



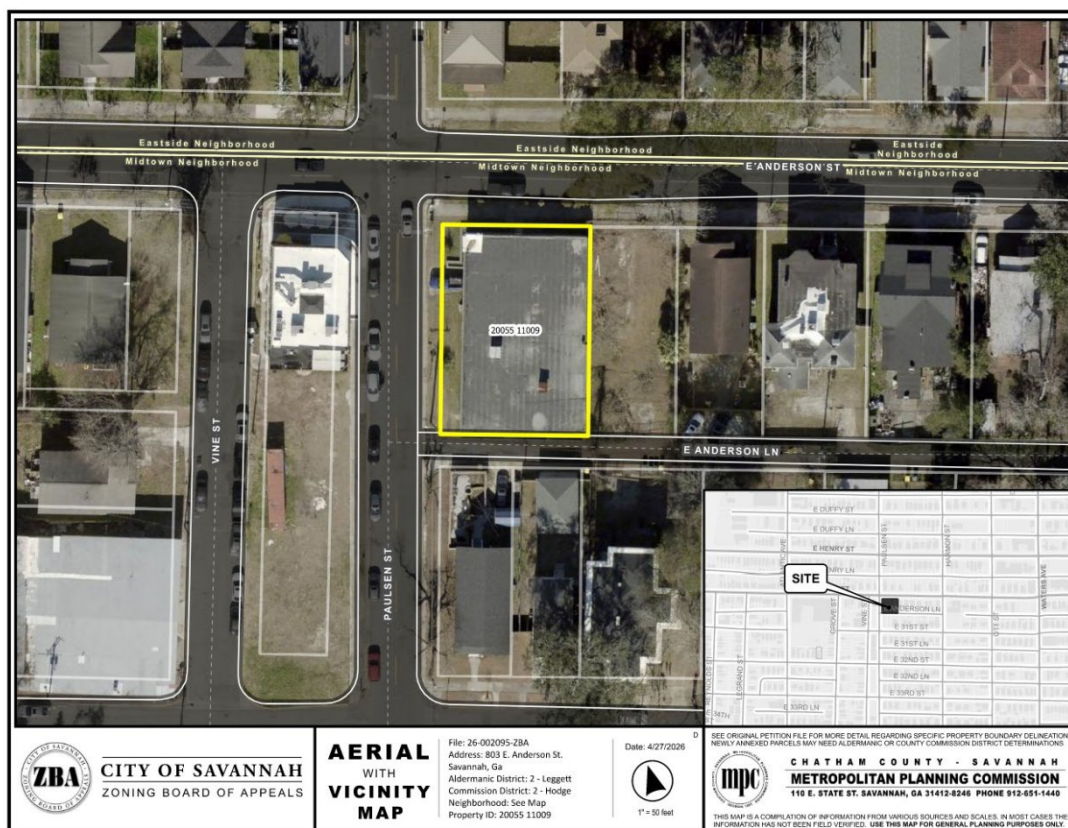
SAVANNAH ZONING BOARD OF APPEALS

STAFF REPORT

PETITIONER: Josh Yellin, Agent; Lodge of Sorrows, Petitioner
MPC FILE No: 26-002095-ZBA
ADDRESS: 803 E Anderson St
PIN: 20055 11009
DATE: May 28, 2026
MPC Staff: Ely Zarka

Nature of Request – 1) Reduce the number of required parking spaces from 10 to 0.

The Petitioner would like to reduce the required number of parking to 0 spaces to allow for the use of a General Services establishment.



The exhibit above indicates the subject property and surrounding vicinity.

Facts & Findings

1. Subject property is on East Anderson Street at the intersection with Paulsen St.
2. The property has not been actively used for some time, with the previous use being a mattress factory and store with no onsite parking spaces.
3. The existing structure was constructed in 1949.
4. A building permit for interior alterations to add new bathrooms has been applied for and is under review by the City pending the outcome of this variance request.
5. The site was previously non-conforming with regards to minimum parking with the use of a furniture store. That use today would require 10 spaces. The proposed use of General Services, as a change in use to a structure which requires additional off-street parking spaces, new parking areas shall comply, sec 11.7.2.b. As a result, the proposed use is required to provide 10 spaces.
6. The Petitioner is intending to use the site as office and storage for the fulfillment of merchandise order, t-shirts, vinyl's, etc., and is to be staffed by at least 3 personnel.
7. On-street parking is available on East Anderson St.
8. General Services is defined as an establishment generally providing personal, business, or financial assistance to customers where tangible products are not customarily or principally produced or sold, unless they are created or customized on an individual basis to customer specifications. Display of sample products may be permitted. This shall not include any other use identified in Sec. 5.4, Permitted Use Table.

Standards at Issue:

1. The current use for General Services is not in compliance with minimum required number of parking spaces.

Table 9.3-1 Minimum Space Requirements

Services		
Service, General	1 per 300 SF	5% of vehicle parking
Furniture sales	1 per 600 SF	n/a

The original structure was constructed in 1949. The use was considered legal non-conforming with regards to parking for the previous use of furniture sales.

Section 11.7.2

b. When a change in use of a structure or land to another use requires additional off-street parking spaces, the following shall be required:

i. New parking areas shall comply with the requirements of this Ordinance.

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 **inconsistent** with the Ordinance, current zoning and future land use. The current use is permitted with certain development standards, and certain types of relief are acknowledged for legal-nonconforming uses and structures. However, the Future Land use Map's designation of residential single-family residential does not support the proposed use, or most other commercial uses.

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 property is an existing legal non-conforming building that encompasses the entire lot. Any use that requires more parking than the previous use of furniture store (10 spaces) will also require either a variance or demolition and redevelopment of the site to provide space for parking.

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

MPC Comment: The circumstances pre-exist the Petitioner's use as they result from the original development of the parcel in 1949.

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 request, while to allow an operator to run a business on the property, can be interpreted as financial in nature. The Petitioner also owns the neighboring undeveloped property, zoned TR-2. Rezoning and development of a parking area is possible, at a higher cost and risk.

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 does deny the Petitioner of rights commonly enjoyed by other property owners.

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 necessary, as the request is for a reduction to 0 spaces. However, the nature of the scope of the request is to allow for the reasonable use of the land and building.

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.

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MPC Comment: The variance would convey a special privilege to the Petitioner. However, the parking requirement already was not previously met, and this new use does require additional parking. A use requiring less parking would not require action from this Board.

Summary:

The General Services establishment is requesting to reduce the required number of parking spaces to allow for regular operation. This is significant given the scale of the relief that is being requested. Although the building is not located in a registered Historic District, it has obvious historic qualities that contribute to the character of the area. Without the requested parking variance, the building would require either partial or full demolition in order to accommodate the parking spaces. Not only does this damage the valuable historic fabric, but it also restricts (and in the case of full demolition precludes) the potential for adaptive reuse of this building through no fault of the Petitioner. It is the opinion of Staff that maintaining the building and promoting its adaptive reuse is in the best interest of not only the Petitioner but the community as a whole. This is true for the proposed General Services use as described by the Petitioner for its 3 employees; but may not be true for other uses permitted within the TN-3 district.

Recommendation:

MPC Staff recommends **APPROVAL WITH CONDITIONS** of the requested variance to reduce the number of parking spaces to 0 for a General Services establishment with the condition that the variance be limited to the use of General Services, due to the circumstances originating with the original development of the site and not that of the Petitioner, as well as to preserve the historic character of the site.

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.