RALEIGH HISTORIC DEVELOPMENT COMMISSION
CERTIFICATE OF APPROPRIATENESS COMMITTEE
Minutes of the Meeting
December 12, 2019

CALL TO ORDER
Chair Nick Fountain called the Certificate of Appropriateness (COA) Committee meeting to order at 4:04.

ROLL CALL
Tania Tully, Preservation Planner, called the roll as follows:
Present: Nick Fountain, Jeannine McAuliffe, Travis Bailey
Alternate Present: John Hinshaw
Excused Absence: Jimmy Thiem, Laurie Jackson
Staff Present: Tania Tully; Collette Kinane; Marilyn McHugh Drath; Francis P. Rasberry, Jr., Attorney

Approval of the Agenda
Mr. Bailey made a motion to approve the agenda. Mr. Hinshaw seconded the motion; passed 4/0.

Approval of the November 14, 2019 Minutes
Mr. Hinshaw moved to waive the reading of the minutes for the hearing and to adopt said minutes as submitted. Mr. Bailey seconded the motion; passed 4/0.

Minor Works
There were no questions regarding the Minor Work report.

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

Visitor's/Applicant's Name and Address	Affirmed
Emily Rothrock, 821 Wake Forest Rd, 27603	Yes
Markette Hester, 323 E Cabarrus St, 27601	Yes
Brooke Tate, 115.5 E Hargett St, 27601	Yes
James Troxler, 509 Frank St, 27604	Yes
Craig Bethel, 115.5 E Hargett St, 27601	Yes
Tammy Barry, 1024 W South St, 27603	Yes
Sabastian Duca, 503 Oberlin Rd, 27603	Yes

SUMMARY PROCEEDINGS

There were no objections to the approval of the Summary Proceedings without a public hearing. The committee reviewed and approved the following case COA-0148-2019 for which the Summary Proceeding is made part of these minutes.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – SUMMARY PROCEEDING

COA-0148-2019 1016 W CABARRUS STREET
Applicant: BROOKE TATE FOR MAURER ARCHITECTURE
Received: 10/24/2019 Meeting Date(s):
Submission date + 90 days: 1/22/2020 1) 12/12/2019 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: BOYLAN HEIGHTS HISTORIC DISTRICT
Zoning: GENERAL HOD
Nature of Project: Remove chain-link fence; Install wood and metal fence
Conflict of Interest: None noted.
Staff Notes:

- COAs mentioned are available for review.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	*Topic*	*Description of Work*
1.3	Site Features & Plantings	Remove chain-link fence; Install wood and metal fence
1.4	Fences and Walls	Remove chain-link fence; Install wood and metal fence

STAFF REPORT

Based on the information contained in the application and staff's evaluation:

A. The removal of a chain-link fence and installation of a wood and metal fence is not incongruous in concept according to *Guidelines* 1.3.1, 1.3.9, 1.4.8, 1.4.10, 1.4.11, and the following suggested facts:

1* An addition and some site work were approved in COA-0032-2019. Some chain-link fencing sections have been removed during construction, while others remain extant on the property.

2* *Location:* The applicant proposes removing existing chain-link fencing from the east, north, and west property lines. The replacement fence will be placed in the same location.

3* *Material*: The proposed fence is wood and metal wire mesh, both are traditional fencing materials. The wood components will have a natural finish, the wire will be black.

4* *Height:* The height of the existing fencing was not provided. The application states that proposed fence height is 54".

5* *Configuration*: The proposed fence location is characteristic of the district.

6* *Design:* The proposed fence is comprised of wood posts and frame with a metal wire mesh interior panel. Two gates, matching the fence design, are proposed – one on either side of the front façade. The west gate is 3' wide. The east side proposes an 8' wide double gate at the end of the driveway. Traditionally, fences were constructed with neighbor friendly design, with structural members facing inward; the proposed fence design has the same appearance on each side.

7* The committee has regularly found that privacy fences up to 6′ in height are congruous with the character of the historic districts when installed in rear and side yards (except for corner lots).
8* The design of the fence is similar in appearance to a fence located at 511 Cutler Street. That fence was originally approved through COA 047-98-MW and altered in COA 036-11-MW and 117-11-CA (to increase height to 6′).
9* The application also included examples of other fences located in the historic district, including a different wood and metal wire fence located at 906 W Lenoir St and numerous existing chain-link fences. Chain-link fences are described in the *Design Guidelines for Raleigh Historic Districts and Landmarks* in the Things to Consider As You Plan paragraph of the Fences and Walls section as an "incompatible contemporary material."

