

RALEIGH HISTORIC DEVELOPMENT COMMISSION
CERTIFICATE OF APPROPRIATENESS COMMITTEE
Minutes of the Meeting
March 3, 2014

CALL TO ORDER

Chair Scott Shackleton called the Certificate of Appropriateness (COA) Committee meeting to order at 4:00 p.m.

ROLL CALL

Tania Tully, Preservation Planner, called the roll as follows:

Present: Will Alphin, Elizabeth Caliendo, Sarah David, Scott Shackleton

Excused Absence: Miranda Downer

Staff Present: Tania Tully, Martha Lauer

Approval of the February 3, 2014 Minutes

Mr. Alphin moved to waive the reading of the minutes for the hearing and adopt the minutes as submitted. Ms. Caliendo seconded the motion; passed 4/0. Note that the minutes for Case 004-14-CA were not approved at this meeting due to a Notice of Intent to Appeal and ongoing transcription.

Minor Works

There were no questions regarding the Minor Work report.

The following is a list indicating persons in attendance and whether they were affirmed. Ms. Martha Lauer, Notary Public, administered the affirmation.

| <u>Visitor's/Applicant's Name and Address</u> | <u>Affirmed</u> |
|--|------------------------|
| Phuc Tran, 501 S Person Street 27604 | Yes |
| Gail Wiesner, 515 Euclid Street 27604 | Yes |
| David Wiesner, 515 Euclid Street 27604 | Yes |
| Reagan Weaver, 507 S Person Street 27601 | Yes |
| Bruce S. "Sandy" Teal, 519 Oakwood Avenue 27601 | No |
| Ashley Morris, 306 Pell Street 27601 | Yes |
| Craig Ralph, 2714 Clark Avenue 27607 | No |
| Curtis Kasefang, 519 Polk Street 27604 | Yes |
| John C. Brooks, 516 N Blount Street 27604 | No |
| Greg Mann, 605 Elm Street 27604 | Yes |
| Gordon Smith, 3323 Alleghany Drive 27609 | Yes |
| Yvonne Blair Burnette 524 Sherrybrook | No |
| Jenny Harper, 312 E Cabarrus Street 27601 | Yes |
| Will Jeffers, 556 New Bern Avenue | No |

REVIEW OF SUMMARY PROCEEDINGS/APPROVAL OF AGENDA

Case 014-14-CA was move to the Public Hearing portion of the agenda. Staff stated that the appeal of 008-14-MW needed to be deferred for procedural reasons. Ms. Caliendo moved to approve the agenda as modified. Mr. Alphin seconded the motion; passed 4/0.

SUMMARY PROCEEDINGS

There were no objections to the approval of the following Summary Proceeding without a public hearing. The committee reviewed and approved the following case 013-14-CA for which the Summary Proceeding is made part of these minutes.

CERTIFICATE OF APPROPRIATENESS (COA) – SUMMARY PROCEEDING

013-14-CA 519 OAKWOOD AVENUE
Applicant: JENNY SALDI & SANDY TEAL
Received: 2/10/2014 Meeting Date(s):
Submission date + 90 days: 5/11/2014 1) 3/3/2014 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: R-10
Nature of Project: Install 6' tall rear wood shadow-box fence
Conflict of Interest: None noted.
Staff Notes:

- The file for COA 022-09-CA is available for review.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

| <u>Sections</u> | <u>Topic</u> | <u>Description of Work</u> |
|-----------------|-----------------------------|--|
| 2.3 | Site Features and Plantings | Install 6' tall rear wood shadow-box fence |
| 2.4 | Fences and Walls | |

STAFF COMMENTS

Based on the information contained in the application:

- A. Installation of 6' tall rear wood shadow-box fence is not incongruous in concept according to *Guidelines* sections 2.3.7, 2.4.8, and the following findings:
- 1* There are trees on adjacent properties whose roots may be impacted by the proposal; there is a tree that straddles the property line at the north east corner; the fence is proposed to go around the trunk.
 - 2* No information is included in the application regarding the location of fence posts or protection of tree roots.
 - 3* The proposed fence is in the rear yard.
 - 4* The *Design Guidelines for Raleigh Historic Districts* states on page 14 that "Fences and walls were common site features in Raleigh's early neighborhoods..." and "Utilitarian fences and walls served to secure boundaries...and to provide visual privacy. They were generally used in rear yard locations and were not usually visible from the street. Traditionally, utilitarian fences were constructed of vertical wooden slats or pickets..."
 - 5* A 6' tall shadow-box style wood privacy fence is proposed for the north and east property lines; a dimensioned drawing is included in the application.
 - 6* Wood shadow-box style fences have been approved in the historic district including at 529 N East Street (COA 022-09-CA).

- 7* Altered photographs of what the fence is proposed to look like on site were included in the application.
- 8* There is an existing 6' tall wood fence on the west property line that this fence will adjoin.
- 9* The commission typically requires that fences be constructed with structural members facing inward; the shadow-box fence design has the same appearance on each side.

Staff recommends that the committee approve the application, with the following condition:

1. That fence holes be dug by hand and located to avoid damage to tree roots and that roots larger than 1" caliper will be cut cleanly using proper tools such as loppers.

Decision on the Application

There were no objections to approval without a public hearing.

Ms. Caliendo moved to approve the application, adopting the staff comments as the written record of the summary proceeding on 013-14-CA. Mr. Alphin seconded the motion; passed 4/0.

Committee members voting: Alphin, Caliendo, David, Shackleton.

Certificate expiration date: 9/3/14.

PUBLIC HEARINGS

Chair Shackleton introduced the public hearing portion of the meeting. The committee heard the following cases in the following order for which the Certified Records are made part of these minutes: 014-14-CA, 012-14-CA, 015-14-CA, 016-14-CA, and 017-14-CA.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS (COA) – CERTIFIED RECORD

014-14-CA 519 POLK STREET
Applicant: CURTIS KASEFANG
Received: 2/11/2014 Meeting Date(s):
Submission date + 90 days: 5/12/2014 1) 3/3/2014 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: R-10

Nature of Project: Remove 6 trees; remove limbs from 2 trees

Amendments: A February 24, 2014 email states that the trees proposed for removal are hackberry trees and a February 27, 2014 email states that there is a huge multi-stemmed ligustrum in the northeast corner that is in the neighborhood of 30' tall and a also a specimen Crape Myrtle.

Conflict of Interest: None noted.

Staff Notes:

- The Pin Oak proposed for pruning appears to sit on the property line. Ownership of the tree is a civil matter not under the jurisdiction of the RHDC.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

| <u>Sections</u> | <u>Topic</u> | <u>Description of Work</u> |
|-----------------|-----------------------------|---|
| 2.3 | Site Features and Plantings | Remove 6 trees; remove limbs from 2 trees |

STAFF COMMENTS

Based on the information contained in the amended application:

- A. Removal of 6 trees; removal of limbs from 2 trees is not incongruous in concept according to *Guidelines* sections 2.3.1, 2.3.3, 2.3.5, and the following findings:
(Raleigh City Code Section 10.2.15.E.1. states that "An application for a certificate of appropriateness authorizing the demolition or destruction of a building, structure or site within any Historic Overlay District or Historic Landmark may not be denied...However, the authorization date of such a certificate may be delayed for a period of up to 365 days from the date of issuance...If the Commission finds that the building, structure or site has no particular significance or value toward maintaining the character of the Historic Overlay District or Historic Landmark, it shall waive all or part of such period and authorize earlier demolition or removal.")
- 1* According to the amended application the trees proposed for removal are Hackberry trees and are located in the rear yard along the east and north property lines.

- 2* The application states that the limbs proposed for removal from the Pin Oak tree are hollow according to an arborist certified by the International Society of Arboriculture (ISA) and that they overhang the house. The application further states that limb removal will be performed by an ISA certified arborist.
- 3* The amended application states that the property has a 30' tall multi-stemmed ligustrum in the northeast corner and a specimen Crape Myrtle tree in the vicinity of the trees proposed for removal; current photos of the house and yard are included in the application.
- 4* The application proposes not to replace the removed trees because they have grown in the last 18 years since Hurricane Fran and are non-contributing and they are competing with other existing plantings.
- 5* The *Guidelines* not classify trees as contributing or not, but do speak to replacement of healthy trees.
- 6* The amended application states that the northeast corner of the yard is very close to the adjacent church building and that a large tree in that location would likely do damage to the foundation of the building.

