

**RALEIGH HISTORIC DEVELOPMENT COMMISSION**  
**CERTIFICATE OF APPROPRIATENESS COMMITTEE**  
Minutes of the Meeting  
April 25, 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, Jimmy Thiem

Staff Present: Tania Tully; Melissa Robb; Collette Kinane; Francis P. Rasberry, Jr., Attorney; Marilyn McHugh Drath

**Approval of the March 28, 2019 Minutes**

Mr. Thiem moved to waive the reading of the minutes for the hearing and to adopt said minutes as submitted. Mr. Davis seconded the motion; passed 5/0.

**Minor Works**

There were no questions regarding the Minor Work report.

The following is a list indicating persons in attendance and whether they were affirmed. Mr. Nick Fountain administered the affirmation.

| <b><u>Visitor's/Applicant's Name and Address</u></b>  | <b><u>Affirmed</u></b> |
|---|------------------------|
| Ashley Morris, 306 Pell St, 27604                     | yes                    |
| James Bailey, 107 Cooke St, 27601                     | yes                    |
| Nick Hammer, 415 N Boundary St, 27604                 | yes                    |
| Brian Lucy, 410 Cutler St, 27603                      | yes                    |
| Kate Prafka, 529 Euclid St, 27604                     | yes                    |
| Myrick Howard, 220 Fayetteville St, 27611             | yes                    |
| Brooke Tate, 115.5 E Hargett St, 27601                | yes                    |
| David Maurer, 115.5 E Hargett St, 27601               | yes                    |
| Lynn Sears, 1016 W Cabarrus St, 27603                 | no                     |
| Laurie Jackson, 115.5 E Hargett St, 27601             | yes                    |
| Sara and Jeff Shepherd,                               | no                     |
| Megan Toma, 1712 N Pine Street, San Antonio, TX 78208 | yes                    |

**REVIEW OF SUMMARY PROCEEDINGS/APPROVAL OF AGENDA**

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

**SUMMARY PROCEEDINGS**

There were no objections to the approval of the Summary Proceedings without a public hearing.

**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-0016-2019, COA-0029-2019, COA-0030-2019, COA-0031-2019, COA-0032-2019, COA-0033-2019, COA-0034-2019, and COA-0035-2019.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0016-2019 405 E FRANKLIN STREET

Applicant: JAMES AND RACHEL BAILEY

Received: 02/06/2019

Meeting Date(s):

Submission date + 90 days: 05/07/2019

1) 03/28/2019 2) 4/25/2019 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: General HOD

Nature of Project: Construct new house with porte cochere and side and rear decks; expand driveway; plant trees

Amendments: Changes were made with the April 3, 2019 addendum; Reduction of the porte cochere width, a modification under the front accent roof, the retention of the existing walkway, and converting a double-width driveway to a single-width concrete driveway paired with concrete driving strip and a gravel median. Additional evidence presented at the March 28 meeting was also included with the amended application.

DRAC: An application was reviewed by the Design Review Advisory Committee at its March 4, 2019 meeting. Members in attendance were Dan Becker, Sarah David, and Curtis Kasefang; also present were Nick Hammer, James Bailey, Rachel Bailey, Collette Kinane, and Tania Tully.

Staff Notes:

- The demolition of the existing house was approved with COA-0157-2018. The case is 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 new house with porte cochere and side and rear decks; expand driveway; plant trees |
| 1.5             | Walkways, Driveways, and Off-street Parking | Expand driveway  |
| 3.1             | Decks                                       | Construct side and rear decks  |
| 3.3             | New Construction                            | Construct new house with porte cochere   |

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 suggested that the Committee discuss the

congruity of the proposed roof shape. Should the committee determine that the roof shape meets the Guidelines, staff provided suggested conditions of approval.

Support:

Mr. Nick Hammer, architect, [affirmed] was present to speak in support of the application. Mr. Hammer reviewed the changes to the application after last month's comments from the Committee, especially the reduction in the size of the carport to a single-width and the alteration in the design of the roof form on the right front of the house. He pointed to drawings and discussed the alterations that made that portion of the house more of a design feature; they eliminated the narrow profile siding on the rest of the house and limited it to the second floor projection, they widened the windows and changed their groupings, they brought in a new paint color, and they limited the overhang on the east side to the front. He said there were also changes to the driveway design and the retention of most of the existing front walkway. Mr. Hammer stated they were okay with the staff conditions.

Mr. Fountain asked if the roof design was a valley form. Mr. Hammer affirmed that.

Mr. Thiem asked how many cars could park on the site. Mr. Hammer replied two. Mr. Fountain stated he understood there was no parking allowed in front of the house, but it was allowed across the street. Mr. Hammer affirmed that and stated that across the street could accommodate three cars, but with two houses there the on-street parking was regularly used. Mr. Thiem replied that it was a common situation in Oakwood and stated his concern was with the depth of the parking areas. He said he appreciated the effort to keep the trees and that they were trying to balance the design with that goal, but it looked like the drawings showed enough space to park four cars. He asked why the left side of the driveway extended back so far. Mr. Hammer responded that the carport was not deep enough for two standard-sized vehicles and asked if the question was to reduce the length of the left side. Mr. Thiem said that most Oakwood driveways run straight from the curb and with the right side going back at an angle to the carport the proposed design had a large expanse of concrete out front, which made it atypical for the historic district with a wide and deep driveway. Mr. Hammer replied that they were working with the existing curb cut and they could use gravel to break up the visual appearance. He pointed to the introduction of a planting strip between the carport and the left side of the driveway. Mr. Thiem asserted that the problem with a two-car driveway was the amount of concrete close to the street. He asked if there were ways to mediate the expanse of the pavement, such as a strip driveway approaching the carport with a green center strip. Mr. Hammer responded that it would probably need to be gravel between the strips if the owners agreed.

Mr. Dunn asked if the reason for the driveway width was to allow a car to turn around in it. Mr. Hammer replied no. Mr. Davis said the result of the multiple strips is it might look odd like fingers of concrete instead of a solid surface. Mr. Hammer stated they were trying to avoid a wider curb cut and pointed to photos provided in the application. He agreed with Mr. Davis

that breaking it up would look “tentacle-ish”. Mr. Hammer and the Committee discussed possible design changes, with the result that Mr. Hammer said they liked the way it was.

Mr. Fountain stated he thought since it was new construction he was not troubled by the angle in the driveway since it related to the new roof form. He said they would discuss the strip driveway options when the public testimony was closed. He stated that mimicking the roof shape tied the landscape to the house and makes the lawn more spacious. Mr. Hammer said if they needed to add grass to the strip driveway they could do it.

Ms. McAuliffe asked if they would be installing a railing on the front porch steps. Mr. Hammer said it was about 20” high and they were hoping to be able to avoid a railing.

Opposition:

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

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 porte cochere looks much better. I understand why Jimmy wants to break up that area, but I think that it would be more atypical to have two strips. It meets the guidelines. The subtle changes to the roof and corner show a 21<sup>st</sup> century version of asymmetry in Oakwood. [Davis]

In speaking about the corner feature, I appreciate the restraint and the subtle moves. They have addressed and justified the roof being a prominent feature. One thought: would it be appropriate to use concrete for the swoop and then gravel for the other area that leads to the side? I’m concerned about it getting too busy and looking like a checkerboard. [McAuliffe]

It’s a bit of a conundrum. Part of the problem is that they can’t park side by side. The wide pavement seems large because of the division between the porte cochere and the side parking area. I’m also concerned with the depth of the parking spaces. I’m willing to be okay if the second strip can become some sort of planting or grassy surface, but not gravel. Also, this is the first time we’ve seen where the sidewalk runs parallel to the front porch. It’s usually perpendicular, so this is atypical for Oakwood. Just food for thought. [Thiem]

It’s a combination of saving some of the existing and carrying over a modern design. Some architects may say it’s not modern enough. Any further comments? [Fountain]

We need to make sure if there any additional facts we need to add in. We revised item #38, with the strip to include grass or ground cover versus gravel. [Thiem]

You should add that as a condition, not a proposed amendment. [Tully]

Yes, I agree, it should be a condition. [Rasberry]

A condition is fine. [Thiem]

We've got all the changes about the roofline changes, and thinner siding. We might want to add that as a fact. And the east side bump out is only to the roof, and the windows are larger. [Davis]

I'm thinking we can amend fact #15 to reflect subtle changes about the narrow siding, window changes, a different paint color, and the overhang. [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 1-45) and B. (inclusive of facts 1-3), to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Construction of a new house with porte cochere and side and rear decks, and expansion of a driveway are not incongruous in concept according to *Guidelines* 1.3.1, 1.3.2, 1.3.6, 1.3.7, 1.3.8, 1.5.5, 1.5.6, 1.5.8, 1.5.9, 1.5.10, 3.1.1, 3.1.2, 3.1.3, 3.1.4, 3.1.7, 3.1.8, 3.3.1, 3.3.2, 3.3.4, 3.3.5, 3.3.6, 3.3.7, 3.3.8, 3.3.9, 3.3.10, 3.3.11, 3.3.12, and the following facts:
- 1\* The property is on the northern boundary of the Oakwood Historic District. The rear portion of the yard (approximately 60') is outside the boundaries of the district. The boundary of the HOD aligns to the rear property lines of the other lots on the block.
  - 2\* Unified Development Ordinance 5.4.1.E.1. states that "The minimum and maximum setbacks within the -HOD-G...shall be congruous with the setbacks of any typical well-related nearby building and structure within 1½ blocks and in the overlay district..." The *Design Guidelines* defines well-related nearby buildings as "Existing contributing buildings within 1-½ blocks of the subject property as measured parallel to the building-wall line in both directions and on both side streets."
  - 3\* The proposed setback from the sidewalk is approximately 33.75'. The three properties to the east are shown with setbacks from 33' to 34'.
  - 4\* The new house is oriented to face Franklin Street and maintains a similar spacing between buildings as between those to the east. The siting of the house was governed in part by the location of large trees on the west property line.
  - 5\* Built mass to open space analysis: According to the applicant, the lot is 13,940 SF (0.32 acre). The footprint of the house will total approximately 3,150 SF; this includes the porches and decks. The proportion of built mass to open space is proposed to be 22.5%.