Decision on the Application

There were no objections to approval without an evidentiary hearing.

Mr. Hinshaw moved to approve the application, adopting the staff report as the written record of the summary proceeding. Mr. Bailey seconded the motion; passed 4/0.

Committee members voting: Bailey, Fountain, Hinshaw, McAuliffe.

Certificate expiration date: 6/12/20.

Staff Contact: Collette Kinane, collette.kinane@raleighnc.gov

EVIDENTIARY HEARINGS

Chair Fountain introduced the evidentiary 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-0134-2019, COA-0140-2019, COA-0142-2019, and COA-0143-2019.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0134-2019 401 E WHITAKER MILL ROAD
Applicant: SEBASTIAN DUCA FOR DAVIS KANE ARCHITECTS
Received: 10/21/2019 Meeting Date(s):
Submission date + 90 days: 01/19/2020 1) 12/12/2019 2) 3)

INTRODUCTION TO THE APPLICATION

Raleigh Historic Landmark: WAKE COUNTY HOME
Zoning: General HOD
Nature of Project: Remove and reconstruct cupola using synthetic materials; alter exterior stairs on east and north facades
Conflict of Interest: None noted.
Staff Notes:

- Previous COA cases are available for review.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	*Topic*	*Description of Work*
1.3	Site Features and Plantings	Alter exterior stairs on east and north facades
2.1	Wood	Remove and reconstruct cupola using synthetic materials
2.8	Entrances, Porches, & Balconies	Alter exterior stairs on east and north facades
2.5	Roofs	Remove and reconstruct cupola using synthetic materials
2.11	Accessibility, Health, & Safety	Alter exterior stairs on east and north facades

PUBLIC TESTIMONY

Staff Introduction: Collette Kinane [affirmed] reviewed the case and provided photographs of the property and explained that the building in question is just one part of a larger complex. Ms. Kinane shows images that highlight the cupola and stairs and their existing conditions. She stated that staff suggests that the committee discuss the use of synthetic materials for the cupola and the removal of the cheek walls on the stairs.

Support:

Sebastian Duca [affirmed], the project architect, presented the application to the committee.

Mr. Rasberry clarified that Mr. Duca understood he was acting as a fact witness and not as a legal representative for the property owner. Mr. Duca said he understood.

Mr. Duca explained that the owner wanted to replace the wood cupola with synthetic modern materials because it was impossible to maintain the cupola as is because it is located on the highest ridge of the roof with high exposure to sun and rain. He added that there is no direct

access and that maintenance must be done using a ladder to ascend 40 feet into the air. Mr. Duca said there had been some renovations four years ago and the wood already needed replacing. He explained that this was a good opportunity to replace the cupola with modern, synthetic materials.

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

Responses and Questions:

Mr. Fountain inquired if there was a sample of the proposed replacement material. Mr. Duca replied no. Ms. Tully added that staff did not tell the applicant to bring any since the committee has approved the same material in the past. She confirmed with Mr. Duca that the proposed material is fiber cement. Ms. Tully added that it was the same smooth-face fiber cement the committee has approved on additions before.

Mr. Duca explained that the applicant had conducted research at the State Archives to provide images of the building and cupola in 1913. In 1943 there was a major fire that required alterations to the cupola. He said that it meant that the existing cupola doesn't accurately represent the original from 1913. He added that the original cupola included access, but that access was lost after 1943.

Mr. Fountain asked about the renovation from four years ago and what had been done. Mr. Duca explained that they checked each component and attempted to repair or replace those components that were in bad condition. They painted but did not perform a serious renovation; just enough to keep it going for some time.

Mr. Fountain asked if they were proposing to replace this cupola precisely or the one that was lost in 1943. Mr. Duca responded that they were going to replace the current cupola, the replacement.

Mr. Fountain asked if Mr. Duca knew anything about the front face being clad and painted white, stating that it was pretty unattractive. Mr. Duca replied that he did now know what those alterations were or when they were done. They were not done in the last five to six years.

Mr. Fountain asked if there were other questions.

Ms. McAuliffe clarified that they replacement they were discussing was smooth finish. She asked Mr. Duca if he said textured and it wasn't clear from a distance. Mr. Duca replied that it will be smooth face.

Mr. Bailey asked about the maintenance on the current cupola that was reconstructed in 1943 and what they had done to keep it up. Mr. Duca said that there were not complete records, likely painting, but only if the owner rented a lift to access the space. He explained that he only knew details about the renovation from 2015.

