RALEIGH HISTORIC DEVELOPMENT COMMISSION
CERTIFICATE OF APPROPRIATENESS COMMITTEE
Minutes of the Meeting
June 1, 2015

CALL TO ORDER
Chair Elizabeth Caliendo called the Certificate of Appropriateness (COA) Committee meeting to order at 4:02 p.m.

ROLL CALL
Tania Tully, Preservation Planner, called the roll as follows:
Present: Elizabeth Caliendo, Sarah David, Don Davis, Laurie Jackson
Alternate Present: Kiernan McGorty
Excused Absence: Miranda Downer
Staff Present: Tania Tully, Martha Lauer, Teresa Young

Approval of the May 4, 2015 Minutes
Ms. David moved to waive the reading of the minutes for the hearing and to adopt said minutes as submitted. Mr. Davis seconded the motion; passed 5/0.

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
Jim Melo, 215 N East Street 27601	Yes
Meghan Melo, 215 N East Street 27601	Yes
Terri Becom, 308 N East Street 27601	No
Toni Sutphin, 405 E Jones Street 27601	No
Ashley Morris, 306 Pell Street 27604	Yes
Payvand Kamrani, 600 N Boundary Street 27604	No
Kamran Kamrani, 600 N Boundary Street 27604	Yes
Gary Roth, 1101 Haynes Street 27611	Yes
Jeremy Bradham, 1101 Haynes Street 27611	Yes
Marie Scheuring, 530 Elm Street 27604	Yes
Carrie Meyers, 312 Cutler Street 27603	Yes
Derek Van Berkel, 312 Cutler Street 27603	Yes
Gail Wienser, 515 Euclid Street 27604	Yes
Ellen Nightingale, 407 E Jones Street	No
Dan Clower, 534 N East Street 27604	No
Joseph Hester, 501 N Boundary Street 27604	Yes
Kennan Hester, 501 N Boundary Street 27604	Yes

David Maurer, 1115.5 E Hargett Street 27601	Yes
Mike Morrison, 1115.5 E Hargett Street 27601	Yes
Matthew Brown, 601 E Lane Street 27601	Yes
John Strenkowski, 500 N Blount Street 27604	Yes
Jodi Strenkowski, 500 N Blount Street 27604	Yes

REVIEW OF SUMMARY PROCEEDINGS/APPROVAL OF AGENDA

Ms. McGorty moved to approve the agenda as printed. Mr. Davis seconded the motion; passed 5/0.

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 055-15-CA and 056-15-CA for which the Summary Proceeding is made part of these minutes.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – SUMMARY PROCEEDING

055-15-CA 120 N BLOODWORTH STREET - ROW
Applicant: CITY OF RALEIGH
Received: 4/20/2015 Meeting Date(s):
Submission date + 90 days: 7/19/2015 1) 6/1/2015 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: R-10
Nature of Project: [After-the-fact] remove dangerous sugar maple tree.
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 dangerous sugar maple tree

STAFF COMMENTS

Based on the information contained in the application:

A. Removal of dangerous sugar maple tree is not incongruous in concept 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* A City of Raleigh Urban Forester inspected the 14" DBH sugar maple tree and determined that it was a hazard.
2* Seventy-five percent of the tree's crown was dead and contained a large broken limb.
3* A replacement tree is not proposed.
4* According to the City of Raleigh NeighborWoods program webpage, the sugar maple is categorized as a large tree and described as an attractive shade tree that reaches 50'-60' in height at maturity and has a slow to medium growth rate.

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

1. That a large maturing tree be planted in Oakwood during the next NeighborWoods planting season.

Decision on the Application

There were no objections to approval without a public hearing.

Mr. Davis moved to approve the application, adopting the staff comments as the written record of the summary proceeding on 055-15-CA. Ms. David seconded the motion; passed 5/0.

Committee members voting: Caliendo, David, Davis, Jackson, McGorty.

Certificate expiration date: 12/1/15.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – SUMMARY PROCEEDING

056-15-CA 109 N EAST STREET - ALLEY
Applicant: HARVEY NORRIS FOR CITY OF RALEIGH
Received: 5/4/2015 Meeting Date(s):
Submission date + 90 days: 8/2/2015 1) 6/1/2015 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: R-10
Nature of Project: Remove diseased/dangerous tree of heaven.
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 diseased/dangerous tree of heaven.

STAFF COMMENTS

Based on the information contained in the application:

A. Removal of diseased/dangerous tree of heaven is not incongruous in concept according to *Guidelines* section 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 tree is in an alley between 109 N East Street and 426 E Jones Street.
2* A City of Raleigh Urban Forester inspected the tree and determined that it is a hazard. The tree has been girdled (cut through the bark all the way around) in several places, has signs of decay in the trunk, has a one sided canopy, and numerous dead limbs throughout.
3* The Tree of Heaven is considered an invasive species.
4* A replacement tree is not proposed.
5* According to the NC Cooperative Extension Searchable Database of Plants, the Tree of Heaven grows to 40 to 50 feet at maturity.

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

2. That a medium maturing tree be planted in Oakwood during the next NeighborWoods planting season.

Decision on the Application

There were no objections to approval without a public hearing.

Mr. Davis moved to approve the application, adopting the staff comments as the written record of the summary proceeding on 056-15-CA. Ms. David seconded the motion; passed 5/0.

Committee members voting: Caliendo, David, Davis, Jackson, McGorty.

Certificate expiration date: 12/1/15.

PUBLIC HEARINGS

Chair Caliendo 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: 029-15-CA, 058-15-CA, 059-15-CA, 060-15-CA, 061-15-CA, 062-15-CA and 063-15-CA.

Ms. Jackson was recused from case 061-15-CA: Ms. David moved to recuse Ms. Jackson. Motion seconded by Mr. Davis; passed 4/0.

Prior to case 062-15-CA Ms. David made a motion to dismiss Ms. McGorty. Motion seconded by Mr. Davis; passed 3/0. Additionally, Ms. David made a motion to readmit Ms. Jackson. Motion seconded by Mr. Davis; passed 3/0.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

029-15-CA 215 N EAST STREET
Applicant: MEGHAN & JIM MELO
Received: 3/16/2015 Meeting Date(s):
Submission date + 90 days: 6/14/2015 1) 5/4/2015 2) 6/1/2015 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: R-10
Nature of Project: [After-the-Fact] HVAC replacement & planter installation. (Deferred from May hearing.)
Amendments: Additional documentation was provided in the commissioner packets.
Conflict of Interest: None noted. Ms. McGorty noted that she is a friend and neighbor of the applicant and can remain impartial.
Staff Notes:

- The bulk of the work items for this COA were approved at the May hearing.
- After-the-fact work items are reviewed as though the work has not been completed.
- COAs mentioned in comments are available for review.
- The exact location of property lines, ownership, and legal access to driveways is a civil matter 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	install brick planters; relocate HVAC unit.

STAFF COMMENTS

Based on the information contained in the amended application:

A. Installation of brick planters; relocation of HVAC unit is not incongruous according to *Guidelines* 2.3.2, 2.3.4, 2.3.9, and the following findings:
1* The front yard brick retaining wall was constructed per COA 044-05-MW.
2* Low brick planters in side yards are not uncommon in the historic district.
3* At the May hearing, Mr. Melo said that the HVAC died last summer, so it was replaced exactly where the other unit was and that the new garden beds followed the lines of plantings from the previous owner using brick from what was left over from the foundation repair.

4* At the May hearing, Mr. Nightingale (an adjacent owner) stated that the placement of the HVAC and planters are in the adjacent driveway and that the planters extend from .9 to over a foot into the driveway for a length of about 12 feet.
5* The amended application states that the new brick planter (garden bed) is 48″ from the wall of the house and 12″ beyond the existing brick retaining wall.
6* The amended application states that the farthest edge of the HVAC pad is 48″ from the wall of the house and 12″ beyond the existing brick retaining wall.
7* Based on file photographs, the new HVAC unit is in the same approximate location as the one replaced.
8* The existing retaining wall, new planters, and HVAC unit are in a visual line parallel to the wall of the historic house.

Staff recommends that the committee approve the amended application.

PUBLIC TESTIMONY

Staff Introduction: Tania Tully [affirmed] showed the location of the property on the map and noted highlights from staff comments. Ms. Tully stated that the applicants submitted additional pictures with the application and reminded the commission that the items under consideration were those deferred from May.

Support:
Jim and Meghan Melo [affirmed] were present to speak in support of the application. Mr. Melo provided additional photos.

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

Responses and Questions:
Ms. David questioned if the old HVAC unit was issued a certificate of appropriateness. Ms. Tully responded that she had not checked. Mr. Davis inquired about the use of the driveway and Ms. Melo stated that it is used by neighbors once or twice a week. Mr. Davis questioned further about the location of the driveway. Ms. Melo replied that there were fences in two other yards in the area.

