RALEIGH HISTORIC DEVELOPMENT COMMISSION
CERTIFICATE OF APPROPRIATENESS COMMITTEE
Minutes of the Meeting
August 3, 2015

CALL TO ORDER

Chair Elizabeth Caliendo called the Certificate of Appropriateness (COA) Committee meeting to order at 4:01 p.m.

ROLL CALL

Tania Tully, Preservation Planner, called the roll as follows:
Present: Elizabeth Caliendo, Sarah David, Don Davis, Laurie Jackson,
Alternate Present: Caleb Smith (observing only, not yet trained), Miranda Downer
Excused Absence: Kaye Webb (not yet trained)
Staff Present: Tania Tully, Martha Lauer; Teresa Young

Approval of the July 6, 2015 Minutes

Mr. Davis moved to waive the reading of the minutes for the hearing and to adopt said minutes as submitted. Ms. David 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 and Ms. Tania Tully, Notaries Public, administered the affirmations.

Visitor's/Applicant's Name and Address	Affirmed
Crystal Farrow, 426 E Jones Street 27601	No
Ashley Morris, 306 Pell Street 27604	Yes
Faye Kamrani, 600 N Boundary Street 27604	Yes
Kamran Kamrani, 600 N Boundary Street 27604	Yes
Christopher McClure, 715 N Bloodworth Street 27604	Yes
Mary Iverson, 523 E Lane Street 27601	Yes
John L. Thomas, 5508 Swiftbrook Circle 27606	Yes
Jonathan Janis, 315 Oakwood Avenue 27601	Yes
Mary Shaver, 315 Oakwood Avenue 27601	Yes
Marie Scheuring, 530 Elm Street 27604	Yes
Gail Wiesner, 515 Euclid Street 27604	Yes
Matthew Konar, 515-1 ST. Mary's Street 27605	Yes

REVIEW OF SUMMARY PROCEEDINGS/APPROVAL OF AGENDA

Two items were moved to the public hearing portion of the agenda. Ms. Jackson moved to approve the agenda as amended. Ms. David seconded the motion; passed 5/0.

SUMMARY PROCEEDINGS

There were no objections to the approval of the following Summary Proceeding without a public hearing. The committee reviewed and approved the following case 098-15-CA for which the Summary Proceeding is made part of these minutes.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – SUMMARY PROCEEDING

098-15-CA 426 E JONES STREET
Applicant: CRYSTAL FARROW
Received: 7/6/2015 Meeting Date(s):
Submission date + 90 days: 10/4/2015 1) 8/3/2015 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: R-10
Nature of Project: Remove 3'x6' side addition; construct new 3'x12'6" side addition
Conflict of Interest: None noted.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
4.2	Additions to Historic Buildings	Remove 3'x6' side addition; construct new 3'x12'6" side addition

STAFF COMMENTS

Based on the information contained in the application:

A. Removal of 3'x6' side addition; construction of new 3'x12'6" side addition is not incongruous in concept according to *Guidelines* 4.2.1, 4.2.4, 4.2.5, 4.2.6, 4.2.7, 4.2.9, and the following findings:
1* The addition being removed is not historic and there is concrete in the proposed footprint.
2* That all materials be stored in the driveway.
3* The addition increases the footprint by 19.5 SF and does not eliminate any windows. The height and depth is the same as the existing. The expansion is to the rear in an inconspicuous location.
4* Materials will match that of the existing house; detailed drawings were not included in the application.

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

1. That details and specifications for the following be provided to and approved by staff prior to the issuance of permits:
   a. Eave construction including gutters, if any;
   b. Close up photos of details to be matched.

Decision on the Application

There were no objections to approval without a public hearing.

Ms. Jackson moved to approve the application, adopting the staff comments as the written record of the summary proceeding on 098-15-CA. Mr. Davis seconded the motion; passed 5/0.

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

Certificate expiration date: 2/3/16.

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: 101-15-CA, 102-15-CA, 084-15-CA, 089-15-CA, and 103-15-CA.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

101-15-CA 715 N BLOODWORTH STREET
Applicant: DAWN CHRISTINE
Received: 7/15/2015 Meeting Date(s):
Submission date + 90 days: 10/13/2015 1) 8/3/2015 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: R-10
Nature of Project: Construct 131 SF addition on existing non-historic accessory building.
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: Guidelines	Construct 131 SF addition on existing non-historic accessory building
2.6	Garages and Accessory Structures	

STAFF COMMENTS

Based on the information contained in the application:

A. Construction of 131 SF addition on existing non-historic accessory building is not incongruous in concept according to *Guidelines* section 2.3.7, 2.6.5, 2.6.6; however, the design of the addition may be incongruous according to *Guidelines* 2.6.5, and the following findings:

1* There is a large tree to the rear of the building. General written guidance regarding tree protection was included in the application; precise information for this site was not included.

2* The 1-1/2 story 288 SF accessory building was constructed per COA 166-06-CA.

3* While small in footprint, the proposed addition would create an asymmetrical form atypical of the historic district.

4* Accessory buildings are typical rectangular and occasionally ell shaped in footprint. With the exception of dormers or side shed additions, they are traditionally one height.

Pending the committee's determination regarding the form of the addition, staff recommends that the committee approve the application, with the following conditions:

1. That the addition be redesigned to have a traditional rectangular appearance.
2. That the following be provided to and approved by staff prior to issuance of permits:

a. Amendment to tree protection information illustrating fence, mulch, and material storage locations;
b. Revised drawings reflecting condition 1.

3. That the specifications and details for the following be provided to and approved by staff prior to installation:
   a. New window.

PUBLIC TESTIMONY

Staff Introduction: Tania Tully [affirmed] showed the location of the property on the map and noted highlights from staff comments. Ms. Tully distributed amended drawings provided by the applicant, noting that the staff comments no not reflect the amendment. She stated that the design as submitted may not meet the design guidelines but the new revised design may meet the guidelines. Ms. Tully explained that as she pulled garage files for another case she became aware that the proposed addition may not meet the Guidelines, which is why she had it pulled from Summary Proceedings.

Support:
Christopher McClure [affirmed] and Carol DeVita [affirmed] were present to speak in support of the application.

Mr. McClure stated that the addition will be better than the one that was originally proposed. He added that they did not want to change the façade with the dormer and the trellis and are not extending the trellis but stepping the roof back to make it more in line with the dormer. Ms. DeVita also added the addition cannot be seen from the front of the house.

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

Responses and Questions:
Mary Iverson of 523 E Lane Street asked if there was any protection for the tree. Mr. McClure responded that the tree was not to be removed and will be protected.

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

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

The amended application addressed any concerns the staff had. The primary shape is now rectangular. [Caliendo]

As noted by Ms. Iverson, additional information on the tree location is also a condition put forth by staff. No more questions. [Jackson]

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 1-2, 4) to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Construction of 131 SF addition on existing non-historic accessory building is not incongruous in concept according to *Guidelines* section 2.3.7, 2.6.5, 2.6.6 and the following findings:

1* There is a large tree to the rear of the building. General written guidance regarding tree protection was included in the application; precise information for this site was not included.

2* The 1-1/2 story 288 SF accessory building was constructed per COA 166-06-CA.

3* The amended application maintains a rectangular primary form typical of the historic district.

4* Accessory buildings are typical rectangular and occasionally ell shaped in footprint. With the exception of dormers or side shed additions, they are traditionally one height.

The motion was seconded by Mr. Davis; passed 5/0.

Decision on the Application

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

1. That the following be provided to and approved by staff prior to issuance of permits:
   a. Amendment to tree protection information illustrating fence, mulch, and material storage locations.
2. That the specifications and details for the following be provided to and approved by staff prior to installation:
   a. New window.

Mr. Davis agreed to the changes. The amended motion passed 5/0.

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

Certificate expiration date: 2/3/16.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

102-15-CA 525 E LANE STREET
Applicant: JOHN L THOMAS - GARDENER BY NATURE LLC
Received: 7/15/2015 Meeting Date(s):
Submission date + 90 days: 10/13/2015 1) 8/3/2015 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: R-10
Nature of Project: Master landscape plan: add walkways; alter front walk; alter planting areas; remove trees; plant trees; install 5' fence; alter front steps.
Conflict of Interest: None noted.
Staff Notes:

- COA 096-15-MW approved landscaping in the side and front yards, installation of a low wall, installation of new planting beds, and installation of terraced walkway.
- COA 056-13-CA approved the addition shown on the drawings; the driveway configuration shown is subject to staff level approval.
- COAs mentioned in staff comments are available for review.
- The Oakwood Special Character essay states that: "There is typically a tree lawn between the public sidewalk and the curb where street trees are planted."
- The Oakwood Special Character essay states that: "Front yards are primarily lawn, bordered with planting beds; landscape plantings are generally informal, and often composed of simple foundation plantings."
- The *Guidelines* state that: "Utilitarian fences and walls served to secure boundaries, to confine animals, to protect planted areas, and to provide visual privacy. They were generally used in rear yard locations and were not usually visible from the street."

