

**RALEIGH HISTORIC DEVELOPMENT COMMISSION**  
**CERTIFICATE OF APPROPRIATENESS COMMITTEE**  
Minutes of the Meeting  
January 24, 2019

**CALL TO ORDER**

Chair Nick Fountain 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: Don Davis, Ian Dunn, Nick Fountain, Jeannine McAuliffe

Alternate Present: Laurie Jackson

Excused Absence: Jimmy Thiem

Staff Present: Tania Tully; Melissa Robb; Collette Kinane; Francis P. Rasberry, Jr., Attorney; Lu-Ann Monson; Marilyn Drath

**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. Mr. Nick Fountain administered the affirmation.

<b><u>Visitor's/Applicant's Name and Address</u></b>	<b><u>Affirmed</u></b>
Susan Bray, 207 Linden Avenue 27601	Yes
Jim Bray, 207 Linden Avenue 27601	No
Ron Rogers, 314 N Boundary Street 27604	No
Linda Rogers, 314 N Boundary Street 27604	No
Ashley Morris, 306 Pell Street 27604	Yes
Richard Bromberg, 3202 Rain Forest Way 27614	Yes
Pete Pagano, 200 E Martin Street 27601	Yes
Meg Bullard, 1012 W Cabarrus Street	Yes

**APPROVAL OF AGENDA**

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

**PUBLIC HEARINGS**

Chair Fountain 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: COA-0197-2018, COA-0198-2018, and COA-0001-2019.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0197-2018     605 N BOUNDARY STREET

Applicant:             SUSAN AND JIM BRAY

Received:             12/6/2018

Meeting Date(s):

Submission date + 90 days: 3/6/2019

1) 1/24/2019     2)     3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: GENERAL HOD

Nature of Project: Construct rear addition; remove and replace rear deck; install pergola over deck; remove side porch stoop, replace with deck, construct new roof, and replace door; switch locations of paired windows and single window on west wall; install column on front porch pier; install 48" fence and gates

Staff Notes:

- COAs mentioned are available for review

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<i>Sections</i>	<i>Topic</i>	<i>Description of Work</i>
1.3	Site Features and Plantings	Construct rear addition; remove and replace rear deck; remove side porch stoop, replace with deck, construct new roof, and replace door; install 48" fence and gates
1.4	Fences and Walls	Install 48" fence and gates
2.7	Windows and Doors	Replace side porch door; switch locations of paired windows and single window on west wall
2.8	Entrances, Porches and Balconies	Remove side porch stoop, replace with deck, construct new roof; install column on front porch pier
3.1	Decks	Remove and replace rear deck; install pergola over deck; remove side porch stoop, replace with deck
3.2	Additions to Historic Buildings	Construct rear addition

PUBLIC TESTIMONY

Staff Introduction: Ms. Melissa Robb [affirmed] showed the location of the property on the map and noted highlights from the staff report. Pending the Committee's determination of the significance of the west façade, staff suggested approval with conditions.

Support:

Ms. Ashley Morris, 306 Pell Street, and Ms. Susan Bray, 207 Linden Avenue, [both affirmed] were present to speak in support of the application. Ms. Morris discussed the reasoning for

requesting to switch locations of the paired windows and single window on the west wall and stated that it was the least character-defining façade. Ms. Morris also said that the fence would be inset 17' from the curb on Elm Street which does not have a sidewalk, and that the historic district boundary ends at the rear of the property.

Ms. Bray addressed aspects of the fence request, including their safety concerns, the materials and design, the location inside the tree line, and the proposal to install a fence that is 6" taller than the standard 42" fence rather than the common 6' fence that is found in Oakwood.

