



Arthur A. Mendonsa Hearing Room
April 6, 2010 1:30 p.m.
MINUTES

April 6, 2010 Regular MPC Board Meeting

Members Present: Shedrick Coleman, Chairman
J. Adam Ragsdale, Vice-Chairman
Jon Pannell, Secretary
Lacy Manigault, Treasurer
Russ Abolt
Michael Brown
Ellis Cook
Ben Farmer
Stephen Lufburrow
Timothy Mackey
Tanya Milton
Susan Myers
Jon Todd
Joseph Welch

Members Not Present: ALL BOARD MEMBERS PRESENT

Staff Present: Thomas Thomson, P.E. AICP, Executive Director
Melony West, CPA, Director, Finance & Systems
James Hansen, AICP, Director, Development Services
Beth Reiter, Director, Historic Preservation
Ellen Harris, LEED, Preservation Planner
Gary Plumbley, Development Services Planner
Marcus Lotson, Development Services Planner
Christy Adams, Director, Administration
Bri Finau, Administrative Assistant
Shanale Booker, Administrative/IT Assistant

Advisory Staff Present: Robert Sebek, County Zoning Administrator
Randolph Scott, City Zoning Administrator

I. CALL TO ORDER AND WELCOME

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. NOTICES, PROCLAMATIONS and ACKNOWLEDGEMENTS

Notice(s)

1. [April 27, 2010 Regular MPC Meeting at 1:30 P.M. in the Arthur A. Mendonsa Hearing Room, 112 East State Street.](#)

Proclamation(s)

2. [Resolution of Appreciation for Mary Elizabeth Lattimore Reiter](#)

Chairman Coleman presented a plaque and read a Proclamation of Appreciation to Mrs. Mary Elizabeth Lattimore Reiter in honor of her retirement. The Proclamation acknowledged her years of service and dedication to the preservation of Savannah's historic culture.

V. PRESENTATIONS

3. [I-16 Exit Ramp Removal Study Update - Ellen Harris](#)

Attachment: [I-16 Flyover Flyer Revised.pdf](#)

Ms. Ellen Harris, Preservation Planner with the MPC, gave a brief presentation on the proposed I-16 Flyover removal and actions that have occurred to date.

In 2008, the Georgia Department of Transportation published a study regarding the removal of the I-16 ramps. It looked at the situation from a transportation perspective and developed three scenarios for the flyover removal. From this study it was determined that traffic flow on and off of the interstate would improve with the flyover removal.

In early 2010, a three-day charrette was conducted to inform the public of possibilities regarding the Flyover and to solicit ideas regarding the same. The charrette included setting goals and visions for the project such as more connectivity and multi-mobile transportation; allowing the stakeholders to visually present their ideas for master plans for the area; and presenting different scenarios for consideration.

In preparation for the charrette, the consultants performed extensive research on the history and development of the I-16 area. It was found that the land currently beneath the I-16 Flyover was originally a part of the garden lots laid out by Oglethorpe. The Union Train Station was constructed around 1900 and the tracks ran along the alignments of Selma (formerly Stuart) Street and the former Robert Street. When I-16 was formed, the area was changed dramatically.

Refining the ideas are the next step. The next public meeting will be in May and all information can be found on the website. The study is anticipated to be complete by early fall.

Mr. Abolt asked if there was any feedback from city representatives desiring not to touch the flyover until the Civic Center has been relocated?

Ms. Harris stated they have worked with the city closely; some city staff are on the technical committee. Because there is no definite time line at this point, we want to be sure we allow for that to happen without impeding its progress.

Ms. Myers commended Ms. Harris regarding her ability to keep the Board informed of the progress of the project.

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

The Consent Agenda consists of items for which the applicant is in agreement with the staff recommendation and for which no known objections have been identified nor anticipated by staff. Any objections raised at the meeting will result in the item being moved to the Regular Agenda. At a 12:30 briefing, the staff will brief the Commission on Consent Agenda items and, time permitting, Regular Agenda items. No testimony will be taken from applicants, supporters or opponents, and no votes will be taken at the briefing.

