

RALEIGH HISTORIC DEVELOPMENT COMMISSION
CERTIFICATE OF APPROPRIATENESS COMMITTEE
Minutes of the Meeting
September 28, 2017

CALL TO ORDER

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

ROLL CALL

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

Present: Elizabeth Caliendo, Don Davis, Nick Fountain,

Alternate Present: John Hinshaw

Excused Absence: Sarah David, Jimmy Thiem

Staff Present: Tania Tully, Melissa Robb, Allison Evans, Francis P. Raspberry, Jr., Attorney

Approval of the August 24, 2017 Minutes

Mr. Fountain moved to waive the reading of the minutes for the hearing and to adopt said minutes as submitted. Mr. Hinshaw seconded the motion; passed 4/0.

Minor Works

There were no questions regarding the Minor Work report.

The following is a list indicating persons in attendance and whether they were affirmed. Ms. Francis P. Raspberry, Jr., Attorney administered the affirmation.

<u>Visitor's/Applicant's Name and Address</u>	<u>Affirmed</u>
Chris Crew, 306 Elm Street 27601	Yes
John L. Thomas, 5508 Swiftbrook Circle 27606	Yes
Steve McCulloch, 533 Watauga Street 27604	Yes
Mike Lombardo, 932 N Boylan Avenue 27605	Yes
Thomas Huddleston, 630 N Blount Street 27604	Yes
Sarah Huddleston, 630 N Blount Street 27604	Yes
David Maurer, 115.5 E Hargett Street 27601	Yes
John Siebert, 206 E Franklin Street 27604	Yes
Bob Riedlinger, 503 E Jones Street 27601	Yes

REVIEW OF SUMMARY PROCEEDINGS/APPROVAL OF AGENDA

Ms. Caliendo requested that case 139-17-CA, be pulled into an evidentiary hearing. Mr. Fountain moved to approve the agenda as amended. Mr. Hinshaw seconded the motion; passed 4/0.

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: 139-17-CA, 125-17-CA, 127-17-CA, 128-17-CA, 137-17-CA, 138-17-CA, and 140-17-CA.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

139-17-CA 932 N BOYLAN AVENUE
Applicant: MICHAEL LOMBARDO
Received: 8/14/2017 Meeting Date(s):
Submission date + 90 days: 11/12/2017 1) 9/28/2017 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: GLENWOOD-BROOKLYN HISTORIC DISTRICT

Zoning: Streetside HOD

Nature of Project: Addition of rear dormer

Conflict of Interest: None noted.

Staff Notes:

- The Glenwood-Brooklyn Historic District is a Streetside HOD. This means that this proposed addition is subject to COA review because the change is occurring in the first 50% of the house.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
3.2	Additions	Addition of rear dormer

PUBLIC TESTIMONY

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

Support:

Michael Lombardo [affirmed] was present to speak in support of the application.

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

Responses and Questions:

Ms. Caliendo noted that the spring point of roof looks 3.5 feet in photo but in the drawing it looks like 6 feet. The drawing looks way bigger than the existing house. She asked if it is really just the dormer that is being added. Mr. Lombardo said that he is not going to take off roof, but he will reshingle. Ms. Tully said that there are inaccuracies in the drawing and recommended adding a condition to the approval.

Without objection Ms. Caliendo closed the evidentiary portion of the hearing.

Committee Discussion

There was no discussion following the public hearing.

Findings of Fact and Conclusions of Law

Mr. Hinshaw moved that based upon the facts presented in the application and the evidentiary hearing, the committee finds staff suggested finding A. (inclusive of facts 1-6) to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Addition of a rear dormer is not incongruous in concept according to *Guidelines* 3.2.4, 3.2.5, 3.2.6, 3.2.7, 3.2.8, 3.2.9, 3.2.10, and the following facts:
- 1* According to the Glenwood-Brooklyn designation report the ca. 1917 house is a one-story frame Craftsman bungalow with weatherboard siding and an asphalt-shingled gable roof with a shed dormer.
 - 2* A traditional way of adding onto a historic house is through new dormers.
 - 3* The new dormer does not extend above the historic ridge of the historic house and is narrower than the historic roof.
 - 4* A "typical" eave detail is provided, but it notes materials, such as a metal roof that are not proposed. It is unclear if this is the actual proposed eave detail.
 - 5* The dormer addition is proposed to be sheathed in horizontal fiber cement siding, but does not specify a smooth finish.
 - 6* New rear-facing windows are proposed to be single-hung to match the existing. Details and specifications were not provided.
 - 7* The drawings do not accurately reflect the existing construction.

The motion was seconded by Mr. Fountain; passed 6/0.

Decision on the Application

Mr. Hinshaw made a motion that the application be approved with the following conditions:

1. That details and specifications for the following be provided to and approved by staff prior to the issuance of the blue placard:
 - a. Revised drawings that accurately reflect the existing conditions and thus the proposed dormer;
 - b. Eave construction;
 - c. Windows.
2. That the fiber-cement siding be installed with the smooth finish facing out.

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

Committee members voting: Caliendo, Davis, Fountain, Hinshaw.

Certificate expiration date: 3/28/18.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

125-17-CA 1012 W CABARRUS STREET
Applicant: DAVID MAURER
Received: 7/13/2017 Meeting Date(s):
Submission date + 90 days: 10/11/2017 1) 8/24/2017 2) 9/28/17 3)

INTRODUCTION TO THE APPLICATION

Historic District: BOYLAN HEIGHTS HISTORIC DISTRICT

Zoning: HOD-G

Nature of Project: Installation of driveway; removal of tree; removal of site wall

Amendments: Additional documentation was received.... The application was amended to remove the site wall rather than relocate and the design of the proposed driveway was changed. The request to use fiber cement shingles on the addition was also removed from the application.

DRAC: An application was reviewed by the Design Review Advisory Committee at its August 7, 2017, meeting. Members in attendance were Dan Becker, Mary Ruffin Hanbury and Curtis Kasefang; the applicants, Meg and Gary Bullard, were represented by David Maurer; also present was Roberta Fox.

Staff Notes:

- 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.”
- COAs mentioned are available for review.
- At the August 24, 2017 COA meeting, the committee approved the installation of a fence, the removal of a rear deck and construction of new rear and side decks, and the construction of a 1-story addition, with conditions. The fiber cement shingles and the site work were deferred pending the receipt of additional information.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
1.3	Site Features and Plantings	Installation of driveway; removal of tree; removal of site wall
1.5	Walkways, Driveways and Off-street Parking	Installation of driveway

PUBLIC TESTIMONY

Staff Introduction: Ms. Melissa Robb [affirmed] showed the location of the property on the map and noted highlights from the staff report. The house is a bungalow in Boylan Heights. The staff suggestion is denial for the driveway portion of the application, deferral for the removal of a site wall, and the delay of the removal of a crape myrtle. Staff has suggested conditions if approved.

Support:

Mr. David Maurer [affirmed] was present to speak in support of the application. Both Gary Bullard and Meg Bullard were also affirmed.

