RALEIGH HISTORIC DEVELOPMENT COMMISSION
CERTIFICATE OF APPROPRIATENESS COMMITTEE
Minutes of the Meeting
October 6, 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: Elizabeth Caliendo, Sarah David (arrived 5:11), Miranda Downer, Laurie Jackson, Scott Shackleton
Staff Present: Tania Tully, Vivian Ekstrom

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. Tania Tully, Notary Public, administered the affirmation.

Visitor's/Applicant's Name and Address	Affirmed
Peter Rees, 604 Oakwood Avenue 27601	Yes
Vicki Rees, 604 Oakwood Avenue 27601	Yes
Eric Goldberg, 306 N Bloodworth Street 27601	Yes
Chris & Amy Newton, 304 Polk Street 27604	Yes
Bret Page, 218 Pace Street 27604	Yes
Dan Becker, 1807 Wills Avenue 27608	No
Imogen Hoyle, 404 Oakwood Avenue 27601	Yes
Lloyd Miller, 404 Oakwood Avenue 27601	Yes
Ashley Morris, 306 Pell Street 27604	Yes
Betsy Haywood, 127 E Edenton Street 27601	Yes
Rodney Axtman, 7104 Tyndall Court 27615	Yes
Bill Brideson, 612 N Blount Street 27604	Yes
Sara Huddleston 630 N Blount Street 27604	Yes
Byrne Huddleston 630 N Blount Street 27604	Yes
Corey Mason, 163 Oak Chase Lane	Yes
Brandon Baxley, 1211 Wake Forest Road 27604	Yes
Jimmy Thiem, 634 N Blount Street 27604	Yes
Thomas Daly, 712 Dorothea Drive	Yes
Lourdes Urena, 712 Dorothea Drive	Yes
Mary Lovedale, 314 Polk Street 27604	No
Sarah Rex, 210 Pace Street 27604	Yes
Mary Page, 218 Pace Street 27604	Yes

Ann Forsthofel, 313 Polk Street 27604	Yes
Ted Rex, 210 Pace Street 27604	No

REVIEW OF SUMMARY PROCEEDINGS/APPROVAL OF AGENDA

Staff stated that case 139-14-CA needed to be pulled from the Summary Proceeding portion of the agenda. Ms. Caliendo moved to approve the agenda as amended. Ms. Downer seconded the motion; passed 4/0.

SUMMARY PROCEEDINGS

There were no objections to the approval of the Summary Proceedings without a public hearing. The committee reviewed and approved the following cases 140-14-CA, 144-14-CA, 145-14-CA for which the Summary Proceedings are made part of these minutes.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – SUMMARY PROCEEDING

140-14-CA 1807 WILLS AVENUE
Applicant: DAN BECKER
Received: 9/16/2014 Meeting Date(s):
Submission date + 90 days: 12/15/2014 1) 10/6/2014 2) 3)

INTRODUCTION TO THE APPLICATION

Historic Landmark: E.L. AND RUTH FOGLEMAN HOUSE
Zoning: NCOD, R-10
Nature of Project: Remove crape myrtle tree; alter 6' tall rear fence
Amendments: The applicant provided a proposed replacement tree species and location which is attached to these comments.
Conflict of Interest: None noted.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
2.3	Site Features and Plantings	Remove crape myrtle tree
2.4	Fences and Walls	alter 6' tall rear fence

STAFF COMMENTS

Based on the information contained in the amended application:

A. Removal of crape myrtle tree; alteration of 6' tall rear fence is not incongruous according to *Guidelines* 2.3.1, 2.3.3, 2.3.5, 2.4.4, 2.4.5 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* The crape myrtle proposed for removal is a 6 stem tree totaling 36.5" d.b.h. and was planted by the applicant in c. 1995. It is located near the front right corner of the house and is causing issues with the gutter system which is accelerating the deterioration of the historic fabric on the house.

2* Designated in 1995 the house is significant for its architecture and association with the mail order catalog phenomenon.

3* An evergreen tree, Foster's Holly #2, is proposed to be planted in the rear yard. The amended application includes the location of the tree.

4* The fence proposed for alteration was constructed by the applicant in 2001 in accordance to an approved COA. The fence is deteriorating.
5* The application proposes to replace the internal vertical boards with traditional woven wire and additional horizontal structural members. An elevation drawing is provided in the application.

Staff recommends that the committee approve the amended application, waiving the 365 day demolition delay for removal of the tree.

Decision on the Application

There were no objections to approval without a public hearing.

Ms. Caliendo moved to approve the amended application, adopting the staff comments as the written record of the summary proceeding on 140-14-CA. Ms. Downer seconded the motion; passed 4/0.

Committee members voting: Caliendo, Downer, Jackson, Shackleton.

Certificate expiration date: 4/6/15.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – SUMMARY PROCEEDING

144-14-CA 217 E SOUTH STREET
Applicant: RODNEY AXTMAN FOR TELEGRAPH ROAD PROPERTIES
Received: 9/17/2014 Meeting Date(s):
Submission date + 90 days: 12/16/2014 1) 10/6/2014 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: PRINCE HALL HISTORIC DISTRICT
Zoning: DOD, RB
Nature of Project: Remove chain link fence; construct new 6' tall wood privacy fence; install concrete driveway
Conflict of Interest: Ms. Jackson works for the architectural firm that prepared some of the drawings, did not receive the staff comments for review, and did not vote on the application.
Staff Notes:

- Excerpt from the *Design Guidelines for Raleigh Historic Districts*: "Not all residential sites included driveways in Raleigh's early neighborhoods, and often single-lane driveways were shared in the more densely built neighborhoods such as Oakwood. Driveways usually led directly to the back yard, sometimes to a carriage house or a garage…Typically, driveways were made of gravel or compacted soil. Often a grass median separated two gravel or aggregate textured concrete runners. Occasionally, more decorative brick or stone pavers were used."

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
2.3	Site Features and Plantings	Remove chain link fence; construct new 6' tall wood privacy fence; install concrete driveway
2.4	Fences and Walls	Remove chain link fence; construct new 6' tall wood privacy fence
2.5	Walkways, Driveways, and Offstreet Parking	Install concrete driveway

STAFF COMMENTS

Based on the information contained in the application:

A. Removal of chain link fence; construction of new 6' tall wood privacy fence is not incongruous in concept according to *Guidelines* 2.3.7, 2.4.8, 2.4.10, and the following findings:

1* There are trees at the northwest corner on the adjacent property that may be impacted by removal and installation of fencing. No information regarding the protection of roots was included in the application.
2* Chain link fences are prohibited items.
3* The new fence is proposed along the rear and rear side property lines; this is a traditional location for fences.
4* The fence is a 6′ tall wood privacy fence with dog-eared pickets. Detailed drawings and specifications were included in the application.
5* The application does not indicate that the fence will be installed using neighbor friendly design with the structural members facing the interior of the yard.

B. Installation of a driveway is not incongruous in concept according to *Guidelines* 2.5.1, 2.5.5, however the installation of a solid concrete driveway is incongruos in accordance with *Guidelines* 2.5.5 and the following findings:
1* There are no trees that may be impacted by construction of the driveway.
2* A short concrete walkway is proposed to extend to the porch of the new addition.
3* The driveway will use an existing curb cut and apron. It is proposed to extend from the curb cut along the side of the historic house and match the width of the existing driveway apron.
4* The driveway area is currently grass with compacted earth in the location of driving strips.
5* Solid concrete driveways do not contribute to the character of the residential form portions of the Prince Hall Historic District. In residential character districts, driveways were traditionally gravel or aggregate textured concrete runners separated by grass medians.
6* The application includes examples of solid concrete driveways in the historic district. All of the examples were constructed prior to designation of the district without benefit of a COA.
7* There are a similar number of remaining driveways with traditional materials and configurations in the district including at 307, 309, 311, and 318 E Cabarrus Street.
8* In Oakwood, the commission has approved the use of concrete driving strips with gravel or pavers separating the runners.

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

1. That the installation of the fence be neighbor friendly design with the structural members facing the interior of the yard.
2. That any new post holes near trees be dug manually to as to avoid damage to roots and that any roots needing to be cut be done so cleanly with proper tools such as loppers.
3. That the surface of any new concrete have a water-washed finish.
4. That the driveway not be solid concrete with the new design to be provided to and approved by staff prior to issuance of the blue placard.

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 144-14-CA. Ms. Downer seconded the motion; passed 3/0. Ms. Jackson abstained.

Committee members voting: Caliendo, Downer, Shackleton.

Certificate expiration date: 4/6/15.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – SUMMARY PROCEEDING

145-14-CA 322 E DAVIE STREET
Applicant: RODNEY AXTMAN FOR TELEGRAPH ROAD PROPERTIES
Received: 9/17/2014 Meeting Date(s):
Submission date + 90 days: 12/16/2014 1) 10/6/2014 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: PRINCE HALL HISTORIC DISTRICT
Zoning: DOD, RB
Nature of Project: Construct new 6' tall wood privacy fence; change previously approved driveway; remove tree.
Conflict of Interest: Ms. Jackson works for the architectural firm that prepared some of the drawings, did not receive the staff comments for review, and did not vote on the application.
Staff Notes:

- Excerpt from the *Design Guidelines for Raleigh Historic Districts*: "Not all residential sites included driveways in Raleigh's early neighborhoods, and often single-lane driveways were shared in the more densely built neighborhoods such as Oakwood. Driveways usually led directly to the back yard, sometimes to a carriage house or a garage…Typically, driveways were made of gravel or compacted soil. Often a grass median separated two gravel or aggregate textured concrete runners. Occasionally, more decorative brick or stone pavers were used."
- Installation of the fence is partially complete. After-the-fact applications are reviewed as though the work has not begun.
- The file for COA 063-14-CA is available for review.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
2.3	Site Features and Plantings	Construct new 6' tall wood privacy fence; change previously approved driveway; remove tree
2.4	Fences and Walls	Construct new 6' tall wood privacy fence
2.5	Walkways, Driveways, and Offstreet Parking	Change previously approved driveway

STAFF COMMENTS

Based on the information contained in the application:

A. Construction of new 6' tall wood privacy fence; removal of tree is not incongruous in concept according to *Guidelines* 2.3.5, 2.4.8, 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* The tree proposed for removal is a pine tree with little canopy located 7 feet from the rear of the house with branches touching the roof. There is concern regarding the safety of the tree. An arborists report was not included in the application.
2* An Oak tree is proposed to be planted in the southeast corner of the rear yard; exact species and location were not included in the application.
3* The new fence is proposed along the rear and rear side property lines in a traditional location for fences.
4* The fence is a 6' tall wood privacy fence with dog-eared pickets. Detailed drawings and specifications were included in the application.
5* The application does not indicate that the fence will be installed using neighbor friendly design with the structural members facing the interior of the yard.

B. Changing the size of the parking area at the top of the previosuly approved shared drivway is not incongruous according to *Guidelines* 2.5.5, 2.5.6; however, changing the previously approved driveway to solid concrete is incongruous according to *Guidelines* 2.5.5, and the following findings:

1* A new shared concrete runner driveway with parking area was approved with COA 063-14-CA. The curb cut and driveway apron were also conditionally approved with the same COA.
2* Solid concrete driveways do not contribute to the character of the residential form portions of the Prince Hall Historic District. In residential character districts, driveways were traditionally gravel or aggregate textured concrete runners separated by grass medians
3* The application includes examples of solid concrete driveways in the historic district. All of the examples were constructed prior to designation of the district without benefit of a COA.
4* There are a similar number of remaining driveways with traditional materials and configurations in the district including at 307, 309, 311, and 318 E Cabarrus Street.
5* In Oakwood, the commission has approved the use of concrete driving strips with gravel or pavers separating the runners.