- 6\* The applicant states that the amount of built mass “does not vary significantly from nearby sites.” A page in the application labeled “Neighborhood and Block Plan” (page 4) shows the footprint of the existing house alongside neighboring houses including site coverages ranging from 18.6% to 46.5%.
- 7\* Built area to open space analysis: No analysis of built area was provided by the applicant, nor was any analysis of the existing built area of properties in the immediate neighborhood provided.
- 8\* The applicant proposes constructing a house with two stories in the front and one story in the rear. This is a common configuration in Oakwood for houses that have had additions. The neighboring houses on E Franklin St are a mix of 1-story, 1 ½-story and 2-story designs.
- 9\* From the Special Character Essay of the Oakwood Historic District: “Thus Oakwood, which contains Raleigh’s only intact 19th-century neighborhood, is also a surprisingly diverse neighborhood of long-term change. Its evolution is painted across a broad canvas, diversity borne of architectural and topographical variety, bound into a cohesive whole through repetition of detail and style, and a consistently intimate rhythm established along continuous streetscapes of tree-sheltered sidewalks.”
- 10\* The application states the design references Victorian, Queen Anne, Craftsman and bungalow architectural elements found elsewhere in Oakwood.
- 11\* The applicant states the layout of the footprint of the proposed house was partially driven by the goal to preserve seven large pin and willow oak trees along the west property line.
- 12\* Photographs of other houses were provided as references for the development of the proposed design. Addresses for the examples were not provided, however staff recognizes them as being in the Oakwood HOD.
- 13\* Diagrams illustrating the height of four houses that flank the proposed design were provided; porch roof heights range from 10’ to 17’ for the neighboring houses while the proposed house includes a 12’ porch roof. Roof ridges range from 19’ to 33’-6” for neighboring houses while the proposed house includes a 28’-6” roof ridge.
- 14\* Three roof forms are found on the proposed design, all commonly found in Oakwood; hipped, shed, and gable. The roof over the 2-story portion combines all three forms with a shed form inserted into the main gable roof over the right front elevation (called a modified dormer in the application). The shed portion is atypical of the district; the high point of the shed roof is at the outer edge, with the lowest point near the middle of the front elevation.
- 15\* Subtle changes were made to the design of the southeast corner of the second floor; the narrower profile siding has been limited to this projected area, the windows were widened slightly and changes were made to their groupings, a new paint color will be used for this area, and the overhang on the east side to the front has been limited to the area under the shed roof on the front of the house.
- 16\* The front shed portion of the roof is supported by exposed rafter tails (called roof support girders in the application); this is the only place where this element occurs on the house. Specifications were not provided for the exposed rafter tails.
- 17\* Asphalt shingle roofing is proposed. Specifications were not provided.
- 18\* The house is proposed to be clad with smooth-faced fiber cement siding in both 5” and 7” exposures, as well as vertical cedar siding (also referred to as shiplap) that wraps from the

front porch to the inset side deck, and on the inset connector between the 2-story and 1-story portions on the east elevation. Neither material specifications nor installation details were provided for the vertical cedar siding.

- 19\* The east elevation shows an accent panel that simulates an attic vent under the gable end on the second story. Detailed drawings were not provided.
- 20\* Fiber cement trim is proposed. Detailed drawings were not provided.
- 21\* Brick is proposed for the foundation and for the column bases on the front porch and porte cochere. Neither specifications nor samples were provided.
- 22\* Concrete is proposed for the front porch floor.
- 23\* Paired painted steel columns are proposed for the front porch and porte cochere. Columns on historic houses in Oakwood are typically wood. Neither paint color samples nor detailed drawings were provided.
- 24\* The front facade of the house consists of vertically oriented single light windows both single and in banks of three. No external trim is proposed on the windows.
- 25\* Windows appear to be primarily vertically-oriented units of two sizes. The north elevation includes a horizontally-oriented window on the second floor, as well as what appears to be a fixed picture window flanked by vertical units on the ground floor. The east elevation includes a grouping of fixed square and rectangular windows placed high on the wall connected to a vertical window below.
- 26\* The application states the windows will likely be aluminum-clad wood windows. The Committee has previously determined that aluminum-clad wood windows with certain characteristics meet the Guidelines for new construction. Window specifications were not provided.
- 27\* The front door is proposed to be a full-lite unit, while the inset side deck features full-lite double doors with sidelights. The screened porch doors appear to be solid in the elevation drawings. Door specifications were not provided.
- 28\* Wood decks are proposed at the rear and west side of the house. The locations and materials are typical of those found in the district. The decks are proposed to be partially screened with plants and shrubs.
- 29\* Elevation drawings show a railing may be needed on the rear deck. Details were not provided about the design, materials or location of railings.
- 30\* A screened porch of treated lumber framing is proposed for the rear of the house leading to the rear deck. Neither detailed drawings nor stain color samples were provided.
- 31\* Soffits are proposed to use fiber cement board panels. Soffit construction details were not provided.
- 32\* The application states that materials will be painted. Paint samples were not provided.
- 33\* Exterior lighting was not shown on the drawings, nor were specifications provided.
- 34\* Half-round gutters and downspouts are proposed. No finish specifications were provided.
- 35\* When viewed from the street the proposed porte cochere is an extension of the front porch roof.
- 36\* The porte cochere appears to be deeper than other Oakwood porte cochere examples shown in the application. It measures roughly 12' wide by 30' deep and is shown in renderings to

provide cover for up to two small vehicles. Three examples of porte cocheres in Oakwood were provided; they appear to be the width and depth of a single vehicle.

- 37\* The property includes a single-width curb cut, apron and gravel driveway. The proposal calls for retention of the curb cut and apron.
- 38\* A new driveway is proposed to be installed that is single-width at the street and that curves to the right to provide a single-width parking pad under a porte cochere. A separate strip driveway is shown in line with the curb cut, ending in a solid concrete pad that is pushed back from the street and in line with the rear of the concrete pad under the porte cochere. The strip driveway is proposed to include a gravel center strip.
- 39\* From the Special Character Essay of the Oakwood Historic District: "Driveways themselves are most often gravel or concrete driving strips, squeezing beside the house to access the rear yard, and pushing the house close to the opposite side-lot line."
- 40\* The application notes the concrete will have a water-washed finish, the finish typically found in Oakwood's historic concrete driveways.
- 41\* According to testimony at the March 28 COA Committee meeting, due to City-enforced parking restrictions, on-street parking is not allowed on the north side of this portion of E Franklin St.
- 42\* Screening plantings are proposed to flank the driveway. See B.2 below.
- 43\* A tree protection plan approved by an ISA-certified arborist was provided. The plan includes the critical root zones, proposed fencing locations and the location for material storage. It also notes the use of pier footings for the house.
- 44\* A walkway from the driveway is shown running the full width of the front porch, while the majority of the existing walkway from the front sidewalk is retained and will be connected with the front porch. The new walkway is proposed to be water-washed concrete.
- 45\* No information was provided about the materials or finish of the porch ceiling.

B. Planting trees is not incongruous according in concept to *Guidelines* 1.3.1, 1.3.7, 3.3.2, 3.3.4, 3.3.5, and the following facts:

- 1\* Two ornamental trees are proposed to be planted on the east side of the property, with one in the front yard and one in the rear yard. No species and size details were provided.
- 2\* The site plan shows two planting areas on both the east and west sides of the driveway which are described as "small trees/large shrubs to screen parking area." No species and size details for trees were provided.
- 3\* No trees are proposed for removal.

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

#### DECISION ON THE APPLICATION

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

1. That the tree protection plan be implemented and remain in place for the duration of construction.
2. That prior to the issuance of the blue placard the following be provided to and approved by staff:
  - a. Material specifications and detailed drawings for the vertical cedar siding;
  - b. Manufacturer's specifications for windows, showing both section and elevation views, muntin profiles and material descriptions.
3. That detailed drawings and/or specifications for the following be provided to and approved by staff prior to installation or construction:
  - a. Roof material;
  - b. Exposed rafter tails;
  - c. East elevation accent panel;
  - d. Trim at windows, doors and transitions between materials;
  - e. Brick specifications/sample for the color, size and bond pattern;
  - f. Paint and stain color swatches from paint manufacturer;
  - g. Steel columns for the front porch and porte cochere;
  - h. Doors, showing both section and elevation views, muntin profiles and material descriptions;
  - i. Deck railings showing both elevation and section views;
  - j. Deck screening material for the full edge of the rear deck;
  - k. Screened porch construction details;
  - l. Soffit construction;
  - m. Exterior lighting including locations on the building;
  - n. Finish specifications for the gutters and downspouts, and location on the building shown on elevation drawings;
  - o. Porch ceiling materials and finish;
  - p. Species and size details for new trees
  - q. Specify additional landscaping materials as shown on the application.
4. That the driveway strip center material be grass or a groundcover, not gravel.

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

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

Certificate expiration date: 8/28/19.

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

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0029-2019 308 LINDEN AVENUE

Applicant: DAMIAN O’FARRILL

Received: 3/12/19

Meeting Date(s):

Submission date + 90 days: 6/10/19

1) 4/25/19 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: General HOD

Nature of Project: Construct screened porch; paint house new colors; changes to doors and windows

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 screened porch     |
| 2.4             | Paint and Paint Color            | Paint house new colors       |
| 2.7             | Windows and Doors                | Changes to doors and windows |
| 2.8             | Entrances, Porches and Balconies | Construct screened porch     |

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 suggested that the Committee determine the significance of the character of the north façade, and should the committee determine that the north façade is not character defining, staff provided suggested conditions of approval.

Support:

Mr. Nick Hammer, architect, [affirmed] was present to speak in support of the application. Mr. Hammer stated the application was for the addition of a screened porch which was just an extension of an old porch that was enclosed. He said it would also involve reconfiguration of some windows and doors: the proposed removal of a window on the rear façade and its reuse on the north façade; installing a door to access the porch with a small stoop, where the wood siding would be feathered in to match the existing; on the north elevation, removing the left window and grouping all three windows together in what will be the dining room. The new window on the left side of the north elevation would match the style and character of the existing windows. He stated the south elevation will be untouched except for HVAC units that will be moved there. Mr. Hammer referred to the staff comments, saying that staff had

suggested keeping the lower sash intact for the rear window on the north side, but it would be hard given its reuse in the new kitchen.

#### Opposition:

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

#### Responses and Questions:

Mr. Dunn asked if there was a reason the left window on the north side was so small. Mr. Hammer responded it had to do with the countertop height. Mr. Dunn asked if he could make the dining room only two windows and have a full window remain in the kitchen. Mr. Hammer said it wasn't likely since the sill was only 20" off the floor. Mr. Fountain stated he could modify it so it looked complete on the outside but would be blocked off inside. Mr. Hammer replied they felt reusing the three windows was better.

