

Sec. 8-3029. Cuyler-Brownsville planned neighborhood conservation district.

A. *Created.* The Cuyler-Brownsville planned neighborhood conservation district (Cuyler-Brownsville P-N-C district) is hereby created pursuant to section 8-3027 (planned neighborhood conservation district) of the City of Savannah zoning ordinance. It is an overlay district, and its standards shall be in addition to its designated zoning district(s) as identified in subsection D.

B. *Purpose.* The purpose of the Cuyler-Brownsville P-N-C district is to promote its general welfare through its conservation, rehabilitation and redevelopment as recommended by the Cuyler-Brownsville urban redevelopment plan adopted by the mayor and aldermen of Savannah on December 18, 1997, and as amended. This objective shall be pursued through the introduction of new development that is compatible in terms of land use and visual appearance, the provision of affordable infill housing, and the preservation of the historical and architectural character of the district. To support this objective, new construction, exterior alterations and additions to existing construction that are visible from a public right-of-way, where applicable, shall be guided by visual compatibility guidelines as provided in this section.

C. *Boundaries.* The P-N-C district will be applied to the entire Cuyler-Brownsville neighborhood whose boundaries have been identified in the Cuyler-Brownsville urban redevelopment plan and are shown on Map 1, "Boundaries of the Cuyler-Brownsville Planned Neighborhood Conservation overlay district (P-N-C)" that is adopted as part of this section.

D. *Land use districts and allowed land uses.* The P-N-C district is an overlay district and its standards shall be in addition to the underlying zoning districts that are identified on the Official Zoning Map for the City of Savannah. The land uses allowed within the Cuyler-Brownsville P-N-C shall be the same as the land uses allowed within the underlying zoning districts.

E. *Development standards.* Development standards appear in Schedule 1: "Development Standards for the Cuyler-Brownsville P-N-C District."

F. *Visual compatibility guidelines and standards.* In addition to the development standards set forth in this section, the Cuyler-Brownsville P-N-C district shall have additional site development and building design guidelines and standards to promote the preservation and continuation of the predominant architectural themes and elements of the neighborhood. Where applicable, such guidelines shall apply to all development within the district, both new construction and existing construction, that is visible from a public right-of-way. The standards are more specific and shall apply to new construction and alterations to contributing buildings that are visible from a public right-of-way. New residential construction built in accordance with one of the housing prototypes approved by the Visual Compatibility Officer (VCO) shall be issued a certificate of appropriateness unless there is a deviation. In such case, a review shall be undertaken.

1. *Definitions for new and existing construction.*

- a. *New construction.* New construction is the erection of a freestanding structure or an addition to an existing structure. Relocating a structure into Cuyler-Brownsville, or within its boundaries from one parcel to another shall be considered new construction.

- b. *Existing construction.* Existing construction shall be classified as “contributing” or noncontributing.” These types of construction are defined as:
- (1) *Contributing.* Contributing structures shall be at least 50 years old, and meet one of the following criteria:
 - (a) Be associated with an event or events that has or have made a significant contribution to the broad patterns of history;
 - (b) Be associated with the life or lives of a person or persons who are significant in history;
 - (c) Embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
 - (d) Have yielded or may likely yield, information important in pre-history or history; or
 - (e) Possess historic and architectural integrity with regard to location, design, setting, materials, workmanship, feeling, and association as defined by the National Park Service.

All construction (i.e., structures) listed as “contributing” in the Cuyler-Brownsville Historic District National Register nomination survey or any supplement to the survey is a “contributing” structure. Contributing structures shall be classified and designated on the “Cuyler-Brownsville Contributing Structures Map”, adopted and approved by the Mayor and Aldermen and bearing the signature and seal of the clerk of Council.

- (2) “*Noncontributing.*” A non-contributing structure is one that does not meet the criteria set forth in F.1.b.(1) of this section.
2. *Visual compatibility guidelines.* To advance the purpose of the district, both new and existing construction shall comply with the visual compatibility guidelines noted in this subsection.
- (1) *Height.* The maximum height shall be the average height of all contributing structures of the same type within a given block face in which a structure is proposed be constructed or relocated.
 - (2) *Proportionality of the front facade.* The relationship of the width of a structure to the height of its front facade shall be visually compatible to the contributing structures to which it is visually related.