Staff recommends that the committee approve the application waiving the 365-day demolition delay for the removal of the tree, with the following conditions:

1. That the installation of the fence be neighbor friendly design with the structural members facing the interior of the yard.
2. That the surface of any new concrete have a water-washed finish.

3. That the driveway not be solid concrete with the new design to be provided to and approved by staff prior to issuance of the blue placard.
4. That conditions of approval for COA 063-14-CA are still in place and need to be met prior to issuance of the blue placard.
5. That the exact species and location of the replacement tree be provided to and approved by staff prior to installation.

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 145-14-CA. Ms. Downer seconded the motion; passed 3/0. Ms. Jackson abstained.

Committee members voting: Caliendo, Downer, Shackleton.

Certificate expiration date: 4/6/15.

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: 139-14-CA, 042-14-CA, 122-14-CA, 141-14-CA, 142-14-CA, 143-14-CA, and 146-14-CA.

Case 130-14-CA was not heard.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

139-14-CA 404 OAKWOOD AVENUE
Applicant: IMOGEN HOYLE
Received: 9/10/2014 Meeting Date(s):
Submission date + 90 days: 12/9/2014 1) 10/6/2014 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: R-10
Nature of Project: Remove overgrown shrubbery; remove wire mesh fence; construct new 3-1/2' tall fence; construct 6' tall fence
Amendments: The applicant provided additional photographs and clarification on the location of the proposed fence which are attached to these comments.
Conflict of Interest: None noted.
Staff Notes:

- How a property is used is outside of the jurisdiction of the commission.
- Ownership is civil matter also outside of the jurisdiction of the commission.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
2.3	Site Features and Plantings	Remove overgrown shrubbery
2.4	Fences and Walls	Remove wire mesh fence; construct new 3-1/2' tall fence; construct 6' tall fence

STAFF COMMENTS

Based on the information contained in the amended application:

A. Removal of overgrown shrubbery; removal of wire mesh fence; construction of new 3-1/2' tall fence; construction of 6' tall fence is not incongruous according to *Guidelines* 2.4.7, 2.4.8, 2.4.11 and the following findings:

1* The property is a corner lot. The rear yard of 404 Oakwood Avenue is adjacent to the side yard of 306 N Bloodworth Street.

2* New fences are proposed to be wood picket of two different designs and heights. Photographs of similar designs at specific addresses in Oakwood are included in the application. Wood picket fences and rear yard wood privacy fences are commonly found throughout Oakwood.

3* The new and replacement fencing is proposed along the property lines at the front, side and rear yards and will have three gates. This is a traditional location for new fences and

associated gates. Gates will be of the same design as the sections of adjacent fencing and have simple black metal hardware.

4* There are two curb cuts on the Bloodworth Street side of the property. The rear yard fence will be installed at the property line which runs approximately along the visual center of the curb cut. The shrubbery being removed currently sits in the same approximate location.

5* The amended application provides visual representation of the fence location and examples of existing curb cuts that do not lead to driveways and/or have fences in the visual line of the cut.

6* Based on the concrete radius it is staff's judgment that the southern curb cut is not historic.

7* The fences will be installed utilizing the traditional neighbor friendly design with the structural members facing towards the inside of the yard.

8* The application states that no regulated trees need to be removed for the installation of the fence and that posts holes be located and dug so as to avoid damage to large tree roots.

9* In accordance with Guideline 2.4.11 the fence does not exceed 42" in the front or street side yard of the corner lot. The 6' tall portion also does not extend beyond the front wall of the house to the rear of the lot.

Staff recommends that the committee approve the amended application.

PUBLIC TESTIMONY

Support:
Imogen Hoyle [affirmed] and Lloyd Miller [affirmed] were present to speak in support of the application. They had no initial comments or response to staff comments.

Opposition:
Eric Goldberg [affirmed], owner of 306 N. Bloodworth Street spoke in opposition to the application and provided written comments to staff for the file. Mr. Goldberg objected to staff comment #4. Distributing a photograph, he noted that the photos provided in the application do not provide a head-on perspective. He asserted that as seen in his photo that fence occupies about 2/3 of driveway cut, not half. That was his exception to staff comments.

Mr. Goldberg offered the following comments:

- He has owned house for 34 years (since 1981).
- The driveway has been used by residents of his house without comment by previous owners of 404 Oakwood.
- The hedge was planted in the early to mid-20th century before he bought property; presumably to provide screening.
- The hedge is on the neighbor's property, but he has hired people to cut and maintain.
- There are many shared driveways in Oakwood.
- The shrub helps designate the shared use of the driveway.
- The proposed fence would render the curb cut to the street unusable.
- The proposed fence is not congruous to the character of the neighborhood.

- He has been advised that he may have an actually easement right to using the driveway.
- There are practical and aesthetic issues. The fence will look odd.
- The fence should be located on the 404 Oakwood side of the curb cut.

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

Ms. Hoyle responded with the following comments:

- She has spoken to her realtor and insurance company and believes that the survey done recently shows that the proposed fence would not be extending over the property line.
- As seen in the amended application there are cases in Oakwood where curb cuts are no longer used – resurfacing, changes in land use around them etc.
- One example is at 620 N. East Street where there is a fence across the majority of a curb cut.
- Oakwood Commons is another example. It has a fence halfway across a cut curb.
- The fence plans submitted go by the code provided
- It is a non-historic curb – poured concrete.
- The proposal does not restrict the adjacent owner's access to the house.

Mr. Shackleton clarified that the committee will only looking at the proposal with regards to the guidelines and cannot consider property line issues. The location and access issues are for the neighbors to work out.

Tania Tully said that she agrees with Mr. Goldberg's correction to Fact #4. The fence will be 2/3 of the way across, not at the visual center.

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

Committee Discussion

The following points were made in discussion [speaker indicated in brackets]:
I agree that we are only supposed to look at the guidelines and not the property line issues.
There is no evidence to suggest it is a shared driveway. [Caliendo]
I don't see anything incongruous. [Shackleton]

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, 5-9) to be acceptable as findings of fact, with the modifications as listed below:

A. Removal of overgrown shrubbery; removal of wire mesh fence; construction of new 3-1/2' tall fence; construction of 6' tall fence is not incongruous according to *Guidelines* 2.4.7, 2.4.8, 2.4.11 and the following findings:

1* The property is a corner lot. The rear yard of 404 Oakwood Avenue is adjacent to the side yard of 306 N Bloodworth Street.

2* New fences are proposed to be wood picket of two different designs and heights. Photographs of similar designs at specific addresses in Oakwood are included in the application. Wood picket fences and rear yard wood privacy fences are commonly found throughout Oakwood.

3* The new and replacement fencing is proposed along the property lines at the front, side and rear yards and will have three gates. This is a traditional location for new fences and associated gates. Gates will be of the same design as the sections of adjacent fencing and have simple black metal hardware.

4* There are two curb cuts on the Bloodworth Street side of the property. The rear yard fence will be installed at the property line which runs approximately 2/3 of the way across the curb cut. The shrubbery being removed currently sits in the same approximate location.

5* The amended application provides visual representation of the fence location and examples of existing curb cuts that do not lead to driveways and/or have fences in the visual line of the cut.

6* Based on the concrete radius it is staff's judgment that the southern curb cut is not historic.

7* The fences will be installed utilizing the traditional neighbor friendly design with the structural members facing towards the inside of the yard.

8* The application states that no regulated trees need to be removed for the installation of the fence and that posts holes be located and dug so as to avoid damage to large tree roots.

9* In accordance with Guideline 2.4.11 the fence does not exceed 42" in the front or street side yard of the corner lot. The 6' tall portion also does not extend beyond the front wall of the house to the rear of the lot.

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

<u>Decision on the Application</u>

Ms. Caliendo made a motion that the application be approved as amended.

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

<u>Committee members voting</u>: Caliendo, Downer, Jackson, Shackleton.

<u>Certificate expiration date</u>: 4/6/15.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

042-14-CA 604 OAKWOOD AVENUE
Applicant: VICKI & PETER REES
Received: 4/9/2014 Meeting Date(s):
Submission date + 90 days: 7/8/2014 1) 5/5/2014 2) 7/7/2014 3) 10/6/2014

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: R-10
Nature of Project: Master landscape plan: relocate retaining wall; install new fence; alter existing driveway; replace front concrete walk ~~with flagstone~~, and more.
Amendments: Amended application includes the following changes from the initial proposed landscaping work: front walk is proposed to remain concrete, replace missing section of front retaining wall; rear yard patio.
Conflict of Interest: None noted.
Staff Notes: A rear addition and other work on the house was approved in May 2014; the landscape portion of the application was deferred requesting additional information.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
2.1	Public Rights-of-Way and Alleys	Plant tree
2.3	Site Features and Plantings	Master landscape plan; alter grade to address drainage issues; install rear yard patio
2.4	Fences and Walls	Relocate wall; construct front yard fence; construct new low walls
2.5	Walkways, Driveways, and Offstreet Parking	alter existing driveway

STAFF COMMENTS

Based on the information contained in the amended application:

A. Implementation of master landscape plan including relocation of retaining wall; installation of new fence; alteration of existing driveway; construction of new low walls is not incongruous in concept according to *Guidelines* 2.1.5, 2.3.4, 2.3.11, 2.4.8, 2.4.11, 2.5.3; however the location and material of the paver walkway is incongruous according to *Guidelines* 2.5.5; and the material of the front portion of the driveway **may be** incongruous according to *Guidelines* 2.5.5 and the following findings:

1* A crape myrtle tree is proposed in the right-of-way; crape myrtle trees are common in the historic district. The plantings proposed are typical of the district.
2* The replacement concrete walk will match the finish of the existing concrete walks.
3* A boxwood hedge is proposed to be planted behind the front yard fence; it says it will be 5′ tall. The shrubs should be kept at 42″ to be in keeping with Guideline 2.4.11.
4* A concrete paver patio with stone steps is proposed in the rear yard; it is proposed to be flanked with low dry stacked stone walls. Rear yard patios are a common feature in the district. Details and specifications were not included.
5* The west side yard is proposed to be regraded to slope water away from the house and the adjacent house; a rock covered French drain is proposed. There is an adjacent Pecan tree that is not addressed for projection.
6* A 4′ wide concrete paver walkway is proposed to run along the west side of the front yard adjacent an existing low wall; there is an existing concrete segment in the yard where the walk is proposed. It is atypical to have a substantial secondary walkway. Concrete pavers have not been approved for front walkways in the historic district.
7* The retaining wall beside the driveway is proposed to be moved 2 feet to the west. This places the wall in line with the top step just to the left of the front porch posts.
8* A bronze aluminum fence is proposed for the front yard; the height ranges from 30″ to 42″ to accommodate the slope of the yard along Oakwood Avenue. On the west side of the yard, the fence will abut an existing 38″ tall wood picket fence at 602 Oakwood Avenue.
9* The fence will not extend to the porch but stop at the existing stone wall.
10* Detailed drawings of the fence design were provided in the amended application along with photographic examples. Simple metal fences are seen in the historic district, but are typically black.
11* The current driveway is dirt and gravel; the portion towards the rear of the lot is proposed to be replaced with traditional concrete driving strips. The portion closest to the street is proposed to be replaced with a slightly larger area paved with permeable concrete pavers.
12* Concrete pavers have not been approved for driveways. The proposed pavers are of traditional brick shape and dimension and a red-black blend color. Samples were not included in the application.
13* The spaces between the bricks in driveways are typically filled with sand; the pavers will have open gaps.
14* The yard slopes steeply from the front wall of the house towards the rear yard; elevation drawings are provided

Pending the committee's determination regarding the concrete driveway pavers, staff recommends that the committee approve the amended application, with the following conditions:

1. That there not be a secondary walkway on the west side of the front yard.
2. That the front yard hedges be kept at a maximum height of 42 inches.
3. That the fence be black.
4. That the front portion of the driveway be brick or concrete runners.

