

SAVANNAH BOARD OF ZONING APPEALS



STAFF REPORT

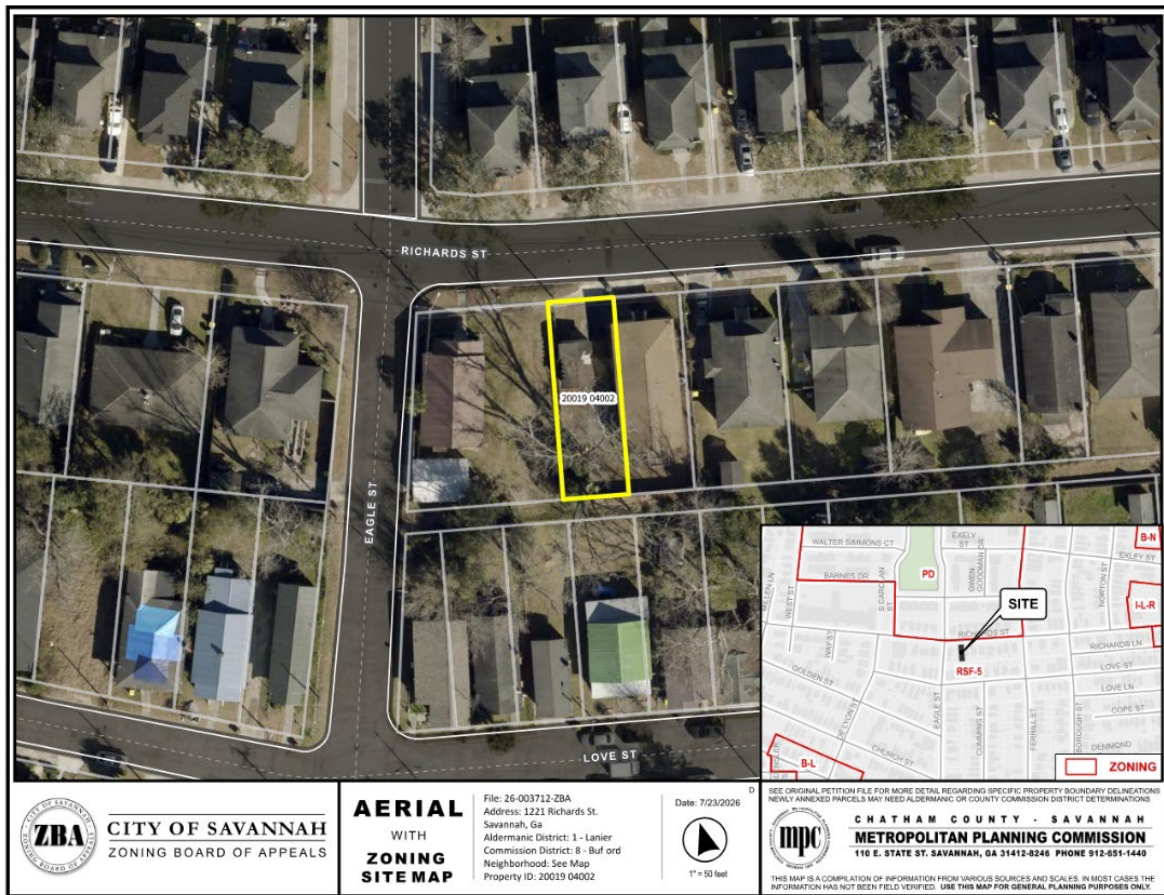
MPC FILE NO.	26-003712-ZBA
MPC STAFF	Ashley Catterton
DATE	October 22, 2026
PETITIONER	Irvin Riley Jr. on behalf of A & I Legacy Group LLC
ADDRESS	1221 Richards Street
PARCEL ID	20019 04002
ALDERMAN DISTRICT	1 – Bernetta Lanier
CHATHAM COUNTY COMMISSION DISTRICT	8 – Marsha Buford