Mr. Maurer submitted additional documents for consideration by the committee. He stated the applicant's preference for a gravel driveway like the adjacent property. The coverage of the gravel driveway increases the built area compared to the driving strips previously proposed. The house at 503 Cutler Street has a built area of 54.4% while their application requests a built area of 49%. Mr. Maurer said that they are within a reasonable realm in Boylan Heights.

Mr. Maurer testified that they have found that the former owner moved to the property in 1983 and built the wall himself, so the wall is a non-contributing element in the historic district. A historic photo that they believe is of the home doesn't have a wall. There are also stones like those in the wall that are spread throughout the property and in Boylan Heights. They believe through their onsite research that it's actually a garden wall that the former owner built for the garden to level the lot. The lot originally sloped down to the west and the grade falls off in front. Mr. Maurer continued that a certified arborist was retained to evaluate the crape myrtle and found the roots are now under the foundation of the house and his opinion is that the tree needs to be removed. The applicant will plant a mature crape myrtle tree on the right side of the house to maintain the tree canopy in the neighborhood.

Mr. Maurer addressed the proposed driveway and that the gravel driveway is not incongruous, as it is the same as next door. The power pole makes it a unique condition and they have made an effort to minimize the curb cut. In looking at other driveways in the district that curve they found the house at 709 S Boylan Avenue which they see has a softer curve than they had proposed. He stated that they are happy to reconfigure the driveway layout and curb cuts.

Opposition:

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

Responses and Questions:

Mr. Davis asked if they have to be a certain distance from the pole with the driveway. Mr. Maurer responded no. Mr. Fountain asked if they looked at putting the driveway on the other side of the house. Mr. Maurer answered that there was not enough room on that side. Mr.

Fountain asked if there are two poles at the curb. Mr. Bullard stated that the older one on the left is gone already.

With no objection from the committee, Ms. Caliendo closed the public hearing portion of the meeting.

COMMITTEE DISCUSSION

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

The configuration of the driveway is the topic to discuss. [Caliendo]

The principal wrinkle is the pole and the drive. [Fountain]

I'm convinced on the wall, and the built area is in the range in the neighborhood. It's just the cut of the driveway. [Davis]

The severity of the curve isn't preferable. [Hinshaw]

We could defer that portion. [Caliendo]

I don't think there are any other configurations available. [Davis]

It could be a more subtle angle. Will staff be comfortable with looking at it? [Caliendo]

They can bring it to us for approval. What I understand you are saying is that it has to come back straight off the street then curve softly and straighten out so the car is parked next to the house. [Robb]

It will function better. [Fountain]

Wouldn't there be more of the driveway in front of the house though? [Davis]

I've been by the property. It's very narrow and difficult to do it on the west side of the lot, but I think there is a workaround there – I prefer they bring it to staff and then if staff is uncomfortable, they can come back to us. [Hinshaw]

Our goal should be to reduce the number of times it comes back to us. [Fountain]

That should always be our goal. [Caliendo]

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Mr. Davis moved that based on the information contained in the application and the evidentiary hearing, the committee finds staff suggested finding A. (inclusive of facts 1-6), B. (inclusive of facts 1-3) and C. (inclusive of facts 1-4) to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. The installation of a driveway is not incongruous in concept according to *Guidelines* 1.5.5, 1.5.6, 1.5.8, 1.5.9; and the increased built area to open space is not incongruous according to *Guidelines* 1.3.8, and the following facts:
 - 1* The property does not currently include a driveway. The proposal is to install an approximately 48' long gravel driveway with a new curb cut to the right of an existing power pole. No detailed drawing was provided to illustrate the design of the curb cut.

- 2* The driveway design has been revised to curve around the existing power pole in the utility strip. Although the driveway location on the south property line is a traditional location, the curved design around the power pole is atypical for the district.
 - 3* The applicant provided photographs of offset driveways in Boylan Heights;
 - a. 709 S Boylan Avenue: No COA issued for driveway design, however a COA was issued for laying down gravel on the existing driveway (029-06-MW).
 - b. 104 Dupont Circle: The form of this lot is not equivalent to the applicant's lot.
 - c. 106 Dupont Circle: The form of this lot is not equivalent to the applicant's lot.
 - d. 723 S Boylan Avenue: Rear property access, not at front of the house
 - e. 727 S Boylan Avenue: Rear property access, not at front of the house
 - 4* The gray gravel is to be similar to that found on adjacent properties. Gravel driveways are common and historical in the district.
 - 5* A new gravel walkway is proposed to connect the driveway with the side deck. No description of materials was provided.
 - 6* According to the application, the built area to open space will increase from the previously approved 43% to 49%. The current built area is 28%.
- B. The removal of a mature crape myrtle tree is incongruous in concept according to *Guidelines* 1.3.5, 1.3.6, 1.5.6, and the following facts:
- 1* A mature crape myrtle tree west of the existing front porch is proposed to be removed to allow for the installation of the driveway. The applicant proposes planting a 16' tall crape myrtle in the southeast corner of the front yard to replace it.
 - 2* The application states that tree roots have been found to be growing under the front porch and could eventually create foundation problems for the house. No evidence to support this assertion was provided.
 - 3* A report on the health issues for this tree from an ISA-certified arborist or landscape architect was submitted.
- C. The removal of a stone wall is not incongruous in concept according to *Guidelines* 1.3.13, 1.4.1, 1.4.2, and the following facts:
- 1* The applicant states that the wall was most likely built by a previous homeowner, and is of a lower quality of materials and construction than other walls in the district.
 - 2* The location is not typical of retaining walls in Boylan Heights.
 - 3* The wall is not proposed to be replaced.
 - 4* The applicant proposes grading the site to accommodate the grade change from the front to the side yard.
 - 5* Evidence was presented regarding the retaining wall that showed it was built after 1983 and it is non-contributing.

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

DECISION ON THE APPLICATION

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

1. That the 365-day demolition delay not be implemented for removal of the crape myrtle tree.
2. That details and specifications for the following be provided to and approved by staff prior to issuance of the blue placard for the driveway:
 - a. Driveway and curb cut design;
 - b. Walkway design and materials;
 - c. The driveway design must have curves that are less sharp.

Mr. Fountain agreed to the changes. The amended motion passed 4/0.

Committee members voting: Caliendo, Davis, Fountain, Hinshaw.

Certificate expiration date: 3/28/18.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

127-17-CA 533 WATAUGA STREET
Applicant: JOHN L THOMAS
Received: 7/13/2017 Meeting Date(s):
Submission date + 90 days: 10/11/2017 1) 8/24/2017 2) 9/28/17 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: HOD-G

Nature of Project: Landscape/site improvements: install outdoor kitchen, replace lantern on brick post, install brick walkway, build small deck, install patio, construct accessory building

Staff Notes:

- COAs mentioned are available for review.
- This case was deferred from the August 24 COA meeting to allow for design revisions reflecting input from the COA Committee.
- Changes to this report reflecting the amended application are shown in bold.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
1.3	Site Features and Plantings	Landscape/site improvements: install outdoor kitchen, replace lantern on brick post, install patio
1.5	Walkways, Driveways and Off-street Parking	Install brick walkway
3.1	Decks	Build small deck
3.2	Additions	Construct accessory building

PUBLIC TESTIMONY

Staff Introduction: Ms. Melissa Robb [affirmed] showed the location of the property on the map and noted highlights from the staff report. The staff suggestion was for the committee to discuss the built area to open space based on guideline 1.3.8. Staff conditions were prepared for consideration if the committee approved the application.

