

**RALEIGH HISTORIC DEVELOPMENT COMMISSION**  
**CERTIFICATE OF APPROPRIATENESS COMMITTEE**  
Minutes of the Meeting  
June 27, 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; Marilyn McHugh Drath; Francis P. Rasberry, Jr., Attorney

**Approval of the May 23, 2019 Minutes**

Mr. Davis noted that case COA-0051-2019 at 400 Kinsey St had an incorrect list of committee members. Staff noted the need to correct the record. Mr. Thiem moved to waive the reading of the minutes for the hearing and to adopt said minutes as modified. 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>
Mr. Scott Morgan, 412 N East St	yes
Mr. Andy Lawrence, 122 Perquimans Dr	yes
Mr. Travis Bailey, 1024 Dorothea Dr	no

**APPROVAL OF AGENDA**

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

**PUBLIC HEARINGS**

Chair Fountain introduced the public hearing portion of the meeting. The committee heard the following cases in the following order for which the Certified Records are made part of these minutes: COA-0012-2019 and COA-0058-2019.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0012-2019     412 N EAST STREET

Applicant:             SCOTT AND AMANDA MORGAN

Received:             1/16/2019

Meeting Date(s):

Submission date + 90 days: 4/16/2019

1) 2/28/2019     2) 5/23/19     3) 6/27/2019

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: GENERAL HOD

Nature of Project: Master landscape plan; install parking area; install lighting; install gutters and downspouts; alter porch steps; remove two trees; construct rear deck; construct privacy panels

Amendments: The applicants provided new material in advance of the meeting, as well as bringing a tree protection plan to the meeting on June 27.

Conflict of Interest: None noted.

Staff Notes:

- Unified Development Code section 10.2.15.E.1 provides that “An application for a certificate of appropriateness authorizing the demolition or destruction of a building, structure or site within any Historic Overlay District...may not be denied.... However, the authorization date of such a certificate may be delayed for a period of up to 365 days from the date of issuance.... If the Commission finds that the building, structure or site has no particular significance or value toward maintaining the character of the Historic Overlay District or Historic Landmark, it shall waive all or part of such period and authorize earlier demolition or removal.”
- COAs mentioned are available for review.
- The application was deferred at the February and May 2019 COA Committee meetings.

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	Master landscape plan; install parking area; remove two trees; construct rear deck
1.4	Fences and Walls	Master landscape plan; construct privacy panels; remove fencing
1.5	Walkways, Driveways, and Off-street Parking	Install parking area
1.7	Lighting	Install lighting
2.5	Roofs	Install gutters and downspouts
2.8	Entrances, Porches and Balconies	Alter porch steps
3.1	Decks	Construct rear deck

## PUBLIC TESTIMONY

Staff Introduction: Collette Kinane [affirmed] showed the location of the property on the map and provided a recap of the application as it was presented in February and May. She stated the wire mesh railings on the deck should be discussed, and that staff suggested deferral until a tree protection plan is provided.

### Support:

Scott Morgan [affirmed] was present to speak in support of the application. Mr. Morgan handed out a tree protection plan and a photo of the cryptomeria tree being proposed for removal. He reviewed a presentation on the screen which he asserted addressed all of the issues from the staff report. He stated that two trees are proposed for removal, one of which they would be willing to replace if necessary, and that the tree removals were to allow the champion maple to thrive. He asserted that removal of the trees would not significantly impact the overall tree canopy.

Mr. Morgan showed a photo of the proposed wire mesh railing for the rear deck, which would be for two railings, one on each side. Mr. Morgan stated that he realized it may be objectionable to have 9ft privacy panels. He said he didn't realize that the example he had shown in Oakwood did not get a COA. He said they would be happy with foliage, such as a climbing vine or something at that 9ft height to provide some privacy into their living room and master bedroom area.

### 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 updates. He and the applicant clarified the plan to move the fence and gate to side of house. He advised Mr. Morgan that he might want to pay attention to the fairly steep grade. Mr. Thiem clarified the labeling and plan for a walkway and driveway, both the design and materials. Mr. Morgan explained they were proposing poured concrete.

Mr. Thiem asked for clarification about something labeled as "edging existing" on the right side by the garage/storage area. His question was answered by explaining the labeling on the drawing.

Mr. Thiem asked about the parking plan, and stated it was mislabeled on the plan with confusion about the red SUV markers. He suggested that given the dimensions of the alley, the applicant may benefit from moving the low wall a few feet into the yard to allow for safe parking.

Mr. Thiem thanked the applicant for the updated tree protection plan. He asked about the proposal to install a 2ft wall and whether fill dirt would be brought in. Mr. Morgan affirmed that, saying they wanted to get rid of the exiting irregular landscape. Mr. Thiem recommended

providing tree protection on the north side of the property because of the deck construction being within the critical root zone, an issue the applicant could work out with staff.