Mr. Thiem said he wanted to address the tree protection plan, specifically along the rear of the site where there are a number of trees in good condition. He did a sketch showing improvements to the proposed tree protection and laydown area. Mr. Thiem stated he would recommend revising the protection from the shed down to the south property line. He asked for clarification on note 1 that says that tree protection fencing is not required; where does the code say this. Mr. Hammer answered that it was not a code reference, but that there is an existing fence and they didn't see the need for additional fencing since this would protect the trees. Mr. Thiem replied that it was better to have some sort of fencing up to protect some portion of the trees and that they would already be disrupting a fair portion of the roots. He stated they have seen people putting 6" of mulch in the construction areas. Mr. Hammer responded that since it will be foot traffic only it didn't seem necessary. Mr. Thiem asked if there was anything that could be done to protect the neighbor trees when they're outside of the HOD. Ms. Tully replied that it could be outside the Commission's purview. Mr. Hammer added that they could look at protecting other trees.

Ms. Tully said she wanted to explain the staff request to discuss the character of the north façade; the Design Guidelines indicate that window changes are approved based on the character of a façade. Ms. McAuliffe pointed to Guideline 2.7.9 and asked if their role was to decide if that façade was character defining in its entirety. She said some of the windows under discussion have low visibility from the street. Ms. Tully replied that they could parse it out however they saw fit, and that it can be on a spectrum. The committee has approved replacement of windows on the far end of a side elevation. Mr. Dunn added it doesn't seem to be visible enough to be considered a detriment to the façade. Mr. Fountain said he was not sure if the commission was insisting on a half sash if that would meet the goals of the historic district. Mr. David agreed the back window is pretty far back, but that the triple window proposed for the middle of that side was too big of a change.

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]:

I struggled with three ganged windows too. If I had seen this as two windows paired there would be no issue. Three looks uncharacteristic. It would be less problematic if it was new construction. I will defer to more knowledgeable staff. I do have concerns about the treatment of tree outside the historic district and would like to see them protected. [Thiem]

I'm content with a double window and with staff to review the revision. [Fountain]

To me single windows are characteristic, not double or triple windows. [Davis]

What does new use mean in Guideline 2.7.9? [McAuliffe]

The more I think about it, it's something along a zoning code change when you go from a commercial to residential use and the reverse. [Thiem]

We don't have a definition for it in the Guidelines. [Raspberry]

The intent was likely what Jimmy said, but you should decide amongst yourselves. [Tully]

We don't regulate interior floor spaces. [Thiem]

The idea of a pair of windows with a space would make it look too much like it's trying to mimic a historic configuration. [McAuliffe]

I encourage you to think about this idea, we have another similar application today. [Tully]

I've seen double windows in Oakwood. [Dunn]

It's not so much do they exist, but that a double window for this property isn't necessarily characteristic. [Davis]

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

Mr. Thiem 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 1-18), to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Constructing a screened porch, painting a house new colors and changes to doors and windows are not incongruous in concept according to *Guidelines* 1.3.1, 1.3.2, 1.3.6, 1.3.7, 1.3.8, 2.4.2, 2.7.1, 2.7.9, 2.7.11, 2.8.6; however, the relocation of windows to create a triple bank on the north elevation **is** incongruous according the *Guidelines* 2.7.9, and the following facts:

1\* 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, the house is a Neoclassical Revival frame cottage, ca. 1909: "There is an original gabled ell on the northern part of the rear. The porch beside it was partly enclosed after 1950."

2\* The application proposes construction of a screened porch at the rear of the existing house. A small portion of pavers is proposed to be removed.

- 3\* From the Things to Consider as You Plan section of the *Design Guidelines* 2.8 Entrances, Porches and Balconies: “The introduction of a new entrance, porch or balcony on a secondary façade may be appropriate if it does not diminish the building’s architectural character and the design is compatible with the building and site.”
- 4\* **Built mass to open space analysis:** According to iMaps, the lot totals 4,792 SF (0.11 acres) with a heated area of 1,348 SF. The applicant provided a diagram showing the “site coverage” of the applicants’ property as 39.9% currently and 48% proposed. Neighboring properties’ site coverage ranges from 38% to 73%.
- 5\* The proposed porch roof is designed to be constructed over the existing hipped roof of a rear addition. It has a modest slope and is proposed to have a membrane roof material.
- 6\* The proposed porch is to be framed with treated lumber and stained. No stain color samples were provided.
- 7\* According to the application text, the screening for the porch is to be on the inside of the porch framing. A section drawing of the screened porch was provided; however, a detailed drawing of the railing was not.
- 8\* The applicant proposes removing the back door from its current location on the existing rear/east side addition. A new rear door is proposed on the original gable end extension leading to a small landing and stair. Specifications were not provided for the door.
- 9\* Proposed window changes include:
- a. Removing the double-hung window on the rear/east side gable end extension which will be replaced by the door described above;
  - b. Removing the double-hung window on the north façade toward the rear of the house and replacing it with a smaller double-hung window that is moved slightly forward on that side;
  - c. Removing the double-hung window on the north façade in the center of the wall and installing all three windows proposed for removal in an enlarged opening on that same wall.
- 10\* Removing an existing window and replacing it with a smaller unit as described above has rarely been approved for a side façade in the historic district. However, the removal of the lower sash of windows similarly located (side façade at the rear) has been approved and is routinely approved as a Minor Work by staff.
- 11\* A determination of whether the north façade is character-defining has not been made.
- 12\* A note indicates the trim on the new door and windows will match the width and profile of the existing; however, the material was not specified. On historic houses, wood is the only trim material found to meet the *Design Guidelines*.
- 13\* The application notes that siding will be repaired as needed for the changes in doors and windows with the siding matching the existing. It is not indicated how new siding will be incorporated with the existing.
- 14\* A tree protection plan was provided which was prepared by an ISA-certified arborist. However, no tree protection fencing was shown nor was any protective laydown material provided along the side property lines where the trees and tree roots are found. The tree protection plan specified that footings are to be hand dug.

- 15\* The drawings show the existing HVAC equipment will be relocated from the east side of the house to the south side. Screening plantings are shown, but no species information was provided.
- 16\* Paint colors were provided with the application for changes to the paint on the house and trim.
- 17\* Neither gutters nor downspouts were shown, nor were specifications provided.
- 18\* Exterior lighting was not shown, nor were specifications provided.

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

### DECISION ON THE APPLICATION

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

1. That tree protection plans be implemented and remain in place for the duration of construction.
2. That the relocated windows proposed as a triple bank on the north side be limited to a double bank, with the window from the back moved to the side.
3. That trim on the historic house be wood.
4. That new siding be woven in to the existing siding where door and window openings are altered.
5. 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 tree protection fencing or appropriate alternatives to protect trees and tree roots during construction, to include the area from the northeast corner of the house to the northwest corner of the shed;
  - b. Manufacturer's specifications for windows, showing both section and elevation views, muntin profiles and material descriptions.
6. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
  - a. Manufacturer's specifications for doors, showing both section and elevation views, and material descriptions;
  - b. Stain color swatches from the paint/stain manufacturer for the porch structure;
  - c. Deck railing, both elevation and section details;
  - d. HVAC screening plant species;
  - e. Gutters and downspouts, and location on building;
  - f. Exterior lighting including location on the building.

The motion was seconded by Mr. Dunn; passed 3/2. (Mr. Davis and Ms. McAuliffe opposed.)

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

Certificate expiration date: 10/25/19.

Staff Contact: Melissa Robb, [melissa.rob主@raleighnc.gov](mailto:melissa.rob主@raleighnc.gov)

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0030-2019 529 EUCLID STREET

Applicant: KATE AND MICHAEL PRAFKA

Received: 3/12/19

Meeting Date(s):

Submission date + 90 days: 06/10/19

1) 04/25/2019 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: HOD-G

Nature of Project: Construct addition and rear deck

DRAC: An application was reviewed by the Design Review Advisory Committee at the March 4, 2019 meeting. Members in attendance were Dan Becker, Sarah David, and Curtis Kasefang; also present were Ashley Morris, architect; Kate Prafka, applicant; and Collette Kinane and Tania Tully, staff.

Staff Notes:

- COA cases mentioned are available for review.

Conflict of Interest: None noted.

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 addition and rear deck |
| 3.2             | Additions                   | Construct addition and rear deck |

PUBLIC TESTIMONY

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

Support:

Ashley Morris, architect, [affirmed] was present to speak in support of the application. Ms. Morris stated that the proposed 1 ½ story addition does not go over the main ridge of the historic house. The addition is inset on the east side. They worked with an arborist to protect neighboring trees. The closest is a 23" Maple. Leaf and Limb suggested constructing the addition on piers to help the roots.

Opposition:

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

Responses and Questions:

Mr. Thiem stated that there were some confusing notes on the Tree Protection Plan. Near the 20" Ash tree, it was noted that wood chips will be spread across the laydown area and beneath the drip lines. Mr. Thiem recommended that the proposed wood chips be eliminated from the construction area and delineated in the laydown area. He requested that the applicant submit a revised plan to staff.

Mr. Fountain asked about the height of neighboring properties comparable to the rear elevation. Ms. Morris responded that most nearby properties sit up on the lot – all grades slope to the back. Most are the same height as the house. There are two accessory structures on corner lots on Elm that block the view. The addition will not tower over those. One is a hipped roof with a 4/12 pitch. The other has a ½ story with a dormer in the rear.

Mr. Fountain closed the public testimony portion of the hearing.

### Committee Discussion

There was no discussion following the public hearing.

### Findings of Fact and Conclusions of Law

Ms. McAuliffe moved that based upon the facts presented in the application and the evidentiary hearing, the committee finds staff suggested finding A. (inclusive of facts 1-14) to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Constructing an addition and rear deck are not incongruous in concept according to *Guidelines* 1.3.1, 1.3.2, 1.3.6, 1.3.7, 1.3.8, 1.3.13, 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 states it was constructed c. 1927 and is contributing to the historic district: "This Craftsman frame bungalow was built by carpenter Edward E. Crane for his wife Florence, as an investment. It remained in the Crane family until 2013. The house has a side-gabled saddle roof with deep eaves. There are exposed rafter tails under the eaves, with decorative ends. There is a gabled projection on the rightward part of the front. The gables have wooden shingle siding and round attic vents. There is a front porch beside the gabled projection, with a shed-on-hip roof coming off the main roof. It is supported by a square section post. It originally had Craftsman-style lattice work, which can be seen in a 1995 photograph in the tax records. This lattice work was removed prior to 2011. The front door has a large window with perpendicular tracery. There is a shed-roofed projection on the western part of the rear, which may be original. Half of it is an open porch."
  - 2\* The applicant proposes the construction of an addition on the rear façade. This is a typical location for an addition.

