



SAVANNAH HISTORIC DISTRICT  
BOARD OF REVIEW

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Arthur A. Mendonsa Hearing Room  
April 10, 2013 1:00 p.m.  
Meeting Minutes

**APRIL 10, 2013 HISTORIC DISTRICT BOARD OF REVIEW REGULAR MEETING**

**HDRB Members Present:** Linda Ramsay, Chair  
Ebony Simpson, Vice Chair  
Zena McClain, Esq., Parliamentarian  
Reed Engle  
Dr. Nicholas Henry  
Keith Howington  
T. Jerry Lominack  
Stephen Merriman, Jr.  
Marjorie Weibe-Reed

**HDRB Member Not Present:** Robin Williams, Ph.D

**MPC Staff Present:** Sarah Ward, Historic Preservation Director  
Leah G. Michalak, Historic Preservation Planner  
Mary E. Mitchell, Administrative Assistant

**I. CALL TO ORDER AND WELCOME**

1. [Welcome](#)

Ms. Ramsay called the meeting to order at 1:10 p.m. and welcomed everyone in attendance.

2. [Approval of Agenda](#)

**Board Action:**

Approve April 10, 2013 Meeting Agenda. - PASS

**Vote Results**

Motion: Reed Engle	
Second: Keith Howington	
Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Not Present
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Marjorie W Reed	- Aye
Ebony Simpson	- Not Present

## II. APPROVAL OF MINUTES

### 3. [Approve Minutes of March 13, 2013](#)

Attachment: [03-13-2013 Minutes.pdf](#)

#### **Board Action:**

Approve March 13, 2013 Meeting Minutes. - PASS

#### **Vote Results**

Motion: T. Jerry Lominack	
Second: Keith Howington	
Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Not Present
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Marjorie W Reed	- Aye
Ebony Simpson	- Not Present

## III. SIGN POSTING

## IV. CONTINUED AGENDA

### 4. [Petition of John Harkins | 13-000595-COA | 141 Lincoln Street | Fence](#)

#### **Board Action:**

Continue to May 8, 2013 due to an incomplete application. - PASS

**Vote Results**

Motion: Marjorie W Reed

Second: Reed Engle

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Not Present
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Marjorie W Reed	- Aye
Ebony Simpson	- Not Present

**V. CONSENT AGENDA**

5. [Petition of Nathan Godley | 13-000887-COA | 322 East Oglethorpe Avenue | Exterior Alteration](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Submittal Packet - Photos and Color.pdf](#)

Attachment: [Submittal Packet - Description and Drawings.pdf](#)

**Board Action:**

Approval to install a new opening with a sliding gate on the south wall of the non-historic commercial structure at the rear of the property at 322 East Oglethorpe Avenue because the request meets the Visual Compatibility Factors and Design Standards - PASS

**Vote Results**

Motion: Marjorie W Reed

Second: Reed Engle

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Not Present
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Marjorie W Reed	- Aye
Ebony Simpson	- Not Present

6. [Petition of Lori Collins | 13-001381-COA | 217 West Liberty Street | Exterior Alterations and Awnings](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Submittal Packet - Photographs.pdf](#)

Attachment: [Submittal Packet - Drawings.pdf](#)  
Attachment: [Submittal Packet - Awning Color Swatch.pdf](#)

**Board Action:**

Approval of the exterior alterations to the non-historic commercial building at 217 West Liberty Street because the project complies with the Visual Compatibility Factors and Design Standards. - PASS

**Vote Results**

Motion: Marjorie W Reed  
Second: Reed Engle  
Reed Engle - Aye  
Nicholas Henry - Aye  
Keith Howington - Aye  
T. Jerry Lominack - Aye  
Zena McClain, Esq. - Not Present  
Stephen Glenn Merriman, Jr. - Aye  
Linda Ramsay - Abstain  
Marjorie W Reed - Aye  
Ebony Simpson - Not Present

7. [Petition of Gary Sanders for Sanders, Trowell & Associates Architecture | 13-001385-COA | 405 West Congress Street | Exterior Alterations](#)

Attachment: [Staff Report.pdf](#)  
Attachment: [Submittal Packet.pdf](#)

**Board Action:**

Approval to install a secondary entrance on the west façade of the commercial building at 405 West Congress Street as submitted because the request meets the preservation standards, design standards, and is visually compatible. - PASS

**Vote Results**

Motion: Marjorie W Reed  
Second: Reed Engle  
Reed Engle - Aye  
Nicholas Henry - Aye  
Keith Howington - Aye  
T. Jerry Lominack - Aye  
Zena McClain, Esq. - Not Present  
Stephen Glenn Merriman, Jr. - Aye  
Linda Ramsay - Abstain  
Marjorie W Reed - Aye

Ebony Simpson - Not Present

8. [Petition of Beatrice Popoiu for Kate Spade New York | 13-001388-COA | 319 West Broughton Street | Sign and Awning](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Submittal Packet - Drawings and Photographs.pdf](#)

**Board Action:**

Approval for a principal use fascia sign, an awning with a graphic image, window decal signs, a paint color change, and in-kind repairs as requested - PASS because the proposed work meets the standards and is compatible.

**Vote Results**

Motion: Marjorie W Reed

Second: Reed Engle

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Not Present
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Marjorie W Reed	- Aye
Ebony Simpson	- Not Present

9. [Petition of Speedi Sign for The Coastal Bank | 13-001402-COA | 18 West Bryan Street | Sign](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Submittal Packet.pdf](#)

**Board Action:**

Approval of a principal use fascia sign for The Coastal Bank at 18 West Bryan Street because it meets the standards and is visually compatible. - PASS

**Vote Results**

Motion: Marjorie W Reed

Second: Reed Engle

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Not Present
Stephen Glenn Merriman, Jr.	- Aye

Linda Ramsay	- Abstain
Marjorie W Reed	- Aye
Ebony Simpson	- Not Present

10. [Petition of Becky Lynch for Lynch Associates Architects, PC | 13-001408-COA | 1 West Macon Street | Fence](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Submittal Packet - Drawings and Photographs.pdf](#)

**Board Action:**

Approval to install a new fence surrounding an existing green space within a parking lot with the condition that the finish and color selections for the metal fence and stucco fence base be submitted to staff for final review and approval prior to construction. - PASS

**Vote Results**

Motion: Marjorie W Reed

Second: Reed Engle

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Not Present
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Marjorie W Reed	- Aye
Ebony Simpson	- Not Present

**VI. ITEM(S) REQUESTED TO BE REMOVED FROM THE FINAL AGENDA**

11. [Petition of Joe Kesler for Southern Pursuit, Inc. | 12-002196-COA | 305 West Harris Street | New Construction, Part I Height and Mass, of a two-story commercial structure](#)

No action required. Application withdrawn by petitioner.

**VII. REGULAR AGENDA**

12. [Petition of Twin Rivers Capital, LLC | H-12-4672-2 | 702 West Oglethorpe Avenue | New Construction Commercial Building: Part II, Design Details and Signs](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Aerial.pdf](#)

Attachment: [Submittal Packet - Drawings.pdf](#)

Attachment: [Submittal Packet - Signs.pdf](#)

Attachment: [Submittal Packet - Photographs.pdf](#)

**Mr. Jim Kilburn** was present on behalf of the petition.

**Ms. Sarah Ward** gave the staff report. The petitioner is requesting approval for new construction, Part II Design Details, of a new commercial structure on the property at 702 West Oglethorpe Avenue. The sign plan for the new Family Dollar at this location was also submitted for review and approval. Part I, Height and Mass was approved at the March 13, 2013 meeting with the condition that the horizontal transom storefronts on Fahm Street be eliminated and some articulation be provided in the north and south bays of the east elevation. The Zoning Board of Appeals granted a height variance, as recommended by the Historic District Board of Review, to permit the one-story structure at the March 28, 2013 public meeting. The petitioner requested a continuance for Part II and the signage to address items identified in the findings and opacity of glazing.

**Ms. Ward** stated that the Zoning Administrator has determined that two signs are permitted for this business which has two street frontages. The proposed width of the sign face on the freestanding pylon sign, at seven feet-one and one-quarter inch (7'-4 1/4"), exceeds the allowable width of the ordinance which is six feet.

**Ms. Ward** reported that staff recommends approval for new construction Part II, Design Details of the commercial building and associated signs at 702 West Oglethorpe Avenue with the following conditions to be resubmitted to staff for review and approval.

1. Incorporate mortar colors that are consistent with the brick and concrete colors to which they are associated to provide a greater sense of building mass to the one-story structure and to be compatible with surrounding historic structures.
2. Indicate which portions of the sign face are opaque and which are translucent.
3. The proposed width of the sign face on the freestanding sign at seven feet-one and one-quarter inch (7'-4 1/4") exceeds the allowable width of the ordinance which is six feet. Revise sign dimensions to meet the ordinance and resubmit to staff for final review and approval.

**Mr. Lominack** asked when staff says that the mortar color be consistent with the brick, are they saying be the same as brick color or in the same family brick color.

**Ms. Ward** answered staff means within the same family color. They do not have a problem if it does not match exactly; it is more of monolith panel.

#### **PETITIONER COMMENTS**

**Mr. Kilburn** said they have reviewed the staff's comments and agree. He said meeting the requirements is not a problem.

**Dr. Henry** asked Mr. Kilburn to explain what is happening with the glass, opaque versus transparent.

**Mr. Kilburn** explained that the thought is that on Fahm Street side of the building if they go with transparent glass, on the interior when they fixture the building, all you will see is the back of what people call "martect board." Only the back of fixtures will be seen. The thought is if they go with the opaque glass, it would be more consistent with what would be seen from the street.

**Dr. Henry** asked Mr. Kilburn, "why not just put up a wall behind the glass?"

**Mr. Kilburn** said he guesses that they typically do the opaque glass in situations where they know that there will be fixture walls or you will not be able to really see in over a couple of feet.

**Dr. Henry** said he really appreciates this, but this Board's purview is how it will look on the outside.

**Mr. Engle** stated that the layout does not matter. An aisle could be made next to the window and then the back side of the fixtures would not be seen. This is not this Board's concern as they don't deal with the interior, but he thought they made it plain at the last Board meeting that they consider the Fahm Street elevation just as importantly as the Oglethorpe Avenue elevation. The ordinance says clearly that detail storefront glazing shall be transparent. Mr. Engle recalls that at the last meeting the Board said they did not care about the parking lot side or the back side, but they do consider Fahm Street to be an important public street. Consequently, he believes the petitioner can arrange the interior layout so that there could be some activity seen. It does not have to be the back of fixtures.

**Mr. Howington** asked Mr. Kilburn if there was a reason two separate colors were chosen. The anodized aluminum storefront and all the other metal is bronze. Why isn't it consistent?

**Mr. Kilburn** said they could make it consistent if the Board thinks that way would make it a better fit for the area. They can acquire multiple different colors with a storefront. For them, this is not an issue. All the exterior metal that is presently shown is bronze with the exception of the storefront. They can certainly be consistent with all the exterior metal.

#### **PUBLIC COMMENTS**

**Ms. Danielle Meunier of Historic Savannah Foundation (HSF)** said they support the transparent glazing on Fahm Street. They just wanted to clarify that as it being proposed now with transparent glazing on Oglethorpe Avenue and opaque on Fahm Street, they would like to see that the transoms match depending on what the glazing is on each façade. Ms. Meunier said she is aware that the transom can be opaque if the storefront glazing is transparent. She said that the HSF agrees with staff's recommendation for the fascia sign to use back lighting with reverse silhouette or cutout letters.

