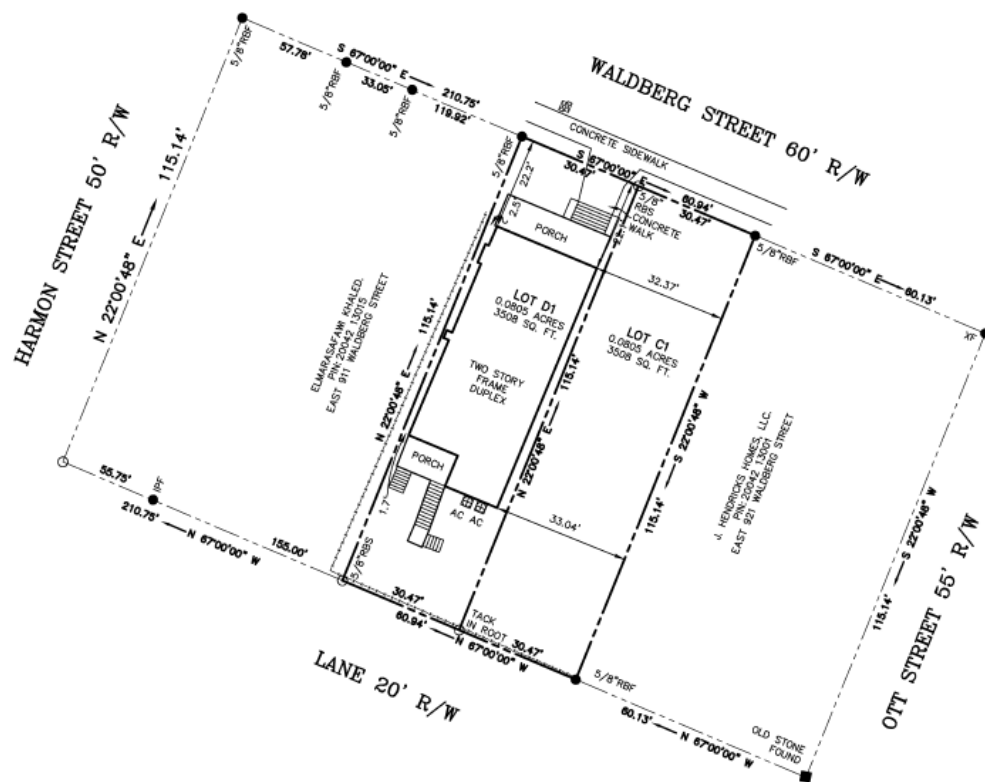
1. The purpose of the proposed subdivision is to divide an existing 7,016 square foot lot into two parcels. The parcel currently has approximately 60 feet of frontage on East Waldburg Street with approximately 115 feet of depth. The parcel also has rear lane access.
2. While it is conforming for use as an over-under duplex, the existing structure, built in 1900, appears to be non-conforming with regard to one side setback.
3. As proposed, Lot **C1** would be 3,508 square feet in area with 30 feet of frontage, which is conforming for establishment of a single-family dwelling.
4. Proposed Lot **D1** would contain the existing nonconforming structure and would become a nonconforming parcel by frontage and area for use as a duplex where a minimum frontage of 40 feet and minimum lot area of 4,500 square feet are required.
5. The parcel has rear access via East Waldburg Lane, a public right-of-way. Per Sec. [5.9.9.a.i.](#), "*Where lane access is utilized, vehicular access to residential uses shall only be from the lane...*"
6. On [August 25, 2022](#), the adjoining property owner at 921 E Waldburg was granted a variance to reduce the minimum lot width from 40 feet (20 feet per dwelling unit) to 27 feet to subdivide the parcel. In doing so, two nonconforming parcels were created – the first leaving an existing duplex on a 3,795 square foot parcel where 4,500 square feet is required; the second having 27 feet of frontage where 30 is the minimum required by the zoning district.

MPC Staff recommended denial of the request as the Zoning Board of Appeals lacks

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requisite authority to vary density per the Zoning Ordinance ([Sec 3.21.8.b](#)). The ZBA approved the variance, permitting the creation of the nonconforming lot.

7. All lots will be served by City of Savannah water and sanitary sewer system.
8. Per [Sec. 8-2023.b](#) of the Subdivision Regulations, the MPC may approve a proposed lot which does not meet the minimum standards upon a finding that the substandard lot being proposed will adequately accommodate the intended use and purpose without adversely impacting the prospective property owner, the adjoining properties, or Chatham County.



Proposed Subdivision

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Streetview of 913 E Waldburg and adjoining property 921 E Waldburg

Recommendation

MPC Staff recommends **approval** of the proposed subdivision with the following conditions:

- 1) The new property line shall be a minimum of 3 feet from the existing structure at all points;
- 2) No variances to the setback standards of the TR-2 District shall be permitted for the proposed dwelling;
- 3) The dwelling to be constructed shall be 'affordable' within the scope and meaning of policies established by the City of Savannah. A signed covenant shall be submitted to MPC Development Services Staff prior to plat approval by the Executive Director of the MPC.