RALEIGH HISTORIC DEVELOPMENT COMMISSION
CERTIFICATE OF APPROPRIATENESS COMMITTEE
Minutes of the Meeting
April 6, 2015

CALL TO ORDER

Sarah David 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: Sarah David, Don Davis, Miranda Downer, Laurie Jackson
Excused Absence: Elizabeth Caliendo
Staff Present: Tania Tully, Martha Lauer

Approval of the March 2 2015 Minutes

Mr. Davis moved to waive the reading of the minutes for the hearing. Ms. Jackson seconded the motion; passed 4/0. Mr. Davis moved to adopt said minutes as submitted. Ms. Jackson seconded the motion; passed 4/0.

Minor Works

There were no questions regarding the Minor Work report.

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

Visitor's/Applicant's Name and Address	Affirmed
Rudolph Morton, 513 S Blount Street 27601	Yes
Lionel Finley, 717 Dorothea Drive 27603	Yes
Lance Lightner, 717 Dorothea Drive 27603	Yes
Matthew Brown, 601 E Lane Street 27601	Yes
Randall Scott, 218 N East Street 27601	No
Heather Scott, 218 N East Street 27601	No

APPROVAL OF AGENDA

Ms. Downer moved to approve the agenda as printed. Mr. Davis seconded the motion; passed 4/0.

PUBLIC HEARINGS

Ms. David 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: 030-15-CA and 031-15-CA.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

030-15-CA 513 S BLOUNT STREET
Applicant: KABALA TEMPLE TRUSTEE, RUDOLPH MORTON
Received: 3/17/2015 Meeting Date(s):
Submission date + 90 days: 6/15/2015 1) 4/6/2015 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: PRINCE HALL HISTORIC DISTRICT
Zoning: RB, DOD
Nature of Project: [After-the-fact] install vinyl siding over existing siding.
Conflict of Interest: None noted.
Staff Notes:

- After-the-fact applications are treated as though the work has not been completed.
- File photos; Google Streetview photos, and Sanborn Fire Insurance maps are available for review.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
3.6	Exterior Walls	install vinyl siding over existing siding

STAFF COMMENTS

Based on the information contained in the application:

A. Installation of vinyl siding over existing siding is incongruous according to *Guidelines* 3.6.2, 3.6.10, and the following findings:

1* The *Historic Research Report for the Designation of the South Person/South Blount District* describes the building as a contributing ca. 1945 two-story gable-front building with brick piers at first story framing storefront and asbestos shingles. It was formerly Cannon Grocery Company.

2* Based on the 1961 Sanborn Fire Insurance maps it is unlikely that the asbestos siding is original. The map shows the building as yellow with no notation (meaning frame) rather than yellow with the notation ABS. CL (meaning asbestos clad).

3* The application states that the existing siding was missing in places and falling off and that they were unable to locate new material to match. There is no evidence to support the condition of the siding.

4* The application includes photos of the house at 503 S Blount Street which has vinyl siding. Per the *Historic Research Report for the Designation of the South Person/South Blount District,* the vinyl siding was in place at the time of district designation.

5* Fiber cement siding is the modern day equivalent of asbestos siding.

6* Based on current photos and those from the designation report (2011) either the trim was removed from some of the windows or the new siding abuts the window trim resulting in no trim depth. On the side of the building it appears as though new trim was installed.
7* A scalloped wood trim above the porch opening was removed.

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

1. That the vinyl siding be removed within 60 days of this decision.

PUBLIC TESTIMONY

Support:
Rudolph Morton [affirmed], 513 S Blount St. was present to speak in support of the application. Mr. Morton made the following comments:

- They did not know that they were in a historic district.
- They had a building that was falling down and needed repairs. He hired a contractor to come out and replace the siding with a material that was already being used in the neighborhood.
- All the information that was being sent to members was being sent to deceased persons. His first hearing of it was from the widow of a deceased member.
- He is asking the commission to allow the siding to remain.
- The new siding improves the look of the building.
- The vinyl siding was put over the siding that needed repair.
- There was no window replacement. Some glass panes were replaced

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

Responses and Questions:
Ms. David noted that the trim around some of the windows may have been replaced. Tania Tully [affirmed] stated that when she looked at photos from 2011, when historic district report was drafted, the only change was the siding installation. The roof replacement was in-kind.