Staff recommends that the committee approve the amended application, waiving the 365-day demolition delay and with the following conditions:

1. That one over story tree be planted in the rear yard if an appropriate location can be determined, with the tree species and location to be provided to staff prior to removal of trees.
2. That prior to the removal of the trees the applicant donate the monetary value of five 3" caliper medium maturing trees (as defined by the NeighborWoods program) to the City of Raleigh's NeighborWoods tree planting program.

PUBLIC TESTIMONY

Support:

Curtis Kasefang [affirmed], 519 Polk Street, was present to speak in support of the application. He discussed staff comment number 4, saying that he used the wrong language. He stated that he meant regulated or not regulated due to the diameter. Mr. Kasefang also discussed the huge Pin Oak in the front right corner of the yard, saying that it had a very bad experience during Hurricane Fran and the arborist pointed out one very large limb that is hollow. The limb overhangs the porch and the driveway and is dangerous. The remainder of the tree will have minor pruning to maintain its health. Speaking to the remainder of the application, Mr. Kasefang noted the request to remove six diseased junk Hackberry trees on the perimeter of the property. He noted that some are literally on the property line and that the trees have grown up since Hurricane Fran, and he regrets not having pulled them out since. Mr. Kasefang stated that he has permission from the adjacent church to remove trees that are on their shared property line. He commented that the trees are now overshadowing specimen trees. His inclination is to take out the ligustrum in the corner of the yard and as soon as it is under control plant an over story tree as far from the adjacent church as they can get it. Finally, he noted that he is happy to donate to the NeighborWoods Program.

There was no one else present to speak in favor of or in opposition to the application.

Questions:

Gail Wiesner [affirmed], 515 Euclid Street, had questions regarding the contributing/non-contributing status of trees, noting that she has never seen this topic come up. She asked if there were specific designations for trees. Tania Tully [affirmed] stated there is not within the historic district designation, but that there are other specimen trees designations separate from historic designations.

At Mr. Shackleton's suggestion Mr. Alphin moved that the public testimony portion of the hearing be closed. Ms. Caliendo seconded; motion carried 4/0.

Committee Discussion

There was no discussion following the public hearing.

Findings of Fact and Conclusions of Law

Ms. Caliendo moved that based upon the facts presented in the application and the public hearing, the committee finds staff comment A. (inclusive of facts 1-3, 5-6) to be acceptable as findings of fact, and with a modification to fact 4 as stated below:

- A. Removal of 6 trees; removal of limbs from 2 trees is not incongruous in concept according to *Guidelines* sections 2.3.1, 2.3.3, 2.3.5, and the following findings:
(Raleigh City Code Section 10.2.15.E.1. states that "An application for a certificate of appropriateness authorizing the demolition or destruction of a building, structure or site within any Historic Overlay District or Historic Landmark may not be denied...However, the authorization date of such a certificate may be delayed for a period of up to 365 days from the date of issuance...If the Commission finds that the building, structure or site has no particular significance or value toward maintaining the character of the Historic Overlay District or Historic Landmark, it shall waive all or part of such period and authorize earlier demolition or removal.")
- 1* According to the amended application the trees proposed for removal are Hackberry trees and are located in the rear yard along the east and north property lines.
 - 2* The application states that the limbs proposed for removal from the Pin Oak tree are hollow according to an arborist certified by the International Society of Arboriculture (ISA) and that they overhang the house. The application further states that limb removal will be performed by an ISA certified arborist.
 - 3* The amended application states that the property has a 30' tall multi-stemmed ligustrum in the northeast corner and a specimen Crape Myrtle tree in the vicinity of the trees proposed for removal; current photos of the house and yard are included in the application.

- 4* The application proposes not to replace the removed trees because they have grown in the last 18 years since Hurricane Fran and are non-regulated and they are competing with other existing plantings.
- 5* The *Guidelines* do not classify trees as contributing or not, but do speak to replacement of healthy trees.
- 6* The amended application states that the northeast corner of the yard is very close to the adjacent church building and that a large tree in that location would likely do damage to the foundation of the building.

The motion was seconded by Ms. David; passed 4/0.

Decision on the Application

Ms. Caliendo made a motion that the application be approved waiving the 365-day demolition delay with the following conditions:

1. That one over story tree be planted in the rear yard if an appropriate location can be determined, with the tree species and location to be provided to staff prior to removal of trees.
2. That prior to the removal of the trees the applicant donate the monetary value of five 3" caliper medium maturing trees (as defined by the NeighborWoods program) to the City of Raleigh's NeighborWoods tree planting program.

The motion was seconded by Ms. David; passed 4/0.

Committee members voting: Alphin, Caliendo, David, Shackleton.

Certificate expiration date: 9/3/14.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS (COA) – CERTIFIED RECORD

012-14-CA 420 S BLOODWORTH STREET
Applicant: GORDON SMITH, WOOD PILE LLC AND EMPIRE PROPERTIES
Received: 2/5/2014 Meeting Date(s):
Submission date + 90 days: 5/6/2014 1) 3/3/2014 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: PRINCE HALL HISTORIC DISTRICT

Zoning: DOD, RB

Nature of Project: Relocate ca. 2001 house onto vacant lot

Conflict of Interest: None noted.

Staff Notes:

- The application states that should a house not be approved for relocation to the site a new house will be proposed. This application is only for the relocation. A new COA would need to be submitted for any new construction.
- Staff photos of the house proposed for relocation and the new site are available for review.
- Because the house proposed for relocation is not historic staff determined that *Guidelines* 5.1.1 did not apply. Additionally, the application included photographs of the house in situ.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

| <u>Sections</u> | <u>Topic</u> | <u>Description of Work</u> |
|-----------------|-----------------------------|---|
| 2.3 | Site Features and Plantings | Relocate house (409 E Martin St.) onto lot at 420 S Bloodworth St |
| 3.2 | Masonry | Reconstruct brick foundation. |
| 5.1 | Relocation | Relocate house (409 E Martin St.) onto lot at 420 S Bloodworth St |
| 4.3 | New Construction | Relocate house (409 E Martin St.) onto lot at 420 S Bloodworth St |

STAFF COMMENTS

Based on the information contained in the application:

- A. Relocation of a house onto the lot at 420 S Bloodworth Street and reconstruction of brick foundation is not incongruous in concept according to *Guidelines* 2.3.2, 2.3.6, 2.3.7, 2.3.8, 3.2.8, 5.1.2, 5.1.3, 5.1.4, 5.1.5, 5.1.6, 5.1.8, 4.3.1, 4.3.2, 4.3.4, 4.3.5, 4.3.6, 4.3.7, 4.3.8, 4.3.9, 4.3.10, 4.3.11; however, having only one window on the north side of the house is incongruous according to *Guidelines* 4.3.8, and the window materials and details of the house at 409 E

Martin St. are incongruous according to *Guidelines* 4.3.9, and the faux wood grain siding on the house at 409 E Martin St. is incongruous according to *Guidelines* 4.3.10 and the following findings:

- 1* There is an existing curb cut near the north property line.
- 2* The site is currently a grassy lot with an existing tree at the rear of the property. Like the other lots on the north portion of the block, the lot is raised above the sidewalk.
- 3* A dimensioned plot plan locating the house on site is included in the application; the house is shown to be set back 20 feet from the lot line to the porch foundation. The setback information was not provided for neighboring structures.
- 4* The Special Character Essay states that "Throughout the district, buildings adhere to a uniform setback."
- 5* Wake County Real Estate Data states that the existing lot is 5,227 SF and that the house proposed to be relocated onto the site has a footprint of 807 SF for a proposed lot coverage of 15%. Not including patios the other houses on the block face have lot coverages ranging from 20% to 29%.
- 6* The driveway and front walk are proposed to be applied for in a separate COA application.
- 7* The structure to be relocated is not located in Prince Hall or other local historic district and is facing demolition to make way for new construction. The application states that the house was constructed by constructed by Cliff Zinner and designed by David Maurer approximately 12 to 14 years ago.
- 8* The applicant provided photographs of architecturally similar structures within the district to illustrate the architectural compatibility. The two structures (408 and 418 S. Bloodworth Street) are noted as non-contributing resources in the 2011 Report and Recommendation for The Designation of The South Person/South Blount [now named Prince Hall] Historic Overlay District.
- 9* The house proposed for relocation is a two-bay two-story frame house on a brick foundation with an asphalt-shingled front-gable roof, a projecting bay over a gabled one-story porch with battered columns and turned balusters, and 6/6 windows.
- 10* The Special Character Essay states that "Houses are one and two stories and are generally modest. Most stand on brick foundations, have front porches, and historically had weatherboard exteriors."
- 11* The 2011 Report and Recommendation for The Designation of The South Person/South Blount [now named Prince Hall] Historic Overlay District provides many examples of contributing houses with gable roofs.
- 12* Photos of the house proposed for relocation were included in the application. The application states that the materials are typical of the neighborhood and the colors would remain as existing. The windows in the house are vinyl with grilles-between-the glass, and the siding has a faux wood grain texture.
- 13* The application does not contain evidence that the faux wood grain texture of the siding is compatible with historic materials and finishes found in the surrounding buildings that contribute to the special character of the historic district in terms of texture and finish nor that the windows are compatible with the material and detail of windows of surrounding buildings that contribute to the special character of the historic district.