#### Opposition:

Richard Bromberg, 3202 Rain Forrest Way, [affirmed] was present to share concerns from his daughter Cristyn Kells and son-in-law Daniel Kells, the owners of 603 N Boundary Street, the adjoining property to the west. Mr. Bromberg handed out copies of a document addressing the Kells' concerns which focused on four primary topics; the lack of differentiation between the old and new, the lack of an inset for the rear deck, the distance of the side yard setback, and the incongruous fencing. He stated that there would be a lack of differentiation between the old and new, specifically with new windows going into the 1950s addition and the roofline being extended over the 1930s and 1950s additions. Mr. Bromberg said the guidelines calls for a deck to be inset at least 6", and that the addition is a straight line from the 1930s addition with no differentiation between the two. He also pointed to an ordinance regarding side yard setback requirements, and brought attention to the lack of dimensions on the site plan regarding the side yard setback. In addressing the fence proposal, Mr. Bromberg said the application states the fence will be abutted to fences in adjacent yards, but only one 48" lattice fence extends in the same area. He stated the concern is about the height extension and the opacity of the two fences when overlaid; the Kells' fence is 50% solid while the proposal is for a 65% solid fence. Mr. Bromberg said no permission had been given to abut the existing fence.

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

#### Responses and Questions:

Ms. Morris asked if she could address some of the points raised by Mr. Bromberg. Mr. Fountain replied yes and asked that she start with the question about setbacks.

Ms. Morris clarified that they were not taking down the 1950s addition, but rather using those sidewalls and putting a corner board up to show differentiation between the old and new. Ms. McAuliffe asked for clarification about the placement of the corner board and whether or not it was in the same wall plane. Ms. Morris replied yes and also that with R-10 zoning's requirement for 5' setbacks they would be in compliance.

Mr. Fountain asked where the 17' setback was, and Ms. Morris responded that it was on the street side measured from the curb to the new fence. She also stated that the Kells' fence was taller than 42" and that her client requested permission to tie into it, but the Kells said no, so that left them with a request to install a parallel fence. Ms. Morris said the neighbor's fence was

50" tall and they had tried not to obscure the line of sight. Ms. Morris, Mr. Bromberg and the Committee discussed the side yard setback further.

With no objection from the Committee, Mr. Fountain closed the public hearing portion of the meeting.

### COMMITTEE DISCUSSION

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

The west façade is the least character-defining. Moving the windows, while original, is just moving their position. I agree with the applicant that their movement would be within the guidelines and that it's saving the original windows. [Davis]

We can't count on the landscaping always being on the side, but it's obscuring the view from the street. It is less character-defining. [Fountain]

The guidelines on fencing are clear, limiting the side yard to 42". [Davis]

I'm not sure what the actual height is. Lots of numbers have been brought forward. The rear of the adjoining property is high off the ground compared to next door. [Fountain]

Regarding the window on the east side in the new addition space, I want to talk about the pairing of old and new windows which may be creating a false sense of history on a character-defining façade. The old window looks like it's presenting as new when it's paired, which is a bit concerning. I want to see a clear demarcation. [McAuliffe]

We could condition that. [Fountain]

I understand and would like to see the old window raised up to meet the head height, but then there's pairing with new to look like it's existing. I want to know if a new window that looks so similar to the old is within the guidelines, especially where it says "do not duplicate the original".

A condition can be added that says staff will work with the applicant on how to address that. [Tully]

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

Mr. Davis moved that based on the information contained in the application and materials and in the evidentiary hearing, the Committee finds staff suggested findings from the Staff Report, A. (inclusive of facts 1-19), B. (inclusive of facts 1-7), C. (inclusive of facts 1-3) and D. (inclusive of facts 1-7), to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Constructing a rear addition, removing and replacing a rear deck, and installing a pergola over a deck are not incongruous in concept according to *Guidelines* 1.3.1, 1.3.2, 1.3.6, 1.3.7, 1.3.8, 3.1.1, 3.1.2, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.1.8, 3.2.1, 3.2.2, 3.2.4, 3.2.5, 3.2.6, 3.2.7, 3.2.8, 3.2.9, 3.2.10, 3.2.11, 3.2.12, and the following facts:

- 1\* The application includes a page from the "Inventory of Structures in The Oakwood National Register Historic Districts" Raleigh, North Carolina By Matthew Brown, Historian, Society for the Preservation of Historic Oakwood Researched and written from 2004 to 2015. That document describes the house as a Craftsman frame bungalow, ca. 1926: "Under the gable eaves are triangular knee braces; under the horizontal eaves are exposed rafter tails. There is a porch on the rightward part of the front with a gabled roof supported by two battered square-section posts on brick piers. Most of the windows are six-over-one. The house was divided into two apartments in the 1930s. An addition was made across the rear after 1950."
- 2\* The property is on a corner lot at Boundary and Elm Streets and is at the northeast edge of the Oakwood Historic District, with the properties behind it on Elm Street being outside the district.
- 3\* No trees over 8" DBH are proposed for removal. A tree protection plan prepared by an ISA certified arborist was provided showing the locations, DBH, species and critical root zones of trees on the property; however, it is unclear from the tree protection plan how or whether the tree protection fencing is enclosed along the Elm Street right-of-way. The plan also does not show the footprint of the proposed addition, nor is it clear where the driveway is located.
- 4\* The proposed addition is at the rear of the house and involves the removal of the existing full-width rear deck with new construction extending approximately 7' farther from the back of the house than the existing deck. This is a traditional location to add to a historic house.
- 5\* Photographs were provided of other sunrooms with banks of windows.
- 6\* **Built area to open space analysis:** According to the applicant, the lot is 6,781.5 SF. Sanborn maps from 1914-1950 show 1,642 SF of built area, with a ratio of built area to open space of 24%. The existing built area is 1,838 SF, with a ratio of built area to open space of 27%. The proposed built area is 2,100 SF. The proportion of built area to open space is proposed to be 31%.
- 7\* The application includes analysis of the built area of six neighboring properties, with a range from 21% to 38% built area to open space.
- 8\* **Built mass to open space analysis:** None was provided by the applicant.
- 9\* The roof of the addition is proposed to be an extension of the existing gable form. The roofing is proposed to be architectural asphalt shingles to match the existing.
- 10\* The application states the proposed eave construction will match the existing. Photographs were provided showing the existing eave construction.
- 11\* The addition is proposed to be clad in wood siding with a 4 1/2" reveal and wood trim to match the historic house.
- 12\* The extended foundation is proposed to be of brick with a painted finish to match the existing. Framed lattice is proposed to screen below the extension and deck. The application does not state what material is to be used for the lattice. It is proposed to be either stained or painted. Photographs of other lattice screens were provided.
- 13\* The structure is proposed to be painted. Paint samples were not provided.
- 14\* The existing house features primarily six-over-one double-hung windows. New windows proposed for the north and east sides appear to match the proportions of other windows on

the house. The west side includes a grouping of three new wood casement windows, as well as moving other existing windows (see C. 1-3 below). Specifications and section drawings were provided.

- 15\* The rear sunroom addition features groupings of casement windows on both the north and west walls. The windows are casement style with the appearance of one-over-one double-hung. All windows are wood framed from Sierra Pacific. Specifications and section drawings were provided.
- 16\* Two new full-lite wood Jeld-Wen doors are proposed leading to the rear deck. Specifications and section drawings were provided.
- 17\* The proposed rear deck is shown at the northwest corner of the house and includes a pergola. A new stair is proposed to lead to the ground level. The pergola is to be of stained, pressure-treated wood. Detailed drawings of the deck and stair railings and the pergola were provided.
- 18\* Exterior lighting was not shown on the drawings, nor were specifications provided.
- 19\* K-style gutters and downspouts are proposed for the addition and will match the existing.
- 20\* The drawing of the east elevation shows a historic window paired with a new window which is atypical.