BACKGROUND

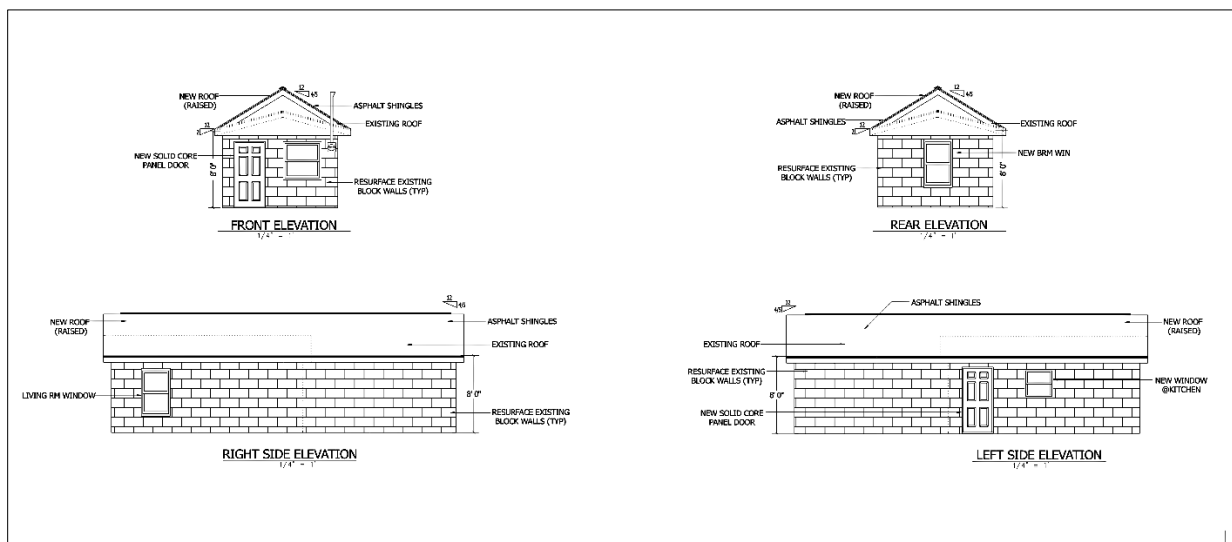
The subject property consists of approximately 0.06 acres (2,614 square feet) located at 1221 Richards Street, with a lot width of approximately 30 feet and a depth of 90 feet. The property is zoned Residential Single-family-5 (RSF-5) and is located within the West Savannah neighborhood.

The Petitioner seeks approval of two (2) variances to facilitate the rehabilitation and expansion of an existing 240-square-foot Accessory Dwelling Unit (ADU). The proposed improvements include a 192-square-foot attached addition, resulting in a total ADU building footprint of approximately 432 square feet. The requested variances are as follows:

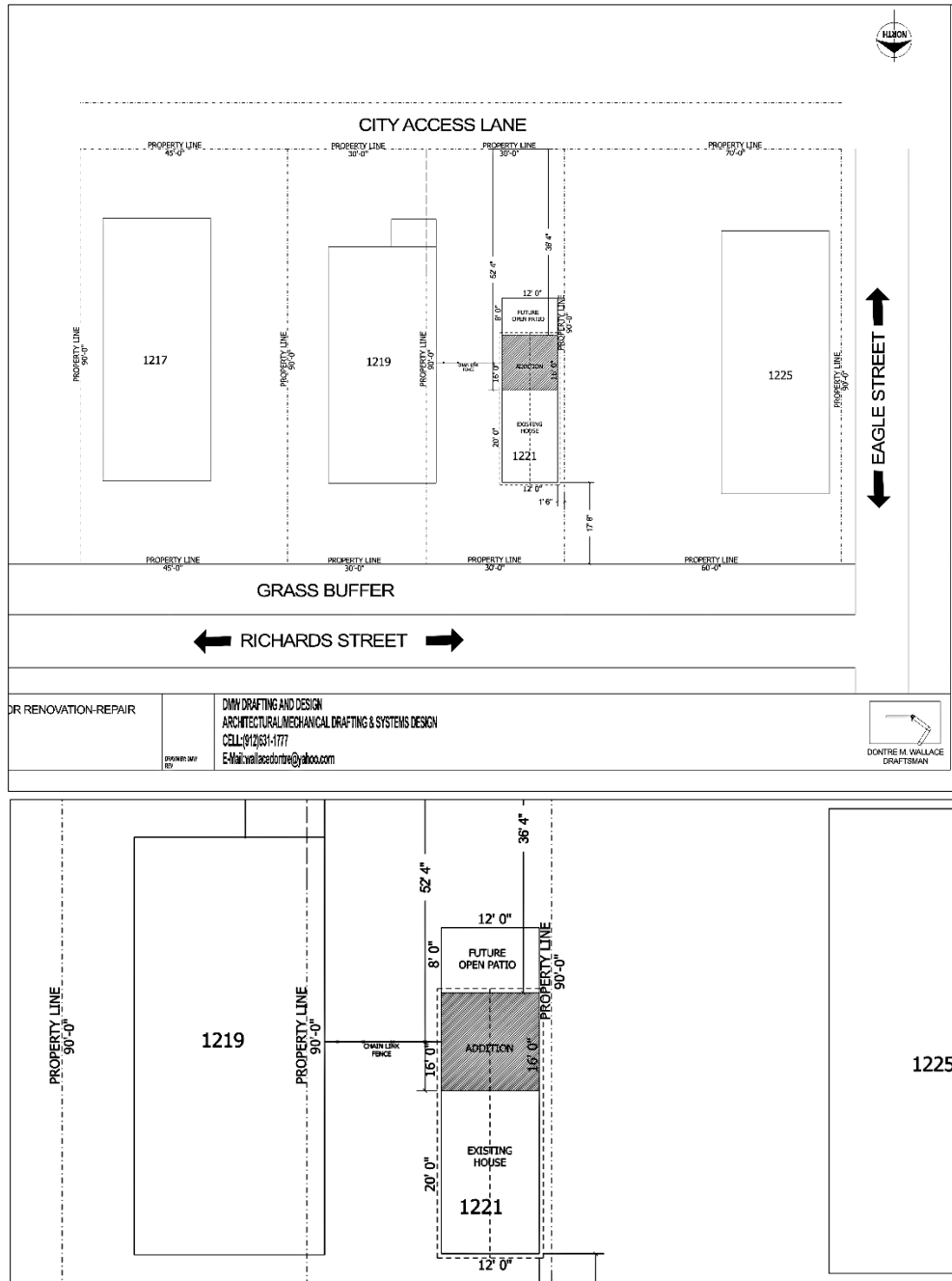
1. Reduce the required side-yard setback for the ADU roof eave from five (5) feet to one (1) foot; and
2. Reduce the required side-yard setback for the ADU structure from five (5) feet to two (2) feet.



