



METROPOLITAN PLANNING COMMISSION

"Planning the Future - Respecting the Past"

STAFF REPORT

To: The Planning Commission

Through: Melanie Wilson, Executive Director and CEO

From: Ely Zarka, Senior Planner - Development Services

Date: April 21th, 2026

Subject: Variance for Development Plan

Owner: Kaveh Malakuti and Veronique Larue

Address: 2120 New York Ave

PIN(s): 20060 02003

Site Area: 0.24 acres total

Alderman District: 1 – Linda Walder-Bryan

Chatham County Commission District: 3 – Bobby Lockett

File Number: 26-001223-ZA

Request

The Petitioner is requesting MPC approval for variances to the minimum lot area and minimum lot frontage requirements of the RSF-6 zoning district to accommodate a proposed subdivision of the existing parcel. The existing single-family residence should remain wholly on one of the proposed lots.

The requests are as follows:

1. Reduce the minimum lot area requirement from 6,000 square feet to 5,500 square feet for Lot A and from 6,000 square feet to 5,000 square feet for Lot B.
2. Reduce the minimum lot frontage requirement from 60 feet to 55 for Lot A, and from 60 feet to 50 feet for Lot B.

The subdivision would result in the creation of one vacant lot and one lot occupied by the existing residence. The proposed subdivision does not indicate if this newly vacant lot is to be developed either by the petitioner or to be developed by others.