- 14* There is only one window on the east side of the house; this would become the north side of the house.
- 15* The new brick foundation, would look like the adjacent house at 418 Bloodworth Street. A plan was included in the application, elevation drawings were not.
- 16* Photographs of the existing houses (front and rear) and streetscape of the 400 block of S Bloodworth Street were included in the application. There are two 2-story non-contributing houses and two 1-story contributing houses.
- 17* The house is proposed to be moved to the site by Mike Blake an experienced house mover, onto pre-constructed footings and brick foundation; it is unclear whether the porch would be rebuilt or moved.
- 18* The application proposes temporarily park the house on rails on the adjacent property at the rear of 420 S Bloodworth Street while securing ownership of the lot and awaiting construction of the new foundation. A maximum of 6-months is proposed for this process.
- 19* The route of the move is not included, but only a portion will be in Prince Hall, likely starting at the intersection of E Davie and S Bloodworth Streets. There do not appear to be trees in the way of the move onto the site, however, it is unclear from available data if the house can be moved onto the temporary site without damaging existing large trees.
- 20* No brick sample has been submitted for the reconstructed foundation

Staff recommends that the committee approve the application, with the following conditions:

2. That the house be moved off of the adjacent property at the rear of 420 S Bloodworth Street within six months of the date of this decision.
3. That the siding material and windows not be approved and that they be replaced within 30 days of placement of the house on the new foundation.
4. That the following be provided to and approved by staff prior to approval of permits for the move of the house:
 - a. Exact route of the move;
 - b. Tree protection plan for the move.
5. That the following items be submitted to and approved by staff prior to installation and prior to issuance of a certificate of occupancy:
 - a. Windows;
 - b. Siding material.
6. That the following be provided to and approved by staff prior to approval of permits for the new foundation:
 - a. Tree protection plan;
 - b. Final location of the building on site;
 - c. Elevation drawings of the brick foundation that clearly indicate any grade change;
 - d. Brick sample.
7. That a COA application be submitted within 30 days of approval of this application for site improvements following completion of the move proposed in this application.
8. That the final location of the building on the site be reviewed and approved by staff based upon a current survey that locates the lot in relationship to the sidewalk edges, curb cut, and

nearby historic building structures, generally aligning the body of the moved house with the body of the contributing houses in the 400 block of S Bloodworth Street.

9. That should the porch be reconstructed differently than it presently exists, staff review and approve any changes to its placement, materials, or design prior to construction.

PUBLIC TESTIMONY

Support:

Gordon Smith [affirmed], 3323 Allegheny Drive, was present to speak in support of the application. In response to staff comments he stated that the route of the house would be the same route he used to move the six other houses in that one block.

Staff suggested condition 6 is one of the key issues that Mr. Smith would like to add to. The six houses he moved to this block all came from one and a half blocks away and this is the one remaining house on that block. Mr. Smith asks if he can save it from being demolished, and if so, can it go on the lot at 420 S Bloodworth Street. He explained his process of pursuing ownership of the lot. He began talking last August to Community Development about buying the lot and if there's a delay, his concern is that the house will be demolished.

Tania Tully [affirmed] explained that the condition is not intended to be a delay. It is just saying that this application simply addresses moving the house to the site, not the driveway or other issues. She explained her rationale with staff recommended condition number 3—the concern about exiting trees. How will it work getting the house getting house off S Bloodworth, up on the lot? Can it get to the rear lot for parking without damaging the trees? Ms. Tully stated that this is the only condition that delays moving of the house, and that delay depends on how quickly Mr. Smith can put information together.

Ms. Tully further explained her staff comments stating that in staff's evaluation, one of the items the commission needs to consider is that the new house has to be evaluated based on the new construction guidelines. She states that the form seems fine, but the materials are at issue and may not be compatible with the Guidelines noting that specifically the faux wood grain siding and vinyl windows.

Mr. Smith appealed to the committee to take into consideration that he already moved six houses to this lot, two with this siding. He stated that he thinks the two houses with faux siding helped this area even be considered a historic district. He is trying to save houses from going to the dump, noting that it would be cheaper for him to put it in the dump. Mr. Smith stated that he is on the commission's side and has exhibited much more than most people that the commission interacts with. He asked that since he did make the move, 4 houses, and 2 with siding like this for approval with the plans as submitted. He stated that it would be cost-prohibitive for him to replace the siding. He doesn't want to dump the house because he has an environmental responsibility. It would be a shame if that part of the issue stops this building form being moved and therefore goes to the City dump.

Mr. Shackleton if Mr. Smith if any there were other staff recommendations that bring up issues he'd like to address. Mr. Smith said that the 6 month timeframe in condition 1 he is good with and condition 4 is connected to 2.

Mr. Smith stated with reference to condition 5 that he has something from John Phelps, the surveyor, in the application. Ms. Tully stated that what wasn't included in the application was showing how that house sits on the lot compared to the other properties. Mr. Smith said that he did say that he is putting it in line with the other four houses. Ms. Tully agreed, but that it needed to be shown also. She pointed out recommended condition number 7 which states that the final location would be approved by staff and should show how the house sits with relation to the other houses on block. What he described sounds fine, but needs more detail. Mr. Smith asked about the reference to a curb cut. Ms. Tully said that it is making sure that where house is sitting lines up with curb cut. Mr. Smith stated that he intends to give parking in the rear using an existing rear access and that it will not be necessary to provide a driveway, just a sidewalk. There'd be parking in back with access from the interior of the block. Regarding condition number 8 it makes no sense to move the porch and he just wants to build an identical porch.

Mr. Shackleton stated his understanding that the Mr. Smith's main request is to leave the materials there, but that he is fine with the other conditions. Mr. Smith said that he can answer and provide everything asked for.

Opposition:

Phuc Tran [affirmed], owner of 501 S. Person Street (Gethsemane Church) stated that he is happy to see that projects are taking place, but that he is concerned about the current condition of the building proposed for relocation. He noted that there are Design Guidelines that they have to follow, just as he has had to do. He stated that he is strongly in support of the staff recommendation on replacing the siding and windows. Mr. Tran said that the district is recently designated and that there are a lot of criteria to follow and that everyone should have to follow them.

Jenny Harper [affirmed], 322 E. Cabarrus Street, said that she wants to see a house with appropriate siding and windows. She stated her agreement with staff conditions. This house proposed for relocation has faux siding and vinyl windows and that the commission has denied their use in the past. Ms. Harper noted that the district's fabric is very fragile, and she wants to see true thoughtfulness with new infill whether relocated or new construction. The local historic district is very small. The greater National Register district is huge and there are a lot of properties there, but not in the local historic district.

Questions:

Gail Wiesner [affirmed] asked if the district was designated, before or after the other two houses were moved. Ms. Tully said that the houses were moved prior to local designation. Ms. Wiesner said that she also commends moving this house, but that she is also extremely

concerned about materials. As a realtor and researcher she commented that houses that are older in historic districts have a much higher value than those that are newer. Houses that are similar have less value. She stated that she didn't know the cost of siding or windows, or turning siding over, but has seen that done. She offered these as possibilities to offset extra cost.