Support:

Mr. John Thomas and Mr. Steve McCulloch [affirmed] were present to speak in support of the application. Mr. Thomas stated that he was asked by the committee about design guideline 1.3.8 at last month’s meeting. He read quotes from various participants from the August meeting minutes. He continued that he took as his assignment for this hearing researching and reporting back on the lot coverage in the Oakwood Historic District, and found that 61% lot

coverage is not unusual. Mr. Thomas summed up the findings: they identified 39 properties that were built out to comparable proportions, and the owner did personal visits to all of these sites as well as discovering some additional properties; they investigated a total of 67 properties in the Oakwood Historic District that are built out to a comparable degree; Mr. McCulloch prepared a slide presentation with photos of other properties. Mr. Thomas said it seems the concern from the committee wasn't finding a target number for built area, but rather understanding the visual impact of the changes.

Mr. McCulloch offered narrative to his slide presentation that showed their analysis narrowing down from 67 total properties of similar built area in the district to 44 within a 4-block radius, down to six in the same block and three that are immediately adjacent. His presentation focused on those existing houses nearby his address, showing iMaps views, photos and the dates for relevant COA approvals. Mr. McCulloch showed evidence of three recent new-construction houses in the district, which have used a higher percentage of built area. He also showed seven examples of contributing historic properties. Mr. McCulloch stated that his property would include more natural space than many of the examples. He also stated that the UDO limits the built area to 65%, so that his request for 61% is not out of character.

Ms. Caliendo asked if the site plan had been updated since the original submission, to which Mr. McCulloch replied it had not. Ms. Caliendo thanked him for his thoughtful research.

Mr. Thomas concluded their presentation with a summation: they believe they had demonstrated that the level of lot coverage they are requesting is not unusual, but rather commonplace; they addressed guideline 1.3.8 about altering the residential character of the district, and that their proposal is not inconsistent with the district; and that they are happy to work with staff on the conditions suggested.

Mr. Chris Crew [affirmed] stated that as a homeowner in Oakwood he was in support of the application. Regarding guideline 1.3.8, Mr. Crew said that both the terms "open space" and "significant" are not defined. He also said that the committee should consider that the applicant's property is new construction and non-contributing to the district.

Opposition:

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

Responses and Questions:

Ms. Caliendo asked for clarification on the drawings regarding the shaded area. Mr. Thomas replied that there are three different types of hardscape, and that it was slightly different from previous drawing to make room for the root zone of the crape myrtle. There is also a slightly raised wood deck for trash.

Mr. Fountain stated that the drawing was easier to visualize on the screen than the copy he was given. Mr. Thomas acknowledged that the copies submitted were not of high quality.

With no objection from the committee, Ms. Caliendo closed the public hearing portion of the meeting.

COMMITTEE DISCUSSION

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

I'm struggling with how to rationalize the way we reference these things. The facts about being smaller lots and non-contributing is a factor. I think we should look especially at adjacent and nearby properties rather than lots farther away. We'd like to make this more predictable so we shouldn't make judgments entirely on the impervious surface vs open space, since there's a difference between a patio and a two-story addition. [Fountain]

A patio can be easily removed. [Hinshaw]

Is there a condition we can have at the end that we are approving a certain percentage on this property but what if he puts a building on what is now hardscape? [Caliendo]

The guideline specifically says not to significantly reduce the proportion of the *original* built to open space. Just because you have a patio approved now it doesn't mean you can put an addition there later. [Tully]

They brought specific examples and did thorough research. [Caliendo]

The comment says "significantly". How do we define this? We should be able to define this differently. This is very subjective and is almost more about a feeling. [Hinshaw]

This does require discretion yes, but it helps with decisions and the ability to defend them. I'm supportive of the application. [Fountain]

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Mr. Fountain moved that based on the information contained in the application and the evidentiary hearing, the committee finds staff suggested findings A. (inclusive of facts 1-8), B. (inclusive of facts 1-2), C. (inclusive of facts 1-3), and D (inclusive of facts 1-4) to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Landscape and site improvements such as installing an outdoor kitchen, replacing a lantern on a brick post, and installing a patio are not incongruous in concept according to *Guidelines* 1.3.1, 1.3.2, 1.3.7, 1.3.8 1.3.9, 1.3.13, and the following facts:

1* The property features a two-story Queen Anne-inspired house built in 1995.

2* According to the City of Raleigh's and Wake County's iMAPS tool, the lot totals approximately 5,100 SF. The footprint of the house with its existing deck and porches is roughly 1,695 SF, while the application indicates the existing paved areas (patio, driveway and walkways) adds another 700 SF, bringing the total built area to 2,395 SF or 47% built area to open space. The new kitchen, walkway, deck, ramp, patio and workshop total

724.75 SF, thus the new total built area would be roughly 3,120 SF or 61% built area to open space.

- 3* The applicant provided additional documentation to support their argument for the proposed design. The documentation consists of maps that identify properties in Oakwood that are built out in similar proportions, as well as a sampling of properties with more detailed site plans and photos.
- 4* The lot currently includes a number of canopy trees and two groupings of hollies. The plans appear to remove only one of the hollies from the grouping at the northwest corner of the lot. No other trees will be removed.
- 5* An ISA-certified arborist report indicates that the only tree of concern is the crape myrtle opposite the site of the new outdoor kitchen. A tree protection plan details steps that will be taken to protect it.
- 6* The outdoor kitchen will replace an existing bed of roses on the southwest corner of the house. No elevation drawings or specifications for the kitchen were provided.
- 7* A photograph was provided of a replacement lantern, but no specifications were given.
- 8* The new patio extends the hardscape area into the lawn. It will be constructed of natural stone pavers with a fire bowl in the center of the north section, and it will be edged with sections of seat walls. It leads to a wall fountain on the west fence. Neither the stone pavers nor the wall fountain were presented with the application.
- 9* A presentation was made by the applicant showing nearby and well related properties with comparable proportions of built area to open space.

B. The installation of a brick walkway is not incongruous in concept according to *Guidelines* 1.5.1, 1.5.5, 1.5.6, 1.5.9, and the following facts:

- 1* The brick walkway will replace an existing bluestone walkway and extend further to the backyard alongside the existing deck. A wood fence and trellis will be removed.
- 2* The brick will match the adjacent brick patio.

C. Building a small deck is not incongruous in concept according to *Guidelines* 3.1.1, 3.1.2, 3.1.3, 3.1.5, 3.1.6, 3.1.8, and the following facts:

- 1* The deck will be for storage of trash and recycle bins. A small ramp will lead from the brick walkway to the raised deck.
- 2* The deck will be constructed to minimize damage to nearby trees.
- 3* No details were provided regarding the finish of the deck materials.