5. That the excavation for installation of the French drain be done manually within the critical root zone of the Pecan tree so as to avoid damage to roots and that any roots needing to be cut be done so with proper tools such as loppers.
6. That the following be provided to and approved by staff prior to installation:
   a. Brick samples;
   b. Driveway brick pattern;
   c. Stone steps;
   d. New stone walls

PUBLIC TESTIMONY

Support:
Vicki and Peter Rees [affirmed] were present to speak in support of the application.

Ms. Rees produced a sample of the proposed concrete paver – a Holland stone 4x8 paver. She said that way it was explained to them is that it would be installed like it feeds into a French drain. There will be a stone layer and then the pavers; the water goes down in between to be drained away.

Mr. Rees noted that the pavers have nubs so that they cannot be packed tightly together. Mr. Rees took the paver up to the committee. Mr. Shackleton asked if the pavers were to be used on the French drain. Ms. Rees said, not, on the driveway and for the path used for garbage carts. Tania Tully added that it is also proposed for the rear patio. Ms. Rees concurred, and said that they are more concerned about the front.

Mr. Rees testified that the French drain on the west side was put in by the neighbors in their yard 6 or 7 years ago. The drain runs to just past the back of their house. There is a 4 inch drain at the back. The French drain is already there and they not looking to do anything except make sure the water runs centrally between the houses instead of running into their foundation as it currently does. The proposed walkway is so that they can move trash and recyclables without mud issues. They need a hard surface for this.

Ms. Rees said they have no problem with keeping the hedges at 42 inches.

Mr. Shackleton asked about the fence color. Ms. Rees said that they are proposing a dark brown and that there are examples in Oakwood. Ms. Tully said that the committee could have them bring more information later to staff that would show brown to be not incongruous. Low fences are typically staff level approvals.

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

Ms. Caliendo asked for clarification on what is shown on either side of the walkway. Noting the site plan – west side yard detail she said it looks like the pavers are set into another material.

Ms. Rees said no, just grass. They just need walkway long enough to go down to where trash cans are to be placed at the existing concrete pad by the street.

Ms. Tully commented that if the proposed walkway was to be narrower and out of a traditional material it would be not incongruous. Stepping stones or something narrower may be more acceptable. Mr. Rees noted that there is a concrete pad there now.

Ms. Caliendo asked if concrete pavers had been approved before. Ms. Tully said no, but looking at the color and sized, these do look like bricks.

Ms. Rees passed out photos of a historic home in NJ where the pavers have been used. Mr. Shackleton said that these do look like bricks.

Ms. Tully noted that approval on this application doesn't mean they have to approve concrete pavers every time after this.

Mr. Shackleton said that the west side secondary walkway width is 4' as proposed. He asked the applicants if it needed to be that wide. Ms. Rees said no. It just has to be wide enough for the garbage/recycling carts roughly – 30 inches.

Ms. Tully asked for clarification on the French drain. She said her understating is that the pipe is already there and they are just doing regrading, not digging around the roots of the tree. Ms. Rees said yes, the majority of the digging will be up by the front of the house. Mr. Shackleton noted that there are no large trees at the front. Ms. Tully added that she recommends that they leave the condition; that she just wanted to clarify.

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

<u>Committee Discussion</u>

The following points were made in discussion [speaker indicated in brackets]:
Any thoughts on the secondary walkway? Should we specify a width? 32" or whatever the width of a Raleigh trash can is? Are there any problems with allowing a secondary walkway? [Shackleton]
If it was 30" or less I would be okay with that. [Caliendo]
I think the location of the proposed walkway does retain the topography of the site and significant site features. It does not disturb that. [Jackson]
The next issue is the material itself for walkway and top part of driveway near the house. They are using the concrete paver that looks like a brick rather than actual brick. [Shackleton]
It definitely looks like a brick to me. The color and texture are close. The spacing is important, but is really similar. [Caliendo]

In the staff comments it notes that with brick there is use of sand and space for water to go through. The testimony provided confirms that installation would be similar in appearance because the edges are close together. [Shackleton]
Looking at the NJ pictures it looks like for the pavers the edges are pretty small and fairly close together. [Shackleton]

(The applicant put pavers together for the committee to see and staff took a photo for the file.)

I can see that when they are put together that it's quite a small gap. The paver is so close in appearance to a brick and the gap between is so small. To me, the way you make bricks is pretty similar to the way you make concrete… [Shackleton]
The material does seem to be compatible with the guidelines and brick in terms of dimensions, color, spacing, texture… [Jackson]
For the fence color are we okay with staff approving brown if examples from Oakwood are offered. [Shackleton]
Yes, but we need to have several examples, not just one and the example needs to be a metal fence, not wood. There are a wide range of metal fences in Oakwood. [Caliendo]
I have a correction to Fact 5 – tree protection not projection. [Shackleton]

<u>Findings of Fact and Conclusions of Law</u>

Ms. Downer moved that based upon the facts presented in the application and the public hearing, the committee finds staff comment A. (inclusive of facts 1-4, 6-14) to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Implementation of master landscape plan including relocation of retaining wall; installation of new fence; alteration of existing driveway; construction of new low walls; installation of front yard walkway, use of concrete pavers is not incongruous in concept according to *Guidelines* 2.1.5, 2.3.4, 2.3.11, 2.4.8, 2.4.11, 2.5.3, 2.5.5 and the following findings:

1* A crape myrtle tree is proposed in the right-of-way; crape myrtle trees are common in the historic district. The plantings proposed are typical of the district.

2* The replacement concrete walk will match the finish of the existing concrete walks.

3* A boxwood hedge is proposed to be planted behind the front yard fence; it says it will be 5' tall. The shrubs should be kept at 42" to be in keeping with Guideline 2.4.11.

4* A concrete paver patio with stone steps is proposed in the rear yard; it is proposed to be flanked with low dry stacked stone walls. Rear yard patios are a common feature in the district. Details and specifications were not included.

5* The west side yard is proposed to be regraded to slope water away from the house and the adjacent house; a rock covered French drain exists and is proposed to be regraded. There is an adjacent Pecan tree that is not addressed for protection.

6* A 4' wide concrete paver walkway is proposed to run along the west side of the front yard adjacent an existing low wall; there is an existing concrete segment in the yard where the

walk is proposed. It is atypical to have a substantial secondary walkway. Concrete pavers have not been approved for front walkways in the historic district.

7* The retaining wall beside the driveway is proposed to be moved 2 feet to the west. This places the wall in line with the top step just to the left of the front porch posts.

8* A bronze aluminum fence is proposed for the front yard; the height ranges from 30″ to 42″ to accommodate the slope of the yard along Oakwood Avenue. On the west side of the yard, the fence will abut an existing 38″ tall wood picket fence at 602 Oakwood Avenue.

9* The fence will not extend to the porch but stop at the existing stone wall.

10* Detailed drawings of the fence design were provided in the amended application along with photographic examples. Simple metal fences are seen in the historic district, but are typically black.

11* The current driveway is dirt and gravel; the portion towards the rear of the lot is proposed to be replaced with traditional concrete driving strips. The portion closest to the street is proposed to be replaced with a slightly larger area paved with permeable concrete pavers.

12* Concrete pavers have not been approved for driveways. The proposed pavers are of traditional brick shape and dimension and a red-black blend color. Samples were not included in the application.

13* The spaces between the bricks in driveways are typically filled with sand; the pavers will have open gaps.

14* The yard slopes steeply from the front wall of the house towards the rear yard; elevation drawings are provided.

15* The applicant provided a sample of the concrete pavers at the meeting. The pavers appear close-up to be similar to brick in material, dimension, and color. They will be installed very close together and will have no noticeable difference from brick.

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

<u>Decision on the Application</u>

Following discussion on an initial motion made by Ms. Downer and seconded by Ms. Caliendo, Ms. Downer made an amended motion that the application be approved as amended, with the following conditions:

1. That the secondary walkway on the west side of the front yard be narrowed to about 30″ or the width of the base of the garbage can, whichever is smaller.
2. That the front yard hedges be kept at a maximum height of 42 inches.
3. That the fence be black unless several examples of dark brown metal fences are provided to and approved by staff.
4. That the excavation for installation of the French drain be done manually within the critical root zone of the Pecan tree so as to avoid damage to roots and that any roots needing to be cut be done so with proper tools such as loppers.
5. That the following be provided to and approved by staff prior to installation:
   a. Driveway and walkway paver patterns;

b. Stone steps;
c. New stone walls.

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

Committee members voting: Caliendo, Downer, Jackson, Shackleton.

Certificate expiration date: 4/6/15.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

122-14-CA 630 N BLOUNT STREET
Applicant: THOMAS BYRNE HUDDLESTON
Received: 8/11/2014 Meeting Date(s):
Submission date + 90 days: 11/9/2014 1) 9/2/2014 2) 10/6/2014 3)

INTRODUCTION TO THE APPLICATION

Historic District: BLOUNT STREET HISTORIC DISTRICT
Zoning: O&I-1
Nature of Project: Remove 5 trees in rear yard [after-the-fact]; plant 36 new trees
Amendments: Amendments to the application were provided in the commissioner packets.
Conflict of Interest: None noted.
Staff Notes:

- It is the practice of the commission to treat After-the-Fact applications as though the work has not yet been completed.
- COA files and staff photos are available for review.
- Documents presented at the September hearing are available for review.
- The amended application includes copies of approval documents that clarify what was approved by staff relative to the previously approved COA 061-14-CA. Information in the amended application regarding the protection of trees for the construction of the house is unrelated to this this application.
- The 36 new trees were approved by staff as a condition of approval. The question at hand is whether they constitute sufficient replacement for the trees proposed for removal in this application.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
2.3	Site Features and Plantings	Remove 5 trees in rear yard [after-the-fact]; plant 36 new trees

STAFF COMMENTS

Based on the information contained in the amended application:

A. Removal of 5 trees in rear yard; planting of new trees is not incongruous in concept according to *Guidelines* 2.3.5; however removal of healthy trees is incongruous according to *Guidelines* 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* The trees proposed for removal in the application are two 18" trees of unstated species; one 15" maple; and a multi-stemmed mulberry of unknown diameter. The amended application confirms that the trees proposed for removal are deciduous overstory trees. The amended application includes a pre-construction plan that indicates the trees removed as of September 15, 2014.

2* The trees proposed for removal in the application are located along the perimeter of the property.

3* Staff visited the site on August 4, 2014 and observed the trunks and stumps remaining from removed trees. There appears to be a tree near the bend in the lot line missing from the survey that has been removed. The amended application still does not address this tree.

4* The trees proposed for replanting are 25 Little Gem Magnolias with a mature height of 20 feet, 4 Southern Magnolias with a mature height of 60-80 feet; 5 Cryptomeria with a mature height of 50-80 feet and 2 Gold Rider Cypress with a mature height of 35 feet. Their planting calipers are unknown. The amended application confirms the mature heights and add their heights at installation. The Little Gem Magnolias will be 8 feet; the Southern Magnolias will be 12 feet; the Cryptomeria will be 12 feet and the Gold Rider Cypress will be 10 feet installed.

5* Of the 36 trees, 4 are already counted towards replacement of trees approved with COA 061-14-CA.

6* The trees proposed to be planted are evergreen and of a different character than the trees removed. Guideline 2.3.5 states that replacement trees should be of a similar or identical species.

7* According to the North Carolina Cooperative Extension Service housed at NC State University in the Department of Horticultural Science, Little Gem magnolia trees are evergreen and range from 15 feet to 20 feet in height. It has an upright dense form and a width of 8-10 ft.

8* According to the North Carolina Cooperative Extension Service housed at NC State University in the Department of Horticultural Science, Southern Magnolia trees are evergreen and range from 40 feet to 80 feet in height. It has a dense, conical shape and symmetrical form and a width of 30-40 ft.

