



SAVANNAH ZONING BOARD OF APPEALS

STAFF REPORT

PETITIONER: Jeff Whitlow (property owner Ellen Harris Wikstrom)
MPC FILE No: 26-002006-ZBA
ADDRESS: 309 W. Bolten Street
PIN: 20052 03003
DATE: May 18, 2026
MPC Staff: DeAndrae Spradley

Nature of Request:

The Petitioner is requesting for approval of a variance at 309 W. Bolten Street, Savannah, Georgia 31401 (parcel identification number 20052 03003) from the following City of Savannah's Zoning Regulations:

- Section 8.7.4.d.i.

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. In buildings with multiple dwelling units, the footprint percentage calculation shall be based on the footprint of a single dwelling unit.

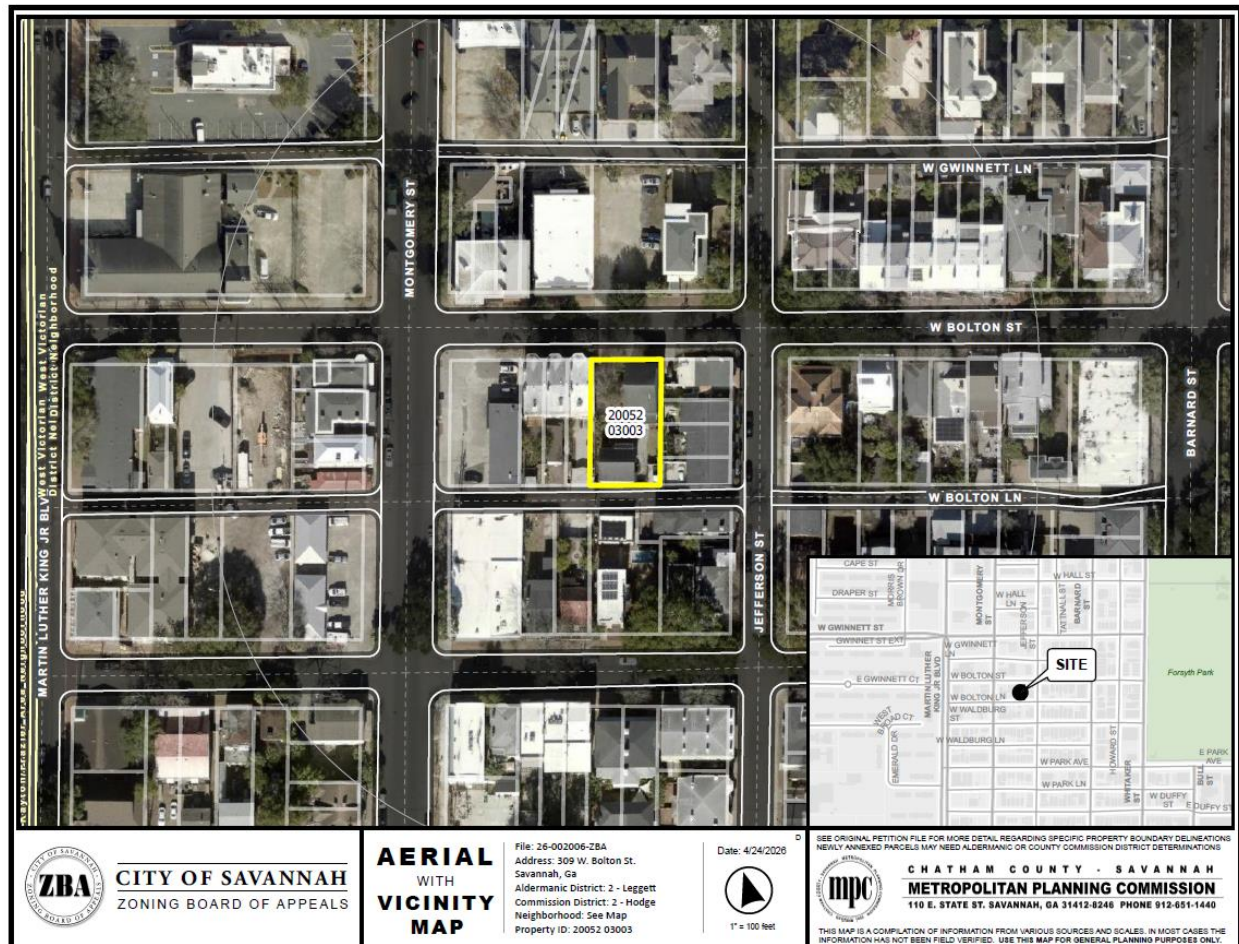
- Section 8.7.4.h.i.

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8.7.4 Accessory Dwelling Units (not including Caretaker's Dwelling Unit)