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

Committee Discussion

The following points were made in discussion [speaker indicated in brackets]:
Based on the site plan, the HVAC is in the driveway an insignificant amount. [Caliendo]

The fence blocks the driveway more. [Davis]
It doesn't encroach based on the photograph from 2013 that we have. It also doesn't encroach where they've already got the landscape with the planter. [David]
The new planter takes up no more visual space than the prior plantings. [Jackson]
We have no purview over property line issues. [Caliendo]
On the location of the driveway you can see the tracks when there in person. The planter and the HVAC don't come out onto the driveway tracks. [David]

Findings of Fact and Conclusions of Law

Following discussion on an initial motion made by Ms. Jackson and seconded by Ms. McGorty, Ms. Jackson made an amended that based upon the facts presented in the application and the public hearing, the committee finds staff comment A. (inclusive of facts 1-8) to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Installation of brick planters; relocation of HVAC unit is not incongruous according to *Guidelines* 2.3.2, 2.3.4, 2.3.9, and the following findings:

1* The front yard brick retaining wall was constructed per COA 044-05-MW.

2* Low brick planters in side yards are not uncommon in the historic district.

3* At the May hearing, Mr. Melo said that the HVAC died last summer, so it was replaced exactly where the other unit was and that the new garden beds followed the lines of plantings from the previous owner using brick from what was left over from the foundation repair.

4* At the May hearing, Mr. Nightingale (an adjacent owner) stated that the placement of the HVAC and planters are in the adjacent driveway and that the planters extend from .9 to over a foot into the driveway for a length of about 12 feet.

5* The amended application states that the new brick planter (garden bed) is 48" from the wall of the house and 12" beyond the existing brick retaining wall.

6* The amended application states that the farthest edge of the HVAC pad is 48" from the wall of the house and 12" beyond the existing brick retaining wall.

7* Based on file photographs, the new HVAC unit is in the same approximate location as the one replaced.

8* The existing retaining wall, new planters, and HVAC unit are in a visual line parallel to the wall of the historic house.

9* The new planters and HVAC unit do not encroach into the tire tracks of the adjacent driveway.

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

Decision on the Application

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

Ms. McGorty seconded. The motion passed 5/0.

Committee members voting: Caliendo, David, Davis, Jackson, McGorty.

Certificate expiration date: 12/1/15.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

058-15-CA 312 CUTLER STREET
Applicant: CARRIE MEYERS & DEREK VAN BERKEL
Received: 5/12/2015 Meeting Date(s):
Submission date + 90 days: 8/10/2015 1) 6/1/2015 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: BOYLAN HEIGHTS HISTORIC DISTRICT
Zoning: R-10
Nature of Project: Install gutters, change exterior paint colors, alter dormer: remove synthetic siding, side with fiber cement, use wood composite material on fascia and soffit [after-the-fact], replace dormer vent with window; replace front door; repair soffit and fascia with wood composite material [after-the-fact], alter roof covering; remove aluminum siding; install house numbers and mailbox; parge foundation; construct rear deck.
Conflict of Interest: None noted.
Staff Notes:

- Staff observed that the eaves have already been rebuilt.
- Staff photos are available for review.
- 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	construct rear deck
3.1	Wood	remove aluminum siding; repair soffit and fascia with wood composite material
3.2	Masonry	parge foundation
3.4	Paint and Paint Color	change exterior paint colors
3.5	Roofs	Install gutters; alter dormer; replace dormer vent with window; repair soffit and fascia with wood composite material; alter roof covering.
3.6	Exterior Walls	remove aluminum siding; install house numbers and mailbox
3.7	Windows and Doors	replace front door; replace dormer vent with window
4.1	Decks	construct rear deck

STAFF COMMENTS

Based on the information contained in the application:

A. Installation of gutters; alteration of dormer; replacement of dormer vent with window; repairing of soffit and fascia is not incongruous in concept according to *Guidelines* 3.5.5, 3.5.8, 3.7.7; however, use of wood composite material is incongruous according to *Guidelines* 3.1.5, 3.5.5, and the following findings:

1* The house is currently clad in a combination of aluminum siding and vinyl trim;
2* The new trim on reconstructed eaves appears to be synthetic with a faux wood grain texture. The commission has only approved smooth surfaced substitute materials.
3* The application proposes to side the dormer in smooth faced fiber cement siding with the reveal to match the reveal of the historic siding.
4* The application includes photographs of other dormers with rotten siding.
5* Photographs of the deteriorated eaves were included in the application; the application states that the wood under the vinyl eave covering was missing.
6* The commission has approved fiber cement siding on historic buildings only when the wood siding underneath was missing such as at 1008 W South Street (COA 089-05-CA).
7* Wood under synthetic siding is typically in good shape with some minor repairs and replacement necessary.
8* The existing dormer vent is not historic; it is traditional to have a window in the dormer. Specifications were not included in the application.
9* Detailed information was not included for the proposed gutters and downspouts.

B. Replacement of front door; alteration of roof covering; changing of exterior paint colors; removal of aluminum siding; installation of house numbers and mailbox; is not incongruous in concept according to *Guidelines* 3.4.3, 3.5.5, 3.6.4, 3.6.5, 3.6.7, 3.7.7; however parging of the foundation is incongruous according to *Guidelines* 3.2.1, 3.2.4 and the following findings:

1* Replacement of front door; changing of exterior paint colors; removal of aluminum siding; installation of house numbers and mailbox are approvable as Minor Works and are included herre for administrative efficiency.
2* Paint samples were provided. Detailed information regarding the new roofing material and venting was included in the application.
3* The door being replaced is not historic.
4* The foundation consists of brick piers infilled with unpainted concrete blocks. Parging the foundation would obscure the historic pier construction method.

C. Construction of rear deck is not incongruous in concept according to *Guidelines* 2.3.2, 2.3 7, 4.1.1, 4.1.2, 4.1.3, 4.1.5, 4.1.8 and the following findings:

1* No information regarding trees is included in the application. There may be trees that could be impacted by construction activity.
2* Rear decks are commonly approved in Boylan Heights.

3* The proposed deck is at the level of the main floor of the house, at the rear, and inset from the side of the house by a few inches.
4* No under deck screening is shown.
5* The proposed railing is horizontal wood; detailed drawings were not included.

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

1. That the foundation not be parged.
2. That the siding and eave material be wood.
3. That the underside of the deck be screened.
4. That the following details and specifications be provided to and approved by staff prior to issuance of permits:
   a. Tree protection plan similar to the RHDC sample plan;
   b. Deck and stair construction;
   c. Deck attachment to house;
   d. Deck edge;
   e. Railing.
5. That should the applicant find that more than 50% of the wood siding underneath the asbestos siding needs replacing, the applicant will stop work and consult with staff to determine the appropriate next step.
6. That details and specifications for the following be provided to and approved by staff prior to construction or installation:
   a. Eave reconstruction;
   b. Gutters and downspouts;
   c. Dormer window;
   d. Window trim for dormer window;
   e. Under deck screening;
   f. Window trim if missing underneath aluminum siding.

PUBLIC TESTIMONY

Staff Introduction: Tania Tully [affirmed] showed the location of the property on the map and noted highlights from staff comments. Ms. Tully mentioned that the main issue to address is the installation of synthetic trim and fiber cement on the dormer. She also noted that the fiber cement looks like it has a faux-wood texture.

Support:
Carrie Meyers and Derek Van Berkel [affirmed] were present to speak in support of the application.

Ms. Meyers stated that she and Mr. Van Berkel had found pictures of similar houses in their neighborhood to base the colors off of. Mr. Van Berkel noted the typo in staff conditions regarding asbestos siding; it should be aluminum. Ms. Meyers explained that the framing for

the roof was rotten and when the contractor that worked on her home came in to redo the roof, the framing was redone as well as made waterproof.

Ms. Meyers further explained that the rafter tails were never exposed and they replaced the eave with a synthetic material called miratec. Ms. Tully noted that the building material has been used before as part of the siding or trim in construction by previous COA applicants. Ms. Meyers noted that the gutters are going to go over this material as well but not cover the dormer. She additionally stated that the gutters were going to be of the same style as the house across the street from her property. Ms. Meyers made a key point that there are no images of the house historically and therefore it would be difficult to find out what was on the house before and use similar materials as to what existed previously. She also pointed out that the aluminum on the house was introduced so there is proof that construction on the house differentiated than what was there before.

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

Responses and Questions:
Ms. David asked if they had been inside of the dormer to see if there had been a window frame. Ms. Meyers said no, and that the entire framing had to be rebuilt. Ms. David inquired about wood on the house when the siding was vinyl and if the rafter tails were made out of wood as well. Ms. Meyer responded that they are now made of the synthetic material, miratec and that the rafter tails were never exposed. She added that they could wrap it back with aluminum like it was and it would be replaced as it existed previously.

Ms. Caliendo noted that if approved the miratec would be a precedent setting for the committee while Ms. Tully pointed out that the material had been used in previous applications that have appeared before the committee such as 1008 W South Street and was used in areas that were prone to rot. Ms. David once again asked how the miratec material compares to wood and Ms. Meyer responded that it is stronger and would be a better material for attaching the gutters.