B. Removing a side porch stoop, replacing it with a deck, constructing a new roof, replacing a door, and installing a column on a front porch pier are not incongruous in concept according to *Guidelines* 1.3.1, 1.3.2, 1.3.4, 1.3.6, 1.3.7, 1.3.8, 2.7.2, 2.7.5, 2.8.1, 2.8.3, 2.8.5, 2.8.6, 2.8.9, 3.1.3, and the following facts:

- 1\* The existing porch stoop and stairs are concrete. The proposed replacements are a wood porch on a brick foundation with brick steps. The new porch will be covered with a gable-end roof with a roof ridge that is lower than the ridge of the historic house. The porch is shown with railings on the north and south sides.
- 2\* The design of the railings appears to match the design proposed for the rear deck. Detailed drawings for the deck railing were provided
- 3\* Photographs of other side porches on corner lot houses were provided. Side porches are common historic elements in Oakwood.
- 4\* The ceiling of the porch roof is proposed to be painted bead board.
- 5\* The door to be replaced is non-historic, appearing to date from the 1950s. The proposed new door is to be a full-lite wood door. Specifications were provided.
- 6\* The front porch includes three piers with columns on the two end piers. The application includes the addition of a column on the center pier to address a compromised beam over the front porch. Drawings show it matching the existing columns. Photographs were provided showing the existing deformation of the porch front, as well as photos showing other similar porch column/pier configurations in the historic district.
- 7\* Framed lattice screening is proposed adjacent to the side porch for bins. It appears to match the other screening proposed for the addition. The application does not state what material is to be used for the lattice. It is proposed to be either stained or painted.

- C. Switching locations of paired windows and a single window on the west wall is not incongruous in concept according to *Guidelines* sections 2.7.1, 2.7.5, 2.7.11, and the following facts:
- 1\* Paired six-over-one double-hung windows currently in roughly the center of the west wall are proposed to be moved further back on the same wall, switching places with a single six-over-one double-hung window.
  - 2\* The applicant states: "This elevation of the house is the least character defining and the least visible, due to the proximity of the neighbor, the change in grade and the existing vegetation."
  - 3\* Photographs were provided of other houses in Oakwood that have switched windows on side elevations during rehabilitation projects, both of which were approved COAs; 306 Pell Street (153-08-CA) and 308 Pell Street (102-12-CA).
- D. Installing a fence and gates is not incongruous in concept according to *Guidelines* 1.3.1, 1.3.2, 1.3.7, 1.4.8; however, constructing a 48" fence and gates in the street side yard area of a corner lot is incongruous according to *Guidelines* 1.4.11, and the following facts:
- 1\* The proposed fence is 48" tall, with a top rail installed 6" above what is otherwise a common vertical picket fence design. The fencing is proposed to be pressure-treated stained wood. A detailed elevation view of the fence was provided; however, a section view was not.
  - 2\* It is unclear whether the fence will be installed using neighbor-friendly design, the traditional way in which fences were constructed (with structural members facing inward) or a fence design where both sides of the fence present an identical appearance.
  - 3\* A tree protection plan was provided showing the locations, DBH, species and critical root zones of trees on the property. The tree protection plan does not include the location of the proposed fence and gates; therefore, it is difficult to assess whether the tree protection measures are sufficient for this component of the project.
  - 4\* Along the Elm Street side of the property the fence is proposed to be set in 17' from the curb.
  - 5\* Photographs of other fences on corner lots were provided:
    - a. 610 N Bloodworth Street (088-15-CA) was approved as part of a master landscape plan;
    - b. 602 E Lane Street (064-18-MW) was approved, although the height and design of the installed fence do not appear to match what was approved.
  - 6\* The fence is proposed to abut existing taller fences for neighboring lots.
  - 7\* Two 3' wide pedestrian gates are proposed, as well as a pair of 6' wide gates at the driveway. Detailed drawings of the gate design were not provided.

