



SAVANNAH HISTORIC DISTRICT  
BOARD OF REVIEW

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Arthur A. Mendonsa Hearing Room  
January 9, 2013 2:00 p.m.  
Meeting Minutes

**JANUARY 9, 2013 HISTORIC DISTRICT BOARD OF REVIEW REGULAR MEETING**

**HDRB Members Present:** Linda Ramsay, Chair  
Reed Engle  
Dr. Nicholas Henry  
Keith Howington  
Sidney J. Johnson  
Brian Judson  
T. Jerry Lominack  
Zena McClain, Esq.  
Stephen Merriman, Jr.  
Robin Williams, Ph.D

**HDRB Member Not Present:** Ebony Simpson, Vice Chair

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

**City of Savannah Staff Present:** Tiras Petrea, Zoning Inspector

**I. CALL TO ORDER AND WELCOME**

**II. APPROVAL OF MINUTES**

1. [Approve Minutes of December 12, 2012](#)

Attachment: [12-12-2012 Minutes.pdf](#)

**Board Action:**

Approve November 14, 2012 Meeting Minutes - PASS

**Vote Results**

Motion: Brian Judson

Second: Keith Howington	
Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
Sidney J. Johnson	- Aye
Brian Judson	- Aye
T. Jerry Lominack	- Abstain
Zena McClain, Esq.	- Abstain
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Robin Williams	- Not Present

### III. SIGN POSTING

### IV. CONTINUED AGENDA

2. [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](#)

#### Board Action:

Continue the petition to February 13, 2013 due to an incomplete application. - PASS

#### Vote Results

Motion: Nicholas Henry

Second: Zena McClain, Esq.

Nicholas Henry	- Aye
Keith Howington	- Aye
Sidney J. Johnson	- Aye
Brian Judson	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Aye
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Robin Williams	- Aye
Reed Engle	- Aye

3. [Petition of Anil R. Patel and Kirit R. Patel | 12-002200-COA | 508/512 West Oglethorpe Avenue | New Construction, Part 1 Height and Mass](#)

#### Board Action:

Continue to February 13, 2013 at the petitioner's request. - PASS

**Vote Results**

Motion: Nicholas Henry

Second: Zena McClain, Esq.

Reed Engle - Aye

Nicholas Henry - Aye

Keith Howington - Aye

Sidney J. Johnson - Aye

Brian Judson - Aye

T. Jerry Lominack - Aye

Zena McClain, Esq. - Aye

Stephen Glenn Merriman, Jr. - Aye

Linda Ramsay - Abstain

Robin Williams - Aye

**V. CONSENT AGENDA**

4. [Petition of Edge Signs | 12-002019-COA | 28 West Broughton Street | Sign](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Submittal Packet - Before and After Images.pdf](#)

**Board Action:**

Approval of the principal use fascia as requested because it meets the design standards and is visually compatible. - PASS

**Vote Results**

Motion: Stephen Glenn Merriman, Jr.

Second: Brian Judson

Reed Engle - Aye

Nicholas Henry - Aye

Keith Howington - Aye

Sidney J. Johnson - Aye

Brian Judson - Aye

T. Jerry Lominack - Aye

Zena McClain, Esq. - Aye

Stephen Glenn Merriman, Jr. - Aye

Linda Ramsay - Abstain

Robin Williams - Aye

5. [Petition of John Deering for Greenline Architecture | 12-002120-COA | 126 West Harris Street | Fence and Alterations](#)

Attachment: [Staff Report.pdf](#)

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

Attachment: [Submittal Packet - Roof Specification and Color Selection.pdf](#)

**Board Action:**

Approval for alterations to the buildings at 126 West Harris Street, including: main residence alterations to the front portico and replacement of the door on the front façade, demolition of the garden wall at the lane and construction of a new garden wall, alterations to the carriage house consisting of replacing a door with a window, and the installation of shutters on the rear façade as requested because the proposed work is visually compatible and meets the preservation and design standards. - PASS

**Vote Results**

Motion: Stephen Glenn Merriman, Jr.

Second: Brian Judson

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Abstain
Sidney J. Johnson	- Aye
Brian Judson	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Aye
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Robin Williams	- Aye

6. Petition of Jerry Lominack for Lominack Kolman Smith Architects | 12-002133-COA | 2 Whitaker Street | Amended New Construction

Attachment: [Staff Report.pdf](#)

Attachment: [Submittal Packet.pdf](#)

**Board Action:**

Approval to amend the side entrance design, install a projecting stoop entrance, and clad the structure in the amended Oglethorpe brick as submitted because the request is visually compatible. This approval does not preclude any encroachment or building permits that are required from the City of Savannah for this undertaking. - PASS

**Vote Results**

Motion: Stephen Glenn Merriman, Jr.  
Second: Brian Judson  
Reed Engle - Aye  
Nicholas Henry - Aye  
Keith Howington - Aye  
Sidney J. Johnson - Aye  
Brian Judson - Aye  
T. Jerry Lominack - Abstain  
Zena McClain, Esq. - Aye  
Stephen Glenn Merriman, Jr. - Aye  
Linda Ramsay - Abstain  
Robin Williams - Aye

7. [Petition of Dawson Architects | 12-002135-COA | 217 West Congress Street | After-the-Fact Planter](#)

Attachment: [Staff Report.pdf](#)

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

**Board Action:**

After-the-fact approval for the addition of a fixed planter box with an electrified speaker and projector post to the recently completed outdoor terrace associated with the adjacent business, B&D Burgers. - PASS

**Vote Results**

Motion: Stephen Glenn Merriman, Jr.  
Second: Brian Judson  
Reed Engle - Aye  
Nicholas Henry - Aye  
Keith Howington - Aye  
Sidney J. Johnson - Aye  
Brian Judson - Aye  
T. Jerry Lominack - Aye  
Zena McClain, Esq. - Aye  
Stephen Glenn Merriman, Jr. - Aye  
Linda Ramsay - Abstain  
Robin Williams - Aye

8. [Petition of James Newkirk for Up Front Signs & Graphics | 12-002176-COA | 31 West Congress Street | Sign](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Submittal Packet - Photographs, Renderings, and Specifications.pdf](#)

**Board Action:**

Approval of the principal use projecting sign as requested because it meets the standards and is compatible. - PASS

**Vote Results**

Motion: Stephen Glenn Merriman, Jr.

Second: Brian Judson

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
Sidney J. Johnson	- Aye
Brian Judson	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Aye
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Robin Williams	- Aye

9. [Petition of Eric O'Neill for Greenline Architecture | 12-002188-COA | 114 West Gaston Street | Porch Demolition](#)

Attachment: [Staff Report.pdf](#)

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

**Board Action:**

Approval for demolition of the non-historic front porch, shutters on the front façade, and a color change with the condition that the shutter horizontal rail locations correspond to the location of the meeting rails on the existing windows. - PASS

**Vote Results**

Motion: Stephen Glenn Merriman, Jr.

Second: Brian Judson

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Abstain
Sidney J. Johnson	- Aye
Brian Judson	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Aye
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Robin Williams	- Aye

10. [Petition of Edge Signs | 12-002194-COA | 10 East Broughton Street | Sign](#)

Attachment: [Staff Report.pdf](#)

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

**Board Action:**

Approval of the principal use fascia as requested because it meets the design standards and is visually compatible. - PASS

**Vote Results**

Motion: Stephen Glenn Merriman, Jr.

Second: Brian Judson

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
Sidney J. Johnson	- Aye
Brian Judson	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Aye
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Robin Williams	- Aye

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

**VII. REGULAR AGENDA**

**Agenda A (Items 16-19 will be heard at 2:00pm)**

11. [Petition of Patrick Shay for Gunn Meyerhoff Shay Architects | H-12-4727-2 | 600 East Bay Street | New Construction, Part I, Height and Mass, Phase A](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Aerial Views.pdf](#)

Attachment: [Submittal Packet.pdf](#)

**Mr. Patrick Shay** along with **Mr. Saad Al Jassar** and **Ms. Maggie Ward** were present on behalf of the petition.

**Ms. Sarah Ward** gave the staff report. The petitioner is requesting approval for new construction, Part I Phase A, of five buildings on the property at 600 East Bay Street. Ms. Ward stated that due to the size and significance of this project, the Part I, Height and Mass review will be considered in two phases. Phase A will consider height, proportion of structure's front facade, rhythm of structures on the street (setbacks and any parking standards that affect setbacks), massing including recesses and scale. Phase B will consider proportion of openings, rhythm of solids to voids, entrances and balcony/porch rhythm, any parking standards that may affect these openings or entrances, wall

of continuity, and roof shape. Directional character is considered by both the building form and openings, and applies to both Part I reviews.

**Ms. Ward** explained that this project was continued at the petitioner's request from the December 12, 2012 meeting to address Board and Staff comments. The model is on display and has been revised to reflect the changes that have been made. At last month's meeting [December], the Board was looking at seven (7) buildings on this site, but this month [January], they are only looking at five (5) buildings because the four (4) smaller retail structures along the riverfront have been combined into two structures as was suggested in December.

**Ms. Ward** stated that the staff report covers all the comments and addresses all of the changes completed by the petitioner for Hotel 1; Parking Garage; Hotel 2; and Retail Buildings 1-4.

**Ms. Ward** reported that the staff recommends the following:

**Hotel 1:** Approval of Part I, Phase A, Height and Mass of Hotel 1 with the condition that parapet heights not exceed four feet and approval of the additional story provided that the material standard is met and the sustainable roof certified by the city Manager and submitted with the Part II Design Details application for the Certificate of Appropriateness.

**Parking Garage:** Approval of Part I, Phase A, Height and Mass of the Parking Garage with the condition that the ground floor height (for the active ground floor uses) be a minimum of 14 feet in height to be consistent with ground floor commercial building heights in the proposed development and in the historic district. Approval of the additional story provided that the ground floor active use standard is met and verified through submittal of entrances and openings with the Part I, Phase B application for the Certificate of Appropriateness.

**Hotel 2:** Approval of Part I, Phase A, Height and Mass of Hotel 2 with the condition that parapet heights not exceed four feet and approval of the additional story provided that the ground floor active use standard is met and verified through submittal of entrances and openings with the Part I, Phase B application for the Certificate of Appropriateness.

**Retail Buildings 1-2:** Approval of Part I, Phase A, Height and Mass of Retail Buildings 1-2 with the condition that parapet heights not exceed four feet.

**Dr. Henry** said the Board talked about having a source of entry on the east end to the historic district. He asked Ms. Ward if it is her opinion that this has happened.

**Ms. Ward** answered that significant changes to Hotel 1 have been made which provides a source of entry. She believes the model shows this. She pointed out that the petitioner has relocated some of the taller tower elements. Ms. Ward, pointing to a tower, said previously this tower aligned with the centerline of



River Street, the petitioner has moved it further to the south to try to create a gateway and added a rounded element to the corner. The petitioner changed the saw-tooth configuration on the parking garage along General McIntosh Boulevard to have a solid wall at the street level.

**Mr. Judson** asked Ms. Ward that in this illustration, to show the Board exactly where the old Georgia Power headquarters is located. He asked if anything will be added on the top of this building.

**Ms. Ward** pinpointed where the old Georgia Power headquarters is located and stated that nothing is proposed to be added on the top of this building.

**Mr. Lominack** asked what is the criteria that the City Manager certifies the sustainable factors in a building.

**Ms. Ward** explained that since the adoption of the revised historic district ordinance in 2009, the City has adopted a "Green Roof" ordinance. This will be used as a guide if the petitioner wishes to install an actual green or vegetative roof, that they could use solar panels. There is no ordinance for this. They would have to cover at least fifty percent (50%) of the roof area. There is a little bit of judgment that goes into this review.

**Mr. Lominack** asked what are the qualifications to be able to make this judgment.

**Ms. Ward** answered that the Green Roof ordinance states some very specific qualifications for making sure that it lives; inspection about survivability and sustainability of the roof. In her opinion, this is a very tight ordinance. There is no ordinance for the solar panels.

**Mr. Engle** asked if the two large open spaces have been turned over to the City. How does the Board know that they will not just become a patio for the restaurant?

**Ms. Ward** answered that they could put furniture there as it does not require a review by this Board; any structure that they would put in there; walls or appurtenances would have to come before the Review Board for review and approval. But, this Board does not review things such as removable planters, street furniture or anything that could be moved that is temporary.

**Mr. Merriman** said he understood what Mr. Engle was saying about the opening.

**Mr. Engle** said the trees could grow very quickly and then there would be no view of anything.

**Mr. Merriman** said he was a little curious when Ms. Ward was talking about the ordinance where it says that the building has to be perpendicular to the

river. He said for the sake of argument, it really depends on what side of the building is being called an entrance. It does not say that it has to be wider one way than the other. You could look at any building and said that it is perpendicular or parallel. He asked Ms. Ward if she could not find anything that clarified this.

**Ms. Ward** answered no.

**Mr. Merriman** said this is somewhat odd.

**Ms. Ward** explained that she believes it is subject to interpretation.

#### **PETITIONER COMMENTS**

**Mr. Shay** introduced Ms. Ward and Mr. Jassar of this firm who helped him to meet the suggestions, ideas and recommendations that Ms. Ward reported to the Board. He reported to the Board that they have met with the City Manager and the appropriate City departments who reviewed their plans, which were well received. They discussed the issue of the sustainable roof. They are going to work through this to be sure that it is a genuine commitment.

**Mr. Shay** said rather than belabor it, he feels that they have a favorable staff report and they agree to all of the conditions that were placed in the staff report. He entertained questions from the Board.

**Dr. Henry** asked Mr. Shay if he gave thought to whether the sustainable roof would be vegetative or solar.

**Mr. Shay** answered that it will be a combination of the two. They want to create a roof top environment that is pleasing for the guests' experience as much as possible. The southern side of the area that was identified will be for solar panel equipment. The walkways and the rest of the roof top element will have vegetative materials, trellises and so forth. He said they really do want to do a roof garden.

**Dr. Henry** asked if there are two small buildings flanking the river. He believes at one time that four small buildings were being proposed.

**Mr. Shay** answered that Dr. Henry was correct. They had four small buildings.

**Dr. Henry** said as he recalls, there were twenty feet between them.

**Mr. Shay** responded that is correct.

**Dr. Henry** asked what is the distance now.

**Mr. Shay** explained that the space between the two buildings is about forty feet. They decided to make the space match between these two buildings so that when you are in that space it would be obvious that you are in a space that was long enough for access. Pointing to a section, he said that the space

between these two buildings is about ninety feet or maybe a little more. Therefore, it is actually as wide as the green part of some of the downtown squares.

**Dr. Williams** asked Mr. Shay if he could explain why the upper stories of the parking garage still have the saw tooth massing.

**Mr. Shay** explained that what they heard from the Board was that they wanted to have something that as people approached from this direction would be more of a gateway. Therefore, they decided that between the wall of the old fort and what will be a base on Hotel 1 that it would be nicer to have an expression where it would be a two-story mass. The saw tooth breaks up the facade. They took a look at what happens when they extended it all the way up. It made a mass very similar to that; therefore, they like breaking it up with a saw tooth on the upper stories once they got above the base.

**Dr. Williams** said he appreciates this. He said, however, there are other ways of doing this that would lead to a different solution on the upper stories from the rectilinear setbacks. He asked Mr. Shay if he could still have the lower pedestal effect on the upper stories, but without the saw tooth effect. Dr. Williams said he is concerned that the parking lot looks like a bunch of masses that are struggling to come together as opposed to being resolved as a whole, since this is the foremost building that one would approach from the east. He guessed that the same parking spaces could be here, but continuous as well and have some little dead pockets on the inside rather than the dead pockets on the outside.

**Mr. Shay** answered that this is something that they could look at. They have studied this, but he was not sure that he agrees with Dr. Williams that this would be the most prominent thing. He said, pointing to an area, that they have worked very hard to clear the landmark element right here. But, he believes that it would be very difficult to resist looking beyond that building to what will be on this corner.

**Dr. Williams** said maybe the thing to think of is the role that the parking garage places as a frame for that signature building as opposed to a distraction.

**Mr. Shay** said they have some great ideas that they are anxious to bring to the Board in Part B of Part I that will help them to introduce openings and materiality in order to soften some of these things.

**Dr. Williams** said it appears that there was a missed opportunity looking eastward from Bay Street [he did not see any renderings that showed the eastward vista on Bay]. This is a major departure route out of downtown on Highway 80. He asked Mr. Shay to point him to such a rendering, if he has one. What will the experience be going east on Bay passing the front of the facade of Hotel 1 and looking straight ahead and seeing this completed facade?

**Mr. Shay** answered that they studied this carefully. The Board has been presented with one of the renderings.

**Dr. Williams** said he was imagining not the experience of the pedestrian, but literally the driver looking straight ahead down the middle of East Bay. It seems to him that the parking garage, just like Hotel 1, you have it as an accentuation point coming from the east, the parking garage could serve this same role coming from the west as it does cross the path of the access of Bay Street. You follow me?

**Mr. Shay** answered that he does and it is something that they will take a look at when they get to the second part.

**Dr. Williams** said there are three different issues and the third observation he has might need to wait until later. There are opportunities to resolve multiple concerns with the parking garage. However, he applauds the changes the petitioner has made.

**Ms. Ramsay** said in following up with Dr. Williams question, she asked if the saw-tooth, in terms of visual compatibility, what is being referenced there?