Mr. Fountain asked Ms. Tully when it was designated a historic landmark. Mr. Duca replied 1990 or 1991. Mr. Fountain asked about the community center in the back of the property. Ms. Tully answered that all of the property was not within the landmark boundary.

Ms. McAuliffe said she wanted to talk about the stairs for a moment. Were they original? Mr. Duca replied that they were original or close. Mr. Hinshaw asked if the railings were added later. Mr. Duca said yes. Ms. McAuliffe said she understood the railings were code driven, but why change the design. Mr. Duca explained that the stairs in question on this application are not exposed to any public area, only the parking lot. The reason for their proposed changes is due to the cheek walls being built very close. They need space to add the railings for code. Keeping the check walls won't leave space.

Ms. Tully added that other components of the application were approved as minor works. There are only two elements they wanted to bring to the committee.

Mr. Fountain added that it looked like the platform outside door had been built up 8 inches. Mr. Duca answered yet the platform was built at a different height than the rest of the risers. The problem is most obvious on the east side, but the stairs themselves are also in bad shape.

Ms. McAuliffe asked if it was an option to just replace the railing to bring up to code. No tuck-pointing. That the code says you can leave something not to code if you don't touch it. She asked if Mr. Duca could tuck-point those or if he was suggesting that they were not repairable. Mr. Duca expressed his concern that if they don't fix them then the officials will check the drawings and require them to be brought up to code. Ms. McAuliffe asked whether he knew that for sure. Mr. Duca replied no, his answer was based on experience.

Mr. Fountain asked if there were other questions.

Ms. McAuliffe said that they could rebuild them as currently designed to bring up to code. Mr. Duca replied that they wouldn't be consistent then.

Mr. Fountain asked if there were any other questions.

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

COMMITTEE DISCUSSION

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

I'm concerned that we're not looking at all the stairs. That we should be concerned with preserving the historic integrity of the building and it being chopped up. [Fountain]
I'm concerned about how often the stairs are used and whether it's an accessibility issue. [Hinshaw]
I have concerns in that the stairs should match the others. [McAuliffe]
I'm also concerned with the building getting hacked up and retaining integrity. [Bailey]

The character of the cheek walls seems like something we'd want to keep and rebuild so that the stairs stay in that design. [McAuliffe]
I think the use of fiber cement board here is appropriate. [McAuliffe]
If I may? If you decide to approve, you can add a condition that staff reviews the details of the new stair design. [Tully]

With no objection from the Committee, Mr. Fountain closed the committee discussion portion of the meeting.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Mr. Bailey moved that based on the information contained in the application and materials in the evidentiary hearing, the Committee finds staff findings from the Staff Report A. (inclusive of facts 1-11) and B. (inclusive of facts 1-7), to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Reconstructing a cupola is not incongruous in concept according to *Guidelines* section 2.1.1, 2.1.4, 2.1.5, 2.5.1, 2.5.4; and the use of synthetic materials **is not** incongruous according to *Guidelines* section 2.1.4, 2.1.5, 2.5.4; and the following facts:

1* The Ordinance (04/02/1991) designating the Wake County Home a Raleigh Historic Landmark describes the elements of the property that are integral to its historical, architectural, archaeological significance as: "The exterior of the large, E-plan, brick, 1913-14 Classical Revival-style County Home, designed by architect Charles E. Hartge, including the building, landscaped front and side yards, and landscape features, including walks. lawns, the semi-circular front drive, rear parking lot, and other appurtenant features, and trees and other mature plant materials within the approximately six acres."

2* The Raleigh Historic Property Designation Application and Report mentions the cupola briefly, stating: "The central entrance pavilion roof is also topped by a large wood and sheetmetal square, louvered cupola with a hipped roof."

3* The application proposes the removal of the existing cupola and replacement with a reproduced version using synthetic materials.

4* Due to the height of the cupola, 40 feet above the ground, and the lack of access to the roof, it is difficult to provide an accurate assessment of the cupola's current condition.

5* Photographic evidence provided by the applicant shows evidence of peeling paint, wood rot, and joint separation. The photographs were taken prior to 2015, thus the current condition is unknown.

6* No information is provided to indicate that the cupola in its entirety is irreparable and that the individual components require replacement.

7* The application includes the following information and statements to support the assertion that repairing or replacing the cupola in-kind would be technically infeasible:
    a. The "impossibility" of completing the routine maintenance that a painted wood cupola requires;
    b. Constant full exposure to weather conditions; and
    c. Short lifespan of modern wood products.