VII. CONSENT AGENDA

Approval of MPC Meeting Minutes and Briefing Minutes

4. [Approval of March 16, 2010 MPC Meeting Minutes and Briefing Minutes](#)

Attachment: [03.16.10 MPC BRIEFING MINUTES.pdf](#)

Attachment: [03.16.10 MINUTES.pdf](#)

Board Action:

Recommend **APPROVAL** of the MPC Meeting and Briefing Minutes as submitted. - PASS

Vote Results

Motion: Stephen Lufburrow

Second: Lacy Manigault

Russ Abolt - Aye

Michael Brown - Aye

Shedrick Coleman - Aye

Ellis Cook - Aye

Ben Farmer - Aye

Stephen Lufburrow - Aye

Timothy Mackey - Aye

Lacy Manigault - Aye

Tanya Milton	- Aye
Susan Myers	- Aye
Jon Pannell	- Aye
Adam Ragsdale	- Aye
Jon Todd	- Aye
Joseph Welch	- Aye

Authorization(s)

5. [Authorization for Executive Director to Execute Supplemental Contract for FY 2010 Planning \(PL\) Funds - PI 0009244](#)

Attachment: [CORE MPO FY 2010 Supplemental PL Contract Approval.pdf](#)

Board Action:

Recommend APPROVAL of authorizing the Executive Director to execute Supplemental Contract for FY 2010 Planning (PL) Funds - PI 0009244 as written. - PASS

Vote Results

Motion: Jon Todd

Second: Ellis Cook

Russ Abolt - Aye

Michael Brown - Aye

Shedrick Coleman - Aye

Ellis Cook - Aye

Ben Farmer - Aye

Stephen Lufburrow - Aye

Timothy Mackey - Aye

Lacy Manigault - Aye

Tanya Milton - Aye

Susan Myers - Aye

Jon Pannell - Aye

Adam Ragsdale - Aye

Jon Todd - Aye

Joseph Welch - Aye

Zoning Petition - Map Amendment

6. [131 Hutchinson Island Road SEDA - Hutchinson Island Zoning \(I-H to RIP-B\)](#)

Attachment: [staff report.pdf](#)

Attachment: [Taxmap.pdf](#)

Attachment: [ZONING.pdf](#)

Attachment: [Aerialmap.pdf](#)

131 Hutchinson Island Road
SEDA - Hutchinson Island
Aldermanic District: 1
County Commission District: 3
Acres: 36.38
Zoning I-H to RIP-B
PINs: 2-0436 -01-018, -024, -025, and -026
Savannah Economic Development Authority, Owner
Frank E. Jenkins, III, Agent

Jim Hansen, MPC Project Planner

At issue is a request to rezone four parcels of land from an I-H (Heavy Industrial) classification to an RIP-B (Residential-Medium Density) classification. It is recommended that the request to zone land located at 131 Hutchinson Island Road to an RIP-B classification from an I-H classification be approved.

Mr. Pannell recused himself from this item due to his firm representing the petitioner.

Board Action:

It is recommended that the request to zone land located at 131 Hutchinson Island Road to an RIP-B classification from an I-H classification be approved. - PASS

Vote Results

Motion: Jon Todd

Second: Adam Ragsdale

Russ Abolt	- Aye
Michael Brown	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Stephen Lufburrow	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Jon Pannell	- Not Present
Adam Ragsdale	- Aye
Jon Todd	- Aye

Joseph Welch

- Aye

VIII. ITEMS MOVED FROM CONSENT AGENDA

IX. OLD BUSINESS

Revision to Recorded Plat

7. Bonna Bella 7 Subdivision

Attachment: [Recorded SD Plat.pdf](#)

Attachment: [TAX MAP S-100202-88642-1.pdf](#)

Attachment: [AERIAL MAP S-100202-88642-1.pdf](#)

Attachment: [Superior Court Order March 21, 2008.pdf](#)

Attachment: [Hart Legal Opinion Re; Bonna Bella 7 Subdivision, 6210 LaRoche Avenue, Lot C.pdf](#)

Attachment: [04-06-10 STAFF REPORT S-100202-88642-1 Bonna Bella 7 Subdivision Minor Revision to a Recorded Plat.pdf](#)

Bonna Bella 7 Subdivision

6210 LaRoche Avenue

R-1/EO Zoning District

4.25 Acres – Total Site Area

3.44 Acres – Lot C

PIN: 1-0364-01-005A Lot A; 1-0364-01-005 Lot B; and, 1-0297-01-004 Lot C

MPC Reference File Number S-87-8115-C

Stuckey Land Surveying, Surveyor of Record

Jeff Harris, Owner of Lot C

Attorney Steven E. Scheer, Agent

MPC Project Planner: Gary Plumbley

The petitioner is requesting approval of a Minor Revision to a Recorded Plat for the purpose of removing a note on the Recorded Plat that restricts Lot C from being developed as a residential building site.