Ms. Jackson spoke to the existing siding. She asked about where the siding was missing and what efforts were made to find new material to match. Mr. Morton said that asbestos siding was what was on there, and that it isn't made anymore. They are trying to keep building standing until it is sold, which they hope will be in the next year. He added that the new owners will demolish the structure and build a family life center.

Ms. Tully passed around the 2011 file photos and 2014 Google street view images – first showing them to the applicant and then to the committee.

Ms. David asked if Mr. Morton knows what happened to scalloped trim. Mr. Morton said that to his understanding it was wrapped with aluminum trim. Ms. Jackson asked if he believed it to be intact under the new siding. Mr. Morton said yes.

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

Committee Discussion

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

Vinyl siding is against the guidelines. [Davis]
It clearly states that is not appropriate to cover with contemporary materials. [Jackson]
What about fact 5? Is this a situation where Hardieplank would be acceptable? It is clear that the treatment that has been undertaken is not appropriate. With the trim issues, this is something that has come up before, and the good news is it seems to be intact underneath. [Jackson]
I appreciate the applicant's intentions in improving the building and that information was lost between parties, but the guidelines are clear. [David]
In regards to the vinyl siding at the house; it was added prior to designation of the district. It is understandable how they may have been working under the assumption that it would be an appropriate material, but it is an unfortunate situation. There is no evidence to support the use of vinyl siding. [Jackson]
Regardless of the siding underneath, we don't generally approve vinyl siding over synthetic siding. [David]
Clearly we can't approve vinyl siding, but I want to provide assistance. [Jackson]
I'm not sure how it would fit into this discussion. [Davis]
It may be that Hardie makes a shingle that would be an appropriate replacement, but that would be on the applicant to come back with the answer to that question and to say it really is impossible to find asbestos shingles. [David]
Replacement siding could be discussed with staff and would likely be a minor work, so staff had no reason to add that information. [Tully]

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

PUBLIC TESTIMONY (2)

Mr. Morton said that he feels it's unfair that they weren't noticed that they were in a historic district. He feels they should have a compromise since they are getting ready to demolish building.

Ms. Lauer explained the methods of notification to property owners and the community at large during the district designation process in 2011. Notifications to property owners, per City Code go, to the addresses on the tax records with Wake County.

Ms. Tully noted that a COA would be needed for demolition.

Ms. Davis said that typically, when someone wants to do replacements, they bring evidence to the committee to assist in their application approval.

Ms. Tully explained Fact 5, regarding fiber cement siding. She said that Mr. Morton is correct, that you can no longer buy asbestos siding. The committee has approved fiber cement siding as its substitute which can often be done at staff level.

Ms. David asked if staff has seen fiber cement shingles. Ms. Tully said that she hasn't. ?Adding that she understands not wanting to remove the asbestos siding at this time because it could be hazardous.

Mr. Tully added a reminder that after-the-fact applications must be reviewed as if the work had not been done.

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

Committee Discussion (2)

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

In terms of the 60 days, I would think that allowing more time to understand what their options are would be appropriate. How about 90 days? [Jackson]
I'd be fine with 120. [Davis]

Findings of Fact and Conclusions of Law

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

A. Installation of vinyl siding over existing siding is incongruous according to *Guidelines* 3.6.2, 3.6.10, and the following findings:

1* The *Historic Research Report for the Designation of the South Person/South Blount District* describes the building as a contributing ca. 1945 two-story gable-front building with brick piers at first story framing storefront and asbestos shingles. It was formerly Cannon Grocery Company.

2* Based on the 1961 Sanborn Fire Insurance maps it is unlikely that the asbestos siding is original. The map shows the building as yellow with no notation (meaning frame) rather than yellow with the notation ABS. CL (meaning asbestos clad).
3* The application states that the existing siding was missing in places and falling off and that they were unable to locate new material to match. There is no evidence to support the condition of the siding.
4* The application includes photos of the house at 503 S Blount Street which has vinyl siding. Per the *Historic Research Report for the Designation of the South Person/South Blount District,* the vinyl siding was in place at the time of district designation.
5* Fiber cement siding is the modern day equivalent of asbestos siding.
6* Based on current photos and those from the designation report (2011) either the trim was removed from some of the windows or the new siding abuts the window trim resulting in no trim depth. On the side of the building it appears as though new trim was installed.
7* A scalloped wood trim above the porch opening was covered.