**Mr. Shay** responded just breaking up the massing. They wanted to make it in contrast to the building that is immediately adjacent to it. They recognize that it is not a part of the historic district. It is basically just a big, great box. They wanted to do something that is more articulated.

**Ms. Ramsay** said in reference to the historic district, the Board has to find things that are visually compatible to the district and the saw-tooth effect is somewhat troubling.

**Mr. Lominack** said he is curious about the silo on Hotel 1 as you come down off of Bay Street. If it remains here, he believes it needs to be very carefully designed and should be thinner.

**Mr. Shay** said it has been the topic of an intense discussion in their design studio over the past several weeks more than any other element of the project. This is something that they look forward to presenting. He said that Mr. Lominack's point is well-taken.

**Mr. Engle** said what he is about to say would come in Part B, but the grand staircase on the east troubles him that the angle does not correspond to anything else. The other stairway is a continuation of the retail buildings. The rear, itself, appears to be trying to recognize the river when everything else is recognizing its self. He was wondering if there is a reason for this or if it is open for discussion.

**Mr. Shay** said this is something they want to study further. They are not sure yet because they are having more survey information prepared of exactly of how many steps are needed, for example. But, Mr. Engle's point is well-taken. They think it needs to be like the other elements, perpendicular to the river.

**Dr. Williams** said he was not sure what geometry of the city Mr. Shay's buildings are referring to. Are they paralleling Bay Street? They are not paralleling the river's edge. Why not parallel the northern wall of the two buildings with the riverwalk?

**Mr. Shay** answered that the geometry is derived from River Street before it starts to make the bend. He explained that if they took the average of the river frontage over a greater distance, it is perpendicular to that greater frontage. The riverwalk, itself, has a slight bend in it, in the way it is presently built.

**Dr. Williams** said River Street is not a straight street.

**Mr. Shay** stated that he was not saying that it is "bullet straight," but the geometry is derived from the range of River Street in the approach from west to east. This is the line that they took the lines from. It is also approximately the same perpendicular line that is the easternmost property boundary.

**Dr. Williams** said, however, there is the opportunity to rotate each of the buildings by five degrees ( $5^\circ$ ) and make their fronts lineup with the riverwalk and still maintain the square footage that is there now.

**Mr. Engle** believes this would be awkward.

**Mr. Shay**, pointing to an area, explained that this range of River Street, coming this way up to the foot of the ramp, is where this geometry comes from and also roughly perpendicular to this line. The lots do not have a right angle. He is not being argumentative, but if they wanted to bend the frontage so that they were related to a brick walkway that was being made, they could do this.

**Dr. Williams** asked, therefore, in principle, the two small buildings can potentially have a separate geometric existence from the hotel, they don't have to parallel the facade of the hotel.

**Mr. Shay** answered that they do not.

**Dr. Williams** asked if the experience is since this is River Street as this point is clearly not straight, to address some of the issues of the relationship to the river's edge, the pedestrian experience along the riverwalk, in principle, this is something that could be adjusted.

**Mr. Shay** answered, yes it could.

#### **PUBLIC COMMENTS**

**Ms. Danielle Meunier of Historic Savannah Foundation (HSF)** said their Architectural Review Committee met with Mr. Shay yesterday and shared some of their comments and concerns with him. Ms. Meunier said they suggested

the possibility of incorporating a trellis or some other design feature or framework in the stairway between Hotel 1 and the former Georgia Power building. They suggested some sort of trellis or something to negate the height that is created between those tall buildings between the space and create more of a human scale and effect. Mr. Shay was receptive to this idea. Also, they are concerned about the view of the elevator penthouses and stair towers above the retail building. While they may not be visible from the riverwalk or from River Street, they will be visible from some higher elevations and vantage points on Bay Street and Emmet Park. Therefore, they believe it is important how these will be treated in terms of materials and details as they move forward.

**Dr. Williams** asked Ms. Meunier to point out the areas she is referring.

**Ms. Meunier** said, pointing to a section, on these retail buildings, the elevated penthouses and stairs extend above the roof line. Therefore, HSF is concerned as to what they would look like. At this point, they are looking at the mass. They are looking at the shapes and in this same vein, the shape of the cylindrical tower that is at the corner of East Bay and River Street on Hotel 1 and as well as the square tower with the permanent roof on Hotel 2 create a harsh position.

**Ms. Meunier** said she knows that presently they are only looking at shapes, the mass, but they believe that it is important as to how these will be treated in terms of materials and detailing. They are almost competing right now and they think that as they move forward, they need to focus on this. Additionally, when it comes to the saw-tooth parking garage, they have some concerns, but they do not have any suggested solutions. However, an idea may be that the dead spaces between the saw-tooth be planted with some sort of vegetation such as trees that might grow a little taller. Ms. Meunier believes that the petitioner has some ideas of how he will move forward with this. This could be looked at in the next part of the petition.

**Ms. Meunier** said to speak to Mr. Engle's point and something that has come up about the open space in the commercial buildings and Hotel 2, they do believe that it is important for these to be maintained, but while they are looking at the proposal, they believe that a lot they are basing approval on as they move forward and as they have seen these changes, has to do with the fact that the views have been opened up and this space is accessible. Therefore, they think it is important and there should be some kind of assurance that if they are going to approve this based on these drawings, that these spaces and views remain open in the same way that they require retail spaces on ground floors, especially as a criteria for large-scale development. They may not be able to require them to be open, but they should get some sort of assurance, if not from the petitioner, from the owner of the project. It would be nice for the petitioner to guarantee that he will pass this information to the owner so that they will know that these spaces will remain accessible. Ms. Meunier said it would be wonderful if these would be publicly accessible, not just for the hotel. When it comes to donating easements beyond the City, Historic Savannah Foundation is a qualified easement holding organization. Therefore, an easement can always be donated to a different

entity as well.

**Ms. Ramsay** asked Mr. Shay if he wanted to respond to HSF's comments.

**Mr. Shay** replied yes and stated that they have already taken a look at the idea of some kind of vertical screen in the segment where the stair way passes between two steep buildings. They have some good ideas that they want to present at the next meeting. However, they believe this is a good suggestion. He said he could assure the Board that his client is well aware that they, and perhaps Historic Savannah Foundation for sure, wants an assurance that the open space remains open space. If the Board helps them do it well enough, [pointing to a section], that frontage right there which has a view up the river and the frontage with a similar view down the river, they will become even more valuable if they block that off with another segment of the building. Their goal is to make both spaces so good that no one would want to block it off with another building. As far as dedicating it to the City of Savannah, it is above his pay grade. When they discussed the transfer of properties with the City Manager, they did not get into this subject. He believes that the City would like for the developer/owner to maintain that and allow public access. But, he does not believe that they are interested in another section of River Street to maintain. This is his guess.

**Dr. Henry** asked Mr. Shay if he had any points about the staircase towers on the two small buildings on the roof.

**Mr. Shay** said they can work to ensure that these elements are shifted back further from the parapet. He cannot make them go away. There is a code requirement that if you have an elevator penthouse that you have a stair tower that goes all the way up to the roof. Therefore, there are some things about this that he cannot just wave a magic wand at. But, he does believe that they can set them further back to be less intrusive. Mr. Shay said they would like the opportunity to study this in the context of what the function of these buildings would be, but as he has said, they will be able show that they are not quite as intrusive.

**Mr. Engle** stated that the transfer of development rights on those two open spaces do not require that the City maintain them. The development rights on the spaces could be transferred to HSF and get a tax right-off for the owner, but he would still be responsible for maintenance and not the City.

**Mr. Shay** said he would ensure that the Board's sentiments are conveyed to the property owner.

#### **BOARD DISCUSSION**

**Mr. Engle** said he believes that the petitioner has responded well to the comments made by the Board last month. They still have a long way to go, but he believes a real good effort has been made. A lot of what the Board is discussing today can be brought up in Part B. He believes things such as the

stair tower and technically, they can say in their motion that they reserve the right to review again the tower shape, the elevator and everything else as they don't want to approve at cart blanche now and then make a decision when the details come forth.

**Mr. Judson** stated that he walked to the site and depending on what they heard last month, it felt somewhat overwhelming. But the fact that he has seen what the Board was presented with today, he believes the Board knows what they are talking about because the questions that were made and implemented really have a desire to factor as far as mitigating this overwhelming sense. Obviously, any infill is a challenge. These all are challenges and he is very pleased with what is before them today. In terms of the particular stipulations and additions to the round and square turrets, he personally think the two-story garage is a good idea. Mr. Judson said he understands that the saw-tooth has no historic reference points, but he also agrees that it is an effective way to break up the massing. Therefore, he believes this might be another stipulation that they put in their motion. It sounds as if the petitioner is sensitive to this and has some ideas. But, as he has said, he does not want to "cart blanche" say that they approve the saw-tooth today, but this might be a second area where the Board reserves this for further review. The reality is once the Board sees the fenestration, windows and some kind of voids, it may not look as prison like. Obviously, if you put a gray slab down, it is not attractive; but he believes that the opportunity is here to move forward with that.

**Dr. Williams** said they are hearing a lot of comments about the garage and the second tower with the pyramidal meter roof and the observation that it may be competing with the cylindrical. The concern about massing seems, perhaps, that the pyramidal roof tower, if it could be relocated to some aspect of the garage in the middle of the saw-tooth area, that becomes the element that breaks up the massing and becomes the focal point down Bay Street and could become a companion to the cylindrical point on the hotel. He believes they could accomplish many different things with one solution; addressing competing towers, massing issues, the jagged of the saw-tooth which has questionable reference to anything. Dr. Williams said it breaks it up, but he was not sure whether it breaks up in a less intimidating way. His worry is that would it be more aggressive right angles. It is one thing to have a right angle on the corner of a building, but having an entire facade of right angles would be very aggressive and unpleasant. Then, if you accentuate that with some strong morning light that will cast shadows and highlights on the points, he does not believe that it would be a pleasant experience on this corner, except for the pedestrians on that side of the street who would have to crane their necks to look up. But anyone else, in his opinion, would want to pass this garage as quickly as possible. When coming into this area, you want people to slow down and not speed up, be they pedestrians or driving down Bay Street.

**Mr. Howington** said that, he, too, has some concerns about the saw-tooth. It appears that you cannot see some of the parking spaces and that they are not usable on Part I. He does not know if maybe they could lose a few parking spaces. It looks like there are six, but maybe they can go to just three to lessen



this. He heard the comment about moving the tower from the hotel towards the street. He likes the idea of breaking this up and bringing the gateway to the front. He does not know, though, if this would make it more competing with the round tower or less without seeing it. Of course, it is all about materials. This would be a concern with moving it. Mr. Howington said he sort of likes it where it is as it takes you around the corner. But it all comes down to the details and how it details out. Regarding the saw-tooth, he is not sure how usable some of the retail space is going to be on General McIntosh, but this is yet to be determined. It looks like a place that he is not sure he would want to walk by. But, they will see how this turns out. He is not sure about moving that tower; he believes it would really create a twin tower gateway. Mr. Howington said he is not sure what the better solution is.

**Dr. Williams** said he noticed that the parking garage has an angle right at the point where he thinks there needs to be a vertical accentuation point on the parking garage. Take the centerline of Bay and run it eastward where they see the two small arm supports on the garage. He stated that somewhere at this point where the garage is beginning to turn a slight corner and the road has a bit of an elbow on it, he thinks that it needs to compliment the other tower. Maybe both of them are round, but this is somewhat segmental and the other is not fully round. There are different solutions and he believes this is the petitioner's challenge. Right now they have the cylinder and the pyramid.

**Mr. Howington** said they are competing now and in their last meeting, they talked about bringing those towers to the edge.

**Ms. Ramsay** explained that in an answer to the questions, she believes a motion could be made that incorporates the Board's concerns that it be restudied.

**Mr. Engle** asked: no one on the Board seems to have any problems with the four buildings? It appears to be just the parking garage. He was wondering if they should say that the parking lot needs to be restudied and the other buildings can go.

**Dr. Williams** said he is concerned about the orientation relative to the river walk. It is a subtle one, but he thinks the concurrent step configuration of those buildings, given that they are south facing. This section of the river is a free fall. They can do anything with those buildings as they are not street lines per se that has to be vigorously followed as much on the south side of River Street whereas with that gentle curving, the petitioner has done a great job of following that line. Dr. Williams said he would argue that those two buildings have both a relationship to the river walk as well as the roof line concern that has been articulated.

**Mr. Lominack** said he heard reference several times to gateway and he sees no reason why this ramp should have a gateway more than any other ramps off of Bay Street. He has heard things such as a circular tower referred to as a gateway; the parking garage forming a gateway or something being done there. The gateway is very applicable of the ramps down to River Street.

**Ms. Ramsay** explained that she believes this comment came up at the last meeting.

**Dr. Williams** said in response to that, he believes he was one of the Board members who talked about gateways. But, this is not a gateway to a ramp; it is a gateway to the entire river front. There it is an opportunity in the same way as the power plant when the other hotel project was here and they were discussing its role and complement to the power plant having some features that forms a kind of gateway to River Street at the west end. The ramps serve as the internal components of a larger structure, but this is literally the beginning point of River Street. In a sense this is an opportunity, even if historically there wasn't a gateway here, but he believes it is an opportunity to say "here is an urban moment that can be accentuated," whether it is literally a gateway, a pair of towers or something that acknowledges that it is not just another opening in the streetscape.

**Mr. Howington** stated that the last time the Board talked about this, it was the historic pattern that used to be there which had the larger buildings toward General McIntosh with the cupola.

**Mr. Engle** said he believes the parking garages are the biggest problems we have in Savannah. He believes this parking garage is eight stories. How much more do they want to accentuate the fact?

**Dr. Williams** said a parking garage has to look like a parking garage.

**Mr. Judson** said he does not share Dr. Williams's concern about the orientation on the two smaller commercial buildings. He believes that in terms of preserving the pedestrian walk, how they front to the river and the job that they have done of fronting them to River Street, maybe he can be shown something that looks like an improvement, but at this point, he does not have a concern with the orientation of those buildings.

**Mr. Merriman** agreed with Mr. Judson. He likes the symmetry and how they look now.

**Mr. Engle** said he agrees with the exception of one stairway. It needs to be consistent with the building, which it isn't.

**Dr. Henry** said he believes what they said is the staircase that Mr. Engle just referred to [he does not know if the trellises are pertinent to this part or not] the air conditioning, the elevator and the saw-tooth are the things that cover their concerns.

**Mr. Judson** said also the towers are concerns of the Board.

**Dr. Williams** said he wanted to make a response to his suggestion about rotating these two buildings. He said they would probably read as more symmetrical rather than less because the two facades would line up; and

everything about them would rotate, he guessed, with the exception of the alignment with the gap between the two buildings on the hotel across the street. If that alignment is more critical than the relationship of the building to the river walk, then keep it the way it is, but to him this alignment as Mr. Shay pointed out looking at the elevation southward, it is looking into the recessed part of the existing building where the little fountain is located in the 90 feet gap between the hotel.

**Mr. Engle** said it is 40 feet.

**Dr. Williams** stated that his point is that the two buildings would still read as symmetrical; it is just that the space between them would not be aligned with that space on the other side of the street.

**Mr. Engle** asked Dr. Williams if he was saying that he wanted to make the buildings trapezoidal.

**Dr. Williams** answered no; they can remain the shape they are, basically.

**Mr. Engle** said if so, they would have a weird triangle shape.

**Dr. Williams** said one of the buildings is already trapezoidal.

**Mr. Engle** said it is not trapezoidal; it is a curve.

**Mr. Judson** said when they discussed parallel to the river, they have drawn the line that represents the river. They have had the discussion about whether they are talking about short wall or long wall which obviously is not clearly defined, but they cannot take the east/west walls and not make them perpendicular to the river.

**Dr. Williams** said they would be more perpendicular to the river if the north wall was parallel to river walk, the east and west walls would still be 90<sup>0</sup> corners on those walls.

**Mr. Judson** said he actually understood what Dr. Williams was saying, but he disagrees.

**Mr. Merriman** explained that the curb would have to moved, but there would be a difference in how long the building would be along the river. Would you turn it, but move the curb?

**Dr. Williams** said yes, but you would have to adjust the southwest wall. That building is already very odd shaped. Maybe they need to just leave them the way they are; but maybe they can angle the facade which is another option.

**Mr. Johnson** said he agrees with the improvements the petitioner has made from the last meeting. The Board can talk about the technicalities, but they need to get to the point. This is the Board's second or third meeting on this

request and the petitioner has complied with the Board's requests of the last meeting. A motion is now in order.

**Dr. Williams** asked if the Board came to an agreement about the roof.

**Mr. Engle** said the Board reserves the right to review the shape, size and height of these items again.

**Board Action:**

Approve the petition for new construction, Part I, Phase A as provided below with the following conditions:

**HOTEL 1:**

1. Explore staircase between the existing building and Hotel 1 to mitigate the height;
2. Parapet heights not exceed four feet, and
3. Approval of the additional story provided that the material standard is met and the sustainable roof certified by the City Manager and submitted with the Part II Design Details application for the Certificate of Appropriateness.

**PARKING GARAGE:**

1. Restudy the massing to mitigate the saw tooth design on the south facade;
2. Provide an entry point that has a better relationship with Hotel 1 or a gateway;
3. The ground floor height (for the active ground floor uses) be a minimum of 14 feet in height to be consistent with ground floor commercial building heights in the proposed development and in the historic district; and - PASS
4. Approval of the additional story provided that the ground floor active use standard is met and verified through submittal of entrances and openings with the Part I, Phase B application for the Certificate of Appropriateness.