- (3) *Proportionality of openings.* The relationship of the width of the windows to height of the windows within a structure shall be visually compatible to the contributing structures to which it is visually related.
 - (4) *Rhythm of structures on street.* The relationship of a structure to the open space between it and adjacent buildings shall be visually compatible with the open spaces between contributing structures to which it is visually related.
 - (5) *Rhythm of entrance and porch projection.* The relationship of entrances, porch projections and walkways to structures shall be visually compatible with the contributing structures to which they are visually related.
 - (6) *Materials and texture.* The relationship of materials and texture of the facade of a structure shall be visually compatible with the predominant materials and textures used upon contributing structures to which it is visually related.
 - (7) *Roof shapes.* The roof shape of a building shall be visually compatible with the contributing structures to which it is visually related.
 - (8) *Scale.* The mass of a structure and size of windows, doors, porches, balconies and additions windows, door shall be visually compatible with the contributing structures to which it is visually related.
 - (9) *Walls of continuity.* Appurtenances of a structure such as walls, fences, and evergreen landscape masses shall form a consistent wall of enclosure along the street.
3. **Visual Compatibility Standards.** Visual compatibility standards shall be applied in the design of new construction and the alteration or additions to contributing buildings that are visible from a public right-of-way. Alterations or additions to non-contributing buildings shall not be required to follow the visual compatibility standards.
- (a) *Accessory structures, including garages, storage units, and carports.* Such structures, where visible from a public right-of-way (not including lanes), shall complement the principal structure through the incorporation of similar exterior materials. All accessory structures shall be subordinate in size to the main structure.

- (b) Exterior wall materials for front and side walls of principal structures: New residential construction shall have finished front and side exterior walls consisting only of wood, brick or smooth fiber cementitious board (often referred to by the brand name "HardiPlank"). New commercial construction shall have exterior finished walls consisting of wood, brick or stone or decorative concrete block such as split face. Siding shall be applied only in a horizontal clapboard pattern. Decorative shingles are not precluded.
- (c) Fences and walls. Fences and walls shall adhere to the following standards:
- (1) Front yard setback. Fencing or walls in the front yard setback shall be constructed for decorative purposes only so as to define public and private space. Such fencing or walls shall be no greater than three feet in height.
 - (2) Rear and side yard setbacks. Fencing and walls constructed in the rear yard setbacks shall be no greater than six feet in height.
 - (3) Sheet metal, concrete, wire, tin or plastic are prohibited fencing and wall materials. Stuccoed concrete block shall be allowed when the principal building is of masonry construction. Chain link may be allowed in rear yard setbacks or as approved by the VCO. Plastic or metal slats used in chain link fencing shall not be allowed. Wood fences shall be pressure-treated, and painted or stained.
- (d) *Foundations.* For new residential construction, foundations shall have a minimum finished floor height thirty (30) inches above grade; Piers that are constructed of brick, stone or stucco over concrete block are encouraged. The crawl space area between the ground and the foundation shall be enclosed by wood lattice, brick or stuccoed concrete block, but shall not obscure the piers. Slab-on-grade foundations shall be allowed where the slab has been built up to 30 inches.

Masonry pier foundations on existing structures shall be repaired or rebuilt. Concrete block foundation walls may be installed between the piers providing the walls are recessed at least 3" behind the front edge of the piers, stuccoed, and painted black or dark green. Heavy duty wood lattice, with at least 1/2" thick lattice boards, may be installed between the piers providing it is recessed at least 3" behind the front edge of the piers and is stained. The forms of underpinning described above cannot obscure the piers.