8* The Committee has previously approved the use of synthetic material as a replacement for wood on a historic building for the following features: column capitals and bases, window

sills, and siding when located close to the ground. The approved features are typically in locations with frequent or constant exposure to weather and sun.

9* The application indicates that the cupola was most recently "renovated" in 2015. A description of the extent of work completed was not provided.

10* The application includes photographic evidence showing that the cupola has been altered over time and was changed to its current simplified design after the Landmark's period of significance (1913-1914). The original cupola was destroyed by fire in 1943. When the roof and cupola were rebuilt, the design was changed substantially to its current appearance.

11* The application asserts that "The current Cupola is simplified and it doesn't reflect the historical significance of the original style."

B. Altering exterior stairs is not incongruous in concept according to *Guidelines* section 1.3.1, 1.3.3, 2.8.1, 2.8.5, 2.11.1, 2.11.2, 2.11.3; however, the removal of the cheek walls from the exterior stairs **is** incongruous according to *Guidelines* section 2.8.1, 2.8.5, 2.8.8; and the following facts:

1* The application includes the alteration of exterior stairs at the north and east entrances.

2* A minor work COA (COA-0133-2019) was approved for the alteration of the other exterior stairs on the property.

3* The two stairs included in this application were determined by staff to be a substantial change that would require review by the Committee due to the visibility of the stairs.

4* The proposed changes include the installation of new handrails and alterations to the steps to improve uniformity in size and dimension.

5* The alterations are proposed to bring the building into current code compliance and improve accessibility.

6* The alterations to the stairs also include the removal of the existing cheek walls. The necessity of the removal of the cheek walls is unclear, as the drawings appear to indicate that the width and handrail location will be remaining the same.

7* The historic nature of the exterior stairs is unknown. The photographs provided for the alterations of the cupola do not show either of the entries that are proposed to be altered. The evidence does show that the main entryway has brick cheek walls that appear to be similar to those present at the north and east entrances.

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

Decision on the Application

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

1. That staff review and approve the final design of the cupola prior to construction.
2. That the cheek walls not be removed or that they be rebuilt in kind.

The motion was seconded by Ms. McAuliffe; passed 4/0.

Committee members voting: Travis Bailey, Nick Fountain, Jeannine McAuliffe, John Hinshaw

Certificate expiration date: 6/12/2020.

Staff Contact: Collette Kinane, collette.kinane@raleighnc.gov

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0140-2019 325 POLK STREET
Applicant: MATT ROBERTS FOR MHROBERTS PA
Received: 10/28/2019 Meeting Date(s):
Submission date + 90 days: 01/26/2020 1) 12/12/2019 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: General HOD
Nature of Project: Master landscape plan including: alter walkways; install stone steps; install fence; install patio; install water feature; install new planting beds
Conflict of Interest: None noted.
Staff Notes:

- COAs mentioned are available for review.
- Changing plantings in existing beds is considered routine maintenance and no COA is required.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	*Topic*	*Description of Work*
1.3	Site Features and Plantings	Master landscape plan including: alter walkways; install fence; install patio; install stone steps; install water feature; install new planting beds
1.4	Fences and Walls	Install fence
1.5	Walkways, Driveways, & Off-Street Parking	Alter walkways

PUBLIC TESTIMONY

Staff Introduction: Collette Kinane [affirmed] reviewed the case and provided photographs of the property and described the proposed master landscape plan including the addition of new walkways, plantings, and a water feature. Ms. Kinane explained that staff recommends deferring the application pending the receipt of additional materials.

Support:

James Troxler [affirmed] was present in support of the application on behalf of his aunt and uncle, the homeowners. He welcomed any comments he could take back to the owners. He said he had no presentation, he was there to sit in place of the applicants.

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

Responses and Questions:

Mr. Rasberry asked Mr. Troxler if he understood that he was at the meeting to act as a fact witness and was not acting as a legal representative of the homeowners. Mr. Troxler replied yes.

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

COMMITTEE DISCUSSION

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

Maybe we should defer since the applicant isn't here and since the staff has concerns. [Fountain]
One of the key things we need are the details about the changes to the west side of the yard, especially the stone wall. No photographs were provided. It may be historic. The proposal describes the construction of some steps but it is unclear what that entails and there's inconsistency in the drawings and it's unclear if that's a change to the plans or in error. No built area calculations were included for the patio either. [Kinane]
Yes, we'll want to talk about that front wall. [Fountain]
The water feature seems incongruous. [Hinshaw]
They're often approved but they're in the rear so we don't typically see them. [Tully]

With no objection from the Committee, Mr. Fountain closed the committee discussion portion of the meeting.