The motion was seconded by Mr. Davis; passed 4/0.

Decision on the Application

Ms. Jackson made a motion that the application be denied with the following condition:

1. That the vinyl siding be removed within 120 days of this decision.

The motion was seconded by Mr. Davis; passed 4/0.

Committee members voting: David, Davis, Downer, Jackson.

Certificate expiration date: 10/6/15.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

031-15-CA 717 DOROTHEA DRIVE
Applicant: LIONEL FINLEY
Received: 3/18/2015 Meeting Date(s):
Submission date + 90 days: 6/16/2015 1) 4/6/2015 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: BOYLAN HEIGHTS HISTORIC DISTRICT
Zoning: R-10
Nature of Project: Construct 5' tall rear yard privacy fence; remove rear steps; construct new rear porch.
Amendments: Additional photos and drawings were provided by the applicant and are attached to these comments.
Conflict of Interest: None noted.
Staff Notes:

- A separate Minor Work COA has been filed for the following work items: re-siding; window replacement; alteration of front porch; re-roofing.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
2.3	Site Features and Plantings	Construct 5' tall rear yard privacy fence; remove rear steps; construct new rear porch.
2.4	Fences and Walls	Construct 5' tall rear yard privacy fence
3.8	Entrances, Porches, and Balconies	remove rear steps; construct new rear porch.
4.2	Additions to Historic Buildings	remove rear steps; construct new rear porch.

STAFF COMMENTS

Based on the information contained in the amended application:

A. Construction of 5' tall rear yard privacy fence is not incongruous in concept according to *Guidelines* 2.3.1, 2.3.2, 2.3.7, 2.4.8, 3.8.6, 4.2.1, 4.2.4, 4.2.5, 4.2.6, 4.2.7, 4.2.9, and the following findings:

1* There are no trees whose roots may be impacted by fence construction.
2* A photograph of the proposed fence design was included in the application.
3* The proposed wood fence is located along the property lines in the rear yard as is characteristic of the district. There is an existing fence along the rear property line.

4* It is not clear from the application of the fence will be constructed using neighbor-friendly design with the structural members facing towards the subject yard or if there will be need for gates.

B. Removal of rear steps; construction of new rear porch is not incongruous in concept according to *Guidelines* 2.3.7 and the following findings:

1* The house was constructed ca. 1960 and is classified as non-contributing in the Boylan Heights designation report.

2* There are no trees in the vicinity of the new addition that may be impacted by construction.

3* Based on the application drawings and Wake County Real Estate Data the lot is 6,534 SF. The existing built area including house, porch, and driveway is about 2,044 SF for 29% lot coverage. The proposed built area including house, porch, driveway, and new porch is about 2,066 SF for 31% lot coverage.

4* The proposed new porch is at the rear of the historic house; the roofline is lower than the ridgeline of the existing house and has a gable form. A roof plan is provided in the application and shows that the new roof overframes the existing roof.

5* The application states that the proposed screened porch addition will be all wood and the walls interior to the porch will have wood siding to match the addition. The porch is inset from the walls of the house.

6* The underside of the porch will be screened with lattice.

7* Architectural drawings of the existing house and proposed changes were included with the application. Detailed drawings are included, but there some ambiguity with regard to proposed materials.

8* Detailed drawings of railings are included, but do not specify which one is to be used. Traditionally, balustrades are inset.

9* Based on the application drawings and Wake County Real Estate Data the lot is 6,534 SF. The existing built mass is about 918 SF for 14% built mass coverage. The proposed built mass including house and new porch is about 1,062 SF for 16% built mass coverage.

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 installation:
   a. Plot plan verifying location of fence and gates, if any;
   b. Porch floor material;
   c. Lattice material;
   d. Porch railings.
2. That the fence will be constructed using neighbor-friendly design with the structural members facing towards the subject yard.

PUBLIC TESTIMONY

Support:
Lionel Finley [affirmed], Lightner Construction was present to speak in support of the application. Mr. Finely said that this was their first historic renovation.