- (e) *Height.* The maximum height shall be the average height of all contributing structures of a similar style (i.e. 1-story, 2 story, etc.) for a given block face in which a structure is proposed to be constructed or relocated, provided that the maximum height shall not be greater than thirty-five (35) feet. Architectural elements such as cupolas and spires (i.e., uninhabited portions of a structure) may extend beyond the maximum allowable height.
- (f) *Location of main entrance.* The main entrance to a principle structure and any primary façade facing a lane shall be on its front elevation, which shall front only onto a public right-of-way.
- (g) *Porches.* New residential construction shall include a front porch that has a minimum dimension of at least eight by six feet, or as approved by the VCO. All porches shall incorporate stairs, columns, railings, posts that are constructed of wood, brick or stone. Other materials may be approved for new construction by the VCO, including Fiberon or Trex for porch flooring. Cap and base molds shall also be incorporated. Front porches shall not be enclosed in any manner. Side porches and rear porches may be screened.
- (h) *Roofs.* From a public-right-of way, not to include lanes, roofs shall:
 - (1) Be gable or hip for residential structures, with a pitch of at least 4:12 over the main structure. Mansard roofs are not allowed within the district;
 - (2) Have a minimum eave of at least eight inches;
 - (3) Have a covering of standing seam, asphalt or cementitious shingles; and
 - (4) Have no skylights, roof decks or pergolas visible from a public right-of-way, not to include lanes. Dormers shall be allowed.
- (i) *Sidewalks.* New construction shall include a private sidewalk that connects the main entrance of the principal structure to the public sidewalk. Private sidewalks shall be constructed of brick, concrete, stone or other materials as approved by the VCO. Use of permeable materials is highly encouraged.
- (j) *Signs.* Signs shall be reviewed in accordance with the sign standards for the Victorian Planned Neighborhood Conservation District (Section 8-3028(q)).

- (k) *Windows.* Where visible from a public right-of-way, not including public lanes:
 - (1) Windows on new residential construction shall use double-hung sashes, be wood, vinyl clad wood, or cellular pvc, and possess true or simulated divided lights with spacer bars, where applicable. Snap-in or between the glass muntins are not allowed;
 - (2) Windows on contributing construction shall be replaced by historic materials; and
 - (3) Picture windows shall not be allowed.
- (l) *Window treatments.* Where shutters are used, they shall consist of durable wood or pvc or other materials as approved by the VCO, be sized to fit window openings, and be operational (i.e., capable of being closed inward to cover the window). Metal awnings shall not be allowed on new or existing construction except where replaced or repaired in-kind.
- (m) For rehabilitation projects receiving federal monies, or for projects receiving funding from the Community Development Block Grant Façade Improvement Program or the General Fund façade Improvement Program of the City of Savannah, the Secretary of Interior's Standards for Rehabilitation shall take precedence over similar guidelines listed in this section.

G. *Visual compatibility review procedures.*

- a. *Visual compatibility officer.* The visual compatibility review shall be overseen by the Cuyler-Brownsville Visual Compatibility Officer (VCO), the Executive Director of the Metropolitan Planning Commission, or his or her designee, shall be the Visual Compatibility Officer (VCO).

The VCO shall ensure that new construction, exterior alterations or additions to existing construction shall comply with this section and other applicable sections of the zoning ordinance in order to support and promote the purpose of the Cuyler-Brownsville P-N-C. A Certificate of Appropriateness shall be issued upon finding that the new development, exterior alteration or addition is in compliance with the provisions of this ordinance.
- b. *Certificate of Appropriateness.* If new construction, exterior alteration or addition to existing construction is approved by the VCO, a certificate of appropriateness shall be issued. The certificate of appropriateness shall be

valid for a period of 12 months from the date of issuance. If the construction, alteration or addition has not begun within this 12-month period, the Certificate of Appropriateness shall become void, and reapplication shall be required.

If the VCO disapproves an application for a certificate of appropriateness, the reasons for denial shall be stated in writing to the applicant. A copy of the denial shall be forwarded to the zoning administrator (or his or her designee). A certificate of appropriateness shall not be issued for denied applications.

Applicants are encouraged to schedule a pre-application conference with the VCO if assistance with the application process is needed.

- c. *Application.* An application to request a visual compatibility review can be obtained from the Metropolitan Planning Commission or on-line at www.thempc.org. Application forms shall specify the information required by the VCO to determine whether the proposed development, exterior alteration or addition is in compliance with the provisions of this section.

Each application shall be accompanied by all required information as specified on the form to be considered a completed application. The VCO shall review all applications for completeness prior to acceptance for processing. The VCO shall act on the application within ten working days of receipt of the completed application and supporting documentation.

- H. Demolition and relocation of structures. In accordance with the purpose of this district, the VCO and the MPC, where requested, shall review all requests for the demolition of contributing structures or the relocation of structures into, within, and out of Cuyler-Brownsville.

- 1. *Application.* An applicant who desires to demolish or relocate a contributing structure shall submit an application for a demolition permit to the VCO. Each application shall be accompanied by all required information as specified on the form to be considered a completed application.
- 2. *Criteria for review.* Along with the application, the applicant shall present evidence, which shall be considered in the application review.
 - a. Evidence to be considered.
 - (1) Have there been bona fide attempts to sell, lease or donate the structure?
 - (2) Is the structure creating an undue economic hardship since it cannot provide a reasonable economic return based on its value?