Mr. Alphin noted his concern about the enforceability of staff condition 1. It sounds like the applicant doesn't own 420 S Bloodworth yet, and he is concerned if he doesn't obtain ownership of the property with a house parked in the back yard, it's really no way to make anything happen. Mr. Alphin acknowledged that everyone is motivated to see it happen, but is concerned nonetheless. Mr. Smith stated that it looks like he'll be purchasing the property within 30 days and that he has a 20 year track record of preserving the community and historic buildings. He asked the committee to consider this.

Mr. Smith also noted that he has not made a dollar off his investment over 20 years. He stated that the issue of taking all siding off and replacing windows plus the expense of moving the house and public utilities, it is probably cost prohibitive. He addressed the comment suggesting that he move the house elsewhere. Since last August he's been under the impression that he could buy 420 S Bloodworth Street with an upset bid, and he had looked at another lot. The lots are very hard to get and he asserts that there is no other option. Mr. Smith stated that there is no other lot that he knows of that can be secured for this house. He reiterated that he thought his having brought six houses to the block would make it easy to show that this would not be a burden on the block. He still submits and believes that to be the case.

Mr. Shackleton stated that the COA review process is within a Historic Overlay District – a significant change since Mr. Smith moved the six houses. He explained that the commission's job is not to decide if moving the house is a good or a bad thing, but to decide if the house meets the *Design Guidelines*. The commission has some discretion in how they interpret the *Design Guidelines* but some of the guidelines are very clear and there's no discretion. In that case there's no choice involved and they can't go against the guidelines.

Mr. Shackleton asked about the question of enforceability. Ms. Tully explained that should it still be there after 6 months, it would become a zoning violation and go into a violation process. The applicant could apply for an extension, which would come back to the commission. She said that the commission can't assume, but she feels confident in the application that six months was reasonable time, and also is confident in the zoning violation process. Ms. Tully reminded the commission of the Blount Street sales office sign that was approved with an annual review. She said that there has been no other case like this since she's been here.

Mr. Shackleton asked the committee if they had any questions about the materials. Ms. David asked the applicant if the siding was hardiplank and Mr. Smith said yes.

Ms. David commented that no matter what we think about Mr. Smith's efforts in the neighborhood or the cost prohibitive nature of project, the fact is that the other houses were

moved into the neighborhood before it was a local district. Now it is a local district. Mr. Smith commented that the commission wouldn't have wanted to include that block in the district without the four 1920s houses that he moved there.

Mr. Shackleton stated that the commission's job isn't to decide if it has value or not, but whether or not it meets the Design Guidelines. A project could be a valuable idea, but not meet the guidelines.

Ms. Tully pointed that staff comments may have not been clear that fiber cement siding is approved on new detached construction on a regular basis in Historic Overlay Districts, most recently at 501 Oakwood Avenue, and even on an addition at 318 E. Cabarrus Street, but with smooth-face only. The committee has been consistent about not approving materials that are mimicking another material.

Mr. Alphin confirmed that they are treating this as new construction. Ms. Tully said yes, because the section of Guidelines on relocating houses specifically cross-references the section on new construction.

At Mr. Shackleton's suggestion Mr. Alphin moved that the public testimony portion of the hearing be closed. Ms. David seconded; motion carried 4/0.

Committee Discussion

The following points were made in discussion [speaker indicated in brackets]:

The two main issues are siding and windows. We have been consistent in not allowing vinyl windows in this district. [Shackleton]

If we were looking at new construction, I can't imagine we would allow vinyl windows. I understand the desire to save a house from a landfill and to add density to the district, but can't see approving these. [David]

Any thoughts on the lack of windows? [Alphin]

Historically you would see more than one window on the side of the house. At the same time irregular window placement is also seen. I am minimally troubled by that. The houses are fairly tight together. [David]

It's new construction and maybe you can make an argument that you'd have less windows, but typically in an old house you would rely on daylight and have windows, particularly on the ground level. [Alphin]

That is the side that's less visible. There is a house to the north. [Caliendo]

Yes, there is a house to the north. [Shackleton]

If this were part of the original scope or project, an argument could be made, but clearly this is after-the-fact and is a separate project. We need to require that the windows and siding be replaced. [Caliendo]

Findings of Fact and Conclusions of Law

Mr. Alphin moved that based upon the facts presented in the application and the public hearing, the committee finds staff comment A. (inclusive of facts 1-16, 18-20) to be acceptable as findings of fact, modifying fact 17 and with the following additional fact 21 as stated below:

- A. Relocation of a house onto the lot at 420 S Bloodworth Street and reconstruction of brick foundation is not incongruous in concept according to *Guidelines* 2.3.2, 2.3.6, 2.3.7, 2.3.8, 3.2.8, 5.1.2, 5.1.3, 5.1.4, 5.1.5, 5.1.6, 5.1.8, 4.3.1, 4.3.2, 4.3.4, 4.3.5, 4.3.6, 4.3.7, 4.3.8, 4.3.9, 4.3.10, 4.3.11; however the window materials and details of the house at 409 E Martin St. are incongruous according to *Guidelines* 4.3.9, and the faux wood grain siding on the house at 409 E Martin St. is incongruous according to *Guidelines* 4.3.10 and the following findings:
- 1* There is an existing curb cut near the north property line.
 - 2* The site is currently a grassy lot with an existing tree at the rear of the property. Like the other lots on the north portion of the block, the lot is raised above the sidewalk.
 - 3* A dimensioned plot plan locating the house on site is included in the application; the house is shown to be set back 20 feet from the lot line to the porch foundation. The setback information was not provided for neighboring structures.
 - 4* The Special Character Essay states that "Throughout the district, buildings adhere to a uniform setback."
 - 5* Wake County Real Estate Data states that the existing lot is 5,227 SF and that the house proposed to be relocated onto the site has a footprint of 807 SF for a proposed lot coverage of 15%. Not including patios the other houses on the block face have lot coverages ranging from 20% to 29%.
 - 6* The driveway and front walk are proposed to be applied for in a separate COA application.
 - 7* The structure to be relocated is not located in Prince Hall or other local historic district and is facing demolition to make way for new construction. The application states that the house was constructed by constructed by Cliff Zinner and designed by David Maurer approximately 12 to 14 years ago.
 - 8* The applicant provided photographs of architecturally similar structures within the district to illustrate the architectural compatibility. The two structures (408 and 418 S. Bloodworth Street) are noted as non-contributing resources in the 2011 Report and Recommendation for The Designation of The South Person/South Blount [now named Prince Hall] Historic Overlay District.
 - 9* The house proposed for relocation is a two-bay two-story frame house on a brick foundation with an asphalt-shingled front-gable roof, a projecting bay over a gabled one-story porch with battered columns and turned balusters, and 6/6 windows.
 - 10* The Special Character Essay states that "Houses are one and two stories and are generally modest. Most stand on brick foundations, have front porches, and historically had weatherboard exteriors."
 - 11* The 2011 Report and Recommendation for The Designation of The South Person/South Blount [now named Prince Hall] Historic Overlay District provides many examples of contributing houses with gable roofs.

- 12* Photos of the house proposed for relocation were included in the application. The application states that the materials are typical of the neighborhood and the colors would remain as existing. The windows in the house are vinyl with grilles-between-the glass, and the siding has a faux wood grain texture.
- 13* The application does not contain evidence that the faux wood grain texture of the siding is compatible with historic materials and finishes found in the surrounding buildings that contribute to the special character of the historic district in terms of texture and finish nor that the windows are compatible with the material and detail of windows of surrounding buildings that contribute to the special character of the historic district.
- 14* There is only one window on the east side of the house; this would become the north side of the house.
- 15* The new brick foundation, would look like the adjacent house at 418 Bloodworth Street. A plan was included in the application, elevation drawings were not.
- 16* Photographs of the existing houses (front and rear) and streetscape of the 400 block of S Bloodworth Street were included in the application. There are two 2-story non-contributing houses and two 1-story contributing houses.
- 17* The house is proposed to be moved to the site by Mike Blake an experienced house mover, onto pre-constructed footings and brick foundation; the applicant testified that the porch would be rebuilt as-is.
- 18* The application proposes temporarily park the house on rails on the adjacent property at the rear of 420 S Bloodworth Street while securing ownership of the lot and awaiting construction of the new foundation. A maximum of 6-months is proposed for this process.
- 19* The route of the move is not included, but only a portion will be in Prince Hall, likely starting at the intersection of E Davie and S Bloodworth Streets. There do not appear to be trees in the way of the move onto the site, however, it is unclear from available data if the house can be moved onto the temporary site without damaging existing large trees.
- 20* No brick sample has been submitted for the reconstructed foundation
- 21* Smooth faced fiber cement siding is often approved on new construction; fiber cement siding with a faux wood grain finish has never been approved.

