



Historic Preservation Commission

Virtual Meeting
MAY 19, 2020 10:00 A.M.
Meeting Minutes

MAY 19, 2020 HISTORIC PRESERVATION COMMISSION

Members Present: Karen Jarrett, Interim Chair
Travis Coles
Dwayne Stephens

Staff Present: Melanie Wilson, MPC Executive Director
Pamela Everett, Esq., Assistant Executive Director
Leah G. Michalak, Director of Historic Preservation
Ryan Jarles, Cultural Resources Planner
Alyson Smith, Historic Preservation Planner
Mary E. Mitchell, Administrative Assistant
Sally Helm, Administrative Assistant
Julie Yawn, Systems Analyst

I. CALL TO ORDER AND WELCOME

[1. Call to Order and Welcome](#)

Ms. Jarrett called the meeting to order at 10:10 a.m. and welcomed everyone in attendance. She outlined the role of the Historic Preservation Commission and explained the process for hearing the various petitions. Staff will present each application with a recommendation. The petitioner will have the opportunity to respond to the recommendation. The petitioners are asked to limit their presentation to 10 minutes or less and only address the items identified as inconsistent with the ordinance and questions raised by the Board. The public will have the same allotted time, 10 minutes, to comment. The petitioner will be given the opportunity to respond to the public comments.

II. SIGN POSTING

III. CONSENT AGENDA

IV. ADOPTION OF THE AGENDA

[2. Adopt the May 19, 2020 Agenda](#)

Motion

The Savannah Historic Preservation Commission does hereby adopt the May 19, 2020 Agenda

Vote Results (Approved)

Motion: Dwayne Stephens

Second: Travis Coles

Travis Coles - Aye

Karen Jarrett - Abstain

Dwayne Stephens - Aye

V. APPROVAL OF MINUTES OF PREVIOUS MEETING

3. Approve April 28, 2020 Meeting Minutes

[📎 04-28-2020 Minutes.pdf](#)

Motion

The Savannah Historic Preservation Commission does hereby approve April 28, 2020 Meeting Minutes.

Vote Results (Approved)

Motion: Dwayne Stephens

Second: Travis Coles

Travis Coles - Aye

Karen Jarrett - Abstain

Dwayne Stephens - Aye

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

VII. CONTINUED AGENDA

4. Petition of Ethos Preservation | 20-001730-COA | 220 East Anderson Street | Addition

Motion

The Savannah Historic Preservation Commission does hereby approve to continue the petition as requested.

Vote Results (Approved)

Motion: Travis Coles

Second: Dwayne Stephens

Travis Coles - Aye

Karen Jarrett - Abstain

Dwayne Stephens - Aye

VIII. REQUEST FOR EXTENSION

IX. REGULAR AGENDA

STREETCAR DISTRICT

5. Petition of Ethos Preservation | 20-001959-COA | 1812 Drayton Street | Rehabilitation/Alterations

[📎 Narrative.pdf](#)

[📎 Drawings.pdf](#)

[☞ Specifications.pdf](#)

[☞ Staff Recommendation.pdf](#)

Ms. Rebecca Fenwick was present on behalf of the petition.

Ms. Alyson Smith gave the staff report. The applicant is requesting approval to undertake a rehabilitation at 1812 Drayton Street. Exterior work includes: brick repointing with lime mortar, window and door repair, new carriage house doors, replacing a metal stair with a wood stair, and the cornice and soffit elements will be repaired in-kind as needed. The existing chain-link fence is also proposed to be replaced with a wood fence. The lintel sills will be repaired. Due to structural issues, the brick veneer located along the Drayton Street elevation will be removed, cleaned and reinstalled in-kind.

Ms. Smith reported that staff recommends approval of the rehabilitation of the carriage house at 1812 Drayton Street as requested because the proposed alterations are visually compatible and meet the design standards. She entertained questions from the Commission.

PETITIONER COMMENTS

Ms. Fenwick of Ethos Preservation stated that Ms. Smith did a great job in summarizing what they are proposing to undertake in the rehabilitation of 1812 Drayton Street. She entertained questions from the Commission.

PUBLIC COMMENTS

None.

COMMISSION DISCUSSION

The Commission was in agreement with staff recommendation.