Mr. Thiem said he was concerned about the brick triangle cutting into the pecan tree roots. Mr. Morgan responded this was where they were getting caught between the RHDC's view and the arborists. He said they would forego that brick area if necessary. Mr. Thiem recommended a raised deck on piers to protect the tree roots. Mr. Morgan responded he would be happy to revisit or adjust the plans.

Mr. Thiem and the applicant discussed the flare shown on the steps of the deck, as well as the use of gravel in a large area in the rear of the property.

Ms. McAuliffe asked to see a picture of the railing again and stated that mesh might be an unusual choice. Mr. Morgan said it was based on advice from their designer as a cost effective and child safe option.

Without objection, Mr. Fountain closed the evidentiary portion of the hearing.

### COMMITTEE DISCUSSION

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

Any other comments on the railing material? [Fountain]

The railing is different, but reminiscent of traditional wire fencing. Sort of a use of old materials in a new way. This mesh isn't out of line with the cable we've approved before. [Davis]

It's like modern chicken wire. [Fountain]

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

### 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 1-20) and B. (inclusive of facts 1-4), to be acceptable as findings of fact, with the modifications and additions as listed below:

A. A master landscape plan, installing a parking area, privacy trellis/panels, and constructing a rear deck are not incongruous in concept according to *Guidelines* 1.3.1, 1.3.2, 1.3.7, 1.3.8, 1.3.9, 1.3.10, 1.3.13, 1.4.8, 1.4.11, 1.5.5, 1.5.6, 1.5.7, 1.5.11, 3.1.1, 3.1.2, 3.1.4, 3.1.5, 3.1.6, 3.1.7; however, removing one healthy tree is incongruous according to *Guidelines* 1.3.5, 1.3.7, 1.5.9 and the following facts:

1\* The structure is included in the "Inventory of Structures in The Oakwood National Register Historic Districts" Raleigh, North Carolina By Matthew Brown, Historian, Society for the Preservation of Historic Oakwood Researched and written from 2004 to 2015. That document describes the house as a c.1888 Victorian triple-A frame cottage that has experienced several additions and restorations – the addition of a kitchen and connecting porch, enclosure of the porch, addition of a side porch and wrap around porch.

- 2\* The property is located mid-block next to a gravel alley.
- 3\* The master landscape plan includes re-grading the rear yard, the installation of a French drain, small perennial and bush plantings, construction of privacy panels; enlargement of a side yard brick patio; and construction of a rear deck.
- 4\* A curvilinear stone edge border is proposed for the front yard around existing beds to the north and south of the front walk. Small grasses and perennial plantings are proposed for the lawn area between the front walk and planting beds.
- 5\* Two trees greater than 8" DBH are proposed for removal – an 11" DBH Cryptomeria and an 11" DBH Hackberry. An assessment on the health of the trees prepared by an ISA certified arborist that identified Critical Root Zones (CRZ) and suggested areas of no disturbance was provided. The assessment indicated that the Cryptomeria is dead and the Hackberry has a side lean. A new report from an ISA-certified arborist was provided at the 6/25/19 meeting; some CRZ calculations were missing for trees along the north property line. Replacement trees were not specified.
- 6\* A site plan showing the locations, DBH, and species of trees on the property was included.
- 7\* To abate water infiltration issues, the applicant proposes the installation of a gravel covered French drain on the north side of the property, in addition to re-grading the rear yard.
- 8\* Gravel ground cover is also proposed for the rear yard around the accessory structures. A photograph was provided that showed gravel at 507 Oakwood, where the gravel was limited to pathways.
- 9\* A 2' tall fieldstone retaining wall with low hedges is proposed to facilitate the re-grading and allow for the installation of the parking area. An elevation and section were provided.
- 10\* The existing topography of the property was provided. A site plan was provided that shows the proposed rear wall overlaid on the existing topography.
- 11\* A photo was provided on page 16 that indicated the stone columns along the retaining wall would be topped with lamps that match the exterior lighting on the front porch. This style of lamp/wall post combination is atypical to Oakwood.
- 12\* Photographs were provided of similarly designed retaining walls in Oakwood: 501 Oakwood Avenue (007-13-CA) and 523 N Bloodworth (165-15-CA).
- 13\* A photograph and dimensions were provided for the proposed privacy trellis/panels in the north side yard. A section drawing and elevation view were not provided.
- 14\* The location of the provided trellis/panels example from 609 Polk Street was not approved through a COA. A 7' tall trellis was approved for the rear yard in 2006 (035-06-CA).
- 15\* The application includes the removal of an existing dirt parking pad and replacement with a paved parking area. Paved parking areas are common along the alley.
- 16\* Applicant testimony at the May 23<sup>rd</sup> COA hearing noted that parking at a 90-degree angle is not possible due to the width of the alley. The applicant is proposing an angled parking pad. Documentation was provided to show that the proposed parking pad could not accommodate more than two vehicles.
- 17\* As part of the parking pad installation, the 6' fence located around the existing parking area is proposed to be removed.
- 18\* A deck is proposed for the rear (east) façade. The height of the decking is 21" from grade on the north side of the deck and 33" from the south.