**Ms. Ramsay** asked Mr. Kilburn if he wanted to respond to the public comments.

**Mr. Kilburn** said he just wanted to be clear on the comment made about the opaque glass. He believes the comment is about consistency between the transom and the glass on this



particular elevation. If so, this is not a problem.

**Mr. Howington** said the lower portion between the bottom of the transom and the sill would be transparent.

**Mr. Kilburn** asked if this is to be done on all the elevations.

**Mr. Howington** stated that he believes this is what was being said. They are to be consistent on all the elevations. If spandrel is above the awning, then spandrel will be on Fahm Street. If it is clear on Oglethorpe Avenue below the awning, then it should be clear on Fahm Street as well.

**Mr. Kilburn** said he believes he will be able to get the tenant to approve that.

### **BOARD DISCUSSION**

**Dr. Henry** said they want all the glass to look the same and be clear. If the petitioner has permission to do two signs, these streets are very important.

**Mr. Engle** said the ordinance allows the petitioner to use solid glass, not transparent in the transoms. Therefore, it does not have to be transparent.

**Ms. Ramsay** explained that she believes the comment was that they be consistent on Oglethorpe Avenue and Fahm Street. As a motion has not been made, she asked Ms. Meunier to explain the HSF comment.

**Ms. Meunier** explained that their comment was simply that the glazing on the storefront and a particular façade match the glazing and the transoms. Therefore, whether it is opaque or transparent, they are in favor that it matches between the transoms and the storefront glazing.

**Mr. Merriman** said the ordinance does not say that.

**Mr. Engle** said the transoms on Broughton Street are different colors than the storefronts. He has no problem with this.

**Mr. Merriman** said they are allowed to be different.

**Mr. Lominack** asked what would be a reason for changing it.

**Mr. Engle** said historically, this is how it is done all over town.

**Mr. Lominack** said this is not necessarily a good reason.

**Mr. Merriman** said if the petitioner has asked for it, then it is within his rights to have it as far as the ordinance states.

**Mr. Howington** said to him, it seems odd to have two different colors of metal. He would rather see some consistency in the metal. He believes it would be more visually compatible.

**Mr. Engle** stated that since this is a 1950s and 1960s district, naked aluminum is quite appropriate. Maybe all of it should be naked aluminum.

**Mr. Howington** said as long as it is consistent.

**Ms. Ramsay** said they are allowed to be different.

**Board Action:**

Approval for new construction Part II, Design Details of the commercial building and associated signs at 702 West Ogleshorpe Avenue with the following conditions to be resubmitted to staff for review and approval:

1. Incorporate mortar colors that are consistent with the brick and concrete colors to which they are associated to provide a greater sense of building mass to the one-story structure and to be compatible with surrounding historic structures.
2. Indicate which portions of the sign face are opaque and which are translucent. Staff recommends consideration of back lighting with reversed silhouette or cut-out letters for the fascia sign instead of internally illuminated lettering. For the pylon sign, staff recommends that the red background be opaque. - PASS
3. The proposed width of the sign face on the freestanding sign at seven feet-one and one-quarter inch (7'-4 $\frac{1}{4}$ "') exceeds the allowable width of the ordinance which is six feet. Revise sign dimensions to meet the ordinance and resubmit to staff for final review and approval.
4. The color of the metal elements including the storefront must be consistent.
5. Glazing below the canopies must be transparent on street fronting facades; transom may be opaque, but the transparency type must be consistent on the street fronting facades.

**Vote Results**

Motion: Keith Howington

Second: Ebony Simpson	
Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Not Present
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Marjorie W Reed	- Aye
Ebony Simpson	- Aye

13. [Petition of Anil R. Patel and Kirit R. Patel | 12-002200-COA | 135 Martin Luther King, Jr. Blvd. \(508/512 West Oglethorpe Avenue\) | New Construction Hotel: Part 1, Height and Mass](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Aerial - Facing North.pdf](#)

Attachment: [Historic Building Map - South Oglethorpe Ward.pdf](#)

Attachment: [Submittal Packet - Context Photographs.pdf](#)

Attachment: [Submittal Packet - Drawings.pdf](#)

**Mr. Jasper Wayne Proctor** was present on behalf of the petition.

**Ms. Leah Michalak** gave the staff report. The petitioner is requesting approval for New Construction, Part I Height and Mass for a six-story, 137 unit hotel, located on the vacant parcel at 135 Martin Luther King, Jr. Boulevard. The request for New Construction, Part I, Height and Mass was reviewed and continued by the Board at both the February 13th and March 13th meetings this year.

**Ms. Michalak** reported that staff recommends approval of the New Construction Hotel: Part I, Height and Mass at 135 Martin Luther King Jr. Boulevard with the conditions that the two pilasters on the Alton Street façade be removed; the canopy on the Alton Street façade be detailed correctly to not extend over the adjacent bay, and the material standard be met and the sustainable roof certified by the City Manager and submitted with Part II, Design Details to include the additional story.

**Dr. Henry** said as he recalls, this is a three-phase project.

**Ms. Michalak** explained that this is one hotel. They have not shown any of the other parts yet. The plan is to have a parking garage and a second hotel.

**Dr. Henry** said he remembers that the Board had concerns with an exposed parking lot and so forth. The three phases answered the Board's concerns. What authority the City has in making sure the petitioner completes the three phases? If none, the Board would be taking a gamble.

**Ms. Michalak** said the petitioner has done a wall around the property which was reviewed at the last meeting. This is the brick wall with the iron top around the entire property.

**PETITIONER COMMENTS**

**Mr. Proctor** came forward and introduced himself.

**Ms. Ramsay** asked Mr. Proctor if he wanted to add anything or respond to staff's comments.

**Mr. Proctor** said they are in agreement with the staff's comments.

**PUBLIC COMMENTS**

**Mr. Daniel Carey of Historic Savannah Foundation (HSF)** said the Board may recall that last month he had a question about the green roof and the process of how this would be approved and the timing. Mr. Carey guesses today that he has the same question. They think the green roof should be approved by the City Manager before they get to Part II. In other words, this is an important decision that should be made before they get too far along with the project. Mr. Carey realizes that this may be an area that they do not get into too often with the City; personally, Historic Savannah Foundation would like to make some outreach to the City Manager about this entire process for green roofs. He said the HSF recommends without hastening the City Manager's decision, it would be made before Part II is entertained.

**Ms. Ramsay** asked staff to respond to Mr. Carey's suggestion.

**Ms. Michalak** explained that it is a requirement for the Part II submission that the certification from the City Manager has to be in the Part II package. Therefore, the process will start after the Part I approval.

**Dr. Henry** asked staff what issues will the City Manager address.

**Ms. Michalak** explained that the City is the administrator of the Green Roof ordinance. Therefore, they have to certify that whatever they are using that the proposed roof meets the ordinance.

**Dr. Henry** asked that in this instance, would it be solar panels?

**Ms. Michalak** answered yes.

**Ms. Ward** stated that our ordinance calls it a green roof, but that just means to use some kind of green technology whether it be solar or vegetative. The City is the entity that signs off verifying that they have met the requirements.

**Mr. Engle** said that drawing nine (9) shows solar panels on the entire roof.

**Mr. Carey** said this is a matter for the City Manager, but he thinks that when this decision is left unilaterally to the City Manager, it could be a design issue, but the more input the better to a degree. Therefore, he will try to take this up with the City Manager to encourage her to seek good input before she makes her final decision on this before they get to Part II.

**Ms. Simpson** explained to Mr. Carey that this is covered in the staff's recommendation.

**Ms. Ramsay** said the sustainable roof certification aspect is covered.

**Mr. Carey** said because they do not come across this frequently, he just wanted to be sure that this is the case and hopefully they could come up with a good precedent that works well so that in the future they will have it.

**Ms. Ramsay** asked Mr. Proctor if he wanted to respond to the public comments.

**Mr. Proctor** answered no; it is acceptable.

### **BOARD DISCUSSION**

**Mr. Lominack** said he is concerned about the solar panels and the so-called "green roof ordinance" and going to the City Manager for approval. What kind of technical data goes along with this? Just saying you are putting solar panels on a roof does not mean that you are doing anything, except putting solar panels on a roof. How is it going to get utilized? What percentage of energy will it supply the building?

**Mr. Merriman** said that is not this Board's purview.

**Ms. Ramsay** said it is left to the City to certify it has a green roof.

**Mr. Lominack** said he is not qualified to certify it; he likes the City Manager, but he is not sure she is qualified to certify it either.

**Ms. Simpson** said the City Manager has staff that is able to do this.

**Ms. Ramsay** assumed that the City Manager has staff or a consultant qualified to do this. However, she does not know and this is not this Board's purview.

**Mr. Lominack** stated that the reason for it is to encourage energy conservation and so forth. If it is not in fact doing this, then it is not meeting its intent.

**Ms. Ramsay** said maybe the Board can rely on the Historic Savannah Foundation to follow up on it or the Board may follow up on this.

**Ms. Simpson** stated that she is sure the staff will follow up on this decision.

**Ms. Ward** explained that staff is working closely with the City on this issue. There is another project already in process that is getting the certification. The City has an environmental resources planner who is heading this up and works directly under the City Manager to ensure that not only will it meet technological statistics, but that it be insured and will not stop working in one or two years. The additional story will be there forever. Therefore, they want to ensure that the sustainable technology will also be in good working condition if it is solar and be livable if it is green. She said that the City has adopted a green roof ordinance to ensure these kind of things and it applies mostly to a vegetative roof. Presently, they are working closely on this as the other project will also use solar.

They want to be sure that it will sustain itself and do what it is suppose to do.

**Mr. Lominack** stated that he believes this is an important thing to do. He was on the taskforce when the green roof ordinance was added to the Historic District Zoning Ordinance and he was in favor of it. But, he just wants to be sure that the ordinance accomplishes what it is intended to do.

**Ms. Weibe-Reed** said she had a concern about the elevation [she is aware that it was approved previously]. The head of the window is close to the capstone band between the 5th and 6th floors. Has anybody investigated this? She is aware that there are windows that they try to stick with, but the head of the window on the 5th floor and the capstone band on the 6th floor are close.

**Mr. Howington** said it is inconsistent on the front façade with the side façade, but it could be a design detail with that cornice. It would need to be consistent all the way around and the Board could look at this in the design details, Part II.

**Mr. Engle** said once the Board approves the openings, it is approved.

**Mr. Howington** said the openings are not going to change, but just the height of the windows which would be more appropriate on the Martin Luther King Jr. Boulevard side.

**Ms. Weibe-Reed** said there needs to be a little more breathing room like what is shown on the Martin Luther King Jr. Boulevard side.

**Mr. Howington** said it is consistent on this section, but inconsistent on that elevation.

**Ms. Weibe-Reed** asked which is correct.

**Mr. Merriman** stated that five (5), six (6) and seven (7) show something different.

**Mr. Engle** said that the stringcourse is not shown at all.

**Mr. Howington** stated that this would be a part of the design details in Part II.

**Mr. Engle** said the projection of it would not be. No cornice is shown between the 5th and 6th. Is that flat? He thought it was a raised bend.

**Ms. Ramsay** said the Board needs to get clarification from the petitioner during the Board Discussion.

**Ms. Ward** said a motion has not been put on the floor, which she encourages the Board to do when the public comment period is over. The Board could still ask the petitioner a question, but it would be better to ask him/her when they are making their comments.