9* According to the North Carolina Cooperative Extension Service housed at NC State University in the Department of Horticultural Science, Japanese cryptomeria trees are evergreen and range from 50 feet to 60 feet in height. It has a pyramidal; semiformal form and a width of 25-30 ft. This may not be the exact species proposed.

10* According to the Washington State University Clark County Extension, Gold Rider Leyland Cypress trees are evergreen; over time this tree can grow to a height of 35 feet and a width of 15 feet. After 10 years it may attain a height of 10'. It has a columnar to pyramidal form. This may not be the exact species proposed.

11* The new trees are proposed to be planted along the perimeter of the rear yard adjacent a previously approved privacy fence and will likely have a screening effect.
12* The amended application includes a cross section view of the property from Peace Street looking toward the back of the property after installation of the previously approved tree replacement plan. It also shows a possible light pattern from the Krispy Kreme light fixture to an adjacent property, based on tree heights at installation.
13* At the September public hearing, photographs of the property as viewed from 218 Pace Street property both before and after the tree removal as well as locations of trees were provided by Brett Page.
14* At the September public hearing there was testimony by several adjacent property owners that trees removed along the fence line did not warrant removal and that screening of their properties was negatively affected.
15* At the September public hearing there was testimony that the trees approved for planting by staff will negatively impact the health of trees on the adjacent property to the south.
16* At the September public hearing there was testimony that the size of the replacement trees are too small and do not replace the lost canopy.

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

1. That for every tree removed one deciduous overstory tree be planted on the property during the next tree planting season with the location and species to be provided to and approved by staff prior to planting.

PUBLIC TESTIMONY

Support:
Thomas B. and Sarah Huddleston [affirmed] owners, Corey Mason [affirmed], Landscape Architect with Clyde Oak, and Charlotte Mitchell [affirmed] attorney were present to spkeak in support of the application.

Mr. Huddleston apologized for the removal of the trees before a COA was placard issued. He stated that they had neighborhood meeting a few weeks ago and then hired Corey to put this together.

Mr. Mason walked through a presentation that was duplicative of the amended application. He highlighting some things and noted that the amended application was reorganized to be clearer. He pointed out and made comments as follows:

- The pre-construction plan – what existed prior to approval. Dashed in are the trees that have been removed. The vertical lines are a stand of bamboo, not under RHDC jurisdiction but does provide value as screening from Krispy Kreme.
- The map highlighting staging for construction.

- The tree replacement plan (L-1.3) that shows existing trees remaining as solid lines and dashed lines for the proposed trees.
- They are proposing 25 little gem magnolias, the gold rider and 5 Cryptomeria.
- A cross section (L-1.4) to show the height and screening value of proposed trees.
- Existing construction – winter photos (L-1.5) – illustrating that most of the trees on the site are deciduous and so 5 months of year there is no screening value/canopy for these.
- Tree protection photo shot during the initial site work. (L-1.7)
- Photo of the bamboo stand and a photo showing the Krispy Kreme lights in relation to height of proposed new trees. (L-1.8)

Brandon Baxley [affirmed], 1121 Wake Forest Rd. spoke in support of the application. Mr. Baxley stated that the Huddlestons are his friends and he has seen the process of this project the whole time. The project is wonderful, but seeing what they've been through is upsetting. He stated that they are a great addition to neighborhood and he welcomes them. He stated that he has seen the house and landscape plan, and it is all great. He hopes the committee approves all this, so they can move forward with their "forever home."

Comments:
Mary Page [affirmed], 218 Pace St. made the following statement to the whole process. Ms. Pages said that she believes that they all have a deep and abiding love and care for where they live. She appreciates that the RHDC has policy to protect the Historic District. She believed that they are understaffed and is upset that staff can't enforce activities leaving neighbors to work on enforcement. Ms. Page asserts that requiring neighbors to submit evidence of regulations not being followed does not seem right and fosters unnecessary animosity among neighbors. She needs a solution to this issue – for all neighborhoods, not just here.

Tania Tully thanked her for her comments and explained that enforcement is completely out of Commission's hands. She stated that staff is responsible along with zoning enforcement officials.

Opposition:
Sarah Rex [affirmed], an adjacent neighbor spoke in opposition to the application. Ms. Rex said that she had two follow-ups from the last meeting. She said she very much welcomed the landscape architect and his work. However, she argues that what has been submitted here and what has transpired are different. Ms. Rex provided photographic documentation that the COA application is not accurate. Her photographs were regarding the cutting of trees and is an attempt to document what was cut down and how big. Her evidence suggests that 15 trees between 1-3 foot in diameter were cut. She doesn't know the type. Ms. Rex states that her photos show that what was submitted in the application and what happened are not the same. Citing the guidelines, she asserts that the committee would never have passed removal of those trees before the fact.

Ms. Rex also spoke to the approved fence. She referenced the photo she submitted that show installation of the fence occurred with the right-side facing I to the yard and the backside facing the neighbors. She says she is fine with fixing only the side that is exposed. She states that what was installed is not what was submitted and is not what is standard in Raleigh.

With regard to replacement trees, Ms. Rex suggests requiring large caliper hardwood canopy trees to help restore the canopy. She says she is open to solutions to move forward in positive way – in a way that includes all the facts.

Bill Brideson [affirmed] who lives south of the property spoke in opposition to the application. Mr. Brideson said he was following up on his objection at the September 2 meeting. He notes 4that none of his trees were accounted for in the tree plan and that the Guidelines apply regardless of the property line. The commission needs to consider all trees and critical root zones for tree protection plans. He notes that the tree protection fence runs along the property line. He argues that placement should be discussed publicly. Mr. Brideson commented that there is a tree canopy issue here – he thinks we can all agree that all these trees are at risk. His objection is that tree plan stops at the property line, but shouldn't and therefore tree plan is still not complete.

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

Ms. Mitchell spoke up stating that she was surprised by submittals from the neighbors put before you today. Corey's analysis addressed the request for more information on trees removed and proposed. She said that they had a discussion with neighbors to share information and that only one neighbor (Mr. Brideson) showed up. Ms. Mitchell is concerned and wondered why this information was put out today without first sharing with the Huddlestons, especially since they put forth an effort to contact the neighbors. She stated that she thought only 18" dbh trees were regulated and noted that the staff report reflects the request to remove 5 trees. She is unsure of what standards they are being held to and feel like they keep getting pushed out.

Mr. Shackleton stated that they need to know what was removed. If they believed that the new information provided by neighbor is inaccurate say way; if accurate they can move forward. Ms. Huddleston said that they retained professionals and trust their judgment and that to the best of their knowledge, the application is accurate. Mr. Mason said that he stands by his analysis of what proposed for replacement and the document answers questions from the committee at the last meeting. He said that to the best of his knowledge this is true and accurate information. He based his work on the tree survey, and arborist work.

Ms. Huddleston stated that she also offered to have neighbors email with any questions after the last meeting, but received no response. She thought all concerns had been addressed.

Mr. Shackleton asked how many trees were removed. Mr. Mason said that 8 trees were removed. Ms. Tully asked for clarification on the location of the trees removed and if that was from the whole lot. Mr. Mason confirmed that he was referring to the whole lot.

Ms. Mitchell pointed out that the Huddlestons have taken care to protect the Willow Oak and Pecan trees and that the protection plan did address trees off-site, including on Mr. Brideson's lot.

Ms. Tully gave the committee the staff photos that were presented at September 2 meeting, noting fact #3 that one tree observed during August 4 site visit was not addressed. She did say that she was not sure if it was on the property or not.

Mr. Mason notes that they are putting back 36 trees. Mr. Shackleton said that it seemed to him that there were 2 concerns – screening and tree canopy. He said that they appear to be proposing considerable screening. He raised a question in the last meeting in terms of height of the screen trees which the applicants answered.

Mr. Shackleton suggested discussing screening first and then the canopy separately. Ms. Tully reminded the committee that the 36 trees proposed are already approved. She said that the question here is whether they are sufficient replacement for the trees removed at this end of the lot. She also suggested that the committee at guidelines for screening versus canopy. Her understanding that screening is less of an issue than protection and retention of the canopy.

Ms. David said that she thinks the deliberation was sufficient for screening replacement. She did not recall addressing the canopy. Mr. Shackleton agreed that the applicants have addressed the question of screening and moved on to discussing the canopy part.

Mr. Shackleton noted that there is some differences of opinion in the number of trees that were removed exactly. He asked if they have a number that they would propose to help replace the canopy that was removed. Ms. Caliendo asked for clarification from staff on the recommendation asking if it was based on 4 or 5 trees removed. Ms. Tully said 5 trees. The committee can choose to go by the caliper or number of trees. She stated that 5 were applied for removal in the application.

Mr. Shackleton asked for suggestions from the applicant for the canopy replacement. Mr. Mason said the proposal meets the questions about approved removals. Ms. Tully interrupted to clarify that the removals were not approved, which is why there are at the hearing.

Mr. Mason stated that he thinks it is fair to say that the willow oak and 2 trees in back not on this property are providing canopy. He said that they feel that the tree replacement plan put together is a replacement, though are operating on edge of property, and are serving as replacement of the canopy trees. Referencing a diagram in the application (L-1.1.8) Mr. Shackleton asked if he is saying these trees are replacing canopy. Mr. Mason said that the

information is for the height at installation and to replace something of the size of the trees removed is not feasible. He stated that they are trying to replace more than what was removed and planting trees that may get as high as what was there – a good faith effort to meet guidelines. Mr. Shackleton said that the Guidelines say they need to replace trees with similar types of trees and that the proposal may not meet that guidelines. Mr. Mason said that of the trees removed one was maple, one was mulberry and the other 3 unknown, but were some type of deciduous.

Ms. Mitchell said that she thought a tree removal plan was already approved.

Ms. Tully clarified that all trees removed were removed prior to approval. There are some trees that are already approved by staff at this point, but all of them were after-the-fact. She added that the commission doesn't look at intent, but is just trying to figure out how to move forward and find the best mitigation. She noted also that the commission cannot deny tree removal; a 365-day delay is the most they can do. The matter is down to two questions: what was the canopy of trees removed, and what should go back.

Mr. Shackleton commented that it does appear from this picture that regardless of the number of trees, it appears that there is a significant canopy along the sides. There are trees at the back and along the sides that are off property that remain. He noted that in the diagram handed out by Ms. Rex, given the proximity of trees to one another, it may be reasonable to have one tree replace 2 (5 and 6 on diagram).

Ms. Tully added that she wan not sure if it was applicable to this case, but that that in some circumstances the committees does allow for a donation to NeighborWoods in lieu of planting.

Mr. Shackleton noted that in staff comments, it is recommend that for every 1 tree removed (w/o blue card) – 5 applied for – that 1 deciduous hardwood tree be planted to fill in the canopy where the canopy was lost.

Mr. Huddleston noted that there are quite large trees in back, south side of the lot. Those would create significant height back there.

Ms. Caliendo stated that guideline 2.3.5 is pretty clear that you replace with a similar species tree. Although the height of what is proposed is similar, the canopy and appearance is not the same. She said that they need to come up with a number and request new information on a landscape plan that incorporates deciduous hardwoods. Mr. Mason asked if they could get more info to staff so they don't have to come back just for these proposed 5 or so new trees. Mr. Shackleton said yes, if they get placement and that deciduous hardwoods will be planted, he is comfortable with staff approval.

Ms. Tully asked the committee to specify locations, noting that everyone agrees that the trees were removed along the perimeter and that's where we are talking about replacing them. She

noted also, if they want to put a replacement in another location it could be staff or administrative approval of conditions without a public hearing.