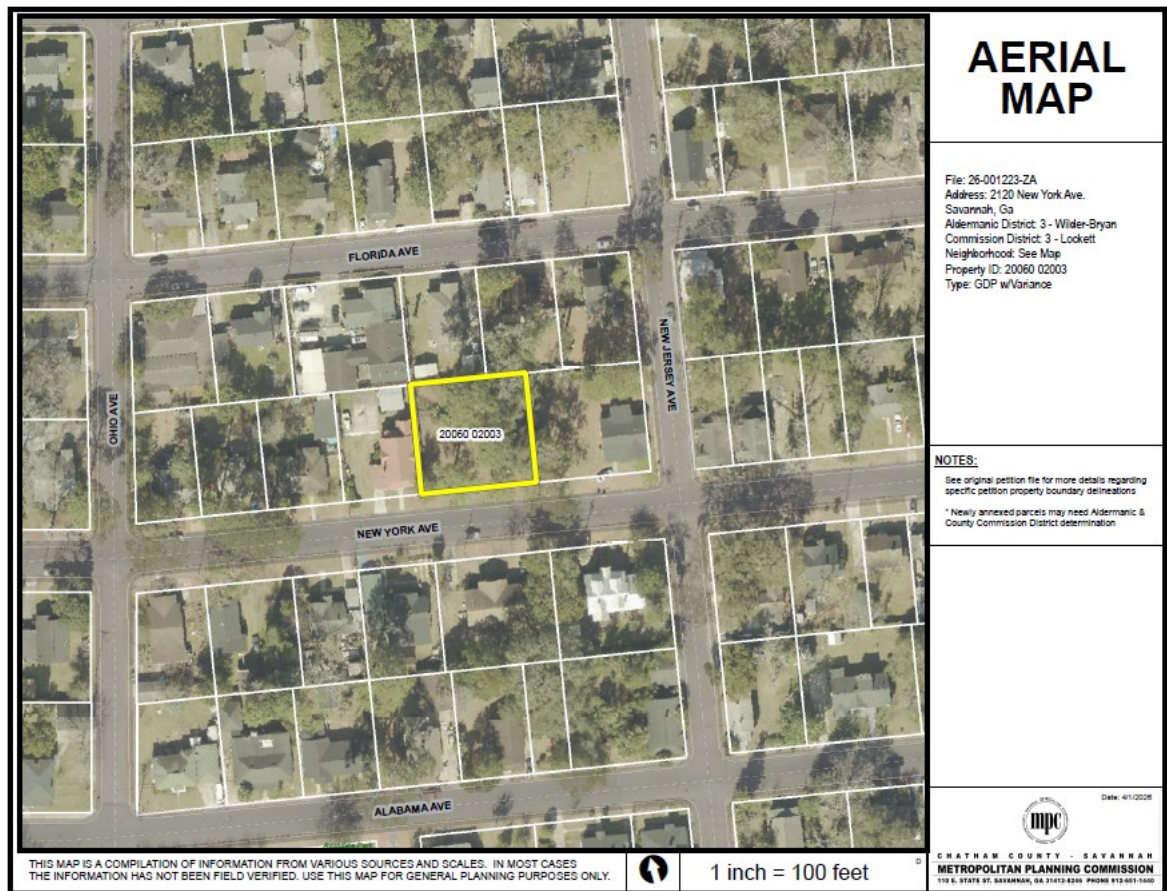
Facts and Findings

- 1) The current parcel, according to the Chatham County Tax Assessor's records, is approximately 0.24 acres (10,500 square feet). It is a 105' by 100' rectangle fronting on New York Ave, and as a result is conforming with RSF-6 zoning district standards.
- 2) The minimum lot size requirements for permitted single-family residences uses in the RSF-6 district are 6,000 square feet in lot area, and 60 feet in lot width. Per *Section 5.7.5*. A variance to a general development plan is needed for both proposed Lot A and Lot B.
- 3) The existing residence was built in 1943 and is legally non-conforming. The house should not become more non-conforming because of the proposed subdivision.
- 4) The site is not irregular in shape or size, and while larger than many of the other lots in the Avondale Myer subdivision, there are also several other lots of identical dimensions.
- 5) The petitioner has not submitted information or documentation that would prove a hardship related to the request.
- 6) Per 3.21.8 Limitations on Power to Grant Variances: a variance shall not be granted to permit a lot that is less than the minimum lot area...

Existing Zoning and Development Pattern

The RSF- districts are established to preserve and create areas of single-family detached development. The five districts (RSF-30, RSF-20, RSF-10, RSF-6, RSF-5, and RSF-4) within the RSF- designation provide for varying development standards but generally permit the same uses. A limited number of nonresidential uses are allowed that are compatible with single-family residential uses. The present zoning of the parcel requires a minimum lot size of 6,000 square feet and 60 feet in lot width.

Location	Land Use	Existing Zoning
North	Single-family Residence	RSF-6
South	Single-family Residence	RSF-6
East	Single-family Residence	RSF-6
West	Single-family Residence	RSF-6



Aerial Map for 2120 New York Ave

Public Notice

Mailed notice of the Planning Commission meeting was sent to all property owners within 300-feet of the subject property, signs were posted on site and required newspaper advertisements were run at least 15 days prior to the meeting. The mailed notice included instructions on how to access the public meeting via the internet.

Standards at Issue

1. Per Section 5.7.5 of the Zoning Ordinance, this property within the RSF-6 zoning district has a minimum lot area of 6,000 square feet and a minimum lot width of 60 feet. The existing lot does meet the requirements of the RSF-6 district. Neither of the two proposed lots will meet this standard.

5.7.5 Development Standards for Permitted Housing Types							
Standards	RSF-E	RSF-30	RSF-20	RSF-10	RSF-6	RSF-5	RSF-4
Lot Dimensions							
Street Access							
Lot area (min sq ft) [1]	43,560	30,000	20,000	10,000	6,000	5,000	4,000
Lot width (min. ft.)	120	100	80	70	60	50	40
Lane Access [2]							
Lot area (min sq ft) [1]	--	--	--	--	6,000	4,000 [3]	3,500
Lot width (min ft)	--	--	--	--	60	40 [3]	35
Building Setbacks (min ft)							
Street Access							
Front yard	40	30	30	25	20	20	15
Side (interior) yard	20	10	10	7	5	5	5
Side (street) yard	15	15	15	15	10	10	10
Rear yard	40	30	30	25	20	20	20
From access easement	5	5	5	5	5	5	5
Lane Access							
Front yard	--	--	--	--	15	15	12.5
Side (interior) yard	--	--	--	--	5	5	5
Side (street) yard	--	--	--	--	10	5	5
Rear yard	--	--	--	--	20	20	20
From access easement	--	--	--	--	5	5	5
Building Separation	See Fire Code	See Fire Code	See Fire Code	See Fire Code	See Fire Code	See Fire Code	See Fire Code