**Mr. Proctor** came forward and stated they have different size windows from Martin Luther King Jr. Boulevard to the other locations. He believes these are a little bigger and this is why they are seeing a part of the brick missing on the top of the window in this elevation.

**Ms. Weibe-Reed** asked Mr. Proctor what motivated them making the windows larger.

**Mr. Proctor** said they could modify the windows. He does not want to go through Part I again.

**Mr. Engle** said the stringcourse is shown as a projecting molding. This is the same question the Board had two meetings ago. If they look at page 6 of 17, between the 5th and 6th floor there is a projecting molding, but it is not that way in this section. It is much wider on this section.

**Mr. Proctor** said they can run that course over.

**Mr. Engle** asked Mr. Proctor to pull up the 5th and 6th floors on the screen. He said that a projected molding is shown, but the section shows about two feet of flat brick with no projected molding. Which is correct? It appears to be eighteen inches (18") to two feet (2').

**Ms. Ramsay** asked that the window issue be handled first.

**Mr. Proctor** said they can run the brick course all the way across. This would probably settle that. On the 5th floor, there is really not a problem, but they just have to coordinate the sections with the elevations.

**Dr. Henry** stated that the Board should not be considering this. The Board should be given an accurate elevation. It appears that the elevation is not accurate.

**Ms. Simpson** asked if this could be submitted to staff.

**Mr. Howington** said the second issue is Part II.

**Mr. Engle** said no it isn't. It is Part I.

**Ms. Simpson** asked if the petitioner could bring this back in Part II.

**Dr. Henry** said his concern is that the Board cuts petitioners too much slack. The Board needs to be given accurate drawings.

**Ms. Simpson** said when the petitioner comes back for Part II, the Board could stipulate this in their motion that a corrected drawing must be submitted.

**Dr. Henry** said when the drawings are not correct, the Board wastes so much time with asking so many questions.

**Mr. Engle** asked the petitioner if the sections or the elevations are correct.

**Mr. Proctor** stated that if the Board likes the sections, they could make the sections right and change the elevations.

**Mr. Engle** stated that it is not a matter of what the Board likes, but a matter of what the

petitioner is planning to do. He said that the Board went through this two Board meetings ago that the sections did not match the elevations. This is why Dr. Henry is somewhat frustrated because the Board talked about this exact same thing two months ago. Mr. Engle said if the section is correct, the petitioner cannot use that window.

**Mr. Proctor** said he would like to hold the elevations as being correct and wants to continue this course across the window. Then he will make the sections match this.

**Ms. Michalak** stated that as Mr. Howington said, the wall sections are not a part of Part I requirements, but are a part of Part II requirements. Therefore, the Board would be approving the elevation in Part I.

**Ms. Weibe-Reed** asked why the windows are different sizes on the elevation.

**Mr. Proctor** answered that the windows on Martin Luther King Jr. Boulevard are smaller than the windows on Ann Street. He said, pointing to a section, they had bigger windows here; therefore, they had to break the brick course above the top of the window to make it fit.

**Ms. Weibe-Reed** stated her question is "why" are the windows different sizes.

**Mr. Proctor** said they attempted to meet the ordinance requirements regarding the percentage of windows for the wall surfacing and spacing. They like the bigger windows and, therefore, they tried to keep them for the design element. They thought the bigger windows were more appropriate.

**Mr. Howington** said he believes consistency is the most important aspect.

**Mr. Proctor** said that Martin Luther King Jr. Boulevard is a little different than the other streets. It has double windows and singles on the others. He prefers to keep this size. As he has said, he can continue the brick course across here. Consequently, he would like for the Board to approve it and allow them to change the brick height to run a brick course across the top. They will make the sections for the next meeting.

**Mr. Engle** asked if the stringcourse between the 5th and 6th floors are going to be consistent projecting stringcourse.

**Mr. Proctor** answered yes; it is going to be consistent. They will show a projection on the section.

**Mr. Engle** said, but there will be no space between the lintel and that stringcourse.

**Mr. Proctor** answered correct. They will make it just like the elevation.

**Mr. Howington** asked Mr. Proctor if he prefers the Oglethorpe Avenue, Ann Street or any other elevation to the size of the windows on Oglethorpe Avenue.

**Mr. Proctor** said he prefers the bigger windows on Ann Street. There should be the same windows on Ann Street as are on Oglethorpe Avenue. The only different size windows should be on Martin Luther King Jr. Boulevard. Mr. Proctor said, pointing to a section,



therefore, he prefers the bigger windows here and the smaller windows where the double windows are on Martin Luther King Jr. Boulevard. He was hopeful that this answered Mr. Howington's question.

**Mr. Howington** confirmed that Mr. Proctor answered his question.

**Mr. Engle** asked Mr. Proctor if it meets the three and five consistently.

**Mr. Proctor** answered yes, both of them.

**Mr. Howington** stated that with that being said, he now has the same concern as Ms. Weibe-Reed with the spacing on the 5th and 6th floor between the windows.

**Ms. Weibe-Reed** said visually the Martin Luther King Jr. elevation is more successful than the other three elevations.

**Mr. Proctor** stated that on the elevations he could make another change and make the height four inches more. He believes this would make it look more proportionate.

**Board Action:**

Approve the petition for the New Construction Hotel: Part I, Height and Mass at 135 Martin Luther King, Jr. Boulevard with the following conditions:

1. Remove the two pilasters on the Alton Street façade.
2. The canopy on the Aton Street façade be detailed correctly to not extend over the adjacent bay.
3. The material standard be met and the sustainable roof certified by the City Manager and submitted with Part II, Design Details to include the additional story.
4. Redesign the fenestration and/or cornices and banding on the Alton Street, Ann Street, and Oglethorpe Avenue facades to be more consistent with the MLK façade, to be reconsidered by the Board with the Part II, Design Details submission.

- PASS

**Vote Results**

Motion: Nicholas Henry  
Second: Reed Engle  
Reed Engle

- Aye

Nicholas Henry	- Aye
Keith Howington	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Not Present
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Marjorie W Reed	- Aye
Ebony Simpson	- Aye

14. [Petition of Neil Dawson for Holly Metts Pace | 513 Whitaker Street | 13-000332-COA | Fence](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Submittal Packet - Description.pdf](#)

Attachment: [Submittal Packet - Drawings.pdf](#)

Attachment: [Submittal Packet - Photographs.pdf](#)

**Ms. McClain** arrived at 2:00 p.m.

**Mr. Neil Dawson** was present on behalf of the petition.

**Ms. Sarah Ward** gave the staff report. The petitioner is requesting approval for alterations to the fencing surrounding the property at 513 Whitaker Street and to install new masonry. Physical inspection of the piers by staff was conducted on January 29 and February 15, 2013. The design and gauge of the iron work (hollow core) between the piers is not consistent with the more decorative iron work on the balconies and vehicular drive and, as such, does not appear to be original to the construction of the residence. The piers are in a state of deterioration and have been damaged and modified overtime. The concrete/limestone material does not match the materials of the main house which are brick, granite and wood. However, the fence does appear to be from the early to mid 20th century.

This petition was heard by the Board at the meeting of February 13, 2013 and was continued at the petitioner's request.

**Ms. Ward** reported that staff recommends approval of the alterations to the fencing surrounding the property at 513 Whitaker Street and to install new masonry walls as amended because the request meets the preservation standards, design standards and is visually compatible.

**Mr. Howington** asked Ms. Ward if the new fence will be grey brick.

**Ms. Ward** answered yes.

**Mr. Lominack** asked staff if they have a sample of the brick.

**Ms. Ward** answered no.

**Mr. Lominack** asked what is to happen between the existing fence and the new brick wall.

**Ms. Ward** said she believes the petitioner's intent is to grow some sort of greenery on the wall. But, this is not within this Board's purview. However, she did inquire about this.

#### **PETITIONER COMMENTS**

**Mr. Dawson** came forward and stated that he is the architect for this property. He said the owner, Ms. Holly Metts Pace, is present also.

**Mr. Dawson** said the alternate design would move the existing historic fence on top of the brick face that would match the cheek walls of the porch. There are two benefits to this design. They will lose that little sort of trash collection space. Also, regarding the side yard, if the Board looks at the overall plan, it is only about nine (9) feet wide. There are two nice dogwood trees here which are about 32 inches off of the back of the fence. By doing this, they will essentially have to take two dogwood trees out. This will create an extremely narrow yard. In fact, the shrubs may be removed as there would not be enough room practically to have a place for a child and a dog to play. This is why they prefer the alternate design to push it closer to the street and retain all the historic elements that are here currently in a new design. This design is also more beneficial and useful for the owner.

**Mr. Dawson** said the other change that Ms. Ward mentioned is the Nichol's fencing behind the existing iron, which allows the owners veterinarian practice to be able to open the doors and if the dogs run out, they do not want them to be able to run right into Whitaker Street. Therefore, this provides some protection for that without altering the historic appearance of the fence. Consequently, they prefer the alternate design.

**Ms. Simpson** asked how tall is the brick in the alternate design.

**Mr. Dawson** answered he believes the cheek wall is four feet - ten inches (4'-10") on the porch. Therefore, their intent is to match the cheek walls. They do not want to precisely replicate elements. This is why they are using a different color brick which is something they would like to defer to an onsite meeting with staff so they may have three or four different selections to look at. They do not want to do the yellow brick, but to keep the striation and the brick with the recesses so that it has some continuity with the existing porch.

**Ms. Simpson** said this will be four feet - ten inches (4' - 10"). She asked what is the height of the existing wall's base.

**Mr. Dawson** explained that the base is about eight inches (8") tall. It would be approximately five feet tall solid and the existing fence is approximately three feet and will be transparent on the top. Therefore, this would give them some privacy and basically an extra three feet of yard. Just to get a footing in here, they are essentially taking away two or three feet of the yard.

**Mr. Lominack** asked if this would only occur at the same location where the wall is now. It will not run all the way around the entire property, will it?

**Mr. Dawson** explained, pointing to a section, that it would only occur in this section.

**Mr. Engle** stated that it is against the Secretary of Interior's standards to reuse materials. If they assume it is historic, then to put it on top of another wall is totally inappropriate. Frankly, he believes it makes more sense to take it out and run a new wall the full length. They are creating something that never existed historically and using historic elements. Have you considered taking it out?

**Mr. Dawson** believes this is what he heard at the last meeting and it crashed and burned.

**Mr. Engle** said at the last meeting, it was said taking it out in the front. The ordinance says that it cannot be done in the front; but consistent with the sides and back, you can do so.

**Mr. Dawson** said he realized that this is a sort of recombination that would have never existed in a historic fabric, but they did not want to take a perfectly good columns, ironwork and so forth and toss them in the trash to make the Secretary of Interior's Standards happy.

**Dr. Henry** asked Mr. Dawson when he talks about the alternative plan, is he talking about the plan that was presented earlier?

**Mr. Dawson** answered no. He is talking about the plan that is shown on page 3 which is the design that places the historic fence on top of a new brick cheek wall.

**Mr. Howington** believes the petitioner stated at the last meeting that a part of this fence has only been here since 1990.

**Mr. Dawson** said they cannot document this. Ms. Ward and he have looked at this. He cannot prove that this is true, but Ms. Pace has experience with this.

