



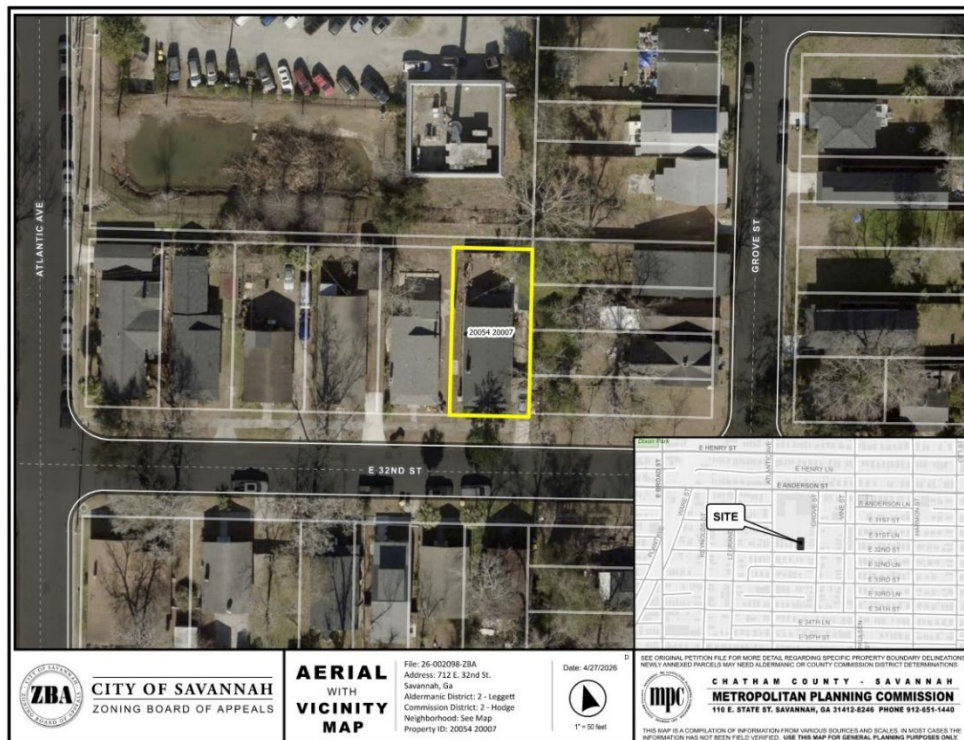
SAVANNAH ZONING BOARD OF APPEALS

STAFF REPORT

PETITIONER: Chelsea Inglis
MPC FILE No: 26-02098-ZBA
ADDRESS: 712 E 32nd Street
PIN: 20054 20007
DATE: May 28, 2026
MPC Staff: Ely Zarka

Nature of Request – 1) Reduce the required rear yard setback for an accessory dwelling unit to 7 inches.
2) Reduce the required side yard setback for an accessory dwelling unit to 7 inches.
3) Reduce the required separation for an accessory dwelling unit and residence from 10 feet to 3.5 feet.

The Petitioner is requesting to reduce the required setbacks for an approximately 280 square foot accessory dwelling unit (ADU) in the rear yard. The required side yard setback is 3 feet with a request for reduction to 7 inches, the required rear setback is 5 feet with a request for reduction to 7 inches. The petitioner is also requesting to reduce the required separation of the ADU to the residence from 10 feet to 3.5 feet.



The exhibit above indicates the subject property and surrounding vicinity.

Facts & Findings

1. Subject property is a rectangular lot fronting on 32nd street. The principal dwelling was constructed in 1927. A portion of the ADU is an existing structure that is being expanded to be used as an ADU.
2. The portion of the ADU structure that does not meet the separation requirement is the existing portion. The proposed addition is on the far side of the structure.
3. The property is within an area that is almost completely zoned TR-2 (Traditional Residential-2).
4. An accessory dwelling unit in the TR-2 district in the rear yard is required to meet the same side yard setback as the principal structure (3 feet), and a rear yard setback 3 feet when abutting a lane.
5. The petitioner is proposing gutters and downspouts which will feed into a rain collector. This component is meant to mitigate impact but also increases the requested relief.

Standards at Issue:

1. The proposed shed is not meeting either the side or rear yard setback set forth in the TR-2 district or accessory structure standards.

Section 8.7.4 Accessory Dwelling Units

- 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.

Section 5.9.5 Development Standards for Permitted Uses

Standards	TR-1		TR-2		TR-3	
	Street	Lane	Street	Lane	Street	Lane
Single-Family Detached						
Front yard	5 (min); 10 (max)		5 (min); 10 (max)		5 (min); 10 (max)	
Side (interior) yard	3 (min)		3 (min)		3 (min)	
Side (street) yard	10 (max)		10 (max)		10 (max)	
Rear yard	20 (min)		20 (min)		20 (min)	
From access easement	5 (min)		5 (min)		5 (min)	

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 **consistent** with the Ordinance, current zoning and future land use. The accessory dwelling unit is being located partly in an existing

structure. By having the plumbing fixtures within the proposed addition less improvements have to be made to the existing portion of the development.

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 development pattern of this lot, and this neighborhood is not irregular.

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

MPC Comment: The circumstances result from the Petitioner's desired use of an accessory dwelling unit on a relatively small lot. While the location was chosen to take advantage of the existing structure, and part of the proposed encroachment is to mitigate impacts on neighboring properties, it is still a design choice by 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 use of an ADU on the lot likely is financial in nature. Due to the amount of buildable area left on the lot, even structures that are not financial motivated may require variances for placement.

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 deny the applicant 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 minimal in nature. The Petitioner has also added extra features that are not mandated such as gutters to prevent impact the adjacent neighbors, however those features have also increased the requested relief.

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 variance may convey a special privilege to the Petitioner. The development pattern for this lot is not irregular, much of this block has development that covers most of the existing buildable area of the lots. This request could be considered to be adding additional density where it is not expected.

Summary:

The request to reduce the required setbacks and to reduce the separate from the primary residence to allow for the use of an accessory dwelling unit is large in scope. A portion of the increase in scope is to mitigate impacts on neighboring properties. This proposal is for a property that is just below 4,000 square feet in size and is already heavily encompassed with the primary residence. The ADU being proposed is just over 280 square feet in size.

Recommendation:

MPC staff recommends **DENIAL** of the requested variances due to the requests granting special privilege to the Petitioner as well as the request being a result of the Petitioner's design.

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.