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
2.1	Public Rights-of-Way and Alleys	add and alter paths
2.3	Site Features and Plantings	add walkways; alter planting areas; remove trees; plant trees; install 5' fence
2.4	Fences and Walls	install 5' fence
2.5	Walkways, Driveways, and Offstreet Parking	add walkways; alter front walk
3.8	Entrances, Porches, and Balconies	alter front steps

STAFF COMMENTS

Based on the information contained in the application:

A. Implementation of master landscape plan with addition of walkways; ateration of front walk; installation of 5' fence; alteration of front steps is not incongruous in concept according to *Guidelines* 2.1.1, 2.1.2, 2.1.8, 2.3.2, 2.3.8, 2.4.8, 2.5.1, 2.5.2, 2.5.5, 2.5.9, 3.8.1, 3.8.2, 3.8.5, 3.8.6; however, replacement of the concrete steps with painted brick is incongruous with *Guidelines* 3.8.5 and the following findings:

1* Replacement of the existing concrete walk in the driving strip with a mix of brick and groundcover will increase the vegetative appearance of the driving strip. Evidence of the existing conditions was included in the application.

2* The new brick inlay walkway will maintain the vegetative appearance of the driving strip.

3* Detailed drawings of the proposed walkway patterns were included in the application; brick used is salvaged from onsite and approved with COA 096-15-MW.

4* Black metal fences are not common, but not rare in Oakwood and are generally simple in design. The proposed fence is at the side rear of the lot. The fence does not encircle the entire rear yard, but connects with the as of yet constructed screened porch addition.

5* The design of the gates will be the same as the fence panels. A small drawing of the design is included in the application; details and specifications were not.

6* The new front yard walkway will be a mix of brick and groundcover and be subservient in nature so as to not detract from the main front walk.

7* The faux stone front steps cheek walls will be replaced with natural stone; drawings and material samples were not included in the application.

8* The front steps are proposed to be replaced with brick painted to match the existing foundation of the existing stone treads cannot be reused. The existing treads have sunk and are no longer level. Painted brick steps are atypical.

B. Implementation of master landscape plan with alteration of planting areas; removal of trees; planting of trees is not incongruous in concept according to Guidelines 2.1.1, 2.1.4, 2.1.8, 2.1.9, 2.3.2, 2.4.11, (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.") and the following findings:

1* The grass in the driving strip is proposed to be replaced with Juniper groundcover.

2* The application states that Japanese Privet and White Mulberry trees are listed as invasive threats by the Southeast Exotic Pest Plant Council and the Mulberry trees are approximately 8" DBH and the Black Walnut is approximately 10.5" DBH. A report by a certified arborist is

included and states that Mulberry and Walnut trees are misshapen as well as inappropriately and dangerously sited.

3* A crape myrtle and cornelian cherry tree are proposed to be planted in the southwest corner of the front yard and a Sweetbay magnolia is being planted on the east side of the house. The Japanese Privet row on the west property line is to be replaced with a row of Chindo Viburnums.

4* A Japanese Privet on the east property line will be removed to allow for increased health of two existing Dogwoods.

5* The front yard between the new path and public sidewalk is proposed to be planted with a mix of large and low shrubs that range in height from 18″ to a possible 15′. Shrubs in front yards in the historic district are traditionally lower in height to maintain an open yard appearance. The shrubs should be kept at 42″ to be in keeping with *Guideline* 2.4.11.

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

1. That if not salvageable, the front steps be replaced with new concrete.
2. That the details and specifications for the following be provided to and approved by staff prior to installation or construction:
   a. Front steps cheek walls drawings and material sample;
   b. Metal fence;
   c. New front steps.
3. That the front yard shrubs be kept pruned to a maximum height of 42 inches.

PUBLIC TESTIMONY

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

Support:
John Thomas [affirmed] was present to speak in support of the application. Mr. Thomas stated that in reviewing the staff comments there is a misunderstanding with numbers 7 and 8 on the second page. Mr. Thomas corrected the comments to state that the steps were not to be replaced with brick but to repurpose the existing stairs and sidewalk to match the original foundation. He added that the new sidewalks will have a two inch cap and the new brick will be painted like brick to match the existing already there.

Ms. Jackson asked if the brick will also be painted and Mr. Thomas responded yes.

Opposition:
Mary Iverson [affirmed] and Gail Wiesner [affirmed] were present to speak in opposition to the application. Ms. Iverson submitted a report from Clemson University on trees to the committee to review.

Ms. Iverson stated that she was pleased with the work that was going on so far with the rehabilitation of the property. However, she pointed out that in the guidelines, Section 2.3 regarding the character of the district was of a concern for her. Ms. Iverson expressed her concern that as the oldest house on the street, the trees on the property that were deceased have been removed the from the south west corner of the house. The tree canopy on this end of the block has been diminished. She stated that the tree in the north corner of the house looks like it is dying and will have to be removed. Ms. Iverson relayed that while the mulberry and Japanese privet trees may be invasive, they are located around the neighborhood so they would not be an issue taking over. Ms. Iverson added that there are a large number of ligustrums on the property and she did not know why the one listed under twenty-one on the staff comments had to be removed. Ms. Iverson raised additional concerns about the dogwood tree as removing the ligustrum could hurt the dogwood. Ms. Iverson also pointed out that the mulberry tree that was identified was a fig tree not a mulberry tree and was incorrectly labeled. She added that the ligustrums were five feet from the foundation of the house and would not want them removed. Ms. Iverson questioned the location of the walnut tree from the property as well and stated it was 9 feet 9 inches away from the foundation of the house and while that it is labeled as a danger tree, none of the roots of the tree are showing.

Ms. Iverson maintained that her main concern was the removal of the trees and shrubs being replaced with evergreen trees. She repeated her love of the work being done on the property but not the removal of the trees and shrubs and asked the committee leave the walnut tree, ligustrum in the northeast corner and southwest corner or replace them with similar trees that are not evergreens. She added that the Guidelines state that removed trees should be replaced with identical or similar species. Specific guidelines cited were 2.3.4 and 2.3.5. Referencing a Clemson University extension service document, Mr. Iverson explained her disagreement with the arborist report and application regarding the dogwood trees and the Walnut Tree.

Ms. Tully reminded the committee that tree removal is considered demolition and that the commission cannot deny removal. The question is whether they wish to implement the 365-day demolition delay. Ms. Tully collected the documents referenced by Ms. Iverson.

Ms. Wiesner stated her concern that the appearance of the neighborhood is radically changing. Ms. Wiesner explained the importance of having the tree canopy in the neighborhood and that the cutting down of trees in the historic district is starting to snowball out of control and will ruin the appearance of the district. She affirmed that there is no need to cut down trees that are traditional in the area and have been seen in the area.

<u>Responses and Questions</u>:
Mr. Thomas reported that there may be some misunderstandings. The Japanese ligustrum is an evergreen tree and is being replaced with a Korean evergreen tree that is barely indistinguishable between the two and will be placed in the area to create a screen like what was there previously. Mr. Thomas stated that it is the policy to remove exotic species of trees that are invasive and replace the species with benign ones and that two of the ligustrums will be

staying. Additionally on the west side of the property, Mr. Thomas clarified that the arborist from Bartlett reported that the walnut tree as of right now is not mature and as it matures there will not be enough space for the tree. Mr. Thomas reiterated that the property owners were worried about slipping on the walnuts and potential problems of the walnut tree canopy scraping on the side of the house. Mr. Thomas further elaborated that they are planting as many trees as they are removing and that the removal of the ligustrums will help the dogwood out. He added that there are small fig trees that could remain.

Mr. Davis inquired about the height of the walnut tree. Mr. Thomas responded that it is about 45-50 feet in height, just over the roof of the house. He added that there is a magnificent sugar maple on the lot that is being protected. Ms. Jackson asked as to why would the trees in the northwest corner which were planted in as a screen be removed and replanted again as another screen. Mr. Thomas clarified that the species is invasive and are picked up by birds and carried out into other gardens across the community. The trees would then crowd out the existing ecosystem and alter it. Mr. Davis then asked if the trees near the house could be trimmed. Mr. Thomas responded, yes, but that the walnut in 25 years would crowd out the area and it would be better removed.

Ms. Caliendo questioned if the mulberry or walnut would be replaced. Mr. Thomas assured that there will be more ferns and hedges on that area of the property and it will remain shady additionally from the shadow of the house. Ms. Caliendo pointed out that it looked like Bartlett didn't recommend removal of the ligustrums near the dogwood. Mr. Thomas clarified that there is one dogwood on the northeast corner of the property and that another ligustrum would be left alone on the southwest corner of the property. Ms. Jackson added that this specific tree may have been overlooked and was not addressed in the letter. Mr. Thomas stated that the trees were planted and neglected for over fifty years when they were originally planted as shrubs. Ms. Jackson further questioned on that specific area with the mulberry and the walnut tree on the property. Mr. Thomas added that they could come up with more green material.

Ms. Tully stated that the issue here is regarding the overall tree canopy of the district and confirmed that there have been one or two trees removed from the public right of way that could be added back as an option. Ms. Jackson stated that the sugar maple is what was there originally and asked if the clients were willing to work on the location and types of trees that were being planted. Ms. Iverson stated that the canopy from the black walnut is a good canopy and should be replaced with a like tree, as well as the ligustrums on the property. Ms. Tully reminded the committee that when weighing the evidence, they needed to look at what was in front of them. The arborist that did the report presented in the application was not present to answer any questions. Ms. Tully added that if they wanted the arborist to answer questions, it would have to come from a professional and a different arborist could come to answer questions if the committee would like. Ms. Tully reminded that the question in front of the committee now is to approve or not the application based on the information provided to them.

Mr. Thomas stated that his clients were willing to accept pruning of the walnut tree but it would continue to be a threat in another twenty five years. Mr. Davis questioned what kind of threat and Mr. Thomas repeated that it would become an issue as it will outgrow its current location. Ms. Caliendo asked if there were replacement trees proposed on that side. He said no, that there would be ground covers and shrubs.