**HOTEL 2:**

1. Parapet heights not exceed four feet, and
2. Approval of the additional story provided that the ground floor active use standard is met and verified through submittal of entrances and openings with the Part I, Phase B application for the Certificate of Appropriateness.

RETAIL BUILDINGS 1-2:

1. Parapet heights not exceed four feet, and
2. Verify location and dimensions of stair tower on roof and reduce height to the extent possible.

**Vote Results**

Motion: Robin Williams

Second: Brian Judson

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
Sidney J. Johnson	- Aye
Brian Judson	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Aye
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Robin Williams	- Aye

12. [Petition of Jose Gonzalez for Gonzalez Architects | 12-000356-COA | 304 East Bryan Street | New Construction, Part II, Design Details](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Sample Panel Guidelines 120309.pdf](#)

Attachment: [Aerial - looking north.pdf](#)

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

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

**Mr. Shawn Dillon** was present on behalf of petition.

**Ms. Sarah Ward** gave the staff report. The petitioner is requesting approval for new construction, Part II Design Details, of a four-story 40 unit hotel on the property at 304 East Bryan Street. The existing one-story historic structure on the property will remain and is part of the hotel. Combined, the proposed development will have a footprint less than 8,500 square feet and is not considered Large-Scale Development under the historic district ordinance. The Board has seen this project a few times now, but the model and the material board are still on display for the Board's review.

**Ms. Ward** stated that Part II Design Details was continued from the December 12, 2012 meeting to address items that were identified by the Board. All the items are provided in the revised plans.

**Ms. Ward** reported that staff recommends approval for New Construction, Part II Design Details, of the four-story 40-unit hotel on the property at 304 East Bay Street with the condition that a material sample panel be erected on-site in

accordance with the Board's sample panel guidelines for staff review prior to installation of materials because the project complies with the visual compatibility factors, design standards, and addresses all of the Board and staff comments.

**Mr. Lominack** asked if he is reading this correctly, will the existing one-story brick building act as the lobby for this hotel?

**Ms. Ward** answered that she would have to look at the floor plans to be sure, but she believes the petitioner means for this to be an entrance. The architect for the project is present and he will be able to answer this question.

#### **PETITIONER COMMENTS**

**Mr. Dillon** explained that the existing one-story brick building will serve as the lobby or a gathering space for this project.

**Mr. Lominack** asked if the rest of the project is an addition to that.

**Mr. Dillon** answered yes, that's correct.

#### **PUBLIC COMMENTS**

**Ms. Danielle Meunier of the Historic Savannah Foundation (HSF)** said they have a few concerns with the submittal as it has come back to them. She said on Sheet A302, it shows that the details for the windows that will be used on the two windows building form with the double house, the central rail of the shutters do not align. The entry doors that are shown for the central double house with the two portico stairs are showing a solid four panel door. They believe it should be a six (6) panel solid door to be in keeping with the style of the building that is being proposed.

**Ms. Meunier** said on the floor plans, the fourth floor is showing windows along the corridor of the central end of the house form. They are not sure if these are the dormer windows because there is not a section of how the dormer windows are shown. Basically, it appears that the dormer windows are being applied on top of the roof. They are not sure as to how this treatment is being taken care of. If this is the case, then those windows should not be visible from the interior if they are not going to function as actual windows. If they are being placed directly on top of the roof, the HSF is concerned about the treatment on the interior of those windows will be as to what you will see from the street through those windows. She said for the recessed stucco building that has the two-bay rhythm, they feel that it is awkward to have two doors for a two-bay rhythm residential property and they suggest eliminating one of these doors so that it will be just one door, not centrally located, but aligned with one of those window bays to seem more like a residential building as opposed to two entry doors. Also, the parapet and cornice seem very close to the level of the top window. Ms. Meunier said, therefore, the HSF suggests raising the height of the parapet a little to make this proportion more appropriate.

**Ms. Meunier** said a minor detail is that no dimensions have been given for the columns. The HSF wants to ensure that these proportions will be correct for the scale of the porch. They want to make sure that they are not too fat nor too skinny, but be appropriate. She said the same goes for the piers that are below. Some of the piers read in the drawings that maybe they are skinner than the columns. But, they just want to be sure that they are the same width as the columns above. She believes that Ms. Ward stated in her report about eliminating the handrail on the interior of the stairways. Some of the renderings still show that on these stairways there is an interior railing on the actual building. Ms. Meunier realizes that an issue came up regarding whether this is code or not. If it is not required by code, the HSF does not believe that an interior handrail should be on those stairways along the building.

**Dr. Henry** told Ms. Meunier that according to his notes, the HSF has six comments; three are specific and three that the plan is not clear, specifically the dormers, porch and handrails.

**Ms. Meunier** answered correct.

**Mr. Bill Stuebe of the Downtown Neighborhood Association (DNA)** said just to clarify the handrail issue, on the renderings, they can see pickets on the handrail. They are suggesting that there should not be pickets. It needs to be just a bar going down the facade of the house, but not pickets on the interior.

**Ms. Ramsay** asked the petitioner if he wanted to response to the public comments.

**Mr. Dillon** stated that they have no general issues about the comments that were made. The renderings have not been totally updated. Therefore, the railing that is there is not in the drawings. He explained that there is a single handrail and due to code compliance, it must be there. They added that instead of a full guard rail. The renderings were just an error to begin with. This is the only issue with that one. The three items that the HSF wants clarification with, they have no problems with them. They will put in extra dimensions and submit them. They have no problems changing the door; regarding the paneling, they have no problem removing one of the doors and they can put a window in there instead. This would be perfectly fine with them. Mr. Dillon said the only item that they feel should not be revised is the height of the parapet. He said that on the two bay, they feel this is a part of the height and mass submittal that was very detailed and they have gotten approval for. Other than that, they have no problems making minor modifications that they want.

**Ms. Ramsay** asked Mr. Dillon to clarify the dormers.

**Mr. Dillon** said the windows that are shown on the fourth floor plan are in error. They should not be on the plan; the cut is below where the windows are. The windows within the dormers are within the roof line. The windows will

pierce through into that hallway. Therefore, it is not a typical dormer window.

**Ms. Ramsay** asked Mr. Dillon if he did not have a problem incorporating all the public comments of the HSF and the DNA.

**Mr. Dillon** said they will incorporate all the comments they had, but they do not feel that the parapet is an issue that can be brought up due to the fact that it is a part of Height and Mass.

### **BOARD DISCUSSION**

**Dr. Henry** said he wanted to remind the Board that last month he counted the recommendations. He counted they had twenty-one (21) recommendations. But according to the staff's report this month, they had twenty-three recommendations. Now, they have six more specific recommendations or questions from the HSF and one from the DNA. Something is wrong with this picture. They should not be redesigning a badly presented proposition. This is the wrong direction to go. Now, they still have questions that need to be clarified.

**Merriman** said if there are twenty three items that need to be clarified, somebody needs to go back to the drawing board before it comes to this Board.

**Mr. Engle** said most of the items have been corrected.

**Dr. Henry** questioned if the Board should be making these points.

**Mr. Engle** answered that the Board should be doing so.

**Mr. Lominack** said he is a new member on the Board and has not been a part of the prior reviews. However, he knows that the existing zoning ordinance cites and is consistent with the Secretary of Interior's standards. But, under additions [this is an addition according to what has been presented] it says that "additions including multiple additions shall be subordinate in mass and height of the remaining structure." Mr. Lominack said according to what has been said and what is shown on the drawings, it appears to be an addition. He believes that the Secretary's Standards are clear. Standard #3 says that "each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historic development such as adding conjectural features or elements from other historic properties will not be undertaken."

**Mr. Lominack** stated that under the new recommendations, one statement says "design of the new work maybe contemporary or may reference design motifs from the historic building, it should always be clearly differentiated from the historic building and be compatible in terms of mass, materials and relationship." He said obviously what has been presented for the addition to this existing building is not the one to be used for inspiration for that existing building. It certainly is alluding to not only historic elements from various



periods of time, but it is disguising what is in fact a hotel behind what is painted to look like a series of historic residences. He believes this is inconsistent with the Secretary of Interior's Standards.

**Ms. Ramsay** thanked Mr. Lominack for his comments and explained to him that the staff did not find the same conclusion as he during the initial hearing of this project. This project was dead and came back. She does not believe that the Board can rehear this again. They have heard this project many times.

**Mr. Engle** said he is usually the individual screaming about the Secretary of Interior's Standards, but in this case it would be hard stretched to call this an addition to that building. If Mr. Lominack had been here, when you go around the corner, it does reference that historic building. He agrees that the houses are not referenced at all. This has been going on for three and one-half (3 1/2) years.

**Dr. Williams** stated that this is not the first hotel to use historic houses as the hotel form; the hotel near the railroad complex. There are a series of houses that look like houses, but that is a hotel. Therefore, this is not a precedence issue.

**Mr. Howington** said he interprets this standard differently. He interprets it as each via its time and place. No one will believe that this is a historic building even in the future.

**Mr. Engle** stated that the entire category should be on new construction and not on additions. This is how it was originally determined. This is new construction in a historic district. Now, whether it crosses too far into trying to be something else, could make a good argument that this is trying to be too historic. But a lot of this is what the neighborhood wanted.

**Mr. Howington** agreed with Mr. Engle's statement.

**Mr. Engle** commented that Dr. Henry is correct in saying that the drawings are not adequate. The Board should not have to keep hearing that "we did not update that, we did not update this." The Board should not have to look for the corrections as they should be obvious. With this project, this has been extremely difficult because of the drawings be incorrect. The Board must insist on a higher standard.

**Mr. Judson** encouraged the Board members to vote on the project design and not on the process.

**Board Action:**

Approve the petition for new construction, Part II Design Details, of the four-story 40-unit hotel for the property at 304 East Bryan Street with the

following conditions:

1. A material sample panel be erected on-site in accordance with the Board's sample panel guidelines (attached) for staff review prior to installation of materials;
2. The center rail of the shutters align with the center rail of the window;
3. A six-panel door be used for the entry doors into the central double-house form fronting Bryan Street; - PASS
4. Correct the plan for the window location (inside the dormers) in the fourth floor;
5. Eliminate one entry door from the two-bay stucco building form, fronting Bryan Street, and align the remaining door opening with one of the window bays above; and
6. Provide dimensions for columns on two-story porch and the piers below should be the same width or similar.

**Vote Results**

Motion: Brian Judson

Second: Reed Engle

Reed Engle	- Aye
Nicholas Henry	- Nay
Keith Howington	- Aye
Sidney J. Johnson	- Aye
Brian Judson	- Aye
T. Jerry Lominack	- Nay
Zena McClain, Esq.	- Aye
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Robin Williams	- Aye

13. [Petition of Pineland Custom Homes, Inc. | 12-002035-COA | 511 Price Street | Exterior alterations](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Submittal Packet.pdf](#)

**Mr. Charlie Kea of Pineland Custom Homes, Inc.** was present on behalf of the petition.

**Ms. Ward** gave the staff report. The petitioner is requesting after-the-fact approval to replace siding, install shutters, add a gabled canopy over the entrance, and paint the structure at 511 Price Street. The existing windows, doors, and siding on the rear were installed years ago and are not part of this current request. Although this building was originally built in 1893 as a double residence, it has been modified to such a great extent that it is not designated as a historic structure. Therefore, it is not a contributing element to the historic district and the preservation standards do not apply.

**Ms. Ward** reported that staff recommends approval for the paint colors and shutter with the condition that the shutters be sized to fit the window opening and the placement of the horizontal rail correspond to the meeting rail of the window. She also reported that staff recommends denial of the gabled canopy and wood grain textured siding because they are not visually compatible and the siding surface treatment does not meet the design standards.

**Ms. Ward** pointed out that staff can review and approve a new application for replacement siding, that meets the design standards (smooth finish fiber cement siding), and awnings without Board review and a public meeting.

**Mr. Judson** said due to the fact that there are no drawings for the plan, he wanted to know if the request for shutters is for all the windows.

**Ms. Ward** said this is a question that the petitioner will be able to clarify. As the petitioner submitted the request for the windows, she assumes it is for all the windows.

**Mr. Judson** said that pertaining to the point that staff can review a replacement material, he asked in the Board's denial of the siding, if they can stipulate that the petitioner come back with a different siding for staff's approval?

**Ms. Ward** answered yes. The Board does not have to stipulate this, but she just wanted the petitioner to be aware that they could come back with something that complies with the ordinance [be it wood or smooth cementitious siding] that staff has the ability to approve this without going to the Board and a public hearing.

**Mr. Engle** said in looking at the shutters, there is no way that they can possibly meet the ordinance because it does not have a symmetrical center bar. It is like 60/40 and there is no way that it is going to meet the center rail of the window.

**Ms. Ward** explained that this is why she wants it in the staff report. Without seeing it next to it [she wants to be open-minded], but she agrees that there will be some difficulty in aligning that middle rail with the center rail of the window.

**Mr. Engle** said he guesses it could be brought down below the sill.

**Ms. Ward** stated that the windows are also different heights. The ground floor windows are taller than the top floor windows. She does not know if the

shutters would have to be modified to fit the upper floor windows.

**Mr. Engle** said this will not work on any of the windows.

**Mr. Merriman** asked if the building sits on the property line.

**Ms. Ward** answered that she believes it does, but a survey has not been provided. A lot of times when there is a question about whether encroachment is needed, the City and the petitioner need to get together and figure this out.

**Mr. Merriman** stated that if it does, there is no way that the awning or whatever covering is on the porch will work as it overhangs onto the City's property.

**Mr. Lominack** asked if staff could approve this if the petitioner asks for an awning.

**Ms. Ward** answered yes. If there is some kind of structure or stoop, it would need to be presented back to the Board for approval.

**Mr. Lominack** asked if an awning requires an encroachment permit?

**Ms. Ward** said that it does. Anything that encroaches onto someone else's property or onto the public right-of-way needs to be agreed upon by those parties.

#### **PETITIONER COMMENTS**

**Mr. Kea** came forward and introduced the homeowners, Mr. & Mrs. Charles Phillips.

**Mr. Merriman** asked Mr. Kea why this is an after-the-fact approval.

**Mr. Kea** stated that from the beginning, the homeowners were under the impression that they were outside of any historic districts. The Phillips got the information from several different sources and they would be able to better answer this question than he. But, one source was from the Savannah Magazine that laid out the boundary lines. Mr. Kea said that when he came to do the job, he asked the Phillips if they were in the Historic District [he had not worked downtown before] and they relied on the information from the previous years that they had been here. One bad piece of information led to this whole issue. He stated again, that they were under the impression that they were not in the Historic District and made the best judgment they could to improve the surrounding neighborhood and bring improvements to the overall building.

**Dr. Henry** asked Mr. Kea what was the specific misinformation they received.

**Mr. Kea** explained that the Phillips had an article from the Savannah Magazine

[he believes Ms. Phillips has it with her today] that laid out some boundary lines. From the day the Phillips owned the property, they had other encounters that they were not in the Historic District; and going on this misinformation, created this.

**Mr. Judson** asked Mr. Kea if the intention is to put shutters on all of the windows.

**Mr. Kea** explained that the windows upstairs are the antique shutters that the Phillips bought. He believes they will probably require some modification to get the center alignment. Based on listening to the Board, he understands their process a little better and what they are shooting for.

**Mr. Judson** asked Mr. Kea that when he says "upstairs windows," if he is saying just two and not the others.

**Mr. Kea** answered that there are some on the far side and he believes there is possibly one on the back side of the building, which is not visible.

**Dr. Williams** asked Mr. Kea if the alterations to the shutter include shortening them so that they match the height of the windows.

**Mr. Kea** answered that he believes it would require that and if it can't be done, the homeowners are here and understand that this project will have to be scrapped so that something better could be applied.

**Mr. Engle** asked if there is any justification for putting them on the second floor and not on both floors.

**Mr. Kea** said this is a question the homeowners will be able to answer.

**Ms. Ramsay** asked the Phillips if they had the magazine with them.

**Mr. Phillips** answered yes and stated that in 2008 they replaced the windows because they were unable to secure the house. They were asked if they were in the Historic District. They answered that they did not know. Then they were told that they were not in the Historic District and, therefore, they replaced the windows. This was done shortly after they purchased the home.

**Ms. Phillips** stated that over time, they have had several things done. They asked the question to multiple people who were doing the work for them. But, they were told that they were not in the Historic District as it ended at Gaston Street. Therefore, they thought from thereon that they were okay. They are not from Savannah, but North Carolina. They bought a home here as they love Savannah. They visit Savannah often.

**Ms. Ramsay** explained to the Phillips that the Historic District ends at Gwinnett Street. She believes this is why the Kroger Supermarket is on the other side of Gwinnett Street.

**Mr. Phillips** said all of this started because of actual structural issues within the home. The first pictures that the Board saw was aluminum siding and the flashings were not put on correctly. They had a lot of water damage; the stucco on the second floor was falling away from the house. As they got involved and got that part fixed, they decided to invest money into getting the aluminum siding. They are trying to make their home visually pleasing; they copied the house next door. The lady that lives next door is concerned as she owns the inn and, therefore, they were trying to make it so that it looked nice for her customers also. They believed that this would be something that would go together.

**Ms. Ramsay** advised the Phillips that this is a shame that this happened as they have a wonderful staff who would have been able to help them.