Aerial-Site Map for 1221 Richards Street



Proposed ADU Elevations for 1221 Richards Street



Proposed Conceptual ADU Layout for 1221 Richards St

FACTS & FINDINGS

- The Petitioner has submitted a conceptual site plan, floor plans, and architectural elevations illustrating the proposed rehabilitation and expansion of an existing 240-square-foot ADU. According to the Petitioner, the existing structure is currently uninhabitable and will be renovated rather than demolished.

- The proposed improvements include a 192-square-foot addition, resulting in a total ADU building footprint of approximately 432 square feet.
- Pursuant to *Section 8.7.4(a)(iii)*, detached ADUs are required to meet the same side-yard setback as the principal structure. The RSF-5 zoning district requires a minimum five-foot interior side-yard setback. The proposed ADU would be located approximately two feet from the side property line, with the roof eave extending to approximately one foot from the property line. These encroachments are the subject of the requested variances.
- Pursuant to *Section 8.7.4(d)(i)*, the maximum permitted ADU building footprint is 40% of the principal dwelling's building footprint, not to exceed 700 square feet. The principal dwelling at 1219 Richards Street has a reported building footprint of approximately 1,126 square feet, allowing a maximum ADU footprint of approximately 450 square feet. The proposed 432-square-foot ADU represents approximately 38.4% of the principal dwelling's footprint and complies with the maximum building footprint requirement, **provided the properties are established as a single lot.**
- The Petitioner has indicated an intention to combine the properties located at 1219 and 1221 Richards Street into a single parcel. Confirmation of the completed lot combination has not yet been provided. Pursuant to *Section 8.7.4*, an ADU must be located on the same lot as its principal dwelling and meet the applicable minimum lot area requirements.
- The submitted site plan identifies a future open patio associated with the proposed ADU. Any subsequent improvements or modifications shall be subject to applicable zoning and permitting requirements.
- The Future Land Use designation for the subject property is *Residential-Single Family*.
- According to the Chatham County-Savannah Comprehensive Plan (Plan 2040), the subject property is located within the Urban Transitional Character Area. This area is characterized by established residential neighborhoods with access to urban amenities, public transit, and pedestrian-oriented infrastructure. The character area supports residential redevelopment and infill development opportunities.

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.

Staff Comment: *The proposed rehabilitation and expansion of the existing ADU is generally consistent with the Residential-Single Family Future Land Use designation and Plan 2040's Urban Transitional Character Area, which supports residential redevelopment and infill development within established neighborhoods. Although the requested variances would reduce the required five-foot side-yard setbacks for the ADU structure and roof eave, the proposed improvements would maintain an existing residential use. Based on the information provided, no adverse impacts to the surrounding neighborhood or public health, safety, or welfare have been identified. However, the requested setback reductions do not fully align with the dimensional standards established by the Zoning Ordinance.*

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.