Mr. Mason said they could do a maple, an oak of some kind. There are several options there. For the mulberry, there is probably a better choice; maybe another oak or another maple. He asked to nail down the size of tree recommended. He said that from a transplant standpoint and construction timing, he wouldn't want to see anything more than 2" going in. Mr. Shackleton asked how high that would be at planting. Mr. Mason: said 12 ft.

Mr. Shackleton said they were talking about 5 trees, at least 1 maple. Mr. Mason suggested 3 oaks and 2 maples 1.5" caliper and 12 ft at planting. Mr. Shackleton asked for thoughts on where those should go.

Ms. Tully interjected that she was concerned with the direction of the discussion. It is becoming design by review which is not what this hearing is for. She added that they should also be able to have neighbors comment on the replacement proposal. She thinks they are getting beyond what needs to happen at the public hearing.

Ms. Mitchell requested that the committee make any subsequent approval, a staff level approval. They have come before the commission 3 times and have tried to hear the concerns of the neighbors. She would appreciate not having to come back for another public hearing.

At Mr. Shackleton's suggestion Ms. Caliendo moved that the public testimony portion of the hearing be closed. Ms. Jackson seconded; motion carried 5/0.

<u>Committee Discussion</u>

The following points were made in discussion [speaker indicated in brackets]:
An administrative review should happen. [Caliendo]
That happens a lot with new construction. I was not hear for the initial presentation. Was there any argument on whether the trees were unhealthy or had any other problems? [David]
It was not discussed. [Shackleton]
We discussed replacing the canopy with some number of trees at some caliper at some height. If we have firm ideas, we should probably say that in the conditions that come back to help give as much guidance as possible. [Shackleton]
I want to note that after-the-fact applications should be treated as if work was never done. It is hard to do and difficult. In a normal application we would be looking for information on the health of trees and harm to foundations. This feels like an impossible situation. It is impossible to really replace the canopy – perhaps 20 years from now. [David]
We saw clear photos of stumps. I think it would be appropriate to replace 5 and make a donation for 5 more to NeighborWoods. [Shackleton]
What about the neighbor next door and his concerns on tree protection plan? [David]
Those tree removals have already been approved. [Tully]

Can we put in the 365-day delay, if not meeting guidelines? [David]
Make the decision as if work hasn't been done. You can put in a 365-day delay even though it has no practical effect. You can put it in for future reference. [Tully]
I heard no reason for approval without delay. [David]

Findings of Fact and Conclusions of Law

Following discussion on an initial motion made by Ms. David and seconded by Ms. Jackson, Ms. David 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 1-16) to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Removal of trees in rear yard; planting of new trees is not incongruous in concept according to *Guidelines* 2.3.5; however removal of healthy trees is incongruous according to *Guidelines* 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* The trees proposed for removal in the application are two 18" trees of unstated species; one 15" maple; and a multi-stemmed mulberry of unknown diameter. The amended application confirms that the trees proposed for removal are deciduous overstory trees. The amended application includes a pre-construction plan that indicates the trees removed as of September 15, 2014.

2* The trees proposed for removal in the application are located along the perimeter of the property.

3* Staff visited the site on August 4, 2014 and observed the trunks and stumps remaining from removed trees. There appears to be a tree near the bend in the lot line missing from the survey that has been removed. The amended application still does not address this tree.

4* The trees proposed for replanting are 25 Little Gem Magnolias with a mature height of 20 feet, 4 Southern Magnolias with a mature height of 60-80 feet; 5 Cryptomeria with a mature height of 50-80 feet and 2 Gold Rider Cypress with a mature height of 35 feet. Their planting calipers are unknown. The amended application confirms the mature heights and add their heights at installation. The Little Gem Magnolias will be 8 feet; the Southern Magnolias will be 12 feet; the Cryptomeria will be 12 feet and the Gold Rider Cypress will be 10 feet installed.

5* Of the 36 trees, 4 are already counted towards replacement of trees approved with COA 061-14-CA.

6* The trees proposed to be planted are evergreen and of a different character than the trees removed. Guideline 2.3.5 states that replacement trees should be of a similar or identical species.

7* According to the North Carolina Cooperative Extension Service housed at NC State University in the Department of Horticultural Science, Little Gem magnolia trees are evergreen and range from 15 feet to 20 feet in height. It has an upright dense form and a width of 8-10 ft.

8* According to the North Carolina Cooperative Extension Service housed at NC State University in the Department of Horticultural Science, Southern Magnolia trees are evergreen and range from 40 feet to 80 feet in height. It has a dense, conical shape and symmetrical form and a width of 30-40 ft.

9* According to the North Carolina Cooperative Extension Service housed at NC State University in the Department of Horticultural Science, Japanese cryptomeria trees are evergreen and range from 50 feet to 60 feet in height. It has a pyramidal; semiformal form and a width of 25-30 ft. This may not be the exact species proposed.

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11* The new trees are proposed to be planted along the perimeter of the rear yard adjacent a previously approved privacy fence and will likely have a screening effect.

12* The amended application includes a cross section view of the property from Peace Street looking toward the back of the property after installation of the previously approved tree replacement plan. It also shows a possible light pattern from the Krispy Kreme light fixture to an adjacent property, based on tree heights at installation.

13* At the September public hearing, photographs of the property as viewed from 218 Pace Street property both before and after the tree removal as well as locations of trees were provided by Brett Page.

14* At the September public hearing there was testimony by several adjacent property owners that trees removed along the fence line did not warrant removal and that screening of their properties was negatively affected.

15* At the September public hearing there was testimony that the trees approved for planting by staff will negatively impact the health of trees on the adjacent property to the south.

16* At the September public hearing there was testimony that the size of the replacement trees are too small and do not replace the lost canopy.

17* Evidence was presented that in the rear yard more than 5 trees and as many as 10 trees were removed. The testimony was that the photographs provided were taken and the stumps measured on the day that they were removed.

18* No evidence was provided regarding the health of the trees.

19* The Willow Oak and Pecan trees provide the bulk of the canopy on the lot.

Ms. Jackson agreed to the changes. The amended motion passed 5/0.

Decision on the Application

Ms. David made a motion that the application be approved as amended with the 365-day demolition delay period and with the following conditions:

1. That 5 deciduous overstory trees be planted on the property during the next tree planting season with the location and species to be provided to and approved by commission as an Administrative Review of Conditions.
2. That the monetary value of 5 deciduous overstory trees be donated to the NeighborWoods tree planting program.

The motion was seconded by Ms. Jackson; passed 5/0.

Committee members voting: Caliendo, David, Downer, Jackson, Shackleton.

Certificate expiration date: 4/6/15.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

141-14-CA 127 E EDENTON STREET
Applicant: BETSY HAYWOOD
Received: 9/16/2014 Meeting Date(s):
Submission date + 90 days: 12/15/2014 1) 10/6/2014 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: CAPITOL SQUARE HISTORIC DISTRICT
Historic Landmark: RICHARD B. HAYWOOD HOUSE
Zoning: DOD, O&I-2
Nature of Project: Remove rear screened porch; construct 1-story rear addition; change window to door and construct rear landing and stairs; install new window; expand existing rear patio; install fence; alter driveway.
Amendments: Revised drawings were provided by the applicant are attached to these comments.
Conflict of Interest: Ms. David noted that she served on the board of the Raleigh City Cemeteries Preservation, Inc. with the applicant, but that she was able to review the application without bias.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
2.3	Site Features and Plantings	Remove rear screened porch; construct 1-story rear addition; construct rear landing and stairs; expand existing rear patio; install fence; alter driveway.
2.4	Fences and Walls	install fence
2.5	Walkways, Driveways, and Offstreet Parking	alter driveway
3.7	Windows and Doors	change window to door; install new window
4.2	Additions to Historic Buildings	Remove rear screened porch; construct 1-story rear addition

STAFF COMMENTS

Based on the information contained in the amended application:

A. Removal of rear screened porch; construction of 1-story rear addition; changing of window to door and construction of rear landing and stairs; installation of new window is not

incongruous in concept according to *Guidelines* 2.3.7, 3.7.9, 4.2.1, 4.2.2, 4.2.4, 4.2.5, 4.2.6, 4.2.7, and the following findings:

1* Designated a Raleigh Historic Landmark in 1969, the 1854 Haywood House is significant for its architecture and association with Richard B. Haywood, a founder of the North Carolina Medical Society.

2* There are numerous trees on the lot that may be impacted by construction activities, though none within the footprint of the new addition. A tree protection plan similar was provided in the application; species of trees were not included and it is not clear where construction equipment and materials are to be stored.

3* The lot size is 13,504 SF. The footprint of the existing house (including porches) is 2,617 SF; the garage is 200 SF; current lot coverage is 21%. The proposed addition, including porches, is approximately 395 SF; screened porch being removed is 56 SF for an increase in footprint of 339 SF. The new lot coverage is approximately 23%.

4* The proposed alterations are at the rear of the house. The screened porch being removed is not a character defining feature.

5* Alterations to the 1920s addition include changing a window to a door on the west side, reopening a closed window. The amended application changes the location of the new door. The new door includes a sidelight; details were not included.

6* The new addition will be connected to a brick flat-roofed 1920s addition, is lower in height than the main historic house and the 1920s addition, and has an asphalt shingled low pitched modified hipped roof.

7* The addition includes a porch facing Blount Street (east) and a covered patio on the west side. Posts are simple in design.

8* Materials of the new addition include wood horizontal siding, brick foundation, metal half-round gutters, wood windows and doors. Details and specifications are included in the application.

B. Expansion of existing rear patio; installation of fence; alteration of driveway is not incongruous in concept according to *Guidelines* 2.3.4, 2.3.8, 2.4.7, 2.5.3, and the following findings:

1* The existing patio is approximately 55 SF and the walkway is about 22.5 SF for a total brick paved area of 77.5 SF; the new patio footprint will be about 79 SF. A portion of the brick paving is under the roof of the new addition and is counted as part of the addition.

2* Boxed hedges are proposed to line the brick patio; a common treatment in the historic districts.

3* A 32″ tall wood picket rear yard fence similar in design to a previous fence is proposed for the rear yard. Historic photographs, elevation drawings, and site plan locations are provided in the application.

4* The application does not include information regarding protection of tree roots during installation.

5* The north driveway will be refreshed with Chapel Hill gravel and lined with existing cobblestones.

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

1. That details and specifications for the following be provided to and approved by staff prior to issuance of permits:
   a. Revised tree protection plan.
2. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
   a. New door and sidelight on 1920s addition;
   b. Brick sample;
   c. Addition roofing.

PUBLIC TESTIMONY

Support:
Betsy Haywood [affirmed] owner and applicant and Ashley Morris [affirmed] spoke in support of the application. Ms. Morris said that they read the staff report and will provide all information requested. She said that the details on side light may come later since it will be built on site.

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

Ms. Haywood said that she loves the trees. Some of the trees were planted in 1898 and 1910 by her grandfather. She is especially concerned about the willow oak in front. It has giant roots that are exposed and go over into state parking lot. The pecan tree has already been treated. Ms. Haywood said that she does want to make sure they are protected noting that the large chestnut oak will also need some TLC. They are very careful with their trees.

Tania Tully commented that it would be helpful to combine the arborist drawings, so we know where all the trees are. She also said that she wanted information on the fencepost locations.

Ms. Haywood said that the fence is a historic reproduction. It was originally all the way around the yard, but she is not proposing it all the way around this time.

At Mr. Shackleton's suggestion Ms. Caliendo moved that the public testimony portion of the hearing be closed. Ms. Jackson seconded; motion carried 5/0.

