



SAVANNAH ZONING BOARD OF APPEALS

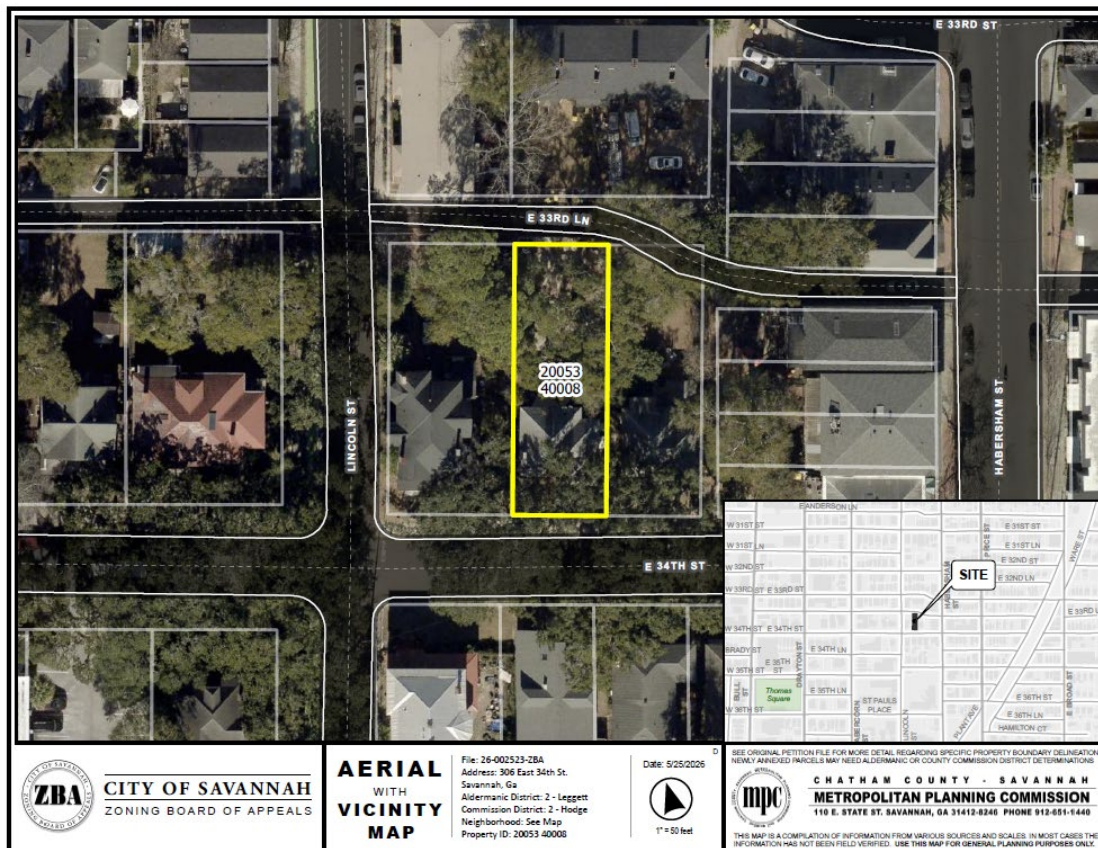
STAFF REPORT

PETITIONER: Victor Pluznyk
FILE NO: 26-002523-ZBA
ADDRESS: 306 East 34th Street
DATE: July 23, 2026
MPC Staff: Ashley Catterton

BACKGROUND

This variance request involves a currently conforming parcel located at 306 East 34th Street (PIN 20053 40008) measuring approximately 5,850 square feet (0.13 acres) with a lot width of 30 feet and depth of 139 feet. The property is zoned TN-2 (Traditional Neighborhood-2) and is situated within the Thomas Square neighborhood and the Streetcar Historic District.

The Petitioner requests a variance to increase the building footprint of the principal dwelling to approximately 86% which exceeds the maximum permitted 40% to construct an Accessory Dwelling Unit (ADU) within the TN-2 zoning district.