- 19\* The railings proposed on the north and south sides of the deck are 4" wire mesh. This railing style is atypical to Oakwood but was historically seen in rear yard fencing. Horizontal wire railings have been found to meet the Design Guidelines on rear decks.
- 20\* Built area to open space: The lot is 14,375 SF. The current built area, including the house, walkways, patios, and accessory structures is 3,898 SF, resulting in a built area ratio of 27%. The proposed parking pad, gravel area in the rear yard, and patio extension are 1,894 SF, with a total SF of 5,792 SF. The proposed built area ratio is 40%, an increase of 13%.

- B. Installing lighting, installing gutters and downspouts, and altering the front steps are not incongruous in concept according to *Guidelines* 1.3.1, 1.3.2, 1.3.7, 1.4.8, **2.5.8**, 2.8.1, and the following facts:
- 1\* Exterior lighting, gutters and downspouts, and alteration of steps are minor works that are included here for administrative efficiency.
  - 2\* The applicant proposes to install recessed lighting on the front porch. Specifications were provided, but specific installation locations were not provided.
  - 3\* Gutters and downspouts are proposed for the north and south facades and will match the existing. Installation locations were provided.
  - 4\* The applicant proposes to install a brick veneer to the concrete steps of the front porch using reclaimed or matching brick from the property. The brick will match the existing brick walk and foundation. Specifications were provided.

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

#### DECISION ON THE APPLICATION

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

1. That there be no delay for the removal of the two trees;
2. That the retaining wall not have lighting on top of the piers.
3. That details and specifications for the following be provided to and approved by staff prior to issuance of the blue placard:
  - a. Tree protection plan with replacement tree specification and location, with adjustments to the plan;
  - b. Privacy panel elevations with dimensions and materials;
4. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
  - a. Recessed lighting locations on the building;
  - b. Deck railings;
  - c. Parking area lighting;
  - d. Fence grade details;
  - e. Changes to the patio detail.

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

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



APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0058-2019 122 PERQUIMANS DRIVE

Applicant: ANDY LAWRENCE

Received: 05/15/19

Meeting Date(s):

Submission date + 90 days: 08/13/19

1) 6/27/2019 2) 3)

INTRODUCTION TO THE APPLICATION

Raleigh Historic Landmark: OWEN AND DOROTHY SMITH HOUSE

Nature of Project: Construct rear addition; remove 4 trees

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

Conflict of Interest: Mr. Fountain stated that he spoke to Mr. Lawrence at an event but has no prejudice or bias towards this case.

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

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
1.3	Site Features and Plantings	Construct rear addition; remove 4 trees
1.4	Fences & Walls	Construct rear addition
3.2	Additions	Construct rear addition

PUBLIC TESTIMONY

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

Support:

Andy Lawrence, architect, [affirmed] was present to speak in support of the application. Mr. Lawrence provided new and updated drawings and details that were indicated on the list in the

staff report. The new materials included: an updated description; updated existing and proposed site plan; site sections; floor plans; elevations; letter from an arborist; tree protection details; window and door specifications; and lighting specifications.

Mr. Lawrence stated that he is elated to work on this house. The design is a patchwork of rectangles. The proposed addition is a simplified version to provide a living space and private retreat area. He stated that he did not want the addition to look exactly like the house, but harmonious with the house. The rear location had the least amount of impact on the appearance of the historic house. He noted that during the DRAC review, the main issue was the wall. He initially wanted the addition to be level but recognized that the wall is a special feature and incorporated it into the design. He feels the design is in keeping with the Design Guidelines. Mr. Lawrence described the changes made in each new drawing.

Mr. Theim stated that he had a process related question. He feels that the Committee is moving too fast towards approval without staff comment. Mr. Fountain responded no, he stated at the outset that deferral would be likely. He wanted to give the applicant an opportunity to review changes and ask questions.