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



## DECISION ON THE APPLICATION

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

1. That the new fence and gates along Elm Street be no greater than 42" in height and be installed using neighbor-friendly design.
2. That tree protection plans be implemented and remain in place for the duration of construction.
3. That details and specifications for the following be provided to and approved by staff prior to issuance of the blue placard:
  - a. An updated tree protection plan showing how the tree protection fencing is enclosed on the Elm Street side, as well as the location of the proposed addition, fence and gates, and the location of the existing driveway.
4. That the lattice screening be wood.
5. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
  - a. Lattice paint/stain sample from the paint/stain manufacturer;
  - b. Paint color samples from the paint manufacturer;
  - c. Exterior lighting including location on the building;
  - d. A section view drawing of the proposed fencing;
  - e. Elevation and section drawings of the proposed gates
6. That on the east façade the historic window not be paired with a new window and that the applicant work with staff on a revised design to be provided to and approved by staff prior to installation.

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

Committee members voting: Davis, Dunn, Fountain, Jackson, McAuliffe.

Certificate expiration date: 7/24/19.

Staff Contact: Melissa Robb, melissa.robbs@raleighnc.gov

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0198-2018 1012 W CABARRUS STREET

Applicant: GARY AND MEG BULLARD

Received: 12/07/18

Meeting Date(s):

Submission date + 90 days: 03/07/19

1) 1/24/2019 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: BOYLAN HEIGHTS HISTORIC DISTRICT

Zoning: HOD-G

Nature of Project: Construct screen porch addition on rear

Conflict of Interest: None noted.

Staff Notes:

- 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	Construct screen porch addition on rear
3.2	Additions	Construct screen porch addition on rear

PUBLIC TESTIMONY

Ms. Jackson asked to interject prior to beginning case. She disclosed that she is employed by the architecture firm that is the sister company of the applicant's architect. She has not been involved in the project in any way. Mr. Fountain asked if there was anything to prevent her from deciding the case fairly. Ms. Jackson responded no.

Staff Introduction: Collette Kinane [affirmed] showed the location of the property on the map and photographs of the property.

Support:

Meg Bullard, property owner [affirmed], was present to speak in support of the application. Ms. Bullard had a handout responding to points made in the staff report and noted that the building mass was incorrectly calculated in earlier estimations.

Mr. Fountain asked what the correct built mass calculations were. Ms. Bullard responded that the current built area is 43%. In the last application, it was calculated at 47%. The built mass will be 41% if enclosed. Examples of other properties with enclosed areas with similar built mass were provided. She said she wants to enclose the porch because of excessive acorns and leaves dropping from the large tree in the rear yard.

Mr. Fountain asked why this project wasn't included in the COA applications filed last year and do all projects at once. Ms. Bullard stated that they didn't realize it would be necessary until they had lived in and used the deck space. The handout has responses to staff comments. It was commented that the porch should not have a solid panel. The siding will be the same as that portion of the house: hardie plank. She stated that they have two alternative plans on hand if the committee doesn't approve the submitted proposal. They're willing to work to find a solution. She also provided additional renderings that show the pickets on the exterior of the screen.

Mr. Fountain asked the Committee if they had any questions. He stated that they will have an internal discussion as to the applicant's comment that there are other alternatives.

#### 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 built mass was calculated as to the original part of the house. Number five in staff comments states 25%.

Ms. Tully stated that it was taken from the original documentation and may not be accurate.

Mr. Davis stated that he didn't understand the panel alternatives.

Ms. Bullard responded that she has design alternatives that can be discussed. She stated that the proposed sided panel cannot be seen from the street.

Mr. Fountain moved that the public testimony portion of the hearing be closed.