- 3\* The proposed addition is inset 8" on the west façade and slightly over 6 ½' on the east façade.
- 4\* A rear deck and stairs are proposed to be nearly centered on the rear façade of the addition. The application notes it will be constructed of stained and pressure treated wood. Deck rail details were provided.
- 5\* The application states that the property slopes 8' from the front of the house to the rear property line; which allows for a one and a half story addition to be added without exceeding the height of the main ridge. The ridge height of the proposed addition appears to match the height of the main ridge.
- 6\* The application notes the slope of the property and illustrates the grade in the elevation drawings. The addition is set in the Critical Root Zone of a 23" DBH Maple located on the neighboring property. The tree protection plan notes that piers should be utilized instead of a continuous footer.
- 7\* **Built mass to open space analysis:** According to the applicant, the lot is 4,370 SF. Sanborn maps from 1914-1950 show approximately 1,049 SF of built area (including a 144 SF garage), with a ratio of built area to open space of 24%. The existing built area is 985 SF (including an 80 SF shed), with a ratio of built area to open space of 23%. The proposed built area is 1,433 SF (including an 80 SF shed), with a ratio of built area to open space of 32%. This is a 9% increase.
- 8\* The application notes that the mass to open space proportions are fairly high on this section of Euclid and the proposed ratio is in the middle range. The application included photographs of neighboring properties and an analysis of built area to open space on those properties to support the above statement.
- 9\* The existing roof is a side-gable form with shed roof porch and front gable projecting bay.
- 10\* The proposed addition over-frames the existing rear roof as an extended cross-gable with elongated dormers on the east and west facades. 1'6" and 1' eaves are proposed. Details were provided.
- 11\* The dormers feature small casement windows that appear to match the size and style of an existing window located on the rear façade. Specifications were provided.
- 12\* The addition includes single, paired, and tripled windows that appear to match the size and style of the existing 1/1 windows. One window on the east façade appears as a slightly oversized upper sash. Paired single pane windows are proposed for the second story on the rear façade of the addition. Specifications were provided for the windows as well as the trim and sills.
- 13\* A tree protection plan prepared by a certified arborist was provided that identified the location and species of trees with critical root zones on the property. It includes tree protection fencing that appears to accommodate construction activity, laydown areas, and mulched areas.
- 14\* No details were provided on exterior lighting, if any.

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

#### Decision on the Application

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

1. That a tree protection plan be revised, implemented, and remain in place for the duration of construction.
2. That the addition be constructed using piers rather than a continuous footer.
3. That the following be provided to and approved by staff prior to installation or construction:
  - a. Exterior lighting, if any.

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

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

Certificate expiration date: 10/25/19.

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

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0031-2019 814 OBERLIN ROAD

Applicant: PRESERVATION NORTH CAROLINA

Received: 3/12/19

Meeting Date(s):

Submission date + 90 days: 6/10/19

1) 4/25/19      2)      3)

INTRODUCTION TO THE APPLICATION

Raleigh Historic Landmark: Plummer T Hall House & Willis Graves House

Nature of Project: Install painted PVC front porch floors

Staff Notes:

- The following COA applications have previously been approved:
  - 124-17-CA – Relocation of Plummer T Hall house on same lot; relocation of Willis Graves house from 802 Oberlin Rd to 814 Oberlin Rd; installation of foundations, walkways, parking, deck and ADA ramp; removal of non-historic additions; removal of aluminum siding; construction of new additions
  - 059-18-CA – Landscape master plan; install 12' sculpture; remove non-historic chimney (Hall House); remove non-historic windows and replace (Hall House)
- 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>             |
|-----------------|----------------------------------|--|
| 2.1             | Wood                             | Install painted PVC front porch floors |
| 2.8             | Entrances, Porches and Balconies | Install painted PVC front porch floors |

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 suggested that the Committee discuss the use of the substitute PVC material for porch flooring.

Support:

Mr. Myrick Howard, applicant, and Ms. Ashley Morris, architect [affirmed], were present to speak in support of the application. Ms. Morris stated that all the other porch elements were saved, and that they know the previous flooring was tongue-and-groove on the Graves House and concrete on the Hall House. Mr. Howard said the tongue-and-groove flooring had been

changed over time and the porch structure was shot; what was there were replacements of replacements.

Ms. Morris stated that they had provided material samples with the application which were then passed around for the Committee's review; typical pine tongue-and-groove flooring with a painted finish and the proposed PVC tongue-and-groove flooring material with a painted finish.

Mr. Howard asserted that Preservation North Carolina (PNC) has had bad experiences on previous projects getting paint to adhere to thermally treated pine porch flooring. He shared handouts of the Secretary of the Interior's Standards for Rehabilitation, referencing the topic of compatible substitute materials and when to use them. He pointed out that RHDC Guideline 2.8.5 emphasizes that substitute materials can only be approved when it is not "technically feasible" to use the original material, suggesting that this PVC option may be approvable since property owners cannot get old growth yellow pine any longer and the available pine is not comparable. Mr. Howard said the State Historic Preservation Office (SHPO) has allowed the PVC product in some commercial structures, and that the National Park Service uses it all the time. He asserted that he felt like it is a compatible material from a visual and material standpoint and addressed a number of factors specific to the proposed installation; with a west-facing façade it will get a lot of sun, the buildings are for public use, and both porches have short overhangs. Mr. Howard stated that PNC is using it on their own properties. Mr. Thiem noted that rain will also come at it pretty hard since most of the storms come from the west.

Mr. Dunn asked if they had any information about deterioration. Ms. Morris said she did not, but the manufacturer claims there is no cupping, checking or buckling of the material. Mr. Fountain asked how long it has been in use. Mr. Howard replied that he has a similar material on his own deck which may be from the mid-70s, and it has been doing fine. Ms. Morris pointed to the letter from the Louisiana SHPO approving the product for a property in that state, showing it has been in use there since 2007. She also referred to photos in the application of porches on Pell Street in Oakwood that have all been replaced over time, showing the rapid deterioration of contemporary pine.

Mr. Davis asked if they had any pictures of it in place. Mr. Howard replied the company is marketing it specifically for historic homes, but didn't know of any locally. Mr. Dunn asked if he has walked on it and does it feel like plastic. Mr. Howard answered that it's solid, and it will be painted on site as suggested by their marketing. He stated it looks and feels like wood. Mr. Dunn said that part of the aesthetics is the sound, and that there's a particular sound when walking on a wood porch.

Mr. Davis asked if there is anywhere to see it in person. Ms. Morris replied that American Cedar on Atlantic Avenue sells it, so she might be able to find a place they've used it. Mr. Davis responded his concern was that it would be used by all applicants in the future. Ms. Morris

replied perhaps it could be approved for this specific site, and that it will be heavily used in this circumstance as a public building.

Mr. Howard stated there are no floors on either of the porches now, and that on the Hall House there was no structure left after the concrete porch was demolished; all the sills on the front needed to be replaced. Mr. Fountain asked if the Committee had approved the removal of the porch floors. Mr. Howard answered they couldn't have moved them without it. Ms. Tully replied the replacement was approved to be a wood porch floor. Mr. Fountain said since the porches couldn't be saved this is essentially like dealing with new construction, and that there were a number of unique factors including essentially a commercial use, that the existing porches couldn't be saved, and that you can't buy southern yellow pine that would hold up.

Mr. Davis asserted that this is such a big change and the Committee deals with so many porches, it is worth deferring to see one in real life before opening the flood gates. Ms. McAuliffe said her concern was what it will look like when the paint starts to deteriorate. Ms. Morris replied the manufacturer has a list of specific paints and a specific application process.

Mr. Fountain asked what happens to the sills. Mr. Howard replied it will repel water, unlike the porous concrete that was there before; if wood were used, they would be back in ten years to replace it, especially in a west-facing porch without substantial street shading. Mr. Howard described a former preservation concern between oil-based and latex paints, with concerns about durability and changing standards.

Ms. McAuliffe pointed to Guideline 2.1.5 and the "technically feasible" language. Ms. Tully replied this is where it would be useful to talk about the Committee's decisions and history with reviewing substitute materials, such as Masonite and fiber cement siding being approved as long as they didn't have a faux wood finish. She said that in the last 12 years replacement materials have been approved for column capitals, bases, sills, and the bottom courses of wood siding when they're close to the ground. She stated there is a standard of reasonableness for the average homeowner, and that it is important to think about this seriously.

Mr. Fountain pointed to staff comments #9 and 10 in the staff report, asking Mr. Howard to address them. Mr. Howard said that Preservation Brief 45 addressed whole porches and portions of porch floors. He said comment #10 was not just about floors, but about replacing the whole porch, and it should be noted that plastic and composite materials is nearly a whole page in Preservation Brief 45. Mr. Howard stated that it goes as far to explain that new replacement wood is not the same as old wood, and he questions if it means wood in general, or down to specific types of wood. Ms. Tully added that typically the Committee has considered all wood to be equal, as long as it can be painted for porch flooring.

#### Opposition:

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

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]:

I want to make sure we're not opening the door for everything. I understand sill replacements when you look at the water damage. I'm looking at how to approve this in a manner where we're clearly defining and limiting these decisions. [Thiem]

Legally we'd be deciding within a very strict set of circumstances on this particular application. It wouldn't necessarily open the floodgates. [Fountain]

I don't want people to neglect their porches to such an extent that they can come in here and ask for these new materials. [Thiem]

I want to gather a few thoughts from everyone, then defer until we can look at it. [Fountain]

For me with the commercial nature, the non-existent porch, the sun and weather exposure, that it's durable/paintable, and it's tongue-and-groove, it seems it is appropriate for this, but I need to know more about the technical aspects of the material. [McAuliffe]

We need to recall that these decisions are not only made on economic cost alone. We could put in enough distinctions to make this work if we wanted to. [Fountain]

I would like to walk on it. I'm worried about the aesthetics and acoustics. I'm sympathetic to the issues about the quality of wood. [Dunn]

I'm the same and want more information before deciding. I don't know if the commercial use changes much, since all their arguments relate to residential use too. It could be approvable. [Davis]

Mr. Davis made a motion to defer the application until the Committee can see it installed. The motion was seconded by Mr. Thiem.

Mr. Thiem asked if they have a place to go see it. Ms. Tully replied one would be found.