Mr. Plumbley, MPC Development Planner, presented the petition before the Board. He explained that a note on the subdivision plat stated Lot C was to be considered a part of Lot B and not to be considered a separate lot for a building site. The petitioner petitioned Superior Court for the purpose of a Quiet Title for Lot C. The owners of Parcel B and Parcel C are opposed to this but are agreeable to a special master for consideration for a Quiet Title. It was determined the Quiet Title would be appropriate. The Superior Court did agree to some of the findings of the special master but not regarding the note regarding that the lot to be removed. The County Attorney stated it is a covenant between the properties and feels it should not be approved. This request has been denied previously by the MPC Board in 1993. The staff recommends denial of this petition.

Mr. Farmer asked if the owners of the three lots involved got together, would it change anything?

Mr. Plumbley stated yes, if all three owners agreed. It could be handled as a staff matter.

Mr. Coleman asked if the petitioner was available; there was no response.

Ms. Grace Cannon, area resident and citizen, stated she resided at Lot B, directly across from the petitioned property. She stated she and her husband bought their property in 1991 because the lot across the street, the petitioned property, is a non-buildable lot. Later, the land was offered to them to purchase, but they had no need or want of it because it was a non-buildable lot. Had the lot been buildable, on stilts or otherwise, they would have never have bought their property.

Mr. James Poor, area resident and citizen, stated he purchased his property in Majestic Oaks in 1987 and was offered the petitioned property as well. He stated it was listed as a non-buildable lot and an illegal field by the Corps of Engineers. He was offered the lot again prior to the Cannons purchasing their property and they passed on the offer again. He stated at high tide, the water covers 80% of the property. If the lot is built up to build a house, that would put the water on his property. He stated he is not interested in seeing a house on stilts in front of his home.

Board Action:

The MPC staff recommends Denial of the petitioner's request. - PASS

Vote Results

Motion: Ben Farmer

Second: Stephen Lufburrow

Russ Abolt	- Aye
Michael Brown	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Stephen Lufburrow	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Jon Pannell	- Aye
Adam Ragsdale	- Aye
Jon Todd	- Aye

X. REGULAR BUSINESS

General Development Plan / Group Development Plan

8. Savannah College of Art and Design - Dyson Hall and Weston Hall Dormitories and Apartments

Attachment: [Taxmap.pdf](#)

Attachment: [Aerial map.pdf](#)

Attachment: [Dyson and Weston Concept Plan by Sottile & Sottile.pdf](#)

Attachment: [04-06-10 GEN. DEV. PLAN DYSON HALL AND WESTON HALL.pdf](#)

Attachment: [04-06-10 P-100316-53984-2 STAFF REPORT SCAD Dyson Hall and Weston Hall Dormitories and Apartments - General Development Plan.pdf](#)

Savannah College of Art and Design
Weston Hall and Dyson Hall Dormitories and Apartments
121 and 231 West Boundary Street
P-B-C Zoning District
12.95 Acres (Dyson Hall – 6.81 Acres – Weston Hall 6.14 Acres)
12.46 Acres – Area to be Disturbed
PIN: 2-0017-01-014 and 2-0017-02-007
Sottile and Sottile, Land Planner
KRI Engineering, Inc., Engineer
Cliff Kennedy, P.E., Agent
Savannah College of Art and Design, Owner

Gary Plumbley, MPC Project Planner

Mr. Ragsdale recused himself from this item because his firm represents SCAD in other matters.