Ms. Jackson noted that the Bartlett report does not address the ligustrum on the east side. Mr. Thomas agrees, and then said that ligustrums are typically classified as shrubs, but that when neglected they become as large as trees. Ms. Jackson noted that they should be aware of the public comment. She added that when on site, the lack of canopy is noticeable.

Mr. Thomason ended by noting that he is not arguing that the walnut tree is a threat to the foundation. With regular pruning it could be kept away from the house.

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

Committee Discussion

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

The walnut and ligustrum are canopy trees that need to have the year delay. The privets that were maintained as a hedge are scraggly. [David]
The ligustrum isn't mentioned in the arborist report. [Caliendo]
That is problematic, but the homeowners can choose to ask the arborist to come back and make a case for that. [Jackson]
The ligustrum is so tall that I'm not sure an arborist report would make a difference unless it is about to die. [David]
Unless it is really unhealthy and about to die, it does add to the canopy. [Davis]
Would we benefit from hearing from the arborist? [Caliendo]
They would have that recourse if it contributes to the canopy and it is not mentioned in this. [Jackson]
We have heard from the landscape professional, we have enough information. [David]
Planting like for like? [Caliendo]
If they do decide to take trees out, a yearlong delay and if they do decide it should be taken out they should replace the tree with a canopy type of hardwood tree too. Mulberries are really close to the house. [David]
Replacing like-for-like could be an actual replacement or through a donation to the NeighborhoodWoods program. The specific street trees allowed are affected by the Urban Forester. [Tully]
In exchange for mulberry, I'd be ok with NeighborWoods or street trees. [David]
Are the mulberries considered canopy trees? I don't think these are. [Jackson]

What would get planted in the tree planting zone would be regulated by the urban forester. The height of what goes there, small medium or large street trees. There is a power pole right there and you cannot see which way they are going. Maybe that is a large over story tree but you can say like on the mulberry. [Tully]

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 comment A. (inclusive of facts 1-6) and B (inclusive of facts 1, 2, 5) to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Implementation of master landscape plan with addition of walkways; alteration of front walk; installation of 5' fence; alteration of front steps is not incongruous in concept according to Guidelines 2.1.1, 2.1.2, 2.1.8, 2.3.2, 2.3.8, 2.4.8, 2.5.1, 2.5.2, 2.5.5, 2.5.9, 3.8.1, 3.8.2, 3.8.5, 3.8.6, and the following findings:

1* Replacement of the existing concrete walk in the driving strip with a mix of brick and groundcover will increase the vegetative appearance of the driving strip. Evidence of the existing conditions was included in the application.

2* The new brick inlay walkway will maintain the vegetative appearance of the driving strip.

3* Detailed drawings of the proposed walkway patterns were included in the application; brick used is salvaged from onsite and approved with COA 096-15-MW.

4* Black metal fences are not common, but not rare in Oakwood and are generally simple in design. The proposed fence is at the side rear of the lot. The fence does not encircle the entire rear yard, but connects with the as of yet constructed screened porch addition.

5* The design of the gates will be the same as the fence panels. A small drawing of the design is included in the application; details and specifications were not.

6* The new front yard walkway will be a mix of brick and groundcover and be subservient in nature so as to not detract from the main front walk.

7* The faux stone front steps cheek walls will be replaced brick painted to match the existing foundation and have a natural stone cap; drawings and material samples were not included in the application.

8* The front steps are proposed to reuse the existing stone treads. The existing treads have sunk and are no longer level.

B. Implementation of master landscape plan with alteration of planting areas; removal of trees; planting of trees is not incongruous in concept according to Guidelines 2.1.1, 2.1.4, 2.1.8, 2.1.9, 2.3.2, 2.4.11, (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.") and the following findings:

1* The grass in the driving strip is proposed to be replaced with Juniper groundcover.
2* The application states that Japanese Privet and White Mulberry trees are listed as invasive threats by the Southeast Exotic Pest Plant Council and the Mulberry trees are approximately 8″ DBH and the Black Walnut is approximately 10.5″ DBH. A report by a certified arborist is included and states that Mulberry and Walnut trees are misshapen as well as inappropriately and dangerously sited.
3* A crape myrtle and cornelian cherry tree are proposed to be planted in the southwest corner of the front yard and a Sweetbay magnolia is being planted on the east side of the house. The Japanese Privet row on the west property line is to be replaced with a row of Chindo Viburnums. Japanese Privets and Chindo Viburnums are similar in appearance to one another.
4* A Japanese Privet on the east property line is proposed to be removed to allow for increased health of two existing Dogwoods.
5* The front yard between the new path and public sidewalk is proposed to be planted with a mix of large and low shrubs that range in height from 18″ to a possible 15′. Shrubs in front yards in the historic district are traditionally lower in height to maintain an open yard appearance. The shrubs should be kept at 42″ to be in keeping with Guideline 2.4.11.
6* The Black Walnut tree and Japanese Privet on the east property line are character defining canopy trees.

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

<u>Decision on the Application</u>

Following discussion on an initial motion made by Mr. Davis and seconded by Ms. David, Mr. Davis made an amended motion that the application be approved as follows:

That removal of the Black Walnut on the west side and the large Japanese Privet (ligustrum) in the northeast corner be approved with a 365-day demolition delay with an effective date of August 3, 2016 and the following conditions:

1. That at least one tall canopy tree (Black Walnut or similar species) be planted on the property prior to removal of the Black Walnut tree with the exact species and location provided to and approved by staff prior to planting.
2. That if a 2nd tall canopy tree is not planted on the property the value of one be donated to the NeighborWoods tree planting program prior to removal of the Japanese Privet.

That removal of the Mulberry trees and Japanese Privets on the west side be approved waiving the 365-day demolition delay and the following conditions:

3. That the largest possible tree (per the Urban Forester) be planted in the right-of-way on Lane Street during the next tree planting period.

That the remainder of the application be approved with the following conditions:

4. That if not salvageable, the front steps be replaced with new concrete.
5. That the details and specifications for the following be provided to and approved by staff prior to installation or construction:
    a. Front steps cheek walls drawings and material sample;
    b. Metal fence;
    c. New front steps.
6. That the front yard shrubs be kept pruned to a maximum height of 42 inches.

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

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

Certificate expiration date: 2/3/16.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

084-15-CA 315 OAKWOOD AVENUE
Applicant: JONATHAN JANIS & MARY SHAVER
Received: 6/16/2015 Meeting Date(s):
Submission date + 90 days: 9/14/2015 1) 8/3/2015 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: R-10
Nature of Project: Remove aluminum siding; install fiber cement siding
Conflict of Interest: None noted.
Staff Notes:

- COAs and Sanborn Fire Insurance maps mentioned in comments are available for review.
- Staff site visit on July 31, 2015 – photos attached to these comments.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
3.6	Exterior Walls	Remove aluminum siding; install fiber cement siding

STAFF COMMENTS

Based on the information contained in the application:

A. Removal of aluminum siding; installation of fiber cement siding is not incongruous in concept according to *Guidelines* 3.6.2, 3.6.5, 3.6.6, 3.6.7; however, not reusing wood siding **may be** incongruous according to *Guidelines* 3.6.6 and the following findings:

1* The aluminum siding was installed with an approved COA in 1980 under an earlier set of Design Guidelines. There are no available minutes or information on the condition of historic siding at that time.

2* The west side of the house is an addition constructed sometime between 1914 and 1950 according to Sanborn Fire Insurance maps. It is possible that the condition of the wood on that side of the house is worse than the remainder of the house.

3* Wood under synthetic siding is typically in good shape with some minor repairs and replacement necessary. Usually damaged wood is found on the lower portions of the wall nearest the ground.

4* The application includes photographic evidence of charred remains of siding in the attic; the photos show that there is wood siding under the aluminum siding, but the condition of the siding is unclear.

5* According to a staff site visit, there is clear evidence of missing and charred siding in the gable ends of the house. Samples of removed fiberboard and dry-rotted wood siding were observed. On the west side of the house there is evidence of split wood as well as portions of sound wood, the extent of the damage is unclear. No evidence has been provided regarding the existence and/or condition of the wood siding on the south (front), east and north sides of the house.

6* A prior COA (162-14-CA) allowed for the use of fiber cement siding on an expansion of an existing and new rear addition. Photographs of the installed siding are attached to these comments.

7* Replacing aluminum siding with fiber cement siding was denied at 312 Cutler Street (058-15-CA) because the wood siding was intact under the synthetic siding. The COA was approved with a condition 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.

8* Replacing fiberboard siding with fiber cement siding was approved at 1008 W South Street (089-05-CA) because the siding underneath had been removed and re-installed flat to serve as sheathing beneath the fiberboard siding. There was also evidence of multiple nail holes and splitting of the boards. It was determined that none of the contributing lapped wood siding remained in its original configuration.

Pending the commission's determination regarding the existence/condition of the wood siding, staff recommends that the committee make one of the following decisions:

Option A

Approve the removal of the aluminum siding with the following conditions:

1. That the wood siding be reused.
2. That missing/damaged siding be replaced with wood siding matching the dimensions and reveal of the historic siding.
3. That should more than 50% of the wood siding underneath the aluminum siding be missing or appear to need replacing, the applicant will stop work and consult with staff for concurrence. If staff is in agreement, the installation of fiber cement siding may be approved by staff.

Option B

Approve the removal of aluminum siding on the entire house.