#### Committee Discussion

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

On my site visit, I thought the panel would be visible from the street. [McAuliffe]

I agree. [Dunn]

The *Design Guidelines* about voids to solids plays a role in this case. Regardless of visibility, it doesn't hit the other guidelines. [Davis]

It would make more sense aesthetically if on the opposite side of the wall. [Dunn]

The built mass isn't too much looking at the addition. It was increased the most last year. [Fountain]

The new guidelines say to look at the increase in built mass as a comparison to the original, not the current state. I think this one fits within the Guidelines. I appreciate the comparison with the original and totality of additions. [Davis]

It does appear that the built area is hitting the max, I think we had this discussion last year. [Fountain]

Staff also remembered that nearing the maximum was part of last year's discussion, but it was not included in the minutes or notes on the case. If you feel that is the case, recommend that you include closeness to max as one of the facts, if it's important. [Tully]

The change here is not significant, but it was the last time. This is about as near the max as they can go. [Fountain]

I agree. [Dunn]

### Findings of Fact and Conclusions of Law

Mr. Dunn moved that based upon the facts presented in the application and the evidentiary hearing, the committee finds staff suggested finding A. (inclusive of facts 1-17) to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Constructing a screen porch is not incongruous in concept according to *Guidelines* 1.3.7, 1.3.8, 1.3.13, 3.2.1, 3.2.2, 3.2.3, 3.2.4, 3.2.6, 3.2.7, 3.2.8, 3.2.9, 3.2.10, 3.2.11, 3.2.12; however, having a solid panel in the middle of a screened porch **is** incongruous according to *Guidelines* 3.2.8, 3.2.9; and the following facts:
- 1\* The house is a one-story bungalow with a front-facing gable that is typical of the district. It features a wide front porch supported by four tapered square columns. It is clad with cedar shake siding. According to the National Register nomination for the district it was built in 1921 and is a good example of the type.
  - 2\* The lot is larger than many others in the district, measuring 50' wide and 150' deep. According to the Special Character Essay for the Boylan Heights Historic District, "The typical frontage is 30 to 50 feet with an average lot depth of 130 feet with a 15 to 30-foot setback." This makes the applicant's lot roughly 44% larger than the average lot.
  - 3\* The existing deck and previous addition were approved through COA 125-17-CA and amended through 048-18-MW.
  - 4\* Built **area** to open space analysis: The lot is 7,500 SF. The footprint of the existing original house is 1,360 SF; including the front porch, rear deck, front walk and stairs, and accessory building it is 2,078 SF for an original proportion of built area to open space of 28%. The recently approved addition and rear deck increase the total square footage to 3,371 SF. The applicants state the proportion of built area to open space is 45%. The screened porch is proposed to be constructed on the previously approved deck resulting in no additional change to the proportion of built area to open space.
  - 5\* Built **mass** to open space analysis: The lot is 7,500 SF. From the Findings of fact for COA 125-17-CA the footprint of the historic house including the is 1,360 SF; including the front porch and accessory building it is 1,846 SF. Thus, the original proportion of built mass to open space is 25%. According to the application the current proportion of built mass to open space is 45.2%. The screened porch adds 247 SF for a proposed proportion of built mass to open space of 43%. The proposed work increases the built mass from 25% to 47.7%.
  - 6\* The applicants provided examples in the historic district of similarly scaled projects which have received COA approvals for additions; 726 S Boylan Avenue (180-08-MW and 155-05-CA), 407 Cutler St (077-08-CA), 422 Cutler St (172-99-CA), 1003 W South St (188-16-CA), and 1025 W South Street (168-08-CA). Photos of the completed projects were included. All of the examples were approved under the 2001 version *Design Guidelines*.
  - 7\* The proposed addition features an irregular hipped roof form that extends perpendicular to the rear of the previous addition. The ridge of the screen porch addition meets the ridge of

the previous rear addition which is lower than the historic house. The east wall of the screened porch is inset approximately 2'-4" from the wall of the historic house.