Ms. David also questioned about the style eave of the dormer, as it appeared to be plainer than the other architecture in the area. Ms. Meyer replied that it wasn't out of character for the area and that there have been cases of similar construction in the neighborhood. Ms. McGorty explained that this situation could be troubling due to the lack of historical evidence as to what existed on the property previously. Ms. Tully affirmed that with a lack of historical evidence on roof features, the new design has to be compatible with the scale and size of the historic pattern of the district.

Ms. David then stated that the flat trim was likely fine since the gutters were going to be over it.

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

Committee Discussion

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

Is the material compatible? [McGorty]
If it's completely missing, it needs to be compatible. [Caliendo]
The material itself wouldn't be compatible. [Jackson]
That's the question; do we think it's compatible with the character? [Caliendo]
Is the character the same? We'd have to see it side by side. [McGorty]

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

PUBLIC TESTIMONY(2)

Ms. Tully explained that it is not the first time the miratec material has been approved for construction and it is appropriate for the eaves on the house. Ms. David asked if the eave was made of beadboard and what the flat side was nailed to. Ms. Meyers answered that only the right side of the wood was and that she did not know what it was nailed to as the material wasn't there. She further stated that the only alterations that were done was that the wood was scraped. Ms. Meyers also explained that entire backside had caved in. Ms. Caliendo added that if only a portion is there that it is still uncertain of the entire soffit was that material. Ms. Meyers noted that the house was built in three phases and the rear portions didn't have the beadboard. Ms. David pointed out that beadboard would be characteristic of the period. Ms. Caliendo asked if their proposal was a flat soffit. Ms. Meyers said that it was perforated. Ms. Tully pointed out that perforated would not get approved and there were other ways to handle ventilation.

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

Committee Discussion(2)

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

The eave is not completely missing. The original socket was beadboard. Given that I am less inclined to accept the miratec. They have enough material to do that around the house. There appears to be enough to be there to give guidance as to what should be there. [Caliendo]
I agree. [Davis] [Jackson]

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

PUBLIC TESTIMONY(3)

Ms. McGorty referred back to the aluminum and pressed that the committee cannot approve anything that goes in a different direction from what the evidence shows. She confirmed with staff that the decision here was just regarding the soffits and fascia. Ms. David reminded that regardless of the material, the committee would need to see a detailed example of the soffit, roof, and exposed rafter.

Ms. McGorty asked about a prior decision that used fiber cement on a dormer. Ms. Tully explained that in that case a new former addition was approved on a brick house and that no historic fabric was being replaced.

Ms. David pointed out that the picture makes it look as though there is crown molding instead of a fascia. She noted that that configuration would not have been seen historically. There are historic methods of treating the edge. Ms. McGorty commented that she was less troubled because they were not removing historic details. Ms. David said that for a house built 1905-1910 the eave would not have been this plain. Ms. Tully noted that the guidelines say that if a feature is missing, then the replacement needs to match known details or be compatible.

Ms. Caliendo asked if there would be gutters. Ms. Tully said, yes, but not on the dormer. Ms. David added that the flatter finish may be fine since they do not know what had been there. It may be wiser not to speculate. Ms. Meyers asked if she could keep the miratec.

Ms. Lauer noted that we are opening this case as a precedent for any case that seems predominately missing.

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

Committee Discussion(3)

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

There are things we need to know. [McGorty]
Is it still possible to do wood in this instance? [Davis]
The wood siding is intact under the aluminum. [Jackson]
They only asked for synthetic material on the dormer and the eaves and soffit. [Tully]
The staff is willing to say it is completely missing. [Caliendo]
We've approved this material before in areas that had high water damage. Are these areas susceptible to water damage such as peers and stills? [McGorty]
Fascia definitely but not the soffit. [Jackson]
We're permitting material that is more durable in places where we see a lot of damage. [McGorty]

The application has photographs that show what the original construction was. [David]
The replacement at least in design and material should match what was there historically which should be wood since we have evidence. [Jackson]
Any discussion about the parging of the foundation? [Caliendo]

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

PUBLIC TESTIMONY(4)

Ms. Meyer said that they were fine with not parging the foundation exterior. She noted that it was parged on the interior to help with stability since the concrete between the brick piers was not structural. Ms. Meyer questioned if the soffit was redone with beadboard would it have to be wrapped with aluminum. Ms. Jackson stated that the dilemma is that the committee does not know what existed before and did not want to make any assumptions. Mr. Van Berkel asked about the lattice which Ms. Tully replied that staff would work with him on the materials. Mr. Van Berkel inquired about the historical use of vinyl siding on the homes in the neighborhood. Ms. Tully said that it was installed prior to district designation and confirmed removing the aluminum and restoring to the original siding was historically accurate.

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

Committee Discussion(4)

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

We should approve the miratec for the fascia. The new design should be sympathetic to the beadboard soffit. It meets guildinge 3.5.5. [Jackson]
The side of the dormer is supposed to be fiber cement. We've approved use of this before. [David]
The applicant does make the point that this area is more susceptible to water damage. [Jackson]
The siding of the dormer was approved on the brick house but never anything like this. [McGorty]
There should be wood siding on the side of the dormer as it keeps with the rest of the house. [Davis]
Going back to wood? [McGorty]
The siding material would be wood except for the fascia which would me miratec. [Davis]
The fascia is susceptible to water damage like other areas such as columns faces and window sills. The A5 photographs show beadboard but we don't have any evidence as to what the fascia looked like originally. [David]

There was no further committee discussion.

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, 6-8), B. (inclusive of facts 1-4), C. (inclusive of facts 1-5) to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Installation of gutters; alteration of dormer; replacement of dormer vent with window; repairing of soffit and fascia is not incongruous in concept according to *Guidelines* 3.5.5, 3.5.8, 3.7.7; however, use of wood composite material for the soffit is incongruous according to *Guidelines* 3.1.5, 3.5.5, and the following findings:

1* The house is currently clad in a combination of aluminum siding and vinyl trim;

2* The new trim on reconstructed eaves appears to be synthetic with a faux wood grain texture. The commission has only approved smooth surfaced substitute materials.

3* The application proposes to side the dormer in smooth faced fiber cement siding with the reveal to match the reveal of the historic siding.

4* The application includes photographs of other dormers with rotten siding.

5* Photographs of the deteriorated eaves were included in the application and staff photos; the application states that the wood under the vinyl eave covering was missing. Two of the photographs provided show remnants of beaded board, but no evidence of the former fascia.

6* The commission has approved fiber cement siding on historic buildings only when the wood siding underneath was missing such as at 1008 W South Street (COA 089-05-CA).

7* Wood under synthetic siding is typically in good shape with some minor repairs and replacement necessary.

8* The existing dormer vent is not historic; it is traditional to have a window in the dormer. Specifications were not included in the application.

9* Detailed information was not included for the proposed gutters and downspouts.

10* Previous COA decisions approved the use of synthetic materials for window sills and column bases when the historic fabric was deteriorated beyond repair or missing and because they are features highly susceptible to water damage. The fascia is a feature exposed to weather, highly susceptible to water damage, and is a missing feature on this house.

B. Replacement of front door; alteration of roof covering; changing of exterior paint colors; removal of aluminum siding; installation of house numbers and mailbox; is not incongruous in concept according to *Guidelines* 3.4.3, 3.5.5, 3.6.4, 3.6.5, 3.6.7, 3.7.7; however parging of the foundation is incongruous according to *Guidelines* 3.2.1, 3.2.4 and the following findings:

1* Replacement of front door; changing of exterior paint colors; removal of aluminum siding; installation of house numbers and mailbox are approvable as Minor Works and are included herre for administrative efficiency.

2* Paint samples were provided. Detailed information regarding the new roofing material and venting was included in the application.

3* The door being replaced is not historic.
4* The foundation consists of brick piers infilled with unpainted concrete blocks. Parging the foundation would obscure the historic pier construction method.

C. Construction of rear deck is not incongruous in concept according to *Guidelines* 2.3.2, 2.3 7, 4.1.1, 4.1.2, 4.1.3, 4.1.5, 4.1.8 and the following findings:
1* No information regarding trees is included in the application. There may be trees that could be impacted by construction activity.
2* Rear decks are commonly approved in Boylan Heights.
3* The proposed deck is at the level of the main floor of the house, at the rear, and inset from the side of the house by a few inches.
4* No under deck screening is shown.
5* The proposed railing is horizontal wood; detailed drawings were not included.