DECISION ON THE APPLICATION

Mr. Hinshaw made a motion to defer the application. The motion was seconded by Mr. Bailey; passed 4/0.

Mr. Fountain told Mr. Troxler that he wanted him to hear what they were saying so he could provide information to his aunt.

Mr. Troxler asked if the video recording of the meeting would be made available. Ms. Kinane and Ms. Tully answered that a video link could be provided within a few days of the meeting.

Mr. Hinshaw added that Mr. Thiem will likely want to know about the trophy maple on the lot and its protection when the applicant returns. Mr. Fountain added that the applicants should be prepared for a discussion of the CRZ.

Committee members voting: Travis Bailey, Nick Fountain, Jeannine McAuliffe, John Hinshaw

Staff Contact: Collette Kinane, collette.kinane@raleighnc.gov.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0142-2019 323 E CABARRUS STREET
Applicant: CRAIG BETHEL FOR TIGHTLINES DESIGN
Received: 10/28/2019 Meeting Date(s):
Submission date + 90 days: 01/26/2020 1) 12/12/2019 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: PRINCE HALL HISTORIC DISTRICT
Zoning: GENERAL HOD
Nature of Project: Construct rear addition; remove front porch steps; construct new front porch steps
DRAC: An application was reviewed by the Design Review Advisory Committee at the November 25, 2019 meeting. Members in attendance were Elizabeth Caliendo, Mary Ruffin Hanbury, and Don Davis; also present were Craig Bethel, architect; and Collette Kinane and Tania Tully, staff.
Conflict of Interest: None noted.
Staff Notes:

- Due to the deadline for publication of the staff report, changes to the application as a result of the conversation at DRAC were not able to be submitted in advance. Staff anticipates some design changes will be brought to the meeting.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	*Topic*	*Description of Work*
1.3	Site Features & Plantings	Construct rear addition; remove front porch steps; construct new front porch steps
1.5	Walkways, Driveways, & Off-Street Parking	Remove front porch steps; construct new front porch steps
2.8	Entrances, Porches, & Balconies	Remove front porch steps; construct new front porch steps
3.2	Additions	Construct rear addition

PUBLIC TESTIMONY

Staff Introduction: Collette Kinane [affirmed] reviewed the case and provided photographs of the property from all angles. She explained that staff recommends that the committee discuss the increase in built mass then approve with conditions.

Support:

Craig Bethel [affirmed] presented their application to the committee. Revised drawings were distributed. He was supported by Markette Hester, the property owner. He said they would be happy to answer any questions.

Mr. Rasberry asked them both if they understood they were appearing as fact witnesses only. They both replied yes.

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

Responses and Questions:

Mr. Fountain asked about their reactions to staff comments. Mr. Bethel explained that at the DRAC a few weeks ago, comments were made on how the original structure was being represented. Updated drawings that were just handed out reflect those changes. He explained that they are now planning to keep the west wall and window with the brick veneer and that adjustment reduces the appearance of the length of the addition. Mr. Bethel continued that the calculations needed to be reworded to use the word 'original' instead of 'existing.' He explained they have removed the detached shed from the calculations. He said he understood original—when used in these calculations---to mean original to the period of significance. Based on these new calculations and adjustments it brings the built mass figures down. He said that a lot of the adjacent lots have been through COA approval and have been approved with a much higher built mass ratio than what they are proposing.

Mr. Fountain asked about the black zig zag line and what it represented. Mr. Bethel explained that was the deck. Ms. Tully responded that Mr. Fountain was referring to the line shown in the center of the house. Mr. Bethel said that's the portion of the house from the period of significance. Ms. Tully said it was the portions from the 1960s. Mr. Fountain then clarified that it was not original but had existed since the period of significance.

Mr. Bethel said he wanted to reference the existing site plan and proposed site plan. When he revised the built mass diagram, he should have reworked the line and made clear what was existing and what they proposed to demolish.

Ms. McAuliffe asked if the drawings that were just supplied were replacing the earlier versions. Mr. Bethel replied yes, ignore the earlier ones.

Mr. Fountain suggested that they might consider putting another step back from the west wall to differentiate it from the original house. Ms. Tully said there was a proposed material change. Mr. Bethel added that it was brick veneer, about 5 inches thick. Ms. McAuliffe commented that this step back and differentiation would all be achieved through the siding of the wall. Mr. Bethel added that the roof achieves that, too. He said they'd like to match the overhang, but because it is within three feet they would have to make it fire retardant for building code so they are trying to pull that overhang back to avoid that requirement.