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 Ms. Caliendo and seconded by Ms. David, Ms. Caliendo made an amended motion that based upon the facts presented in the application and the public hearing, the committee finds staff comments A. (inclusive of facts 1-8) and B. (inclusive of facts 1-5) to be acceptable as findings of fact, with the additions as listed below:

A. Removal of rear screened porch; construction of 1-story rear addition; changing of window to door and construction of rear landing and stairs; installation of new window is not incongruous in concept according to *Guidelines* 2.3.7, 3.7.9, 4.2.1, 4.2.2, 4.2.4, 4.2.5, 4.2.6, 4.2.7, and the following findings:

1* Designated a Raleigh Historic Landmark in 1969, the 1854 Haywood House is significant for its architecture and association with Richard B. Haywood, a founder of the North Carolina Medical Society.

2* There are numerous trees on the lot that may be impacted by construction activities, though none within the footprint of the new addition. A tree protection plan similar was provided in the application; species of trees were not included and it is not clear where construction equipment and materials are to be stored.

3* The lot size is 13,504 SF. The footprint of the existing house (including porches) is 2,617 SF; the garage is 200 SF; current lot coverage is 21%. The proposed addition, including porches, is approximately 395 SF; screened porch being removed is 56 SF for an increase in footprint of 339 SF. The new lot coverage is approximately 23%.

4* The proposed alterations are at the rear of the house. The screened porch being removed is not a character defining feature.

5* Alterations to the 1920s addition include changing a window to a door on the west side, reopening a closed window. The amended application changes the location of the new door. The new door includes a sidelight; details were not included.

6* The new addition will be connected to a brick flat-roofed 1920s addition, is lower in height than the main historic house and the 1920s addition, and has an asphalt shingled low pitched modified hipped roof.

7* The addition includes a porch facing Blount Street (east) and a covered patio on the west side. Posts are simple in design.

8* Materials of the new addition include wood horizontal siding, brick foundation, metal half-round gutters, wood windows and doors. Details and specifications are included in the application.

9* Ms. Haywood testified that the larger trees were planted in 1898 and 1910 by her grandfather.

10* A letter from an arborist was provided by the applicant.

B. Expansion of existing rear patio; installation of fence; alteration of driveway is not incongruous in concept according to *Guidelines* 2.3.4, 2.3.8, 2.4.7, 2.5.3, and the following findings:

1* The existing patio is approximately 55 SF and the walkway is about 22.5 SF for a total brick paved area of 77.5 SF; the new patio footprint will be about 79 SF. A portion of the brick paving is under the roof of the new addition and is counted as part of the addition.
2* Boxed hedges are proposed to line the brick patio; a common treatment in the historic districts.
3* A 32" tall wood picket rear yard fence similar in design to a previous fence is proposed for the rear yard. Historic photographs, elevation drawings, and site plan locations are provided in the application.
4* The application does not include information regarding protection of tree roots during installation.
5* The north driveway will be refreshed with Chapel Hill gravel and lined with existing cobblestones.

Ms. David agreed to the changes. The amended motion passed 5/0.

Decision on the Application

Ms. Caliendo made a motion that the application be approved as amended, with the following conditions:

1. That details and specifications for the following be provided to and approved by staff prior to issuance of permits:
   a. Revised tree protection plan.
2. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
   a. New door and sidelight on 1920s addition;
   b. Brick sample;
   c. Addition roofing.

The motion was seconded by Ms. David; passed 5/0.

Committee members voting: Caliendo, David, Downer, Jackson, Shackleton.

Certificate expiration date: 4/6/15.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

142-14-CA 304 POLK STREET
Applicant: AMY NEWTON
Received: 9/6/2014 Meeting Date(s):
Submission date + 90 days: 12/5/2014 1) 10/6/2014 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: R-10
Nature of Project: Demolish 355 SF 1-story garage; construct new 624 SF 1-1/2 story garage.
Amendment: Closer review of the application revealed additional work items: that the existing driveway is proposed to be altered, a parking pad constructed, and new fence and gate installed.
Conflict of Interest: None noted.
Staff Notes:

- COA files referenced in the comments are available for review.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
2.3	Site Features and Plantings	Demolish 355 sf 1-story garage; construct new 624 sf 1-1/2 story garage; alter existing driveway; construct parking pad; install rear yard fencing and driveway gate
2.4	Fences and Walls	Install rear yard fencing and driveway gate
2.5	Walkways, Driveways, and Offstreet Parking	Alter existing driveway; construct parking pad
2.6	Garages and Accessory Structures	Demolish 355 sf 1-story garage; construct new 624 sf 1-1/2 story garage.

STAFF COMMENTS

Based on the information contained in the application:

A. Demolition of 355 SF 1-story garage; construction of new 624 SF 1-1/2 story garage; alterarion of existing driveway; construction of parking pad is not incongruous in concept according to *Guidelines* 2.3.7, 2.5.5, 2.5.6, 2.5.9, 2.6.6, however the size and scale of the new garage is incongruous according to *Guidelines* 2.3.2, 2.3.8, 2.5.7,2.6.6, 2.6.9 and the following findings:

1* The garage being removed is not historic; it was constructed in about 1950 or 1960.

2* According to Wake County Real Estate data and the application, the lot size is 5,669 SF. The footprint of the existing house (including porch and deck) is 1,272 SF; the garage is 355 SF; the existing driveway is approximately 270 SF. Current lot coverage is 33%. The proposed garage is 624 SF; the proposed new driveway with parking area is approximately 566 SF. The new lot coverage is approximately 43%.

3* The garage appears to sits in the critical root zones of trees on adjacent properties. A tree protection plan is included, but it was not prepared by an arborist certified by the International Society of Arboriculture and does not address the impacts of construction on this tree.

4* The new parking pad abuts the historic building.

5* The garage is located at the rear corner of the lot and at the end of an existing driveway.

6* The new garage is closer to the rear property line by approximately 2.5 feet bringing it less than 2 feet from the line at its closest. It is also brings the garage less than 11 feet from the historic house.

7* The existing garage is approximately 11.5 feet tall; the new garage is about 21 feet tall; the historic house is about 27.5 feet tall with 1-story wings approximately 12.5 feet tall. The existing garage is approximately 19 feet wide by 19 feet deep; the new garage s proposed to be 24 feet wide and 27 feet deep.

8* A drawing that compares the height of the new garage with the height of the historic house is included in the application. The height of the new garage aligns approximately with the eave height of the historic house dormers. The application does not include documentation of what the garage may look like from the front of the historic house in relationship to the 1-story wing.

9* There is not a tradition of 2-story garages houses in Oakwood. Staff is aware of one historic 1-1/2-story horse barn accessory building at the architecturally-elaborate Heck-Pool House at 218 N. East Street.

10* The application includes an example of a 2-story garage at the rear of 425 N Bloodworth Street. That garage is not historic and is at the rear of a 2-1/2 story house. 304 Polk Street is a 2 story gambrel roofed house with 1-story wings.

11* A 22'x26' 1-1/2 story 2-bay garage was approved in August 2014 at 323 Pace Street in part because the it sits in the far corner of the long lot and the lot slopes down towards the rear of the lot, reducing the appearance of the garage.

12* There have been committee-approved exceptions of taller and 2-bay garages. After an initial denial due to lack of evidence, in 2006 a 1½-story, 15′ x 17′ storage building with loggia and exterior stair was approved at 715 N. Bloodworth Street (COA 166-06-CA).

13* In 2008, based in part on the 2006 decision referenced in fact 11*, the commission approved a 1½-story, 22′x27′ garage at 608 Oakwood Avenue (COA 212-07-CA). That garage was 21′6.5″ tall, compared to the 28′2″ height of the historic house. The lot sloped towards the rear of the yard helping to visually reduce its mass.

14* The 1-1/2 story garage is proposed to have wood horizontal lap siding. The 2nd level is created through the use of dormers that are similar in design to those on the historic house.

15* Specifications for the person door and windows were included; specifications for the wood garage doors not included. The application states that the trim, fascia, and closed soffits are

to match the historic house – details and specifications were not included and the drawings do not reflect the written description. It is proposed to be painted the same colors as the house; the color of the garage door is not specified.

16* Accessory buildings are characteristically subservient to the main dwelling.

B. Installation of rear yard fencing and driveway gate is not incongruous in concept according to *Guidelines* 2.3.7, 2.4.8, and the following findings:

1* There are trees along the fence line. The application does not included information regarding the installation of fence posts and protection of tree roots.

2* There are existing non-historic fences on the property of varying designs and materials. The application proposes a new stained wood privacy fence with a concave arched top. The application does not specify that the fence will be installed with the structural members facing the interior of the yard.

3* A photograph of a similarly designed wood privacy fence is included in the application.

4* A metal driveway gate of simple design is proposed to replace the painted wood privacy fence. Metal gates of simple design are seen in the historic district.

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

1. That the following modifications be brought back to the COA committee as an Administrative Review of Conditions prior to issuance permits:
   a. Reduction in size and scale of the garage;
   b. Reduction in size of parking pad.
2. That the new fence be installed with the structural members facing the interior of the yard.
3. That fence post holes be located and dug so as to avoid damage to large tree roots and that any roots being cut be done so using proper tools such as loppers.
4. That details and specifications for the following be provided to and approved by staff prior to issuance of permits:
   a. Revised garage drawings.
   b. Tree protection plan prepared by an arborist certified by the International Society of Arboriculture.
5. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
   a. Trim, fascia, and soffits;
   b. Garage doors;
   c. Paint colors.

PUBLIC TESTIMONY

Support:

Chris and Amy Newton [affirmed] and Ashley Morris [affirmed] architect were present to speak in support of the application. Ms. Morris said that they looked at the staff comments and have drawings (Ms. Morris distributed the drawings.) for the reduction of the square footage

and that it is now 13 feet away from the closest portion of the house. They also reduced the garage height, not significantly, but it is less.

Ms. Newton said that they wanted the garage as long as proposed to have room for their Ford F-250 pick-up truck. It is hard to have a truck parked on street. They would like to have it in the garage and still have usable space to put other things. Mr. Newton said that there are a lot of squirrel-friendly trees. The squirrels spit out the nuts and shells on the car and leaves stains.

Ms. Newton said that they could move the driveway and confirmed that the fence will definitely be constructed so the ugly part is on the inside and the pretty part on the outside. Mr. Newton said that there is only one tree at the fence line. Ms. Newton said that they were moving the fence up to allow for better garage use and also create some symmetry. The AC sits on the right side, so they can't put the fence in middle of right section. They offered to leave it where it's at and were not going to fight about it.

Opposition:
Ann Forsthofel [affirmed], 313 Polk across street spoke in opposition to the application. She stated that she was concerned about the scale of the garage. She said that the new garage is almost twice the size it is now, the height is almost double, and they are adding a floor. It is out of scale and proportion. Ms. Forsthofel added that the mechanical gate doesn't seem right referencing another time when it was denied for another, newer house.

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

Ms. Newton reiterated that the square footage of the garage is because they are trying to put the truck inside. Mr. Shackleton reminded her that she need to address the Guidelines with her comments.

Ms. Morris said that within the guidelines she believes she can design a 1.5 story accessory structure in the backyard with no attic, just using roof framing to meet the ceiling plane. She said she tried to keep the garage as short as possible while still allowing for usable space. Ms. Morris added that some of that square footage is counting the interior stairs; they did not want exterior stairway.

Tania Tully asked if the garage as revised is 23′ x 24′. Mr. Shackleton asked for the new square footage. Ms. Tully said 552 square feet.

Ms. Morris commented that the existing garage was a 2-car garage to begin with; probable from the 1960s. Ms. Tully added that there is a COA from the 1980s or 1990s that approved removing the garage doors and replacing them with the windows and doors on there today.

Ms. David asked about the fence on the northeast corner, if it is still 6′ tall. It looked like the gate was 5′ tall in the middle and 6′ on outer edges. Mr. Newton confirmed. Ms. Newton said

that there is an existing fence in the front quarter of the east side of house. The 15′ section on the west side of the house is the 6′ portion of the fence and the rest drops down to 5′. Ms. David said that the Guidelines discourage tall fences in front. This proposal seems to be a tall fence close to the street. She has concerns about that and how it meets guidelines. Ms. Newton said that the fence will not go into the front yard. Ms. David noted that this doesn't have a front porch.