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

<u>Decision on the Application</u>

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

1. That the foundation not be parged.
2. That the siding and eave material be wood except for the fascia which is approved to be smooth faced Miratec.
3. That the underside of the deck be screened.
4. That the following details and specifications be provided to and approved by staff prior to issuance of permits:
   a. Tree protection plan similar to the RHDC sample plan;
   b. Deck and stair construction;
   c. Deck attachment to house;
   d. Deck edge;
   e. Railing.
5. That should the applicant find that more than 50% of the wood siding underneath the aluminum siding needs replacing, the applicant will stop work and consult with staff to determine the appropriate next step.
6. That details and specifications for the following be provided to and approved by staff prior to construction or installation:
   a. Eave reconstruction;
   b. Gutters and downspouts;
   c. Dormer window;
   d. Window trim for dormer window;
   e. Under deck screening;

f. Window trim if missing underneath aluminum siding.

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

Committee members voting: Caliendo, David, Davis, Jackson, McGorty.

Certificate expiration date: 12/1/15.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

059-15-CA 600 N BOUNDARY STREET
Applicant: PAYVAND KHOSRAVI-KAMRANI
Received: 5/11/2015 Meeting Date(s):
Submission date + 90 days: 8/9/2015 1) 6/1/2015 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: R-10
Nature of Project: Demolish non-historic 1-story, 2-car garage and attached screened porch; construct new 1-1/2 story 1-car garage; construct rear addition and new screened porch; remove asbestos siding on house.
Amendments: Revised drawings with an amended roofline and examples of accessory structures attached to houses were provided and are attached to these comments.
Conflict of Interest: None noted.
Staff Notes:

- COAs mentioned 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 non-historic 1-story, 2-car garage and attached screened porch; construct new 1-1/2 story 1-car garage; construct rear addition and new screened porch
2.6	Garages and Accessory Structures	Demolish non-historic 1-story, 2-car garage; construct new 1-1/2 story 1-car garage
3.1	Wood	remove asbestos siding on house.
3.6	Exterior Walls	remove asbestos siding on house.
4.2	Additions to Historic Buildings	construct rear addition and new screened porch
5.2	Demolition	Demolish non-historic 1-story, 2-car garage

STAFF COMMENTS

Based on the information contained in the amended application:

A. Removal of asbestos siding; demolition of non-historic 1-story, 2-car garage and attached screened porch; construction of new 1-1/2 story 1-car garage; construction of rear addition and new screened porch is not incongruous in concept according to *Guidelines* 2.3.6, 2.3.7, 2.6.1, 2.6.5, 2.6.6, 2.6.9, 3.6.4, 3.6.5, 4.2.1, 4.2.2, 4.2.4, 4.2.5, 4.2.6, 4.2.7, 4.2.8, 4.2.9, 5.2.4, 5.2.5 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* There is a large Magnolia tree immediately adjacent to the existing garage and driveway as well as other trees in the vicinity of the proposed work. General tree protection information was included in the application, but given the proximity of the Magnolia, a plan by an arborist is recommended.

2* The new garage is farther away from the Magnolia tree that the existing garage.

3* No information is included on whether the driveway will change.

4* The current garage is 2-bays wide and connected to the historic house via a flat roofed screened porch. The proposed new garage is 1-bay wide and will also attach to the historic house via a screened porch and addition. The amended application includes examples of accessory structures attached to houses in Oakwood.

5* The garage has a gable front pitched roof with a single shed roofed dormer. One car gable front garages are common in the district both historically and with approved COAs.

6* The new screened porch and addition are under a low pitched roof that maintains the appearance of a garage separate from the house.

7* The new garage is pulled back from the property farther than the existing; is 1-1/2 stories, and is lower than the roof of the historic house; the amount of difference is unknown, though it appears to be about one foot.

8* There is not a tradition of 1-1/2 or 2-story garages 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.

9* There have been committee-approved exceptions of taller 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). Examples provided in that case include 218 N East Street, 403 E Edenton Street, 121 N Bloodworth Street, and in the 300 block of Polk Street (behind 425 N Bloodworth Street) – except for 121 N Bloodworth Street all of the houses associated with the garages are 2-stories or taller. 121 N Bloodworth Street is one-story, but the approved garage was a 2-bay 1-story structure (COA 135-97-CA).

10* In 2008, based in part on the 2006 decision referenced in fact 9*, 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.

11* The garage at 323 Pace Street (COA 081-14-CA) was approved to be 18′ in height and 22′x26′ in footprint; this is 1 foot lower than the historic house and the same height as the new addition.

12* The new addition is at the rear of the house in an inconspicuous location.

13* On the east elevation the addition extrudes from the historic house. A corner board is shown, but it is not in the location of the end of the historic house. A proposed new window changes a pair of windows to a bank of three where the corner board should be.
14* The new addition is pulled back from the house on the west side further than the existing screened porch connection. The new garage is further forward than the existing but remains behind the side wall of the historic house
15* The application states that the new windows on the garage and addition will be wood; specifications and details of the windows and trim were not included. The siding will match the historic wood siding in material and size; roofing material is to match the existing.
16* The garage door is proposed to be wood with windows at the top; details and specifications were not provided.
17* The application states that initial investigations suggest that there is likely wood siding under the asbestos. Wood under synthetic siding is typically in good shape with some minor repairs and replacement necessary.
18* Based on Sanborn Fire Insurance Maps, the garage and screened porch connector proposed for removal were constructed after 1950. On the 1950 map there was a 1-story 1-car garage.

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

1. That on the east elevation there be a trim board at the location of the historic end of the house and that the bank of windows remain a pair.
2. That the following details and specifications 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 or a NC licensed Landscape Architect that includes guidance for removal of old garage as well as the new construction;
   b. Revised east elevation;
   c. Windows;
   d. Section drawings for eaves of addition and garage including gutters.
3. That details and specifications for the following be provided to and approved by staff prior to construction or installation:
   a. Section drawings of screened porch;
   b. Window and door trim drawings;
   c. Foundation material sample;
   d. Garage door;
   e. Stairs;
   f. New HVAC if applicable.
4. That should the applicant find that more than 50% of the wood siding underneath the asbestos siding needs replacing, the applicant will stop work and consult with staff to determine the appropriate next step.
5. That a new COA application be filed for any proposed changes to the driveway, fence or landscaping.

PUBLIC TESTIMONY

Staff Introduction: Tania Tully [affirmed] showed the location of the property on the map and noted highlights from staff comments.

Support:
Mr. Kamran Kamrani [affirmed], the applicant's father, and Ms. Ashley Morris [affirmed] were present to speak in support of the application. The applicant was in the audience. Ms. Morris stated that they were onboard with staff's recommended design change. They are bringing one of the windows around the garage to the other side – a historic window.

Opposition:
Ms. Marie Scheuring [affirmed] of 530 Elm Street was present to speak in opposition to the application. Ms. Scheuring explained that she was happy that the existing garage was going to be replaced as it encroaches over her property line. She expressed unhappiness at the fact that her property was not listed in the adjacent properties that were notified. Ms. Scheuring went on to discuss the fact that the proposed garage is two stories and not one and a half stories like presented in the application. She stated that she was unaware of any other two-story garages associated with one-story houses. Ms. Scheuring stated that the orientation of the roof pitch is different than that of the house and seems to be in the wrong direction. She also expressed her concern over the placement of the windows on the dormer as they could potentially allow for views into her own home which is located on the adjacent property. Ms. Scheuring additionally discussed the fact that the proposed garage could block street views and light and that it should have a greater setback than the one proposed for four or five feet because of the roof overhang. Ms. Scheuring expressed concern about the asbestos removal. She also added that a tree in her yard that covers the roof of the garage would need to be pruned a lot.

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

Responses and Questions:
Ms. Tully stated that the state government regulates asbestos removal. She also addressed the notification question for Ms. Scheuring.

Ms. Morris addressed the concerns about the orientation of the garage and said that it is the same as shown on the Sanborn map. She explained that they tried very hard to keep the height of the garage as low as they possibly could, noting that the door will not be automatic. Ms. Morris explained further that the five foot setback was done as a courtesy for Ms. Scheuring's property and that the windows that do face her property are not very big. She emphasized that a one and a half story garage is acceptable with the commission's guidelines. She also acknowledged that pruning of the magnolia tree would be needed. Ms. Morris stated that the pitch is steeper in order to accommodate the extra room above the garage that will be used as an extra room for the owner. She added that the garage is below the ridge line of the historic house.

Ms. Tully noted that the pruning of the magnolia tree can be added to the tree protection plan.

Gail Wiesner [affirmed] asked if there was a definition of 1-1/2 stories, especially with a garage. She said that the guidelines state that the garage must mirror the house. Ms. Wiesner noted that the pitch of this roof is steeper than the historic house and that it is too tall.

Ms. Morris said that the house roof pitch was 7.5/12 and the garage is 12/12 which is steeper. Ms. Scheuring pointed out that the room above the garage is not contained within the roof and is therefore 2-stories. Ms. Tully said that it doesn't matter what it is called, but that the committee looks at the height, pitch, roof orientation, and proportion. Is the height appropriate?

Ms. Jackson asked the applicant if there was attic space in the historic house. Ms. Morris said yes.