**Ms. Pace** explained that where the grass and the trees are, used to be their concrete driveway on Huntington Street. Her father removed the concrete and put in the grass and planted the trees there. If the Board does not like the idea of lifting the old fence on top of the new brick, the idea they were trying to present at the last meeting was coming up with a new brick fence with pretty iron on top. They understood that this was not acceptable even on Huntingdon Street. Now, may be they misunderstood that. They are totally fine with doing this if this is what the Board would like. Otherwise, these were the only other things that they could come up with.

**Dr. Henry** asked Ms. Pace that the only thing they are sure about in terms of historical is the front gate.

**Ms. Pace** said she is not sure about the front gate facing Whitaker Street. The only reason she assumed that it could be original is because it is so ornate and all the iron work on the house is ornate. But, she does not have a clue whether the gate is original.

**Mr. Engle** said at the last meeting, everyone was saying this is concrete, but it is not as they are limestone. In fact, they match the limestone at Telfair. The statues at Telfair look like they are made out of concrete, but they are not.

**Mr. Howington** thanked the petitioner for getting some help and coming up with a nicer

solution.

**PUBLIC COMMENTS**

None.

**BOARD DISCUSSION**

**Mr. Howington** stated that he wanted to address Mr. Engle's statement about the Secretary of Interior's Standards. He said his interpretation about the Secretary of Interior's Standards is that you are not taking anything out if you are making it into a different color brick and it has a concrete block wall underneath. He understands that the visual compatibility might be similar, but in an investigation someone would realize that this is not a historic wall. Therefore, based on his interpretation of the standards, he does not believe that there is any jeopardy in crossing that line.

**Mr. Engle** stated that it is the visual integrity. They should not have a physical research to judge where something is original or not. They are taking them down; they are removing them. Therefore, don't put them back.

**Mr. Howington** said he is a fan of reuse.

**Mr. Merriman** said he believes at the last meeting, the big deal was taking them down was removing the historic fabric. But, now they are saying it's oaky to take them down.

**Mr. Engle** said they are taking them down if they are not on top of another wall. If they are not historic, don't put them back.

**Mr. Merriman** said he agreed at the meeting that they did not know whether they are historic or not. But, such a big deal was made that they could be historic. Therefore, they could not do anything with them.

**Ms. Simpson** asked staff what is their thought on the alternate plan.

**Ms. Ward** explained that the petitioner submitted this alternate design initially with their packet. She said she had concerns with the compatibility of that design; just the center portion where it had the brick base and then the other portion proposed on top of that. Staff had originally supported the initial concept. She said she tends to agree with Mr. Engle that if they are going to remove it, they should just remove it and do the brick wall. Ms. Ward said she thought it was odd to introduce the different materials on top of each other. It would be like two different walls stacked on top of each other. She does not have a problem if the fencing goes there and is replaced entirely with something new or even if they wanted to reuse the ironwork. It is more of the concrete columns and base on top of the brick wall that she does not believe is visually compatible with the other walls in the area.

**Ms. Simpson** said going back to the previous meeting where the Board addressed this item, she asked if the original height of four feet - ten inches (4' 10") is compatible with some of the other brick walls.

**Ms. Ward** answered surely on the side of the property.

**Ms. Simpson** explained that at the last meeting she voted against the majority of this because she agrees with the fact of possibly reuse. She still thinks that the new brick wall is okay. Therefore, she does not know whether the Board should discuss possibly allowing another type of metal on top or allow the petitioner to reuse what is existing.

**Board Action:**

Approval of alterations to the fencing surrounding the property at 513 Whitaker Street and to install new masonry walls as submitted using Alternate B - PASS  
Fencing because the request meets the preservation standards, design standards and is visually compatible.

**Vote Results**

Motion: T. Jerry Lominack  
Second: Keith Howington  
Reed Engle - Nay  
Nicholas Henry - Aye  
Keith Howington - Aye  
T. Jerry Lominack - Aye  
Zena McClain, Esq. - Aye  
Stephen Glenn Merriman, Jr. - Aye  
Linda Ramsay - Abstain  
Marjorie W Reed - Abstain  
Ebony Simpson - Nay

15. [Petition of Greenline Architecture | 13-000831-COA | 411 West Congress Street | Addition](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Submittal Packet - Project Description.pdf](#)

Attachment: [Submittal Packet - Drawings and Photographs.pdf](#)

**NOTE: Mr. Howington recused from participating in this petition. He is an employee of Greenline Architecture.**

**Mr. John Deering of Greenline Architecture** was present on behalf of the petition.

**Ms. Leah Michalak** gave the staff report. The petitioner is requesting approval for the addition of a covered grilling area at the northwest corner of the existing courtyard for the business, "The Social Club," located at 411 West Congress Street. This project was continued at the petitioner's request at the last meeting to address some items that were addressed by the Board. She said the petitioner has addressed the concerns by altering their design.

**Ms. Michalak** reported that the staff recommends approval of the addition of a covered grilling area at the northwest corner of the existing courtyard for the business, "The Social Club," located at 411 West Congress Street as it meets the standards and is visually compatible.

#### **PETITIONER COMMENTS**

**Mr. Deering** came forward and entertained questions from the Board.

#### **PUBLIC COMMENTS**

**Ms. Danielle Meunier of the Historic Savannah Foundation (HSF)** stated that they agree with the staff's recommendation. They also think that the pitch of the roof should match the shed addition. However, they think that the height of the roof could be lowered. They do not believe that it necessarily has to be at the same height as the existing shed addition because it is not attached to it; being 13 feet - nine inches (13' - 9") at its lowest point, they feel is unnecessarily high and appears to be an utilitarian structure. Ms. Meunier said the HSF also believes that the vertical metal panels below the roof could be removed. They do not believe that these are necessary.

**Ms. Paige Schmucker** came forward and stated she lives at 411 West Congress Street, the building shared with the Social Club which is under view this afternoon. Ms. Schmucker said the owners of the Social Club of Savannah are members of the townhouses on West Congress Street Condos Association, Inc. As owners and members of the Condos Association, they have a duty to their owners and members in making changes to the property that may affect other members or buyers of the property.

**Ms. Schmucker** explained that the owners of the Social Club have not given the other members of the Condo Association due process in considering the change they propose to this Board. The stipulation of the association's agreement is that they do so before hand. She is representing one of the owners, but is not on the Executive Board or the Condo Association. However, the President of the Board, Wendell Baines, has had no knowledge of these proposed changes until she brought them to his attention a week ago. Mr. Baines is unable to attend the meeting today and has given her permission to speak on his behalf. She said that the Congress Social Club owners have not complied with their responsibility to the Condo Association and, therefore, the Board and the Condo Association members request that this decision be delayed until due process can be completed. This is not the first time that the owners of the Congress Street Social Club have unilateral taken action against the other owners and in their interest. Ms. Schmucker said that Mr. Baines wishes for the Board to honor the agreement signed between the members of the Condo Association before giving the Social Club authorization to take more unilateral action that may not be in the best interest of the entire residents of this property.

**Ms. Schmucker** said as a resident of this property, she has three main concerns about the design and location of the proposed grill structure. She said she will withhold her serious concerns about the safety and quality of life to the purview of this Board and limit her comments to the preservation of the historic district and the aesthetic of the area. Placing a shed structure in the location alters the street wall in an unappealing way. The current street wall is maintained by brick columns and a steel fence that engages in a way that

maintains the architecture capillary of the block without appearing to create a void where the courtyard lies. The proposed structure would break up this rhythm; create a disjointed view of the street wall and ruin the little aesthetic that block has left.

**Ms. Schmucker** said as a resident she respectfully requests that the Board deny this request. As a representative of the townhouses at the West Congress Street Condos Association board president, requests that this Board postpone this decision of the Social Club request so that a compromise can be reached in the design between the Condo Association, residents and owners of this building to help preserve this space.

**Mr. Harley Krenski**, owner of the Social Club stated in dealing with the Condo Association, they have the right within the courtyard to do whatever is compatible with all the design standards in the historic area. It was not brought up to the rest of residents in the condos. In the past they have talked to Wendell Baines, the president, and he has made no indication that they have any purview of their courtyard area.

### **BOARD DISCUSSION**

**Mr. Lominack** said he disagrees with the staff's findings. He said that under the design standards, it clearly states under 2.B-1 "buildings throughout the Historic District which fronts a street shall be at least two stories except in the Beach Institute Character Area or accessory buildings which fronts a lane." Mr. Lominack said that Congress Street is a street. This is definitely fronting on that street. He said there are a few minor tweaks today, but basically it is the same thing the Board saw at the last meeting. He does not know of any historical treatment in this area that this could be related to. The awning over the bar area is not historic. Mr. Lominack said he agrees that it messes up the street pattern and streetscape.

**Ms. Weibe-Reed** asked Mr. Lominack what page was he on.

**Mr. Lominack** answered that he was on page 21 of the ordinance.

**Mr. Merriman** said the ordinance is speaking of a building.

**Mr. Lominack** said this is a building. If not, what is it?

**Mr. Engle** said this is no different than the metal awnings.

**Mr. Lominack** said he believes it is totally incompatible with the things surrounding it.

**Mr. Engle** said it is no different from the entire covered area on the back of the courtyard.

**Mr. Lominack** said the back is away from the street. If it happens to be wrong, this does not mean that this should be done because something wrong was done before.

**Mr. Engle** stated City Market has metal canopies just like this.

**Mr. Lominack** said they do. "Where?"



**Mr. Engle** answered all along City Market. They have canvas and they have metal; they have standing seam metal roofs.

**Mr. Lominack** said there could be some in City Market. He has not noticed them, but he believes it messes up the streetscape.

**Ms. Weibe-Reed** said she is concerned that the Board is only shown one elevation. It appears that the depth of the overhang is different. She has concerns about the need for the metal panel. On the right-hand side, it looks like the overhang is shallower than the left-hand side and on the other two sides, she has no idea what it is on the other two sides.

**Mr. Lominack** said he agrees with the HSF analysis about the height.

**Ms. Simpson** said the Board asked the petitioner to raise this.

**Mr. Lominack** said he did not ask them to raise it.

**Mr. Merriman** said the Board asked the petitioner to raise it.

**Board Action:**

Approval of the addition of a covered grilling area at the northwest corner of the existing courtyard for the business, "The Social Club," located at 411 West Congress Street as it meets the standards and is compatible. - PASS

**Vote Results**

Motion: Reed Engle

Second: Ebony Simpson

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Abstain
T. Jerry Lominack	- Nay
Zena McClain, Esq.	- Aye
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Marjorie W Reed	- Nay
Ebony Simpson	- Aye

[16. Petition of Roy Ogletree | 13-000834-COA | 543-547 East McDonough Street | New Construction Residences: Part 1, Height and Mass](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Aerial - Facing North.pdf](#)

Attachment: [Submittal Packet - Context Photographs.pdf](#)

Attachment: [Submittal Packet - Renderings.pdf](#)

Attachment: [Submittal Packet - Drawings.pdf](#)

**Mr. Roy Ogletree** was present on behalf of the petition.

**Ms. Leah Michalak** gave the staff report. The petitioner is requesting approval for New Construction Part I, Height and Mass of eight (8), three and four story residential townhouses at 543-547 East McDonough Street. The petitioner requested a continuance at the Board's meeting of March 13, 2013 to address concerns of the Board. The comments focused on the spacing between the buildings; low stoops versus high stoops; floor-to-floor heights; roof shapes; and walls of continuities. Ms. Michalak said the petitioner has addressed these concerns.

**Ms. Michalak** reported that staff recommends approval of the New Construction, Part I, Height and Mass at 543-547 East McDonough Street with the condition that the sidewalk serve as an uninterrupted path across the driveways to be submitted with Part II, Design Details for review and approval.