Mr. Fountain asked the applicant to review what was proposed for the front porch. Mr. Bethel replied nothing, that the only changes on the front of the house are changes to the risers. As they are, they are not ergonomic---they're awkward. Client would like those 6 risers removed and replaced by four new ones that are more ergonomic.

Mr. Fountain said that it doesn't look like the roof works. That it's flat and the gutter is carrying all over the downspout. Mr. Bethel asked for clarification. Ms. Hester answered that it the roof is shingles. Mr. Fountain commented that it was such a low pitch that there was hardly any.

Mr. Fountain asked if there were any other questions.

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

COMMITTEE DISCUSSION

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

The wood deck is just a platform? It's not attached to anything? [Bailey]
Left with limited area. Our thinking was to remove the existing detached deck. [Bethel]
How do we feel about the new built mass calculations? [Hinshaw]
We can show that new figures were provided when we change the language of the facts. We can make a note for the revised drawings too. [Tully]
By revised drawings we just mean calculation changes, right? Not a new design? [McAuliffe]
Just the changes to the existing brick wall we've discussed today. [Tully]

With no objection from the Committee, Mr. Fountain closed the committee discussion portion of the meeting.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Ms. McAuliffe moved that based on the information contained in the application and materials in the evidentiary hearing, the Committee finds staff findings from the Staff Report A. (inclusive of facts 1-25) and B. (inclusive of facts 1-5), to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Constructing a rear addition is 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, 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 Report and Recommendation for the Designation of the South Person/South Blount Historic Overlay District identifies the house as a c. late 19th century house with ca. 1960 alterations. It is described as a "One-story frame, three-bay house with an offset gabled front wing, brick veneer, an asphalt-shingled gable roof, a front porch with replacement metal supports, and replacement 3/1 windows, resulting in a Minimal Traditional feel. Despite the brick veneer, the building retains its scale and form."

2* The period of significance for Prince Hall is 1865 to 1941.

3* The application proposes the removal of a portion of the rear of the existing house to construct a new addition.

4* The proposed addition is a central gabled roof that matches the pitch of the existing roof coupled with a lower sloped shed roof on the east side of the addition.

5* On the east side, the revised drawings show that the new addition will be delineated by the change in material and a setback.

6* On the west side, the revised drawings show that the brick veneer will be retained.

7* The proposed addition will be inset 19" from the left/west side of the house to delineate differentiation from the historic house. The right/east side of the addition is proposed in the same plane of the existing rear addition, which is set 9' from the eastern-most wall of the historic house.
8* The use of fiber cement clearly distinguishes the new addition from the historic house.
9* The addition is proposed to be clad in painted fiber cement siding with a 4" reveal. All trim is proposed to be painted composite. Paint specifications were not provided.
10* The application notes that the overhang soffits will be fiber cement. Eave details were not provided.
11* The application did not note that the fiber cement siding will be installed with the smooth side out, as has found to be congruous on previously approved rear additions to historic structures.
12* The foundation of the proposed addition is composed of solid brick that will match the existing brick veneer foundation in appearance.
13* The roof of the addition is proposed to be asphalt shingles. The application also includes the re-roofing of the historic house. The written description states that the color will match existing, while the drawings note that the color is to be determined.
14* The northeast corner of the proposed addition features an engaged porch with simple square columns.
15* The application includes the following built **area** to open space analysis: The lot is 5,780 SF. The **original** built area is 1,579 SF, or 27.3%. The proposed built area is 2,234 SF, or 37%. This is an increase in built area of 9.7%.
16* The application includes the following built **mass** to open space analysis: The lot is 5,780 SF. The **original** built mass is 1,538 SF, or 26.6%. The proposed built mass is 2,086 SF, or 36.1%. This is an increase in built mass of 9.5%.
17* The Design Guidelines refer to the **original** built mass to open space stating, "It is not appropriate to construct an addition that significantly changes the proportion of original built mass to open space on the individual site." Calculations were provided for the property's **original** built mass at the hearing.
18* The application includes the built area percentages for two nearby properties. Both examples have a greater built area than the proposed.
19* Windows on the addition are proposed to match the existing double-hung 3 over 1 windows. One suburban style clerestory window is proposed towards the rear of the addition on the west façade. Specifications were provided.
20* Specifications were provided for the new wood door located on rear covered porch.
21* The written description notes that gutters and downspouts are proposed to match existing. Locations were not noted on the included drawings.
22* Based on the included photographs and the location of the proposed addition, it is assumed that the HVAC equipment is proposed to be relocated. No information was provided on the new HVAC location. No screening details were provided.
23* The application states that all trees larger than 7" DBH will remain and be protected. The application indicates that no tree roots are located in the area of construction. A tree protection plan was provided.
24* No information was provided on construction access or material storage. Due the location of the house, it appears that access would need to be from the adjacent City-owned properties.
25* No information was provided on exterior lighting, if any.