Approve the installation of fiber cement siding on the rear wall and walls of the west side addition using the same specification as approved in (162-14-CA).

Deny the installation of fiber cement siding on the east, south and original portion of the west wall with the following conditions:

1. That the wood siding be reused.
2. That missing/damaged siding be replaced with wood siding matching the dimensions and reveal of the historic siding.

3. That should more than 50% of the wood siding underneath the aluminum siding be missing or appear to need replacing, the applicant will stop work and consult with staff for concurrence. If staff is in agreement, the installation of fiber cement siding may be approved by staff.

PUBLIC TESTIMONY

Staff Introduction: Tania Tully [affirmed] showed the location of the property on the map and noted highlights from staff comments. Ms. Tully pointed out that the existing aluminum siding was approved by the committee under an earlier set of design guidelines and that she offered two decision options on the staff comments.

Support:
Johnathan Janis [affirmed] and Mary Shaver [affirmed] were present to speak in support of the application.

Mr. Janis stated that he was approved for work on the rear house to allow for cement board. He added that once he started to recover some of the aluminum siding he realized that it was not in good enough condition to reuse. Mr. Janis spoke of the west side of his house which is very close to another house noting that and that when the aluminum was pulled off it revealed extensive termite damage. Mr. Janis stated he wanted to redo under the window with the removed aluminum but there was nothing salvageable so that was why cement board was being requested on this side. He added that there was a potential for the application to completely redo the siding in cement board because the damage on the house and how extensive is unknown. Mr. Janis explained that there was extensive fire damage on the house and that he and Ms. Shaver have replaced and wrapped those boards properly and that about 75% of the house has been renovated but there are still unknowns with the project.

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

Responses and Questions:
Gail Wiesner [affirmed] asked if the house was contributing. Ms. Tully said that in portion of the district there is no definitive inventory, but in her opinion because of the form, yes, it was contributing. Ms. Morris added that the windows had been replaced also.

Ms. Jackson questioned Ms. Tully regarding when she was on site and taking pictures if the wood siding was visible. Ms. Tully noted that you can still see some of the original wood siding which is clearly damaged on the west side of the house. Ms. Tully added that she has photos of siding that had been removed already and it clearly has dry rot and some fiberboard pieces. Mr. Janis said he did not know on the front and side of the house where he has not cut into it yet. Ms. Tully stated that clearly there had been a fire, but that the COA file did not say why the aluminum was installed not made any mention of the fire. The front and other side of the house

could have good condition siding underneath as is typical. Ms. Tully reminded the committee that there is no way to tell what the status of the wood siding on the house is where the aluminum has not been removed.

Ms. Caliendo inquired about the case on South Street. Ms. Tully responded that in the south street case fiber cement siding was approved because there was documented evidence of nail holes and damage. She clarified that the original siding had been removed, flipped over and put under Masonite siding. Fiber board wasn't as durable and everything that was done on the property was bringing it back to its original state which helped with the character of the district. Ms. Tully responded to a query from Ms. Wiesner about wood siding. Ms. Tully said that the committee made the judgement that in a case where original historic fabric was missing and a substitute material installed, that another substitute material could be used and meet the Guidelines.

Martha Lauer [affirmed] questioned that the precedent for these cases if you have a substitute siding you replace with a substitute siding. Mr. Janis asked what kind of substitute siding and Ms. Tully responded that in preservation parlance substitute siding means generically non-historic siding. Ms. Caliendo asked about the evidence of original siding on the property and Ms. Lauer responded that if there is evidence of original siding, that siding is usually restored. Ms. Jackson added that the condition is also taken into account when making these decisions.

Ms. Lauer brought up the fact that the condition of the siding of the house will be unknown until it is pulled off. Mr. Janis added that part of the siding is gutted and the other part is gone. He added that the siding could be done in cement board or the wood planks wrapped in aluminum could be added back. Mr. Janis asked the committee if he could replace where the house was burned with cement siding. Ms. David responded just the gable and while it is clear it was an attic fire, it is unknown what the lower floors look like. Ms. Jackson expressed that the committee's line of questioning is to give options and the work so far on the house looked fine. Mr. Janis stressed the importance of just finishing the one side. Ms. Jackson reiterated that the challenge is the committee does not know what is there or if the wood is damaged and nothing is salvageable.

Mr. Janis explained that he is interested in improving the integrity of the home and removing the aluminum siding as it is not something he likes. He added that when the next phase of work is going to be done on the house there are a lot of what ifs and part of why he has appeared in front of the committee is to answer this scenario.

The committee discussed the rear wall of the structure and Ms. Shaver questioned whether or not the rear wall could be covered or the whole house. Mr. Janis clarified he just wished to be able to finish the one section and could come back to the committee when construction was going to be completed at a later time.

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

The following points were made in discussion [speaker indicated in brackets]:
Option A or Option B? We don't know the existing condition until we take down the aluminum. What about the rear wall, we don't know its condition either. [Caliendo]
Option B lets them do the hardie plank on the one side. [David]
Hardie has already been approved for use on this house on the rear addition and is seen to be woven In with the aluminum successfully. [Downer]
They have shown it fits with the rest of the siding. [Jackson]
Add in facts regarding the termite damage and what you have seen, it backs up the reasoning if you approve that section. I do not think I addressed that specifically. The condition of the wood on that side of the house is worse than the rest of the house. [Tully]

Findings of Fact and Conclusions of Law

Ms. David moved that based upon the facts presented in the application and the public hearing, the committee finds staff comment A. (inclusive of facts 1, 3-8) to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Removal of aluminum siding; installation of fiber cement siding is not incongruous in concept according to *Guidelines* 3.6.2, 3.6.5, 3.6.6, 3.6.7; however, not reusing wood siding in good condition is incongruous according to *Guidelines* 3.6.6 and the following findings:

1* The aluminum siding was installed with an approved COA in 1980 under an earlier set of Design Guidelines. There are no available minutes or information on the condition of historic siding at that time.

2* The west side of the house is an addition constructed sometime between 1914 and 1950 according to Sanborn Fire Insurance maps. It is possible that the condition of the wood on that side of the house is worse than the remainder of the house. The applicant testified to the extensive termite damage on the west side of the house.

3* Wood under synthetic siding is typically in good shape with some minor repairs and replacement necessary. Usually damaged wood is found on the lower portions of the wall nearest the ground.

4* The application includes photographic evidence of charred remains of siding in the attic; the photos show that there is wood siding under the aluminum siding, but the condition of the siding is unclear.

5* According to a staff site visit, there is clear evidence of missing and charred siding in the gable ends of the house. Samples of removed fiberboard and dry-rotted wood siding were observed. On the west side of the house there is evidence of split wood as well as portions of sound wood, the extent of the damage is unclear. No evidence has been provided

regarding the existence and/or condition of the wood siding on the south (front), east and north sides of the house.

6* A prior COA (162-14-CA) allowed for the use of fiber cement siding on an expansion of an existing and new rear addition. Photographs of the installed siding are attached to these comments.

7* Replacing aluminum siding with fiber cement siding was denied at 312 Cutler Street (058-15-CA) because the wood siding was intact under the synthetic siding. The COA was approved with a condition 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.

8* Replacing fiberboard siding with fiber cement siding was approved at 1008 W South Street (089-05-CA) because the siding underneath had been removed and re-installed flat to serve as sheathing beneath the fiberboard siding. There was also evidence of multiple nail holes and splitting of the boards. It was determined that none of the contributing lapped wood siding remained in its original configuration.

The motion was seconded by Mr. Davis; passed 5/0.

Decision on the Application

Following discussion on an initial motion made by Ms. David and seconded by Ms. Jackson, Ms. David made an amended motion that the application be approved in part and denied in part as stated below:

Approve the removal of aluminum siding on the entire house.
Approve the installation of fiber cement siding on the walls of the west side addition using the same specification as approved in COA 162-14-CA.
Deny the installation of fiber cement siding on the rear, east, and south walls and original portion of the west wall with the following conditions:

1. That the wood siding be reused.
2. That missing/damaged siding be replaced with wood siding matching the dimensions and reveal of the historic siding.
3. That should more than 50% of the wood siding underneath the aluminum siding be missing or appear to need replacing, the applicant will stop work and consult with staff for concurrence. If staff is in agreement, the installation of fiber cement siding may be approved by staff.

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

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

Certificate expiration date: 2/3/16.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

089-15-CA 110 E HARGETT STREET
Applicant: MATTHEW KONAR ARCHITECT
Received: 6/16/2015 Meeting Date(s):
Submission date + 90 days: 9/14/2015 1) 7/6/2015 2) 8/3/2015 3)

INTRODUCTION TO THE APPLICATION

Historic District: MOORE SQUARE HISTORIC DISTRICT
Zoning: DOD, BUS
Nature of Project: Replace rear door; install rear accessory buildings; install canopy structure
Amendments: Additional drawings were provided July 17, 2015 and were included in your commissioner packets.
Conflict of Interest: None noted.
Staff Notes:

- At the July meeting the rear door change and small shed were approved with conditions and not included in these comments.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
2.3	Site Features and Plantings	install rear accessory building; install canopy structure
2.6	Garages and Accessory Structures	install rear accessory building

STAFF COMMENTS

Based on the information contained in the amended application:

A. Installation of canopy structure is not incongruous in concept according to *Guidelines* 2.3.9, 2.6.6, 2.6.7, 2.6.9:

1* All of the proposed changes are at the rear of the building in a treeless fenced courtyard.