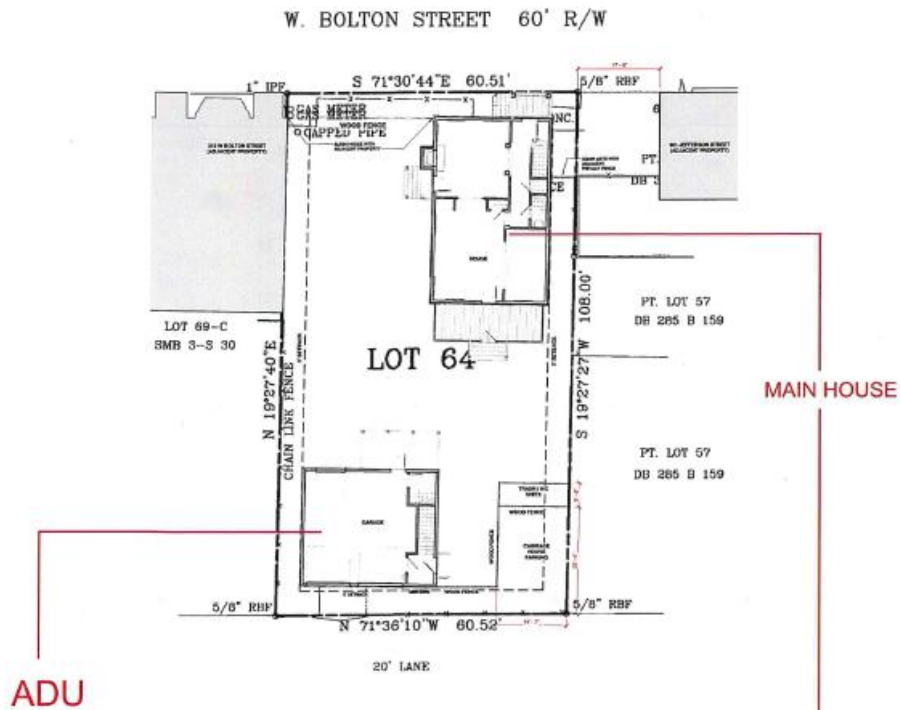
h. Height

- i. When a parcel is located in a conservation overlay district, as provided in Section 7.15, or is designated a National Register Historic District without a Local Historic Overlay, as defined in Section 13.3, accessory dwelling units shall not exceed 25 feet in height or the height of principal building, whichever is less.



Aerial & Site Map for 309 W. Bolten Street

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Survey and Aerial for 309 W. Bolten Street

FACTS & FINDINGS:

1. The Petitioner is requesting the variance from Section 8.7.4.d.i. and Section 8.7.4.h.i. at 309 W. Bolten Street, Savannah, Georgia 31401 (parcel identification number 20052 03003). There's an existing structure on the subject property that was built in 2014 under the original building permit for the detached single-family residential dwelling unit onsite. At the time, the interior improvements of the accessory building were not completed by the property owner. The existing accessory building was built at a height of twenty-nine feet (29 ft.) eight inches (8"). The existing footprint under the roof of the accessory building is 54 percent (54%) of the main house footprint. The City's Zoning Regulations were amended after the construction of both buildings on the subject property. The City's updated Zoning Regulations required a maximum building height of twenty-five feet (25 ft.). The City's updated Zoning Regulations also required a maximum building footprint of forty percent (40%) of the building footprint of the principal dwelling or 1,000 square feet, whichever is less. The Petitioner is requesting the variance to meet the updated zoning requirements for the maximum building height and maximum building footprint on the subject property. The Petitioner will convert the existing legal, non-conforming accessory use into an Accessory Dwelling Unit (ADU) on the subject property.
2. The Zoning Board of Appeals may grant variances to certain development standards. Per Section 3.21.10, the granting of variances shall be 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 subject property is zoned Traditional Neighborhood-1 (TN-1) inside the Victorian Historic Overlay District. The TN-1 district is intended to ensure the vibrancy of historic residential neighborhoods with traditional development patterns characteristic of Savannah from approximately 1890 to 1920 during the streetcar era. While the district provides for primarily residential uses, it also includes limited non-residential uses that are considered compatible with the residential character of the neighborhood. The TN-1 district is intended for use only within the Victorian Historic Overlay District.

The Petitioner is requesting the variance to meet the updated zoning requirements for the maximum building height and maximum building footprint on the subject property. The

Petitioner's requested variance is consistent with the intent of the City's Zoning Ordinance. The Petitioner's requested variance is not injurious to the surrounding neighborhood or detrimental to the public health, safety, or welfare of the residents that are immediately adjacent to the subject property.

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: There's an existing accessory unit located on the subject property that was built in 2014 consistent with the adopted Zoning Regulations at the time. The existing accessory unit was constructed by the approved and permitted building plans based on the City's Zoning standards from 2014. The City's Zoning Regulations were amended after the buildings on the subject property were built. The updated Zoning Regulations required a lower maximum building height and reduced maximum building footprint than the requirements from 2014. The updated Zoning Regulations made the existing accessory unit on the subject property to become a legal, non-conforming use. This scenario creates a peculiar circumstance that is not applicable to the surrounding lands within the Traditional Neighborhood-1 (TN-1) Zoning District.

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

MPC Comment: Since the accessory building on the subject property was built in 2014 based on the Zoning standards at the time and the notion that the City updated the Zoning Regulations after the accessory building was built, the Petitioner's variance request does not result from the actions 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: The Petitioner's variance request is not purely financial in nature. The approval of the variance will save the Petitioner money by not needing to demolish the existing accessory building to meet the City's current Zoning Regulations.

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 City's Zoning Regulations would deprive the Petitioner of rights commonly enjoyed by other properties in the same zoning district. This literal interpretation of the City's Zoning Regulations would force the Petitioner to have to demolish a portion of the existing accessory structure to meet the City's Zoning requirements. This would create an undue hardship on the Petitioner.

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: Accessory Dwelling Units (ADUs) are permitted by right within the Traditional Neighborhood-1 (TN-1) Zoning District. The variance is required to allow the existing legal non-conforming accessory building onsite to be converted into an ADU. The approval of the variance will grant the Petitioner the opportunity to make reasonable 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: Approval of the Petitioner's variance requests would not confer special privilege upon the Petitioner.

Recommendation:

MPC Staff recommends **APPROVAL** of the Petitioner's variance requests from Section 8.7.4.d.i. and Section 8.7.4.h.i. of the City's Zoning Regulations at 309 W. Bolten Street, Savannah, Georgia 31401 (parcel identification number 20052 03003).