Motion

The Savannah Historic Preservation Commission does hereby approve the rehabilitation of the carriage house at 1812 Drayton Street as requested because the proposed alterations are visually compatible and meet the design standards.

Vote Results (Approved)

Motion: Travis Coles

Second: Dwayne Stephens

Travis Coles - Aye

Karen Jarrett - Abstain

Dwayne Stephens - Aye

6. Petition of Frank Marshall | 20-000734-COA | 424 East 31st Street | Fence: Appeal of Staff Decision

[☞ 20-000734-COA Staff Report - Appeal.pdf](#)

[☞ Appeal Submittal Packet.pdf](#)

[☞ Approval Submittal Packet and COA Decision.pdf](#)

[☞ Staff Exhibits 1 and 2.pdf](#)

[☞ Denial Submittal Packet and COA Decision.pdf](#)

Ms. Karen Hill and Mr. Frank Marshal were present on behalf of the petition.

Mr. Ryan Jarles gave the staff report. The petitioners, Frank Marshal and Karen Hill, are appealing a staff decision which approved a fence at 424 East 31st Street. The petitioners are the adjacent property owners to the east.

Mr. Jarles gave the following background information. In May 2019, the petitioners began contacting preservation staff regarding issues with their neighbor at 424 East 31st Street regarding a fence on their west property line; their concerns primarily consisted of an existing fence that was going to be/had been removed, and the possibility that a new inappropriate fence would be installed without approvals (COA, permits, etc.) The owner of 424 East 31st Street had not been in contact with staff at this point, and no COA application had been received. The petitioners decided to apply for a fence COA which consisted of what they believed the owner of 424 was intending to install. On October 7, 2019, the petitioners applied for the fence COA [File No. 19-005738-COA]; on October 11, 2019 staff denied the petition: *"Deny the installation of the fence along the west property line for the property located at 426 East 31st Street because the height, finish, and location are not visually compatible and the design standard for height is not met."*

Mr. Jarles explained that in January 2020, the owner's agent for 424 East 31st Street began contacting preservation staff regarding requirements to apply for a COA for a fence. The owner (Myra Compton) submitted a COA fence application on February 7, 2020. However, staff had concerns about the application; the major concern being that they requested a 10 foot high fence and the maximum height permitted in the district is 6 feet. Staff contacted the applicant; originally, they stated that they intended to apply for a variance but then in March 2020, the owner's agent contacted staff again and requested that the application change the requested height to 6 feet. Staff approved the application on March 30, 2020.

Mr. Jarles stated that the petitioners, Karen Hill and Frank Marshal, contacted staff regarding the staff COA approval and filed an appeal, contending that the work will cause them to lose access to the west façade of their building, restricting their ability to maintain and repair their building. Before the petitioners filed the appeal, staff prepared exhibits to explain to the petitioners how their denied COA application differed from the adjacent property owner's approved application.

Mr. Jarles reported that it is up to the discretion of the Commission to determine if the staff approval of the fence at 424 East 31st Street should be reversed. He entertained questions from the Commission.

PETITIONER COMMENTS

Mr. Marshal showed the Commission some pictures of the approved section which runs north and south and east and west that cuts off a huge section of their property that must be maintained. The front gate is 44 inches between the houses. The front stairs that have been here for approximately 120 years is cutoff. A window and plumbing are on the side of their house. Therefore, a gate on the side of their fence would have to go back considerably to get passed the window and plumbing. He stated that from the property line to the stairs is approximately 22 inches. With a brick wall and gate here, there will not be an easy access to get through here and maintain their property. This is their concern along with the fact that with a fence abutting the corner of the house, they will not be able to maintain their property.

Mr. Marshal said they have tried to compromise with Ms. Compton and her lawyers. But, they received notification that Ms. Compton declined to enter into an easement and maintenance agreement. They were told in July that Ms. Compton plans to replace her existing fence with a new fence within the boundaries of her property. Therefore, if Ms. Compton is going to be unreasonable about them having access to do their maintenance, this leaves them with no other option than to appeal the fence request. It comes down to that if a right is here to put a fence, then he does not have the right to maintain his house. As he has said, these structures have been here for 120 years and have been lovingly restored. They have received an historic renovation award, but now only to be faced with an unreasonable fence. They have a huge issue with the approval and the denial. Other than the seven feet, their petition is literally in the exact same spot and same dimensions. In their denial, it says "building and rhythm on street." Mr. Marshal said regardless of whether it is six or seven feet, the space does not change. He read the standards pertaining to walls and fences and said none of this applies here.