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

Committee Discussion

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

Orientation? The Sanborn evidence is pretty compelling. [McGorty]
All the garages on the Sanborn map are oriented short side to the street. [David]
According to guideline 2.6.6 it is compatible with the locations in the district. [Jackson]
Are the height of the garage and roof steepness tied together? Is there any issue with the steepness? [McGorty]
No, the pitch could remain the same with a shorter garage or it could be flattened. [David]
Nothing in the guidelines mention matching pitch to an existing structure. [Caliendo]
It talks about mirroring it. [David]
Pitch wouldn't be a concern if the height was lowered. [Davis]
Then they'd need to deal with the height. [McGorty]
Revisions in the application go along with making the design more compatible. [Jackson]
It does. It is more subservient. [David]
It is on the rear elevation of the house. [Jackson]
The garage is about 1 foot below the ridge of the house. [McGorty]
323 Pace St has a garage one foot lower than the historic house. [Jackson]
It appears to be an addition more so than before. The screened porch was more open. [David]
Is it an addition or a garage? [Jackson]
If we think of it as an addition does it change anything? [McGorty]
It's similar to what is there now, a house, connector and a garage. They're keeping the house and have a different kind of connector and garage. [Tully]

That form is typical. [David]
We don't factor the impact to the neighbor? [McGorty]
It meets the guidelines for additions. It is lower and subservient. [David]
It meets the requirements for a garage, 2.6.5. [Jackson]
We should spell out one story, if it's one foot lower than the historic house. Nine examples of one and a half stories were provided in case addresses. [McGorty]
Several examples of connectors were provided in the application. [Jackson]

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 1-8, 10, 12-18) to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Removal of asbestos siding; demolition of non-historic 1-story, 2-car garage and attached screened porch; construction of new 1-1/2 story 1-car garage; construction of rear addition and new screened porch is not incongruous in concept according to *Guidelines* 2.3.6, 2.3.7, 2.6.1, 2.6.5, 2.6.6, 2.6.9, 3.6.4, 3.6.5, 4.2.1, 4.2.2, 4.2.4, 4.2.5, 4.2.6, 4.2.7, 4.2.8, 4.2.9, 5.2.4, 5.2.5 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* There is a large Magnolia tree immediately adjacent to the existing garage and driveway as well as other trees in the vicinity of the proposed work. General tree protection information was included in the application, but given the proximity of the Magnolia, a plan by an arborist is recommended.

2* The new garage is farther away from the Magnolia tree that the existing garage.

3* No information is included on whether the driveway will change.

4* The current garage is 2-bays wide and connected to the historic house via a flat roofed screened porch. The proposed new garage is 1-bay wide and will also attach to the historic house via a screened porch and addition. The amended application includes examples of accessory structures attached to houses in Oakwood.

5* The garage has a gable front pitched roof with a single shed roofed dormer. One car gable front garages are common in the district both historically and with approved COAs.

6* The new screened porch and addition are under a low pitched roof that maintains the appearance of a garage separate from the house.

7* The new garage is pulled back from the property farther than the existing; is 1-1/2 stories, and is lower than the roof of the historic house; the amount of difference is unknown, though it appears to be about one foot.

8* There is not a tradition of 1-1/2 or 2-story garages 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.

9* There have been committee-approved exceptions of taller 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). Examples of 1-1/2 story garages provided in that case include 218 N East Street, 403 E Edenton Street, 121 N Bloodworth Street, and in the 300 block of Polk Street (behind 425 N Bloodworth Street) – except for 121 N Bloodworth Street all of the houses associated with the garages are 2-stories or taller. 121 N Bloodworth Street is one-story, but the approved garage was a 2-bay 1-story structure (COA 135-97-CA).

10* In 2008, based in part on the 2006 decision referenced in fact 9*, 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.

11* The garage at 323 Pace Street (COA 081-14-CA) was approved to be 18′ in height and 22′x26′ in footprint; this is 1 foot lower than the historic house and the same height as the new addition. The house is 1-story and the approved garage is 1-1/2 stories.

12* The new addition is at the rear of the house in an inconspicuous location.

13* On the east elevation the addition extrudes from the historic house. A corner board is shown, but it is not in the location of the end of the historic house. A proposed new window changes a pair of windows to a bank of three where the corner board should be.

14* The new addition is pulled back from the house on the west side further than the existing screened porch connection. The new garage is further forward than the existing but remains behind the side wall of the historic house

15* The application states that the new windows on the garage and addition will be wood; specifications and details of the windows and trim were not included. The siding will match the historic wood siding in material and size; roofing material is to match the existing.

16* The garage door is proposed to be wood with windows at the top; details and specifications were not provided.

17* The application states that initial investigations suggest that there is likely wood siding under the asbestos. Wood under synthetic siding is typically in good shape with some minor repairs and replacement necessary.

18* Based on Sanborn Fire Insurance Maps, the garage and screened porch connector proposed for removal were constructed after 1950. On the 1950 map there was a 1-story 1-car garage.

19* The Sanborn map shows the short side of the garage facing the street.

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

Decision on the Application

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

1. That on the east elevation there be a trim board at the location of the historic end of the house and that the bank of windows remain a pair.
2. That the following details and specifications 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 or a NC licensed Landscape Architect that includes guidance for removal of old garage as well as the new construction and pruning of the magnolia tree;
   b. Revised east elevation;
   c. Windows;
   d. Section drawings for eaves of addition and garage including gutters.
3. That details and specifications for the following be provided to and approved by staff prior to construction or installation:
   a. Section drawings of screened porch;
   b. Window and door trim drawings;
   c. Foundation material sample;
   d. Garage door;
   e. Stairs;
   f. New HVAC if applicable.
4. That should the applicant find that more than 50% of the wood siding underneath the asbestos siding needs replacing, the applicant will stop work and consult with staff to determine the appropriate next step.
5. That a new COA application be filed for any proposed changes to the driveway, fence or landscaping.

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

Committee members voting: Caliendo, David, Davis, Jackson, McGorty.

Certificate expiration date: 12/1/15.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

060-15-CA 401 S BOYLAN AVENUE
Applicant: MICHAEL & LAURIE GORDON
Received: 5/12/2015 Meeting Date(s):
Submission date + 90 days: 8/10/2015 1) 6/1/2015 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: BOYLAN HEIGHTS HISTORIC DISTRICT
Zoning: R-10
Nature of Project: Remove 6 trees in rear yard; enlarge existing rear deck; replace existing deck boards
Conflict of Interest: None noted.
Staff Notes:

- Better copies of the arborist's report are attached to these comments
- COA files mentioned in the application are available for review.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
2.3	Site Features and Plantings	remove 6 trees in rear yard; enlarge existing rear deck
4.1	Decks	enlarge existing rear deck; replace existing deck boards

STAFF COMMENTS

Based on the information contained in the application:

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

1* An arborist report for the 7 trees in the rear yard was included on the application. Of the seven, the arborist recommends removal of 4 trees (1, 2, 4 and 7 as described below) because they are a hazard.

- Tree 1 – 36″ DBH hackberry tree: signs of cavity and rot at base; recommends cabling if not removed; declared a hazard.
- Tree 2 – 13″ DBH hackberry tree: missing holding roots that should prevent tree from falling during high winds; declared a hazard.
- Tree 3 – 24″ DBH hackberry tree: No signs of rot, has co-dominate stem, potential for splitting at the Y intersection, included bark. Recommend cabling at y to mitigate the potential for splitting.
- Tree 4 – 34″ DBH hackberry tree: large root exposed and has been undermined. Tree roots holding roots are compromised and has the potential to fail; declared a hazard.
- Tree 5 – 26″ DBH hackberry tree: no visible signs of rot or cavities at base.
- Tree 6 – 40″ DBH Willow oak tree; no visible signs of rot or decay.
- Tree 7 – 14″ DBH hackberry tree: large cavity over 4 feet in length at approximately, 40 feet above ground; declared a hazard.

2* The application requests removal of all of the trees except for number 1 which leaves only one tree in the rear yard. Trees 5 and 6 are requested for removal because of dropping limbs.
3* Dropping limbs can be reduced by regular pruning.
4* According to the NC Cooperative Extension Searchable Database of Plants, hackberry trees grow to 60 to 80 feet tall and width at maturity.
5* No replacement trees are proposed.

B. Enlargement of existing rear deck; replacement of existing deck boards is not incongruous in concept according to *Guidelines* 2.3.7, 4.1.1, 4.1.2, 4.1.3, 4.1.5, 4.1.7, 4.1.8, and the following findings:
1* There are trees in the rear yard that may be impacted by construction activities.
2* The deck flooring is proposed to be replaced with composite material; the commission regularly approves the use of synthetic rear deck boards.
3* The deck is proposed to be removed and replaced with an expanded deck with a 3′ deep cantilevered overhang; the existing foundation piers, steps and landings will remain.
4* Small scale drawings of the general deck configuration are provided in the application. The railing is proposed to be changed to a cable rail. Detailed drawings were not included.
5* Cable rails have been approved on rear decks in inconspicuous locations.
6* The existing deck was constructed per COA 177-15-CA.