The motion was seconded by Ms. David; passed 4/0.

Decision on the Application

Following discussion on an initial motion made by Mr. Alphin and seconded by Ms. David, Mr. Alphin made an amended motion that the application be approved, with the following conditions:

1. That the house be moved off of the adjacent property at the rear of 420 S Bloodworth Street within six months of the date of this decision.
2. That the siding material and windows not be approved and that they be replaced within 60 days of placement of the house on the new foundation.

3. That the following be provided to and approved by staff prior to approval of permits for the move of the house:
 - a. Exact route of the move;
 - b. Tree protection plan for the move.
4. That the following items be submitted to and approved by staff prior to installation and prior to issuance of a certificate of occupancy:
 - a. Windows;
 - b. Siding material.
5. That the following be provided to and approved by staff prior to approval of permits for the new foundation:
 - a. Tree protection plan;
 - b. Final location of the building on site;
 - c. Elevation drawings of the brick foundation that clearly indicate any grade change;
 - d. Brick sample.
6. That a COA application be submitted within 30 days for site improvements following completion of the move proposed in this application.
7. That the final location of the building on the site be reviewed and approved by staff based upon a current survey that locates the lot in relationship to the sidewalk edges, curb cut, and nearby historic building structures, generally aligning the body of the moved house with the body of the contributing houses in the 400 block of S Bloodworth Street.
8. That should the porch be reconstructed differently than it presently exists, staff review and approve any changes to its placement, materials, or design prior to construction.

Ms. David agreed to the changes. The amended motion passed 4/0.

Committee members voting: Alphin, Caliendo, David, Shackleton.

Certificate expiration date: 9/3/14.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS (COA) – CERTIFIED RECORD

015-14-CA 605 ELM STREET
Applicant: NEW START DEVELOPMENT LLC - GREG MANN
Received: 2/12/2014 Meeting Date(s):
Submission date + 90 days: 5/13/2014 1) 3/3/2014 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: R-10

Nature of Project: Construct 240 SF 1-story rear addition; construct 126 SF rear screened porch addition; change exterior paint colors

Conflict of Interest: None noted.

Staff Notes:

- The application tries to explain what was approved with 011-14-MW and what is currently proposed. The file is available for review.
- The drawings included in the application have the directions reversed. For clarity, staff's comments use the same directions as noted in the application.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

| <u>Sections</u> | <u>Topic</u> | <u>Description of Work</u> |
|-----------------|---------------------------------|--|
| 2.3 | Site Features and Plantings | Construct 240 SF 1-story rear addition; construct 126 SF rear screened porch addition; |
| 3.4 | Paint and Paint Color | change exterior paint colors |
| 4.2 | Additions to Historic Buildings | Construct 240 SF 1-story rear addition; construct 126 SF rear screened porch addition; |

STAFF COMMENTS

Based on the information contained in the application:

- A. Changing of exterior paint colors is not incongruous according to *Guidelines* 3.4.3; however, painting an unpainted brick foundation is incongruous according to *Guidelines* 3.4.4, and the following findings:
- 1* Changing paint color is approvable as a Minor Work and is included here for administrative efficiency; paint samples are included in the application.
- 2* It does not appear from the photographs in the application that the foundation is currently painted.

- B. Construction of 240 SF 1-story rear addition; construction of 126 SF rear screened porch addition is not incongruous in concept according to *Guidelines* 2.3.6, 2.3.7, 2.3.8, 4.2.1, 4.2.2, 4.2.4, 4.2.5, 4.2.6, 4.2.7, 4.2.8, 4.2.9 and the following findings:
- 1* There are trees on the lot and in the vicinity of the new addition that may be impacted by the construction. The species and vitality of the tree is unknown, nor is a foundation plan.
 - 2* According to the Wake County Real Estate Data the lot size is 6,098 SF; the house with front porch and recently removed stoops has a 1,543 SF footprint for a current lot coverage of 25%; according to the application the new additions are approximately 415 SF for an increase of 375 SF and new lot coverage of about 31%.
 - 3* The proposed 1-story additions are at the rear of the historic house; the rooflines are lower than the ridgeline of the historic house and have a gable form. Roof plans are provided in the application and show that new roofs overframe the existing roof and step down to the rear.
 - 4* The application states that the proposed addition will have wood siding and trim to match the existing; dimensions were provided. The application also states that the soffits and eaves will match the existing and have a 12" overhang, but the drawings do not reflect this condition.
 - 5* Two vertically proportioned 2/2 windows are proposed for the north elevation of the addition and a bank of two vertically proportioned 2/2 windows are proposed for the south elevation. A single small window is proposed for the east (rear) elevation of the addition. The limited fenestration is counterbalanced by the telescoping addition which provides visual interest.
 - 6* The application states that the proposed screened porch addition will be all wood and the walls interior to the porch will have wood siding to match the addition. The screened porch is inset 2-½ feet from wall of the historic house and does not appear to have railings.
 - 7* The application states that the roofing material will be a Certainteed Landmark 30-year shingle to match the existing. The new windows in the addition are proposed to be wood; the specifications and details approved per 011-14-MW were included in the application.
 - 8* Architectural drawings of the existing house and proposed changes were included with the application. Detailed drawings of the proposed rear screened porch and stairs were not.
 - 9* The new addition will be distinguished as new through the use of keeping the existing corner board, have lower ridgelines, and lack of large eave board.

Staff recommends that the committee approve the application, with the following conditions:

1. That the brick foundation not be painted.
2. That the following be provided to and approved by staff prior to the issuance of permits:
 - a. A tree protection plan be prepared by an arborist certified by the International Society of Arboriculture (ISA) that includes a recommendation regarding the foundation of the addition.
3. That the following be provided to and approved by staff prior to installation:
 - a. Detailed drawings of screened porch and stairs;
 - b. Brick sample for foundation;

- c. Gable end eave detail drawings.

PUBLIC TESTIMONY

Support:

Ashley Morris [affirmed] and Greg Mann [affirmed] were present to speak in support of the application. Ms. Morris stated that the foundation has been painted and the mortar has been deteriorated quite a bit. It will probably look better painted, a cleaner look. She asked about the condition for a tree protection plan by an arborist. She notes that the only tree she thinks staff is referencing is the one between the southern property. She says she can do that, noting that the trees are on the adjacent property. Tania Tully [affirmed] explained that when it comes to tree protection you don't want to inadvertently kill a tree. She notes that and one thing you can't tell from the application is how big the tree canopy is, how far do roots go. Ms. Tully said that she suspects the arborist will recommend that the foundation be pier rather than continuous. Ms. Morris said that they'll get that.

There was no one else present to speak in favor of or in opposition to the application.

At Mr. Shackleton's suggestion Ms. David moved that the public testimony portion of the hearing be closed. Ms. Caliendo seconded; motion carried 4/0.

Committee Discussion

There was no discussion following the public hearing.

Findings of Fact and Conclusions of Law

Ms. David moved that based upon the facts presented in the application and the public hearing, the committee finds staff comments A. (inclusive of fact 1, modifying fact 2) and B. (inclusive of facts 1-9) to be acceptable as findings of fact as stated below:

- A. Changing of exterior paint colors is not incongruous according to *Guidelines* 3.4.3 and the following findings:
 - 1* Changing paint color is approvable as a Minor Work and is included here for administrative efficiency; paint samples are included in the application.
 - 2* The foundation is currently painted red.

- B. Construction of 240 SF 1-story rear addition; construction of 126 SF rear screened porch addition is not incongruous in concept according to *Guidelines* 2.3.6, 2.3.7, 2.3.8, 4.2.1, 4.2.2, 4.2.4, 4.2.5, 4.2.6, 4.2.7, 4.2.8, 4.2.9 and the following findings:
 - 1* There are trees on the lot and in the vicinity of the new addition that may be impacted by the construction. The species and vitality of the tree is unknown, nor is a foundation plan.