D. Constructing an accessory building is not incongruous in concept according to *Guidelines* 1.6.6, 1.6.7, 1.6.8, 1.6.11, 1.6.12, and the following facts:

- 1* The proposed workshop is 112 SF. The workshop will be clad in siding and painted to match the house. No indication was given regarding trim materials or roofing.
- 2* Windows are shown on the elevation drawings, and appear to be either divided light or simulated divided light. No window specifications were provided.
- 3* Doors are shown as a pair of barn-style doors on a top rail. No door specifications were provided.

4* No specifications were provided for exterior lighting on the accessory building, although the application states that electricity will be run to it.

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

DECISION ON THE APPLICATION

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

1. That details and specifications for the following be provided to and approved by staff prior to issuance of the blue placard for the accessory building:
 - a. Windows.
 - b. Trim materials;
 - c. Roofing;
 - d. Doors.
2. That details and specifications for the following be provided to and approved by staff prior to issuance of the blue placard for other items:
 - a. Elevation drawings or specifications for the kitchen;
 - b. Stone pavers;
3. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
 - a. Lighting;
 - b. Wall fountain;
 - c. Deck stain/paint

Mr. Hinshaw agreed to the changes. The amended motion passed 4/0.

Committee members voting: Caliendo, Davis, Fountain, Hinshaw.

Certificate expiration date: 3/28/18.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

128-17-CA 211 S WILMINGTON STREET
Applicant: TED VAN DYK
Received: 7/13/2017 Meeting Date(s):
Submission date + 90 days: 10/11/2017 1) 8/24/2017 2) 9/28/17 3)

INTRODUCTION TO THE APPLICATION

Historic District: MOORE SQUARE HISTORIC DISTRICT

Zoning: HOD-G

Nature of Project: Removal of non-historic storefront features; construction of new storefront; installation of rooftop mechanical equipment; installation of rear cooler unit.

Amendments: Additional documentation was received with changes to the façade design and materials.

DRAC: An application was reviewed by the Design Review Advisory Committee at its August 7, 2017, meeting. Members in attendance were Dan Becker, Mary Ruffin Hanbury, Curtis Kasefang and David Maurer; Ted Van Dyk represented the applicant; also present was Roberta Fox.

Staff Notes:

- COAs mentioned are available for review.
- This case was deferred from the August 24 COA meeting to allow for design revisions reflecting input from the COA Committee.
- Changes to this report reflecting the amended application are shown in bold.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
2.6	Exterior Walls	Removal of non-historic storefront features
2.7	Windows and Doors	construction of new storefront
2.9	Storefronts	Removal of non-historic storefront features; construction of new storefront
2.10	Sustainability and Energy Retrofit	Installation of rooftop mechanical equipment

PUBLIC TESTIMONY

Staff Introduction: Ms. Melissa Robb [affirmed] showed the location of the property on the map and noted highlights from the staff report. Staff recommended deferral for the installation of mechanical equipment and the rear cooler, as well as either denial or deferral of the storefront change to allow for a revised design to be submitted by the applicant.

Support:

Mr. Ted Van Dyk [affirmed], Ms. Shannon Laska [affirmed] and Mr. Tom Mukiyama [affirmed] were present to speak in support of the application. Mr. Van Dyk stated that he had made changes to the storefront design based on feedback from last month's COA meeting. He also asserted that the building is a non-conforming structure in a historic district and the first one that's had to conform to the new design guidelines.

Mr. Van Dyk reviewed the façade changes, including an alteration to the cornice to eliminate the appearance of a third story, altering the windows to a more vertical proportion, the removal of materials with a faux wood appearance and the change of the front door from solid wood to a wood-framed single-lite door. He also showed a sample of the textured aluminum panel for the rear roof cooler, which could be painted to match the brick if desired. Mr. Van Dyk presented a material finish sample board which they felt reflected a more natural feeling palette.

Mr. Van Dyk addressed the question brought up in the August COA meeting of whether tile was appropriate on a façade in the Moore Square district. He showed photos of the Raleigh sandwich shop façade adjacent to this property which has two types of tile.

Mr. Van Dyk summed up the changes: the cornice line has been aligned with the sandwich shop; the new beige tile is more subtle; the vertical windows are more in line with neighboring buildings; their design has 35% transparency compared to 27% and 29% on the neighbors, while the non-conforming building which houses Beasley's and Chuck's has a 52% transparency; and they have designed a two-part composition that follows the neighbors with similar materials and proportions.

Mr. Tom Mukiyama said that he is excited to be locating the business downtown after a lengthy search. His company is making a significant investment. He is in support of the application.

Opposition:

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

Responses and Questions:

Mr. Hinshaw requested clarification regarding the textured aluminum and what is in the back of the building. Mr. Van Dyk replied that there is a 3' strip of grass behind the building which will provide them access to work on the back of the building. The rectangle in the drawings is a cooler. They intend to use an existing window as a door into the cooler. Mr. Hinshaw inquired why the aluminum material should be painted. Mr. Van Dyk responded that they would be happy to leave it the original material color or paint it flat black. Mr. Davis asked since the cooler is blocking the back of the building why does it need to match the brick? It's now part of the Moore Square Transit Station and a more public space. Mr. Van Dyk replied they had initially wanted to do a back exit but they can't because of a lack of space in the rear of the property.

Ms. Caliendo asked for clarification on the spandrels on the elevation drawing. She said she can't read this drawing at all since the resolution is not correct, but she was able to read the original drawings for the August meeting. Mr. Van Dyk replied that they eliminated the spandrel glass and that they won't use any fake glass, but will use a dark tile to enhance the cornice effect. Ms. Caliendo requested more information about the grout joints and patterning of the tile. The previous application showed the joints. Mr. Van Dyk stated they would use 12" x 24" tiles in a similar pattern as shown before. Ms. Laska added that the tile pattern is a third bond pattern, with each row offset by thirds from the previous row. This pattern was recommended by the tile association. Ms. Caliendo said it would be helpful for the committee to see the layout for that. She also asked for an explanation of the front plane of the building. Mr. Van Dyk responded that the lower portion will be stepped back 18" from the sidewalk and the door will be stepped back 30" from the sidewalk. Ms. Laska added that the frame of the building will remain at the existing plane, adjacent to the neighboring building. Mr. Van Dyk said that he wanted to recess the ground floor to have a shadow line on the west-facing façade.

Ms. Caliendo and Mr. Van Dyk discussed the storefront tile and coping colors and materials. Ms. Caliendo asked to review the materials shown on the drawing compared to the sample board, especially the grout color. Mr. Van Dyk responded that the grout will match the tile.

Ms. Caliendo asked if there is a plan view of the cooler on the back roof. Mr. Van Dyk referred to the drawings submitted, clarifying that it was the last 8' of the building on the roof over the first floor. Ms. Caliendo asked whether the rear windows would be bricked in. Mr. Van Dyk said that one would be converted for the door into the cooler and the other two would be left alone.