Mr. Lawrence continued to note features of the design. He stated that the terrace uses blue stone, which echoes the use in the house. A secondary side door on the corner and window changes were made on the elevations. In regard to the tree protection plan, the access to the house will be off Glenwood Avenue. The Critical Root Zone is shown as the larger root area around the tree, the arborist called it a secondary root zone. He showed the construction path, which was moved slightly to the right of the existing pathway to avoid impacting several large trees. There are four trees shown to be removed in a hatched area on the drawing. The trees were grown after the house was designed and constructed. He continued reviewing drawings with sheet A100 shows a site plan with details on the connector and wall, noting the connection at grade. Large sliders allow the space to be both an inside and outside space. Downspouts are shown on the roof and one skylight is on the rear of the addition. Mr. Lawrence stated that construction fencing is shown as the dashed line and is no wider than needed. Sheet A101 provides a site section showing visibility of the addition from any point of the drive, motor court, or road. On the road, a person would have to stand on top of an 18-wheeler to see the addition.

Mr. Davis asked for the difference in the height of the peak of the addition versus the historic house. Mr. Lawrence responded that the peak is about one foot above the chimney. Ms. McAuliffe asked if the addition could be seen from the right. Mr. Lawrence stated no, the addition is blocked by the house and thick vegetation. Mr. Fountain asked about the left side where the grade changes. Mr. Lawrence stated that area is the only formal graded lawn space. The drawing at top show the row of windows that were Smith's offices. Mr. Lawrence stated that the rest of the landscape is naturalistic. The addition is two bedrooms - a master and a guest. The windows are aluminum sliders. To alter the historic house, a divider wall will be added and the location of the existing windows will be used as access. Sheet A111 shows more

detail on the bridge wall with steps and the bluestone. He stated that he added notes and material specifications. The ashlar stone veneer will match the house, not the stone wall. They plan to excavate close to the wall and hand excavate to the edge of the wall itself. The goal is to remove the hydrostatic stress and provide drainage. Mr. Lawrence stated that they are leaving the existing gutter profile. Only 14' of the addition roof contributes to the existing gutter. He also noted the change in window size and style, the previous ones included in the submission were too small and too like the historic windows.

Mr. Fountain asked, on sheet A900, how much taller is the peak of the addition to the peak on the front elevation. Mr. Lawrence stated that it's taller. He does not know the exact height. It steps of the hill like the house does naturally.

Mr. Davis asked how they plan to build around wall. Mr. Lawrence stated that the information is included in the packet. They are excavating around the wall, repointing, and repairing. Adding protecting board.

Mr. David asked about the walls of windows – how does that connect to the wall. Mr. Lawrence stated that it sits on the masonry foundation. Mr. Davis asked if he was using something like a gasket seal. Mr. Lawrence stated that it would need to be water proof. The grout will microscopically expand.

Mr. Thiem stated that he thought the design was cutting through the wall. The design is running up, over, and around the wall. Mr. Lawrence stated that that was correct.

Mr. Thiem thanked Mr. Lawrence for the clarification. He stated that he had several site questions. He estimated a two-foot rise to get to the top of the steps, but the drawings show a 2½' elevation change. There is a continual gradual rise. The south elevation steps up and then drops off. He recommended a more specific grade elevation. Mr. Lawrence stated that he made sure the design in concept meets the Design Guidelines. He asked how far he should take drawings to be comprehensible. There's a lot more work to do before getting to details. He would be willing to bring back modifications to staff. Mr. Thiem responded that the Committee has had previous cases where this has been an issue. He understands the process of construction drawings.

Mr. Thiem asked where the equipment, contractor's trucks, and workers will be parked. Mr. Lawrence responded that they would park in the lot on Glenwood – all loading, turning, and unloading will take place there and then carefully shuttled through the pathway to the laydown area. Mr. Thiem asked about access for concrete trucks. Mr. Lawrence responded yes or by buggy. Mr. Thiem stated that Mr. Lawrence should consider the tree protection. The amount necessary could substantially reduce the footprint to build the addition. Mr. Lawrence stated that he identified the safest route, but it could be modified. Mr. Thiem asked about construction access from the front that is shown on the site plan. Mr. Lawrence stated that it is personnel access. Mr. Thiem stated to utilize mulch in this area and have the tree protection fence on both side of construction access drive. Mr. Lawrence asked about the appropriate thickness for

mulch. Mr. Thiem responded that the Committee usually see 6" and in areas where construction equipment will be used to add plywood. He asked if Mr. Lawrence intends to replant trees that are being removed. Mr. Thiem added that a master landscape plan should be considered to minimize impact and it should be discussed with staff.

Mr. Lawrence stated that he also provided window and door specifications.

Opposition:

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

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

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

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

**OTHER BUSINESS**

1. Committee Discussion
  - a. Meeting Post-Mortem

**ADJOURNMENT**

5:41 p.m.

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

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