- 2* According to the Wake County Real Estate Data the lot size is 6,098 SF; the house with front porch and recently removed stoops has a 1,543 SF footprint for a current lot coverage of 25%; according to the application the new additions are approximately 415 SF for an increase of 375 SF and new lot coverage of about 31%.
- 3* The proposed 1-story additions are at the rear of the historic house; the rooflines are lower than the ridgeline of the historic house and have a gable form. Roof plans are provided in the application and show that new roofs overframe the existing roof and step down to the rear.
- 4* The application states that the proposed addition will have wood siding and trim to match the existing; dimensions were provided. The application also states that the soffits and eaves will match the existing and have a 12" overhang, but the drawings do not reflect this condition.
- 5* Two vertically proportioned 2/2 windows are proposed for the north elevation of the addition and a bank of two vertically proportioned 2/2 windows are proposed for the south elevation. A single small window is proposed for the east (rear) elevation of the addition. The limited fenestration is counterbalanced by the telescoping addition which provides visual interest.
- 6* The application states that the proposed screened porch addition will be all wood and the walls interior to the porch will have wood siding to match the addition. The screened porch is inset 2-1/2 feet from wall of the historic house and does not appear to have railings.
- 7* The application states that the roofing material will be a Certainteed Landmark 30-year shingle to match the existing. The new windows in the addition are proposed to be wood; the specifications and details approved per 011-14-MW were included in the application.
- 8* Architectural drawings of the existing house and proposed changes were included with the application. Detailed drawings of the proposed rear screened porch and stairs were not.
- 9* The new addition will be distinguished as new through the use of keeping the existing corner board, have lower ridgelines, and lack of large eave board.

The motion was seconded by Ms. Caliendo; passed 4/0.

Decision on the Application

Ms. David made a motion that the application be approved, with the following conditions:

1. That the following be provided to and approved by staff prior to the issuance of permits:
 - a. A tree protection plan be prepared by an arborist certified by the International Society of Arboriculture (ISA) that includes a recommendation regarding the foundation of the addition.
2. That the following be provided to and approved by staff prior to installation:
 - a. Detailed drawings of screened porch and stairs;
 - b. Brick sample for foundation;
 - c. Gable end eave detail drawings.

The motion was seconded by Ms. Caliendo; passed 4/0.

Committee members voting: Alphin, Caliendo, David, Shackleton.

Certificate expiration date: 9/3/14.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

016-14-CA 507 S PERSON STREET

Applicant: BEGINNING & BEYOND CHILD DEVELOPMENT CENTER INC.

Received: 2/12/2014

Meeting Date(s):

Submission date + 90 days: 5/13/2014

1) 3/3/2014 2)

3)

INTRODUCTION TO THE APPLICATION

Historic District: PRINCE HALL HISTORIC DISTRICT

Zoning: DOD, RB

Nature of Project: Remove rear screened porch; construct new rear screened porch; replace front porch columns; add front gate; install gate lights; replace front door; replace windows; enclose foundation; remove shrubs.

Amendments:

Conflict of Interest: None noted.

Staff Notes:

- After the fact applications are reviewed as though the work has not been completed.
- The Prince Hall Historic District rezoning took effect May 1, 2012.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

| <u>Sections</u> | <u>Topic</u> | <u>Description of Work</u> |
|-----------------|-----------------------------------|---|
| 2.3 | Site Features and Plantings | construct new rear screened porch; remove shrubs |
| 2.4 | Fences and Walls | add front gate |
| 2.7 | Lighting | install gate lights |
| 3.2 | Masonry | enclose foundation |
| 3.4 | Paint and Paint Color | change exterior paint color |
| 3.7 | Windows and Doors | replace front door; replace windows |
| 3.8 | Entrances, Porches, and Balconies | replace front porch columns |
| 4.2 | Additions to Historic Buildings | remove rear screened porch; construct new rear screened porch |

STAFF COMMENTS

Based on the information contained in the application:

- A. Removal of rear screened porch; construction of new rear screened porch is not incongruous in concept according to *Guidelines* 4.2.1, 4.2.2, 4.2.5, 4.2.6, 4.2.7, 4.2.8, 4.2.9, and the following findings:

- 1* According to the City of Raleigh iMaps 2013 aerial photo, there are no trees on this or adjacent properties that may be impacted by the construction.
 - 2* No photos of the rear of the house were included in the application.
 - 3* A rear el shaped likely enclosed porch is proposed to be removed and replaced with a smaller screened porch.
 - 4* Removal of rear enclosed porches have been previously approved by the commission including at 520 Polk Street (COA 135-09-CA) and 522 N Person Street (COA 040-10-CA).
 - 5* Architectural drawings of the existing house and proposed changes were included with the application. Detailed drawings of the proposed rear screened porch and stairs were not.
 - 6* The proposed screen porch fits within the el of the rear of the house and decreases the amount of built space.
 - 7* The floor level of the new porch aligns with the floor level of the historic house; the roof remains lower than the eave of the historic house and does not overpower it.
- B. Addition of front gate; installation of gate lights; removal of shrubs is not incongruous in concept according to *Guidelines* 2.3.1, 2.4.1, 2.4.5, 2.4.8, 2.7.5, 3.2.1 however, the proposed light fixture may be incongruous according to *Guidelines* 2.7.11 and the following findings:
- 1* There is an existing 3 to 4 foot tall hedge along the front public sidewalk and south front yard area. The shrubs along the driveway are proposed for removal.
 - 2* The Special Character Essay states that "Fences are uncommon, although a few wrought iron fences encircle front yards or vacant parcels and some chain-link fencing is present."
 - 3* A black metal fence exists in the historic district at 121 and 125 E South Street.
 - 4* The proposed gate is a 48" tall bronze finish metal powder coated aluminum fence gate with an arched top that will extend 2" above the existing brick columns.
 - 5* The application includes photographs of two existing painted brick columns where the front walk meets the public sidewalk. There do not appear to be any existing connections for electricity. The application does not included specification on how electricity will be added to accommodate lights.
 - 6* Page 20 of the *Design Guidelines for Raleigh Historic Districts* discusses the historic lighting in Raleigh and provides general guidance for adding new lighting including: "Additional lighting may be desirable on a particular site because of concerns for safety or security...Adequate lighting can often be introduced through lights on residential-scale posts...." and "Contemporary fixtures that are inconspicuous or that complement the style and the character of the building may be selected for historic buildings. Simple, discreet styles and materials are usually successful."
 - 7* The Special Character Essay states "Houses are one and two stories and are generally modest...[but] not necessarily without style."
 - 8* The proposed cast aluminum light fixture is approximately 17" in height and 7" in width sitting atop a 3" base both with an oil rubbed bronze finish. The style is described as traditional.
 - 9* Plan and elevation drawings of the proposed new gate and light fixtures are included in the application.

- C. Enclosure of foundation; replacement of front porch columns, changing of exterior paint color is not incongruous in concept according to *Guidelines* 3.2.1, 3.2.3, 3.2.6, 3.2.7, 3.4.1, 3.4.3, 3.8.5 and the following findings:
- 1* The application proposes to enclose the extra openings in the brick foundation with more brick; details and specifications including clarity as to which opening are proposed for enclosure, are not included in the application.
 - 2* According to the 2011 Report and Recommendation for The Designation of The South Person/South Blount [now named Prince Hall] Historic Overlay District the house at 507 S Person Street has replacement square wood columns.
 - 3* The application states that two of the front porch columns were replaced due to being warped, rotted, and termite infested. The replacement columns matched the existing in terms of material, dimensions, design and trim.
 - 4* Photos of the house included in the application indicate that the front porch has 6 columns of similar design; a close up photo of a split column was included in the application.
 - 5* Staff photos taken February 20, 2014 show the two columns that were removed still lying on the porch floor.
 - 6* Staff photographs show that the house is currently painted partially a blue grey and partially a pale green. The drawings included in the application indicate that all new wood will be repainted Sherwin Williams 0032 "Needlepoint Navy." Looking at the Sherwin Williams website this appears to be the blue grey existing on part of the house.
 - 7* It is unclear from the application whether the entire house will be repainted.
- D. Replacement of front door; replacement of windows is not incongruous in concept according to *Guidelines* section 3.7.1, 3.7.2, 3.7.5, 3.7.6; however, replacement of windows that are not deteriorated beyond repair is incongruous according to *Guidelines* 3.7.6 and replacement of 1/1 and 2/2 windows with 3/1 windows is incongruous according to *Guidelines* 3.7.6 and the following findings:
- 1* No evidence is included in the application that the front door is not historic or deteriorated beyond repair. A photograph of the 20-lite front door is included in the application and shows that some of the lower muntins are damaged and/or missing.
 - 2* The new front door is proposed to be a 9-lite over 2-panel wood door; specifications are included in the application.
 - 3* According to Wake County Real Estate Data, the front dormer window sashes were removed after December 6, 2011.
 - 4* No evidence is included in the application that the windows proposed for removal are deteriorated beyond repair.
 - 5* According to the 1990 National Register of Historic Places Registration Form for the East Raleigh-South Park Historic District the house at 507 S Person Street contributes to the district, is 1-1/2 stories tall, was constructed pre-1914 and is described as having 1-over-1 double hung-sash windows, original door, and a hipped dormer with 6-over-6 double hung-sash windows.
 - 6* According to the 2011 Report and Recommendation for The Designation of The South Person/South Blount [now named Prince Hall] Historic Overlay District the house at 507 S

Person Street contributes to the district and is described as a having a hipped dormer with a 6/6 window and boarded up 1/1 windows.