Mr. Davis asked if there are any other examples of tile on the street other than the sandwich shop. Ms. Tully added that there is a historic photo of the Capital Club building (ca. 1929) that shows tile on the base of the building. Mr. Davis asked if it wasn't more common to have tile on the upper stories while the lower floors had brick. Mr. Van Dyk responded in the affirmative. He said they are using a modular product that lays out in patterns similar to brick, attempting to differentiate the new façade from the older ones in compliance with the Secretary of the Interior's standard nine which calls for differentiation. Ms. Tully interjected that the committee has approved traditional materials used in different ways in the past.

Mr. Davis stated he couldn't read the window sizes on the drawings. Mr. Van Dyk was uncertain of the dimensions, but he could bring a copy paper if needed to reference the dimensions. Ms. Laska added that they aren't an unusual size because they had to keep to standard sizing for the products selected. Mr. Davis questioned the amount of transparency compared to the neighbors. Mr. Van Dyk said he would appreciate the committee's guidance.

With no objection from the committee, Ms. Caliendo closed the public hearing portion of the meeting.

COMMITTEE DISCUSSION

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

We should focus on the materials and window configurations. [Caliendo]

It is a lot of tile compared to other buildings in the district. Brick is more typical. It is almost a modern interpretation. [Davis]

The colors break up the façade. It's not totally monochromatic. [Hinshaw]

I don't think the large format tile is compatible with the masonry of nearby buildings. I do appreciate that a matte tile is used. [Caliendo]

Guideline 2.6.7 is about compatibility with the district, and the reality is it needs to fit the last two lines. The original façade has been gone for 60+ years which gives leeway to not have to match the original vertical sections. It should match the surrounding buildings and district, however. [Fountain]

In the last meeting there was more focus on the original, but what was original is not as relevant. The larger expanse of glass is not compatible with surrounding buildings or the pattern of the context. [Caliendo]

Is the strong vertical line on the façade structural in nature? You would certainly have to work around that. You've got a club sandwich with lots of horizontal features. [Fountain]

The cornice around the top of the building is not compatible. Something more substantial or articulated would be better. If the tile was more in a brick dimension it would be more acceptable. There is a lot going on and if the dimensions were closer to brick it would be better. I'd like to see the pattern of the joints. I'm not sure how to keep the pattern on the skinny vertical sides. [Caliendo]

That might be the only place the large format tile would work. [Davis]

I'd like to defer and have you come back again. [Caliendo]

With no objection from the committee, Ms. Caliendo reopened the public hearing portion of the meeting.

PUBLIC TESTIMONY (2)

Mr. Van Dyk stated they got specific feedback last time that they addressed, and tonight they are getting different feedback on different items. They did not get the same comments last month. He requested that he get specific recommendations. Mr. Fountain responded that the committee's questions and recommendations will narrow until they don't have any more. There are two people here who were not present the last time. Mr. Van Dyk said that they can't get a certificate of occupancy until they get the COA. Also, they have to go through site review even though there is no site work.

With no objection from the committee, Ms. Caliendo closed the public hearing portion of the meeting again.

COMMITTEE DISCUSSION (2)

It does get tricky with re-submittals and having different members present. [Fountain]

We should be very specific. [Hinshaw]

We can't design it for them. It's about the expanse of glass on the second floor, the dimensions and grout lines of the tile. Everything we've said before. [Caliendo]

The cornice at the top was different. [Fountain]

Mr. Fountain made a motion to defer the case to the next meeting; Mr. Hinshaw seconded; motion carried 4/0.

Committee members voting: Caliendo, Davis, Fountain, Hinshaw.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

137-17-CA 630 N BLOUNT STREET
Applicant: THOMAS HUDDLESTON
Received: 8/14/2017 Meeting Date(s):
Submission date + 90 days: 11/12/2017 1) 9/28/2017 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: BLOUNT STREET HISTORIC DISTRICT

Zoning: HOD-G

Nature of Project: Landscape master plan to include: plant trees; construct patio with fire pit and seat wall; install front yard fence; alter driveway; alter front walkway; install vegetable garden beds [after-the-fact]

Amendments: Additional information including a tree protection plan and detailed drawings were provided by the applicant at the hearing.

Conflict of Interest: None noted.

Staff Notes:

- Existing trees planted per conditions of a previously approved COA will remain.
- Prior COAs are available for review.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
1.3	Site Features and Plantings	Landscape master plan to include: plant trees; construct patio with fire pit; install front yard fence; alter driveway; alter front walkway; install vegetable garden beds
1.4	Fences and Walls	install front yard fence
1.5	Walkways, Driveways, and Off-street Parking	alter driveway; alter front walkway

PUBLIC TESTIMONY

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

Support:

Byrne Huddleston [affirmed] was present to speak in support of the application. The applicant distributed a packet of information including locations of critical root zones, a tree protection plan, fence plan, materials, elevation drawings, driveway photos, and fence photos. Mr. Huddleston walked through the contents of the packet with the commission making the following comments:

- Patio: a tree protection plan is included as is an elevation drawing. The brick material and bond pattern for the walk and patio is proposed to be exactly the same as the existing front steps.
- Fence: a tree protection plan is included. There are fences in the area that are of brick with wrought iron and as well as black aluminum. In response to staff comments B.5* and B.6* about the fence going along the driveway he is fine with removing this portion.
- Driveway: it is currently gravel and he would like to make it concrete. Tree protection is included and he will have the water washed finish. There are 5 other examples in Blount Street that have the same water-washed finish. As to the rock median questions, he will remove the element because of water collection and the rock type that would be required.
- Front walk: tree protection and the brick and bond pattern are included in the packet.

Opposition:

Sarah Rex, 210 Pace Street [affirmed] was present speaking neutrally. She is an adjacent neighbor that wants to point out missing pieces. She distributed a packet of information to accompany her comments and questions. Ms. Rex made the following comments and posed the following questions:

- The application was submitted without notifying ALL adjacent properties.
- The diagram mentions trees that may or may not exist. Are they being taken out? Are Little Gem Magnolias being taken out?
- The current existing patio is over the roots of a large, old oak tree.
- How will work topography affect water?
- Are the Crape Myrtles in the back being removed?
- The neighbors recommend deferment because they don't have the info even though the commission may have the information now. How is this handled?
- The neighbors want details on the trees and would like to see the tree protection plans including the patios.
- There are large trees on the property line. She wants a plan for this as well.
- She requested a grading plan because there were grading issues when house was built. Will guideline 2.3.11 [sic] (the current guideline related to grading is 1.3.13) be followed?
- The project looks attractive but the neighbors want to see tree protection.

Ms. Rex followed up by reiterating that she is not speaking in support or against – wants deferment.

Ms. Caliendo asked how the notification is this handled. Ms. Tully said that as far as we know all the neighbors were notified. She explained that when an application is submitted Planning staff review the provided envelopes and if any are missing from within the 100 foot radius the applicant is notified to submit the missing addresses. Mr. Davis asked if that happened in this case. Mr. Huddleston said that everyone was included.

Bill Brideson, 612 N Blount Street [affirmed] was present to speak to the application. Staff assisted him in putting the submitted application on the screen.