Ms. David asked for clarification what's being applied for. Tania Tully [affirmed] explained that only the rear porch is being applied for here. The front changes and siding have been approved as a minor work.

Ms. Jackson thanked Mr. Finely for the additional information.

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

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

Committee Discussion

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

There was some discussion regarding the already approved front porch.

The back porch is congruous. [Davis]
The fence and back porch are fine. [David]

Findings of Fact and Conclusions of Law

Mr. Davis moved that based upon the facts presented in the application and the public hearing, the committee finds staff comments A. (inclusive of facts 1-4) and B. (inclusive of facts 1-9) to be acceptable as findings of fact:

A. Construction of 5' tall rear yard privacy fence is not incongruous in concept according to *Guidelines* 2.3.1, 2.3.2, 2.3.7, 2.4.8, 3.8.6, 4.2.1, 4.2.4, 4.2.5, 4.2.6, 4.2.7, 4.2.9, and the following findings:

1* There are no trees whose roots may be impacted by fence construction.
2* A photograph of the proposed fence design was included in the application.
3* The proposed wood fence is located along the property lines in the rear yard as is characteristic of the district. There is an existing fence along the rear property line.
4* It is not clear from the application of the fence will be constructed using neighbor-friendly design with the structural members facing towards the subject yard or if there will be need for gates.

B. Removal of rear steps; construction of new rear porch is not incongruous in concept according to *Guidelines* 2.3.7 and the following findings:

1* The house was constructed ca. 1960 and is classified as non-contributing in the Boylan Heights designation report.

2* There are no trees in the vicinity of the new addition that may be impacted by construction.

3* Based on the application drawings and Wake County Real Estate Data the lot is 6,534 SF. The existing built area including house, porch, and driveway is about 2,044 SF for 29% lot coverage. The proposed built area including house, porch, driveway, and new porch is about 2,066 SF for 31% lot coverage.

4* The proposed new porch is at the rear of the historic house; the roofline is lower than the ridgeline of the existing house and has a gable form. A roof plan is provided in the application and shows that the new roof overframes the existing roof.

5* The application states that the proposed screened porch addition will be all wood and the walls interior to the porch will have wood siding to match the addition. The porch is inset from the walls of the house.

6* The underside of the porch will be screened with lattice.

7* Architectural drawings of the existing house and proposed changes were included with the application. Detailed drawings are included, but there some ambiguity with regard to proposed materials.

8* Detailed drawings of railings are included, but do not specify which one is to be used. Traditionally, balustrades are inset.

9* Based on the application drawings and Wake County Real Estate Data the lot is 6,534 SF. The existing built mass is about 918 SF for 14% built mass coverage. The proposed built mass including house and new porch is about 1,062 SF for 16% built mass coverage.

The motion was seconded by Ms. Jackson; passed 3/1 [Ms. David opposed].

<u>Decision on the Application</u>

Mr. David 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 installation:
   a. Plot plan verifying location of fence and gates, if any;
   b. Porch floor material;
   c. Lattice material;
   d. Porch railings.
2. That the fence will be constructed using neighbor-friendly design with the structural members facing towards the subject yard.

The motion was seconded by Ms. Jackson; passed 3/1 [Ms. David opposed].

Committee members voting: David, Davis, Downer, Jackson.

Certificate expiration date: 10/6/15.

OTHER BUSINESS

1. Administrative Review of Conditions: 081-14-CA, 323 Pace Street
   a. Prior to discussion Ms. Downer moved to allow Ms. Jackson to be recused. Mr. Davis seconded; motion carried 4/0.
   b. Randy Scott and Matthew Brown spoke to the proposed design and provided additional drawings for clarification. After questions and discussion Mr. Davis moved to approve the proposed porch design as meeting the condition. Ms. Downer seconded; motion carried 3/0.
   c. Post discussion the Ms. Downer moved to allow Ms. Jackson to return. Mr. Davis seconded; motion carried 3/0.
2. Committee Discussion
   a. Artisan Hardie Plank technical issues were discussed.

ADJOURNMENT

The meeting was adjourned at 5:11 p.m.

Sarah David
Certificate of Appropriateness Committee,
Raleigh Historic Development Commission

Minutes Submitted by:
Tania Tully, Preservation Planner