- (3) Have feasible alternative uses for the structure, that are compatible with preservation guidelines listed herein, been identified?
- (4) Has the structure been altered to such a degree that its historic and architectural character cannot be recaptured through rehabilitation?
- (5) Is the physical integrity of the structure compromised to such a degree that it is no longer salvageable and/or represents a hazardous or unsafe condition as determined by the City Director of Inspections?
- (6) Is there any other evidence that supports the demolition or relocation of the structure?

b. *Supporting documentation of evidence presented.*

The applicant shall provide documentation to substantiate the demolition or relocation of the structure. Supporting information may include, but shall not be limited to:

- (1) An engineering report prepared by a State of Georgia licensed engineer regarding the physical integrity of the structure;
- (2) An appraisal report prepared by a State of Georgia certified real estate appraiser regarding the current and future market value of the property upon which the structure is located;
- (3) An economic feasibility study regarding the rehabilitation and reuse of the structure;
- (4) Any recent financial history of the property, including expenses and revenue; and
- (5) Any other supporting evidence the applicant chooses to submit.

3. *Demolition and relocation review process.*

- a. *Responsibility for review.* The VCO and MPC, where applicable, shall be responsible for all demolition and relocation reviews for Cuyler-Brownsville. The MPC shall review applications for demolition or relocation of contributing construction only when: 1) the petitioner requests such a review in the application; 2) those

agencies and organizations listed in this subsection H.4.a submit a written request to the VCO within ten (10) working days of notification of the application by the VCO; or 3) at the request of the VCO.

- b. *Review period.* Within 15 working days of receipt of the application, the VCO shall approve, deny, or recommend it to the MPC for a public hearing.

An application denied by the VCO shall automatically trigger a stay of demolition or relocation for six months from the date of denial in order to allow public notice in accordance with subsection H.4.a. The VCO shall notify the applicant, in writing, stating the reason(s) why it has been denied.

Applications to be heard by the MPC shall be accompanied by a recommendation from the VCO in the form of a staff report. Upon notice of a request for the MPC review, the application will be scheduled for a MPC meeting. Any decision by the VCO or MPC shall be provided to the applicant, in writing, within five (5) working days.

Upon the expiration of the six month stay of demolition or relocation, a demolition permit shall be granted if the application has not been withdrawn, or other mitigative efforts have not been approved.

4. *Public notice.*

- a. *Public notices to be sent.* Because the preservation, rehabilitation, and redevelopment of Cuyler-Brownsville depends greatly upon its existing structures that are important to the history, culture, education, and economy of the City, the VCO shall send public notice of the demolition or relocation request to afford interested persons, agencies and organizations an opportunity to acquire or arrange for the preservation of such structures. Notice shall be sent to the following agencies and organizations upon receipt of an application for demolition or relocation:

- (1) Cuyler-Brownsville Neighborhood Association President;
- (2) City of Savannah department of neighborhood planning and community development Director;
- (3) City of Savannah department of housing Director;
- (4) Historic Savannah Foundation, Inc. Executive Director.

- b. *Posting of notice on property.* Within two (2) working days of receipt of request for a public hearing, notice shall be posted on the premises of the property by the requesting party. The notice shall be in the form of a sign, furnished by the VCO. The sign shall be erected within ten (10) feet of all traveled public rights-of-way, except lanes, to which the structure abuts.

Such sign(s) shall be erected to face in such a manner as will be most readily seen by the public. The lower edge of the sign(s) face shall be of sufficient height so as to be read from the roadway. The sign(s) shall: 1) be weather resistant; 2) have a minimum size of thirty (30) by forty (40) inches; and 3) shall provide the application number, the purpose of the requested action, the scheduled date, time and place of public hearing; and the telephone number of the VCO.