**Ms. Phillips** said they are aware of this now and if they want to do any work in the future, they definitely will consult the staff. She showed the Board the magazine that outlined the boundaries for the Historic District. Ms. Phillips explained that she subscribed to this magazine so that they could become familiar with Savannah.

**Ms. Ramsay** said this is misleading information.

**Mr. Engle** said this is unfortunate, but does not change the ordinance. He asked the Phillips if there was a reason that they are not putting the shutters on the first floor.

**Ms. Phillips** answered no. They were planning to put the shutters on the first and second floors. They do not have to put up the shutters if they do not meet the requirement. They bought them antique as they had the hinges and she loves the hinges. They were having a lot of street noise as Price Street was a double street at one time, but now that it has been changed and the bicycle lane is here, it is less noisy.

#### **PUBLIC COMMENT**

**Ms. Danielle Meunier of the Historic Savannah Foundation (HSF)** stated that they agree with staff recommendation. They just wanted to reiterate that they do not think that the gabled canopy is compatible or the wood grain textured siding regardless of color.

#### **Board Action:**

1. Approve the paint colors and shutters with the condition that the shutters be sized to fit the window opening and the placement of the horizontal rail correspond to the meeting rail of the window.

2. Deny the gabled canopy and wood grain textured siding because they are not visually compatible and the siding surface treatment does not meet the design standards as identified in the findings above. Staff can review and approve a new application for replacement siding, that meets the design standards (smooth finish fiber cement siding), and awnings without Board review and a public meeting. - PASS

**Vote Results**

Motion: Reed Engle

Second: Robin Williams

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
Sidney J. Johnson	- Aye
Brian Judson	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Aye
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Robin Williams	- Aye

14. [Petition of J. Leander, LLC | 12-002146-COA | 502 East Oglethorpe Avenue | New Construction, Part I, Height and Mass, for a two-story residence](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Aerial - looking north.pdf](#)

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

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

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

**NOTE : Mr. Johnson left the meeting at 4:00 p.m.**

**Mr. Matthew Allan** 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 two-story detached residence at 502 East Oglethorpe Avenue. The general development plan was submitted for review on December 20, 2012. At this time, very few comments have been made. Stormwater has asked about the new building and the amount of impervious area on the site. Everyone else is still reviewing this.

**Ms. Ward** reported that staff recommends approval for New Construction, Part I, Height and Mass, of a two-story detached residence at 502 East Oglethorpe Avenue because it is in compliance with the visual compatibility factors.

**PETITIONER COMMENTS**

**Mr. Allan** came forward and stated that he was representing J. Leander, LLC.

**PUBLIC COMMENTS**

None.

**BOARD DISCUSSION**

**Mr. Lominack** questioned the windows on the side the building.

**Mr. Allan** said the windows are dictated by the floor plans. Unfortunately, this is one thing they end up with. You intend to create the interior space and then you look at the side elevation.

**Mr. Lominack** said they should be created together.

**Ms. Ramsay** asked Ms. Ward if the sides of the building are visible from the public right-of-way.

**Ms. Ward** answered that the sides of the building will be visible as there is a shallow setback. But, she wanted to remind the Board that the standard in the ordinance says the centerline of windows and doors shall align vertically on the primary facade.

**Mr. Engle** questioned the two tiny windows. He guesses they are going in the bathrooms.

**Ms. Ward** answered that the standard for proportion is only for windows that face the street. The ordinance says "windows shall be rectangular and shall have a vertical horizontal ratio of not less than 5:3. Accent windows maybe round or other shapes."

**Dr. Henry** asked Ms. Ward if this kind of scattered effect is seen in other parts of the Historic District.

**Ms. Ward** said yes, on side elevations and this is why the standards do not call for the side elevations to meet this. It is common going up stairs.

**Dr. Williams** said this is especially normal on principal rooms.

**Mr. Engle** asked Mr. Allan if there was a reason why the roof pitch is not consistent with the other three buildings. He could understand having to engage the bay into the corner that stops short of this. Mr. Engle asked Mr. Allan to look at drawing six (6). It is eighteen (18) inches or two (2) feet higher than the adjacent three buildings; yet, it is a smaller building. Therefore, it seems to him that it should be brought down a little.

**Mr. Howington** asked if the roof will be shingle.



**Mr. Allan** answered, yes, the roof will be shingle.

**Dr. Williams** said regarding the plan, what the petitioner calls bedroom three (3) on sheet three (3), he has one window on the side elevation. He said obviously the window cannot align with the first floor window because the wall of the bathroom is here; but it could align with the southernmost first floor window. Is it where it is to be opposite the door?

**Mr. Allan** said he would need to ask the designer this question. He will speak with her about this. Maybe there is some relationship of where the bed will be placed. As he looks into this room, it appears that this is the wall where he would place the bed on, but aside from this, he does not know.

**Mr. Engle** said he was not sure if this would be the meeting or the next meeting, but he suggested that the single long panel on the bay is a bit awkward. Perhaps, it would be better if it was subdivided into two panels and centered under the windows. It could be split into two panels and with some good moldings would accentuate the verticality of the bay.

**Mr. Allan** asked if this would be a part of Part II.

**Mr. Engle** answered yes. But, it is better to bring the comment up now so that he can work on it.

**Mr. Allan** thanked Mr. Engle for this comment.

**Board Action:**

Approve the petition for New Construction, Part I  
Height and Mass, of a two-story detached residence at 502 East Oglethorpe Avenue. - PASS

**Vote Results**

Motion: Stephen Glenn Merriman, Jr.

Second: Zena McClain, Esq.

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
Sidney J. Johnson	- Not Present
Brian Judson	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Aye
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Robin Williams	- Aye

15. Petition of J. Leander, LLC | 12-002149-COA | 212 Houston Street | New Construction, Part I, Height and Mass, for a two-story residence

Attachment: [Staff Report.pdf](#)  
Attachment: [Historic Building Map - Crawford Ward.pdf](#)  
Attachment: [Aerial - looking east.pdf](#)  
Attachment: [Submittal Packet - Application and Photographs.pdf](#)  
Attachment: [Submittal Packet - Drawings.pdf](#)

**Mr. Matthew Allan** was present on behalf of the petitioner.

**Ms. Sarah Ward** gave the staff report. The petitioner is requesting approval for New Nonstruction, Part I, Height and Mass, of a two-story detached residence at 212 Houston Street. The general development plan was submitted for review on December 20, 2012. As of today, two comments have been received. They normally have ten (10) to make turnaround comments, but this has been longer than twenty (20) days. Ms. Ward believes that because of the holiday, there has been a delay. A comment was received from Stormwater about the impervious relationship. The other comment was received from Traffic Engineering advising that they need the dimension width of the sidewalk as there is a proposed encroachment of the stoop onto the sidewalk. No other comments were received that would affect the design.

**Ms. Ward** reported that staff recommends approval for New Construction, Part I, Height and Mass, of a two-story detached residence at 212 Houston Street, provided that the correct dimensions of the sidewalk and building width are on the General Development Plan and resubmitted with the Part II, Design Details review as the project is in compliance with the ordinance and standards.

**PETITIONER COMMENTS**

**Mr. Allan** said he was present representing J. Leander, LLC.

**Mr. Lominack** said his comment has nothing to do with the Board's review or approval, but he would not like to walk in the front door of a structure and look directly into the power room.

**Mr. Allan** said he would look into this matter. This is a valid point.

**PUBLIC COMMENTS**

None.

**Board Action:**

Approve the petition for new construction, Part I

Height and Mass, of a two-story detached residence at 212 Houston Street provided that the correct dimensions of the sidewalk and building width are on the General Development Plan and resubmitted with the Part II, Design Details review. - PASS

**Vote Results**

Motion: Nicholas Henry

Second: T. Jerry Lominack

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
Sidney J. Johnson	- Not Present
Brian Judson	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Aye
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Robin Williams	- Aye

**Agenda B (Items 20-24 will be heard no earlier than 4:00pm)**

16. [Petition of Dawson Architects | 12-002192-COA | 319 West Congress Street | New Construction, Part 1 Height and Mass](#)

Attachment: [Staff Report.pdf](#)

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

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

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

**Ms. Leah Michalak** gave the staff report. The petitioner is requesting approval for New Construction Part I, Height and Mass, of a three (3) story mixed-use building at 319 West Congress Street. The petitioner met with the City at the December 20, 2012 site plan review meeting and comments were offered by various departments, but none affect the design of the building.

**Ms. Michalak** reported that staff recommends approval for Part I, Height and Mass, with the following conditions to be resubmitted with Part II, Design Details:

1. Provide the height of the stair enclosure above the roof;
2. Reduce the distance between the punched openings on the second and third floors by either providing paired windows or increasing the size of the single windows;
3. Provide window opening sizes for all the floors.

**Dr. Williams** said that the neighboring building to the east has ventilation duct work that rises up. He was curious as to where is the zero lot line. Does it

overlap into their property?

**Ms. Michalak** answered yes. The floor plan shows that this will be inside of their building.

**Ms. Michalak** stated that after the petitioner received their copy of the staff's draft report, he requested a review of Part I and Part II to be reviewed at this meeting. New construction is reviewed in two parts as this Board knows and in accordance with the Board's request, the staff has been adhering to reviewing Part I at the first meeting and Part II at the second meeting and not combining them. Additionally, the application did not request both parts, but just stated new construction. Also, the application was insufficient for Part II. It did have some of the information needed for Part II. The staff did not have the required pre-meeting with the petitioner and the general development plan was not submitted until this past Friday. Therefore, staff has not completed a review for Part II and the public has not had a chance to consider it.

**Mr. Engle** said the petitioner needs to submit more details. There is not enough details here to even look at Part II.

**Ms. Michalak** said when the petitioner asked her about this, she submitted basically a quick list of other items that he might need for Part II.

**Dr. Williams** asked if the ordinance addresses the existence of the historic commercial signage on a building site and how they address that.

**Ms. Michalak** stated that Section 3030 does not. She asked Ms. Ward if any of the sign ordinances address this.

**Ms. Ward** answered that Section 3030 has the Secretary of Interior's standards. Therefore, they can look at signage through this. The Historic Sign District Ordinance does allow consideration for historic sign that may have existed on the property, but she would need to look at the ordinance.

**Dr. Williams** asked if it might help to impact this.

**Ms. Michalak** asked because there is a historic sign?

**Dr. Williams** stated that a historic sign is across the whole west facade of the building to the east.

**Ms. Michalak** said she does not know the address to the building, but pointing to a section, she said this is 38 Montgomery Street; this is the site that they are talking about. She asked Dr. Williams if the sign he is talking about is along here.

**Dr. Williams** answered yes. It says the "Royal Blue Shoe Company." If they go to page one (1) of that document, they will see it. He said it is clear on the back half of site, but it is less clear on the front half. Dr. Williams said even in terms of documentation or any guidelines, he just wanted to know if there are

any existing guidelines for this. Also, he wanted to know if it is within their jurisdiction to require documentation as part of an approval.

**Ms. Michalak** stated that because this is new construction, the Preservation Standards did not apply. She believes Ms. Ward would be better able to answer this question.

**Ms. Ward** stated she believes this is something that they can ask, but she does not believe that this is something they can require of them to do. She explained that the only time they can require documentation is through demolition. The ordinance is clear about this.

**Dr. Williams** said this pertains to demolition.

**Ms. Ward** said maybe it could be done as an alteration to a party wall, but even so, it is a stretch. See if the petitioner is willing to do it.

**Ms. Michalak** said she does not know if they know the background on this sign.

**Dr. Williams** stated that he was only asking what are their parameters with this issue, if any. It appears that there are none.

#### **PETITIONER COMMENTS**

**Mr. Dawson** stated that he is the architect for this project. He said that his client, Bob Turner, is here representing Congress Street Properties, LLC. He said if the Board does not mind, he will pass out what they believe is their Part II criteria.

**Mr. Engle** said the Board cannot deal with the Part II criteria now. The public nor the Board has seen this.

**Mr. Dawson said** he can appreciate this stance and in the past, he has been an advocate for this stance, but they are under considerable time pressure with their client to move on the project. He knows within the past that there have been many precedences. In fact, he knows that Mr. Lominack and Mr. Howington have done Part I and Part II simultaneously.

**Mr. Engle** said it could be done if they all had seen Part II prior.

**Mr. Dawson** said the information that they have added is really in response to the staff's comments regarding double windows, which they have modified the elevation to show. They also have some supplemental details. They included a wall section and identified all the colors and materials. The details that they submitted were at a scale that was difficult to read on the PDF; therefore, they have enlarged those and added some additional information.

**Mr. Judson** commented to Ms. Ramsay (Chair) that it is mandated that Part I

and Part II be separated on large scale developments. His concern is whether or not the Board would be in compliance with public notification of the meeting if their agenda only shows the height and mass application. Consequently, Historic Savannah and any other persons within the public certainly have not had a chance to review Part II.

**Ms. Ramsay** said the Board discussed at their retreat the necessity for having information that the staff has required to be submitted in time for the Board, Historic Savannah and the public to review prior to the meeting.

**Mr. Dawson** said he fully agrees with this and as he has said, he has been an advocate for this in the past as well. Their issue is being able to apply for a building permit and have the building constructed in time to meet their deadline. They certainly have no problem coming back next month with the details that they have developed. He does not know if there is a way that they can expedite a partial permit. Mr. Dawson said his concern is if he is unable to submit for a building permit until after next month's Review Board, there is no way that they can meet their deadline. All he cares about is getting the steel ordered for the project and the skin will not go on for another three (3) or four (4) months. Therefore, they have plenty of time to modify and come back to the Board, but as they know, the building department is all or nothing.

**Mr. Judson** informed Mr. Dawson that to piggyback on his comment to the Chair, would be that in having gone to the state seminars on this, making defensible decisions, the Board would be opening themselves up to someone from the public initiating a lawsuit that would enhance a longer delay of the project.

**Mr. Engle** asked how is the storefront constructed. What is it made out of? There are no details there. They have never had a storefront before that is elevation only.

**Ms. Ramsay** said she believes it is very clear that the Board can only see Part I Height and Mass today.

**Mr. Dawson** said they have considered staff's concerns and they think they are valid. They have modified the design to show pairs of windows. However, the 3 to 5 ratio is difficult to maintain with pairs of windows as they will see in the building next door, which is also a thirty (30) foot wide storefront. Those windows, the pairs at the top, the ones next door are considerably narrower than three to five ratio. But, these they have tried to maintain approximately the same ratio. Actually, they are 34 inches wide by 72 inches tall. As the Board can see, the ones on the back that they had before are a true three to five ratio. This is the right size and by pairing them, he believes necessitates making the opening slightly narrower. Because of the unusually short floor-to-floor heights in the building they are connecting to it, ten (10) foot floor-to-floor, they cannot really make the window bigger, physically, as it would sort of be sitting on the ground. Mr. Dawson said he believes that the height of them would become a problem to maintain the three to five ratio.

**Mr. Dawson** said certainly there is precedence in the building next door for a narrower window in pairs. He believes this is an appropriate solution. But, he agrees with the staff's comment that this gets the distance of mass between the windows to be a more appropriate distance. He said with regards to the storefront, he will tell them what they are doing so that when he comes back next month it will be clear. It is actually a cast stone base as required by the standard that the bottom that the street interfaces, stucco through the piers and surrounds with a zinc corner, a traditional sort of gun metal brick harness. The storefront is actually constructed out of mahogany which is a traditional approach throughout the historic district. It is not the storefront in the sense that it is an aluminum storefront; that would be an unusual type of element. He said the other comment was the height of the stair lobby. This is five (5) foot six (6) above the parapet height and they will indicate this on the final submittal. As they can see on the model, they have moved it further to the middle of the building. It is really prominent in the elevation, but it is about thirty-five (35) feet back from the facade. He believes the site lines will be mitigated. The elevator penthouse is actually lower than the parapet; therefore, it will not be seen. With regards to the exhaust ducts, there is a shaft that is contained within that building that allows that existing exhaust duct to remain. The adjacent neighbor, who is represented by Attorney Braun, is also here has the right to access and maintain that property out of that hood. Therefore, they will create within their floor plan an area where they can access, service, and clean that equipment, but it does have to stay where it is.

**Mr. Dawson** said with regards to the signage that is on the adjacent building, because it is not a party wall and is a fire wall, each building has to stand on its own. Therefore, they have to construct a new independent structure there. He thinks because the height of the adjacent building is almost fourteen (14) feet taller than their building, he believes a lot of the sign will remain exposed on the upper level; but, however, most of it will be concealed. Mr. Dawson did not believe that it would be an issue for them to take photo documentation of the existing signage so that they can have some decent quality photographs that could be entered in the Georgia Historical Society records if someone ever wanted to do research on this. However, he does not propose that they do much more than high-quality photograph documentation. He believes this addresses the staff's comments. The window heights are scalable; they are electronic. They will work through this.

**Ms. Michalak** said staff does not have a way to print them as scalable.

**Mr. Dawson** said they can work through this. If it is better, they will submit large scale drawings. Staff said that there were no comments at the SPR meeting except that the little stoop sidewalk drains are creating a tripping hazard for the City. Therefore, the City wants them to remove these and put in trench drains which they have approved to do. He entertained questions from the Board.

**Ms. Ramsay** made the following comment both for this petition and the next petition that the standards for handicap bathrooms have changed. This is not the

Board's purview, but Mr. Dawson has stated that he wants to get this to Building Permitting.

