

SAVANNAH BOARD OF ZONING APPEALS



STAFF REPORT

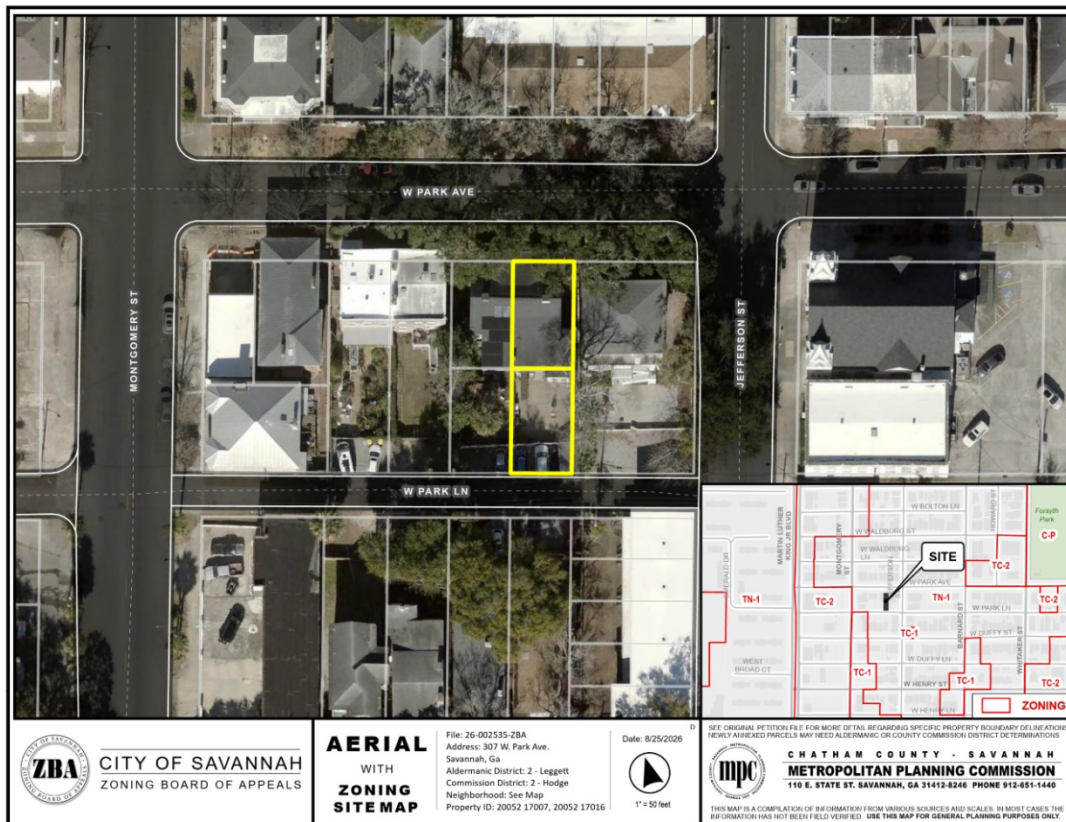
MPC FILE NO.	26-002535-ZBA
MPC STAFF	DeAndrae Spradley
DATE	August 27, 2026
PETITIONER	Victor Pluznyk Jr. on behalf of Christopher Shelnett
ADDRESS	307 W Park Avenue #A
PARCEL ID	20052 17007 & 20052 17016
ALDERMAN DISTRICT	2 – Detric Leggett
CHATHAM COUNTY	
COMMISSION DISTRICT	2 – Malinda Scott Hodge