Ms. Tully noted that while a tree protection plan was submitted, the commission typically required that it be prepared by an arborist or licensed landscape architect when roots are directly impacted.

Mr. Brideson spoke to page 7 of the application which shows the critical root zones of trees. He noted that it included trees that are across the property line but, but questioned if they are being considered for protection in this application. He complimented the applicants for including trees outside property, but noted that the application doesn't include all trees. He requested that the Guidelines be modified such that 1.3.7 has a clear definition. Mr. Brideson made the following additional comments:

- A couple years ago he had the trees to south of the property mapped and offered to share with the applicant.
- Regarding staff comment B.6* about the fence post near oak it is a huge tree and questioned the size of the post.
- The critical root zones of the trees on the application don't match actual size of trees in every case
- The driveway photo is too kind. It actually looks worse.

Mr. Brideson also made comments regarding the language of the Guidelines. Staff advised him that the updating the Site and Setting portion of the Guidelines is on the work plan for the commission and to contact staff top stay in the loop on that process.

Mr. Brideson requested the rest of the information and explicit information.

Responses and Questions:

Mr. Huddleston clarified that they are not removing any trees. He noted that the cypress trees planted just after construction died.

Mr. Davis asked if there were any magnolias on the property that weren't on plan. Mr. Huddleston said that the Little Gems are indicated on the south side and northeast side and as well as three southern magnolias. They are not removing any of them.

Ms. Caliendo asked if everything to the ease of the firepit area was to remain. Mr. Huddleston agreed saying that they are only adding plants and doubling the size of the garden. The stones and small fire pit will be removed and replaced with grass and they are adding the patio.

Mr. Davis asked if an arborist do the root protection zone. Mr. Huddleston said it was an arborist and he can have him do it on his letterhead. Ms. Tully noted that the commission typically requires that the tree protection plans are to scale with the arborists signature. Mr. Davis asked if it would will plan include neighbors' trees.

Mr. Huddleston stated that this lot was a bunch of bamboo originally. He added a beautiful house and phase 1 landscaping was rushed. They are now ready to do it right.

Without objection Ms. Caliendo closed the evidentiary portion of the hearing.

Committee Discussion

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

There are discrepancies between the two plans and a lack of clarity of what work is being done. [Caliendo]

They need a better tree protection plan drawn to scale. [Davis]

We could defer the whole thing or let staff handle conditions. [Fountain]

Tree protection plans are frequently left to staff. [Davis]

Include cross boundary trees. [Hinshaw]

Add a condition that some of these items not included on current plan be included and reviewed by staff. It's a bit unclear what's happening around the vegetable garden – tighten up plans and clarify. [Caliendo]

Back to us or staff? [Davis]

Staff. [Caliendo]

We didn't talk about driveway change. [Davis]

Typically the committee approved concrete strip driveways instead of solid concrete. [Tully]

Without objection Ms. Caliendo reopened the evidentiary portion of the hearing.

PUBLIC TESTIMONY (2)

Mr. Hinshaw asked the applicant about his view for driveway. Mr. Huddleston said that he initially requested river rock covered with epoxy, but staff said that gravel would be more appropriate. The contractor said this would cause drainage issues. Ms. Tully noted that he can do gravel with epoxy. Mr. Huddleston said that maybe brick is more appropriate; the same as the walkway. Mr. Davis asked if the problem with the strips had to do with the drainage on the slope to the street noting that solid concrete might increase that. Mr. Huddleston said that the drainage will collect at the bottom. Mr. Fountain suggested could add brick as a condition.

Findings of Fact and Conclusions of Law

Mr. Davis moved that based upon the facts presented in the application and the evidentiary hearing, the committee finds staff suggested finding A. (inclusive of facts 1-7), B. (inclusive of facts 1-6), C. (inclusive of facts 1-4), D. (inclusive of facts 1-4) to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Landscape master plan to include: planting of trees; construction of patio with fire pit; installation of vegetable garden beds is not incongruous in concept according to *Guidelines* 1.3.6, 1.3.7, 1.3.8, 1.3.9, and the following facts:

- 1* The proposed patio sits in the critical root zones of two Oak trees of approximately 48" DBH and 24" DBH. A tree protection plan was not provided.
- 2* Brick patios with fire pits have been approved in rear yards in the adjacent Oakwood Historic District.
- 3* The drawings provided are diagrammatic in nature and do not accurately convey the dimensions and appearance of the proposal.
- 4* Neither the bond pattern nor a brick sample was provided for the patio or seat walls.
- 5* COA 028-15-MW approved planting new trees, plants and shrubbery in front, side and rear yards and installing a stepping stone patio in the rear yard.
- 6* This proposal adds more plantings as noted on the attached plans and plant list.
- 7* There is no COA for the vegetable garden beds that are currently in place. Vegetable gardens are a common historic feature.
- 8* Additional information on the landscape's existing conditions was provided.

B. Installation of a front yard fence is not incongruous in concept according to *Guidelines 1.4.8*, and the following facts:

- 1* The proposed fence sits in the critical root zone of an approximately 40" DBH Oak tree. A tree protection plan was not provided.
- 2* Low metal fences between brick piers are traditional and seen occasionally in the Blount Street Historic District.
- 3* Photographic examples of similar fences were provided; detailed drawings were not.
- 4* The fence is proposed to extend across the front property line and a short way along the south side of the driveway.
- 5* Except in cases where a fence is following a retaining wall, it is not common for front yard fences to turn and run along a driveway.
- 6* The proposed plan places a pier very near the trunk of the Oak tree.

C. Alteration of a driveway is not incongruous in concept according to *Guidelines 1.5.5, 1.5.6, 1.5.9*, and the following facts:

- 1* The driveway proposed for replacement is gravel, installed when the house was recently constructed (COA 061-14-CA).
- 2* The driveway sits in the critical root zone of an approximately 40" DBH Oak tree. A tree protection plan was not provided.
- 3* Concrete ribbon driveways are characteristic of the historic district.
- 4* The proposed design and finish of the driveway is not typical. Concrete in the historic district traditionally has a water-washed finish with no borders.

D. Alteration of a front walkway is not incongruous in concept according to *Guidelines 1.5.5, 1.5.6, 1.5.9*, and the following facts:

- 1* The front sidewalk proposed for replacement is new, installed when the house was recently constructed (COA 061-14-CA).
- 2* The walkway sits in the critical root zone of an approximately 40" DBH Oak tree. A tree protection plan was not provided.

- 3* Brick front walks are common in the Blount Street Historic District.
- 4* Neither the bond pattern nor a brick sample was provided.

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

Decision on the Application

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

1. That the tree protection plan be implemented prior to beginning work and that it remain in place for the duration of the project.
2. That the concrete on the driveway have a water-washed finish and no picture frame border.
3. That the fence not turn and run along the driveway.
4. That details and specifications for the following be provided to and approved by staff prior to the issuance of the blue placard:
 - a. Tree protection plan(s) prepared by an arborist certified by the International Society of Arboriculture or a licensed Landscape Architect and include cross boundary trees.
 - b. Updated and accurate existing condition and proposed work plans;
 - c. Front walk brick sample and bond pattern;
 - d. Rear patio brick sample and bond pattern;
 - e. Plan, elevation and section drawings of the patio, seat wall, and fire pit;
 - f. Revised driveway design of concrete runners with brick center;
 - g. Fence and pier designs.