- 8\* This is a traditional location to add onto a side-gable house.
- 9\* The eave is proposed to be open rafter tails to match the existing. Detailed drawings were provided.
- 10\* The Committee has previously required that screening be placed on the inside of railings and balusters so as to have a more traditional porch appearance. A drawing was provided that indicates the screen will be installed on the inside the railings.
- 11\* The text of the application states that the existing deck stairs and handrail are to remain. The handrail of the stairs was not constructed with inset pickets as per the approved COA 125-17-CA.
- 12\* The new screened porch railings are proposed to have the appearance of inset pickets; a section was provided.
- 13\* The application indicates that the rear gable vent will need to be removed or replaced with a smaller vent. No specifications were provided.
- 14\* A fireplace is proposed for the right-side elevation. The proposed location disrupts the appearance of the screening panels with a section of siding which includes the fireplace vent. There is no chimney or flue. This type of installation is atypical
- 15\* A solid panel of siding in the middle of a screened porch is an atypical configuration of solids to voids. Evidence to support the proposal was not provided.
- 16\* One 12" DBH tree is located in the northeast corner of the property. No tree protection information was provided.
- 17\* No specifications were provided as to any exterior lighting.
- 18\* The built mass is a substantial increase from the original. The proposed screen porch will be near the appropriate maximum built mass.

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

#### Decision on the Application

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

1. That the screened porch not have a solid panel.
2. That the pickets of the railing be on the exterior of the screening.
3. That details and specifications for the following be provided to and approved by staff prior to issuance of the blue placard for the addition:
  - a. Gable vent, if remaining;
  - b. Screen porch construction details;
  - c. A Tree Protection Plan, noting locations for construction storage.
4. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
  - a. Screen door;
  - b. Exterior lighting, if any.

The motion was seconded by Ms. McAuliffe; passed 6/0.

Committee members voting: Davis, Dunn, McAuliffe, Jackson, Fountain.

Certificate expiration date: 07/24/19.

Staff Contact: Collette Kinane, [collette.kinane@raleighnc.gov](mailto:collette.kinane@raleighnc.gov)

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0001-2019 208 WOLFE STREET

Applicant: PETER PAGANO

Received: 12/31/18

Meeting Date(s):

Submission date + 90 days: 03/31/19

1) 1/24/2019 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: MOORE SQUARE HISTORIC DISTRICT

Zoning: HOD-G

Nature of Project: Install fence and gates; install paved area

Conflict of Interest: None noted.

Staff Notes:

- 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	Install fence and gates; install paved area
1.4	Fences and Walls	Install fence and gates
2.11	Accessibility, Health, & Safety	Install paved area

PUBLIC TESTIMONY

Staff Introduction: Collette Kinane [affirmed] showed the location of the property on the map and photographs of the property.

Mr. Fountain asked for a reminder of the previous application. Ms. Kinane showed the previous approvals that have been completed in the photographs – installation of gravel and widening of the sidewalks.

Mr. Fountain asked if there was a previous fence application. Ms. Tully responded that he may be thinking of the discussion from the other cases.

Support:

Peter Pagano, representative for property owner, [affirmed] was present to speak in support of the application. Mr. Pagano stated that half of the asphalt was replaced with gravel several months ago. They would like to replace of the gravel with brick to make it more solid and place a fence around the perimeter.

Mr. Fountain asked if the applicant had looked at staff's comments. Mr. Pagano stated yes. They are not intending to install the fence on granite or brick – it will be installed in the gravel area. The fence will be 42" tall in the Hatteras style. The gates will be identical to the fence. As far as tree disruption goes, it is not a problem

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 proposal is to replace gravel with brick. Mr. Pagano stated yes, it will be identical to the sidewalk brick.

Mr. Dunn clarified that the proposal is not to move the granite curbstones. Mr. Pagano responded no.

Mr. Fountain closed the evidentiary hearing.