**Mr. Dawson** said he did not know what Ms. Ramsay was telling him, but he really wants to know.

**Mr. Engle** said the petitioner repeatedly references the building to the east. One thing that he noticed about the building to the east is that there is an odd secondary pilaster between the three bays. This really would help with the verticality of the second and third floor if the piers continued. He said first floor columns continued as pilasters all the way to the cornice as they do so on the building next door that Mr. Dawson references.

**Dr. Williams** believes it references the paired windows, but the building is speaking to the building at the west. Is it not?

**Mr. Dawson**, pointing to a section, said you are talking about this structure here.

**Mr. Engle** said yes; notice that the pilaster continues from the storefront all the way to the cornice.

**Mr. Dawson** said they considered this, but the building that they are really addressing and extending is really this building here, which is a much more plain unadorned building. Therefore, they wanted this to be somewhat of a background building because this building is incredibly ornate and unique. They felt it would be inappropriate to try to add lots of pilasters and additional decorative treatment. So, they left the upper facade fairly plain so that it matches the building that they are connecting to.

**Mr. Howington** asked Mr. Dawson if he was in favor of the paired windows or the single windows.

**Mr. Dawson** answered that they felt the single windows looked like they were more appropriate compared to the building next door. However, he agrees with the staff's position. He said if they look at the mass between the windows with the paired windows it ends up being the same mass. Therefore, he thinks that the paired windows are more successful. These windows are actually a little squatter than the three to five ratio.

**Mr. Lominack** asked Mr. Dawson if he looked at a wider window instead of the pairs.

**Mr. Dawson** answered that he believes if it got wider, it would have to get taller and then the height would not match.

**Mr. Lominack** said the ratio does not always make sense. He believes using good judgment sometimes overshadows the 3 to five ratio. Maybe the top of the belt course forces a lot of things on both sides. He is not sure whether this should be the overriding factor.



**Mr. Dawson** said the other thing they were concerned about is keeping a relationship with these windows in the building that they are extending. He believes the pairs will actually work well.

**Mr. Howington** asked him if he was going to submit the pairs.

**Mr. Dawson** answered yes; he will submit the pairs.

**Dr. Williams** said to be clear, what is the problem with taking the dimensions of the windows of the existing building.

**Ms. Ramsay** explained in an answer to Dr. Williams question that she believes it was the mass between the windows using those same windows and applying them to the wider building that you have a problem with the space between.

**Mr. Dawson** said in fact they would lose the three (3) bay rhythm on the thirty (30) foot bay because they would only have one window. Part of what is somewhat unique about this building is that it is actually facing Montgomery Street. The bearing walls actually run east/west rather than north/south. Although it is on a tithing lot, the building faces the west. Therefore, the bays on the other side are really the predominant facade. They felt it would be odd in a thirty (30) foot building to have five windows as this would need the standard three (3) bay rhythm.

#### **PUBLIC COMMENTS**

**Ms. Danielle Meunier of the Historic Savannah Foundation (HSF)** said they agree with all of staff's comments and recommendations. They feel that the windows should be bigger. In terms of single or paired, there maybe a way to experiment and make them wider or bigger without pairing them. They also suggest possibly doing two-over-two as opposed to one-over-one which, visually when you are looking at the proportion, would not seem as large once you start enlarging them as the one-over-one windows will.

**Ms. Meunier** said regarding the sign, they definitely encourage documentation of the sign on the east building on the western facade of that building. In addition to photographs, they ask that the petitioner measure the sign so they can get some measurements on it to go with the photo documentation. If there is anyway to seal the side of the building to protect it [they know a new wall will be built here] just in case in the future this building would come down, something that may potentially protect the remnant of the painted sign.

**Attorney Dana Braun** came forward and stated that he is the attorney for Garibaldi's, Inc., who owns the property at 315 West Congress Street which is the property that is immediately to the east of the subject property. Attorney Braun said he was present to speak to what Dr. Williams brought up which involves the ventilation system.

**Attorney Braun** said a little more than three (3) years ago in October 2009, the petitioner came before the Review Board on another plan which showed a construction that would have interfered and totally destroyed the ventilation system. This necessitated the filing of a civil action in Superior Court whereby his client brought an action against the petitioner seeking a legal declaration that they had the air rights to where that ventilation system was located.

**Attorney Braun** showed the Board a photo on the screen of the ventilation system that is located on the east side of this client's building and overhangs the eastern portion of the petitioner's property. He explained that they filed an action in the Superior Court of Chatham County not only seeking a declaration that they had the right to use the air space where this ventilation system had been in place for more than thirty (30) years, but they also sought a permanent injunction that the owner of this property not do anything that would compromise his client's use of this ventilation system. They prevailed in Superior Court in December 2010 where Judge Krapf ruled in their favor. Congress Street Properties appealed to the Georgia Court of Appeals and in February 2012, the Georgia Court Appeals affirmed that decision by Judge Karpf.

**Attorney Braun** said they were not present to try to prevent the petitioner from trying to do something to his property, but are here to ensure anything that is done does not interfere with their air space rights and the rights of access to maintain the ventilation system. He said [pointing to an area] his concern is about the plan that has been drawn shows the ventilation system located here and as they can see the wall that they are going to build to, their fire rated wall, wraps immediately around the ventilation system. The plan shows no access for his client and they think the plan needs to be redrawn whereby they will have access to the entire width and height of that ventilation system which plan may affect the mass of this building.

**Ms. Ramsay** told Attorney Braun that she hates to interrupt him, but really his concern is not the venue for the Historic Review. This is the interior of the building. If the mass has to be changed, then they will have to hear this entire petition again. But the interior drawing showing access is really not a part of what this Board hears.

**Attorney Braun** said he understood this, but wanted to make sure that they are on the record about it. Secondly, he believes this does impact the mass because there is no way you can have a fire rated wall that surrounds this that would allow them access to their entire ventilation system. The only way it can be drawn is that they have access from the lane to an area of the building that is not built back there; that there is space left between his client's wall and the outer wall which would go to the mass of the building. They do not want to stop it, but his point is that it certainly be noted on record the rights that they have to the air space that has been legally declared by the Superior Court and the Georgia Courts of Appeals. They don't want to cause any delay, but that it be approved conditionally subject to a plan showing that his client's air rights and access to this system will not be affected. Attorney Braun entertained

questions from the Board.

**Dr. Henry** said he could be wrong, but he believes that Attorney Braun was talking about some potential, not what is here now. Am I wrong on this?

**Attorney Braun** answered that he believes they are talking about the here and now because the plan clearly shows a building that wraps around his ventilation system with a two hour rated wall.

**Dr. Henry** said if they are stopped on this plan for whatever reason, then the Board would be happy to reconsider their new design.

**Mr. Merriman** said the petitioner would have to bring it back before the Board.

**Attorney Braun** said the process is the Board's decision. Maybe it will have to come back before the Board giving acknowledgment to that legal right they have. They have ownership right over that property.

**Dr. Henry** said he could not speak for the Board, but he believes that what they are saying is that for whatever reason for them to change the appearance of their building, then it would come back to the Historic Review Board for approval or disapproval.

**Mr. Merriman** stated that at this point, he does not believe that the Historic Review Board has any rights approve or disapprove based on Attorney Braun's argument. He explained that the petitioner has submitted his drawing and the Board either has to approve or disapprove based on what has been given to them.

**Mr. Engle** said the change will not be visible from the front.

**Ms. Ramsay** said if any changes are made, this will have to come back before the Board prior to being made.

**Mr. Merriman** said this is something that must be argued at another place.

**Mr. Lominack** stated that he does not believe that this Board can give any judgment on whether or not access is given.

**Attorney Braun** said he was not asking the Board to pass judgment as to whether or not they get access. They feel very comfortable that this has been established by the court. His concern is that they do have an ownership interest over and above this property, which they have an interest in this property that is being submitted to them for approval. The interest is not in anyway reflected in this petition nor is it reflected in the way this building is being presented to you on the height and mass. Therefore, there is an impact on the mass issue. But, certainly he understands the Board's comments as well.

**Mr. Thomson** said he realizes that he is calling a staff's position on this and

what Ms. Ramsay just said as Chair, but if the remedy to the adjacent property owner is to have a cutout to get access in the design of the building, he is not really sure that this is something that has to come back as a height and mass issue. He said in other words hypothetically, if they approve what is there today and they went off to the proper venue to resolve this and then came back with a cutout on Phase II, he was not sure that the Board would have to rule on height and mass again because it would be less mass. He said his other point is he does not know what the correct venue is because he is not sure the City staff can do this either. Mr. Thomson said he believes that an agreement has to be made with the property owner or go back to the court and let them know that the building is being built in a way that is counter to the judge's order. Mr. Thomson said he does not believe that this is a discussion for this Board.

**Attorney Braun** said that Mr. Turner and Mr. Dawson are fully aware of the court order and of the air rights and ownership rights that they have to the space where their vent system is located. This is without a doubt. If they have to go to court, then any delay will be far longer than what perhaps could be dealt with if the plan is somehow amended that shows this corridor or access that his client will have. This affects the design of the building as Dr. Williams said the Congress Street Lane frontage.

**Ms. Ramsay** advised Attorney Braun that the Board is only hearing height and mass today, not the design details.

**Attorney Braun** said this does involve the mass.

**Ms. Ramsay** said this is noted in the records.

**Mr. Howington** said this is not the purview of the Historic Review Board.

**Ms. Ramsay** entertained further comments from the public.

**Mr. Bill Steube of the Downtown Neighborhood Association** came forward and said that he believes that two-over-two windows would greatly help the facade instead of the one-over-one windows. If it could be made a little wider, he believes would be fine. But, he thinks this would be a helpful suggestion.

**Mr. Engle** said this is a design detail issue and not a height and mass issue.

**Mr. Bob Turner** stated that he is the owner of the property that they are having this lengthy discussion on. He appreciated Attorney Braun's pontification on this matter. They have addressed and will address this issue. Mr. Turner said Attorney Braun's concern over his delay is certainly not the main issue, but they will ensure that what has to be done legally will be done. If he doesn't do so, then Attorney Braun can take him back to court. He has tried to explain this to Attorney Braun, but he had to go through the court battle which he won. Mr. Turner said they agree to do whatever they have to do. He does not believe that this is a part of this case, but if they have to come back to this Board and amend

it, they will.

**Mr. Turner** said he was not aware of the first and second hearing. He apologized for this and said that they negotiated with a national retailer to take 10,000 square feet, two floors of this building over a year. Mr. Turner said he realizes that all of this is irrelevant to the process, except the fact that when it comes to downtown development and Franklin Square and what has to go on there, if he loses this retailer because he cannot deliver this building by May 31 to them, and he cannot build the building if he cannot put in the stairwell and the elevator in which is the only reason why he is building the building in the courtyard is to coverup the stairwell and elevator. He is willing to come back and put in any windows and front [he could care less] and match anything anybody wants, but if he cannot get this, he cannot get the permit for the rest of the building. Mr. Turner said he understood and they talk about making concessions on the size of windows and things, but concessions are made once in a while on various issues. They are talking about a major retailer on this square that will either come or go based on whether he can deliver this building or not. Any consideration that the Board can give to this, he understands. They are not fighting over anything on the front of this building. The windows will be whatever they have already agreed to.

**Attorney Braun** said he wanted to submit for the records the order of the Superior Court and the order of the Court of Appeals of Georgia established. He realizes that the Board has been here a long time, but he feels he needs to comment on Mr. Turner's comment. When they learned of this building, they obtained a petition from the Historic Review Board. He personally called Mr. Turner's lawyer and said they need to do something about this vent system and the building. There was no response, he only said that "I will get back to you." Mr. Turner said he has spoken to him, but he spoke to him as he was walking in the door for this hearing for the first time. Therefore, his pontification and whatever he wants to point at him; there has been nothing from his side to try to deal with this. Attorney Braun said this is what caused this litigation in the first place. They talked with him about jointly sharing the cost to moving this, but he would not do it. Therefore, he feels a little bit insulted about Mr. Turner's comments. Obviously, both sides have a view of what events happened, but there has been no communication from his until he walked in the door today.

**Ms. Ramsay** again reminded Attorney Braun that this is not the venue for this. The Historic Review Board is not a court of law to deal with this issue.

#### **BOARD DISCUSSION**

**Mr. Engle** stated that if the petitioner has been working with a national retailer for twelve (12) months about this project, there has been plenty time for them to do the detail drawing. But, this is not the Board's problem.

**Mr. Judson** said given that the windows are part of staff's report, whatever is resolved, he is comfortable with staff's approval.

**Mr. Engle** believed that Mr. Dawson presented a paired windows alternative that the Board will be voting on. He assumes this is the petitioner's response to staff recommendation.

**Mr. Judson** said his only other comment would be to the petitioner that when they discuss the height of the stairwell penthouse site line especially since it is so far back, it may be a moot point, but a site line would be beneficial.

**Mr. Howington** stated that he does not know what the Board's thoughts are on the windows and not to go against staff, but he likes the single windows better; if they were a little wider and maybe with a vertical bar to them, but he could go either way with that. He believes the double windows look a little out of character. Mr. Dawson says either way and he does not know if he is hung up on the second window or whatever, but his only thought would be the single window. He does understand about the gap and spaces between the windows, but maybe they can explore making the windows wider and doing a two-over-two window might be a better solution than doing a double window.

**Ms. Ward** said she believes this is fine, but she just wants the Board to be aware that they are required to meet the three-to-five ratio. This is not something that they can choose to do in some cases and chose not to do in some cases. There is floor-to-floor height specific provisions that do allow them to adjust those, but the three-to-five ratio has to be met. Therefore, if the petitioner goes with the punched openings, she believes would be fine, but the Board needs to note that the petitioner will have to come back to meet that requirement or get a variance.

**Dr. Williams** asked Ms. Ward what is the process for getting a variance on the three-by-five rule.

**Ms. Ward** answered that it is similar to getting any other variance from a design standard. First, it comes to the Historic Review Board for a review and then the Board makes a recommendation based on the variance criteria to the Zoning Board of Appeals (ZBA). The petitioner would need to submit to the ZBA to make adjustments.

**Dr. Williams** asked Ms. Ward if the Board could write into its motion the option that they could say that they approve a single window solution that varied from the three-by-five.

**Mr. Judson** explained that the Board would have to do so in today's motion.

**Ms. Ramsay** stated that she believes the wise thing to do maybe is to make the petition the same way they did an earlier petition, which was conditioned on approval. Separate the windows out of the height and mass.

**Mr. Merriman** said the petitioner has to come back before the Board for Part II.

**Board Action:**

Approve the petition for Part I, Height and Mass, with the following conditions to be resubmitted with Part II, Design Details:

1. Provide the height of the stair enclosure above the roof.
2. Reduce the distance between the punched openings on the second and third floors by either providing paired windows or increasing the size of the single windows. - PASS
3. Provide window opening sizes for all floors.
4. Document existing historic signs on the west wall with photographs and dimensions prior to construction; submit to Staff for the HDBR record.
5. Restudy the front facade window proportions for the Part II, Design Details submission.

**Vote Results**

Motion: Brian Judson

Second: Reed Engle

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
Sidney J. Johnson	- Not Present
Brian Judson	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Aye
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Robin Williams	- Aye

17. [Petition of Gerald D. Cowart for Cowart Group Architects | 12-002198-COA | 322-324 East Broughton Street | Rehabilitation, Alterations, and Additions](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Submittal Packet - Application and Colors.pdf](#)

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

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

**NOTE:** **Mr. Judson** left the meeting at 5:30 p.m. and **Mr. Merriman** left the meeting at 6:15 p.m.

**Mr. Gerald Cowart** was present on behalf of the petition.

**Ms. Ward** gave the staff report. She explained that what the Board will be seeing today is an exciting project. It is for restoration/rehabilitation to the

Berrien House at 322-324 East Broughton Street. This is one of the most significant buildings in Savannah that has not been restored or rehabilitated. This would be a wonderful transition to Broughton Street along with the other things that are happening along this corridor.

**Ms. Ward** stated that the petitioner is requesting approval for rehabilitation, exterior alterations, and additions to the building. The petitioner intends to restore the building to the period of ownership by Major John Berrien, and his relatives, 1800-1859, which has a single family residence appearance without commercial ground floor space. The proposed work is based on their current historical understand and evidence from the house. As demolition occurs, they hope to discover additional information that will clarify and support the proposed design decisions. Should alternate solutions result from the demolition, the petitioner intends to refine the proposal and resubmit modifications to the Historic District Board of Review (HDBR). Staff wants to ensure that the work is done correctly.

**Ms. Ward** explained that the project was presented at the Site Plan Review (SPR) meeting on December 3, 2012. It was noted that an encroachment permit would be required from the Mayor and Aldermen in addition to approval from the HDBR. No other comments appeared that would affect the design; however the General Development Plan must be submitted and comments received prior to review and approval from the HDBR in accordance with the City's SPR policy adopted in 2007. The property is zoned B-C-1 (central business). No parking is required and 100 percent lot coverage is permitted.