2* A steel framed canopy is proposed adjacent to the proposed accessory building. It is stated to be of post and beam construction with a corrugated metal roof. The amended application includes drawings showing its general location as well as a rendering of a similar structure.

3* At the July hearing the applicant testified that since the location is in the fire district, the materials that could be used are limited – primarily steel and aluminum.

4* The canopy structure is proposed to cover most of the courtyard between the new accessory building and existing stairs to the 2nd level. This is approximately 676 SF. The amended application includes drawings showing its general location, height, and that it would fit under the existing metal deck. The amended application also states that it will not attached to the existing building; however, no posts are shown in the drawings.

5* The text describes the canopy as sloping downwards, from east to west, in the direction of the accessory building. Shed roof structures that close to a building typically slope away from the building rather than to one side or the other. The amended drawings indicate that there will be a band/parapet obscuring the slope of the roof.

B. Installation of rear accessory building is not incongruous in concept according to *Guidelines* 2.3.9, 2.6.6, 2.6.7, 2.6.9; however the details **may be** incongruous according to *Guidelines* 2.6.7 and the following findings:

1* All of the proposed changes are at the rear of the building in a treeless fenced courtyard.

2* At the July hearing there was testimony that the structure would only be visible from the parking deck and that it is obscured by the building. This is related to *Guideline* 2.3.9.

3* The 1914 Sanborn Fire Insurance map of the block is included in the application; it shows that there were numerous accessory buildings on the interior of the lot historically.

4* The accessory building is proposed to sit adjacent to the rear of the building and an existing wood fence.

5* The proposed accessory building is 204 SF in footprint (8.5'x24') and 8' tall, has a flat roof, and sits on a new 10'x26' concrete slab.

6* The structure is sheathed in smooth aluminum cladding and has unpainted aluminum trim. Traditionally, metal accessory buildings had some sort of corrugated or textured siding. The amended application proposes a solid and perforated metal screen on the east side of the building; details and specifications were not included.

7* A photo of a "typical" building of this type is included to indicate its general appearance. In the amended application the south side of the building will not be screened. This will be visible from a pedestrian bridge.

8* There are details of the structure as shown in the photo give it the appearance of a vehicle rather than a permanent building; these include: riveted construction, reflectors, wheels, shiny metal. At the July public hearing, there was testimony that the axles could be removed, which is confirmed by the amended drawings and that it did not have to be that shiny white.

9* According to the section drawing of the courtyard showing the east elevation of the accessory building there will be one door on the east side and a serving window with a flip-up door on the south.

Pending the committee's determination regarding the appropriateness of the accessory building as screened, staff recommends that the committee approve the amended application, with the following conditions:

1. That the screen cover the south elevation in addition to the east.
2. That the following details and specification for the canopy be provided to and approved by staff prior to issuance of permits:
   a. Revised drawings showing posts;
   b. Large scale section drawing of roof/parapet;
   c. Posts.

3. That the accessory building not have a shiny finish.
4. That the metal screen be painted a dark color with a flat sheen.
5. That the following details and specification for the accessory building be provided to and approved by the commission prior to issuance of permits:
   a. Large scale elevations of the accessory building;
   b. Revised drawings reflecting condition 1;
   c. Construction details of the metal screen;
   d. Paint color.

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 in her recommendations, the canopy is coming back to staff and details of the accessory structure and screen are coming back to the commission.

Support:
Matthew Konar [affirmed] was present to speak in support of the application. He noted that cladding the south end would be a challenge because it opens.

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

Responses and Questions:
Ms. Jackson questioned if the screen is perforated or if it is solid. Mr. Konar stated that the perforated metal was to give artistic elements such as opposed to corrugated metal which is different. They are looking for varying levels of transparency. Mr. Konar also added that they are punch-outs in the screen that are a door and another for food. He stated that the way the canopy is set up when there is good weather they would expect more people to be outside and the south side would be more open to accommodate for this. On days of bad weather, it could be more closed to accommodate this as well. Ms. Tully responded that in her staff comments she thought the punch-outs were the perforations. Mr. Davis then question what the metal looked like and Mr. Konar provided pictures of corrugated/perforated metal to the committee.

Martha Lauer [affirmed] asked the applicant how many material switches they are making as it could start to look dressy. Ms. David pointed out that with the placement of the beams and posts it is unknown what the canopy is going to look like and she questioned further how it is going to look. Mr. Konar stated his client could purchase a trailer but they wished to move further away from the drop trailer appearance and dress it up.

Mr. Davis questioned if the staff could recommend coming back with better drawings. Ms. Caliendo clarified that the applicant can be asked to bring a sample. Ms. Tully stated that if the committee agrees with the staff comments, having a food building screened behind a metal wall

is approvable provided the details are brought back to the commission. Ms. Tully advised the committee that they could ask for additional details or use the information that was provided and it is up to the committee to decide if it is enough.

Ms. Jackson questioned where Mr. Konar was with his design process. Mr. Konar replied he is trying to do as much for his client as he can but he is now awaiting a decision from the committee. Ms. Tully commented that if both sides are screened does the committee have enough information to approve what the screening looks like.

Mr. Davis inquired about the neighbor as the screen could go over the fence and Mr. Konar replied that the neighbor situation had changed as his client had bought the adjacent business. Mr. Davis pointed out that if the metal is perforated the trailer could still be seen. Mr. Konar clarified that you could, but in an abstract way, you get a hint of the color but you really will only be able to see anything on the other side of the metal unless you put your eye up against it and it is completely subjective.

Ms. Lauer steered the committee to go back towards the basis of the original discussion if in a historic district "is screening to hide a food truck appropriate?". Mr. Konar reiterated that the food truck is fundamentally an accessory structure. Ms. Lauer reported that the issue is still the appearance. Ms. David questioned if a more fleshed out drawing is appropriate and Ms. Tully responded that there is no such thing as conceptual approval, the metal screening would have to be approved or not. Ms. Tully also added that the committee would need to know what the end of the truck looks like if it will be visible behind the screen. Ms. Lauer questioned if the flip down device would cover the whole south end. Mr. Konar responded that it could be purchased either way and currently it is a floor to ceiling one with a 6 to 8 inch kick plate at the bottom. Mr. Davis question how it stayed up and Mr. Konar responded it is raised and lowered by hydraulics.

Ms. Jackson then questioned that based on staff recommendations, a canopy could be approved as drawn and that additional details of the truck would come back to the committee. Ms. Tully responded that they may want to change the condition because of the screening versus making changes to the actual food building. Because of the flip-up the screen may not be dictated by the building itself. Ms. Jackson asked if the screening will be dictated by the details of building. Ms. Tully said perhaps and added that the details of the truck are behind the screen and are not what would be seen. Ms. Tully further clarified that the idea for the building was to make it look like you have a permanent accessory structure. Mr. Davis questioned if the canopy extends a little bit and Mr. Konar replied that it did. Ms. Lauer pointed out that if you looked at the structure it looks like it has a standalone wall with perforation and what the food truck looks like matters. Mr. Davis pointed out that it would be hard to say the accessory building could be approved as is. Mr. Konar stated that it could be inched forward and they were just trying to understand the nature of 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]:
With more information, the staff comments are reasonable. We can trust that Tania can approve the details for the canopy especially when you have an opaque and a perforated screen and you want to do something with it and what is behind it. [Jackson]
Do we approve it with the condition that they will come back with the details of the screening? Or do we approve the accessory structure with some kind of screen and work through that. Do we defer it for the details of the screen? [Caliendo]
Or the accessory structure, it is part of the approval process. [Davis]
It is not an issue with the accessory structure in this location. [Jackson]
It is a prefab and we don't see a request for such a thing in historic districts in general. It is different in Moore Square versus Boylan Heights. You can't pick out a mini-barn and bring it home to Boylan Heights, screen it and have it approved. If we approve it we need to hammer home that this is a commercial district. [David]
With the next application there is evidence in this district of accessory structures. [Caliendo]
Sanborn maps show that there used to be accessory buildings throughout the district that supplemented the commercial districts. [Tully]
None of it is permanent. It does not touch the building and there is a pedestrian walkway. It is not visible except that the pedestrian bridge would maybe be the public right of way. The context of this is different from a residential neighborhood. It has nothing to do with historic fabric. Whether or not it can be here has to do with what it looks like and if we approve it we can get the details of what it will look like. It does not make sense to defer it; they will come back with more details. The details on the specifications of the accessory building itself can come to us and the canopy can go to staff. Are we comfortable with that? [Jackson]
We will see not only the screen but more details about the actual accessory? [Caliendo]
You need to decide the bit about the screening on the south elevation. [Tully]
And on the fence side. [Lauer]
I agree with the screening on the south side but I do not think it is necessary inside. [Caliendo]
Screening and all those details will come in. [Jackson]

Findings of Fact and Conclusions of Law

Ms. Downer moved that based upon the facts presented in the application and the public hearing, the committee finds staff comment A. (inclusive of facts 1, 3-6) to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Installation of canopy structure is not incongruous in concept according to *Guidelines* 2.3.9, 2.6.6, 2.6.7, 2.6.9 and the following findings:
1* All of the proposed changes are at the rear of the building in a treeless fenced courtyard.

2* A steel framed canopy is proposed adjacent to the proposed accessory building. It is stated to be of post and beam construction with a corrugated metal roof. The amended application includes drawings showing its general location as well as a rendering of a similar structure.

3* At the July hearing the applicant testified that since the location is in the fire district, the materials that could be used are limited – primarily steel and aluminum.