B. Removing front porch steps and constructing new front porch steps are not incongruous in concept according to *Guidelines* 1.3.1, 1.3.4, 1.5.1, 1.5.5, 2.8.1, 2.8.4, 2.8.10; and the following facts:

1* The application proposes the removal of the existing front porch steps.
2* The application states that the existing steps have an "awkward riser height."
3* The steps are proposed to be replaced with new concrete steps that have a taller riser height.
4* The increase in riser height reduces the number of steps leading to the house from seven to four.
5* The alteration to the front steps requires the extension of the existing front walk to meet the foot of the new steps. The extension is proposed to match the existing front walk.

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

Decision on the Application

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

1. That all fiber cement elements on the addition be installed smooth side out.
2. That details and specifications for the following be provided to and approved by staff prior to the issuance of the blue placard:
    a. Eave details.
    b. A revised tree protection plan noting material storage and construction access.
3. That details and specifications for the following be provided to and approved by staff prior to the installation or construction:
    a. Manufacturer's specifications for paint;
    b. Locations of gutters and downspouts;
    c. HVAC location and screening;
    d. Exterior lighting.

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

Committee members voting: Travis Bailey, Nick Fountain, Jeannine McAuliffe, John Hinshaw

Staff Contact: Collette Kinane, collette.kinane@raleighnc.gov

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0143-2019 1024 W SOUTH STREET
Applicant: EMILY ROTHROCK FOR SITE COLLABORATIVE
Received: 10/28/2019 Meeting Date(s):
Submission date + 90 days: 01/26/2020 1) 12/12/2019 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: BOYLAN HEIGHTS HISTORIC DISTRICT
Zoning: General HOD
Nature of Project: Construct attached garage; install driveway; remove and replace tree; relocate fence and retaining wall; relocate walkway
Conflict of Interest: None noted.
Staff Notes:

- COAs mentioned are available for review.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	*Topic*	*Description of Work*
1.3	Site Features and Plantings	Construct attached garage; install driveway; remove and replace tree; relocate fence and retaining wall; relocate walkway
1.4	Fences and Walls	Relocate fence and retaining wall
1.5	Walkways, Driveways, and Off-Street Parking	Install driveway; remove and replace tree; relocate walkway
1.6	Garages and Accessory Structures	Construct attached garage; install driveway; remove and replace tree
3.2	Additions	Construct attached garage

PUBLIC TESTIMONY

Staff Introduction: Collette Kinane [affirmed] reviewed the case and provided photographs of the property and existing conditions. She said staff recommends that the committee discuss the attached nature of the garage and the proposed increase in mass. Ms. Kinane stated that staff recommends that the application be deferred until a revised TPP is provided by the applicant.

Support:

Emily Rothrock [affirmed], Brooke Tate [affirmed], and Tammy Barry—the homeowner [affirmed] appeared in support of the application. When Ms. Kinane finished her presentation, Ms. Rothrock stated that the applicant did not receive a comment about the needed TPP revision.

Mr. Rasberry confirmed with those present in support of the application that they were fact witnesses. They stated that they understood.

To Ms. Rothrock's earlier point, Ms. Tully said that page 4 addressed what was missing from the TPP. Ms. Kinane added that it regarded the phase 1 and 2 fencing. Ms. Tully continued that the notes were on page 4 and that staff recommends a deferral but reminded the applicant that the decision was up to them.

Mr. Fountain asked to get started and what the proposed changes were.

Ms. Rothrock identified herself as the landscape architect, Ms. Tate from Mauer Architecture, and Ms. Barry as the client. She explained that the client needed accessible spaces in the garage for her husband.

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

Responses and Questions:

Mr. Fountain commented that there was an awfully steep grade coming off from the street. He asked Ms. Rothrock to walk the committee through that grade change and to discuss the big tree. Ms. Rothrock showed pictures of the existing curb cut and trees. She said the existing conditions were neither practical nor safe and that there was no room to create an accessible entry on the front of the house---they needed the rear access. Ms. Rothrock presented pictures of an earlier addition, an open area, and portions of a retaining wall that would be impacted by the proposed addition. She added that in their design process they pulled elevations and topographic maps. She explained that this proposal was atypical in that they were proposing to slope towards the house, but said they would put in preventative measures.