**Dr. Henry** asked staff to explain issue of the sidewalks.

**Ms. Michalak** explained that where the sidewalk crosses the driveways have the same height and potentially the material will continue over so if someone is stepping down into a driveway and stepping back up as it crosses.

**Dr. Henry** asked if there would not be curb cuts.

**Ms. Michalak** said, pointing to a section, the curb is back here. A very large existing right-of-way is here. A sidewalk exists here also. Therefore, when the new driveway is cut in here at this point it will be the same height across the driveway. She said that the sidewalk will not change height; someone would not trip or fall; it is still pedestrian friendly.

**Ms. Simpson** said obviously some changes have been made to the roof shape. She asked Ms. Michalak in her opinion, what are some of the major changes that have been made prior to the last submittal.

**Ms. Michalak** said the floor is now a raised basement first floor and they all are compatible height-wise. The roof shapes are minor change in the overall reduction in height of all the buildings.

**Ms. Simpson** asked if there is space for the trash receptacles.

**Ms. Michalak** answered yes. It is the same courtyard size, but now they have indicated where the units and so forth will be located. At the last meeting, it was a little unclear where they would actually be located.

**Mr. Lominack** asked Ms. Michalak if there are other areas in the historic district where a whole block would have 20 feet between buildings such as a prominent open space.

**Ms. Michalak** replied that she does not know about an entire block, but the petitioner might be able to clarify this.

**Mr. Engle** asked if Streets Maintenance approved the plan for the cars to back out onto McDonough Street.

**Ms. Michalak** said she does not know if Streets Maintenance has approved it, but this is a question for the petitioner.

**Ms. Weibe-Reed** asked about the roofs pitches.

**Ms. Michalak** said the intent is to lower the roof. The petitioner's roof appears to be lower than the contributing building that was shown. Staff recommended approval not necessarily that they are visually compatible, but that the intent was met.

**Ms. Michalak** explained that the reason that the staff is recommending approval is because it achieves the goal that the Board asked the petitioner to do which is to lower the overall height of the building and what is now submitted does so.

**Dr. Henry** said the Board asked that the roof be lowered and make it less visually compatible.

**Ms. Ramsay** said the Board did not say that; they just said lower the roof. They did not prescribe how.

#### **PETITIONER COMMENTS**

**Mr. Ogletree** came forward and stated that he is the petitioner. He was present at the meeting last month. They met with staff and went over the changes that Ms. Michalak has outlined. They also met with the Historic Savannah Foundation and offered a meeting with the neighborhood residents. Some of the neighborhood residents were not able to attend the meeting, but they did meet with the HSF and discussed the gaps between the buildings and the required parking. The wall between the buildings was an accommodation to visually block the see-through nature of the block from pedestrians standpoint. Mr. Ogletree said he knows a question came up regarding an example of buildings that have gaps all the way through. He said that he cannot cite an address of one, but there are examples of buildings that have gaps between, not necessarily this same style of building, between them that you can see through the block. Mr. Ogletree said, however, from his recollection, they are mostly some of the more commercial oriented buildings. There is a break for either parking or courtyard and then there is another building.

**Mr. Ogletree** stated, therefore, the spacing between buildings is not uncommon. As they are fully aware, everything has its own particular circumstances. This happens to be between two residences as opposed to two different types of buildings.

**Mr. Lominack** said if Mr. Ogletree was referring to his question, he was asking if there is an entire block where this 20 feet spacing occur. He was not asking if there is an example here and there.

**Mr. Ogletree** said he could not cite an area that has this. He said individually between buildings there are some, but he does not know of one that has more than one, two or

three gaps.

### **PUBLIC COMMENTS**

**Ms. Carmen Redman** resides at 537 East Perry Street, which is directly across from the lot that Mr. Ogletree wants to build on. Ms. Redman said she keeps hearing a lot of focus on McDonough Street that it is the major street. However, as she believes she said during the last meeting, the only other residence that faces this property on McDonough Street is a small two-family unit that has been divided into four apartments. Therefore, the only thing remaining there is the old funeral home. She said as she hears the concern about McDonough Street, personally she wants to hear about the ten (10) residences that face this lot on Perry Street. They don't believe Perry Street is a secondary street. They still have concerns about the compatibility of this development in their neighborhood and they still think it is too high. There is only the funeral home building in this neighborhood that is a four-story building. There is a home on the corner of Houston Street and Perry Street at the end of street that has been made to appear bigger with a couple of step-up stoops and a full façade around the front at the top of the walkout. But, in actuality, it is only a three-story house. Ms. Redman said the rest of them are two or three stories.

**Ms. Redman** said this appears to be a tall complex in the middle of their neighborhood. She believes minimal height changes have been made and she hopes another plan could be done better.

**Ms. Ramsay** thanked Ms. Redmond for keeping her comments to what is within the Board's purview.

**Mr. Kenneth Barthelis** lives at 535 East Perry Street and just as Ms. Redman, he lives across the street from the proposed buildings. He showed some pictures of the area to the Board. His concern is the courtyard parking and the cuts. There is a building in their area that was allowed to be built about seven (7) years ago on McDonough Street between Price and Habersham Streets.

**Ms. Ramsay** informed Mr. Barthelis that parking is not a purview of this Board.

**Mr. Barthelis** said he is aware that parking is not a purview of the Board, but mass falls within the Board's purview. He is concerned about the massing of the proposed buildings. McDonough Street is only 33 feet wide.

**Ms. Laura Potts-Wirht** resides at 543 East Perry Street and owns 547 East Perry Street. From their parlor, garden level upstairs, they would be looking right at the proposed development. Ms. Potts-Wirht said Mr. Barthelis spoke to her main concern about this development and she is aware that parking does not fall within the purview of the Board. But she, too, is concern about the massing of these buildings and the wide gaps between the building. The staff said in their review that smaller spaces typically exist between contributing adjacent structures. This open space is necessary for the required parking. Ms. Potts-Wirht said she no longer walks on McDonough Street because she would have to walk in the street. There are cars continuously parked on the sidewalk. According to height and mass there has to be so much open space. What is happening here is they have tried to call the courtyard the parking. What they ended up with is nobody had any room to park. On top of this, they don't use it for parking and they store a lot of junk in there.

Therefore, when you walk pass as you are walking in the street because you cannot walk on the sidewalk, it somewhat looks like you are looking into their garage. Often stuff is stored in the courtyards. This looks bad.

**Ms. Potts-Wirht** said she was following up further based on what Mr. Barthelis spoke of regarding the problems associated with this building that was approved by the Review Board. She was present at the meeting later during the year where the Board took a vote on the biggest mistake they made that year. They said their biggest mistake was they actually approved this because by then everyone was starting to realize what a problem it was causing. She is here today to speak up about the this. If she realized the problems that would have been caused on McDonough Street, she would have been present at that meeting to speak against it then.

**Ms. Potts-Wirht** said the height and mass are not compatible with the area. She said as has been stated, having such wide gaps between the buildings is not done in the historic district. It is not compatible on their streets and row houses. It is not compatible in their ward. Ms. Potts-Wirht said she just wanted to publicly point this out not only as a neighbor who would have to be living with this everyday and looking at it everyday, but also as a resident of the historic district keeping it in mind for everybody else who would be dealing with this on a daily basis. She believes that being able to pull your car along side where you live is commonly done in the suburbs. You can go to retirement communities in South Carolina and see big gaps between the buildings for parking, but you don't see this in the historic district. It is not compatible.

**Mr. Engle** pointed out where the sidewalk is located in the photo that was shown and where the sidewalk is shown on the site plan. He said that the sidewalk in the site plan is right - it is adjacent to the building, the front of the house, not at the curb. This makes it even worse.

**Ms. Danielle Meunier of the Historic Savannah Foundation (HSF)** said as Mr. Ogletree reported, the HSF met with him on his last proposal with the primary goal of addressing the spaces between the buildings. They covered a number of different arrangements of the units on the lots to see how they could possibly be grouped to eliminate the big gaps between the buildings. They could not settle on a solution that was both visually compatible and still met all the zoning requirements and the ordinance. Ms. Meunier said the HSF believes that the incorporation of more design in the materiality and into the recessed walls help a little. They did not address massing when they met with the petitioner, but they feel that the scale that is being created of the buildings and their relationship to each other is a bit untraditional. When they look at both street views and look at them from the front, they do appear somewhat tall and narrow and are emphasized by the spaces between them because they appear to be a single building. Also, the side elevation is seen because of the space between the buildings, they extend street-to-street and, therefore, appears to be unusually long. She said lowering the ground level of the buildings may help a little with the height.

**Ms. Meunier** said ultimately if this is the arrangement that they are going to be using which she has mentioned that the HSF feels is a little untraditional, they suggest possibly pursuing an untraditional design so that they do not have a structural position of federal style building forms with this sort of untraditional scale.

**Ms. Ramsay** entertained additional public comments. There were none. She asked Mr. Ogletree if he wanted to respond to the public comments.

**Mr. Ogletree** said he did not know where to start with this, but the one thing that they struggled all along with this is project [he has owned the property more than ten (10) years] is that on trust lots there is not a perfect solution for residences. There are a lot of different approaches to it. The one shown in the photo is not a trust lot, but has the same situation with streets on both sides. It was not successful on a lot of levels and it keeps getting referred to in comparison to their project. But, what keeps getting referred to is the poor implementation of it. Therefore, they are basically being associated with a poorly implemented project. He pointed out that he knows the neighbors are concerned about the parking and they bring up this particular project - a very dissimilar issue between the project on the screen and what they propose. The courtyards that were done for parking are only nine feet - four inches (9'-4") wide. He said in fact the photo that showed the buildings close together is nine feet - four inches (9'-4") between the buildings. This is the narrow spacing that staff has proposed is in the historic district. But, if you do this, it creates the problem of the narrow parking that would not be used.

**Mr. Ogletree** said, therefore, they evaluated it; paired their parking together and made their parking areas 20 feet wide, which they felt was not overly wide, but is wide enough. Consequently, a compromise is there. They are not creating a very narrow courtyard between the buildings such as some of the historic situations which did not have parking in them. He said they are trying to create a usable parking area for the buildings. Mr. Ogletree said he knows that the neighbors are concerned about the parking. On one hand they say cite this as a bad example, which he agrees that it does not work well with the parking. The neighbors would like for them to make wider parking so that it is easier to get in and out, but, yet, the next statement is they want it to be narrower between the buildings. He said the neighbors cannot have both. It has to be either wider spaces of parking or they will not. Therefore, they tried to make the right compromise and make the buildings an appropriate distance between where you can park. There are no walls between the two parking spaces; therefore, you can get two cars in there and have enough room between the shared parking spaces. They are equivalent to two ten feet wide spaces as opposed to a single nine foot-4 inches (9'-4") space between two three-story walls.

**Mr. Ogletree** pointed out that the issue with the suburban parking that was spoken of is somewhat ironic because all of the residents that live on Perry Street have carriage houses. Some of the carriages are rented and, therefore, have a high occupant load. But, yet, they only have two parking spaces for all this occupant load. Therefore, the owners tenants are parking on Perry Street. Likewise, they are creating the parking problem that they are fighting against.