Zoning Ordinance Review

The Planning Commission is authorized to grant variances to the standards of *Article 5, Base Zoning Districts*, upon the basis of the criteria established in *Sec. 3.21.10*.

The following review criteria for Variances are prescribed in the Savannah Zoning Ordinance *Sec. 3.21.10*:

A. 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.

MPC Comment: While the development pattern of the neighborhood is irregular in terms of lot area and width, with many lots of a similar size to the proposed, there are also several lots of an identical size to the existing lot. A development on the proposed vacant lot is not included as part of this application.

B. Special Conditions

i. 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.

MPC Comment: The existing single-family residence current is legally-nonconforming in regards to meeting setbacks. This nonconformity will not increase as a result of the proposed subdivision, and is therefor not an issue.

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

MPC Comment: The request is a result of the petitioner's design. The existing residence was constructed in 1943 and is not a result of the petitioner.

iii. 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.

MPC Comment: No information has been submitted to give reason for the subdivision.

C. 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 unnecessary and undue hardship on the applicant.

MPC Comment: The literal interpretation of the regulations would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district. However, the development pattern of the neighborhood in the same zoning district is irregular.

D. Minimum Variance

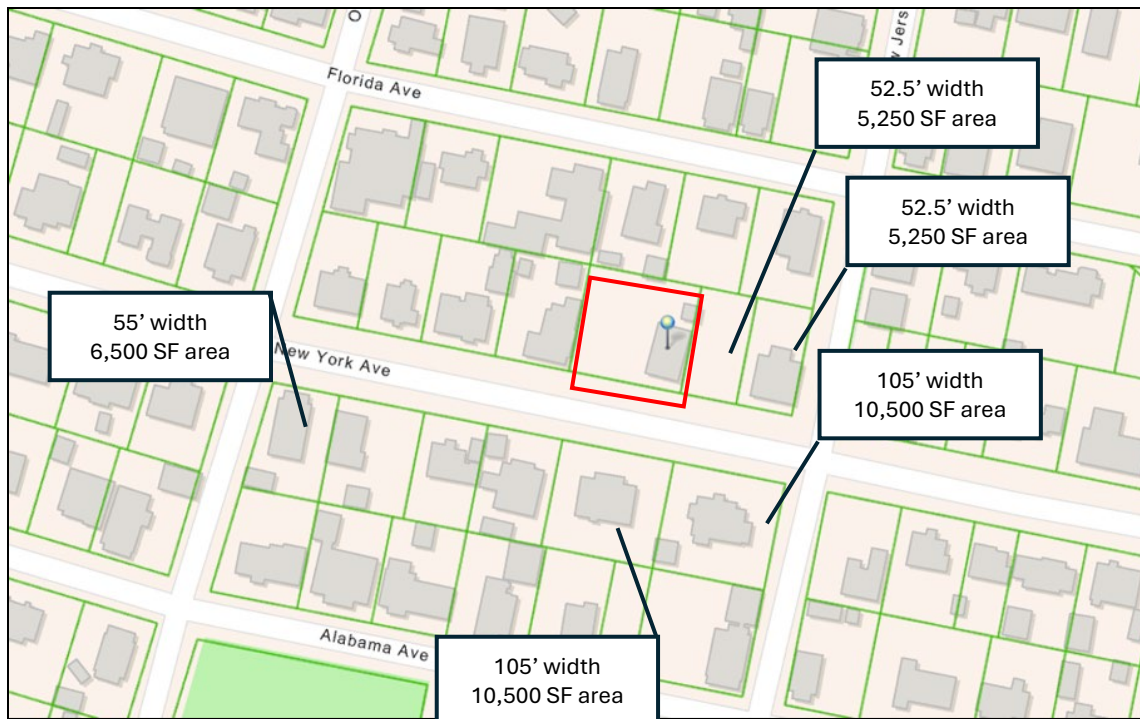
The variance, if granted, is the minimum variance necessary to make possible the reasonable use of land, buildings, or structures.