- c. *Removal of signs.* Any such public notice sign(s) shall be maintained on the premises until a decision on the application has been rendered by the VCO or the MPC, where applicable. If the application is denied by the VCO or the MPC, the sign shall remain in place for a period of time as set forth subsection F.3.b.
- d. *Demolition due to imminent threat to public safety.* Any order for demolition by the Director of Inspections in whole or in part, of any contributing building in the Cuyler-Brownsville PNC due to a dangerous, hazardous, or unsafe condition shall not be issued until the order has been reviewed by the City Manager.
- e. *Protective Maintenance of Contributing Structures.* Lack of maintenance that leads to demolition by neglect shall be considered a negative visual alteration. All contributing structures in the Cuyler Brownsville PNC shall be preserved against decay and deterioration in order to maintain property values, prevent hazards to public safety, and rid neighborhoods of negative visual appearances and unsafe conditions. Exterior walls, roofs, foundations, doors and windows shall be maintained or secured in a weathertight condition to prevent structural decay.
- (1) **Routine Maintenance:** Ordinary maintenance or repair of any historic property to correct deterioration, decay or damage does not require a Certificate of Appropriateness if the work does not involve a change in design, or exterior appearance.
 - (2) **Securing vacant property:** All windows and doors, except the front door through which access to the interior of the dwelling is made, shall be secured, at a minimum, in accordance with the Property Maintenance Division's

“Minimum Specifications for Cleaning and Securing Property”. A dead bolt lock or other locking device shall be installed on the front exterior door above the existing lockset; all exterior sheathing shall be painted with one coat of primer on exterior surfaces; leaking roofs shall be repaired so that water cannot enter; exterior wall covering shall be sheathed such that weather cannot penetrate.

- I. *Appeals.* All appeals from the decision of the VCO with regard to the interpretation and administration of this section shall be made to the MPC. The appeals process shall follow the MPC review process as stated in subsection F.3.b. All appeals from the decision of the MPC shall be made to the board of zoning appeals in accordance with the provisions of section 8-3165 (appeals).

SCHEDULE 1: DEVELOPMENT STANDARDS FOR THE CUYLER-BROWNSVILLE P-N-C DISTRICT

Type of Structure		Minimum Lot Area Per Unit by Structure Type and Zoning District (sq. ft.)	Minimum Lot Width (ft.)	Minimum Front Yard and Rear Yard Setback (ft.)	Minimum Side Yard Setback (ft.)	Maximum Building Height	Maximum Lot Area Building Coverage
A.	One-family dwelling:			<i>Front yard:</i> The front yard setback shall be the mean of the setbacks for the block face. On Bismark Street and Jaachems Street (proposed name), the front yard setback shall be 15 ft. from the property line. <i>Rear yard:</i> A minimum rear yard setback of 30 feet shall be maintained. The rear 20 ft. of such area shall be utilized toward meeting the off-street parking requirements, where applicable.		The maximum building height shall be the average dwelling structure height for a given block face in which a structure is proposed to be located or constructed, provided that the maximum height shall not exceed 35 feet.	The maximum lot area building coverage shall not exceed 60% for all residential uses
	1.	Attached and semidetached	1,800 sq. ft.	20 ft.		0 ft. [1]	
	2.	Detached	3,800 sq. ft.	50 ft.		5 ft.	
B.	Two-family dwelling:						
	1.	Attached and semidetached	2,500 sq. ft.	50 ft.		0 ft. [1]	
	2.	Detached	3,000 sq. ft.	60 ft.		5 ft.	
C.	Multifamily dwelling:						
	1.	One-bedroom unit	2,250 sq. ft.	60 ft.		5 ft.	
	2.	Two-bedroom unit	2,500 sq. ft.	60 ft.		5 ft.	
	3.	Three-bedroom unit	2,750 sq. ft.	60 ft.		5 ft.	
D.	Nonresidential and mixed-use structures	[2]	[3]	[4]	[5]		75%