Mr. Plumbley stated that the petitioner is requesting approval of a General Development Plan/Group Development for a site located on the west side of West Boundary Street approximately 500 feet north of Louisville Road within a P-B-C (Planned Community Business) zoning classification. The petitioner requests the following variances: a) 25 foot building height variance (from the maximum permitted height of 35 feet for all proposed structures; and b) two percent building coverage variance (from the maximum permitted coverage of 25 percent). The Historic Savannah Foundation was consulted for recommendations for historic roofscapes. The proposed 3-story buildings will house an additional 352 students. Parking will be provided underneath the buildings. The MPC staff recommends approval of this petition.

Ms. Milton asked how will this affect traffic from the bridge during the construction period?

Mr. Plumbley replied there would be no affect according to his knowledge.

Mr. Brown asked if the bridge across the canal would remain?

Mr. Plumbley replied yes.

Mr. Brown asked would the elevation issues be addressed and how?

Mr. Cliff Kennedy, petitioner and representative of Kennedy-Ragsdale, stated the buildings will be elevated. The existing buildings are in the flood plane as the new ordinance requires and there will be an increase in flood plane volume.

Mr. Brown asked will this make the risk in vehicle flooding different?

Mr. Kennedy stated there is a risk of that but there is no evidence of flooding previously.

Mr. Brown recommended to take caution.

Mr. Farmer asked if the petitioner would be satisfied that cars will not be flooded?

Mr. Kennedy replied yes.

Mr. Farmer stated that is a problem (the flooding in the parking area).

Mr. Kennedy stated there are a lot of cars there now and they want to make it better.

Mr. Daniel Carey, representing the Historic Savannah Foundation, stated they have made suggestions due to the petitioner presenting the project to them. He stated they support the project especially due to height variances so there are no monolithic forms of the buildings. If this is executed, it will be superior to what is there currently. They are looking for a rhythm, therefore, they are not suggesting height variances for all buildings; the petitioner will sort that out.

Ms. Myers stated her support of this project.

Board Action:

The MPC staff recommends **approval** of the proposed General Development Plan/Group Development including the requested variances. - PASS

Vote Results

Motion: Jon Pannell

Second: Stephen Lufburrow

Russ Abolt - Aye

Michael Brown - Aye

Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Stephen Lufburrow	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Jon Pannell	- Aye
Adam Ragsdale	- Not Present
Jon Todd	- Aye
Joseph Welch	- Aye

Zoning Petition - Map Amendment

9. [147 Abercorn Street - RIP-A to RIP-B](#)

Attachment: [TAX MAP Z-100309-35679-2.pdf](#)
Attachment: [ZONING MAP Z-100309-35679-2.pdf](#)
Attachment: [AERIAL MAP Z-100309-35679-2.pdf](#)
Attachment: [staff rpt.pdf](#)

147 Abercorn Street
Stathy Stathopoulos, Owner
Pijit Healy, Petitioner/Agent
Aldermanic District: 1
County Commission District: 3
Zoning District: RIPA to RIP-B
0.05 Acres
PIN: 2-0015 -07-003
MPC File No. Z-100309-35679-2

Jim Hansen, MPC Project Planner

Mr. Hansen present the petition, a request to zone land at 147 Abercorn Street to an RIP-B classification from an RIP-A classification. Both are classified as residential medium density; the RIP classification does allow for certain commercial uses. The petitioner is currently operating a small convenience store at the site with upper story residential uses. The request is because the petitioner is proposing to have a take-out only (to be eaten off-site) restaurant in conjunction with the convenience store. The RIP-B does not allow restaurants. The owners of the adjoining property, an existing inn, object to the proposed usage. Their objections cited taxation, odors, parking, in addition to other concerns. The MPC staff recommends approval of the petition.

Ms. Myers asked who decides the type of venting and how they vent?

Mr. Hansen stated it would have to be determined as the petitioner goes

through the necessary permitting process with the City of Savannah.

Mr. Farmer asked if this would be an allowable use under the Unified Zoning Ordinance.

Mr. Hansen stated that is what is being proposed. The UZO is still a proposal at this time; it has not been approved or recommended. However, in the future we would recommend this.

Mr. Brown asked if a bar or lounge was permitted?

Mr. Hansen stated in this district it would not.

Mr. Brown requested that it be noted in the minutes that a hybrid restaurant/bar is not permitted.