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

Mr. Howard stated that his current lease ends in June, and that acoustics have never been a deciding factor. He said he is concerned about the timing of this with moving and leases. He suggested they could put a section down on one of the houses and they can visit. Mr. Fountain replied that might work and asked if the distributor has an example of some that has been installed for some time. Mr. Howard said he's concerned with the timing and that he's not clear if they would be able to get a certificate of occupancy. He stated the preservation community needs to be watching material trends and be forward looking.

Motion passed 5/0. Committee members voting: Davis, Dunn, Fountain, McAuliffe, Thiem.

Staff Contact: Melissa Robb, [melissa.rob主@raleighnc.gov](mailto:melissa.rob主@raleighnc.gov)

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0032-2019 1016 W CABARRUS STREET

Applicant: BROOKE TATE ON BEHALF OF MAURER ARCHITECTURE

Received: 3/13/2019

Meeting Date(s):

Submission date + 90 days: 6/11/2019

1) 4/25/2019 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: BOYLAN HEIGHTS HISTORIC DISTRICT

Zoning: General HOD

Nature of Project: Remove shed; remove rear addition, front porch, vinyl siding; construct rear addition, front porch, railing and stairs; remove and replace front walkway and driveway; install gutters, downspouts; replace roofing; changes to windows and doors; repair and paint existing siding

DRAC: An application was reviewed by the Design Review Advisory Committee at its April 1, 2019 meeting. Members in attendance were Sarah David, Jenny Harper, and Mary Ruffin Hanbury; also present were David Maurer, Lynn Sears, Collette Kinane, and Tania Tully.

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.**”

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                | Remove rear addition, front porch, vinyl siding; construct rear addition, front porch, railing and stairs; remove and replace front walkway and driveway |
| 1.5             | Walkways, Driveways and Off-Street Parking | Remove and replace front walkway and driveway  |
| 1.6             | Garages and Accessory Structures           | Remove shed  |
| 2.4             | Paint and Paint Color                      | Repair and paint existing siding   |
| 2.5             | Roofs                                      | Replace roofing  |
| 2.6             | Exterior Walls                             | Remove vinyl siding; repair and paint existing siding  |
| 2.7             | Windows and Doors                          | Changes to windows and doors   |

|     |                                   |   |
|-----|-----------------------------------|---|
| 2.8 | Entrances, Porches, and Balconies | Remove front porch; construct front porch, railing and stairs |
| 3.2 | Additions to Historic Buildings   | Construct rear addition; install windows, gutters, downspouts |

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 suggested that the Committee discuss the size, scale, mass, and increase in built area and mass to open space of the addition, and to make a determination of the character of the west façade.

Support:

Ms. Brooke Tate, Mr. David Maurer, both architects, and Lynn and Jim Sears [affirmed] were present to speak in support of the application. Ms. Tate reviewed the proposal with the removal of the deteriorated rear addition and the relocation of windows. She asked why the left façade was pinpointed and not both the left and right sides, since windows are being moved on both. She stated they were looking at what was approved at 1012 W. Cabarrus Street where a 41% increase was approved, and that they were requesting a 31.1% increase.

Mr. Davis asked what the square footage of the existing addition was. He specified he was interested in the size of the historic house without the addition that was being removed. Ms. Tate reviewed information from page 19 of the application that the Committee discussed.

Mr. Thiem asked for clarification about the plot plan, especially the 14" elm tree on the adjacent lot near the shed. He said he would ask them to modify the tree protection plan to protect that tree during construction.

Ms. McAuliffe asked for clarification on images on pages 34 vs. 39. Ms. Tate responded the only difference is that the center window may be a new fixed window, or they may just be leaving the upper sash in place.

Opposition:

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

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]:

I'm struggling with the use stone on the front porch use and whether it is consistent. There were no examples of a mix of brick and stone. It looked out of place, incongruous. [McAuliffe]  
On page 18 it is unlikely we approved those stone foundations and columns. They were most likely existing. [Fountain]  
They were probably original to that house. [Davis]

Those bigger houses had more elaborate materials and details. [Dunn]  
It is a two-story where it makes more sense to have that. On the windows, unlike the other application we saw, double windows aren't out of character for this house. That said, I am concerned about the size of the new house. They say it is half the size of the original house, but it looks much larger. [Davis]  
It does look big, but the original is pretty small. On the site visit, you can get a good idea where the addition would end. It doesn't seem as large as it looks. [Dunn]

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

Mr. Dunn 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 1-5), B. (inclusive of facts 1-30), and C. (inclusive of facts 1-4), to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Removal of a shed is not incongruous according to *Guidelines* 1.6.1, and the following facts:
- 1\* In the National Register of Historic Places nomination for the Boylan Heights Historic District, the shed is not mentioned in the description or identified as contributing.
  - 2\* The application includes the removal of a shed in the back yard which was described in the application as being in "poor condition".
  - 3\* One photograph of the shed was provided which appears to show a small metal structure with a single door.
  - 4\* The age of the shed is unknown. The 1950 update to the Sanborn Fire Insurance Survey indicates that a shed was present in the northeast corner of the property. It is unclear whether the shed may have been relocated from the opposite corner to the current site or is newer.
  - 5\* It is highly unlikely that the shed was constructed during the period of significance for Boylan Heights.
- B. Removing a rear addition, front porch, and vinyl siding; constructing a rear addition, front porch, railing and stairs; installing gutters, and downspouts; replacing roofing; making changes to windows and doors; and repairing and painting existing siding are not incongruous in concept according to *Guidelines* 1.3.2, 1.3.4, 1.3.6, 1.3.7, 1.3.8, 2.4.3, 2.5.1, 2.5.5, 2.5.8, 2.6.4, 2.6.5, 2.7.1, 2.7.2, 2.7.4, 2.7.11, 2.8.5, 3.2.1, 3.2.2, 3.2.4, 3.2.5, 3.2.6, 3.2.7, 3.2.8, 3.2.10, 3.2.11, 3.2.12, and the following facts:

- 1\* According to the National Register nomination for the Boylan Heights Historic District the 1923 house is contributing to the character of the district and is described as: "One-story Bungalow; gable is perpendicular to the street; attached one-story porch, full facade, screened in. Gable dormer centered above."
- 2\* The application proposes removing a non-historic rear addition and existing front porch, as well as constructing a new one-story rear addition and new front porch. The applicant states the existing non-historic rear addition is deteriorated beyond repair, and the existing front porch, which has a CMU (concrete block) foundation is in disrepair. The porch stairs are also in disrepair and are proposed for removal.
- 3\* The application states there are no trees over 8" in diameter on the property. The proposed plot plan shows two trees on the neighboring property to the rear along with tree protection fencing just outside of what appears to be the drip line.
- 4\* The application states a 7" diameter tree will be removed. The tree is adjacent to the shed proposed for demolition. New grass will be planted and new native plantings will take the place of shrubs around the front porch that will be removed, according to the application.
- 5\* **Built mass to open space analysis:** According to the applicant, the lot is 7,433 SF. The existing built mass totals 1,526 SF, which apparently includes the front porch and rear addition that is proposed to be removed. The proportion of built mass to open space is now 20.5%. The proposed built mass totals 2,329 SF, which apparently includes the front porch and new addition. The proportion of built mass to open space is proposed to be 31.3%.
- 6\* According to *Guideline 3.2.11* calculations for built mass are intended to be based on the *original* built mass of the house not including subsequent additions outside the period of significance: "It is not appropriate to construct an addition that significantly changes the proportion of *original* built mass to open space on the individual site."
- 7\* **Built area to open space analysis:** According to the applicant, the lot is 7,433 SF. The existing built area totals 1,725 SF, which includes the house, porch, shed and walkway; the driveway does not appear to have been included. The proportion of built area to open space is now 23.2%. The proposed built area totals 2,794 SF, which includes the house, porch, sidewalk, and driveway. The proportion of built area to open space is proposed to be 37.6%.
- 8\* According to *Guideline 1.3.8* calculations for built area are intended to be based on the *original* built area of the house not including subsequent additions outside the period of significance: "In the residential historic districts, it is not appropriate to alter the residential character of the district by significantly reducing the proportion of the *original* built area to open space on a given site through new construction, additions, or surface paving."
- 9\* The application states; "The proposed built area and mass are consistent with the neighbors", and "Other addresses along W Cabarrus range from 21% to 39% lot coverage." Comparisons are included with 1012 W Cabarrus Street which has a recent addition (COA #125-17-CA) that has resulted in built mass to open space of 41% and built area to open space of 43%.
- 10\* The roof of the proposed new addition is a gable form that is set slightly lower than the ridge of the historic house, with the pitch matching the original roof. This is a traditional method of adding onto a house.

- 11\* The rear elevation includes an additional non-functional gable over the enclosed portion of the rear. It also includes a square gable vent that appears to match the one on the right/east side.
- 12\* The proposed new addition is to be inset 8" from the walls of the historic house to differentiate it from the original.
- 13\* The front porch is proposed to be a concrete slab with a stone foundation and stone steps flanked by stone wingwalls. The stone is proposed to match the low front retaining wall along the sidewalk. Stone is atypical for foundations and steps on houses of this modest scale in Boylan Heights. Photographs were provided of other stone porch foundations in Boylan Heights: the house at 418 Cutler Street is a Colonial "bungalized" two-story, according to the district nomination form, with a stone foundation on the entire house and porch, as well as stone piers supporting the front porch posts; 507 Cutler Street is a one-story bungalow with stone porch foundation and tapered stone porch columns, classic elements of the bungalow form.
- 14\* The existing foundation on the house appears to be brick piers with CMU infill. The foundation for the proposed addition is brick. The application states the foundation will be painted, although it is unclear if the existing foundation is currently painted. Painting previously unpainted existing masonry is not appropriate in the historic district.
- 15\* Wood columns are proposed to support the front porch roof which will match the existing shed form roof. Detailed drawings of the porch columns were provided.
- 16\* The application proposes installing a metal railing around the front porch, including a double-hinged gate at the top of the stairs. Gates on front porches are atypical in the historic district. A photo of a gate enclosing the front porch is shown at 1012 W Cabarrus Street; however, this gate was not approved with a COA. A detailed drawing of the proposed metal railing was provided.
- 17\* A new rear porch is proposed to include wood columns on wood decking. Stairs for the rear porch and side entry are proposed to be wood. The ceilings of both the front and back porches are proposed to be wood beadboard painted to match the trim.
- 18\* A gas fireplace is proposed on the south wall of the rear porch. It appears to be clad in the same siding as the rest of the addition. There are no detailed drawings of the fireplace and its side profile does not appear in the right/east elevation drawing. It is in an inconspicuous location.
- 19\* New asphalt shingle roofing is proposed for the existing house, the addition and the front porch. Specifications were provided.
- 20\* The applicants propose to remove vinyl siding from the original house and to repair and paint the original siding underneath. It also indicates that if the wood siding is found to be too damaged it may be replaced with smooth-faced fiber cement siding. Using fiber cement siding to replace wood siding on a historic house has not been found to meet the *Design Guidelines*.
- 21\* The addition is proposed to be clad in smooth-faced fiber cement siding to match the existing wood siding.
- 22\* During the proposed removal of vinyl siding from the original house the applicants propose to repair and paint the original trim underneath. The application indicates if the wood trim

is found to be too damaged it may be replaced with a composite replacement trim. Using composite trim to replace wood wood trim on a historic house has not been found to meet the *Design Guidelines*. Using cellular PVC sills was found to meet the *Guidelines* and is now routinely approved when sills are shown to be deteriorated beyond repair.