4* The canopy structure is proposed to cover most of the courtyard between the new accessory building and existing stairs to the 2nd level. This is approximately 676 SF. The amended application includes drawings showing its general location, height, and that it would fit under the existing metal deck. The amended application also states that it will not attached to the existing building; however, no posts are shown in the drawings.

5* The text describes the canopy as sloping downwards, from east to west, in the direction of the accessory building. Shed roof structures that close to a building typically slope away from the building rather than to one side or the other. The amended drawings indicate that there will be a band/parapet obscuring the slope of the roof.

B. Installation of rear accessory building is not incongruous in concept according to *Guidelines* 2.3.9, 2.6.6, 2.6.7, 2.6.9; however the details **may be** incongruous according to *Guidelines* 2.6.7 and the following findings:

1* All of the proposed changes are at the rear of the building in a treeless fenced courtyard.

2* At the July hearing there was testimony that the structure would only be visible from the parking deck and that it is obscured by the building. This is related to *Guideline* 2.3.9.

3* The 1914 Sanborn Fire Insurance map of the block is included in the application; it shows that there were numerous accessory buildings on the interior of the lot historically.

4* The accessory building is proposed to sit adjacent to the rear of the building and an existing wood fence.

5* The proposed accessory building is 204 SF in footprint (8.5'x24') and 8' tall, has a flat roof, and sits on a new 10'x26' concrete slab.

6* The structure is sheathed in smooth aluminum cladding and has unpainted aluminum trim. Traditionally, metal accessory buildings had some sort of corrugated or textured siding. The amended application proposes a solid and perforated metal screen on the east side of the building; details and specifications were not included.

7* A photo of a "typical" building of this type is included to indicate its general appearance. In the amended application the south side of the building will not be screened. This will be visible from a pedestrian bridge.

8* There are details of the structure as shown in the photo give it the appearance of a vehicle rather than a permanent building; these include: riveted construction, reflectors, wheels, shiny metal. At the July public hearing, there was testimony that the axles could be removed, which is confirmed by the amended drawings and that it did not have to be that shiny white.

9* According to the section drawing of the courtyard showing the east elevation of the accessory building there will be one door on the east side and a serving window with a flip-up door on the south.

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

Decision on the Application

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

1. That the screen cover the south elevation in addition to the east.
2. That the following details and specification for the canopy be provided to and approved by staff prior to issuance of permits:
   a. Revised drawings showing posts;
   b. Large scale section drawing of roof/parapet;
   c. Posts.
3. That the accessory building not have a shiny finish.
4. That the metal screen be painted a dark color with a flat sheen.
5. That the following details and specification for the accessory building be provided to and approved by the commission prior to issuance of permits:
   a. Large scale elevations of the accessory building;
   b. Revised drawings reflecting condition 1;
   c. Details of visual appearance of metal screen;
   d. Construction details of the metal screen;
   e. Metal screen material sample;
   f. Paint colors and sheen.

Ms. Jackson agreed to the changes. The amended motion passed 4/1 (Ms. David opposed).

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

Certificate expiration date: 2/3/16.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

103-15-CA 600 N BOUNDARY STREET
Applicant: JEFFREY & MARIE SCHEURING
Received: 7/15/2015 Meeting Date(s):
Submission date + 90 days: 10/13/2015 1) 8/3/2015 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: R-10
Nature of Project: Reconsideration of 059-15-CA: 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: Photographs to supplement the application were received July 31 and are attached to these comments. Clarification regarding cited *Guidelines* was also included.
Conflict of Interest: None noted.
Staff Notes:

- The Request for Reconsideration petition was granted July 6, 2015.
- COA files referenced are available for review. Drawings of approved and denied accessory buildings are attached to these comments.
- The original amended COA application was included with the reconsideration application by reference and mailed with commissioner packets.
- Text passages in italics are the items brought up in the reconsideration request.

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 application:

A. Removal of asbestos siding; demolition of non-historic 1-story, 2-car garage and attached screened porch is not incongruous in concept according to *Guidelines* 2.3.7, 2.6.1, 3.6.4, 3.6.5, 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, the commission typically requires a plan by an arborist.

2* 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.

3* Based on Sanborn Fire Insurance Maps, the garage and screened porch connector proposed for removal were constructed after 1950.

B. 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, 4.2.1, 4.2.2, 4.2.4, 4.2.5, 4.2.6, 4.2.7, 4.2.8, 4.2.9 and the following findings:

1* There 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, the commission typically requires a plan by an arborist.

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

3* *The size and proximity of the magnolia are misrepresented as smaller and further from the structure than actual. The tree is located 18inches from the corner of the garage and the trunk is on the property line. Guideline 2.3. 7. The canopy of the magnolia rests just inches over the existing single story roof of the garage. A second story will require major pruning and will leave the tree lopsided or with a peculiar appearance if the entire tree is taken up another story. Although the tree is very healthy and free of disease, it has a crooked trunk that leans toward the sun and the home at 530 Elm. There is concern that major pruning or damage to the roots on one side will cause the tree to fall in that direction.*

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

5* *The subject home at 600 Boundary is a single story home, not a 2 story as stated on application*. The application does not state that the house is 2-stories.

6* *Existing non-conforming garage is also single story, not a 2 story garage as stated on application.* The text portion does say that the proposal is to "demo the non-conforming two-story garage." The photographs and existing condition elevations show the existing garage to be 1-story.

7* *The "proposed" garage is 2 story, (the second floor has the same footprint as the main floor) and not 1.5 story as stated in the application.*

8* 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 approved application includes examples of accessory structures attached to houses in Oakwood.

9* *The proposed construction of a new garage is attached to a finished living space; the proposed master bedroom addition. The proposed master bedroom is a finished space is attached directly to the garage. Attached garages are not historic and do not exist in the historic districts. The finished living space is accessible directly from the garage in the proposed drawings. Approval of this attachment to the finished space would set a new precedent in the historic district.*

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

11* 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. On the 1950 Sanborn Fire Insurance Map there was a 1-story 1-car garage; it is oriented with the short side of the garage facing the street.

12* *The pitch/slope proposed are not reflective of the bungalow architectural style found in the home and are stylistically and anachronistically different than the existing and nearby homes. Guideline 3.5 and 1.4.9 and 2.1.10.* The amended application sites 2.6.6, 2.6.7, 2.6.8, 2.6.9.

13* The new garage is pulled back from the south property line farther than the existing and is lower than the roof of the historic house; the amount of difference is unknown, though it appears to be about one foot.

14* *The proposed garage roof does not maintain the character defining features on the existing home. Guideline 2.6.3.* Guideline 2.6.3 has to do with making changes to existing historic garages, not new construction.

15* 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.

16* There have been committee-approved exceptions of taller garages including at 715 N Bloodworth Street (COA 166-06-CA), 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 (COA 135-97-CA – prior guidelines) all of the houses associated with the garages are 2-stories or taller.

17* In 2006 at 715 N Bloodworth Street (COA 149-06-CA) a 2-story accessory building was denied in part because "The height and proportion of the structure are taller and squarer/boxier than typical accessory structures in the district" and it "is stylistically at odds with the house and accessory buildings in the district. The house is a hip-roofed four-square with a bungalow-style front porch. It has broad proportions to its facades with regularly-

placed windows breaking up the expanse of siding". A revised application (COA 166-06-CA) for a 1-1/2 story accessory building with dormer was subsequently approved in part because "The proposed structure uses a dormer to present a 1-1/2 story appearance and provide a functional second story while minimizing the exterior visual impact of this upstairs space" and "it is oriented with gables to the sides and incorporates a front dormer that is similar to the house's front dormer."

18* In 2008 the commission approved a 1½-story, 22'x27' garage with dormers 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.

19* 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.

20* *In a recent and similar application, the owner of 606 Boundary was advised by the committee to reduce the height of the proposed 2 story garage before submitting application for review as noted on his COA, "Amended: one story garage, item 4, height of garage to be reduced'', approved 5/16/13 is located two doors down from subject property.* This case is COA 008-13-CA: both the original and amended COA applications were for a 1-story garage. The ridge of the addition was about 19 feet tall, the existing house and lower part of the addition was about 16 feet tall. The height of the proposed garage was approximately 17.5 feet. The COA was approved with a condition that the height of the garage be reduced. The amended application includes a photo of the completed garage.

21* *The proposed garage has a dormer that is anachronistically different than the existing home. To our knowledge there is not an example of a dormer on garage in the historic district.* Approved COAs for accessory buildings with dormers include 608 Oakwood Avenue (COA 212-07-CA), 520 Bloodworth St (COA 030-13-CA), and 323 Pace St (COA 081-14-CA). The subject house has a dormer on the front elevation.

22* *A 2 story garage will disturb the rhythm of the neighborhood that is primarily small 2 or three bedroom single story bungalows and cottages. The current nonconforming garage and driveway rests on and over the property line and because it is not in the rear, but beside the homes on Elm, the garage would best be placed carefully with respect to create some open space between the buildings to reflect the rhythm of the rest of the block. Guideline 2.5 The existing non-conforming garage disturbs the rhythm as it is not in line with the properties that are set back from the street and it crowds the home at 530 Elm in a way that does not exist anywhere else on the block.* The amended application cites *Guidelines* 4.3.1, 4.3.2, 4.3.4, 4.3.6.

23* *The surrounding properties in this part of the neighborhood do not support a tall accessory structure.* Photographs of surrounding buildings were included with the amended application.

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

25* 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.