PUBLIC COMMENTS

Mr. Tom Murray asked Mr. Marshal "how close is the fence to his property?"

Mr. Marshal said basically the fence would touch his property.

Ms. Myra Compton stated that she is the homeowner of 424 East 31st Street. She said she was approached by Ms. Hill and Mr. Marshal about an easement, but they have not agreed to it. Without an easement, she allowed them to come on her property and paint their house. Although there might be bad blood between them, she would not keep someone from fixing up their home. As it is said, fences make good neighbors, therefore, she will not stop them from getting to their electric box. There may be only 44 inches, but it does make a big difference when it comes to decluttering your backyard. Ms. Compton said Mr. Marshal and Ms. Hill approached her this month [May] and asked her if she would remove the items from the space in-between so that they could paint and do repairs. She covered her entire front porch so that they would be able to do the repairs to their home.

Mr. Stephens asked Ms. Compton if the fence is clearly on her property.

Ms. Compton answered yes. She has had her property surveyed twice to ensure her property line.

Ms. Jarrett invited the petitioners to respond to the public comments.

Mr. Marshal responded that all they have is that Ms. Compton declines to enter into an easement and maintenance agreement that they sent her. This is in conflict to what Ms. Compton is saying now. Basically, they asked her that without building a fence in-between the property that runs from the corner of their gate, they proposed that this be a shared common space with an easement. In August, 2019, Ms. Compton declined all of this. But, now she is saying that she will give them an easement. What Ms. Compton stated here today is in conflict with what they have received from her lawyer. When they tried to do the maintenance on their home, Ms. Compton stopped it by putting up spikes on both sides of the fence.

Ms. Compton explained that her lawyer was also present. However, the easement agreement Ms. Hill and Mr. Marshal proposed to her about one year ago was for her fence to remain on three feet into her property so that they would be able to access what they called a miniscule amount - 44 inches.

COMMISSION DISCUSSION

Mr. Stephens stated that this is an unfortunate situation, but he does not believe what is before them is within the purview of the Historic Preservation Commission [HPC]. He explained that the HPC's sole purpose deals with visual compatibility. The easement issue needs to be handled by another entity. However, he sympathizes with the party who does not have access as well as he understands the other party's position of having rights to their property. But as he has afforesaid, this is not in the HPC's purview to rule on. Therefore, they can only make a ruling on the findings provided by staff and visual compatibility.

Mr. Coles agreed with Mr. Stephens that the HPC does not grant easements. He, too, sympathizes with everyone.

Ms. Jarrett agreed with Mr. Stephens and Mr. Coles. She, too, lives in the Mid-City district and has issues with fences that are very close to her property, but fortunately she has good neighbors. They are able to put up ladders and do what needs to be done to their homes. Ms. Jarrett explained that the HPC is charged with following the rules and regulations governing visual compatibility.

Consequently, the Historic Preservation Commission agreed to uphold the staff decision approving the fence at 424 East 31st Street and denied the appeal.

Motion

The Savannah Historic Preservation Commission does hereby deny the petition for an appeal to the Staff Decision of approval for a fence located at 424 East 31st Street [19-005738-COA] because the fence was found to be visually compatible and the design standards were found to be met.

Vote Results (Approved)

Motion: Dwayne Stephens

Second: Travis Coles

Travis Coles - Aye

Karen Jarrett - Abstain

Dwayne Stephens - Aye

X. APPROVED STAFF REVIEWS

XI. NOTICES, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

XII. OTHER BUSINESS

XV. ADJOURNMENT

[7. Next Regular Meeting - Tuesday, June 9, 2020 at 10:00am. Location TBD.](#)

[8. Adjourn](#)

There being no further business to come before the HPC, Ms. Jarrett adjourned the meeting at 11:10 a.m.

Respectfully Submitted,

Leah G. Michalak, Director
Historic Preservation

LGM;mem

The Chatham County - Savannah Metropolitan Planning Commission provides meeting minutes which are adopted by the respective Board. Verbatim transcripts of minutes are the responsibility of the interested party.