23\* Soffits are proposed to be smooth-faced fiber cement, although it is unclear from the application if this material is intended to replace the existing soffit material. Using non-wood soffits on a historic house has not been found to meet the *Design Guidelines*. The existing front door is not historic, according to the application. It will be moved to the side entry and replaced with a custom wood door with a ¾ lite. Specifications for the door were not provided, nor was the stain color.

24\* New doors for the addition are proposed to be aluminum-clad wood doors with 12 lites. Specifications were provided.

25\* Proposed window changes include:

- a. Removing the double-hung window on the right/east side of the addition that is being removed, and installing it in an enlarged opening adjacent to an existing window on the left side of the same façade;
- b. Removing the small four-over-one double-hung window on the left/west side under the gable vent and replacing it with a new six-lite wood awning window. Removing an existing window and replacing it with a smaller unit has rarely been approved for a side façade in the historic district. However, the removal of the lower sash of windows similarly located (side façade at the rear) has been approved and is routinely approved as a Minor Work by staff.;
- c. Drawings appear to show removing a pair of double-hung windows on the left/west side and replacing them with the same.

26\* Original windows are to be repaired and painted. The predominant windows on the addition are wood double-hung six-over-one units with true divided lites, appearing to match the sizes of the original windows. Five smaller wood double-hung six-over-one windows are proposed, as well as two six-lite awning-style windows on the west façade. Window specifications were provided.

27\* The eave, fascia and rake details of the addition are proposed to match the original.

28\* Paint swatches were provided.

29\* Gutters and downspouts matching the original are proposed to be installed on the addition and new front porch.

30\* No details were provided for exterior lighting.

31\* A tree on the adjacent property was not shown on the plot plan.

C. Removing and replacing a front walkway and driveway are not incongruous in concept according to *Guidelines* 1.3.2, 1.3.4, 1.3.9, 1.5.3, 1.5.4, and the following facts:

- 1\* The proposal includes removal of the front walkway that leads from the sidewalk to the front porch, as well as a walkway that branches off it leading to the west side entry.
- 2\* The application requests replacement of the original front walkway that connects the sidewalk to the front porch, as well as installation of a new walkway connecting the

driveway to the main front walkway. A third walkway is proposed to connect the new driveway with the new side entry.

- 3\* The proposal includes replacement of the existing driveway apron and existing ribbon driveway with a concrete ribbon driveway that is 50' in length. It is longer than the original driveway shown on the existing plot plan drawing.
- 4\* Both the walkways and driveway are proposed to be concrete although no description of the finish was provided.

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

### DECISION ON THE APPLICATION

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

1. That tree protection fencing be installed prior to construction and remain in place for the duration of demolition and construction.
2. That the front porch foundation, stairs and wing walls be brick to match the house.
3. That the existing unpainted brick foundation not be painted.
4. That a gate enclosing the front porch not be installed.
5. That should the applicant find that more than 50% of the wood siding underneath the vinyl siding needs replacing the applicant will stop work and consult with RHDC staff to determine the appropriate next step.
6. That should the applicant find that more than 50% of the soffit material underneath the vinyl cladding needs replacing the applicant will stop work and consult with RHDC staff to determine the appropriate next steps.
7. That the driveway and walkways be water-washed concrete.
8. 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 the tree on the adjacent property with tree protection measures.
9. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
  - a. Front porch foundation, stairs and wing walls;
  - b. Specifications for front door and stain color swatches from paint manufacturer;
  - c. Exterior lighting including locations on the building.

The motion was seconded by Mr. Fountain; passed 5/1.

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

Certificate expiration date: 10/25/19.

Staff Contact: Melissa Robb, [melissa.robbs@raleighnc.gov](mailto:melissa.robbs@raleighnc.gov)

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0033-2019 308 S BOYLAN AVENUE

Applicant: LAURIE JACKSON

Received: 3/13/19

Meeting Date(s):

Submission date + 90 days: 06/11/19

1) 04/25/2019 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: BOYLAN HEIGHTS HISTORIC DISTRICT

Raleigh Historic Landmark: THE BOYLAN MANSION

Zoning: HOD-G

Nature of Project: Construct rear addition; install wheelchair lift; alter balcony railing; install new balconies; replace columns

DRAC: An application was reviewed by the Design Review Advisory Committee at the April 1, 2019 meeting. Members in attendance were Jenny Harper, Mary Ruffin Hanbury, and Sarah David; also present were Laurie Jackson and David Maurer, architects; Sara and Jeff Shepherd, property owners; and Collette Kinane and Tania Tully, staff.

Staff Notes:

- COA cases mentioned are available for review.

Conflict of Interest: None noted.

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 an addition;  |
| 2.8             | Entrances, Porches, & Balconies | Replace a balcony railing; install new balconies; replace columns |
| 2.11            | Accessibility, Health, & Safety | Install a wheelchair lift   |
| 3.2             | Additions                       | Construct an addition; install a wheelchair lift                  |

PUBLIC TESTIMONY

Staff Introduction: Collette Kinane [affirmed] showed the location of the property on the map and photographs of the site. She noted that this COA is a new application separate from the site work approved during February’s COA hearing.

Support:

Laurie Jackson [affirmed] was present to speak 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. Thiem thanked the applicant for the new tree protection plan that reflects what was discussed at the last hearing for the site-related change. He asked the applicant to relocate the tree protection fencing that is currently shown in the parking lot area and to remove the other trees from the plan that have been approved for removal. Mr. Thiem instructed the applicant to work with staff to find a solution. He stated that some of the work area looks to be getting close to Pine trees. He also noted that a new walk that will go from house to Boylan Avenue was approved. The walk should be added to the tree protection plan so that they can see the potential impact on trees and the tree protection fencing shown on either side of the walk. Mr. Thiem stated that the plan calls for 12 inches of mulch, but we've usually said 6-8 inches is enough, he recommended reducing to that amount. He also mentioned that the plan includes a note indicating approval by the Urban Forestry staff. He would prefer it to say that it needs to be approved by RHDC. Ms. Jackson noted the recommendations and stated that they retained a landscape architect for the project.

Mr. Dunn asked how closely they planned on matching the railing to the Juliet balcony at the Barracks. Ms. Jackson responded that they visited the site and have very detailed photographs. The end result will be based on recommendations here and with tax credit paperwork and requirements in mind. They will create detailed drawings and work with a local foundry to craft something custom. It may not be an exact replication, but closer to the neighborhood of what the architect would have used originally. The new guardrails on the east elevation are proposed to blend in and not be noticeable – simple, square, and not ornate.

Mr. Fountain stated so tourists could tell difference with a bit less detailing.

Mr. Davis asked about the proposed Juliet balcony on left side. The application indicates that it was there in 1967. Ms. Jackson responded yes, there are some ghost markings on the masonry.

Mr. Davis added that while on the site he noticed a few brick wall mock-ups. Ms. Jackson stated that those were constructed for the chimney work that was approved in the last application. They attempted to match color and texture. They plan to match the existing brick used in the previous addition to match new brick in terms of color, texture, and tooling to match.

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]:

It meets the Design Guidelines. The addition does not detract from the original house. It is smaller, distinct, and under the roof line. [Davis]

I agree. [McAuliffe]

I agree also. [Thiem]

## 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 1-16) to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Constructing an addition; installing a wheelchair lift; replacing a railing; installing new balconies; and replacing columns are not incongruous in concept according to *Guidelines* 1.3.1, 1.3.2, 1.3.6, 1.3.7, 1.3.8, 1.3.9, 2.8.1, 2.8.5, 2.8.6, 2.8.10, 2.11.1, 2.11.2, 2.11.3, 2.11.5, 2.11.8, 3.2.2, 3.2.4, 3.2.5, 3.2.6, 3.2.7, 3.2.8, 3.2.9, 3.2.11, 3.2.12; and the following facts:
- 1\* The National Register of Historic Places nomination for Montfort Hall describes the relationship of the house to its site as: "The siting of Montfort Hall is still impressive, for it stands amid a one-acre plot of land on the highest elevation for some distance around. From this vantage point, once located in a semi-rural area but now surrounded by early twentieth century development, Montfort Hall overlooks the immediate neighborhood of Boylan Heights...This siting recalls Montfort Hall's proud role as one of a series of luxurious suburban mansions built shortly before the Civil War for Raleigh's wealthy families."
  - 2\* A previous approved application (COA-0013-2019) included the removal of trees, removal of a portion of fence in the rear yard, reconstruction of the chimneys, and the installation of walkways and parking areas.
  - 3\* The application proposes the construction of a second story rear addition on top of an existing addition. A new two-story stair tower and covered entry with wheelchair lift will replace an existing wooden stair and lift. Lift details were not provided.
  - 4\* The addition will be clad in wood siding to match the existing addition on the south facade. It features a low slope roof that meets the historic structure below the decorative entablature.
  - 5\* The rear is a traditional location to add onto a house.
  - 6\* The eave is proposed to match the existing on the south addition. Neither detailed drawings nor close-up photos of the existing eave were provided.
  - 7\* The proposed fenestration of the addition matches the rhythm and proportion of the historic house. Window specifications were provided. Trim and casings are proposed to match existing on south addition. Detailed photos were not provided.
  - 8\* The application includes the following built **area** to open space analysis: The lot is 43,623 SF. The existing built area is 5,560 SF, or 13%. The approved built area (which includes the walkways, parking areas, and site changes from COA-0013-2019) is 9,279 SF, or 21%. The addition proposed in this application adds 502 SF to create a built area of 9,781 SF, or 22%. This is an increase in built area of 9% total.
  - 9\* The application does not distinguish between built mass and built area. However, the proposed first floor plan and side elevation drawings illustrate the diminutive size of the proposed new stair tower in comparison with the historic house.
  - 10\* The applicant provided photographs of other rear additions to properties in Boylan Heights.