26* 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

27* 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.
28* The garage door is proposed to be wood with windows at the top; details and specifications were not provided.

Staff recommends that the committee approve the amended application, 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 rear addition be modified so as to eliminate visually solid attachment to the garage.
3. 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 drawings;
   c. Windows;
   d. Section drawings for eaves of addition and garage including gutters.
4. 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.
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 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:
Marie Scheuring [affirmed] and Gail Wiesner [affirmed] were present to speak in support of the Reconsideration application.

Ms. Scheuring stated that the garage will be not inconspicuous with the exception of her home and the home located on Boundary Street. Ms. Scheuring stated that the garage will be taller than the house and every other house and it is not inconspicuous noting that the back yard is also her front yard. She expressed her concern that the garage will be something that is all you can see on Elm Street. She added that the garage is right there on the street and the surrounding properties on the neighborhood wouldn't support the building. Ms. Scheuring stated that quite a few of the neighbors in the community are upset and she would like to avoid an appeal and many of the neighbors are opposed to the addition. Ms. Scheuring expressed concern that if the garage is allowed it sets new precedent and rule that other detached garages are okay. Ms. Scheuring added that she provided examples of three other examples of properties and one of them on Bloodworth is not a garage and it is right out there and that it is an accessory building that has a dormer but is a cottage plus it is in the back of the home so it is not that noticeable. Ms. Scheuring stated her main concern was that once this application is approved it does not prevent people from down the road adding on separate garages to their properties. Ms. Scheuring expressed her happiness that the non-conforming garage was being demolished. It still has utilities and is nonconforming with the 900 square foot ranches and cottages in the district.

Ms. Wiesner stated this was an extremely new type of structure and the materials provided as precedent are buildings that are connected by a breezeway or hyphen and are not attached. She expressed concern that city seems to be moving in the direction of allowing backyard cottages to increase living space. Ms. Wiesner pointed out that the house located at 608 Jones Street that has a garage and accessory building reflects the house in every aspect. Ms. Wiesner stated that the proposed garage is also different from the house entirely. It is not 1 ½ stories; it becomes 2 stories. Ms. Wiesner reported that the roof line will also not be compatible with the current roof line and slope of the house.

Ms. Wiesner presented pictures to the committee. She stated that 520 N. Bloodworth Street didn't come out as to what the drawing looked like and had it been next to the property it wouldn't have been approved. Ms. Wiesner reiterated that the accessory building should be subservient to the house and in order to do that the magnolia tree in the yard would have to be trimmed. She added that the change in height will be noticeable as will the roof as they will be higher. Ms. Wiesner stated that this property has a good bit of side yard that could be utilized for expansion instead and noted her concern for the changing the façade of the house on the street as it changes the atmosphere of the street itself which will impact the real estate in the area.

Ms. Scheuring also addressed the garage that was proposed two houses down at 606 Boundary Street which wanted a two story garage. It was approved but as one-story and shortened by 18 inches and was asked to make it 2 ½ feet shorter than the home. Ms. Scheuring did not think this should set precedent for the fact that a two-story garage is attached to a house. She said that that garage was shorter than this one before required reduction.

Opposition:
Ms. Ashley Morris [affirmed] and Mr. Kamran Kamrani [affirmed] were present to speak in opposition to the application (but in support of the proposed garage and addition)

Mr. Kamrani said that there was a lot of response to misleading errors. He believed the two story house comment might be a typo. He clarified that there is no accessible living space directly to the proposed garage. Mr. Kamrani and Ms. Morris passed out a packet to the committee that included revised drawings as well as photos of the neighborhood.

Mr. Kamrani stated the new plans made the garage look like a small bungalow. He added that here are opportunities here to fix the garage that had been there for twenty-six years that had nine inches of encroachment and they are trying to rectify that.

Ms. Morris discussed the additional pictures that were provided in the packet to the committee of properties in the neighborhood. Ms. Morris pointed out that the entire block of Elm Street is a diverse street including one-story homes, one-and-a-half stories which is seen in the figure ground study. The heights were based on the Wake Gov data. She went through the packet noting specific addresses with approved garages including 608 Oakwood Avenue, 520 N Bloodworth Street, 703 N Bloodworth Street, and 323 Pace Street, and others. She noted that there is definitely a two-story home located at 518 Elm Street. Ms. Morris also pointed out there is a large church in the neighborhood with subsidiary buildings behind it. Ms. Morris then went over various properties throughout the district that had garages or accessory buildings, particularly ones that have separate garages attached by a breezeway. She also noted the drawing of the contrast between the existing garage and the proposed one to be built so that the difference can be seen.

Mr. Kamrani added that the layout of the new addition is shorter than the one that was originally proposed and will go more towards the house. He added the owner of the house next door will still have a window overlooking the garage and the garage will not be blocking anything.

Ms. Morris pointed out a few properties that had garages and were located on corner lots. Ms. Jackson questioned if one of the properties, 610 N. Bloodworth Street had a fence on the left of the garage. Ms. Morris also stated that Ms. Scheuring's house also sits two feet above the property as there is a grade change. She also added that the property owners did not want anything to happen to the magnolia tree on the property. Mr. Kamrani added they have gotten an estimate to try to trim the tree as they do not want it to fall down. He expressed their desire to take care of it and consult an arborist to come in so it is balanced. Ms. Morris clarified they will have an arborist perform a tree protection plan during construction and demolition.

Ms. Morris stated that the new plan was created taking into mind the reconsideration request and pulled the living space from the garage. Now a screen porch connects the living space to the garage. Mr. Kamrani stated that the screen porch was wanted to have a connection to the

living space as well as expanding the screen porch so that portion of the property could be enjoyed.

Ms. Morris spoke about the new plan and showed that the new side elevation reflected the screened porch portion had an overlay in the picture. Ms. Morris stated that the new garage is going up four feet but is staying one foot below. She relayed that the space upstairs was never meant to be a living or hang out space but intended as an office and finished storage area. She reported that the height of the garage is 16'8". Ms. Morris presented a graphic that shows all of the 1.5 – 2 story properties on Elm Street and Boundary Street that have attached garages as well as properties that have accessory structures in relation to Elm Street and the other houses in the neighborhood.

Responses and Questions:
In response to a comment made by the applicant, Ms. David and Mr. Davis reported they both visited the site.

Ms. Scheuring questioned what a shed has to do with a garage and indicated the two are different. She reiterated her concern that the pitch of the roof of the proposed garage does not match the house. She also referenced Ms. Joy Weeber's home that has a bungalow and a detached garage. Ms. Scheuring noted that the garage at 612 N Boundary Street appears to be connected with a breezeway and is not actually attached to the house.

Ms. Wiesner reported that there is much significance as to where the garage is being placed and expressed her concern that the angle of the roof and proposed garage is very different. She added that the house has a 120 degree angle roof and the proposed garage will have a 90 degree angle. She also stated that since the property is on a corner it will naturally be higher.

Ms. David stated that the location or orientation for additions or garages is usually the back of the house or facing a side street. She added she lives on a corner lot and her driveway goes to a side street and that a lot of outbuildings historically faced side streets.

Ms. Jackson raised the issue that this situation is problematic because the house sits further at the front of the lot. Ms. Caliendo backed up this claim, stating she walked the whole street and the property is set back and that is just the nature of this corner lot. Ms. David confirmed that the house is just going to be aligned with something and Ms. Jackson stated it is the corner and the point is that the garage that is there now is not sited well to begin with.

Ms. Jackson expressed concern that how the new garage will be placed is not as similar a condition to everything else on the property. She added she was not sure how the argument could be made that it is in the same place as the previous and closer to the house. Ms. David stated that the garage could face the side street and is at the back of the house but Ms. Jackson once again raised the point of how the garage was sited to begin with. Ms. David added that the current footprint of the garage does not matter, what does matter is to the next door neighbor

that the garage will now be on the proper property with the location and orientation. Ms. David also stated that the garage is single width and falls within the guidelines. Ms. Jackson countered that it is an addition and Ms. David stated that it is being taken down and being moved.

Ms. Caliendo stated that in terms of the *Guidelines* it is being looked at as an accessory structure. Ms. David replied that the finish, design and materials goes with the *Guidelines* and that it is merely the scale and size that is the sticking point for the neighbors.