Mr. Pijit Healy, petitioner, stated the location is currently a small convenience store. The changes will not change the exterior of the building. The kitchen will be installed by a licensed installer and all equipment will have required safety features. Mr. Healy stated that an inspector had inspected the site and advised it was appropriate with sufficient space for ventilation. Thai food and sandwiches will be sold for take out. Mr. Healy stated he spoke with Mr. Walter Howard, supervisor of the Sanitation Bureau, and Mr. Howard stated the site is not a dumpster-free zone. Enough space for a two-yard dumpster with lids and locks is available. The grease container is approximately arm's length, to be obtained by an independent company after petition approval. Due to the small space, there is a limited number of people that would be able to come into the building, therefore it would pose no nuisance or hazard for anyone.

Mr. Farmer asked the petitioner to provide his definition of a take-out only restaurant.

Mr. Healy stated the kitchen has to be built and all food has to be prepared in the kitchen. The items will be placed in a 'to go' container and the customer will take it with them.

Mr. Farmer asked if anyone will be allowed to eat on the premises?

Mr. Healy replied no; it is all carry-out. It is not designed for restaurant dining.

Mr. Farmer restated there will be no one dining in.

Mr. Healy stated that was correct.

Mr. Manigault asked if there was any stipulation regarding what the venting should be; it was stated it could be as high as 10 feet.

Mr. Healy replied he believes the City Ordinance requires it has to be at

least 10 feet.

Mr. Mackey asked if it was wise to go down the road as take-out. This has been revisited many times.

Mr. Randolph Scott, City Zoning Inspector, stated the zoning department would not know vent height requirements.

Mr. Farmer stated would staff's position change if it is written as restaurant as primarily take-out?

Mr. Thomson stated the issue of take-out is simply for reference. The request is for rezoning.

Mr. Farmer stated his point is that there is no take-out reference in the ordinance.

Mr. Thomson stated City Council put those words on the Russo case. In this case, it is just a rezoning allowing a restaurant.

Mr. Farmer stated he would like to consider finding a way to get it out of there because something will come back later that it was only approved for take-out only. He recommends leaving it out if there is no need for it.

Mr. Brown stated he supports Mr. Farmer's statement; though it is noted in the minutes, it is immaterial because this is being approved for a restaurant use and whatever the petitioner does consistent with the zoning code is what is being approved. Alcohol would be subject to subsequent requests through the City. The Russo case was also at the notation of the petitioner; therefore we need to be careful of what the petitioner says. It's being considered as rezoning for a restaurant.

Mr. Thomson stated Mr. Brown was correct; it happened at the City Council meeting at the applicant's request.

Mr. Coleman stated that is an important point and it was also stipulated on the plan that stated that and we don't want to make the same mistake again.

Stathy Stathopoulos, property owner, stated the petitioner is trying to convert the existing kitchen area into a take-out area in addition to the other convenience items currently being sold. The idea is to fit was the Historical District has and provide a service for the locals in the area. Regarding the ventilation, the building is not an attached building; there is a 10-foot barrier opening between the corner building and the one next to it and the one beside it, along with a courtyard. The building actually sits alone with adequate space between both sides of the building; it's not close enough to affect the other buildings.

Mr. Cook asked if there were any restrictions regarding hours of operation for

the facility?

Mr. Thomson stated staff indicated there are no restrictions.

Mr. Farmer motioned to approve the petition but to strike any reference to 'take-out restaurant'.

Mr. Scott stated he was not aware of the letter sent to the MPC. He stated it mentions of two additional uses on top of the petitioned property. It deals with vacation rentals, which is not a recognized classified use in the zoning ordinance, but within the description, it advertises up to six people. That use would have to be presented to City of Development Services and obtain a certificate of occupancy because it is going beyond a residential use. And that may impact parking.

Mr. Mackey stated he has not seen the letter.

Mr. Lufburrow stated that sounds as if it is more of an enforcement issue to be dealt separately from this. If the vacation rental use would be continued to be allowed would be up to the zoning administrator in the future.