- 7* The application includes photographs of 2/2 and 1/1 windows and proposes replacement with 3/1 wood windows.
- 8* Partial specifications of the new windows is included in the application. This does not include section drawings, but does include a statement regarding the dimensions of the exterior casing. No evidence regarding the condition of the exterior casing and trim was included in the application.

Pending the committee's determination regarding the proposed light fixtures and the removal of wood windows, staff recommends that the committee approve the application, with the following conditions:

1. That the light fixtures be of a more simple design.
2. That the following be provided to and approved by staff prior to issuance of permits:
 - a. Detailed drawings of the proposed screened porch and steps.
3. That the following be provided to and approved by staff prior to installation/commencement of work:
 - a. Additional details regarding which foundation openings are to be enclosed and how;
 - b. Light fixtures on gate;
 - c. Light fixtures on house, if proposed.
4. That the entire body of the house be painted a single color.
5. That should the committee approve window replacement
 - a. the new windows have the same pane configuration as the removed windows; and
 - b. that that specifications and details including section drawings for the proposed new windows be provided to and approved by staff prior to installation.
6. That the existing wood trim and window sills be retained.

PUBLIC TESTIMONY

Support:

Reagan Weaver [affirmed], attorney representing Beginning & Beyond, was present to speak in support of the application. He stated that he did not have additional information at that time.

Opposition:

Jenny Harper [affirmed], 312 E. Cabarrus, stated that her property is behind this house. She said that mostly the proposal is fine but, that that the removal of the windows and doors are objectionable. Ms. Harper stated that she didn't see any reasons to remove windows in the application. She noted that she looked at the 1990 National Register nomination which said that the door was original. She thinks it should be repaired and maintained, noting that historic fabric is precious to retain.

Phuc Tran [affirmed] asked if staff is recommending that the windows be replaced. Tania Tully [affirmed] stated that staff is not recommending it. She said she left it up to the committee's

determination regarding the wood windows. The application seemed unclear and didn't see any evidence that the windows were deteriorated beyond repair. Ms. Tully said she was leaving that item open to committee's determination.

Mr. Tran stated that he saved the church with one day before it was to be demolished. He follows every guideline, every procedure, and would like to see every single unit in the district follow the design guidelines. He urged the committee to take good care and consideration as they approve these applications.

Questions:

Mr. Weaver said that it's his understanding that Ms. Blair's mother who will reside in building and they are trying to make it as environmentally sound as possible. They want to keep the cold out. Mr. Shackleton noted that generally with replacing windows, they have to be damaged beyond repair. He noted that there are quite a few things that can be repaired on old windows and that there are storm windows that can be approved to be installed. The applicant will need to show that they are damaged beyond repair. Ms. David said that they would need a window by window inventory. Mr. Shackleton added that it would need photos and should be completed by a person who is experienced with window repair. He also noted that studies show that old good fitting windows and storm windows are pretty close in energy efficiency to new.

Ms. Tully suggested that it is possible to defer in part and approve in part so that other work wouldn't be delayed.

Mr. Alphin said that he has the same question about door. He wants to see the door.

Ms. David asked if the gate is proposed to be installed on existing columns that are there. Ms. Tully said yes, according to application. Ms. David noted that the commission recently approved a gate configuration for Merrimon-Wynne. She said that she thinks these are incongruous and to add lights to it just highlights a condition that wouldn't exist in any of the historic districts. Ms. Tully commented that the concept of not making something more incongruous is reasonable.

Ms. David asked the applicant if there was a possibility that she'd take the columns down. Mr. Weaver said he doesn't know.

Mr. Shackleton asked if Ms. David would you be more comfortable with security ground lighting. Ms. David said that the proposed lights highlight an incongruous feature.

Mr. Shackleton suggested that they go back through the application and see what is okay at this point and what issues they may want to defer.

At Mr. Shackleton's suggestion Ms. David moved that the public testimony portion of the hearing be closed. Mr. Alphin seconded; motion carried 4/0.

Committee Discussion

The following points were made in discussion [speaker indicated in brackets]:

Removing the screened porch and adding a screened porch – are there issues? [Shackleton]

No. [Shackleton] [David] [Alphin]

What about the issue of the front gate? We already said we don't like the style of the lights in staff comments. [Shackleton]

The composition, while partially existing, is incongruous according to 2.4.8. You just don't see that in historic districts anywhere. To me it seems to add more to the existing columns and makes them more incongruous, mostly because of the lights. [David]

Can we just not approve light, and they can decide how to light them? [Alphin]

I'd rather not see a gate there. The gate further highlights the incongruity of the columns. No, but less concerned about that. [David]

Sarah's point is that we allow certain additions that are not within the guidelines, so if that's true then that type of gate would not be approved. Feels the same way about gate than lighting. [Alphin]

It is introducing a new element that is incongruous according to 2.4.8. [Shackleton]

It's not a fence, it's a ceremonial gate. [Alphin]

What makes this different from the approval at the Merrimon-Wynne House where you did approve a gate between brick columns? I suggest deferral of part of Part B until you look at the past decision. [Tully]

The shrubs in Part B are fine. [Shackleton]

Part C, concerns? There are some more conditions that apply to that that are necessary, like the house being painted a single color and details for staff. No. [Shackleton]

D? Defer for more information on the specific windows and door itself. [Shackleton]

There needs to be a stronger argument that they be replaced or we simply deny. [David]

Findings of Fact and Conclusions of Law

Ms. Caliendo moved that based upon the facts presented in the application and the public hearing, the committee finds staff comment A. (inclusive of facts 1-7), B. (inclusive of fact 1), and C. (inclusive of facts 1-7) to be acceptable as findings of fact as stated below:

A. Removal of rear screened porch; construction of new rear screened porch is not incongruous in concept according to *Guidelines* 4.2.1, 4.2.2, 4.2.5, 4.2.6, 4.2.7, 4.2.8, 4.2.9, and the following findings:

- 1* According to the City of Raleigh iMaps 2013 aerial photo, there are no trees on this or adjacent properties that may be impacted by the construction.
 - 2* No photos of the rear of the house were included in the application.
 - 3* A rear el shaped likely enclosed porch is proposed to be removed and replaced with a smaller screened porch.
 - 4* Removal of rear enclosed porches have been previously approved by the commission including at 520 Polk Street (COA 135-09-CA) and 522 N Person Street (COA 040-10-CA).
 - 5* Architectural drawings of the existing house and proposed changes were included with the application. Detailed drawings of the proposed rear screened porch and stairs were not.
 - 6* The proposed screen porch fits within the el of the rear of the house and decreases the amount of built space.
 - 7* The floor level of the new porch aligns with the floor level of the historic house; the roof remains lower than the eave of the historic house and does not overpower it.
- B. Removal of shrubs is not incongruous in concept according to *Guidelines* 2.3.1 and the following findings:
- 1* There is an existing 3 to 4 foot tall hedge along the front public sidewalk and south front yard area. The shrubs along the driveway are proposed for removal.
- C. Enclosure of foundation; replacement of front porch columns, changing of exterior paint color is not incongruous in concept according to *Guidelines* 3.2.1, 3.2.3, 3.2.6, 3.2.7, 3.4.1, 3.4.3, 3.8.5 and the following findings:
- 1* The application proposes to enclose the extra openings in the brick foundation with more brick; details and specifications including clarity as to which opening are proposed for enclosure, are not included in the application.
 - 2* According to the 2011 Report and Recommendation for The Designation of The South Person/South Blount [now named Prince Hall] Historic Overlay District the house at 507 S Person Street has replacement square wood columns.
 - 3* The application states that two of the front porch columns were replaced due to being warped, rotted, and termite infested. The replacement columns matched the existing in terms of material, dimensions, design and trim.
 - 4* Photos of the house included in the application indicate that the front porch has 6 columns of similar design; a close up photo of a split column was included in the application.
 - 5* Staff photos taken February 20, 2014 show the two columns that were removed still lying on the porch floor.
 - 6* Staff photographs show that the house is currently painted partially a blue grey and partially a pale green. The drawings included in the application indicate that all new wood will be repainted Sherwin Williams 0032 "Needlepoint Navy." Looking at the Sherwin Williams website this appears to be the blue grey existing on part of the house.
 - 7* It is unclear from the application whether the entire house will be repainted.

