

SAVANNAH BOARD OF ZONING APPEALS



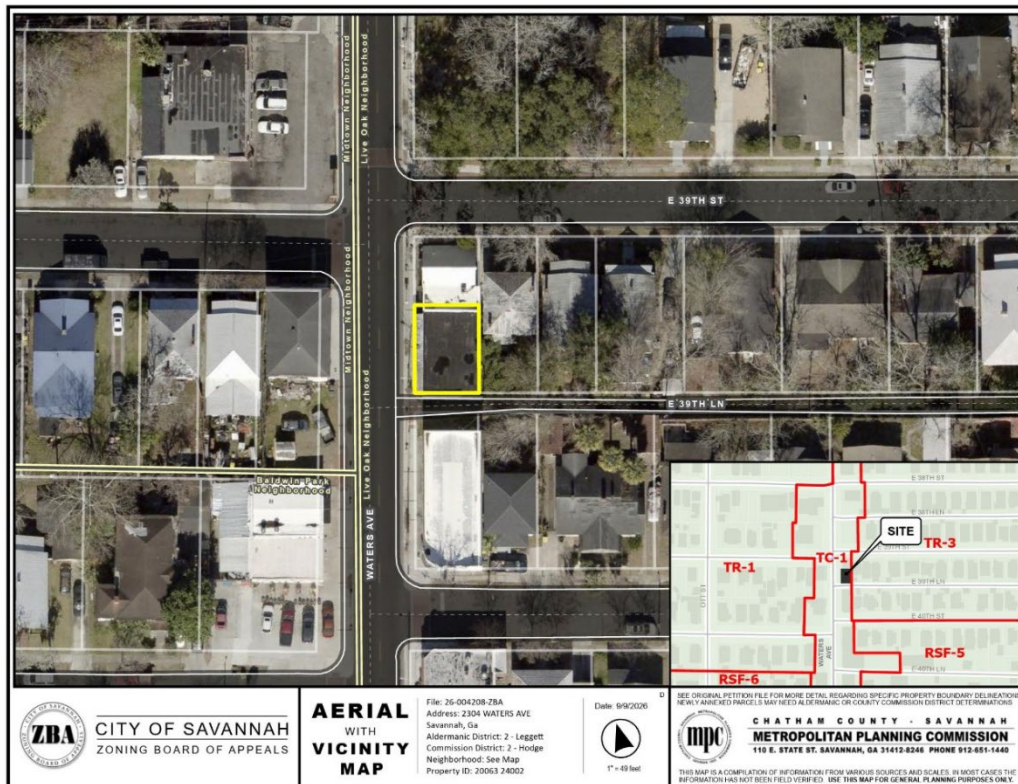
STAFF REPORT

MPC FILE NO.	26-004208-ZBA
MPC STAFF	Ely Zarka
DATE	September 24, 2026
PETITIONER	Ellen Harris
ADDRESS	2304 Waters Ave
PARCEL ID	20063 24002
ALDERMAN DISTRICT	2 – Detric Leggett
CHATHAM COUNTY	
COMMISSION DISTRICT	2 – Malinda Scott Hodge

BACKGROUND

This variance request involves a 0.03-acre parcel located at 2034 Waters Ave. The existing structure encompasses the entire parcel. The property is currently zoned Traditional Commercial-1 (TC-1) within the Live Oak neighborhood.

The Petitioner is requesting a variance to reduce the required parking spaces for a restaurant from 5 to 0.



Aerial & Site Map for 2304 Waters Ave



Existing Storefront

FACTS & FINDINGS

- The most recent occupant of the site was a small church that closed several years ago. That church was also non-conforming with regards to parking but would have been required to provide 8 spaces. As a non-conforming structure, the new use is given credit for the previous uses parking.
 - A restaurant of this size that would typically require 13 spaces, with the credit of 8 from the previous occupant, now only requires 5.
- No parking exists on site now, nor did it previously
- The adjoining lane is unopened.
- Any use that requires more than 8 spaces may require a similar variance application.
- A restaurant is a by-right use in the TC-1 district. Further applications could be necessary if certain services were added to the restaurant, such as the sale of alcohol.
- The intent is for a neighborhood, walkable café style restaurant with approximately 24 indoor seats. Outdoor seating would likely require permitting for ROW encroachment onto the sidewalk area.
- TC-1 is the dominant commercial use along this portion of the Waters corridor with several smaller scale commercial uses bordering the adjacent neighborhoods.

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 structure is an existing non-conforming structure, with many other uses also not being able to provide suitable parking on site. However, across many areas of the City parking is becoming increasingly an issue.*

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: *As an existing development with a proposed adaptive reuse, this is not the same as a brand-new development. However, the*

specific type of use requires more parking because of the tendency to generate more traffic than other uses.

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

MPC Comment: *The existing conditions of the site are not a result of the petitioner's actions. However, the petitioner's choice of business does trigger this requirement that is being requested to vary.*

- iii. The special conditions and/or circumstances are not purely financial in nature to allow the applicant to use the land, buildings or structures involved more profitably or to save money.

MPC Comment: *The special circumstances may not be purely financial in nature. Several other uses would require a similar action, however this variance may help the Petitioner occupy the property in a way that otherwise would not be possible and therefor is financial.*

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: *Other uses that have a lesser parking requirement than the former occupant would not require this application. Many uses that would occur along a corridor may require a similar amount of parking to the proposed restaurant.*

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 for a reduction to zero parking spaces required which is not minimal in nature.*

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: *Granting the requested variance would not confer a special privilege denied to other similarly situated properties.*

STAFF RECOMMENDATION

MPC Staff recommends **APPROVAL** of the request to reduce the parking requirement from 5 to 0 for a restaurant.

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Ellen Harris
2304 Waters Ave
9.24.2026

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.