**Ms. Potts-Wirht** said they are not asking for a wider parking space. Their concern is the depth and width. People park on the sidewalk out of convenience or they stack their cars by pulling in. The massive issue of trying to make these narrow buildings with the wide gaps between, in order to allow parking beside the building, affect how it is used everyday. She said also Mr. Ogletree mentioned that these are 9 feet-four inches (9'-4") and he said his spaces are ten (10) feet wide, she wishes she could see the footprint showing the cars because she believes there is an 18 foot curb cut, even, though, they are 20 feet wide. Ms. Potts-Wirht knew the Board's purview is not parking, but the massing is designed for

parking.

**Ms. Ramsay** said the Board understands.

**BOARD DISCUSSION**

**Mr. Engle** asked staff if the City requires a 25 foot from the base of the building to the curb on the side because when a car parks in their driveway it will not stick out in the street. Therefore, the City is requiring what this Board knows has to happen because everyone of those driveways will have to accommodate the second car.

**Mr. Howington** said this cuts the sidewalk in half.

**Mr. Engle** said also this takes out the City tree lawn. The Board's purview is not with trees and landscape, but this is the City's tree lawn that those three driveways are being cut-through. He said he has a major concern with this proposed development. Instead of looking for either a modern solution or a different solution, they are perpetuating something that does not work. As the Board asked Mr. Ogletree to design last month as he remembers, to attempt to put in an "L-shape" unit in of townhouses. The original proposal years ago was for six units, but now it is for eight units. This is a part of the problem. Perhaps, eight units are too much for this site. Mr. Engle said he is not satisfied with this. They have a roof shape that is not visually compatible. There is no historic structure in this area and the compatibility criteria says that the roof shape of the structure shall be visually compatible with the contributing structures to which it is visually related. The only structure is the funeral home and it has a flat pediment and not a gambrel roof that looks like a barn. This is not compatible and should not be put in this district. There are too many issues.

**Dr. Henry** asked that the aerial photo be shown on the screen. He is in agreement that eight curb cuts are excessive and a barrel roof that does not fit. Dr. Henry said, however, he wanted to show something that is technically irrelevant to their discussion, but is has a relevant point. He asked the Board to look at the buildings on East Broad Street. The driveway is short and you cannot get out. This is the irrelevant part, but the relevant part is this is a bad design.

**Mr. Merriman** said the Board would have to accept this as a whole or reject them as a whole.

**Board Action:**

Denied the petition for New Construction: Part I,  
Height and Mass at 543-547 East McDonough Street because it is not visually compatible and does not meet the design standards. - PASS

**Vote Results**

Motion: Reed Engle  
Second: Zena McClain, Esq.

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Aye
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Marjorie W Reed	- Aye
Ebony Simpson	- Aye

17. [Petition of Lominack Kolman Smith Architects | 13-001383-COA | 533 East Congress Street | New Construction, Part I Height and Mass](#)

Attachment: [Aerial - Looking South.pdf](#)

Attachment: [Submittal Packet - Description and Variance Exhibits.pdf](#)

Attachment: [Submittal Packet - Drawings.pdf](#)

Attachment: [Submittal Packet - Photographs.pdf](#)

Attachment: [Staff Report - Correction.pdf](#)

**NOTE: Mr. Lominack recused from participating in this petition. He is a partner of Lominack Kolman Smith Architects.**

**Ms. Ann Smith** was present on behalf of the petition.

**Ms. Sarah Ward** gave the staff report. The petitioner is requesting approval for new construction, Part I Height and Mass, of a three-story single-family residence and garage on the corner property at 533 East Congress Street. A finding-of-fact for the visual compatibility of a five percent (5%) lot coverage variance is requested. The petitioner submitted a model which was passed to the Board for their review.

**Ms. Ward** reported that staff recommends approval for new construction, Part I Height and Mass, of a three-story single-family residence and garage on the corner property at 533 East Congress Street. She said also the staff recommends that the Board recommend to the Zoning Board of Appeals (ZBA) a five percent (5%) lot coverage variance for this proposed project at 533 East Congress Street because the variance will result in a building mass that is consistent with other structures in the same zoning district and Washington Ward, is the minimum variance needed, and the design is consistent with the intent of this ordinance.

**Mr. Engle** believes that the Board requires brackets be used on balconies.

**Ms. Ward** answered yes. The standard says that residential balconies shall not extend more than three feet (3') in depth from the face of the building and shall be supported by brackets or other types of architectural support. Therefore, the petitioner needs to introduce some sort of architectural support. Ms. Ward said she knows that there are some small elements here; however, she will let the petitioner address this.

**Mr. Engle** said it is a foot wider also. It is four feet deep.



**Ms. Ward** explained that the projecting portico over the entry is a four foot depth and the balcony extends beside that portico and wraps around. Therefore, the balcony projection is three feet (3') and just the portico is at four feet (4') and is supported by a column. She said she believes the petitioner has met the standard because they do have the brackets.

**PETITIONER COMMENTS**

**Ms. Smith** came forward and introduced herself. She entertained questions from the Board.

**Ms. Simpson** asked Ms. Smith if she wanted to add anything to what has been reported.

**Ms. Smith** said brackets are underneath the balconies.

**PUBLIC COMMENTS**

None.

**Board Action:**

Approval for new construction, Part I Height and Mass, of a three-story single-family residence and garage on the corner property at 533 East Congress Street.

The Historic District Board of Review recommend that the Zoning Board of Appeals approve a five percent (5%) lot coverage variance for this proposed project at 533 East Congress Street because the variance will result in a building mass that is consistent with other structures in the same zoning district and Washington Ward, is the minimum variance needed, and the design is consistent with the intent of this ordinance. - PASS

**Vote Results**

Motion: Keith Howington

Second: Stephen Glenn Merriman, Jr.

Reed Engle	- Aye
Nicholas Henry	- Nay
Keith Howington	- Aye
T. Jerry Lominack	- Abstain
Zena McClain, Esq.	- Aye
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Marjorie W Reed	- Aye
Ebony Simpson	- Aye

18. [Petition of Etienne du Toit | 13-001397-COA | 613 Habersham Street | Alteration and Addition](#)

Attachment: [Staff Report.pdf](#)  
Attachment: [Submittal Packet - Photographs.pdf](#)  
Attachment: [Submittal Packet - Drawings.pdf](#)  
Attachment: [Submittal Packet - Paint Colors.pdf](#)  
Attachment: [Submittal Packet - Specifications.pdf](#)

**Mr. Etienne du Toit and Mr. Billy Bremer** were present on behalf of the petition.

**Ms. Leah Michalak** gave the staff report. The petitioner is requesting approval for a two-story porch addition, to replace an exterior stair, construct a new masonry fence, several minor alterations, install shutters, and for color changes to the property located at 613 Habersham Street.

**Ms. Michalak** reported that staff recommends approval for a two-story porch addition, to replace an exterior stair, construct a new masonry fence, several minor alterations, install shutters, and for color changes to the property located at 613 Habersham Street with the following conditions to be submitted to staff for final review and approval:

1. Ensure that all new and replacement door and window frames meet the standard (3 inch inset) or match the existing inset of doors/frames that are not schedule to be replaced.
2. Increase the height of the proposed new windows to meet the "5:3 ratio" standard.
3. Alter the proposed brick piers that support the front porch to have a stucco finish to match the base material of the existing building.
4. Ensure that the column capitals that support the second floor porch roof extend outward of the porch architrave.
5. Reduce the porch and stair railing height to a maximum of 36 inches to meet the standard.
6. Alter the proposed brick wall along the front property line to have a stucco finish to match the main material of the existing building.

**Ms. Michalak** said the petitioner wants to discuss with the Board that they be allowed to keep the proposed brick. Nevertheless, she wanted the Board to bear in mind that the standard states that the columns and walls should match the material of the main building. She said in this case, the ground floor is stucco. Therefore it should match that. But, she wanted the Board to keep in mind that when the petitioner requests that they be allowed to keep the brick, the Board is permitted to approve alternate materials if they are not strictly prohibited. Obviously, brick is not a prohibited material.

**Dr. Henry** asked if the petitioner wishes to replace all the stucco with brick.

**Ms. Michalak** answered no. The petitioner wants to use brick for the new columns and new fence. She explained that basically the way the ordinance reads is that fences and columns are suppose to match the building material.

**Ms. Weibe-Reed** asked if a wood fence would be more acceptable.

**Ms. Michalak** said she would not recommend a wood fence. She believes that a masonry

or stucco fence would be more appropriate because of the proposed height at 30 inches high. She does not believe that a wood fence at this height would do its job as a fence.

**Mr. Lominack** said he believes Ms. Michalak said the shutters met the ordinance requirement, but based on the drawings, it does not look like they would cover the windows if they were closed.

**Ms. Michalak** said this is a drawing issue, but it was written in the petitioner's application that they would be sized to fit the opening height with operable shutters.

**Mr. Lominack** said one problem he has [and he believes other Board members have] is that the Board has to go on faith when they get inaccurate drawings. The inaccuracies of the drawings make it hard to tell what the end result will be.

**Ms. Michalak** said they can make it a condition that the drawings are shown accurately to be reviewed and stamped.

**Mr. Lominack** said he just has a hard time knowing what they will get. He hopes they get what they think they will get.

**Ms. Weibe-Reed** asked how wide are the columns.

**Ms. Michalak** answered that they are 16 inches square.

**Ms. Weibe-Reed** said on page 5 - 2nd floor, the capitals on the columns at the corner do not match the height of the center capitals.

**Ms. Michalak** said this is a question to ask the petitioner. However, she believes it is a drawing error of the center capitals.

**Mr. Engle** asked Ms. Michalak if she said they were to project.

**Ms. Michalak** answered yes. This is a condition.

#### **PETITIONER COMMENTS**

**Mr. Etienne du Toit** came forward and stated that he is owner; the project manager is Lee Bremer.

**Mr. Bremer** said he would answer the questions on behalf of Mr. Etienne du Toit. Mr. Bremer said they have redrawn the columns as they recognized that they were drawn incorrectly. He appreciates Mr. Lominack's statement. They are not architects, but did the drawings the best that they could do. The reason they want to keep the brick is because there is a good bit of brick in this ward and they like brick. Mr. Bremer said that an ivory buff mortar will be used with the brick work. They want to have it more compatible with the existing stucco. Therefore, they will coordinate the color of the stucco, the façade of the building with the color of the mortar which is not uncommon. Mr. Bremer said presently the building is not attractive, but this will make the building look better. They are trying to bring it back into a look that will be compatible with what surrounds the building.

**Mr. Bremer** said in accordance with the front knee wall, they are trying to mimic what will be on the columns. They will live with whatever the Board decides, but they would be okay in doing the vertical part of the wall in stucco and the coping in brick. Perhaps, this could be a compromise. He said if they do the stucco in a compatible color to the mortar will make the building look nice and the brick work will tie it all together. Mr. Bremer said they are fine with staff's other recommendations.

**Dr. Henry** told Mr. Bremer and Mr. Du Toit that he lives around corner and the southwest corner of Habersham and Hall Streets is the worst in the district. He is glad that they are doing something. He said he has been inside this building and as he recalls, dirt floors are here.

**Mr. Bremer** said they have actually took up what little concrete was here and have poured the interior. They are trying to bring it into a better standard.

**Dr. Henry** commended Mr. Bremer and Mr. Du Toit.

**Mr. Lominack** said on page 7 of 12 shows a 24 inch wall and on page 10 of 12 says a 30 inch x 12 inch brick wall. Is this the same wall or are they different?