The motion was seconded by Ms. David; passed 4/0.

Decision on the Application

Ms. Caliendo made a motion that the addition of front gate and installation of gate lights be deferred pending additional information from staff regarding previous decisions, that the replacement of windows and door be deferred awaiting evidence that the items are deteriorated beyond repair, and that the remainder of the application be approved with the following conditions:

1. That the following be provided to and approved by staff prior to issuance of permits:
 - a. Detailed drawings of the proposed screened porch and steps.
2. That the following be provided to and approved by staff prior to installation/commencement of work:
 - a. Additional details regarding which foundation openings are to be enclosed and how;
3. That the entire body of the house be painted a single color.

The motion was seconded by Ms. David; passed 4/0.

Committee members voting: Alphin, Caliendo, David, Shackleton.

Certificate expiration date: 9/3/14.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

017-14-CA 513 S PERSON STREET
Applicant: BEGINNING & BEYOND CHILD DEVELOPMENT CENTER INC.
Received: 2/12/2014 Meeting Date(s):
Submission date + 90 days: 5/13/2014 1) 3/3/2014 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: PRINCE HALL HISTORIC DISTRICT
Zoning: DOD, RB
Nature of Project: Master landscape plan for playground
Conflict of Interest: None noted.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

| <u>Sections</u> | <u>Topic</u> | <u>Description of Work</u> |
|-----------------|----------------------------------|--------------------------------------|
| 2.3 | Site Features and Plantings | Master landscape plan for playground |
| 2.4 | Fences and Walls | |
| 2.6 | Garages and Accessory Structures | |

STAFF COMMENTS

Based on the information contained in the application:

- A. The proposed master landscape plan for playground is not incongruous in concept according to *Guidelines* 2.3.6, 2.3.7, 2.3.9, 2.3.10, 2.4.8, 2.4.10, 2.6.6, 2.6.7, and the following findings:
 - 1* According to the application the existing playground utilizes 509 S Person Street and the western part of 513 S Person Street and is behind an existing tall vinyl privacy fence.
 - 2* No current photos were included with the application nor does the proposed playground plan identify all of the existing features.
 - 3* The City of Raleigh iMaps 2013 aerial photo indicates the following existing site items: a gazebo and built up planting beds, a swingset, a slide, a shed, a hardscape path with "tunnel," a dedicated sand play area, and 2 or 3 trees.
 - 4* The proposed plan appears to add the following site items: additional built-up planting beds, a terraced garden area; planting of 4 fruit trees, a herb garden area, a new play house, new internal fencing, blueberry bushes, 11 new trees, many news shrubs and low plantings, new arbors, additional paths of varying materials to connect existing hardscaped surfaces, a basketball area, compost enclosure and small storage area, a dedicated earth play area, 2 or 3 new decks, a water pump feature, and dry creek bed.
 - 5* It is unclear whether the infant deck is currently existing.

- 6* Details and materials for new built features were not included in the application.
- 7* Existing trees are proposed to be retained; species of new trees were not included in the application.
- 8* All existing and new playground features are behind a tall vinyl fence.
- 9* The material of the new fence is not included.
- 10* The plan calls out a grassy hill, it is unclear if this exists, or if grading is proposed to create a hill.

Staff recommends that the committee approve the application, with the following conditions:

1. That additional information for the tree species and paths be provided to and approved by staff prior to installation.
2. That new fencing not be vinyl.
3. That Minor Work applications be submitted for any new built structures such as the decks, fence, storage units, compost, and arbors.

PUBLIC TESTIMONY

Support:

Reagan Weaver [affirmed], attorney representing Beginning & Beyond, was present to speak in support of the application. He stated that the plan was prepared by the College of Design at NCSU as part of an obesity prevention project. The owners are quite proud to be adding to the facility.

There was no one else present to speak in favor of or in opposition to the application.

Ms. David asked if grading was going to be necessary. Mr. Weaver said that there was a fairly short hill going up to the fence. Mr. Shackleton asked if there were grading, would that affect any trees. Tanis Tully [affirmed] said no.

At Mr. Shackleton's suggestion Ms. Caliendo moved that the public testimony portion of the hearing be closed. Ms. David seconded; motion carried 4/0.

Committee Discussion

There was no discussion following the public hearing.

Findings of Fact and Conclusions of Law

Following discussion on an initial motion made by Mr. Alphin and seconded by Ms. David, Mr. Alphin made an amended motion that based upon the facts presented in the application and the public hearing, the committee finds staff comment A. (inclusive of facts 1-10) to be acceptable as findings of fact, with the following additional fact 11 as stated below:

- A. The proposed master landscape plan for playground is not incongruous in concept according to *Guidelines* 2.3.6, 2.3.7, 2.3.9, 2.3.10, 2.4.8, 2.4.10, 2.6.6, 2.6.7, and the following findings:
 - 1* According to the application the existing playground utilizes 509 S Person Street and the western part of 513 S Person Street and is behind an existing tall vinyl privacy fence.
 - 2* No current photos were included with the application nor does the proposed playground plan identify all of the existing features.
 - 3* The City of Raleigh iMaps 2013 aerial photo indicates the following existing site items: a gazebo and built up planting beds, a swingset, a slide, a shed, a hardscape path with "tunnel," a dedicated sand play area, and 2 or 3 trees.
 - 4* The proposed plan appears to add the following site items: additional built-up planting beds, a terraced garden area; planting of 4 fruit trees, a herb garden area, a new play house, new internal fencing, blueberry bushes, 11 new trees, many news shrubs and low plantings, new arbors, additional paths of varying materials to connect existing hardscaped surfaces, a basketball area, compost enclosure and small storage area, a dedicated earth play area, 2 or 3 new decks, a water pump feature, and dry creek bed.
 - 5* It is unclear whether the infant deck is currently existing.
 - 6* Details and materials for new built features were not included in the application.
 - 7* Existing trees are proposed to be retained; species of new trees were not included in the application.
 - 8* All existing and new playground features are behind a tall vinyl fence.
 - 9* The material of the new fence is not included.
 - 10* The plan calls out a grassy hill, it is unclear if this exists, or if grading is proposed to create a hill.
 - 11* There is a short hill going up to fence.

Ms. David agreed to the changes. The amended motion passed 4/0.

Decision on the Application

Following discussion on an initial motion made by Mr. Alphin and seconded by Ms. David, Mr. Alphin made an amended motion that the application be approved, with the following conditions:

- 1. That additional information for the tree species and paths be provided to and approved by staff prior to installation.

2. That new fencing not be vinyl.
3. That Minor Work applications be submitted for any new built structures such as the decks, fence, storage units, compost, low walls, and arbors.
4. That any proposed grading be provided to and approved by staff prior to commencement.

Ms. David agreed to the changes. The amended motion passed 4/0.

Committee members voting: Alphin, Caliendo, David, Shackleton.

Certificate expiration date: 9/3/14.

OTHER BUSINESS

1. Design Guidelines Update
2. Committee Discussion
 - a. Application Completeness
 - b. Meeting Post-Mortem

ADJOURNMENT

The meeting was adjourned at 6:08 p.m.

Scott Shackleton, Chair
Certificate of Appropriateness Committee,
Raleigh Historic Development Commission

Minutes Submitted by:
Tania Tully, Preservation Planner