- 11\* The application proposes the repair of the Juliet balcony on the east façade. The existing railing is proposed to be removed and replaced with a decorative railing that is based on the railings present on The Barracks, a property in Tarboro designed by the same architect.
- 12\* A new Juliet balcony is proposed for the north elevation. This balcony is based on documentation of the property from 1967 that indicates a balcony previously existed in the same location. Detailed drawings were not provided.
- 13\* A walk-out balcony with a new French door is proposed for the west façade on the previous addition. Detail drawings were not provided.
- 14\* The application also proposes the restoration of the columns on the north and south porches. The extant columns are non-historic PVC piping with concrete bases. The applicant proposes replacement with 10" wood columns, capitals, and bases.
- 15\* Details were not provided for the following proposed changes:
  - a. new entry doors for the rear entry.
  - b. new painted steel handrail and guardrail for the front entryway and porches
  - c. decorative steel security gate for the west façade.
- 16\* Phase 1 of the tree protection plan was provided.

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

#### Decision on the Application

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

- 1. That a tree protection plan be implemented and remain in place for the duration of construction.
- 2. That details and specifications for the following be provided to and approved by staff prior to construction or installation:
  - a. Balcony railing details;
  - b. New Juliet balcony detail drawings;
  - c. Walk-out balcony detail drawings;
  - d. Detail photos of trim and casings to be matched;
  - e. Wheelchair lift specifications;
  - f. Painted steel handrail and guardrail specifications;
  - g. Decorative security gate specifications;
  - h. French door specifications and section;
  - i. Rear entry door specifications and section;
  - j. Eave details;
  - k. Revised tree protection plan.

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

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

Certificate expiration date: 10/25/19.

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

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0034-2019 517 S BLOUNT STREET

Applicant: MEGAN TOMA

Received: 3/13/19

Meeting Date(s):

Submission date + 90 days: 06/11/19

1) 04/25/2019 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: PRINCE HALL HISTORIC DISTRICT

Zoning: HOD-G

Nature of Project: Construct rear stair and roof deck; construct egress area; install 6’7” fence; construct front ramp; restore storefront; remove bars from windows; install new window and door; install rear garage door; install new mechanical units; change paint colors

DRAC: An application was reviewed by the Design Review Advisory Committee at the April 1, 2019 meeting. Members in attendance were David Maurer, Jenny Harper, and Mary Ruffin Hanbury; also present was Megan Toma, architect; and Collette Kinane and Tania Tully, staff.

Staff Notes:

- COA cases mentioned are available for review.

Conflict of Interest: None noted.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

| <u>Sections</u> | <u>Topic</u>                    | <u>Description of Work</u>  |
|-----------------|---------------------------------|---|
| 1.1             | Public Rights-of-Way & Alleys   | Construct front ramp  |
| 1.3             | Site Features and Plantings     | Construct rear stair; install fence; construct egress area                      |
| 1.4             | Fences and Walls                | Install fence   |
| 2.7             | Windows & Doors                 | Remove bars from windows; install rear garage door; install new window and door |
| 2.9             | Storefronts                     | Restore storefront; remove bars from windows                                    |
| 2.11            | Accessibility, Health, & Safety | Construct front ramp  |
| 3.4             | Non-Residential Additions       | Construct roof deck and rear stair  |

PUBLIC TESTIMONY

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

Support:

Megan Toma [affirmed] was present to speak in support of the application. Ms. Toma stated that she is the architect on the project and thinks the staff suggestions are good points. She provided specifications of the proposed windows.

Opposition:

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

Responses and Questions:

Mr. Fountain asked the applicant to discuss the deck and fence. Ms. Toma stated that she stepped the deck back slightly and reduced the visibility of the railing. She stated that she wanted to add plantings on the rooftop deck. The deck is recessed 2' from the sides and 4'8" from the front façade. The proposed stair addition on the rear of the building is for access to the rooftop deck. The fence can definitely be lowered to 6' as staff recommended. The pavement modification on the front is to provide ADA accessibility. Ms. Toma stated that she has spoken with staff from Development Services and Right of Way about the ramp and no railing will be required.

Mr. Fountain asked the applicant if a rendering of the visibility of the deck was provided. Ms. Toma responded that it was included on page 26 of the application. The railing recedes and the brick façade is dominant. From across the street pedestrians can see people on top of the deck. It is not visible from directly in front of the building.

Mr. Fountain asked where the photo was taken that the rendering is based off of. Ms. Toma answered that it was from the side walk across the street.

Mr. Davis asked how far the rooftop deck could be pushed back. Ms. Toma responded that it would likely be a maximum of 6'.

Mr. Dunn clarified that railing was intended to be seen. Ms. Toma said yes, they wanted to be able to see activity on the roof. Mr. Dunn added that the design was intended to draw the eye. Ms. Toma agreed and noted that the mechanical units are proposed to be located under the stairs at the rear, not on the roof.

Mr. Thiem stated that on the tree protection plan a stippled area is noted along the north property line to square block stippled area. He asked if this was an area of rescue assistance. Ms. Toma responded yes, that is exactly what it is. The building is on a long narrow lot and a second egress point is required. It must be located 50' away from the building or they must modify the street front. Mr. Thiem stated that there isn't a material listed for the stippled area. Ms. Kinane responded that it is noted on page 14, in the area closest to the building.

Mr. Thiem asked if the applicant was sure that this material is approved for that type of egress. In his experience gravel has not been an acceptable solution – it must be a hard, ADA accessible surface. Ms. Toma responded that, according to the people who she has talked to, decomposed granite would be okay. Mr. Thiem added that, especially with decomposed granite, wheelchairs tend to dig in. The proposed rendering of the rear seems to indicate an outdoor dining patio area that is not included on the site plan. The Committee requires hardscapes and he has concern about the seating area being a gravel surface. This should be an item that returns as a condition to define edges and materials with Staff. Ms. Toma responded that she agrees that it might not be the most accessible surface.

Mr. Davis asked if the planters will be visible from the street. Ms. Toma stated that the planters are more like furniture that could be moved around. Ms. Tully added that Staff suggested that they use non-mounted, non-permanent items so that they'd be considered furniture, not fixtures.

Ms. McAuliffe asked if the intention was to create a green screen. Ms. Toma responded that the particular image Ms. McAuliffe is referencing was intended for the fence.

Ms. McAuliffe stated that she believes some of the elevations are mislabeled. North is labeled as South. Some of the notes and renderings were unclear. It appears as if the proposal is for scuppers with no downspouts. Ms. Toma responded that she was thinking more of overflow scuppers with the internal gutters.

Ms. McAuliffe stated that she has concern about the removal of the downspouts, the majority of the water would go into the right of way.

Mr. Thiem added that it was unclear if the primary drains were coming down from the roof or the interior of the building. He asked if the building was cavity masonry or solid. He expressed concern over the lack of clarity about the drainage. Ms. Toma responded that the construction is cavity because of the CMU. She sees two options: the scuppers could be the main drainage or, if needed, she could remove some and add interior drainage.

Mr. Thiem stated that he is concerned about where the drainage will occur that that it is hard to approve if the request is unclear.

Ms. McAuliffe stated that she thinks retaining the downspouts would be better. Ms. Toma responded that would be an acceptable solution. They will keep the front downspouts on both sides. Ms. Tully responded that would be a good condition and that it is easy to find replicas.

Ms. McAuliffe asked about the large opening on the side and the use of aluminum storefront glass. Ms. Toma responded that they want to keep with the spirit of the industrial look; but also did not want to replicate exactly. They are planning on installing a storefront aluminum window of same sill and head height. Ms. Tully added that in a staff conversation the possibility of adding a metal panel below would eliminate the challenge of filling in the opening with concrete block. Ms. Toma stated that would be a great solution.

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]:

Are there any comments or questions? [Fountain]

We need to define how far back to set the rooftop deck. [Davis]

I'm ok with 4'. [Dunn]

You can disagree with staff's comment and leave it as proposed. [Tully]

I understand the reasoning for the proposal. Historically, it would have never had activity on the roof top. [Davis]

#### 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 findings A. (inclusive of facts 1-17) and B.

(inclusive of facts 1-13) to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Constructing rear stair and roof deck and the installation of mechanical units are not incongruous in concept according to *Guidelines* 1.3.1, 1.3.2, 1.3.6, 1.3.7, 3.4.3, 3.4.4, 3.4.5, 3.4.6; however, the setback of the roof top deck is incongruous according to *Guidelines* 3.4.3, 3.4.6, and the following facts:
- 1\* The building is identified in the South Person/South Blount Historic Overlay District report as a 1945 contributing structure. It is a "one-story concrete block commercial building with brick facing, shed roof with parapet, double entries, and barred display windows and doors with transoms."
  - 2\* The Special Character Essay for Prince Hall states "While most streets in the district are predominantly residential, commercial and institutional buildings are also present, including some landmarks of local African American history. South Blount Street in particular is essentially a commercial corridor within the neighborhood."
  - 3\* The application proposes the installation of a roof top deck and access stair.
  - 4\* The roof top deck is proposed to sit on the roof of the historic building, have a metal railing, and have a metal stair added to the rear for access; no character defining historic features will be impacted.
  - 5\* The application notes that the roof deck utilizes a pedestal system to float over the roof structure. An unlabeled diagram of the pedestals was included. The diagram appears to indicate that each pedestal is screwed into the roof through the pedestal base.
  - 6\* The historic building is approximately 14'4" tall to the top of the parapet.
  - 7\* The roof deck railing is not attached to the historic parapet and will extend approximately 2'3" above the parapet.
  - 8\* A rooftop railing was approved in Prince Hall at 216 E Lenoir Street (127-16-CA). The railing was located at the rear of the building and set back approximately 19' from the front facade. This project is still under construction.
  - 9\* The proposed railing is a dark grey/black metal frame with metal wire mesh panels similar to the railing at 20 E Hargett Street (081-12-CA). Specifications and detail drawings were provided.
  - 10\* The railing detail drawing also shows an entity between the railing and the parapet labeled "removable planter;" however, the planter base appears to be mounted to the roof decking using the pedestal system. Unmounted planters are considered furniture and not subject to COA review.
  - 11\* The deck and railing are located on the roof – about 4'8" from the front and 2' from both the north and south facades. A perspective drawing was provided to show the visibility of the railing; however, a sight line illustration was not provided.
  - 12\* The railing on the deck will be visible; due to the materials and height it does not overwhelm the historic building.
  - 13\* The stair is proposed to be constructed of the same material as the proposed railing and fence.
  - 14\* The use of metal with wire mesh allows the addition to differentiate from the historic structure and promotes visibility through the stair addition.