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

The following points were made in discussion [speaker indicated in brackets]:
This is more of a challenge this time approaching it anew. I am not sure if it is a detached garage or in the original footprint of the house. This house is settled back more. [Jackson]
I agree with Sarah about the height and scale and there are examples of houses with different roofs than the garages. Hipped roof houses do not necessarily have hipped roof garages. [Davis]
Some of the information presented may not be relevant. [Tully]
To me the difference in the roof pitches is not significant. [Caliendo]
The drawing is telling even though what is there is not great, not historic or conforming if you look at the form that it takes and how it relates to what is there. [Jackson]
What about the new pitch to the existing house? [Caliendo]
The garage pitch? [Jackson]
The new garage pitch in relation to the primary structure. It is not significantly different. [Caliendo]
That is the question. I appreciate the application's changes to the design as this is definitely more in keeping with the guidelines than what was originally proposed. Detached garages are free standing structures, where they are on the lot, what form they take. [Jackson]
The pictures show it is as it is now, attached by a screened porch. [Davis]
Anything would be better than what is there now. [Jackson]
It is not free standing or out on its own. [Davis]
This looks like it's attached in a way that it was traditionally done. A lot of houses in Oakwood have grown backwards over time. The one at East and the alley is a good example of changes over time. [David]
We are not going backwards over time. Things that naturally happened over time are one thing, but taking down something that naturally happened over time even though it is not necessarily appropriate is different. I am struggling with some of the precedent setting nature of this. The proposed garage is moving forward and getting taller. This lot does not have a backyard, but two side yards and a small front yard. [Jackson]
It has a garage there now. [Davis]
It is there and it is not historic and it is not well sited. What does that really count for? [Jackson]

In terms of siting on Elm Street, when I look at the height it is a lot lower than the house next door. Both of those houses seem much taller than next door. [Davis]
It is lower than 528, 522 and 530. [Caliendo]
Look at the other garages that were approved and look at the height difference in the house versus the garage. You heard testimony about this garage and if it is different than in other decisions that have been made. Does that make a difference in your thinking? [Tully]
Approving removal of a building that is there what is there and does not contribute to the district but yes it is there and what would be character defining about it is the height and pitch. [Jackson]
The current garage is not character defining. 2.6.1 may be irrelevant. The demolition is addressed in A with 2 facts and B is where it gets into what goes back. [Tully]
We treated new construction as an addition. [David]
It is treated as new construction using different guidelines. [Jackson]
2.6 and 4.2. [Tully]
It is not a new addition? It is worth having conversation. [Jackson]
It meets 2.6.5 in historic orientation. This design is compatible with the principle and compatible with other historic garages around the neighborhood. It is in a rear location with 2.6.6 with its orientation towards Elm Street. 4.2.5: It is not in an inconspicuous elevation, but its location is traditional for a corner house. 4.2.6 limits the size and scale and the footprint is growing but the depth is shrinking. It is taller than what is there now and is lower than the main house which is usually the threshold for additions. It meets the guidelines and meets the general things we are supposed to consider. It meets many of the boxes in the same manner of 4.2. [David]
The site features? [Jackson]
Deciding the setback of the garage is the setback of the house. 600 N. Boundary is already close to Elm Street in terms of keeping it more in scale. [Davis]
It is better than what is there. [Jackson]
Do you have any issue with anything else other than the orientation and the height or scale? [Caliendo]
For this specific site and immediate surround area this becomes more like the construction of a new addition rather than a garage. I am thinking about it differently. I am not sure I will change my mind. [Jackson]

There was a general discussion about what possible new facts to add or change.
There are 1 ½ to 2 story houses on Elm Street. [Caliendo]
608 Oakwood is not the same. It has a much bigger lot, the house is bigger and the garage is taller. 412 is relevant, 506 Boundary detached is actually at the rear of the lot. 325 Polk Street looks like an addition, 520 Bloodworth Street is detached. [Jackson]
703 Bloodworth is relevant. It has a breezeway. [Caliendo]
The fact is it is steeper. 606 Boundary was reduced in height and width per the COA they reduced the height. [Jackson]
606 Boundary Street was lowered by the COA because it was taller than the existing house in the application and the height was taller in the addition. [Caliendo]
The house sat up because the grade was higher. [Jackson]

The garage was higher than the original house. The photos show the garage is not in line with existing neighbors. [Caliendo]
Move B6 over to A4. B8 is still accurate.
Accessory structures and detached garages. [Jackson]
Number 9 may be exempt from the reconsideration. It talks about the finished space being connected. [Tully]
Screened breezeway or porch. [David]
Okay until you add the revised drawing. Just add reconsideration application states what or take the whole thing it is up to you. Number 10 is not in agreement as it is lower than the house.
Numbers 13, 14, and 25. [Tully]
Add "reconsideration application". [Caliendo]

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

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 1-3) and B. (inclusive of facts 1-5, 7-24, 26-28) 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 is not incongruous in concept according to *Guidelines* 2.3.7, 2.6.1, 3.6.4, 3.6.5, 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."):

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2* 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.

3* Based on Sanborn Fire Insurance Maps, the garage and screened porch connector proposed for removal were constructed after 1950.

4* The Reconsideration Application states: "*Existing non-conforming garage is also single story, not a 2 story garage as stated on application.*" The text portion does say that the proposal is to "demo the non-conforming two-story garage." The photographs and existing condition elevations show the existing garage to be 1-story.

B. 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, 4.2.1, 4.2.2, 4.2.4, 4.2.5, 4.2.6, 4.2.7, 4.2.8, 4.2.9 and the following findings:

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7* 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 as well as detached garages.

8* The Reconsideration Application states: "*The proposed construction of a new garage is attached to a finished living space; the proposed master bedroom addition. The proposed master bedroom is a finished space is attached directly to the garage. Attached garages are not historic and do not exist in the historic districts. The finished living space is accessible directly from the garage in the proposed drawings. Approval of this attachment to the finished space would set a new precedent in the historic district."*

9* The new screened porch and addition are under a low pitched roof.

10* 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. On the 1950 Sanborn Fire Insurance Map there was a 1-story 1-car garage; it is oriented with the short side of the garage facing the street.

11* The Reconsideration Application states: "*The pitch/slope proposed are not reflective of the bungalow architectural style found in the home and are stylistically and anachronistically different than the existing and nearby homes. Guideline 3.5 and 1.4.9 and 2.1.10."* The amended application sites 2.6.6, 2.6.7, 2.6.8, 2.6.9.

12* The new garage is pulled back from the south property line farther than the existing and is lower than the roof of the 16'8" tall historic house by one foot.

13* The Reconsideration Application states: "*The proposed garage roof does not maintain the character defining features on the existing home. Guideline 2.6.3.*" Guideline 2.6.3 has to do with making changes to existing historic garages, not new construction.

14* 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.

15* There have been committee-approved exceptions of taller garages including at 715 N Bloodworth Street (COA 166-06-CA), 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 (COA 135-97-CA – prior guidelines) all of the houses associated with the garages are 2-stories or taller.

16* In 2006 at 715 N Bloodworth Street (COA 149-06-CA) a 2-story accessory building was denied in part because "The height and proportion of the structure are taller and squarer/boxier than typical accessory structures in the district" and it "is stylistically at odds with the house and accessory buildings in the district. The house is a hip-roofed four-square with a bungalow-style front porch. It has broad proportions to its facades with regularly-placed windows breaking up the expanse of siding". A revised application (COA 166-06-CA) for a 1-1/2 story accessory building with dormer was subsequently approved in part because "The proposed structure uses a dormer to present a 1-1/2 story appearance and provide a functional second story while minimizing the exterior visual impact of this upstairs space" and "it is oriented with gables to the sides and incorporates a front dormer that is similar to the house's front dormer."

17* In 2008 the commission approved a 1½-story, 22'x27' garage with dormers 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.

18* 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.

19* The Reconsideration Application states: "*In a recent and similar application, the owner of 606 Boundary was advised by the committee to reduce the height of the proposed 2 story garage before submitting application for review as noted on his COA, "Amended: one story garage, item 4, height of garage to be reduced'', approved 5/16/13 is located two doors down from subject property.*" This case is COA 008-13-CA: both the original and amended COA applications were for a 1-story garage. The ridge of the addition was about 19 feet tall, the existing house and lower part of the addition was about 16 feet tall. The height of the proposed garage was approximately 17.5 feet. The COA was approved with a condition that the height of the garage be reduced. The amended application includes a photo of the completed garage.

20* The Reconsideration Application states: "*The proposed garage has a dormer that is anachronistically different than the existing home. To our knowledge there is not an example of a dormer on garage in the historic district.*" Approved COAs for accessory buildings with dormers include 608 Oakwood Avenue (COA 212-07-CA), 520 Bloodworth St (COA 030-13-CA), and 323 Pace St (COA 081-14-CA). The subject house has a dormer on the front elevation.

21* The Reconsideration Application states: *"A 2 story garage will disturb the rhythm of the neighborhood that is primarily small 2 or three bedroom single story bungalows and cottages. The current nonconforming garage and driveway rests on and over the property line and because it is not in the rear, but beside the homes on Elm, the garage would best be placed carefully with respect to create some open space between the buildings to reflect the rhythm of the rest of the block. Guideline 2.5 The existing non-conforming garage disturbs the rhythm as it is not in line with the properties that are set back from the street and it crowds the home at 530 Elm in a way that does not exist anywhere else on the block."* The amended application cites *Guidelines* 4.3.1, 4.3.2, 4.3.4, 4.3.6.

22* *"The surrounding properties in this part of the neighborhood do not support a tall accessory structure."* Photographs of surrounding buildings were included with the amended application.

23* The new addition is at the rear of the house on a corner lot.

24* The new addition is pulled back from the house on the west side further than the existing screened porch connection. The new garage is 4 feet further forward than the existing but remains behind the side wall of the historic house

25* 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.

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

27* The garage roof is steeper than the house roof.

28* The amended design places a screened porch section between the new addition and the garage.

29* A figure-ground that shows the heights of buildings in the area was provided.

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

<u>Decision on the Application</u>

Following discussion on an initial motion made by Mr. Davis and seconded by Ms. David, Mr. David made an amended motion that the application be approved as amended, 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 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 drawings;
   c. Windows;
   d. Section drawings for eaves of addition and garage including gutters.
2. 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.

3. 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.
4. That a new COA application be filed for any proposed changes to the driveway, fence or landscaping.

Ms. Davis agreed to the changes. The amended motion passed 4/1 (Ms. Jackson opposed).

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

Certificate expiration date: 2/3/16.

OTHER BUSINESS

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

ADJOURNMENT

The meeting was adjourned at 9:00 p.m.

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

Minutes Submitted by:
Tania Tully, Preservation Planner