Ms. Newton said that the fence was for privacy and shielding from the apartment complex that fronts Person Street. Ms. Tully noted that the main thing is not having that tall of a fence in a front yard area. Mr. Newton said that the fronts of the houses on the street are pretty even. Ms. David noted that the houses sit unusually close to the street and that it is a tall fence that is right on the street

Ms. David asked staff about the mechanical gate question. Ms. Tully said that typically the commission looks at not how it functions, but how it looks. Ms. David asked how wide the gate is. Mr. Newton said 12 feet – two 6 foot sections. Ms. Newton added that there might be a hidden keypad will be hidden. Ms. David asked about the keypad. Ms. Newton said that typically there are keypads for these kinds of gates.

Mr. Shackleton asked about the revised height of garage. Ms. Morris said 20 feet.

At Mr. Shackleton's suggestion Ms. Caliendo moved that the public testimony portion of the hearing be closed. Ms. David seconded; motion carried 5/0.

<u>Committee Discussion</u>

The following points were made in discussion [speaker indicated in brackets]:
The gate and fence seem too tall at the front in terms of guideline 2.4.11. It is too tall for the front. [David]
I do not see the fence as being in the front yard. [Caliendo]
The house is very close to the street. [David]
There is a porch roof. [Caliendo]
It is a stoop. [David]
Also, the gate for driveway seems to be a fairly more suburban feature. [David]
What about the scale of the garage as revised? For the dimensions, the 18′ will go to 24′ and the 18′9″ has gone to 23′. The change seems better. It is more of the height that I'm worried about. There is a comparison to the existing house. [Caliendo]
I'm looking at the picture of the front of house and trying to picture the garage behind. The staff comments reference the recent case – 322 Pace, that's pretty close in size. We had concerns about that one. The reason we approved it was because it was way to the back of the deep lot. That is not the case with this one. [Shackleton]
There is also the case on Bloodworth earlier this year with a taller garage behind a 1-story house. [Caliendo]

That was behind a non-contributing resource, which is why staff did not include for this application. [Tully]
On the Pace Street application, the dormers got smaller as part of the revision and the roofline came down. [Jackson]
I'm looking at Guideline 2.6.9 and trying to determine if it will detract from the character of principal building at this site. It is partially hidden behind it. [Shackleton]
There is also lot coverage. [Tully]
Now, all those numbers changed. Lot coverage was 43. Now it's somewhere between 33 and 43. [Shackleton]
Look at parking area. There is not actually a change in the lot coverage – maybe a teeny bit. [Tully]
The parking area is a separate issue. I'm looking at how large the paved parking area is. It sounds like they are open to making a revision to that. [Caliendo]
I do think the design for the façade most visible from the street is compatible with the existing historic residence although it does seem somewhat large. [Jackson]
Does reducing the dormers – having them not start at the peak – are we then comfortable with the size? Are there any more opinions on the size? [Shackleton]
The dormers starting at the peak is one of the details that make it compatible with existing house. [Downer]
I think the footprint is not that significant of a difference. The overall height, scale and massing of it is very different. [David]
Yes, I'm not uncomfortable with the footprint, but with the height. [Shackleton]
I'm okay with the height. They have pared it down as much as possible while still retaining that livable space in the ½ story. [Caliendo]
With architectural drawings – there is a kind of optical illusion that sometimes makes buildings appear larger. I'm okay with the height also. [Downer]
What about the impact of the parking area on the foundation. Is this a problem? I would ask architects – how do you feel about parking area going right up to foundation? [David]
I'm looking at guidelines here right… [Caliendo]
It is the health of house that I'm concerned about. [David]
Look at 2.5.7. [Tully]

<u>Findings of Fact and Conclusions of Law</u>

Following discussion on an initial motion made by Ms. David and seconded by Ms. Jackson, Ms. David made an amended motion that based upon the facts presented in the application and the public hearing, the committee finds staff comments A. (inclusive of facts 1-5, 9-13, 15-16) and B. (inclusive of facts 1-4) to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Demolition of 355 SF 1-story garage; construction of new 552 SF 1-1/2 story garage; alteration of existing driveway; construction of parking pad is not incongruous in concept according to *Guidelines* 2.3.2, 2.3.7, 2.3.8, 2.5.5, 2.5.6, 2.5.9, 2.6.6, 2.6.9, however the size and

scale of the new parking pad is incongruous according to *Guidelines* 2.5.7 and the following findings:

1* The garage being removed is not historic; it was constructed in about 1950 or 1960.

2* According to Wake County Real Estate data and the application, the lot size is 5,669 SF. The footprint of the existing house (including porch and deck) is 1,272 SF; the garage is 355 SF; the existing driveway is approximately 270 SF. Current lot coverage is 33%. The proposed garage is 624 SF; the proposed new driveway with parking area is approximately 566 SF. The new lot coverage is approximately 43%.

3* The garage appears to sits in the critical root zones of trees on adjacent properties. A tree protection plan is included, but it was not prepared by an arborist certified by the International Society of Arboriculture and does not address the impacts of construction on this tree.

4* The new parking pad abuts the historic building.

5* The garage is located at the rear corner of the lot and at the end of an existing driveway.

6* The new amended garage is closer to the rear property line by approximately 2.5 feet bringing it less than 2 feet from the line at its closest. It is also brings the garage less than 13 feet from the historic house.

7* The existing garage is approximately 11.5 feet tall; the new amended garage is about 20 feet tall; the historic house is about 27.5 feet tall with 1-story wings approximately 12.5 feet tall. The existing garage is approximately 19 feet wide by 19 feet deep; the new garage s proposed to be 23 feet wide and 24 feet deep.

8* A drawing that compares the height of the new garage with the height of the historic house is included in the application. The height of the new garage aligns approximately with the eave height of the historic house dormers. The amended application does include documentation of what the garage may look like from the front of the historic house in relationship to the 1-story wing.

9* There is not a tradition of 2-story garages houses in Oakwood. Staff is aware of one historic 1-1/2-story horse barn accessory building at the architecturally-elaborate Heck-Pool House at 218 N. East Street.

10* The application includes an example of a 2-story garage at the rear of 425 N Bloodworth Street. That garage is not historic and is at the rear of a 2-1/2 story house. 304 Polk Street is a 2 story gambrel roofed house with 1-story wings.

11* A 22'x26' 1-1/2 story 2-bay garage was approved in August 2014 at 323 Pace Street in part because the it sits in the far corner of the long lot and the lot slopes down towards the rear of the lot, reducing the appearance of the garage.

12* There have been committee-approved exceptions of taller and 2-bay garages. After an initial denial due to lack of evidence, in 2006 a 1½-story, 15′ x 17′ storage building with loggia and exterior stair was approved at 715 N. Bloodworth Street (COA 166-06-CA).

13* In 2008, based in part on the 2006 decision referenced in fact 11*, the commission approved a 1½-story, 22′x27′ garage at 608 Oakwood Avenue (COA 212-07-CA). That garage was 21′6.5″ tall, compared to the 28′2″ height of the historic house. The lot sloped towards the rear of the yard helping to visually reduce its mass.

14* The 1-1/2 story garage is proposed to have wood horizontal lap siding. The 2nd level is created through the use of dormers that are similar in design to those on the historic house. The dormers starting at the ridge add to the compatibility of the garage.
15* Specifications for the person door and windows were included; specifications for the wood garage doors not included. The application states that the trim, fascia, and closed soffits are to match the historic house – details and specifications were not included and the drawings do not reflect the written description. It is proposed to be painted the same colors as the house; the color of the garage door is not specified.
16* Accessory buildings are characteristically subservient to the main dwelling.

B. Installation of rear yard fencing and driveway gate is not incongruous in concept according to *Guidelines* 2.3.7, 2.4.8; however, the location of the fence is incongruous in accordance with 2.4.11, and the following findings:
1* There are trees along the fence line. The application does not included information regarding the installation of fence posts and protection of tree roots.
2* There are existing non-historic fences on the property of varying designs and materials. The application proposes a new stained wood privacy fence with a concave arched top. The application does not specify that the fence will be installed with the structural members facing the interior of the yard.
3* A photograph of a similarly designed wood privacy fence is included in the application.
4* A metal driveway gate of simple design is proposed to replace the painted wood privacy fence. Metal gates of simple design are seen in the historic district.
5* The north section of the fence and the driveway gate are 6′ tall at the front of the house.
6* Tall fences are generally not seen that close to the street.
7* A keypad stand is proposed to be installed. The mechanism for the gate will be on the backside of the gate.

Ms. Jackson agreed to the changes. The amended motion passed 5/0.

<u>Decision on the Application</u>

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

1. That the following modifications to the parking pad be provided to and approved by staff prior to the issuance of permits:
   a. Reduction in size;
   b. Pulled back from house.
2. That the new fence be installed with the structural members facing the interior of the yard.
3. That fence post holes be located and dug so as to avoid damage to large tree roots and that any roots being cut be done so using proper tools such as loppers.
4. That details and specifications for the following be provided to and approved by staff prior to issuance of permits:

   a. Tree protection plan prepared by an arborist certified by the International Society of Arboriculture.
5. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
   a. Trim, fascia, and soffits;
   b. Garage doors;
   c. Paint colors;
   d. Gate mechanicals.
6. That the north section of the fence and the driveway gate be set back approximately midway along the side elevations of the house with the location to be provided to and approved by staff prior to issuance of permits.
7. That there not be a keypad.

The motion was seconded by Ms. Jackson; passed 5/0.

Committee members voting: Caliendo, David, Downer, Jackson, Shackleton.

Certificate expiration date: 4/6/15.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

143-14-CA 712 DOROTHEA DRIVE
Applicant: THOMAS DALY & LOURDES URENA
Received: 9/17/2014 Meeting Date(s):
Submission date + 90 days: 12/16/2014 1) 10/6/2014 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: BOYLAN HEIGHTS HISTORIC DISTRICT
Zoning: R-10
Nature of Project: [Partial after-the-fact] remove section of existing fence; install new wood privacy fence up to 6' tall; construct 10'x11' shed in rear yard; add driveway in rear yard; install rear yard patio
Conflict of Interest: Ms. Jackson stated that she met with the applicants on a possible project unrelated to this application and that she was able to review without bias.
Staff Notes:

- Ownership and access to the rear driveway is a civil matter outside of the jurisdiction of the commission.
- After-the-fact applications are reviewed as though the work has not been completed.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
2.3	Site Features and Plantings	remove section of existing fence; install new wood privacy fence up to 6' tall; construct 10'x11' shed in rear yard; add driveway in rear yard; install rear yard patio
2.4	Fences and Walls	remove section of existing fence; install new wood privacy fence up to 6' tall
2.5	Walkways, Driveways, and Offstreet Parking	add driveway in rear yard; install rear yard patio
2.6	Garages and Accessory Structures	construct 10'x11' shed in rear yard

STAFF COMMENTS

Based on the information contained in the application:

A. Removal of section of existing fence; installation of new wood privacy fence up to 6' tall; construction of 10'x11' shed in rear yard; addition of driveway in rear yard; installation of rear yard patio is not incongruous in concept according to *Guidelines* 2.3.7, 2.3.8, 2.4.8, 2.5.5, 2.5.6, 2.5.7, 2.5.9, 2.6.6, 2.6.9, and the following findings:

1* There is a tree on the adjacent property at the northeast corner that may be impacted by installation of the driveway. Tree protection measures were not included in the application.
2* The lot size is 3,049 SF. The footprint of the house (including porch) is 1,264 SF; current lot coverage is 41%. The proposed shed is 110 SF, the new driveway and patio are approximately 354 SF. The new lot coverage is approximately 57%.
3* The lot is unusually small for the district and is the smallest on the block. Similarly sized lots and lot coverage in the district are at 715 and 717 Mountford Street.
4* Paver patios are commonly approved in Boylan Heights. Staff observed a sample of the brick colored concrete pavers on site.
5* The existing fencing being removed is not historic and is the same design as the fence in the front yard.
6* The new fence ranges in height from 4′ to 6′ tall. It is located along the west and north property lines. The 4′ section of fence starts at the front wall of the house and gets taller as it moves towards the rear of the property. The design is a solid wood privacy fence with arched top.
7* Side and rear yard privacy fences are commonly approved in Boylan Heights; it will be installed using neighbor friendly design with the structural members facing the interior of the yard.
8* Rear yard driveways and parking areas are common in Boylan Heights although they are usually accessed via rear alleys.
9* The driveway is proposed to be concrete driving strips with grass in between.
10* The 10′x11′ gable roofed shed is proposed to be located in the northeast rear corner of the yard – a common location for sheds.
11* The shed has windows, sloped eaves and will be painted. An email from the applicant clarified that the shed will be painted a color similar to the house and that the windows will be wood. Specifications were not provided.