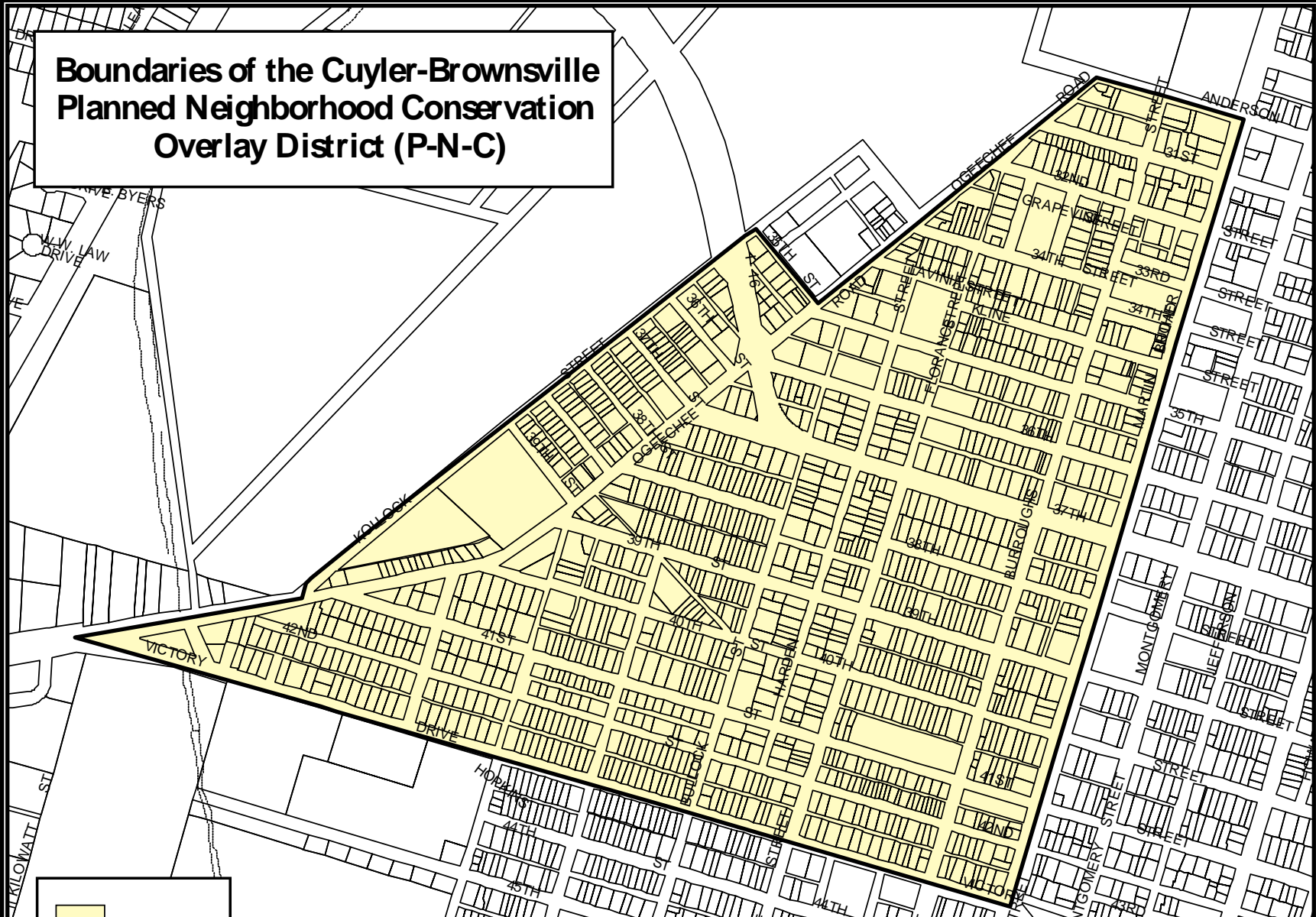
Notes:


- [1] A zero side yard setback shall be allowed only for the side of the lot where the dwelling is attached or semiattached.
- [2] The minimum lot area for a nonresidential or mixed-use structures shall be a minimum of 2,500 square feet and a maximum of 12,000 square feet.
- [3] The minimum lot width for nonresidential or mixed-use structures shall be a minimum of 30 feet and a maximum of 120 feet.
- [4] The front yard setback for nonresidential or mixed-use structures shall be the average of the setbacks for similar structures within a block face. Where there are no similar structures on the block, the setback shall be zero feet:

The rear yard setback for nonresidential or mixed-use structures shall be 20 feet.

- [5] Where a nonresidential or mixed-use structure is attached to a similar building, the side yard setback shall be zero feet. The side yard shall be a minimum of five feet where it is detached. Where such structure is not attached to an adjacent building and the adjacent property is zoned for residential, the side yard shall be a minimum of ten feet.

**Boundaries of the Cuyler-Brownsville
Planned Neighborhood Conservation
Overlay District (P-N-C)**




Overlay

Section 8-

Revised 5/13/04

MAP 1
Z-031001-58924-2

Scale:
1" = 600'



**CUYLER-BROWNSVILLE PLANNED NEIGHBORHOOD CONSERVATION DISTRICT
CONTRIBUTING STRUCTURES**