**Ms. Michalak** said this is the same wall. The 30 inch is correct.

**Ms. Weibe-Reed** asked if the sidelights are being shown in the front door.

**Ms. Michalak** said this is the infill.

**Mr. Bremer** said it will be only the door.

**Ms. Weibe-Reed** asked if they will infill where the windows are as well.

**Mr. Bremer** said the windows as existing are getting infill. There is a section next to the doors that will be infill as well.

**Mr. Howington** asked Mr. Bremer if the columns will be consistent at seven (7) feet.

**Mr. Bremer** said yes. The columns at the top porch will be consistent at seven (7) feet all the way across.

**Ms. Weibe-Reed** asked if they were going to re-shingle the entire house.

**Mr. Bremer** said the new roof will have the same shingles as the existing roof. It will be exactly the same. He does not believe that the new roof is old. He believes also that what is here is fairly new and it is an architectural shingle and not just a three tab shingle. Therefore, it is not bad looking. Mr. Bremer said what they are attempting to do is to match what is here and not do the entire roof.

**Ms. Weibe-Reed** said the color of the shingle looks to be light grey.

**Mr. Du Toit** stated the color is light grey. It is a very common shingle.

**Mr. Bremer** said their intention is to match the color, but if they cannot, he is sure his client will consider something that will go with what is there.

**Mr. Lominack** questioned the spacing of the piers. He said the piers at the right-hand base looks wider than the other two.

**Mr. Bremer** said the piers are meant to be exactly the same width. He believes it is exactly 30 feet. They are equally spaced.

**PUBLIC COMMENTS**

None.

**Board Action:**

Approval for a two-story porch addition, to replace an exterior stair, construct a new masonry fence, several minor alterations, install shutters, and for color changes to the property located at 613 Habersham Street with the followings conditions to be submitted to staff for final review and approval:

1. Ensure that all new and replacement door and window frames meet the standard (3 inch inset) or match the existing inset of doors/frames that are not schedule to be replaced.
2. Increase the height of the proposed new windows to meet the "5:3 ratio" standard. - PASS
3. Ensure that the column capitals that support the second floor porch roof extend outward of the porch architrave.
4. Reduce the porch and stair railing height to a maximum of 36 inches to meet the standard.
5. Reduce the footprint of the brick columns and the diameter of the "Permacast" columns to be more compatible with the remainder of the porch addition.

**Vote Results**

Motion: Reed Engle  
Second: Ebony Simpson  
Reed Engle - Aye

Nicholas Henry	- Aye
Keith Howington	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Aye
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Marjorie W Reed	- Aye
Ebony Simpson	- Aye

19. [Petition of Gunn Meyerhoff Shay | 13-001406-COA | 535 East Congress Street | New Construction Residence: Part I, Height and Mass](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Aerial - Looking South.pdf](#)

Attachment: [Submittal Packet - Drawings and Photographs.pdf](#)

**Ms. Maggie Ward of Gunn Meyerhoff Shay Architects** was present on behalf of the petition.

**Ms. Leah Michalak** gave the staff report. The petitioner is requesting approval for New Construction: Part I, Height and Mass of a two-story single-family residence and garage apartment on the property at 535 East Congress Street.

**Ms. Michalak** reported that staff recommends approval for the new construction, Part I, Height and Mass of a two-story single-family residence and garage apartment on the property at 535 East Congress Street because it is visually compatible and meets the design standards

**Dr. Henry** said he believes the roof fits the standards, but there is a roof here that looks different than the other. One roof has a slight peak, one has a sharper peak and some hip roofs are shown.

**Ms. Michalak** explained that she knows the whole idea for the parapet wall and the hip roof is based off of the historic area. She said the Board could clarify this with the petitioner when she comes forward to make her comments, but she recalls specifically that this what the petitioner told her during one of their meetings.

**Dr. Henry** asked Ms. Michalak if the lot coverage is 73.5.

**Ms. Michalak** confirmed that the building will cover 73.58% of the lot.

**PETITIONER COMMENTS**

**Ms. Ward** came forward and introduced herself.

**PUBLIC COMMENTS**

None.

**Board Action:**

Approval for New Construction: Part I, Height and Mass of a two-story single-family residence and garage apartment on the property at 535 East Congress Street because it is visually compatible and meets the design standards. - PASS

**Vote Results**

Motion: Keith Howington  
Second: Marjorie W Reed  
Reed Engle - Aye  
Nicholas Henry - Aye  
Keith Howington - Aye  
T. Jerry Lominack - Aye  
Zena McClain, Esq. - Aye  
Stephen Glenn Merriman, Jr. - Aye  
Linda Ramsay - Abstain  
Marjorie W Reed - Aye  
Ebony Simpson - Aye

**VIII. REQUEST FOR EXTENSIONS**

**IX. APPROVED STAFF REVIEWS**

20. [Amended Petition of Jenny and Blake Long | 13-000853-COA | 420 East Liberty Street | Staff Review - Color Change](#)

Attachment: [COA - 420 East Liberty Street 13-000853-COA Amended.pdf](#)

Attachment: [Submittal Packet - 420 East Liberty Street 13-000853-COA Amended.pdf](#)

No action required. Staff approved.

21. [Petition of Lynch Associates Architects, PC | 13-001094-COA | 23 West Perry Street | Staff Review - Stucco Repair/Repainting](#)

Attachment: [COA - 23 West Perry Street 13-001094-COA.pdf](#)

Attachment: [Submittal Packet - 23 West Perry Street 13-001094-COA.pdf](#)

No action required. Staff approved.

22. [Petition of Paul Robinson | 13-001186-COA | 122 West Jones Street | Staff Review - Color Change](#)

Attachment: [COA - 122 West Jones Street 13-001186-COA.pdf](#)

Attachment: [Submittal Packet - 122 West Jones Street 13-001186-COA.pdf](#)

No action required. Staff approved.

23. [Petition of T. Joe Duckworth | 13-001345-COA | 409-419 East Gaston Street and 408-414 East Gaston Lane | Staff Review - Color Change, Roof Repair](#)

Attachment: [COA - 409-419 E. Gaston Street and 408-414 East Gaston Lane.pdf](#)

Attachment: [Submittal Packet - 409-419 E. Gaston St. and 408-414 East Gaston Lane 13-001345-COA.pdf](#)

No action required. Staff approved.

24. [Petition of Chloe Fort Lenderman | 13-001415-COA | 506 East State Street | Staff Review - Color Change](#)

Attachment: [COA - 506 East State Street 13-001415-COA.pdf](#)

Attachment: [Submittal Packet - 506 East State Street 13-001415-COA.pdf](#)

No action required. Staff approved.

25. [Petition of Linda Ramsay | 13-001416-COA | 122 East Jones Lane | Staff Review - Stucco Repair/Repointing](#)

Attachment: [COA - 122 East Jones Lane 13-001416-COA.pdf](#)

Attachment: [Submittal Packet - 122 East Jones Lane 13-001416-COA.pdf](#)

No action required. Staff approved.

26. [Petition of Sam Carroll | 13-001422-COA | 212 East Liberty Street | Staff Review - Stucco Repair/Repointing](#)

Attachment: [COA - 212 East Liberty Street 13-001422-COA.pdf](#)

Attachment: [Submittal Packet - 212 East Liberty Street - 13-001422-COA.pdf](#)

No action required. Staff approved.

27. [Petition of Lou Thomann | 13-001456-COA | 313 and 315 East York Street | Staff Review - Color Change](#)

Attachment: [COA - 313 and 315 East York Street 13-001456-COA.pdf](#)

Attachment: [Submittal Packet - 313 and 315 East York Street 13-001456-COA.pdf](#)

No action required. Staff approved.

28. [Petition of David Rock | 13-001518-COA | 313 East River Street | Staff Review - Windows/Doors](#)

Attachment: [COA - 313 East River Street 13-001518-COA.pdf](#)

Attachment: [Submittal Packet - 313 East River Street - 13-001518-COA.pdf](#)

No action required. Staff approved.



## X. WORK PERFORMED WITHOUT A CERTIFICATE OF APPROPRIATENESS

### 29. [Report on Work Performed Without a Certificate of Appropriateness](#)

Attachment: [HDBR Ward Work Without COA 4-10-13.pdf](#)

**Ms. Ramsay** explained that staff has given a written report to the Board containing a summary of recent work performed without a COA. The report is their file folder.

## XI. REPORT ON ITEMS DEFERRED TO STAFF

### 30. [Report on Items Deferred to Staff](#)

Attachment: [HDBR Ward Items Deferred to Staff 4-10-13.pdf](#)

**Ms. Ramsay** stated that the Board received the summary of items deferred to staff between March 13, 2013 and April 9, 2013 in their packets.

## XII. NOTICES, PROCLAMATIONS, and ACKNOWLEDGEMENTS

### Notices

31. [Next Meeting - Wednesday May 8, 2013 at 1:00 p.m. in the Arthur A. Mendonsa Hearing Room, MPC, 112 E. State Street](#)

32. [Invitation - Archaeological Site Visit at Abercorn and King George Boulevard- April 23, May 1, or May 9](#)

Attachment: [HDBR Thomson Archaeology Site visit invite 040813.pdf](#)

**Ms. Ward** explained that a flyer was included in the Board's packet regarding the Archaeological Site Visit at Abercorn and King George Boulevard - April 23, May 1 and May 9. She informed the Board members that if they wanted to attend one of these visits, to please RSVP.

**Mr. Engle** asked if they could drive to the site or should they drive into town and board a bus.

**Ms. Ward** explained that there is a limited number of persons that can be taken on each tour. If they RSVP to the person, they could probably meet them there. However, they want to ensure that have so many people in a group. Transportation is being provided from the MPC office to the site.

**Ms. McClain** asked if the Board members may park in the garage and, if so, will they be charged?

**Ms. Ward** said she will check with the MPC Executive Director. However, we have done onsite visits in the past and parking was validated at that time. As long as the Board members can get into the garage, she does not see a problem

with validating the parking.

33. [Georgia State Historic Preservation Conference | April 26-27, 2013 in Milledgeville, Georgia](#)

34. [US/ICOMOS 16th Annual International Scientific Symposium | May 2-4, 2013 in Savannah, Georgia](#)

35. [HSF Savannah Preservation Festival, May 2013](#)

Attachment: [Historic Savannah Foundation, Re; 2013 Savannah Preservation Festival 021113.pdf](#)

### XIII. OTHER BUSINESS

#### Unfinished Business

36. [Proposed amendments to the Procedural Manual and By-laws](#)

Attachment: [DRAFT PROCEDURAL MANUAL and BYLAWS-2013.pdf](#)

Ms. Ramsay said at the last meeting, they had a proposed amendment to the Procedural Manual and By-Laws time change.

#### Board Action:

Approve amendments to the Procedural Manual and Bylaws to change the time of the Historic Board of Review monthly meetings from 2:00 p.m. to 1:00 p.m. - PASS

#### Vote Results

Motion: Reed Engle

Second: Stephen Glenn Merriman, Jr.

Reed Engle - Aye

Nicholas Henry - Aye

Keith Howington - Aye

T. Jerry Lominack - Aye

Zena McClain, Esq. - Aye

Stephen Glenn Merriman, Jr. - Aye

Linda Ramsay - Abstain

Marjorie W Reed - Aye

Ebony Simpson - Aye

#### New Business

37. [Board member recusal and participation in presentation](#)

Attachment: [Brooks Stillwell, Re; HBR Recusal Question - Revised Option 040113.pdf](#)

Attachment: [GAPC Chair input 031113.pdf](#)

Attachment: [CLG Coordinator input 031113.pdf](#)

**Ms. Ramsay** stated that in reference to a Board member recusal and participation in presentation, a letter has been received from City Attorney Brooks Stillwell. She said that attachments pertaining to this subject were received also from Ken Kocher and Leigh Burns.