- 15\* New mechanical units are proposed to be located under the stair. The installation of mechanical equipment is typically a minor work item and is included here for administrative efficiency.
- 16\* Photographs of railing precedents were included, but locations were not identified.
- 17\* A tree protection plan prepared by a certified arborist that identifies the species, location, and critical root zones of trees on the property was included. It includes tree protection fencing that appears to accommodate construction activity, laydown areas, and mulched areas.
- B. Restoring the storefront; removing bars from windows; installing a new window and door; installing a rear garage door; constructing a front ramp; changing paint colors; constructing an egress area; and installing a fence are not incongruous in concept according to *Guidelines* 1.1.2, 1.3.1, 1.3.2, 1.4.8, 2.7.1, 2.7.4, 2.7.5, 2.7.9, 2.9.1, 2.9.4, 2.9.5, 2.9.7, 2.11.2, 2.11.3, 3.4.3, 3.4.4, 3.4.5, 3.4.6; however, the height of the fence is incongruous according to *Guidelines* 1.4.8; and the design of an infill window on the north façade is incongruous according to *Guidelines* 2.7.7, 2.7.9, and the following facts:
- 1\* Several details are noted to be repaired and restored on the storefront, including: the brick detailing, windows (including transoms), and the CMU walls (remove paint). A quote for repairing the windows and replacing glass was included.
- 2\* Terracotta coping is proposed to be repaired and reinstalled. The application does not state that the coping will be replaced in kind where deteriorated or missing.
- 3\* Building details noted to be replaced are: scuppers, broken or missing panes of glass, the downspouts, and the front doors. A photograph of an entry door was provided, but specifications were not. Replacement details were not provided.
- 4\* The application proposes the removal of the bars in front of the windows.
- 5\* A door opening that has been blocked off with wood is proposed to be converted into a window. The proposed picture window fills the existing opening. The width of the opening is comparable to the existing windows; however, the location of the opening results in a window that is not in harmony with the existing windows. The proximity of the window to the ground is incongruous and atypical to a historic commercial structure. Window specifications were not provided.
- 6\* The remains of a small metal roof located over the door opening are proposed to be removed.
- 7\* The application includes paint details for the wood windows on the front facade, the masonry, and the new front doors. Paint specifications were provided, but samples were not.
- 8\* A new garage door and rear entry door are proposed for the rear elevation in the location of an infilled window. Partial specifications were provided.
- 9\* The application includes modifications to the public sidewalk to allow for ADA access. A detail drawing was not included.
- 10\* A 6'7" tall metal welded wire fence that is similar in design to the railing was proposed. Photographs and renderings of the fence were provided, but specifications were not

provided. Evidence supporting the congruity of a 6'7" tall welded wire fence in the Prince Hall Historic District was not provided.

11\* Photographs fence precedents were included, but locations were not identified.

12\* A decomposed granite egress area is indicated behind the structure extending into the rear yard. Specifications and details were not provided.

13\* No details or specifications for exterior lighting were included, if any.

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

### Decision on the Application

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

1. That the front of the roof top deck be set back 6'8" from the front parapet.
2. That the proposed window on the north façade match the sill height and dimensions of the existing windows.
3. That the terracotta coping be replaced in kind where it is deteriorated or missing.
4. That the planters not be mounted to the roof deck.
5. That the fence height be a maximum of 6' tall.
6. That details and specifications for the following be provided to and approved by staff prior to issuance of the blue placard:
  - a. Front ramp detail drawing;
  - b. A revised site plan noting egress area specifications and details and including a formal patio area and paving materials;
  - c. Revised site plan with appropriate hard surface;
7. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
  - a. Mechanical equipment specifications and screening details, if not going under the new stair;
  - b. Paint samples;
  - c. Exterior door specifications (front and rear);
  - d. Garage door specifications;
  - e. Downspouts;
  - f. Scupper replacement, if any;
  - g. Exterior lighting, if any.
8. That a tree protection plan be implemented and remain in place for the duration of the project.

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

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

Certificate expiration date: 10/25/19.

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

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0035-2019 410 CUTLER STREET

Applicant: BRIAN LUCY

Received: 03/22/2019

Meeting Date(s):

Submission date + 90 days: 06/20/2019

1) 04/25/2019 2)

3)

INTRODUCTION TO THE APPLICATION

Historic District: BOYLAN HEIGHTS HISTORIC DISTRICT

Zoning: HOD-G

Nature of Project: Replace slate roof with architectural shingles; replace terne roof with membrane; install gutters and downspouts

Conflict of Interest: None noted.

Staff Notes:

- COAs noted in the staff comments are available for review.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

| <u>Section</u> | <u>Topic</u> | <u>Description of Work</u>                                       |
|----------------|--------------|--|
| 2.5            | Roofs        | Replace slate roof with shingles; install gutters and downspouts |

PUBLIC TESTIMONY

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

Support:

Brian Lucy [affirmed] was present to speak in support of the application. Mr. Lucy stated that he consulted with the Century Slate Company. Century Slate is the area's only slate roof specialist, per their marketing. Their opinion was that the slate roof had reached the end of its life and both the membrane and slate require replacement. Even repair would not be possible with the reuse of slate. There are active leaks and replacement is necessary to prevent damage to the underlying structure.

Opposition:

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

Responses and Questions:

Mr. Fountain stated that he is skeptical of replacement. He asked how the request was described to the consulting companies. Mr. Lucy responded that it was his intention to preserve and retain the roof. He did not know the condition. In theory, the slate should last another 60-70 years. However, it requires a full replacement that is not feasible financially.

Mr. Thiem noted the comment in the application from Roofwerks, another company that works with tile and slate roofs. He stated that he has familiarity with this situation due to his own tile roof. He asked if an assessment or estimate was requested from Roofwerks. Mr. Lucy responded yes and the recommendation was the same. He decided against them because the assessor did not include some metal damage in the assessment. He stated that by noting that Century Slate as the area's only slate roof company, he was stating that they are a specialist and only work with slate; as opposed to Roofwerks, which is a generalist.

Mr. Dunn asked Staff to discuss the denials of roof replacement applications noted in the Staff Report under fact 13 and state how far deteriorated the roofs were in those cases. Ms. Kinane stated that 411 and 413 N East street are neighboring properties that were owned by the same applicant. The case for 411 N East was an after-the-fact and the slate had already been removed or mostly removed. The COA for that case was in response to the violation for removing the roof and at the same time they applied for 413 N East. From her recollection of the application materials, no assessments by a professional were provided that noted the condition of the roof so there was no evidence that the roofs were deteriorated beyond repair. Ms. Tully added that what's different here is the wide array of caulking and random repair work that would make replacement difficult.

Ms. McAuliffe asked if the roof could be replaced in sections. Mr. Lucy responded that the original underlayment is organic and deteriorated. The whole roof would need to be removed in order to make the necessary repairs and would make sectional replacement extremely difficult.

Mr. Fountain asked about a previous case on Elm Street. Ms. Tully stated that it had been the previous case mentioned on N East Street.

Mr. Thiem asked about another example in Boylan Heights where the slate was repaired on the street facing sides only. Ms. Tully responded yes at the corner of Boylan and Cabarrus. She stated that the particular issues of that one was the applicant wanted to construct a sunroof and couldn't do so with slate. She reminded the Committee that if they do approve this with conditions, a condition to keep some of the other distinctive features, like the metal ridge and finials, could be added.

Mr. Thiem asked if there are replica slate tiles that are created from other materials like the composites that are used to replace wood. Ms. Tully responded that she is not aware of any imitation slate tiles that are of a high enough quality and similarity. Ms. Kinane added that, in her research, the existing imitation options are too thick or too thin. Slate roofs are also regional in terms of cut and thickness so there is no one good imitation product.

Mr. Rasberry cautioned the Committee to be cautious about the weight given to consultant opinions without an official document or in person testimony. It could be considered hearsay.

Mr. Davis asked what the Committee would need in order to make the information not be hearsay. Mr. Raspberry responded that it would be better to have the expert to testify in person.

Mr. Fountain stated that short of cross examination, he's unclear if all the information is being conveyed to the Committee. He is of the opinion that removing the slate would radically transform the character of the house and the Committee needs to think through this decision.

Mr. Thiem stated that this situation is similar to his own house and past experience with deteriorated roof conditions. The typical failure is in the connectors not the tiles themselves. He stated that it is worthwhile to consider that when you purchase a home with slate or tile roofs, the financial burden is something you need to be aware of. It should be seen as a long-term investment—something that will benefit future homeowners of the house.

Mr. Fountain stated that he agrees and is sympathetic. He asked if there were any other comments.

Mr. Lucy stated newer, synthetic slate hasn't been time-tested. He asked if there were any specific questions.

Mr. Davis asked if he could have an expert come in? Mr. Lucy responded that the likelihood that someone not being paid for the work to come in and speak would be low. He stated he would ask, but did not expect any to agree.

Ms. Tully asked the Committee if the question is about the condition of the slate or about the quality of the underlayment and replacement options.

Mr. Thiem stated it was about the underlayment. He discussed the futility of having questions about the covering if the underlayer is the issue and the covering will have to be removed to fix the underlying issues.

Mr. Fountain closed the public testimony portion of the hearing.

#### Committee Discussion

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

At this point, I will not support the elimination of slate roofs. [Fountain]

Yes, but this is a big issue for homeowners and he should have a chance to speak with others. I think we should defer. [Thiem]

I agree. [Dunn]

How many days? [Fountain]

Let him come back when he's ready. [Tully]

#### Decision on the Application

Mr. Theim made a motion to defer the application. The motion was seconded by Mr. Dunn; passed 5/0.

Mr. Fountain instructed the applicant to take this time to think; that this isn't just about the individual case at hand, but it's a larger precedent setting decision.

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

Staff Contact: Collette Kinane, [collette.kinane@raleighnc.gov](mailto:collette.kinane@raleighnc.gov)+0

**OTHER BUSINESS**

1. Committee Discussion
  - a. Meeting Post-Mortem
  - b. Update on demolition delay cases;
    - i. 057-18-CA (611 N East St)
    - ii. 107-18-CA (504 E Jones St)

**ADJOURNMENT**

8:06 p.m.

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

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