**Ms. Ward** reported that staff recommends approval for exploratory demolition of the exterior stucco treatment, plywood, and metal sheathing. Staff recommends deferring all other items requested to a future Board meeting, including lowering the building, additions, and alterations to the exterior for submittal of the following:

1. A structural report with methodology on the process for lowering the historic structure;
2. A General Development Plan to the City for Site Plan Review;
3. Revised drawings to meet the design standards identified in the finding above for column capitals, column materials, fencing finish treatment, window and door recess, and roof specifications; and
4. Provide further documentary, pictorial, or physical evidence to support the proposed designs for the front entry portico, rear porch, window replacement, and alteration to the fenestration. Based on the application submitted, it appears that there may be supporting evidence beneath the stucco that would better inform any design decisions associated with alterations to this significant structure. Currently, there is not enough evidence provided to support the proposed changes.

**Ms. Ramsay** asked if the Board has been provided with documentation or anything that it was originally eight feet above grade. Is this a part of returning it to an earlier time?



**Ms. Ward** answered that the petitioner has good documentation that shows they had a lower floor height when the portico was lower and it was raised to have the storefront underneath.

**Ms. Ramsay** asked if they know during the period of significance that they are referring to if it was eight feet?

**Ms. Ward** answered that she does not have any evidence to show what this building looked like from 1800 to 1859.

**Mr. Engle** stated that if they take the 1871 Ruger drawing and if it is as good evidence as Dr. Williams says it is, it does not show an eight foot raised basement at all. It shows two stories of raised windows, not three stories.

**Ms. Ward** stated that she believes the artist had good intentions, but she does not believe that they can take it as a primary source.

**Dr. Williams** asked if under the Standards of Rehabilitation as opposed to restoration, would rehabilitation allow for the lowering of the building?

**Ms. Ward** said this is something that the Board would have to make a decision on. "Has that lower floor change to the building that as acquired historical significance?" She believes that the petitioners want to restore this building. But, the question is: do they have enough evidence to support that? True restoration can warrant the removal of the ground floor storefront.

**Dr. Williams** said it can open a big can of worms.

**Mr. Engle** said they are already looking at 150 years and saying "get rid of it."

**Ms. Ward** stated that if they can't, the Rehabilitation Standards say that the Board is supposed to consider the changes that have acquired historical significance over time. She believes it is collective that the Board decides what has gained historical significance over time. The petitioners cannot do both. They cannot keep the storefront as it is now and put the stoop back.

**Mr. Engle** said the petitioners can go to 1871.

**Ms. Ward** stated that the petitioners can change their period of significance.

**Mr. Engle** said the first and second floor are still here and can be restored.

#### **PETITIONER COMMENTS**

**Mr. Cowart** stated that he believes he is more excited about this than Ms. Ward. He said that the Historic Savannah Foundation holds an easement and their Architecture Committee met yesterday and stated they recommend that the removal of the stucco is appropriate. They said the removal of the

rear additions were appropriate and the lowering of the building is appropriate. Mr. Cowart said as he goes through this process, he would like to respectfully request that not only would they be allowed to remove the stucco, but be allowed to remove the rear additions and lower the building. He is hopeful of explaining and proving to the Board that this is appropriate.

**Mr. Cowart** stated that as has been said, their period of significance now has been stretched back to 1791 where they found that Major John Berrien paid ground rents which was what was required for him to be able to occupy the site. He said this may not be the date of the building completion, but the date of the building construction beginning.

**Mr. Cowart** said they are identifying the house as having three distinct periods. They are also identified by the research from Colonial Williamsburg, Willie Graham who did some work for SCAD during the Vernacular Architectural Forum. He said they are calling the Habersham Street elevation: Period I - a building approximately eight (8) feet off the ground, a one-story shed off a two-over-two plantation plane main body. Period II - there are additions to the building that happened after 1869 where a second story was added to the shed, and may be even a second story was added to the porch on the rear as the Board will see in the third sketch. In 1917, which is the date of the newspaper article with the photograph shows the building still at eight feet, but they do not know what happened after 1917 or when the building was raised to eleven foot-eight inches above ground. Therefore, from the 1917 photograph to present, they are calling Period III. They are also identifying the floors, for common language, as ground floor, parlor floor, ballroom level (being the third level) and the attic level. Mr. Cowart said there are a lot of little things that he believes would probably be best to pushed into a second review and he agrees with staff. They are prepared to move forward and find, through discovery, additional support for what they are asking.

**Mr. Cowart** explained that the building lowering is something that is very important to them because they feel the stucco is presently contributing to the structural stability of the building and they would like to lower the building before the stucco is removed. They have strong evidence of the building being eight feet. A lot of the evidence is from the Foltz photograph the 1917 photograph, but in addition, they have physical evidence. Mr. Cowart, pointing to a section, said he would start on the bottom right. He pointed out the ballastone foundation on the west wall, which is the ground floor wall that they know is original. The ballastone foundation is a part of the proof of that. Consequently, they have a ballastone foundation whose top of the foundation is about four (4) inches below the finished floor. The finished floor in the building is a finished grade and just below that about four inches, the original pine straw that James Oglethorpe probably walked across. They know the foundation was not sunken. They know the ground floor level was not sunken, but at street level. He showed the Board a picture of the western wall at the southwest corner where they had some water damage to the plastering. Mr. Cowart said they have removed enough plaster to find a single bond beam in the wall at seven (7) foot-eight (8) inches. No bond course is below that. It is really hard for this Board to see it and he did not see it until approximately

three days ago. He pointed out to the Board that there is a course where they see the end of the brick; below that there are no bond courses which would have been every five (5) courses. Above this point, there are bond courses. They believe this is the height of the existing wall when the wall was elevated to the height of eleven (11) foot-eight (8) that the first thing that would have been done would be to flatten the existing top and the existing wall; put in a bond and then continue that wall on up. He said that there is a question about whether or not this is a veneer that was added at that same time because its common joinery and the brick is very common from top to bottom, although it is re-used brick. Therefore, the further investigation will find them a place where they can take this veneer off. There should have been bond courses below, but since there are not, he believes it is veneer, the top of that veneer was the old wall, the above bond courses are the evidence of that. A third source of evidence of this being an occupied ground floor in Period I is this piece of hardware, which is a service bell, a component of the servant's call system that was identified as 18th century in the floor of the dining room and evident in the ground floor. Therefore, they know it was occupied and they know that it was at least high enough for humans to occupy; they know the floor was not sunken and they know that there is a bond course at seven (7) foot-eight (8). This is convincing evidence that this building was, as shown in this Foltz photograph, occupied floor street level and the height [pointing to a figure in the photo] at least high enough for this person to walk in.

**Mr. Cowart** said they also counted the number of risers here; assumed a certain riser height and came up with a scale. He said eight feet is their best guess; seven (7) foot-eight (8) to eight (8) foot-four (4) is probably the range of reality. He also wanted to speak to the portico and share with the Board the physical evidence they have found since their submittal. He said they will use the Foltz photograph as a beginning point. They have physical evidence on the interior of the building and the Board may notice that there is a pilaster in the siding. Where the siding stops and the pilaster would have been, being in line with the eastern wall of the center passage. It is roughly six (6) inches east of the eastern wall of the center passage. Directly above that joint, is a beam pocket that they believe to be the beam of the original portico because it is original siding, which is an indicator to the original of the building. He said that he does not have a picture of that beam pocket with him today, but he certainly will provide it later. They believe this in fact to be a remnant of the original 1820's Georgian portico that would have been added at the same time as tripartite windows by John McPherson Berrien, the son of Major John Berrien or the Judge John McPherson Berrien. Mr. Cowart pointed out that the right-hand eastern side of this is are in line with the adjoining siding and the beam pocket; the center column was added when the two doors were added. When they it into a double door [two door] the western end has extended beyond where the eastern is, about two and one-half feet, which represents the same distance e that the western center passage was moved to the west, in order to accommodate the double house condition.

**Mr. Cowart** said they have looked at the framing on the backside of this area. Originally, a single door portico, then a double door; double portico; and now no doors, no portico

and windows. It is so chopped up so that is hard to find any physical evidence. He said, however, they do see the original plate and the original vertical support that have been cutoff at a header point. Therefore, they can surmise where the jacks for the original door may be.

**Mr. Cowart** showed the Board a reconstructed floor plan. He said that the ground floor shows the structural components of the floor above. He said, pointing to an area, that a girder was here, which would have been the back of the house where the porch was beyond. The openings in the framing for the fireplaces; they will not build new fireplaces, but restore the original fireplaces. Mr. Cowart pointed out where the original center hall walls are located. They have remnants of these walls. The western walls on the third floor have been pushed over to allow a new stair to be put in.

**Mr. Cowart** said the restored floor plan of third floor with the fire places and what they refer to as the ballroom, but the previous consultant refers to it as a drawing room. The point is that their restored portico responds to these two walls which were the original passage walls. He explained that about six (6) inches beyond this wall is where they found the joint in the siding. Based on this, it is approximately a nine foot [plus or minus] opening where they propose to do ten foot [whatever plus or minus]. They also know from history that Henry Clay most likely spoke from the portico of the Berrien House during his presidential campaign in 1844 which is in their period of significance. Therefore, if there was a portico in 1844, they would like to restore it.

**Mr. Cowart** had some additional studies with him that he wanted to share with the Board. There was some discussion about the 3:5 proportions which would be better discussed as the golden section or the Vitruvian proportion. This house fits it very well and the portico that they are proposing respects that. He believes that a shed roof is shown, but when they remove the stucco, they will discover whether it was shed or hipped. He also talked about the rear porch and windows. They have physical evidence that the rear porch existed. Mr. Cowart pointed out that the original rear of the building, the girder is now supported by a steel column and they have remnants of porch framing here. It is very much modified, but as they peel the back porch off, they are sure they will find framing evidence that will support porch columns and so forth. They know the depth and believe they know the height based on a photograph that they have.

**Mr. Cowart** said the Board may recall the second story shed. He noted that a third story shed was added above. This was confusing to them for a long time. Now, that they have taken off the Bead-board, they found an original wall plate [pointing to a section] telling them that the ceiling of this room was originally nine (9) foot-eight (8) instead of eleven (11) foot-four (4). At some point they raised the ceiling in this room. He explained that the shed space that is above this has a nine (9) foot –four (4) plate. Therefore, they are confident that there was a one story shed here and, therefore, one story porch. A two story shed was added at some point and they will through remnants left here date this. At some point, the second story was added to the porch. But, because it is outside their period of significance, they are not interested in adding a second story to that porch. These are the two pieces of physical evidence that they have for a porch existence and a one-story porch.

**Dr. Williams** stated what is called the rear shed going up to two stories was in the 1871 period presumably because of the rhythm match. The galleried porch lies in two stories. How do you know they are separate? Mr. Cowart said they lie within the same period

that they are defining. Outside the period of significance and before the building was razed to 11 foot, so they both period to what time they each actually happened he is not sure within period two.

**Dr. Williams** told Mr. Cowart, however, he is going to include the second story besides the 1850 that will be retained because it exists. Therefore, how do you know the second story porch was not added when the second story shed was added?

**Mr. Cowart** said that it could very well have been but he does not know when the second story shed was added.

**Dr. Williams** asked Mr. Cowart if he was conjecturing that they are separate.

**Mr. Cowart** stated that it would have been logical that they happened together. There is evidence of a second story porch just as there is evidence of a second story porch, but since the whole piece has been so badly modified, it has to be rebuilt; they will have to take down what is there. Once it is down, they feel they should go back from the period of significance. He explained that if they were taking down the back shed, they would be suggesting that they go back with the one shed. Since they do not have to demolish the upper level, they are using this as their logic.

**Dr. Williams** told Mr. Cowart that he applauds that they are keeping obviously what appears to be historic, but could opening the door to that second story porch actually fall within their period of significance. Dr. Williams said he just wanted to make sure that he understood Mr. Cowart's rationale for disentangling those two and not conjecturing that they may have happened at the same time.

**Mr. Cowart** said the Ruger map does have some extraordinary inconsistencies with the reality of the building. It does not show any dormers or chimneys. It implies that it is only two stories high, but to him it looks like it has a roof along the Habersham Street side.

**Mr. Cowart** commented that regarding the windows, the degree to which they are deteriorated is yet to be determined. If they are restorable, they will restore them. He said, pointing to one of the windows, this window here looks easily restored; the center sash and frame have been destroyed where the sidelights exist. They have at least one two-over-two in the back shed and one six-over-six on the parlor level. The majority of the windows and frames have been removed in order to add a two-by-four inside the rough opening to nail the plywood to from the outside. Originally, there was plastic and plywood on the inside. However, to the degree possible, they will document and restore the windows.

**Mr. Cowart** said that Ms. Ward mentioned the rear openings and he wanted to address this. The rear openings that exist in the original back walls of the buildings are obscured by the porch additions. They found the evidence of the framing of those window openings.

**Dr. Williams** asked Mr. Cowart if he said that the rear wall of the significant period had the steel post holding it up now?

**Mr. Cowart** answered only on the ground floor. Continuing, he explained that what the Board sees here is a reconstructed original rear wall that would have been beyond the porch. He said, pointing to an area, the porch extends this way. He reminded the Board that it is his contention that this piece of the building was added. Pointing to a section, he said this piece of the building was original and they have the original openings. This

building when it was added, they have that original opening. They have the framing of that single window. They have existing framing for both windows in this wall. He said, pointing to an area, that this framing is a mess, but this is the window that would have been over the landing and the "U-Shape" stair that goes up to the back wall of the building. They believe this tripartite window was removed and used on the back wall when the porch was enclosed. They have some photographic evidence of this.

**Mr. Cowart** said to speak to the rhythm and pattern where they know the existing openings are from framing visual evidence, they feel compelled to replace those windows. The doorway below the tripartite is under the stair landing. Strangely, they can still make the door and get under the landing. The second story porch, if there was one, would have obscured the decorative window. They have some framing evidence, but it is inconclusive; the added center wall that they put in the building came right through there and now there are two doors on each side. Again, two doors and a center wall were added that would have come out onto a second story veranda to the point where they cut the building in half.

**Mr. Howington** said three doors are shown on the back.

**Mr. Cowart**, pointing to section, said a door is here and a door is there. This door exits from the kitchen onto the veranda; this door exits from a service space. They know that they are window openings because of their height. The door openings and the window openings are a different height. Since, they have shown this, they have reconfigured what is going on behind here so that they can put the window there. He explained that they will have a window, a door and window opening, and a door and an original door opening.

**Mr. Howington** asked Mr. Cowart if he said that he believes the tripartite windows were added.

**Mr. Cowart** answered that they know they were added. They have framing evidence that they were single windows and the original framing of the house. They feel they were added in 1820 and fashioned as John Berrien took the house over in 1824. At that point, William Jay raised the porch. They feel he would have updated his father's home. The interior details are from this period as well. The tripartite windows were fashioned as was the Greek revival portico. There is no doubt that they are trying to reconstruct a Greek revival portico from nothing but some framing evidence. Mr. Cowart said he is fully prepared to change directions on the design of the portico to represent something that is more consistent with the architecture of today.

**Mr. Cowart** explained that to this end, they have shown this to Historic Savannah and want to study this further after they get some input from the State Historic Preservation Office. The "buzz words" for the design of the portico is something beautiful; something that respects and shows craftsmanship; something that is urban contextually, compatible, and architecturally contextually compatible.

**Mr. Engle** said in other words, Mr. Cowart is jumping into rehabilitation and not restoration.

**Mr. Cowart** answered no. They plan to restore the building.

**Mr. Engle** told Mr. Cowart that he could not restore the building if he was talking about

rehabilitation.

**Mr. Cowart** said they cannot restore a remnant that has no evidence. This is one thing that the Secretary of Interior's Standards state very clearly that if you have no evidence of something.

**Mr. Engle** said then you follow the Rehabilitation Standards not the Restoration Standards.

**Mr. Cowart** said the rehabilitation allows for .....

**Mr. Engle** said rehabilitation does, but restoration does not.

**Mr. Cowart** said, therefore, in this case they will not be able to put a portico back on the building. Is this what you are suggesting?

**Mr. Engle** answered no. What he was saying is that under the Rehabilitation Standards, Mr. Cowart probably could put a portico back, but if he is saying restoration to 1850 is the treatment for the building, he could not put one of those back. He asked if the staff agrees or disagrees with that point.

**Dr. Williams** asked Mr. Cowart if he was saying it is a modern interpretation of the historic portico.

**Mr. Cowart** said he intends to show that it is a modern interpretation of a portico on a five (5) bay building.

**Dr. Williams** said as opposed to something that recreates the physicality of an historic porch.

**Mr. Cowart** answered yes. But, it may confuse the public in thinking that it was an original porch.

**Dr. Williams** said they do have one piece of evidence that they can follow which is the Foltz photo. Who knows what date?

**Mr. Cowart** said this is the rock and the hard spot.

**Ms. Ward** stated that she wanted to answer Mr. Engle's question. She believes this is the struggle that staff had too. The petitioner wants to do a restoration, but if there is not enough physical evidence to do the restoration, she believes what Mr. Cowart is suggesting is that he is prepared to move forward with the Rehabilitation Standards and adhere to some designs that have been put together on how to do something that is compatible, yet distinguishable as a new element. Ms. Ward said, however, she believes that they really want to do the restoration. This is their first choice.

**Ms. Ramsay** stated that without additional proof of what was original there, she is not totally convinced that it was an eight foot elevation.

**Mr. Cowart** said that they determined that the photo complies with .....

**Ms. Ramsay** said she agrees with the photo, but the original house .....

**Mr. Cowart** asked Ms. Ramsay if she was suggesting that the house might have been lower.

**Ms. Ramsay** answered yes.

**Mr. Cowart** said there are two types. The foundation is at grade and the 18th century bell device would not have existed in a basement that was only three (3) feet high.