Mr. Fountain agreed to the changes. The amended motion passed 4/0.

Committee members voting: Caliendo, Davis, Fountain, Hinshaw.

Certificate expiration date: 3/28/18.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

138-17-CA 503 E JONES STREET
Applicant: ROBERT RIEDLINGER
Received: 8/14/2017 Meeting Date(s):
Submission date + 90 days: 11/12/2017 1) 9/28/2017 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Raleigh Historic Landmark: HECK-LEE HOUSE

Zoning: HOD-G

Nature of Project: Remove tree; demolish existing garage; construct new 2-car garage

Staff Notes:

- Unified Development Code section 10.2.15.E.1 provides that “An application for a certificate of appropriateness authorizing the demolition or destruction of a building, structure or site within any Historic Overlay District...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.
- COAs mentioned are available for review.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
1.3	Site Features and Plantings	Remove tree; construct new 2-car garage
1.6	Garages and Accessory Structures	Demolish existing garage; construct new 2-car garage
5.2	Demolition	Demolish existing garage

PUBLIC TESTIMONY

Staff Introduction: Ms. Melissa Robb [affirmed] showed the location of the property on the map and noted highlights from the staff report. Staff has suggested approval with conditions.

Support:

Mr. John Sibert and Mr. Robert Riedlinger [affirmed] were present to speak in support of the application. Mr. Sibert submitted an ISA-certified arborist’s report for the committee’s review. He stated that the report shows the tree they’ve requested to remove is not healthy, and that they will plant a replacement tree in an appropriate location.

Opposition:

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

Responses and Questions:

Mr. Davis asked if the applicant was planning to use the new building as a garage. Mr. Riedlinger responded no, it was to be a wood shop, but could be used by a future owner as a garage. Mr. Davis asked if a driveway would be added. Mr. Riedlinger answered it would not be included at this time.

With no objection from the committee, Ms. Caliendo closed the public hearing portion of the meeting.

COMMITTEE DISCUSSION

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

It's a nice in-scale solution. [Caliendo]

Since we are in planting season now there's no need to wait on planting a replacement tree in planting season. We can waive the 365 day delay for tree removal. [Hinshaw]

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Mr. Hinshaw moved that based on the information contained in the application and the evidentiary hearing, the committee finds staff suggested finding A. (inclusive of facts 1-3), B. (inclusive of facts 1-4) and C. (inclusive of facts 1-19) to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Removal of a tree is incongruous in concept according to *Guidelines* sections 1.3.1, 1.3.6, 1.3.7, 1.6.11, and the following facts:

1* According to the application, construction of the garage requires the removal of a tree that sits roughly 12' south of the existing garage. The critical root zone of the tree is noted to be 31.75' in diameter.

2* An arborist's report was provided after the staff report was prepared.

3* A proposal was made regarding planting a replacement tree.

B. Demolition of a garage is not incongruous in concept according to *Guidelines* sections 4.2.1, 4.2.2, 4.2.3, 4.2.4, 4.2.5, 4.2.6, 4.2.7, 4.2.8, and the following facts:

1* According to the *Inventory of Structures in the Oakwood National Register Historic Districts*, by Matthew Brown, former Historian, Society for the Preservation of Historic Oakwood, 2004-2015, the garage was built circa 1990.

2* The garage is rectangular, has a gable asphalt shingle roof, and has lapped siding.

3* Photographs of the existing garage were provided with the application, although measured drawings were not.

4* No tree protection plan was provided for the period of demolition.

- C. Construction of a garage is not incongruous in concept according to *Guidelines* section 1.3.8, 1.3.9, 1.6.6, 1.6.7, 1.6.8, 1.6.12, and the following facts:
- 1* From the National Register of Historic Places nomination for the Heck Houses: "The Heck Houses, 218 North East Street and 503 and 511 East Jones Street are a Second Empire-style trio located on spacious contiguous city lots in northeast Raleigh. The houses are not identical, but are close variations on one charmingly eclectic formula. Each is a one-and-one-half story L-shaped frame structure set on a common bond brick foundation with a wrap-around porch, a full-height mansard roof and a two-and-half-story corner mansard tower. Each house has a rear free-standing kitchen, now joined to the main block and partially obscured by frame additions." The house was built between 1872 and 1875, according to the nomination.
 - 2* A COA was issued in 1987 (MWD-87-033) for the demolition of a ca. 1955 2-story detached apartment which was further south on the lot than the existing garage. A 1981 survey shows it roughly midway back on the lot and about 6' from the east property line. The same survey show a 101 SF shed to the north of the apartment building. There is no garage shown in the location where the current garage stands.
 - 3* The applicant proposes to construct a 2-car garage in the same location as an existing 1-car garage. It will be set 8' south and 4' west of the northeast corner of the lot. The proposed location matches a traditional location and configuration of an accessory building in the historic district.
 - 4* Accessory buildings are characteristically subservient to the main dwelling.
 - 5* The new garage relates to the footprint of an adjacent accessory building at the northwest corner of 511 E Jones St. It will measure roughly 592 SF.
 - 6* At the roof ridge the proposed garage is 15' - 5 3/8" tall. The applicant did not provide the height of the current garage.
 - 7* The garage has been designed as a gable-end building with a shed-roofed addition off the north side. The gable ends face east and west.
 - 8* The garage is oriented with the vehicular doors facing E. Jones Street, the same direction as the house. Garages are typically oriented to the street where the driveway enters the site.
 - 9* The existing garage does not have a driveway that connects to it, although there is a brick drive on the southeast corner of the lot. There is no proposal to connect the driveway to the new garage.
 - 10* There is a small brick pad in front of the doors of the existing garage. There is no proposal to include any exterior paving with the new garage.
 - 11* A brick foundation is proposed. The brick sample was provided and reviewed by staff.
 - 12* The scale, proportion and size of the two vehicular doors and the two double-hung windows on the west side of the new garage are appropriate to the district. There is a discrepancy between the application and the window specs, where the application description states vinyl double-hung windows will be used and the specs show wood double-hung windows. Vinyl windows have not been approved in the historic district.
 - 13* The siding is proposed to be fiber-cement siding; smooth face is not specified.
 - 14* The single person door on the north side is shown as a solid door, which is not typical of the historic district. No specs were provided for this door.

- 15* According to the elevation drawings, the new garage doors duplicate the look of the existing double doors, with a row of single lights at the top and vertical boards below. The elevation drawing does not match the specs submitted for the vehicular doors.
- 16* The roofing is proposed to be a standing seam metal material, although the exact specification was not defined.
- 17* The building will be painted to match the house. Paint samples were provided.
- 18* No tree protection plan was provided.
- 19* A light fixture spec was provided, but there was no indication on the elevation drawings where they would be installed.