Staff Comment: *The subject property is an approximately 2,614-square-foot lot with a width of approximately 30 feet and contains an existing 240-square-foot ADU proposed for rehabilitation and expansion. The existing structure and limited lot width present physical constraints that may affect compliance with the required five-foot side-yard setback. However, the Petitioner has not demonstrated that these conditions are unique to the subject property or that the proposed 192-square-foot addition cannot be accommodated through an alternative design that reduces or eliminates the requested encroachments.*

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

Staff Comment: *The existing ADU and its location on the property are pre-existing conditions that were not created by the proposed improvements. However, the requested variances are associated with the Petitioner's proposed rehabilitation and expansion of the structure. While the existing building's location may contribute to the need for relief, the proposed addition and roof modifications are applicant-initiated improvements. Therefore, the Petitioner has not demonstrated that the circumstances necessitating the requested variances are entirely independent of the proposed development.*

- 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.

Staff Comment: *The requested variances are associated with the proposed rehabilitation and expansion of an existing ADU. Based on the information provided, there is no indication that the requested setback reductions are sought solely for financial gain or cost savings. Rather, the*

proposed improvements are intended to restore the existing structure to a habitable condition and provide additional living space.

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.

Staff Comment: *The subject property contains an existing 240-square-foot ADU proposed for rehabilitation and expansion. Based on the submitted conceptual site plan, the proposed addition generally maintains the existing structure's alignment along the side property line. Although this existing configuration presents challenges in meeting the required five-foot side-yard setback, the Petitioner has not demonstrated that strict application of the setback requirements would deprive the property of rights commonly enjoyed by other properties within the RSF-5 zoning district or result in unnecessary and undue hardship. Furthermore, it has not been established that the proposed improvements could not be accommodated through an alternative design that complies with the applicable setback requirements.*

d. Minimum Variance

The variance, if granted, is the minimum variance necessary to make possible the reasonable use of land, buildings, or structures.

Staff Comment: *The proposed rehabilitation and expansion of the existing ADU generally maintains the structure's existing alignment along the side property line. While this configuration may limit opportunities to achieve the required five-foot side-yard setback, the proposed 192-square-foot addition would extend the existing setback encroachment. The Petitioner has not demonstrated that the requested reductions for the ADU structure and roof eave represent the minimum relief necessary to allow reasonable use of the property, or that alternative designs could not reduce the extent of the encroachments.*

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.

Staff Comment: *The requested variances would allow the rehabilitation and expansion of an existing ADU within the required five-foot side-yard setback. Although the proposed improvements generally maintain the existing structure's alignment, the 192-square-foot addition would extend the building footprint within the required setback area. While the existing structure's location is a relevant consideration, the Petitioner has not demonstrated that the requested reductions are warranted by circumstances that distinguish the property from others within the RSF-5 zoning district. Therefore, approval of the requested variances could confer a special privilege not otherwise available to similarly situated properties.*

STAFF RECOMMENDATION

MPC Staff recommends a **CONTINUANCE** of the requested variances to reduce the required interior side-yard setback for the ADU roof eave from five (5) feet to one (1) foot and for the ADU structure from five (5) feet to two (2) feet, to allow the Petitioner to address the following outstanding items:

1. **Setback Clarification:** Provide a revised site plan confirming the existing and proposed side-yard setbacks for the ADU structure and roof eave. The submitted plans identify a structural setback of approximately one (1) foot, six (6) inches, which does not align with the requested two-foot setback reduction. Any revisions to the variance requests shall be reviewed to determine whether additional public notice or other procedural requirements apply.
2. **Lot Recombination:** Provide documentation confirming the legal combination of 1219 and 1221 Richards Street into a single lot or otherwise demonstrate compliance with the applicable ADU lot requirements under Section 8.7.4 of the Zoning Ordinance.
3. **Revised Plans:** Submit a revised site plan accurately identifying the existing structure, proposed addition, and associated improvements, including the future open patio. Any future enclosure, expansion, or modification shall be subject to applicable zoning and permitting requirements.

These items are necessary to establish the extent of the requested relief, confirm compliance with applicable ADU requirements, and allow the Zoning Board of Appeals to fully evaluate the petition under 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.