**Ms. Ramsay** said she has been presented with convincing proof. She believes that Mr. Cowart said the bell device was from the 18th century.

**Mr. Cowart** stated that he believes it is from the early nineteenth century. The technology is from that era.

**Mr. Engle** said these were just pulleys that carried cables. The cable could have very well gone to a crawl space.

**Mr. Cowart** said that Mr. Engle is absolutely right.

**Mr. Engle** stated that he has seen them in cross spaces in 18th century houses where the cables went under the crawl space, then up to the dining room.

**Mr. Cowart** said the real evidence will be that once they take off the veneer of the western wall since they know this is an original foundation and an existing house was adjacent, that wall would not have been torn down. Therefore, when they remove that veneer or do a little more exploratory into the western wall that they do find some evidence of this being one era and this being of another. They will hold this hope.

**Mr. Lominack** asked if they should go past their discussion about whether this is restoration or rehabilitation and judge this based on the ordinance that they are supposed to enforce?

**Ms. Ramsay** explained that she believes Mr. Cowart has said that he is ready to go forward. If the Board judge this by Restoration Standards it is a different set of standards than Rehabilitation Standards.

**Mr. Engle** said in either case, the Board does not have evidence.

**Dr. Williams** said Ms. Ward addressed this, but can part of the building have restoration standards and a part have Rehabilitation Standards? They have compelling evidence to restore parts of the building. He asked Ms. Ward if she said it has to be one or the other.

**Ms. Ward** said this is the staff recommendation. However, she believes that the Board has to make a decision, but the way that the Preservation Standards are setup by the Secretary of Interior that you can do for a project such as this that they are proposing it as a restoration then it needs to be that. If they are



going to do the rehabilitation, then the Board has some questions that need to be answered such as: has the storefront gained historical significance? Is the portico that was proposed initially conjectural? All of these are listed in the staff's report. But, there is still a question of whether this meets the rehabilitation test. She believes that it would more meet the restoration test if there is a lack of evidence at this point.

**Mr. Cowart** said let them gather a little more data.

**Ms. Ward** said the petitioner wants to gather more data and they need some approvals in order to do that.

**Mr. Engle** said he believes that the staff recommendations make sense.

**Mr. Cowart** asked the Board for their consideration in allowing them to lower the building. This is a big difference.

**Dr. Williams** said the petitioner also has to demonstrate that the existing ground floor lacks historic significance.

**Mr. Cowart** said he does not believe they have to do this.

**Dr. Williams** said it is a century old storefront.

**Mr. Engle** said it one hundred and thirty years old.

**Dr. Williams** said here is the dilemma and they have come up with this before is as the Secretary of Interior's Standard says, retaining the record of the building. Yes, you can restore back to a moment or you can preserve the evolution of the building. When you restore it back to a moment, you have to make the case that the changes to the building lack historical significance.

**Mr. Bob Ciucevick of Crossroad Consulting** stated that if you are going to do a restoration that, obviously, they would have to speak to the significance of that period they are bringing it back to. He does not know if it was pointed that in 1860 when the building was purchased from the Berrien era by William Lake it was still a single house. They lived in the house for ten (10) years. A pharmacist actually worked and had his office on the basement level. They have this biographical occupational information intact. This is important to note. In 1870, Hardy got married (brothers-in-law) at that point he assumes that Hardy bought half of the property and they split it into townhouses. There is the ownership/occupational information that has to be taken in context along with the physical and pictorial evidence that they have.

**Mr. Ciucevick** said his understanding is that some of the original basement is still there from the original 1790 house. Therefore, he guesses the four feet that it was lifted up would be from the 1917 era when they raised it. Also, he wanted to back track a little, in 1870 when the pharmacist had his formal pharmacy here, is when the basement was blown out a little bit with the windows that they see in the Foltz photo. Yes, a lot has gone on with this

building.

**Mr. Cowart** asked Mr. Ciucevick to speak to the point of whether they need to do a combine restoration and rehabilitation.

**Mr. Ciucevick** said this is plan. If it is a restoration, they are allowed to bring it down to the original basement level.

**Mr. Cowart** asked him if they could do so without a restored portico?

**Mr. Ciucevick** answered no you can not. It is actually documented in the newspaper that Henry Clay stayed at this Berrien House. It was quite a big affair and he has this information and can submit it. Henry Clay did speak from the portico of the Berrien House; the mayor was there to greet him along with 100 horseback riders. But, he did speak to everyone from that portico in 1844. They are talking about significance of this building and he supposes they should possibly submit a few photos as well of past contextual use 18th century buildings that survived into the 20th century. But, then raised back down to eight feet.

**Mr. Ciucevick** said, however, that the period of significance of this house is clearly 1791 to 1856 - the Berrien occupation. Whether or not they have enough integrity from this period is something that they are looking at.

**Dr. Williams** said Mr. Ciucevick did not address one question. He said if the Board was to authorize the lowering of the building, it is one thing if there is virtually no integrity of the past 100 years of commercial use of the ground floor versus let's say hypothetically that it had a pristine early century commercial ground floor and they were willing to throw this away in order to lower it to get to this period of significance versus what appears to be a different state of affairs. He told Mr. Ciucevick that he has not addressed in his presentation what physically remains of that ground floor from the early 20th century. Is there anything?

**Mr. Ciucevick** answered the storefront is there.

**Ms. Ward** said she would try to answer Dr. Williams's question. She explained that on page 7 of the staff report, the petitioner did not submit discussion on whether or not the storefront was historically significant because this is not a part of their petition. They are proposing to restore it to a period of time. The Preservation Standards and the Secretary of Interior's Standards allow for the depiction of a building at a particular period of time and its history by preserving materials from that period and removing materials from other periods. She explained that there is no discussion in that methodology of whether they have gained historic significance or not. It does not matter. This is why it is critical that if they are going to go that route, they need to provide documentation to show what they are doing is an actual restoration. Otherwise, they need to apply the Rehabilitation Standards and have the discussion that she believes the Board is leading up to. She asked Dr. Williams

if this answered his question.

**Dr. Williams** stated that it does not answer, however, which of the two is the better path?

**Ms. Ward** said they all are acceptable.

**Mr. Cowart** said, therefore, their best evidence of the portico is the remnant that they believe exists as shown in the photograph. He said in fact, they believe that the center column may be the third of a fourth column that existed on the Georgian portico. They can certainly get size, scale, pattern, and mass from the portico.

**Dr. Williams** asked Mr. Cowart how does he know that is not the original 18th century portico.

**Mr. Cowart** answered that it is asymmetrically located on the building and it has a third column in the center.

**Mr. Engle** asked Mr. Cowart if it would be asymmetrical if he took off the two and one-half feet that he said was added on the west end.

**Mr. Cowart** answered no.

**Mr. Engle** explained that what he was asking is: would it be asymmetrical on the building if the additional two feet were removed from the west side? Therefore, it could be original and it is asymmetrical now because they added two and one-half feet to it.

**Mr. Cowart** answered exactly. They believe this is what happened, but they do not have evidence of it.

**Ms. Ramsay** asked when was the photo taken.

**Mr. Cowart** answered around 1917.

**Mr. Ciucevick** said according to the article, it was taken in 1915.

**Mr. Lominack** asked if: from the photo, they could tell that the two feet was added?

**Mr. Cowart** said none of the portico exists except in the photograph. They have the traces and expect to find shadows in the siding of flashing and paint. They hope that they can find two shadows; one ten foot-four and one twelve foot-ten.

**Mr. Lominack** said they found some evidence on the eastern side. What about the western side?

**Mr. Cowart** answered that it is not as intact and the beam pocket was not

there. There is a break in the siding, but there is rot there from leaking. Therefore, it is hard to say. But, once they get the stucco off, may be they will be able to say very specifically. The shadows and its depth are not something that is in question. They have Broughton Street and its depth. The depths of other porticos on Broughton Street guide them as well as the photograph.

**Mr. Cowart** stated that they have a preliminary engineering report. It is a draft. He gave the report to staff.

#### **PUBLIC COMMENTS**

**Mr. Daniel Carey of the Historic Savannah Foundation** said he did not want to delay or belabor this, but should the Board hear from the engineer prior to hearing comments from the public?

**Ms. Ramsay** said if the engineer wants to speak he has the right to do so.

**Mr. Frank Martin of RWP Engineering** came forward and said they performed a structural assessment on the building and identified structural components that need to be repaired or replaced. They are proposing to temporary shore each level at the former shaft of the chimney. They will build a new foundation and run the shore tower up through each of those shafts. They will shore this up with a steel beam going through the building and at four locations. A short beech level to take the weight off the bottom floor and repair the main members is needed.

**Mr. Cowart** said they have the existing frame and poles of the original chimneys. They were poorly done and this is why the building is going to cave-in around those holes. They want to build a shoring tower through those holes; take out the framing that was filled-in; build a shoring tower off the shoring tower and the permanent walls that are in good shape. Then they can level each floor independently and support off the shoring tower.

**Mr. Martin** said the contractor will come in and install their shores. The plan is to shift the house to the east before they start lowering the building so that it does not cause any undue stress on the adjacent structure. Once it is lowered, they will shift it back to its current footprint. They will keep the stucco on the structure, as is, before they lower the house just to help preserve any integrity and prevent any racking or shifting.

**Mr. Carey** said a part of what he wants to address hinges on Mr. Cowart's presentation and the information from Mr. Martin. However, he wanted to establish some other contexts for this building. Currently, it is listed on the Georgia Trust's Places in Peril. It has been there for several years. He brings this to the Board's attention for two reasons. It has statewide interest and the building is in some peril. Why he knows that it is in peril is because Historic Savannah has purchased and saved it twice through their revolving fund. They forced repairs to the building on two different occasions [structural repair]. They forced one of the previous owners to shore up some of the center section

of the building and more recently when Queensboro Bank owned the building, they forced them to take care of the northern wall of the building. The one that he supports removing because in the scheme of things it is a "non-historic" addition. He is careful in saying this, but it is less important. But, the structural issues exist in the building.

**Mr. Carey** said retaining the stucco on the building as long as possible if it is going to be lowered makes a lot of sense. Their Architecture Review Committee looked at this and they agree with removing that northern portion that is currently covered in tyvack and is about three and one-half years old in terms of the structural re-shoring that has gone on here. The building would be wide-open or it would be on top of the carriage house had the work not been done. But he wanted to underscore that this is a very fragile building, even though it has been repaired over time. It can not last this way forever and lowering it to the eight foot level [he thinks everyone here would say is more than an estimated guess] is an educated guess. They do not have photographic documentation, they wish they did, but he believes they have good evidence. They have an analysis that has been done based on some exploratory work done on the building. He does not believe that anyone is trying to do anything that is undue. This is all a part of an honest analysis of the building and what it reveals. With the house on the opposite corner and what they know about the eight foot height, he believes it is all pretty reasonable. He believes also that they have a choice in choosing a path whether it is rehabilitation or restoration. The staff report is on the money, especially where it begins. Arguably, the most important unrestored building in this city. Mr. Carey said he believes they have an opportunity to restore this building. It requires some speculation and it will require some judgment on the part of the architect, owners and the Historic Board of Review. He goes back to what Mr. Lominack said. They need to follow the ordinance, but when the ordinance substitutes for good judgment, based on all the experts on the Board and what they know, then the ordinance isn't worth a darn or the Board is not worth a darn. He appealed to the Board and said with the opportunity that they have to remove the northern portion, to lower building and in doing this, exam the building. Do the exploratory additional demolition that is needed. But, he thinks all this goes toward the path of restoration, which is the opportunity before them. He also believes that the period of significance speaks for itself. He thinks this is what they are trying to get to and a building of this importance, both historic and architectural, warrants that. For whatever reason to some how place an early 20th century storefront in front of these other goals that they are trying to achieve would be a mistake in terms of what this building can do and for this community in terms of the rare opportunity that they have, as best they can, given all the analysis and studies to restore a building which they rarely get to do anymore. They should not miss the opportunity, even if they are 70 or 80 percent sure or whatever it is. What a shame it would be to do just a run-of-the-mill rehab on this building; get the tax credits and move on down the line. Mr. Carey said "what a missed opportunity."

#### **BOARD DISCUSSION**

**Dr. Henry** said he was in total agreement with the staff's recommendations and HSF. He believes they need to move on this.

**Mr. Engle** stated that the staff's recommendations do not necessarily agree with HSF. The staff's recommendation is not to lower the building now. He agrees with the staff's recommendations, but he can see dropping the building to eight (8) feet because it does not preclude the restoration to 1875.

**Ms. Ward** said she wanted to clarify that staff's concern with lowering the building was not about restoration versus rehabilitation. They did not have a structural report that said how they were going to do it. Staff was concerned about the fabric. Based on the structural engineer testimony, and she has a draft report, but she would like to have the final report before they sign off on a permit.

**Mr. Howington** said he believes the petitioner has done due diligence and now they have the chance to restore this building to accuracy. He said that the period of lowering the building to him is more significant than the storefront. Mr. Howington said he believes that the petitioner will do due diligence to provide more evidence as he goes along.

**Ms. McClain** asked Mr. Howington if he agrees with the staff's recommendation to wait for the structural report.

**Mr. Howington** said this was just given to staff.

**Ms. Ramsay** said for clarification for herself, when he talks about restoring it to the period, he is not talking about what the petitioner said 1820 to 1850, but the approval point, which is the Foltz photograph.

**Mr. Howington** stated that he is saying the Board needs more evidence, but he believes the petitioner is doing due diligence and his intent is to provide that evidence to the best of his ability to that restoration for the proper period.

**Mr. Cowart** said they can expose the western wall without taking the stucco off and lowering the building that may in fact show them the original wall top. He can do that with a hammer and a chisel.

**Mr. Engle** said the evidence on the portico is going to be behind the stucco on the front elevation. If they cannot take the stucco off now until the building is lowered, then there will not be any proof in the portico.

**Mr. Cowart** said they can take the stucco off before the building is lowered, but it is just not advisable. They can go inside the building and shore it up to the maximum so that they are sure that nothing will move.

**Dr. Williams** asked Mr. Cowart if they can do just some spot removals.

**Mr. Cowart** answered yes. He said let them remove the stucco at the portico.

**Dr. Williams** said he is not opposed to lowering the building and he is not opposed to restoring it back to the period of significance, but he is arguing more from a position of principal. For example, he has heard locally that people want to take the Savannah Theatre back to its William Jay period of significance because William Jay is everything and throw away the surviving 1940s Art Moderne integrity back to something hypothetical that they believe is significant. He said this is a very different situation. Where the 20th century fabric is in poor condition if it survives at all and as Mr. Cowart has shown in the photographs, the more alluring early 20th century storefront does not survive or is so mangled. He just wanted to make clear to serve as a preservation principle as a precedence less people think it is okay to always go back to one moment in historic which philosophically he is opposed to more times than not. Mr. Cowart has made a very compelling case that there are a lot of reasons for going back to that period of significance. He agrees with his colleagues about the lowering. The petitioner also presented evidence of the approximate height of the wall somewhere in the vicinity of eight (8) feet. However, he has not presented compelling evidence of the design of the portico.

**Dr. Williams** said what he would challenge the petitioner on is the interpretation of a single story rear gallery when what they do have is evidence that the rear view of 1871 showing two story portico. He said that the petitioner, himself, mentioned that when they added the second floor to the rear shed could very well have been when they added it. This would be the one aspect of Mr. Cowart's presentation that may be the Board should table this until a later date as more evidence comes forward. Does the Board needs to commit to those kinds of details at this stage?

**Ms. Ramsay** answered no.

**Dr. Williams** asked: today are they talking about lowering the building?

**Mr. Engle** said they are agreeing with the staff's recommendations plus lowering the building to eight (8) feet.

**Dr. Williams** said staff has a concern about the scale of the chimneys.

**Mr. Engle** said this comes later.

**Ms. Ward** said the petitioner has asked about removing the rear additions, but staff did not include this in its staff report.

**Mr. Engle** stated that until they understand them, he does not think that they should be removing them. He said that Dr. Williams brings up some good points, but they just do not understand the rear; therefore, why should they take them off.

**Dr. Williams** asked Mr. Engle if he was saying do not remove the rear.

**Mr. Engle** said not at this point. They need more evidence.

**Dr. Williams** said, however, they were saying allow the petitioner to lower the building. If this is done, obviously they would have to remove enough of the rear to do this.

**Mr. Engle** said the petitioner does not have to remove the top shed. How much of the rear would need to be removed if the petitioner is allowed to lower the building?

**Mr. Cowart** said at the ground floor they would have to remove the rear wall which is a new continuous solid brick wall that they are sure is not the rear wall of the building, but was the pier line of the porch. Consequently, they will remove the ground floor wall so that they can lower it; replace it with piers to lower it onto; and then restore the porch to whatever degree they find evidence beyond one story. They will certainly come back to the Board with this.

**Dr. Williams**, for clarification, asked Mr. Cowart that at this point he will be removing the ground story building fabric, but everything above that, because the rear doubled gallery porch was enclosed at some point and they don't know when this happened either.

**Mr. Cowart** said from the Sanborn map they do know that it was not enclosed until after 1885.

**Dr. Williams** said it appears in 1890 enclosed.

**Mr. Cowart** said the earliest Sanborn map they have shows it as an open porch from stem to stern; no cabinets, no gallery.

**Mr. Howington** said the petitioner is not proposing to remove that portion, but proposing to remove the other addition which is outside the enclosed porch.