Staff recommends that the committee approve the application, waiving the 365-day demolition delay for the removal of trees 1, 2, 4 and 7 and with a 365-day demolition delay for the removal of the trees 3, 5, and 6 with an effective date of June 1, 2016 and with the following conditions:

1. That the following details and specifications be provided to and approved by staff prior to issuance of permits:
   a. Tree protection plan similar to the RHDC sample plan;
   a. Deck edge;
   b. Railing.

2. That the trees removed be replaced and that the location and species of tree replacements be provided to and approved by staff prior to removal.

PUBLIC TESTIMONY

Staff Introduction: Tania Tully [affirmed] showed the location of the property on the map and noted highlights from staff comments.

Support:
Ms. Laurie Gordon [affirmed] and Mr. Michael Gordon [affirmed] were present to speak in support of the application. Mr. Gordon questioned where to put the replacement trees in the back yard because it depended upon the size of the trees. Ms. Gordon also raised concern about the trees that were dropping limbs.

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

Responses and Questions:

Ms. McGorty asked how many trees they hoped to have in the backyard. Ms. Gordon said that it depended on the size of the trees. Ms. Tully explained the process of getting the new trees approved and the NeighborWoods donation option.

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

Committee Discussion

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

Do we let them make a donation for a couple of the trees? [Caliendo]
It doesn't matter where they are, we can let them make that decision on their own. [Jackson]
All the houses in the area have trees in the backyard. They need to have more. [Davis]
Seven is a lot of trees so to not have any in the backyard would be detrimental and would have a big impact. [McGorty]
Replace five, donate two? [Caliendo]
Three are healthy, do you agree with staff's 365 day delay? [Tully]
Four dangerous ones are going immediately with donations to NeighborWoods. It is comparable in the long run. [McGorty]
I'm ok with 4 NeighborWoods. Three trees must be delayed and replaced.

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, 3-6) to be acceptable as findings of fact, with the modifications and additions as listed below:

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

1* An arborist report for the 7 trees in the rear yard was included on the application. Of the seven, the arborist recommends removal of 4 trees (1, 2, 4 and 7 as described below) because they are a hazard.
   - Tree 1 – 36″ DBH hackberry tree: signs of cavity and rot at base; recommends cabling if not removed; declared a hazard.
   - Tree 2 – 13″ DBH hackberry tree: missing holding roots that should prevent tree from falling during high winds; declared a hazard.
   - Tree 3 – 24″ DBH hackberry tree: No signs of rot, has co-dominate stem, potential for splitting at the Y intersection, included bark. Recommend cabling at y to mitigate the potential for splitting.
   - Tree 4 – 34″ DBH hackberry tree: large root exposed and has been undermined. Tree roots holding roots are compromised and has the potential to fail; declared a hazard.
   - Tree 5 – 26″ DBH hackberry tree: no visible signs of rot or cavities at base.
   - Tree 6 – 40″ DBH Willow oak tree; no visible signs of rot or decay.
   - Tree 7 – 14″ DBH hackberry tree: large cavity over 4 feet in length at approximately, 40 feet above ground; declared a hazard.

2* The application requests removal of all of the trees except for number 1 which leaves only one tree in the rear yard. Trees 5 and 6 are requested for removal because of dropping limbs.

3* Dropping limbs can be reduced by regular pruning.

4* According to the NC Cooperative Extension Searchable Database of Plants, hackberry trees grow to 60 to 80 feet tall and width at maturity.

5* No replacement trees are proposed.

B. Enlargement of existing rear deck; replacement of existing deck boards is not incongruous in concept according to *Guidelines* 2.3.7, 4.1.1, 4.1.2, 4.1.3, 4.1.5, 4.1.7, 4.1.8, and the following findings:

1* There are trees in the rear yard that may be impacted by construction activities.

2* The deck flooring is proposed to be replaced with composite material; the commission regularly approves the use of synthetic rear deck boards.

3* The deck is proposed to be removed and replaced with an expanded deck with a 3′ deep cantilevered overhang; the existing foundation piers, steps and landings will remain.
4* Small scale drawings of the general deck configuration are provided in the application. The railing is proposed to be changed to a cable rail. Detailed drawings were not included.
5* Cable rails have been approved on rear decks in inconspicuous locations.
6* The existing deck was constructed per COA 177-15-CA.

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

Decision on the Application

Ms. Jackson made a motion that the application be approved, waiving the 365-day demolition delay for the removal of trees 1, 2, 4 and 7 and with a 365-day demolition delay for the removal of trees 3, 5, and 6 with an effective date of June 1, 2016 and with the following conditions:

1. That the following details and specifications be provided to and approved by staff prior to issuance of permits:
   a. Tree protection plan similar to the RHDC sample plan;
   c. Deck edge;
   d. Railing.
2. That a donation be made to the NeighborWoods tree planting program prior to the removal of trees 1, 2, 4 and 7.
3. That trees 3, 5, and 6 be replaced with species of similar mature height and that the location and species of tree replacements be provided to and approved by staff prior to removal.

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

Committee members voting: Caliendo, David, Davis, Jackson, McGorty.

Certificate expiration date: 12/1/15.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

061-15-CA 500 N BLOUNT STREET
Applicant: MIKE MORRISON FOR MAURER ARCHITECTURE
Received: 5/12/2015 Meeting Date(s):
Submission date + 90 days: 8/10/2015 1) 6/1/2015 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: BLOUNT STREET HISTORIC DISTRICT
Raleigh Historic Landmark: MERRIMON-WYNNE HOUSE
Zoning: O&I-1, O&I-2, PDD
Nature of Project: Construct new 60'x40' accessory structure with porch and pergola; alter patio; remove tree.
Amendments: Additional information and new drawings were provided and are attached to these comments.
DRAC: A pre-application was reviewed by the Design Review Advisory Committee at its April 22 meeting. Members in attendance were Curtis Kasefang, Jerry Traub, and Dean Ruedrich; also present were Jodi Strenkowski, Mike Morrison, David Maurer, and Tania Tully.
Conflict of Interest: Ms. Caliendo noted that she now works for the firm that did the work on the rehabilitation and addition, but it was prior to her tenure and that she can be impartial to this applicant. Ms. David moved to recuse Ms. Jackson. Motion seconded by Mr. Davis; passed 4/0.
Staff Notes:

- COAs mentioned in comments are available for review.
- The 1975 "Merrimon House" National Register of Historic Places nomination describes the 1875 house as: "…a two-story weatherboarded frame structure in Victorian Italianate style. The main block is six bays long and five deep, with the main façade dominated by an off-center two-story gable projection. Another similar projection extends at the south side. There are two elaborately ornamented one-story porches on either side of the front gable projection."
- The landmark designation report for the Merrimon-Wynne House states that the house "is significant as an excellent, intact local example of the Italianate residential style with very fine Eastlake detailing at the porch. It is one of the city's best examples of both the Italianate style and of Eastlake decoration."
- Locations of property lines are outside of the purview of the Commission.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
2.3	Site Features and Plantings	Construct new 60'x40' accessory structure with porch and pergola; alter patio; remove tree.
2.6	Garages and Accessory Structures	Construct new 60'x40' accessory structure with porch and pergola.
4.3	New Construction	

STAFF COMMENTS

Based on the information contained in the amended application:

A. Construction of new 60'x40' accessory structure with porch and pergola; alteration of patio; removal of tree is not incongruous in concept according to *Guidelines* 2.3.5, 2.3.7, 2.3.8, 2.6.6, 2.6.8, 2.6.9, 4.3.1, 4.3.4, 4.3.5, 4.3.6, 4.3.8, 4.3.9, 4.3.10, 4.3.11; however, the size and scale of the accessory structure **may be** incongruous according to *Guidelines* 2.6.9, 4.3.6, and the shape of the round window on the south elevation **may be** incongruous according to *Guidelines* 4.3.8 and the following findings:

1* There is an oak tree at the northeast corner of the new building that is proposed for removal as it is in decline and unlikely to survive construction; a replacement tree is not proposed.

2* There are other trees on the property that may be impacted by construction activities; a tree protection plan was not provided.

3* The addition on the house was approved in 2013 (COA 107-13-CA) with minor changes approved in 2015 (COA 011-15-MW); the patio was approved with COA 200-13-MW.

4* Although currently mapped as two lots, the house and yard are visually one lot.

5* According to the Wake County Real Estate Data the two parcels are 32,234 SF in area; including the approved COA data, the current footprint of the house with porches and addition is approximately 3,280 square feet and the patio is 3,200 SF; not including the parking area the current built area (surface coverage) is approximately 20%. The new accessory structure will sit on the existing patio and not significantly increase the built area.

6* The amended application states that "the design of the building will utilize Italianate principles including: a gable perpendicular to the ridge to allow for high windows, painted columns and woodwork at a scale appropriate for an accessory building while also providing a similarity to the existing by emphasizing wood working and wood detailing, a cupola which allows for additional centralized day lighting, large openings at grade for daylighting and access, color scheme similar to the existing structure."