Aerial & Site Map for 306 E 34th Street

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FACTS & FINDINGS

- The overall **application timeline** to date for this petition is as follows:
 - 1) The current proposal was issued previously as a Certificate of Appropriateness (23-000062-COA) back on March 22, 2023, from the City of Savannah Historic Preservation Commission, which has since **expired as of March 22, 2025**.
 - 23-000062-COA was approved prior to the adoption of the current ADU regulations which were first adopted and approved as of May 25, 2023, which pertained specifically to the building footprint.
 - The final adoption for the current ADU regulations were effective November 25, 2025.
 - 2) 23-000062-COA has officially expired therefore the petitioner reapplied for a Certificate of Appropriateness (26-001624-COA) from the City of Savannah Historic Preservation Commission on April 22, 2026 (post-ordinance adoption).
 - 26-001624-COA included the same proposal and drawings submitted in the initial 2023 COA application.
 - Note that 26-001624-COA wasn't applied for until one (1) year and one (1) month after the official expiration on March 22, 2025.
 - 3) The decision for 26-001624-COA was continued from the Savannah Historic Commission to the June 24, 2026, Historic Preservation meeting to address the following:
 - *Scale down the footprint of the ADU to be 40% or less of the footprint of the principal building; or apply for a variance recommendation request from the HPC to the Zoning Board of Appeals.*
 - *Confirm that there is not a closet in the room labeled as an office to ensure there is only one bedroom in the ADU.*
 - 4) Did not return to HPC and applied for a variance with the Savannah Zoning Board of Appeals (SZBA) on June 25, 2026, to allow the ADU building footprint to exceed the maximum permitted 40% of the principal dwelling footprint, increasing it from 40% to approximately 86% (26-002523-ZBA).
 - 26-002523-ZBA was continued to the July 23, 2026, SZBA meeting because the petitioner was not present at the time that the case was heard.
 - According to MPC Staff, the petitioner was contacted after the meeting and requested to provide a revised set of plans showing a reduced footprint that would comply with the intent of the current ordinance.
 - 5) As of July 14, 2026, MPC Staff contacted the petitioner again requesting that a revised concept and plot plan be submitted no later than close of business on Friday, July 17 with the recommendation to be postponed to the August 27th meeting.
 - Specific plot plan criteria (provided on page 5 of the SZBA application) were

required to be addressed as well as dimensions provided to include the front, side, and rear setbacks with the proposed height and square footage of the existing and proposed structures.

- 6) On July 15, 2026, the petitioner reached out stating that the owner wishes to pursue the variance requested in the initial set of plans (23-000062-COA) which has since expired as mentioned above in No. 1. Note that no changes to reduce the footprint have been implemented and the requested requirements noted above have not been submitted to date.
- There's an existing detached garage measuring approximately 280 square feet located at the rear of the property which the petitioner confirmed as of July 20, 2026, has recently been demolished in order to construct a new second floor ADU onto a three-story garage, increasing the total ADU building footprint to 646 square feet.
 - The primary dwelling was built around 1900 with a building footprint of approximately 747 square feet. The ADU is proposed to have 1 bedroom and 1 bathroom.
 - Section 8.7.4.d.i of the Zoning Ordinance requires the building footprint of the accessory dwelling unit to be a maximum of 40% of the building footprint of the principal dwelling not to exceed 700 square feet.

d. Building Size

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.

- At the time of completion of this report, MPC staff has received one notice of opposition.

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: The requested variance is not consistent with the intent of the current Zoning Ordinance. The need for the variance results from the applicant's failure to commence construction before the previously approved plans expired. As a result, the proposal is now subject to the current Zoning Ordinance, which includes standards that differ from those in effect at the time of the original approval. Nevertheless, the proposed ADU is not injurious to the surrounding neighborhood and is not otherwise detrimental to the 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:** Special conditions and circumstances exist that are peculiar to the property. The subject property previously received approval for an accessory dwelling unit under the regulations in effect at that time. However, because construction did not commence before the approval expired, the proposal is now subject to the current Zoning Ordinance, which requires the requested variance.*

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

***MPC Comment:** The special conditions and circumstances do result, at least in part, from the actions of the applicant. The previously approved plans expired because construction was not commenced within the required timeframe, requiring the proposal to comply with the current Zoning Ordinance.*

- 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:** The special conditions and circumstances are not purely financial in nature. The requested variance is necessitated by the expiration of the previous approval and the applicability of the current Zoning Ordinance, rather than by a desire to increase profitability or reduce development costs.*

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. The current Zoning Ordinance applies equally to all properties within the district, and the applicant retains the ability to construct an ADU that complies with the applicable dimensional requirements.*

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 variance is not the minimum variance necessary to make possible the reasonable use of the property. A compliant accessory dwelling unit may be constructed without the requested variance, and the applicant has not demonstrated that the additional square footage requested is necessary to allow 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:** The requested variance would confer a special privilege upon the applicant by allowing an accessory dwelling unit that exceeds the maximum size permitted by the current Zoning Ordinance. Other properties within the same zoning district are subject to the same dimensional standards and are not entitled to construct an ADU of the proposed size without similar variance approval.*

STAFF RECOMMENDATION

MPC Staff recommends **denial** of the variance request to increase the building footprint of the principal dwelling to approximately 86%, which exceeds the maximum permitted 40% to construct an Accessory Dwelling Unit (ADU) within the TN-2 zoning district as it does not meet the criteria established for variance approval in the City of Savannah Code of Ordinances Section 3.21.10.

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.