Board Action:

It is recommended that the request to zone land at 147 Abercorn Street to an RIP-B classification from an RIP-A classification be approved. With no provision of 'take out'. - PASS

Vote Results

Motion: Ben Farmer

Second: Joseph Welch

Russ Abolt	- Aye
Michael Brown	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Stephen Lufburrow	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Jon Pannell	- Aye
Adam Ragsdale	- Aye
Jon Todd	- Aye
Joseph Welch	- Aye

10. [2302 East DeRenne - R-6 to R-4](#)

Attachment: [ZONING MAP Z-100309-87712-2.pdf](#)
Attachment: [TAX MAP Z-100309-87712-2.pdf](#)
Attachment: [AERIAL MAP Z-100309-87712-2.pdf](#)
Attachment: [staff rpt.pdf](#)

2302 East DeRenne
Karen Jones, Owner/Petitioner
Aldermanic District: 3
County Commission District: 3
Zoning District: R-6 to R-4
0.14 Acres
PIN: 2-0137 -05-007
MPC File No. Z-100309-87712-2

Jim Hansen, MPC Project Planner

Mr. Hansen presented the petition, a request to zone the subject property to an R-4 classification from an R-6 classification. The petitioner's intent is to develop a home for the elderly. The petitioned site was previously a child-care center. Staff is concerned that approval would constitute spot zoning and would afford the possibility of additional properties along DeRenne and further into the neighborhood to seek zoning changes. The petitioned request is not consistent with the future land use map as a part of the adopted Tri-Centennial Plan. If the Board recommends approval, MPC staff recommends the Board amend the Comprehensive Plan. The MPC staff recommends denial of the petition as presented.

Mr. Farmer asked is there another way to achieve the petitioner's request rather than rezone? He stated he did not see much difference between a home for the elderly and a child care facility, outside of zoning classifications. Is there another way other than spot zoning?

Mr. Hansen stated yes; the R-4 is the lowest category in the ordinance currently, that the petitioner is requesting. The other route would be a text amendment where the use would be allowed by right in the R-6 category. That has not been requested. However, it is probable that the MPC staff would not support that request as well.

Ms. Milton asked that it did previously function as a daycare?

Mr. Hansen stated it was approved for daycare usage and it was in usage for a while.

Ms. Karen Jones, petitioner, stated the site has operated as a daycare for nine years. The last three years it has been inoperable due to family changes and operating a family daycare at another location. Not utilizing the site has left it subject to vandalism; it is easier to use and operate than continually repair. Ms. Jones stated the neighbors have been consulted and they are in agreement with

her plans. She stated she anticipates no problems because the tenants are elderly.

Mr. Farmer asked is someone already interested in operating the facility?

Ms. Jones stated she would manage the facility.

Mr. Welch asked how many elderly tenants would be contained in the home?

Ms. Jones stated she only wants four.

Mr. Welch asked how many bedrooms and baths are in the home?

Ms. Jones stated three bedrooms and one bath.

Mr. Welch asked if it would be staffed.

Ms. Jones stated it would be herself and her 22 year-old daughter would rotate. She stated they both have nursing experience; she was a nursing assistant for 9 years.

Mr. Lufburrow asked if she looked at the requirements regarding the building and costs?

Ms. Jones replied yes.

Mr. Manigault asked if one bathroom would be reasonably sufficient for four elderly people?

Ms. Jones replied that State requirement is that one bathroom is sufficient as long as there are no more than six tenants.

Mr. Manigault stated he is not disagreeing with the state, but he is of the opinion that is not sufficient because some elderly persons have immediate needs regarding bathrooms.

Mr. Coleman asked if the use was denied by right because the use is less than the 7 to 15 persons listed for group care?

Mr. Hansen stated there are provisions in the Ordinance unrelated persons to live in a structure in almost all residential zones. The difference is they cannot be charged money to live there. It is staff understanding that is it a for-profit facility, which would make it unallowed.

Mr. Lufburrow stated if the zoning changes on one property, it can have a creeping affect throughout the area. He stated he has concerns regarding that.

Mr. Coleman stated he shares the concern and is trying to determine if the use actually requires rezoning. He stated he does not see the rationale to rezone.

Mr. Thomson stated no rezoning is required up to 6 unrelated people to live in the home; but with the definition of a family, not where rent is being charged for each person. The petitioner is probably charging a monthly fee, which is not consistent with the current zoning.

Mr. Farmer suggested a continuance to get better clarification as to whether a rezoning is actually needed. He thinks there may be other ways to address the issue.