**Dr. Williams** said the enclosed portion is it.

**Mr. Cowart** explained that the line of columns on the back to north in the drawing is the steel columns that support the original beam of the rear of the house. The space beyond that has been incorporated into the basement, the ground floor space, and masonry wall that they will remove to lower the building. Above that they can leave all of that intact as they lower the building and do further research. This will not prevent them from taking off the stucco nor will it prevent them from taking off the tyveck and the plywood that was added three years ago. If staff agrees that the new plywood could be removed as they say in their report.

**Mr. Lominack** said the staff's report does not say specifically that it is plywood on the porch.



**Board Action:**

Approve the petition for lowering the building and for exploratory demolition of the exterior stucco surface treatment, plywood, and metal sheathing with the condition that the final structural report/methodology on the process for lowering the historic structure be submitted to staff prior to issuance of a permit. Historic fabric, additions and rear porches are to be retained. All other items are deferred to a future Board meeting for submittal of the following:

1. A General Development Plan to the City for Site Plan Review;
2. Revised drawings to meet the design standards identified in the findings above for column capitals, column materials, fencing finish treatment, window and door recess, and roof specifications; and - PASS
3. Provide documentary, pictorial, or physical evidence to support the proposed designs for the front entry portico, rear porch, window replacement, and alterations to the fenestration. Based on the application submitted, it appears that there may be supporting evidence beneath the stucco that would better inform any design decisions associated with alterations to this significant structure. Currently, there is not enough supporting evidence provided to support the proposed changes.

**Vote Results**

Motion: Robin Williams

Second: Nicholas Henry

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
Sidney J. Johnson	- Not Present
Brian Judson	- Not Present
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Aye

Stephen Glenn Merriman, Jr.	- Not Present
Linda Ramsay	- Abstain
Robin Williams	- Aye

18. Petition of Kathy Ledvina | 12-002202-COA | 143 Houston Street | Rehabilitation/Alteration

Attachment: [Staff Report.pdf](#)

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

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

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

**Ms. Kathy Ledvina** was present on behalf of the petition.

**Ms. Leah Michalak** gave the staff report. The petitioner is requesting approval to replace the existing roof and for alterations to the East (front) and North (lane) facades of a portion of the commercial building located at 143 Houston Street. A variance to allow a 16 foot wide garage door opening along East York Lane is also requested. The standard states that garage openings shall not exceed 12 feet in width.

**Ms. Michalak** reported that staff recommends approval to replace the existing roof and for alterations to the East (front) and North (lane) facades of the commercial building at 143 Houston street because the proposed work is visually compatible and meets the intent of the design standards, with the following conditions:

- a. All signage be submitted to the Board for review and approval prior to installation.
- b. The electric meter location, be submitted to staff for final review and approval prior to installation.

**Ms. Michalak** reported also that staff recommends that the Board recommends to Zoning Board of Appeals to approve the variance request for standard Section 8-3030(n)(13)(d) to allow for the 16 foot wide garage door opening because a special condition exists in that this is not a historic structure and the opening is consistent with the existing commercial loading area; it is also the minimum variance needed to accommodate two off-street parking spaces. The standard states that garage openings shall not exceed 12 feet in width.

**Mr. Engle** asked if the petitioner is under a mandate that they have to have two off-street parking spaces in an existing commercial structure. Where is the requirement to have two off-street parking spaces for an existing building? How is this relevant? It sounds like this is required.

**Ms. Michalak** explained that the property is located in an RIP-A zone (residential, medium density), but she does not know if they are requiring this

building to have the off-street parking spaces.

**Mr. Lominack** asked: isn't this a commercial building?

**Ms. Michalak** answered yes.

**Mr. Lominack** asked if the occupancy has changed.

**Ms. Michalak** answered no.

**Mr. Lominack** stated that the category has not changed.

**Mr. Engle** said to him, this is just more of the same that the Board has had before - everybody wants two indoor parking garage spaces. The Board went through this last month at great length and it is a visual factor, not the fact that it isn't a historic building. They would be adding another 16 foot wide garage door in broad view, which he has a problem with.

#### **PETITIONER COMMENTS**

**Ms. Ledvina** came forward.

**Mr. Engle** asked: what is the imperative for the two-off street parking spaces?

**Ms. Ledvina** answered that it is convenience for the occupants. It gets the cars off the street. There are a lot of buildings along this block and along the neighborhood that do have wider openings than the two she has mentioned.

**Mr. Engle** said a lot of these garages predate the ordinance.

**Ms. Ledvina** said a lot of the garages do not predate the ordinance. She did not date all the exiting openings, but if it is the Board's wish she will do so.

**Mr. Engle** asked: Ms. Ledvina if the garages were given approval by the Historic Review Board.

**Ms. Ledvina** answered yes. A lot of them are residential as well as commercial.

**Mr. Engle** asked: they are 16 feet and the Board approved them?

**Ms. Ledvina** said she was unsure whether it was this present Board, but she knows that approvals have been given. She stated the recent approvals are 211 and 222 East Charlton Street; 305 and 307 East Charlton Street; 409, 411 and 417 East Charlton Street; 411 East York Street; and Southern Motors which has wide openings. There are some wide openings on Habersham Street as well as Houston Street. A 16 foot wide opening is on Congress Lane.

**Mr. Engle** said the 16 foot wide opening on Congress Lane predates the ordinance.

**Ms. Ledvina** stated that the others do not predate the ordinance.

**Mr. Lominack** asked: if the wall that separates the proposed parking area from the rest of the building is an existing wall?

**Ms. Ledvina** answered yes.

### **PUBLIC COMMENTS**

**Ms. Danielle Meunier of the Historic Savannah Foundation (HSF)** said that they agree with the staff's recommendation for all the alterations. However, they do not agree that the Board should recommend approval for the variance request for the 16 foot wide garage door. She believes that what Mr. Engle said is exactly what she is about to say, which is for them it is a visual issue. It might be deemed compatible for this non-contributing building, but they think that it is not appropriate for the district. The HSF's opinion is that they would be adding another 16 foot door which would be creating a bad example. Yes, there are 16 foot garage doors here, but they do not need another one. They do not understand why two smaller garage doors could not be used to fit two vehicles to access the building as opposed to one large door. Ms. Meunier said she is not sure if this is a different case in every other lane, but it is her understanding that all other cars access their garage doors from lanes and have to make a 90<sup>0</sup> turn. The HSF proposes that two smaller garage doors be done as opposed to one large 16 foot garage door.

**Ms. Ledvina** stated that the difficulty with the existing lane is that it is unpaved, which makes it a little harder to have a smooth transition. She said that two garage doors at eight foot [the area is only 18 foot-six inches on the interior] would present a problem.

### **BOARD DISCUSSION**

**Dr. Henry** said this is a non-historic building and another 16 foot garage door would be added. But, he believes it would be okay. The other issue they had was a historic structure.

**Mr. Engle** said they are in a historic district and visual intrusions in a historic district is a visual intrusion. The standards go for brand new construction which is not historic either. He believes that every time they go to the ZBA and recommend that the standards not be enforced, is one more time that the ZBA can say they feel free to override the Historic Review Board. The standards were put there for a reason.

**Ms. McClain** said she believes the Board needs to be consistent and stick with the standards. The more the Board makes exceptions and recommends variances, she believes they will get themselves in trouble.

**Board Action:**

Approve the petition to replace the existing roof and for alterations to the East (front) and North (lane) facades of the commercial building at 143 Houston Street because the proposed work is visually compatible and meets the intent of the design standards, with the following conditions:

- a. All signage be submitted to the Board for review and approval prior to installation. - PASS
- b. The electric meter location, be submitted to staff for final review and approval prior to installation.

The Board does hereby deny the 16 foot wide garage door opening. The Board does hereby approve two door openings that meet the ordinance which can be resubmitted to staff for review and approval.

**Vote Results**

Motion: Reed Engle

Second: Zena McClain, Esq.

- Reed Engle - Aye
- Nicholas Henry - Aye
- Keith Howington - Aye
- Sidney J. Johnson - Not Present
- Brian Judson - Not Present
- T. Jerry Lominack - Aye
- Zena McClain, Esq. - Aye
- Stephen Glenn Merriman, Jr. - Not Present
- Linda Ramsay - Abstain
- Robin Williams - Aye

**VIII. REQUEST FOR EXTENSIONS**

**IX. APPROVED STAFF REVIEWS**

19. [Amended Petition of Lominack Kolman Smith Architects | 12-000823-COA | 2 Whitaker St. | Staff Review - Rehab/Alteration](#)

Attachment: [COA - 2 Whitaker St. 12-000823-COA Amended.pdf](#)

Attachment: [Submittal Packet - 2 Whitaker Street 12-000823 Amended.pdf](#)

No action required. Staff approved.

20. [Petition of Greg Parker | 12-001903-COA | 126 West Harris St. | Staff Review - Color Change](#)

Attachment: [COA - 126 West Harris St. 12-001903-COA.pdf](#)

Attachment: [Submittal Packet - 126 West Harris St. 12-001903-COA.pdf](#)

No action required. Staff approved.

21. [Petition of Richard Wissmach | 12-001906-COA | 508 East Factors Walk | Staff Review - Replace Door and Trim](#)

Attachment: [COA - 508 East Factors Walk 12-001906-COA.pdf](#)

Attachment: [Submittal Packet - 508 East Factors Walk 12-001906-COA.pdf](#)

No action required. Staff approved.

22. [Petition of Greg Jacobs | 12-001924-COA | 223 East Jones St. | Staff Review - Stucco Repair/Repointing](#)

Attachment: [COA - 223 East Jones St. 12-001924-COA.pdf](#)

Attachment: [Submittal Packet - 223 East Jones St. 12-001924-COA.pdf](#)

No action required. Staff approved.

23. [Petition of Neil Dawson for Dawson Architects | 12-001980-COA | 411 East River Street | Staff Review - Windows/doors/Stucco Repair/Repointing](#)

Attachment: [COA - 411 East River Street 12-001980-COA.pdf](#)

Attachment: [Submittal Packet - 411 E. River Street 12-001980-COA.pdf](#)

No action required. Staff approved.

24. [Petition of Joe Morrison | 12-002011-COA | 13 East York Street | Staff Review - Change Exterior Door](#)

Attachment: [COA - 13 East York St. 12-002011-COA.pdf](#)

Attachment: [Submittal Packet - 13 East York Street 12-002011-COA.pdf](#)

No action required. Staff approved.

25. [Petition of Bart Redmond | 12-002043-COA | 522 East Charlton St. | Staff Review - Roof Replacement](#)

Attachment: [COA - 522 E. Charlton Street 12-002043-COA.pdf](#)

Attachment: [Submittal Packet - 522 E. Charlton Street 12-002043-COA.pdf](#)

No action required. Staff approved.

26. [Petition of Amy Howell for Coastal Canvas | 12-002119-COA | 135 West Bay St. | Staff Review - Awning](#)

Attachment: [COA - 135 West Bay St. 12-002119-COA.pdf](#)

Attachment: [Submittal Packet - 135 W. Bay St. 12-002119-COA.pdf](#)

No action required. Staff approved.

27. [Petition of Doug Patton for City of Savannah | 12-002121-COA | 2 East Bay St. | Staff Review - Repair Cluskey Wall](#)

Attachment: [COA - 2 East Bay St. 12-002121-COA.pdf](#)

Attachment: [Submittal Packet - 2 East Bay St. 12-002121-COA.pdf](#)

No action required. Staff approved.

28. [Petition of Paul Miller and Shea A. Slemmer | 12-002154-COA | 224 Houston Street | Staff Review - Existing Windows/Doors](#)

Attachment: [COA - 224 Houston Street 12-002154-COA.pdf](#)

Attachment: [Submittal Packet - 224 Houston St. 12-002154-COA.pdf](#)

No action required. Staff approved.

29. [Petition of Eric O'Neill for Greenline Architecture | 12-002189-COA | 116 West Gaston St. | Staff Review - Windows/Doors](#)

Attachment: [COA - 116 W. Gaston Street 12-002189-COA.pdf](#)

Attachment: [Submittal Packet - 116 West Gaston Street 12-002189-COA.pdf](#)

No action required. Staff approved.

30. [Petition of Thomas Olson for Kern-Coleman, LLC. | 12-002268-COA | 24 East State St. | Staff Review - Stucco Repair/Rpointing](#)

Attachment: [COA - 24 East State Street 12-002268-COA.pdf](#)

Attachment: [Submittal Packet - 24 East State Street 12-002268-COA.pdf](#)

No action required. Staff approved.

**X. WORK PERFORMED WITHOUT A CERTIFICATE OF APPROPRIATENESS**

31. [Report on Work Performed Without a Certificate of Appropriateness \(COA\)](#)

Attachment: [HDBR Ward Work Without COA 010913.pdf](#)

**Ms. Ramsay** said the staff has given the Board via their packets a summary of recent work performed without a Certificate of Appropriateness (COA).

**Dr. Williams** stated that he had a question about 111 West Perry Street. He said the

house is painted purple, has white shutters and a bright orange door. He asked if the bright orange door is okay.

**Ms. Michalak** said the door was approved at staff level.

**Dr. Williams** asked if it is more of the relationship of the colors such as dark shutters, darker than the body.

**Ms. Ward** explained that it was work that was performed without a COA. In working with the petitioner, staff felt that they have actually approved orange doors on specific applications before. The staff has never approved white shutters on a residential building as they are not compatible. This was the condition that staff tried to hold the petitioner to, but, yet, they still have not complied with the condition of that approval. Therefore, they are still not in compliance.

**Dr. Williams** was sure that the Board has had this discussion before, but besides issuing letter after letter, does the City have some enforcement procedures?

**Ms. Ward** said yes; the City will take the individual to court.

**Dr. Williams** said he is less concerned about the white shutters as this could easily be fixed; but at 5 West Broughton Street the staff report shows that there is a condition that the tenants changed the ventilation and that the duct work would be removed.

**Ms. Ward** stated that an illegal sign is at 5 West Broughton Street as well.

**Dr. Williams** asked who makes the decision whether to take the individual to court.

**Ms. Ward** answered the Zoning Administrator.

**Dr. Williams** asked does the Historic Board of Review or staff make recommendations to them along these lines?

**Ms. Ward** answered that staff does through this report and talk with them often about cases and how they are moving forward.

**Dr. Williams** said in looking at the report, some appear to be more egregious than others. He does not know if there is any jurisdiction advantageous benefit for this Board to say anything that might help the Zoning Administrator.

**Ms. Ward** explained that it is always possible if the Board wanted to write a letter or prioritize violations and so forth.

**Mr. Thomson** informed the Board that he believes the City staff does what it can do. He said that the one experience he had with the court situation, the problem was the judge. She said "go away and try to work it out." He does not believe that the work has been done. Mr. Thomson said the judge needs to say to the owner "comply with the ordinance." He believes the City does good work in this area.



**Mr. Petrea** said with the staff they have, they have been able to move forward. Six of the items on the staff's report are moving forward. The others are pending deadlines. They need to send 111 W. Perry Street a letter. They are moving through all of the cases as best and as fast as they can.

**Dr. Williams** asked that the Zoning Administrator not take his question as an indictment against the staff's efforts. He was only inquiring to whether the Board could assist in this endeavor. But, from what has been reported, it sounds as if they are doing fine.

## **XI. REPORT ON ITEMS DEFERRED TO STAFF**

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

Attachment: [HDBR Ward Items Deferred to Staff 1-9-13.pdf](#)

## **XII. NOTICES, PROCLAMATIONS, and ACKNOWLEDGEMENTS**

### **Notices**

33. [Next Meeting - Wednesday February 13, 2013 at 2:00 p.m. in the Arthur A. Mendonsa Hearing Room, MPC, 112 E. State Street](#)

34. [2012 End of Year Report](#)

Attachment: [HDBR Thomson Design Review Report 1-9-2013.pdf](#)

**Ms. Ramsay** advised the Board that the 2012 Year End Report is included in their packets. It is amazing, last year was a record year.

**Ms. Ward** explained that the electronic data goes back to 2003. Therefore, it is a record since that recording. But she cannot imagine that prior to 2003, they were seeing numbers like these.

**Ms. Ramsay** said "we have been busy!"

### **Acknowledgements**

35. [Welcome Jerry Lominack, AIA - Appointed to the Historic District Board of Review through December 31, 2016](#)

## **XIII. OTHER BUSINESS**

### **New Business**

36. [Savannah Magazine](#)

**Dr. Henry** said he believes that they need to send a letter to the Savannah Magazine correcting the Historic District boundary.

**Ms. McClain** asked when was that issue published.

**Ms. Ramsay** said she believes the owner said in 2008.

**Ms. McClain** asked if the Board knows whether a retraction was issued.

**Mr. Howington** said there are tons of ways to get correct information, but not from a magazine or a newspaper.

**Dr. Henry** said the Board would be remiss if they did not correct the mistake.

**Ms. Michalak** said staff will draft a letter.

\*\*\*\*

**Ms. Ramsay** apologized for not welcoming Mr. Lominack to the Board. Today is his first meeting. The Board welcomed Mr. Lominack.

#### XIV. ADJOURNMENT

37. [Adjourned](#)

There being no further business to come before the Historic District Board of Review, Ms. Ramsay adjourned the meeting at 8:00 p.m.

Respectfully Submitted,

Sarah P. Ward  
Historic Preservation Director

SPW:mem

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