7* Most accessory buildings in the district are utilitarian in nature; however, in some cases the garage or the accessory building echoes the architectural style, materials, and details of the principal structure on the site (*Guidelines* p. 18). The amended application includes a photo of a structure with cupola at 407 N Blount Street.

8* The round window on the south elevation introduces a prominent new architectural element not found elsewhere on the property or district.

9* There is not a tradition of 1-1/2 or 2-story accessory buildings in Raleigh's historic districts. 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. The amended application includes a photo of this building.

10* 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). Examples provided in that case include 218 N East Street, 403 E Edenton Street, 121 N Bloodworth Street, and in the 300 block of Polk Street (behind 425 N Bloodworth Street) – except for 121 N Bloodworth Street all of the houses associated with the garages are 2-stories or taller. 121 N Bloodworth Street is one-story, but the approved garage was a 2-bay 1-story structure (COA 135-97-CA).

11* The height of the main ridge is approximately 1/3 of a story lower than the ridge of the historic house; the cupola is a foot or so lower.

12* The amended application included examples of large accessory structures at other Raleigh Historic Landmarks as well as an illustration comparing the temporary tent with the proposed accessory building.

13* The application includes a visual comparison of the footprint with the historic house to the north of the property, but does not include an elevation comparison.

14* Proposed materials are wood lap siding with the same exposure as the historic house; synthetic trim; synthetic column trim; wood brackets, standing seam metal roof, brick base to match historic house, aluminum clad wood windows and doors, and a folding door system. Details and specifications were not included.

15* According to the Wake County Real Estate Data the two parcels are 32,234 SF in area; including the approved COA data, the current footprint of the house with porches and addition is approximately 3,280 SF; the current built mass (buildings) is approximately 10%; the new accessory structure and with porch and pergola is approximately 3,880 SF for a proposed built mass of 22%.

Pending the committee's determination regarding the size of the structure and south gable window shape, staff recommends that the committee approve the amended application, waiving the 365-day demolition delay for removal of tree, with the following conditions:

1. That the following details and specifications be provided to and approved by staff prior to issuance of permits:
   a. Tree protection plan similar to the RHDC sample plan;
   b. Windows;
   c. Folding door system;
   d. Eave construction.
2. That details and specifications for the following be provided to and approved by staff prior to construction or installation:

a. Replacement tree species and location;
b. Metal roof;
c. Porch posts;
d. Pergola construction;
e. Brackets;
f. Light fixtures;
g. Cupola construction;
h. Foundation material sample.

PUBLIC TESTIMONY

Staff Introduction: Tania Tully [affirmed] showed the location of the property on the map and noted highlights from staff comments.

Support:
Mike Morrison [affirmed] and David Maurer [affirmed] were present to speak in support of the application. Mr. Maurer stated that they will work with staff to find a compatible window design. Mr. Maurer added the following points:

- The ridge of the new building is 9′ taller than the existing tent.
- The buildings behind this lot are 2-1/2 story structures.
- That the eave line is more important than the ridge.
- The structure is much more subservient to the house in keeping with the scale and size.

Matthew Brown [affirmed], historian for the Society for the Preservation of Historic Oakwood spoke in support. He stated that it was a good design, that it echoed the main house, but was simpler. He said that it reads as a carriage house and because it sits far back on the lot it will look shorter than it does in the elevations.

Opposition:
Gail Wiesner [affirmed] spoke in opposition. She questioned the location of the structure. She said that was a large property and for it to be at 90 degrees it is at an odd angle to the historic building. She asked why it was not oriented differently.

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

Responses and Questions:
Mr. Maurer responded that if the building was placed on the separate lot it would be a separate structure and not an accessory structure. Ms. Lauer pointed out that the structure could be aesthetically more pleasing if it had two bay windows that functioned as doors. Mr. Maurer added that it is an accessory structure that is intended to look like a three bay carriage house. It will be accessed from Polk Street.

Ms. David pointed out that the proposed structure does not meet any of the design guidelines, specifically guidelines 2.6.6, 2.6.9 and 2.6.10. She expressed her concern that the scale is too big in comparison to the size of the house and the only guideline that was followed was the setback. Ms. McGorty questioned if the building could be placed facing Blount St. Ms. Tully reminded the committee that it is being looked at as one lot even though the two lots haven't been combined yet. Mr. Maurer stated that the committee while calling it a carriage house, it is an accessory structure that follows the guidelines for accessory structures on lots.

Ms. Caliendo and Ms. McGorty both shared apprehension that the structure was too ornate in comparison to the main house. Mr. Maurer answered that while they aren't opposed to working out the details of the structure, they would have to build a bigger structure on the adjacent lot. The main reason for the building of this structure, pointed out by Mr. Maurer, was because of events being held on the property.

Mr. Davis asked about a footprint comparison. Ms. Tully said that the accessory structure is bigger based on the information in the application. In response to Ms. Caliendo, Ms. Strenkowski said that the tent was 40'x80' in size. Ms. McGorty agreed with Ms. David that the scale was too much and was concerned about the relationship between the two buildings. Mr. Maurer said that it was not a carriage house even though they used some similar design elements. It is sitting back on the lot. Ms. David noted that it is so ornately decorated that it doesn't go along with the character of the historic district. She referenced that in many cases getting a narrow 2-bay garage is often a challenge to approve. She doesn't see it complying with the guidelines. Ms. David made a comparison to the Tucker Carriage House.

Ms. Caliendo asked how they arrived at the scale for the increase in height compared to the tent. Mr. Maurer said that it is the structure you have to deal with and not fabric. They took an effort to look at the proportions of the Merrimon-Wynne house and represent a simpler version of the house and that the tent is squatty. Ms. David noted that with the tent, the house is still the main focus. Mr. Maurer said that they offered facts of accessory structures that are more ornate than just a simple tent. Ms. David noted that the one at 407 N Blount is very small. Mr. Maurer said that the building is the size it needs to be and that the open landscape is important.

Ms. Tully asked the commission if there was more information that they needed to make a decision.

Mr. Maurer said that he's not opposed to working out details, but if the committee doesn't approve the COA, they'll have to build a separate building that's bigger on the adjacent lot. They are doing this because of events held on the property. Ms. David said that in terms of the district it was appropriate to have a house on the street.

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

Committee Discussion

The following points were made in discussion [speaker indicated in brackets]:
I am trying to not consider the use. It's a secondary structure that is so large that it detracts from the primary structure. [McGorty]
It doesn't read as an accessory structure. [Davis]
There is a one story portion on the existing house, the structure doesn't relate to the main house, the ridge height specifically. The size is subservient but the issue is the scale. I don't like how fussy the building is, it doesn't relate to the main house. [Caliendo]
Should we have a motion to deny or defer to get additional information on the scale? [David]

At Ms. Caliendo's suggestion Ms. David moved to reopen the public testimony portion of the hearing. Ms. McGorty seconded; motion carried 4/0.

PUBLIC TESTIMONY(2)

Mr. Maurer asked for guidance on the application, specifically if the structure were shorter and not as ornate would it be more approvable. Ms. David responded that if it were smaller and lower it would still be big for an accessory building. Mr. Maurer requested that the application then be deferred for a month to present facts that the size of the building is appropriate for the lot. Ms. David reiterated that the scale was too big in relation to the house. Mr. Maurer once again stated that the building needs to be big and sit further back on the lot to keep the visual integrity.

Mr. John Brooks [affirmed] stated his support for the building especially noting that it would block the new construction behind it.

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

Ms. McGorty moved to defer the application.

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

Committee members voting: Caliendo, David, Davis, McGorty.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

062-15-CA 501 N BOUNDARY STREET
Applicant: JOSEPH & KENNAN HESTER
Received: 5/12/2015 Meeting Date(s):
Submission date + 90 days: 8/10/2015 1) 6/1/2015 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: R-10
Nature of Project: Install 54" tall wood privacy fence (portions to be lattice topped) in rear yard
Conflict of Interest: None noted.
Staff Notes: COAs mentioned are available for review.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
2.3	Site Features and Plantings	Install 54" tall wood privacy fence (portions to be lattice topped) in rear yard
2.4	Fences and Walls	

STAFF COMMENTS

Based on the information contained in the application:

A. Installation of 54" tall wood privacy is not incongruous in concept according to *Guidelines* 2.3.2, 2.3.7, 2.4.8, 2.4.11; however the height and openness of the northeast corner of the fence **may be** incongruous according to *Guidelines* 2.4.11 and the following findings:

1* There are trees that may be impacted by fence installation; the application delineates some tree protection measures.

2* The fence is located in the rear yard in the traditional location near property lines. It is all behind the rear wall of the house.

3* Along the street and in the side front yard area of the house on Boundary the solid portion is 42″ tall with an open lattice on top reaching a maximum 54″ height. The remainder of the fence is solid for the whole 54″ Detailed information regarding construction was included in the application.

4* There are two gates of the same design as the lattice topped portion.