MPC Comment: The variances are not required to make use of the subject property.

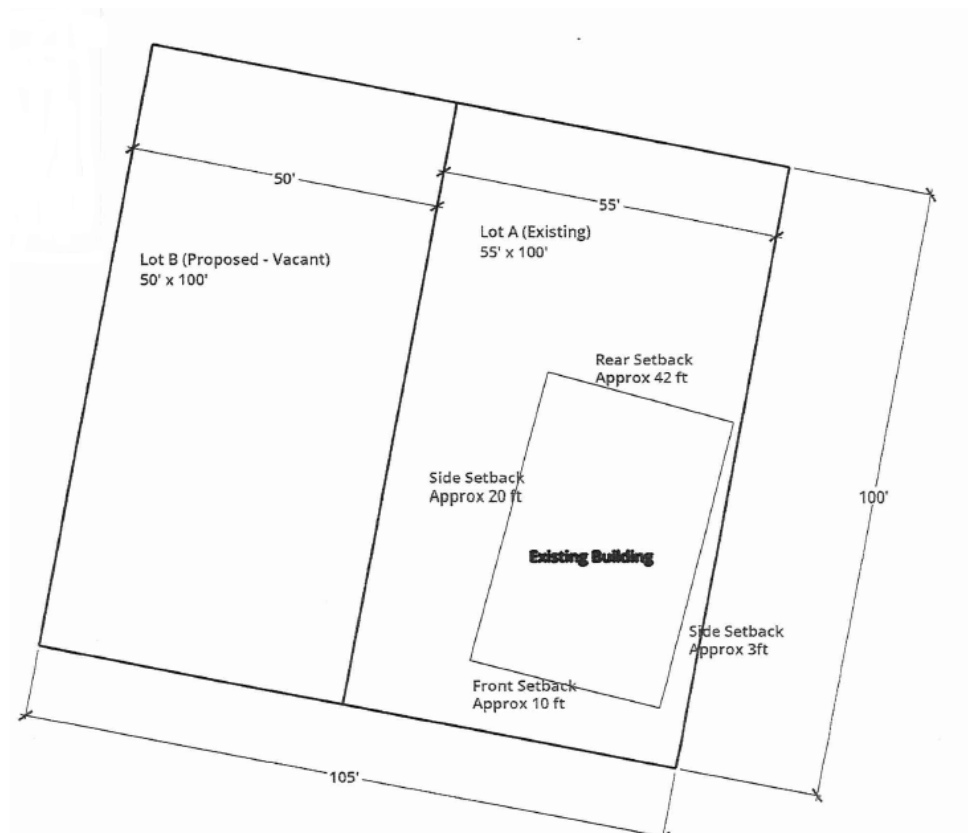
E. Special Privilege Not Granted

The variance would not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district.

MPC Comment: The variances will confer special privilege on the Petitioner, though variance relief is a remedy afforded to all similarly situated property owners. Notably, there are existing lots adjacent to the parcel that are smaller than the requested size as well as lots of an equal size to the existing lot.



Adjacent Lots with Similar Lot Sizes and Widths



Plan for 2120 New York

Staff Recommendation

MPC Staff recommends **denial** of the requested two (2) variances:

1. Reduce the minimum lot area requirement from 6,000 square feet to 5,500 square feet for Lot A and from 6,000 square feet to 5,000 square feet for Lot B.
2. Reduce the minimum lot frontage requirement from 60 feet to 55 for Lot A, and from 60 feet to 50 feet for Lot B.