Mr. Scott, City Zoning Administrator, stated the petitioner is presenting a family personal care home. This request has been previously repealed by City Council in December 2007. The use of the personal care as described in the ordinance is not approved in R-6 classification. It would have to be rezoned.

Mr. Coleman suggested clarification for the number less than 7 to 15 people be addressed. He stated he would have interpreted differently based on the way the Ordinance reads.

Board Action:

It is recommended that the request to zone the subject property to an R-4 classification from an R-6 classification be denied. - PASS

Vote Results

Motion: Stephen Lufburrow

Second: Ben Farmer

Russ Abolt	- Aye
Michael Brown	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Stephen Lufburrow	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Jon Todd	- Aye
Jon Pannell	- Aye
Joseph Welch	- Aye
Adam Ragsdale	- Aye

Cuyler-Brownsville District - Demolition of a Rated Structure

11. [Demolition 811 West 37th Street](#)

Attachment: [Application, Applicant's statement and photos.pdf](#)
Attachment: [Existing condition photos.pdf](#)
Attachment: [AERIAL_MAP_N-100304-32339-2_.pdf](#)
Attachment: [P3260025.pdf](#)
Attachment: [4-6-2010 Staff Report2.pdf](#)
Attachment: [Response to HSF Comments.pdf](#)
Attachment: [HSF comment.pdf](#)

Petition of City of Savannah Property Maintenance Department
Larry Duncan, Property Maintenance Supervisor
File No: N-100304-32339-2
PIN 2-0073-03-001
811 West 37th Street
Zoning: R4-PNC
Aldermanic Zone 1
County Commissioner Zone 8

Staff Planner: Beth Reiter

Ms. Reiter presented the petition before the Board. The MPC staff recommends demolition due to disrepair.

Mr. Daniel Carey, the Historic Savannah Foundation, stated they do not support the demolition of the project nor do they object. He stated Mr. Martin Fretty informed him the Housing Department does not have funds to stabilize deteriorated buildings. It can purchase, help, or sell in a timely manner. He asked if that is a policy that can be reconsidered. Regarding mitigation, he stated the HSF has a new salvage program and they would like access to the building to determine if there any components worth salvaging. He asked if it were possible that bids for rehabilitation could instead be considered for stabilization for a later date. These are suggestions to save some of the hundreds of historic properties in danger, since Savannah makes its living from its historical properties.

Mr. Manigault asked how time is being requested? Are there plans to meet with city maintenance with a proposal?

Mr. Carey stated that could be done. We are not certain of the time table; some time is needed to access to determine what is available for salvage and then the demolition may proceed if the Board determines to do so.

Mr. Manigault stated last year the Board was informed by the HSF there were over 100 properties in danger and they really wanted to do something about it. He recommends getting with the City as soon as possible.

Mr. Brown stated he does not see a problem with salvaging. He stated all is being considered to preserve as many properties as possible. A list of endangered properties is regularly reviewed to be remediated.

Ms. Myers stated the value of the Cuyler-Brownsville area is low and realize

some areas need more help than others. That area has been decimated.

Board Action:

Approval to demolish due to condition. - PASS

Vote Results

Motion: Stephen Lufburrow

Second: Adam Ragsdale

Russ Abolt - Aye

Michael Brown - Aye

Shedrick Coleman - Aye

Ellis Cook - Aye

Ben Farmer - Aye

Stephen Lufburrow - Aye

Timothy Mackey - Not Present

Lacy Manigault - Aye

Tanya Milton - Aye

Susan Myers - Nay

Jon Pannell - Aye

Adam Ragsdale - Aye

Jon Todd - Aye

Joseph Welch - Aye

Mid-City District - Demolition of a Rated Structure

12. [Demolition of 2308 Whitaker Street](#)

Attachment: [Damaged porch foundation.pdf](#)

Attachment: [Rear 3-26-10.pdf](#)

Attachment: [Facade 3-26-10.pdf](#)

Attachment: [Aerial map.pdf](#)

Attachment: [Taxmap.pdf](#)

Attachment: [Vicinitymap.pdf](#)

Attachment: [Staff Report 3 \(4-6\).pdf](#)