**Ms. Ward** explained that this item was on last month's agenda, but the Board did not discuss this. She explained that an inquiry was received from one of the Board members, Mr. Lominack, questioning whether Board members can participate in the presentation representing applicants. As the Board is aware, when they have orientation, they are told that they cannot participate.

**Ms. Ward** reported that they sent the Code of Ethics to the City Attorney to review this. He said based on the Code of Ethics it appears that a Board member could present the projects, but just could not participate in the discussion, deliberation and decision-making. Therefore, the Board member could present the request, then recuse himself/herself. However, they later found that there is a very specific line item in the bylaws that says "Board members will not participate in the presentations to the Board on which they serve." She said, therefore, upon reviewing this provision, the City Attorney basically said no, upon your own Bylaws you are not allowed to participate in those presentations.

**Ms. Ward** stated that when they were asking the first question about the Code of Ethics, they also sent an inquiry to the Chair of the Georgia Alliance Preservation Commission (NAPC) and the Certified Local Government Coordinator for the State of Georgia to see what other communities do. These are the two attached emails. Ms. Ward was hopeful that they would get more information from the CLG Coordinator, but she did not say that much other than that they believe the Board is doing it right. Mr. Ken Kocher, the Chair of NAPC is also the Planner in Madison, GA. Mr. Kocher said that they follow what the City Attorney initially said, which is that Board members do not participate in the deliberation and decision-making. But, they do not have that specific line item in their Bylaws that we have.

**Ms. Ward** said, however, Mr. Kocher said in a subsequent email that they do ask their Board members that when they recuse themselves from the proceedings that they leave the room so that they are not present. Ms. Ward stated that she believes this is a good policy. If you are going to recuse yourself, to remove some of the pressure from the other Board members to feel that they have to vote in your favor because you are present, it would be a good idea for this Board to start implementing.

**Ms. Weibe-Reed** said as a practitioner it is practical for her to bring a case before this Board and not present it. Who does that? She has been on

historical review boards and once you recuse yourself you can present as you are no longer acting as a board member.

**Dr. Henry** said Mr. Kocher letter says they are changing their policy.

**Ms. Ward** explained that Mr. Kocher said that they follow what their City Council does, but they are looking to change it later this year to prohibit members of Council and other commissioners from recusing themselves and coming down and present the request. But, he has the same the same concern that Ms. Weibe-Reed pointed out. Madison is a very small town and this policy may prohibit or restrict good people from standing on the commission. She said she was going to move onto the next item [not to shorten that discussion] to let the Board know that the next item is a proposed amendment to the Bylaws, Article VI, Section G. A sheet was given to the Board showing what this amendment proposes. This will be a strike-through in this provision that says "no Board member shall take place in the hearing consideration or determination. There is a new paragraph under this.

38. [Proposed amendment to the By-laws, Article VI, Section G](#)

Attachment: [Proposed amendment to Subsection G of By-laws 041013.pdf](#)

**Ms. Ward** said the Board cannot take a vote on this today.

**Mr. Lominack** said they don't have any large firms in Savannah, but it puts the architect who is on the Board at a competitive disadvantage with other architects because they would say I will be glad to do your project, but I cannot represent you. He believes this presents a negative message to a potential client. This sort of discriminates against the people who probably have the greatest qualifications to be on the Board. Fortunately, his client has a good relationship with his partners as well and the partner was able to present the project they had on the agenda today. But, he is the architect for that project and he knows more about it than Ms. Smith does than he could ever tell her. A lot of questions could have come up today that she could not have answered.

**Ms. Weibe-Reed** said if you don't have a partner, what do you do?

**Mr. Lominack** said that makes it worse.

**Mr. Howington** asked what happened recently. In the past, they have been able to do that.

**Ms. Ward** responded that this particular verbiage was adopted in 2008 because Board members were stepping down from podium, recusing themselves as a Board member and then presenting as the applicant at the podium. She said she believes there was a perceived conflict of interest and it made it difficult for the other Board members to be objective. Yes, they do recuse themselves as a Board member and then put on their applicant hat, but sometimes this is really hard to separate in the middle of a meeting. Therefore,

this is why this was put in the Bylaws.

**Ms. McClain** said this also subjects the City to liability. She said she disagrees with Mr. Lominack's logic. If what Mr. Lominack is saying is true, she would say that he needs to resign as a Board member because his profession is directly in conflict of what he does.

**Mr. Lominack** said he does not believe that his profession is in conflict with what he does because he is quite capable of separating himself from being a Board member when he makes a presentation.

**Ms. McClain** said the public does not know this.

**Mr. Engle** told Mr. Lominack that the main thing is for the Board not to be influenced by him. Mr. Lominack's drawings should speak for the project. And the drawings did. There was no need for Ms. Smith to be there. The Board saw the drawings and they carried the project.

**Mr. Lominack** said again that if he tells a client that he will do their project, but cannot present your project and there are two equally qualified persons talking with the prospective client, they will not use him.

**Ms. Ramsay** stated that with regards to Ms. Weibe-Reed's question, she has had a contractor present for her and she has had an owner present. But, if a question comes up about the project [this speaks to the idea of leaving the room], the person would have no idea. A question came up about the things on the rooftop and luckily Ms. Smith knew the answer. But, there is no way you can go over all of the questions that might come up. Therefore, you are presenting a project that is incomplete. There are comments made during a presentation that are valuable to the project. But, you are divorced from that. You can later go back and listen to the tape, but that is not the same as first hand information to get those comments incorporated for the next presentation.

**Mr. Howington** said he agrees with that statement of leaving the room. He said he understood the perceived conflict and the conflict that could be received by the public. But when comments are made and you are involved with the project, but when you leave the room, you don't know what the comments were.

**Dr. Henry** said if the presenter is presenting a project and do not know the answer to a question, can he or she walk out into the hallway and ask the architect.

**Ms. McClain** said the person may ask the architect or the staff.

**Mr. Engle** said in case it is not perceived, it is a conflict of interest.

**Mr. Lominack** said that is an opinion.

**Mr. Engle** said it is a conflict as the architect has a financial stake in the project.

**Mr. Lominack** said the statement says "a financial interest in real property." He said this is land and dirt.

**Ms. Ramsay** said, however, you would have recused yourself. This is why they have the conflict of interest forms.

**Mr. Howington** said you are not making a decision for that project.

**Mr. Engle** said the Board deliberates in the presentation, there is no question about it. They are deliberating with the presenter. It is not separated. The Board member should not be here.

**Mr. Lominack** asked why did the national organization code of ethics not preclude presentation by a Board member. It clearly says "deliberations on decisions."

**Mr. Engle** said he contends that the Board deliberates during presentations.

**Mr. Lominack** said the Board should not be doing this.

**Mr. Engle** said the Board deliberates every time somebody presents something.

**Ms. Simpson** said Mr. Kocher said this. He stated that his only problem with this is that their board sort of deliberates during the question and answer phase.

**Mr. Engle** said in five years, this Board could be different. They could have five lawyers. A lawyer could be on the Board that has been denied twice. He/she would be go to the podium and present his own project.

**Mr. Lominack** said there are some of them on this Board who he believes are good members, who are not retired, still have to earn a living and has a lot to offer to this Board and the projects that comes before it. For the Bylaws to selectively discriminate against those people is real bothersome.

**Ms. McClain** said another point she has against Mr. Lominack's amendment is that Robert's Rules speaks of proposing amendments. When a person has a self-interest in the amendment, itself, and you bringing forth the amendment is improper because of your self-interest. Consequently, you have an interest in seeing that it is passed. Therefore, it is a conflict.

**Mr. Lominack** said the Bylaws are written by the Board.

**Ms. McClain** explained that it directly affects your financial interest in any future matter that may come before the Board.

**Mr. Lominack** said when he completed the recusal form, he could not check

any of the items because none of them applied to him. He had no financial interest in real property.

**Mr. Merriman** said he has completed the recusal form two times and each time nothing on the form applied to what he was doing. Therefore, he wrote some comments on the form.

**Ms. Ward** explained that the recusal form was taken from another board as they did not have a recusal form. Therefore, they can work on definitely modifying the recusal form.

**Ms. McClain** said the form is good as it is a public record and is something that the public can see. However, she believes that they need to really step back and think about how what they do is going to be perceived by the public. She said that they are "public servants" and they need to operate above board. They don't want people to come in and label them as a bunch of self-serving individuals on this Board who just seeks to further their own financial interest. They hear this comment all the time in the newspaper, in the comment section in the newspaper's website and they don't want to be perceived as being this type of Board.

**Mr. Merriman** said the Board needs to be beyond reproach.

**Mr. Lominack** said he asked past members who have served on the Board and was told by Neil Dawson and Dan Snyder that they presented when they were on the Board. This is something new that has occurred probably because one person complained and all of sudden they cannot presented any longer.

**Ms. McClain** said people are more informed now about government and how it operates. We are living in a society now where people are better informed about the information process. We live in the age of Internet.

**Mr. Lominack** said maybe they need to say that no architects serve of the Historic Review Board.

**Ms. McClain** said just as Mr. Lominack did today, he had someone from the firm present the application. There is no problem with doing this.

**Mr. Lominack** said he asked the parliamentarian if he may stay in the hearing room and she said yes.

**Mr. Engle** said when the members of City Council recuse, they leave the chambers.

**Ms. McClain** said this is a better practice as there are so many people in the public scrutinizing what they do.

**Dr. Henry** said he knows this is not perfect, but the person should excuse himself or herself into the hallway and if questions arise, the presenter may

step outside and talk with the architect.

**Mr. Lominack** said about 90% to 95% of their projects that have come before the Board, he has simply said that they agree with the staff's comments and they have gotten approved. But, this might not happen to everybody nor on every project.

**Ms. McClain** explained that Mr. Lominack's project was on point.

**Ms. Simpson** said there may come a time that the Board disagrees with Mr. Lominack's project. It could be very intimidating having the architect that they serve with sitting in the room.

**Ms. McClain** said it was somewhat intimidating as Mr. Lominack was in the room and was staring. But, it was a good project that was being presented. However, if someone on the Board wanted to make a negative comment, she understands the person's reservation.

**Ms. Ramsay** said she believes there is a basic misunderstanding how architects perceive themselves. It is a project. The Board is not voting against the architect, but against the project.

**Mr. Engle** said he knows that Mr. Thomson was not at the office today; he asked staff how does Mr. Thomson feels about this issue.

**Ms. Ward** said that Mr. Thomson was attending the National Planning Conference. However, he supports the way the Bylaws are presently written, but she cannot speak for him. She said that the Board is not voting on the Bylaws today. This has been a good discussion and they will have more or different Board members next month. This creates a new dynamic, but she encouraged the Board to think about this over the next four weeks. Mr. Thomson will be here and will be able to speak for himself.

**Ms. Ramsay** asked if the requirement is to have an architect as a member of the Board.

**Ms. Ward** said the only qualification presently is that the person shows an interest in preservation and they must have one lawyer.

#### XIV. ADJOURNMENT

39. [Adjourned.](#)

There being no further business to come before the Board, Ms. Ramsay adjourned the meeting at approximately 5:00 p.m.

Respectfully Submitted,



Sarah P. Ward  
Historic Preservation Director

SPW:mem