5* Both sides are visually the same with no “bad” side.

6* The house is on a corner lot so a portion of the rear fence runs along East Street; the application includes examples of other corner lot fencing.

7* The fence at 533 N Bloodworth Street was constructed per COA CAD-090-030 and the fence at 610 N Bloodworth Street was approved in 1988, both under an earlier set of *Design Guidelines*.
8* The northeast section of this rear yard fence will be in the front side yard of the house at 616 N East Street. There are existing screening plants at the corner of these yards.

Pending the committee's determination regarding the height and openness of the northeast corner of the fence, staff recommends that the committee approve the application, with the following condition:

1. 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.

PUBLIC TESTIMONY

Staff Introduction: Tania Tully [affirmed] showed the location of the property on the map and noted highlights from staff comments. She passed around a photo of the property as seen from East Street.

Support:
Mr. Joseph Hester [affirmed] and Ms. Kennan Hester [affirmed] were present to speak in support of the application. Mr. Hester stated that the nanindos at the corner of the house on N East Street were about 54" tall.

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

At Ms. Caliendo's suggestion Ms. 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 is existing vegetation. [Caliendo]
It doesn't seem that the visual screening that's there would be affected by the fence. Add the fact that there are heavily vegetated plants and the fence will not be right up on the sidewalk. Some of the plants are as tall as fifty four inches. [Jackson]

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 1-8) to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Installation of 54" tall wood privacy is not incongruous in concept according to *Guidelines* 2.3.2, 2.3.7, 2.4.8, 2.4.11 and the following findings:

1* There are trees that may be impacted by fence installation; the application delineates some tree protection measures.

2* The fence is located in the rear yard in the traditional location near property lines. It is all behind the rear wall of the house.

3* Along the street and in the side front yard area of the house on Boundary the solid portion is 42" tall with an open lattice on top reaching a maximum 54" height. The remainder of the fence is solid for the whole 54" Detailed information regarding construction was included in the application.

4* There are two gates of the same design as the lattice topped portion.

5* Both sides are visually the same with no "bad" side.

6* The house is on a corner lot so a portion of the rear fence runs along East Street; the application includes examples of other corner lot fencing.

7* The fence at 533 N Bloodworth Street was constructed per COA CAD-090-030 and the fence at 610 N Bloodworth Street was approved in 1988, both under an earlier set of *Design Guidelines*.

8* The northwest section of this rear yard fence will be in the front side yard of the house at 616 N East Street. There are existing screening plants at the corner of these yards.

9* The rear side yard is heavily vegetated with some plants as tall

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

Decision on the Application

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

1. 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.

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

Committee members voting: Caliendo, David, Davis, Jackson

Certificate expiration date: 12/1/15.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

063-15-CA 414 NEW BERN AVE
Applicant: CAPITAL AREA PRESERVATION, INC
Received: 5/12/2015 Meeting Date(s):
Submission date + 90 days: 8/10/2015 1) 6/1/2015 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: RB, NCOD
Nature of Project: Relocate c. 1910 house to vacant lot; remove 3 trees.
Conflict of Interest: None noted.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
2.3	Site Features and Plantings	
4.3	New Construction	Relocate c. 1910 house to vacant lot; remove 3 trees.
5.1	Relocation	

STAFF COMMENTS

Based on the information contained in the application:

A. Relocate c. 1910 house to vacant lot; remove 3 trees is not incongruous in concept according to *Guidelines* 2.3.5, 2.3.7, 2.3.8, 4.3.1, 4.3.4, 4.3.5, 4.3.6, 4.3.7, 4.3.8, 4.3.9, 4.3.10, 5.1.1, 5.1.2, 5.1.3, 5.1.4, 5.1.5, 5.1.6, 5.1.8, 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* Three trees are proposed for removal to accommodate the house; replacement trees are not proposed.
2* Other trees will remain on the lot; a tree protection plan was not provided.
3* Wake County Real Estate Data states that the existing lot is 5,227 SF and that the house proposed to be relocated onto the site has a footprint of 1,223 SF for proposed lot coverage of 23%. This is well within the norm of Oakwood.
4* The house is proposed to be centered on the lot , have a similar front setback to the other houses on the block, and be oriented towards New Bern Avenue. A plot plan was included.

5* The house proposed for relocation is a rehabilitated two-story Neo-classical Revival townhouse constructed sometime between 1909 and 1914; it has a porch across the front and a kitchen ell behind.
6* The application contains evidence that Neo-classical Revival houses and elements are well represented in Oakwood, as are houses of this form (vertical in proportion, consisting of a two-bayed front facade). The application also states that one (412) of the seven existing houses on the 400 block of New Bern Avenue contain Neo-classical Revival elements and are generally symmetrical in form.
7* No information about the move, new foundation, or site improvements was included.

Staff recommends that the committee approve the application, waiving the 365-day demolition delay for removal of the trees, with the following conditions, and that the COA be valid for one year:

1. That a COA application be submitted for the following prior to issuance of permits for the move of the house that includes at least the following:
   a. Exact route and method of the move;
   b. Tree protection plan for the move;
   c. Tree protection plan for the site;
   d. Replacement trees or NeighborWoods donations;
   e. Final location of the building on site, including proposed walk and/or driveway locations;
   f. Foundation plan;
   g. Foundation material sample;
   h. Elevation drawings of the foundation that clearly indicate any grade change.
2. That a COA application be submitted for the following prior to implementation:
   a. Landscape plan;
   b. Walkway and driveway details.

PUBLIC TESTIMONY

Staff Introduction: Tania Tully [affirmed] showed the location of the property on the map and noted highlights from staff comments.

Support:
Mr. Gary Roth [affirmed] and Mr. Jeremy Bradham [affirmed] were present to speak in support of the application. Mr. Roth stated that the house was a good fit for the district.

Ms. Tully added that the applicant is requesting that the COA be effective for a year.

Ms. David asked about an easement and Mr. Roth responded that an easement would be re-established once the house is relocated. He added that the neighborhood where the house was built is similar to this one.

Mr. Matthew Brown, historian with the Society for the Preservation of Historic Oakwood expressed his happiness that the house was being moved into the Oakwood district and that it would restore the character of the neighborhood. He noted that it is of the same period as other in Oakwood.

Ms. Gail Wiesner [affirmed] said that she agreed with Mr. Brown.

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

Responses and Questions:
Mr. Roth thanked Martha Lauer for her help in working with the City Attorney's office in lining up the lot.

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

Committee Discussion

There was no discussion following the public hearing.

Findings of Fact and Conclusions of Law

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,-7) to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Relocate c. 1910 house to vacant lot; remove 3 trees is not incongruous in concept according to *Guidelines* 2.3.5, 2.3.7, 2.3.8, 4.3.1, 4.3.4, 4.3.5, 4.3.6, 4.3.7, 4.3.8, 4.3.9, 4.3.10, 5.1.1, 5.1.2, 5.1.3, 5.1.4, 5.1.5, 5.1.6, 5.1.8, 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* Three trees are proposed for removal to accommodate the house; replacement trees are not proposed.

2* Other trees will remain on the lot; a tree protection plan was not provided.

3* Wake County Real Estate Data states that the existing lot is 5,227 SF and that the house proposed to be relocated onto the site has a footprint of 1,223 SF for proposed lot coverage of 23%. This is well within the norm of Oakwood.
4* The house is proposed to be centered on the lot , have a similar front setback to the other houses on the block, and be oriented towards New Bern Avenue. A plot plan was included.
5* The house proposed for relocation is a rehabilitated two-story Neo-classical Revival townhouse constructed sometime between 1909 and 1914; it has a porch across the front and a kitchen ell behind.
6* The application contains evidence that Neo-classical Revival houses and elements are well represented in Oakwood, as are houses of this form (vertical in proportion, consisting of a two-bayed front facade). The application also states that one (412) of the seven existing houses on the 400 block of New Bern Avenue contain Neo-classical Revival elements and are generally symmetrical in form.
7* No information about the move, new foundation, or site improvements was included.

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

Decision on the Application

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

1. That a COA application be submitted for the following prior to issuance of permits for the move of the house that includes at least the following:
   a. Exact route and method of the move;
   b. Tree protection plan for the move;
   c. Tree protection plan for the site;
   d. Replacement trees or NeighborWoods donations;
   e. Final location of the building on site, including proposed walk and/or driveway locations;
   f. Foundation plan;
   g. Foundation material sample;
   h. Elevation drawings of the foundation that clearly indicate any grade change.
2. That a COA application be submitted for the following prior to implementation:
   a. Landscape plan;
   b. Walkway and driveway details.

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

Committee members voting: Caliendo, David, Davis, Jackson

Certificate expiration date: 6/1/16.

OTHER BUSINESS

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

ADJOURNMENT

The meeting was adjourned at 8:00 p.m.

Elizabeth Caliendo, Chair
Certificate of Appropriateness Committee,
Raleigh Historic Development Commission

Minutes Submitted by:
Tania Tully, Preservation Planner