Committee Discussion

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

I do think the fence is incongruous, there is nothing similar in the district. [Davis]

Then we will need to discuss numbers 5 and 6 – location and type. [Fountain]

Is the issue the material appearance? [Jackson]

The location is the primary concern. There is nothing in Moore Square that is similar to this fenced in area. [Davis]

So basically, it's just the location, the material and appearance is fine. [Fountain]

The location is closing in a landscaped area. [Davis]

Findings of Fact and Conclusions of Law

After a failed initial motion by Ms. McAuliffe, 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 1-9) to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Installing a fence and paved area are not incongruous in concept according to *Guidelines* 1.3.1, 1.3.3, 1.3.7, 1.3.9, 1.3.13, 1.4.8, 1.4.11, 2.11.1, 2.11.2, 2.11.3; however, the location of the fence is incongruous in concept according to *Guidelines* 1.3.1, 1.3.3, 1.3.9, 1.4.8, and the following facts:
- 1\* The site is a partially paved parking lot. Approximately half of the parking area was converted to gravel through COA 002-18-CA.
  - 2\* The applicant proposes the installation of a brick paved area adjacent to the building access to meet accessibility requirements.



- 3\* The proposed brick will match the existing brick sidewalk, which was expanded through COA 002-18-CA.
- 4\* The new proposed paving is shown to be installed within a few feet of a small tree. The new paving will be installed equidistant to paving approved in COA 002-18-CA on the eastern edge of the planting bed. No information on the impact to the tree or tree protection information was provided.
- 5\* The application proposes the installation of a fence along the north edge of the property and around the mechanical systems, in traditional locations for a fence. However, the fence is also proposed to divide the parking area in a non-traditional way.
- 6\* Evidence was not provided to support the location of the fencing.
- 7\* The fence is proposed to be 42" tall and made of black aluminum. The gates will match the design of the fence.
- 8\* A similar fence was installed at 212 S Blount Street (adjacent to Moore Square) through COA 145-10-MW. The fence installation in this case is in a traditional location along the property lines.
- 9\* In a site visit, staff noticed that historic granite curbing is present in the area where the fence is proposed to be installed (along the sidewalk to the south). No details were provided as to how the extant curbing may be impacted as a result of the fence installation.

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

#### Decision on the Application

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

1. That the historic granite not be damaged.
2. That the tree protection plan approved in 002-18-CA be reinstalled around the Chinese Pistache in the southeast corner and remain installed around the Willow and Japanese Zelkova for the duration of the project.
3. That details and specifications for the following be provided to and approved by staff prior to issuance of the blue placard for the addition:
  - a. Gate design;
  - b. Assessment on potential adverse impact to granite curbing.
4. That the fence not divide the parking lot and that the applicant work with staff on a revised fence location to be provided to and approved by staff prior to issuance of the blue placard.

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

Committee members voting: Fountain, Davis, Dunn, McAuliffe, Jackson.

Certificate expiration date: 07/24/19.

Staff Contact: Collette Kinane, [collette.kinane@raleighnc.gov](mailto:collette.kinane@raleighnc.gov)

## **DEFERRED APPLICATIONS**

Chair Fountain moved to defer the cases 145-18-CA and COA-0190-2018 for 60 days. \$\$\$\$ seconded; motion carried 5/0.

## **Approval of the December 27, 2018 Minutes**

Mr. Davis moved to adopt the Findings and Conclusions for COA-0187-2018. Mr. Dunn seconded the motion; passed 5/0. Ms. Jackson moved to adopt the minutes, including the findings for COA -0187-2018. Mr. Davis seconded the motion; passed 5/0.

## **OTHER BUSINESS**

1. Committee Discussion
  - a. Meeting Post-Mortem
  - b. RHDC Strategic Plan
  - c. Demolition Delay Cases
2. Staff Presentation
  - a. Completed & In Process Projects

## **ADJOURNMENT**

5:33 p.m.

Nick Fountain, Chair  
Certificate of Appropriateness Committee,  
Raleigh Historic Development Commission

Minutes Submitted by:  
Melissa Robb, Preservation Planner  
Collette Kinane, Preservation Planner