BACKGROUND

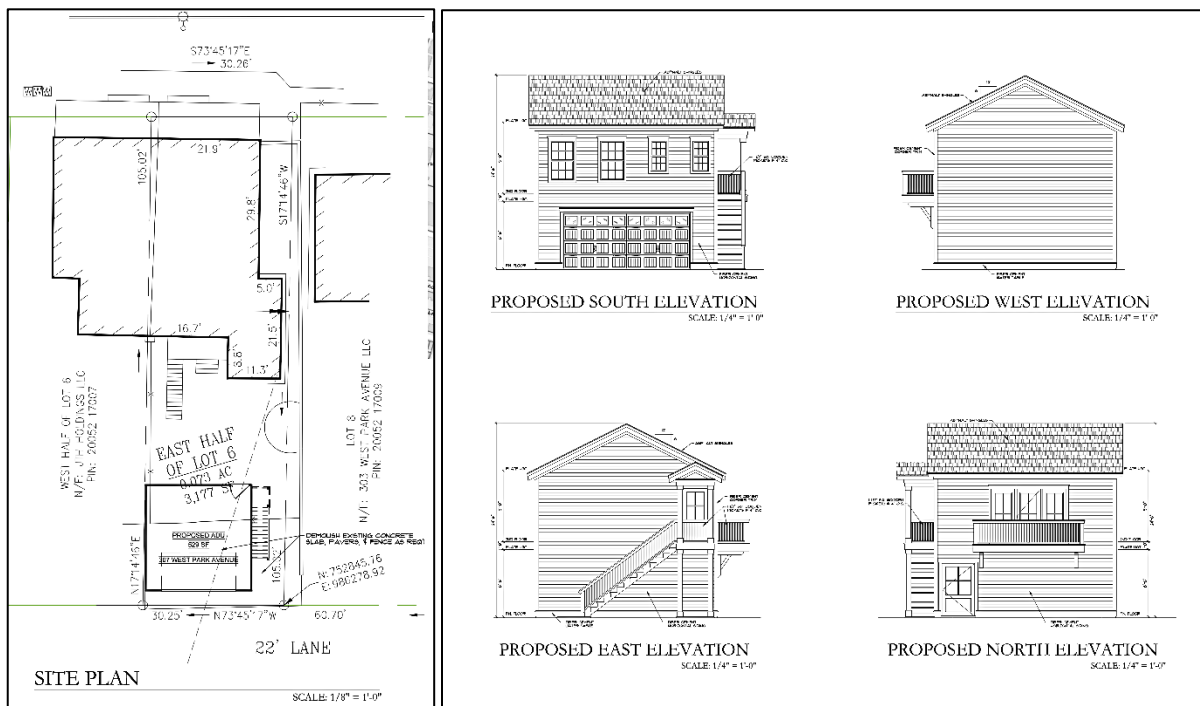
This petition involves two (2) adjacent tracts located at 307 W Park Avenue #A measuring approximately 0.073 acres (3,179 square feet) with a lot width of 30 feet and depth of 105 feet. The property is currently zoned TN-1 (Traditional Neighborhood-1) and is situated within the West Victorian Historic District.

The Petitioner seeks approval of two (2) variances to facilitate the construction of a 529-square-foot Accessory Dwelling Unit (ADU) on the rear parcel adjacent W Park Lane, as follows:

1. Request an increase in the maximum permitted building footprint of the ADU from 40% (492 square feet) to approximately 43% (529 square feet), exceeding the maximum permitted by approximately 3% (37 square feet); and
2. Request a reduction in the required side yard setback from three (3) feet to zero (0) feet.



Aerial & Site Map for 307 W Park Ave #A



Proposed Conceptual Site Plan & Elevations for 307 W Park Ave #A

FACTS & FINDINGS

- The Petitioner is seeking approval of the two requested variances prior to applying for a Certificate of Appropriateness from the City of Savannah Historic Preservation Commission (HPC).
- Based on the conceptual site layout, the proposed ADU does **not** comply with the maximum building-footprint requirement established by **Section 8.7.4(d)(i)** of the *City of Savannah Ordinance*:

Section 8.7.4(d)(i). *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. In the A-1, RSF-E, RSF-30 and RSF-20 districts, the maximum building footprint shall be 40% of the building footprint of the principal dwelling or 1,000 square feet, whichever is less. In buildings with multiple dwelling units, the footprint percentage calculation shall be based on the footprint of a single dwelling unit.*

- **The proposed 529-square-foot ADU would equal approximately 43% of the principal dwelling's building footprint, exceeding the maximum permitted footprint of approximately 492 square feet by 37 square feet, or approximately 3%.**
- The conceptual site layout provides the required 10-foot separation between the proposed ADU and principal dwelling. However, the proposed ADU does **not** comply with the applicable side-yard setback requirement established by **Section 8.7.4(a)(iii)** of the *City of Savannah Zoning Ordinance*:

Section 8.7.4(a)(iii). *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. Detached accessory dwelling units shall have a rear-yard setback requirement of at least five (5) feet, provided that if the accessory dwelling is located on a lot that abuts a lane the rear-yard setback requirement shall be at least three (3) feet. Within zoning districts that have no rear-yard setback requirement for the principal structure there shall be no rear-yard setback requirement for an accessory dwelling unit.*

- **The proposed ADU does not provide the side-yard setback required for a principal structure within the TN-1 Zoning District.**
- During its review of the petition, MPC Staff identified discrepancies in the property addresses and property identification numbers (PINs) shown in SAGIS and the Chatham County Board of Assessors' records.
 - The information has been corrected internally within SAGIS and will subsequently be reflected on the public-facing platform.
 - The Board of Assessors was notified of the discrepancies and requested to make the appropriate corrections on July 22, 2026. As of the completion of this report, MPC Staff has not received confirmation that the corrections have been completed.

CRITERIA FOR APPROVAL

The Zoning Board of Appeals may grant variances to certain development standards per Section 3.21.10 based on the following criteria:

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: *Although an ADU is generally compatible with the residential character of the TN-1 zoning district, the requested variances are not consistent with the dimensional intent of the Zoning Ordinance. The maximum building-footprint requirement is intended to maintain the ADU as subordinate in scale to the principal dwelling, while the required side-yard setback provides appropriate separation from adjoining properties. The proposed ADU would exceed the maximum permitted building footprint and extend to the side property line. Based on the information provided, the requested relief has not been demonstrated to be consistent with the intent of the Ordinance or necessary to avoid an injury to the neighborhood or a detriment to public health, safety, or welfare.*

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: *No special conditions or circumstances peculiar to the land, buildings, or structures have been demonstrated. Although the subject property has a lot width of approximately 30 feet, the record does not establish that its configuration or physical characteristics prevent the construction of an ADU that complies with the applicable building-footprint and side-yard setback requirements.*

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

MPC Comment: *The need for the requested variances results from the proposed size, design, and placement of the ADU rather than from a condition inherent to the property or beyond the applicant's control. The conceptual design proposes a 529-square-foot building footprint and placement of the structure at the side property line.*

- 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 evidence has been provided indicating that the requested variances are based solely on financial considerations. However,*

the absence of a purely financial motivation does not establish the existence of a qualifying special condition or circumstance peculiar to the property.

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: *Literal interpretation of the Ordinance would not deprive the applicant of rights commonly enjoyed by other properties within the TN-1 zoning district. The applicable dimensional standards apply equally to similarly situated properties, and the applicant retains the ability to construct an ADU that complies with the maximum building-footprint and side-yard setback requirements. Therefore, compliance with the Ordinance would not result in unnecessary or undue hardship.*

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 requested variances have not been demonstrated to be the minimum relief necessary to allow reasonable use of the property. The proposed ADU could be reduced in size, redesigned, or repositioned to comply with the maximum building-footprint and side-yard setback requirements. In particular, the request to reduce the required three-foot side-yard setback to zero feet represents a complete elimination of the required setback, and the applicant has not demonstrated that such relief is necessary to accommodate a reasonable use of the 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: *Granting the requested variances in the absence of a qualifying property-specific hardship would allow development exceeding the dimensional allowances applicable to other similarly situated properties within the TN-1 zoning district. Approval would therefore confer a special privilege not generally available to properties subject to the same building-footprint and setback requirements.*

STAFF RECOMMENDATION

MPC Staff recommends **denial** of the following two variances requested to facilitate construction of a 529-square-foot Accessory Dwelling Unit within the TN-1 zoning district:

1. An increase in the maximum permitted ADU building footprint from 40% of the principal dwelling's building footprint, or approximately 492 square feet, to approximately 43%, or 529 square feet; and
2. A reduction in the required side-yard setback from three feet to zero feet.

The requested variances do not satisfy the approval criteria established by Section 3.21.10 of the City of Savannah Zoning Ordinance. No special condition peculiar to the property has been demonstrated; the need for relief results from the proposed size, design, and placement of the ADU; and the applicant retains the ability to construct an ADU that complies with the applicable dimensional requirements. The requested relief has therefore not been demonstrated to be the minimum necessary to allow reasonable use of the property.

Note: This recommendation could change subject to new information provided at the Zoning Board of Appeals meeting. Final decisions will be made by the Zoning Board of Appeals at the public hearing based on information provided at the meeting, as well as information submitted for the staff report.