Petition of City of Savannah Property Maintenance Department

Adrain Hassel

File No: N-100315-34128-2

2308 Whitaker Street

PIN 2-0065-40-010

Aldermanic District: 5

County Commissioner District: 2

Staff Planner: Beth Reiter

Ms. Reiter presented the petition to the Board. In September 2008, the Department of Inspections recommended demolition due to front and rear porch deterioration, breached roof, water and vermin damage. Complaints were received from the neighbors. The MPC granted a 90-day stay of demolition in December 2008 to contact the owner for renovation. In January 2009, the HSF did contact the owner. The owner started the rehabilitation without a building permit and a 'stop work' order was issued. After the building permit was issued, no other work was done since. In November 2009, Property Maintenance took the owner to court and was granted additional time to sell, demolish, or rehabilitate the property. No work was done and deterioration continued. The judge ordered demolition in December 2009 since no additional work was done. In March 2010, the HSF found the building was structurally sound and offered to purchase the home. The owner denied the offer. The MPC recommends approval of demolition.

Ms. Myers lamented the sad state of this situation and regrets the loss for our City.

Board Action:

Approval to demolish based on no progress over a period of 18 months. - PASS

Vote Results

Motion: Stephen Lufburrow
Second: Adam Ragsdale
Russ Abolt - Aye
Michael Brown - Aye
Shedrick Coleman - Aye
Ellis Cook - Aye
Ben Farmer - Aye
Stephen Lufburrow - Aye
Timothy Mackey - Not Present
Lacy Manigault - Aye
Tanya Milton - Aye
Susan Myers - Nay
Jon Pannell - Aye
Adam Ragsdale - Aye
Jon Todd - Aye
Joseph Welch - Aye

Victorian District - Demolition of a Rated Structure

13. [533-535 East Anderson Street - Demolition](#)

Attachment: [Damaged false front.pdf](#)

Attachment: [533-535 E. Anderson Presentation & photos.pdf](#)
Attachment: [staff reportApril 6, 2010.pdf](#)
Attachment: [COA Application and time line.pdf](#)
Attachment: [Added front.pdf](#)

Petition of City of Savannah Property Maintenance Department
N-100303-39806-2
533-535 East Anderson Street
PIN: 2-0053 -21-028
Aldermanic District: 2
County Commission District: 2

Staff Planner: Beth Reiter

Ms. Reiter presented the petition as the structure was approved for demolition several years ago. The owner began repairs without permits at an unknown time. A 'stop work' order was issued and a demolition order was obtained in 2009. The property owner submitted a request of Certificate of Appropriateness in March 2010 to rehabilitate the building. The HSF engineer reports the building is not capable of restoration.

Mr. Brown requested staff to communicate the condition of the other endangered structures to the City Manager, the MPC Board and HSF. It is not the goal to simply tear down buildings or take persons to court.

Mr. James Kimble, Jr., owner of the property, stated he was working on the property but was unable obtain a permit. He stated he has much invested in the property and would like to complete it.

Mr. Farmer asked Mr. Kimble if he applied for a permit.

Mr. Kimble replied yes and was told he was not a licensed contractor. He stated he could not cover the roof which caused the demise of roof.

Mr. Lufburrow stated he regretted being under the inclination that if the structural engineer states the building cannot be saved, there is no other option other than demolition.

Mr. Carey stated he is happy Mr. Kimble was there because HSF did work with him by providing drawings. The owner of the previous property is not here and the HSF appreciates whenever property owners work with the HSF for preservation.

Mr. Thomson introduced the new Director of Property Maintenance, Mr. Ken Dentice.

Board Action:

Approval to demolish based on structural evaluation.	- PASS
Vote Results	
Motion: Jon Todd	
Second: Adam Ragsdale	
Russ Abolt	- Not Present
Michael Brown	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Stephen Lufburrow	- Aye
Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Jon Pannell	- Aye
Adam Ragsdale	- Aye
Jon Todd	- Aye
Joseph Welch	- Aye

XI. OTHER BUSINESS

XII. ADJOURNMENT

14. [Submittal](#)

There being no further business to come before the Commission, the April 6, 2010 Regular MPC Meeting adjourned at 3:51 PM.

Respectfully Submitted,

Thomas L. Thomson
Executive Director

/bf

Note: Minutes not official until signed.

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.