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

DECISION ON THE APPLICATION

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

1. That there be no demolition delay for the removal of the existing garage.
2. That there be no demolition delay for the removal of the tree be waived and that the tree be replaced in the next tree planting season after removal.
3. That tree protection plans be implemented and remain in place for the duration of construction.
4. That the fiber cement siding have a smooth finish.
5. That details and specifications for the following be provided to and approved by staff prior to issuance of the blue placard:
 - a. A tree protection plan prepared by an arborist certified by the ISA or by a licensed landscape architect; the plan should also include protection of perimeter trees from construction activity and material storage.
 - b. Location and species of replacement tree;
 - c. Eave construction;
 - d. Windows.
6. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
 - a. Roof material;
 - b. Person door;
 - c. Garage doors;
 - d. Lighting location.

Mr. Hinshaw agreed to the changes. The amended motion passed 4/0.

Committee members voting: Caliendo, Davis, Fountain, Hinshaw.

Certificate expiration date: 3/28/18.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

140-17-CA 216 N BLOODWORTH STREET
Applicant: DAVID J HODGE
Received: 8/15/2017 Meeting Date(s):
Submission date + 90 days: 11/13/2017 1) 9/28/2017 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: HOD-G

Nature of Project: Demolish concrete porch; alter existing deck and staircase; construct shed

Amendments: Revised drawings and additional documentation was provided at the hearing.

Conflict of Interest: None noted.

Staff Notes:

- A Minor Work application for a shed was submitted in a separate COA application. Staff added the request to the application because the proposed location may not meet the *Guidelines*.
- COAs mentioned on the staff report are available for review.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
1.6	Garages and Accessory Structures	construct shed
2.8	Entrances, Porches, and Balconies	demolish concrete porch
3.1	Decks	alter existing deck and staircase

PUBLIC TESTIMONY

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

Support:

David Hodge [affirmed] was present to speak in support of the application. Revised documents and additional information was distributed to the commission and staff:

- A. Drawings of the proposed deck stairs and shed;
- B. Detailed written description of the new stairs;
- C. Current condition photographs of the house and site;
- D. Photographs of the culvert and its location.

Mr. Hodge noted that it is a small yard that he doesn't want to make even smaller. He pointed out a culvert in a corner of the yard that is used as drainage for several of the homes. Because of that he came up with the idea of placing the shed at the bottom of the driveway. Mr. Hodge

also stated that the existing stairwell is not to code and unsightly. He wants to demolish that stairwell and redirect it to the structure.

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

Responses and Questions:

Mr. Hinshaw asked if the orientation of the shed opening was parallel or perpendicular to the house. Mr. Davis said the doors are facing the house. Mr. Hodge said that he will do an exact copy of next door. The barn doors open from the inside out. Ms. Tully asked if the shed is behind the fence. Mr. Hodge said yes and that he did provide additional photographs of locations.

Mr. Davis said that he didn't remember the shed approval across the street. Ms. Tully said that it had been a minor work staff approval. Mr. Hodge said that his shed would be the same, just different; smaller dimensions.

Ms. Caliendo asked staff if the location of this shed is similar. Mr. Davis asked if the culvert was behind the fence shown in the photo and Mr. Hodge confirmed. Mr. Hinshaw asked if it would be visible from the street at all. Ms. Tully said no.

Ms. Tully asked the applicant about the removal of the stairs and what's going in their place. Mr. Hodge said that they would be storing garbage on gravel underneath the deck and would like to extend the gravel from the driveway. If they put in landscaping they wouldn't have entry to the store garbage cans.

Mr. Fountain asked if there could be a condition on maintenance of the fence. Ms. Tully said yes, the commission can do this.

Mr. Davis asked if there a drop or if it is relatively flat. Doesn't it drop down so that the shed is showing? Mr. Hodge said no

Without objection Ms. Caliendo closed the evidentiary portion of the hearing.

Committee Discussion

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

It's behind the fence so whether the opening is parallel or perpendicular doesn't matter.

[Hinshaw]

The location is a bit problematic. Sheds are typically in the back. [Davis]

Obviously there has been an addition. [Caliendo]

The shed is behind the original house. Make that clear in the findings of fact [Davis]

The additional information provided is good. [Caliendo]

Findings of Fact and Conclusions of Law

Mr. Fountain moved that based upon the facts presented in the application and the evidentiary hearing, the committee finds staff suggested finding A. (inclusive of facts 1-8), B. (inclusive of facts 1-2), C. (inclusive of facts 1-2) to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Construction of a shed is not incongruous in concept according to *Guidelines* 1.6.6, 1.6.7, 1.6.8, 1.6.9, 1.6.11, and the following facts:
 - 1* There are trees whose roots may be impacted by construction. Neither a tree protection plan nor clear location of trees was provided.
 - 2* The proposed shed is quite small (90 SF) and thus is subservient to the historic house.
 - 3* The proposed location for the shed is at the end of the driveway at least 70 feet back from the front property line.
 - 4* As proposed, a portion of the shed will be 3'7" from the side of the house and sit immediately adjacent the north property line.
 - 5* Locating the shed either at the northeast or southeast portions of the lot would be more traditional.
 - 6* The shed is proposed to be wood with architectural shingles to match the house.
 - 7* The drawings and written description for the proposed shed do not match; therefore the precise design of the shed is unclear.
 - 8* Except for the doors, the shed at 213 N Bloodworth Street was constructed per COA 114-16-MW.
 - 9* The shed is located 70 feet back from the property line, is behind the rear of the original portion of the house, and is behind a fence.

- B. Demolition of a concrete porch is not incongruous in concept according to *Guidelines* 2.8.1, 2.8.8, 2.8.9, and the following facts:
 - 1* The porch and steps being removed are not historic.
 - 2* It is unclear how the wall and ground will be treated after removal.
 - 3* Clear photographs of the concrete porch in context with the house were provided at the hearing.

- C. Alteration of the existing deck and staircase is not incongruous according to *Guidelines* 3.1.1, 3.1.4, 3.1.5, 3.1.7, 3.1.8, and the following facts:
 - 1* There are trees whose roots may be impacted by construction. Neither a tree protection plan nor clear location of trees was provided.
 - 2* The deck is at the rear. The new stair is no wider than the historic house.
 - 3* The new portion of the deck will match the existing. The railing design was provided at the hearing.
 - 4* Clear photographs and drawings of the existing deck were provided at the hearing.

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

Decision on the Application

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

1. That details and specifications for the following be provided to and approved by staff prior to the issuance of the blue placard:
 - a. Tree protection plan including the locations of trees on adjacent properties whose roots extend into the subject yard.
2. That details and specifications for the following be provided to and approved by staff prior to the construction or installation:
 - a. Treatment of the wall and ground after removal of the concrete porch.
3. That shed is approved so long as the fence remains.

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

Committee members voting: Caliendo, Davis, Fountain, Hinshaw.

Certificate expiration date: 3/28/18.

OTHER BUSINESS

1. Committee Discussion
 - a. Application Completeness
 - b. Meeting Post-Mortem

ADJOURNMENT

The meeting was adjourned at 7:14 p.m.

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

Minutes Submitted by:
Tania Tully, Preservation Planner