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

1. That specifications and details for the following be provided to an approved by staff prior to installation:
   a. Paint colors;
   b. Exterior sheathing of the shed;
   c. Wood windows.
2. That any excavation required for installation of the driveway occurring near the tree be done by hand so as to avoid damage to tree roots and that any roots needing to be cut will be done so with proper tools such as loppers.

PUBLIC TESTIMONY

Support:
Thomas Daly [affirmed] and Lourdes Urena [affirmed] were present to speak in support of the application. Ms. Urena noted that the fence will be stepped to get to 6 ft toward the back. Mr.

Daly corrected the staff comments noting that the installation of the driveway will just be 2 tracks, not concrete. It will be gravel or pavers with grass in between.

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

At Mr. Shackleton's suggestion Ms. Caliendo moved that the public testimony portion of the hearing be closed. Ms. David seconded; motion carried 5/0.

Committee Discussion

There was no discussion following the public hearing.

Findings of Fact and Conclusions of Law

Ms. Downer moved that based upon the facts presented in the application and the public hearing, the committee finds staff comment A. (inclusive of facts 1-8, 10-11) to be acceptable as findings of fact, with the modifications as listed below:

A. Removal of section of existing fence; installation of new wood privacy fence up to 6' tall; construction of 10'x11' shed in rear yard; addition of driveway in rear yard; installation of rear yard patio is not incongruous in concept according to *Guidelines* 2.3.7, 2.3.8, 2.4.8, 2.5.5, 2.5.6, 2.5.7, 2.5.9, 2.6.6, 2.6.9, and the following findings:

1* There is a tree on the adjacent property at the northeast corner that may be impacted by installation of the driveway. Tree protection measures were not included in the application.

2* The lot size is 3,049 SF. The footprint of the house (including porch) is 1,264 SF; current lot coverage is 41%. The proposed shed is 110 SF, the new driveway and patio are approximately 354 SF. The new lot coverage is approximately 57%.

3* The lot is unusually small for the district and is the smallest on the block. Similarly sized lots and lot coverage in the district are at 715 and 717 Mountford Street.

4* Paver patios are commonly approved in Boylan Heights. Staff observed a sample of the brick colored concrete pavers on site.

5* The existing fencing being removed is not historic and is the same design as the fence in the front yard.

6* The new fence ranges in height from 4' to 6' tall. It is located along the west and north property lines. The 4' section of fence starts at the front wall of the house and gets taller as it moves towards the rear of the property. The design is a solid wood privacy fence with arched top.

7* Side and rear yard privacy fences are commonly approved in Boylan Heights; it will be installed using neighbor friendly design with the structural members facing the interior of the yard.

8* Rear yard driveways and parking areas are common in Boylan Heights although they are usually accessed via rear alleys.

9* The driveway is proposed to be gravel or paver driving strips with grass in between.

10* The 10′x11′ gable roofed shed is proposed to be located in the northeast rear corner of the yard – a common location for sheds.
11* The shed has windows, sloped eaves and will be painted. An email from the applicant clarified that the shed will be painted a color similar to the house and that the windows will be wood. Specifications were not provided.

The motion was seconded by Ms. Jackson; passed 5/0.

Decision on the Application

Ms. Downer made a motion that the application be approved as amended, with the following conditions:

1. That specifications and details for the following be provided to an approved by staff prior to installation:
   a. Paint colors;
   b. Exterior sheathing of the shed;
   c. Wood windows.
2. That any excavation required for installation of the driveway occurring near the tree be done by hand so as to avoid damage to tree roots and that any roots needing to be cut will be done so with proper tools such as loppers.

The motion was seconded by Ms. Jackson; passed 5/0.

Committee members voting: Caliendo, David, Downer, Jackson, Shackleton.

Certificate expiration date: 4/6/15.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

146-14-CA 316 E CABARRUS STREET
Applicant: WILL JEFFERS
Received: 9/17/2014 Meeting Date(s):
Submission date + 90 days: 12/16/2014 1) 10/6/2014 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: PRINCE HALL HISTORIC DISTRICT
Zoning: DOD, RB
Nature of Project: Remove rear porches; construct 1-story rear addition.
Amendments: Revised drawings were provided and are attached to these comments.
DRAC: The application was reviewed by the Design Review Advisory Committee at its September 24 meeting. Members in attendance were Dan Becker, Jerry Traub, and David Maurer; also present were Will Jeffers and Tania Tully.
Conflict of Interest: None noted.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
2.3	Site Features and Plantings	Remove rear porches; construct 1-story rear addition.
4.2	Additions to Historic Buildings	

STAFF COMMENTS

There is not enough information in the amended application to make a determination.

Staff recommends that the committee defer the application and request the following additional information:

1. Roof plan;
2. Dimensioned and/or scaled drawings;
3. Clarification on what parts of the existing house will remain and what will be rebuilt and dates if available;
4. Locations of trees (8" DBH or combined 8" girth if a multi-stemmed tree) on this and the adjoining properties.

PUBLIC TESTIMONY

Support:
Will Jeffers [affirmed], was present to speak in support of the application. Mr. Jeffers handed out a site plan showing the locations of trees on this and the adjoining properties as well as a roof plan. He explained that in the revision the roofline changed a little; there is a perpendicular

gable off the back. There is a major change to the drawings. He said that he would understand if the committee needed more, but if there was a way to get approval for the foundation and then staff approval later for the rest.

Tania Tully asked for clarification on the 1950s addition. She asked if it would be taken down to the foundation. She said it sounded like he was proposing to remove it for the intents and purposes of the COA application. Mr. Jeffers said yes. He also noted that he was proposing hardie-plank siding, but is open to clapboard.

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

Ms. Tully said that the committee should defer, but that it would be first thing on the agenda at the next meeting. Mr. Jeffers said requested approval on the plan submitted. Ms. Tully said that the committee could approve removal of the 1950s addition and the footprint if they feel they have enough information on that.

Mr. Shackleton asked about the east side. Will the wall be coming to the outer wall? Mr. Jeffers said that it would be 2 feet shy of the original wall. All the windows will be Lincoln and the historic clapboard siding will remain. He said that he would submit the paint color to be approved by staff.

Mr. Shackleton asked if procedurally, could the committee approve the foundation footprint and then defer the remainder of the application to the next meeting. Ms. Tully said yes.

Mr. Shackleton said that they needed the dimensions and scale. He is comfortable with the footprint, because from the survey and site visit he can tell that it will fit and not overpower the lot or neighborhood.

Ms. Caliendo said that it was a great project and wanted him to get started, but that they needed more information. Mr. Shackleton said that to approve a motion on the foundation, they need to construct facts.

In answer to a question, Mr. Jeffers explained that from the 1950s addition, the new addition goes back 29 feet and is 27 feet wide; the corner part is 13 feet wide and 15 feet deep.

Mr. Shackleton said that fact 1 is the dimensions. Referencing the revised drawings, Ms. Tully said that the new addition was 978 SF approximately. That they should subtract out the 1950s addition which is about 221 SF for an increase in SF of 757. She asked Mr. Jeffers what the current square footage of the house was. He said it was 1,200 SF now on .12 acres.

Referencing the provided tree locations, Ms. Tully noted that the only regulated trees are behind an existing chain link fence, so the trees are protected. The trees near the foundation are not regulated since they are 6 and 7 inches. He is removing a non-historic addition and is

protecting the large trees. The addition is at the rear and is inset from the historic house. Ms. Tully added that the committee should add facts that insufficient information regarding the dimensions and design were provided.

Mr. Jeffers asked if hardie been approved. Ms. Tully said yes, on additions and suggested that they wait to address that.

Ms. Tully verbalized some on-the-fly staff comments. She said that in her judgment the increase in lot coverage is not substantial and the trees are protected. She would recommend approval of the removal of the 1950s addition.

At Mr. Shackleton's suggestion Ms. Downer moved that the public testimony portion of the hearing be closed. Ms. Jackson seconded; motion carried 5/0.

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 comment A. (inclusive of facts 1, 3-6) to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Removal of rear porches; removal of 1950s addition; construction of foundation is not incongruous in concept according to *Guidelines* 2.3.7, 2.3.8, 4.2.1, 4.2.4, 4.2.5, 4.2.9, and the following findings:

1* The current house is 1,200 SF and the lot is .12 acres (5,227 SF) for a lot coverage of approximately 23%. The new addition is approximately 978 SF; the 1950s addition is 221 SF; the increase in SF is approximately 757 SF for new lot coverage of 37%. This is average in the Prince Hall Historic District.

2* The applicant provided a site plan showing the locations of trees on this and the adjoining properties. The large trees are behind an existing chain link fence, so they are protected. The trees near the foundation are not regulated since they are 6 and 7 inches DBH.

3* The applicant provided a roof plan.

4* The addition is located at the rear of and inset from the historic house.

5* The addition and porches being removed are non-historic.

6* There is insufficient information regarding the vertical dimensions and design of the addition.

The motion was seconded by Ms. Jackson; passed 5/0.

Decision on the Application

Ms. David made a motion that the removal of rear porches; removal of 1950s addition and construction of foundation be approved with the remainder of the application deferred requesting dimensioned and/or scaled drawings.

The motion was seconded by Ms. Jackson; passed 5/0.

Committee members voting: Caliendo, David, Downer, Jackson, Shackleton.

Certificate expiration date: 4/6/15.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

130-13-CA 510 S PERSON STREET
Applicant: STEPHANIE SCHULLER
Received: 8/23/2013 Meeting Date(s):
Submission date + 90 days: 11/21/2013 1) 10/6/2014 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: PRINCE HALL HISTORIC DISTRICT
Zoning: DOD, RB
Nature of Project: Construct 2-level addition on top of existing non-historic 1-story building.
Conflict of Interest: None noted.

The application was not presented or discussed, but had been deferred too many times without additional information provided.

Decision on the Application

Ms. David made a motion that the application be denied without prejudice meaning that it may be resubmitted as a new application at a later date.

The motion was seconded by Ms. Jackson; passed 5/0.

Committee members voting: Caliendo, David, Downer, Jackson, Shackleton.

OTHER BUSINESS

1. Administrative Review of Conditions: 081-14-CA: 323 Pace Street. Ms. Caliendo moved that the revised addition height meets condition number 3. Ms. Downer seconded; motion approved 4/1 (Ms. David opposed).
2. Committee Discussion
   a. Meeting Post-Mortem

ADJOURNMENT

The meeting was adjourned at 8:30 p.m.

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

Minutes Submitted by:
Tania Tully, Preservation Planner