Mr. Fountain asked how high. Ms. Rothrock said about 3.5 feet, but she didn't have definitive measures.

Mr. Fountain asked if the image on the screen was looking south. Ms. Rothrock replied west---no north.

Ms. Rothrock said that in order to deal with the access requirements like the slope and garage entry and to not compromise the vehicle, they needed a sloped drive and flat garage. Doing this would make up a lot of the grade change.

Ms. Tate added that the finished floor of the garage interior is 2 feet above the main house. Ms. Rothrock added that in order to make that accessible, they had added a slope. The proposed garage is also larger than typical to accommodate an accessible vehicle. Mr. Fountain said the committee was not concerned about the interior of the garage.

Ms. Tate added that the eave is tall on the existing garage and that it was not too squatty to come up a little in the height.

Ms. Rothrock said that in addition to the garage, they have reconfigured the retention wall to accommodate the construction. In order to do this, they would have to remove on tree marked on the TPP and replace it. She added that the tree protection fence is shown on the drawings and that all the CRZs were within the fencing so no trees would be compromised.

Mr. Fountain asked about the shape of the tree. Ms. Rothrock replied that it had a taller, higher canopy. They proposed replacing it with a river birch that will grow quickly to replace that lost canopy.

Ms. McAuliffe asked if they brought the original built mass calculations. Ms. Rothrock said no and clarified that the committee had the revised drawings and those had some calculations. Ms. McAuliffe said she was trying to understand if they were comparing the original or existing mass to the proposed or whether it was the same in this case. Ms. Tully said that in this case they would not include the addition in the calculation.

Ms. McAuliffe clarified that the committee did not have those figures without the addition. She stated that from staff comments, the average in the area ranges from 30.5 to 50.8.

Ms. Rothrock said the built area for the property is on the high end compared to neighboring parcels but still within range. The area is including any impervious surfaces.

Mr. Fountain said that part of what he was trying to focus on is the garage and the connection to the house and whether he could visualize it from the elevations. He wanted to make sure he understood the proposed connection. He asked how they could create the illusion that it was not attached. He added that if attached are not typical, how were they going to disguise that. Ms. Tate explained that her concern with the attached garage is due to the elevation. She said it wasn't visible from the front of the street. She added that ideally they would have placed the garage facing the alley and then it could travel down into the home but that was not feasible in this case and that it was impossible to build a ramp that long. Ms. Tate explained that there was also a safety issue and that the client has been robbed several times so she would like the garage to be attached. Mr. Fountain said it was pretty darn difficult to tell whether it was connected.

Ms. Tate said that in her mind it was the best way to attach it to the house. As is, the grade is already maxed out. She stated that she understood the mass concerns of the committee but that the garage could not be smaller and still accommodate a handicap van. Ms. Rothrock added that they needed maneuvering room.

Mr. Bailey asked if there was an option to connect the garage via breezeway. Ms. Tate said that a breezeway would need a ramp and that visually it would need to be covered. Ms. Rothrock added that the slope of a ramp in that case would be tricky. She said they were within the recommended design standards given the width of the alley and the size of the garage.

Mr. Fountain asked Ms. Tully how the committee had handled the removal of a healthy tree before. Ms. Tully replied that they've approved this before.

Ms. Tate indicated towards the previous addition and said she was surprised that was ever approved. Ms. Tully said that it was approved under a previous set of guidelines.

Ms. McAuliffe said they could correct the roof and overbuilt to connect it but that they might have to replace more of the roof to make it match.

Mr. Fountain asked if there were other questions.

Mr. Hinshaw said Mr. Bailey addressed his.

Mr. Fountain asked the applicants and if there was anything else they would like to say.
Ms. Barry said that they would never ask for the addition or spend the money on it if they didn't have to. Mr. Hinshaw said he understood the necessity and had talked to her neighbor, Chris Cox.

Mr. Fountain said that the truth is that the committee has to decide whether something is incongruous or not. They have to think about it in the long view, the long-term integrity of the neighborhood.

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

COMMITTEE DISCUSSION

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

Attached garages are not typical in this neighborhood. [Bailey]
They have significant site issues that need to be addressed with the grading that can make this a challenge to access from the alley. [Fountain]
How do we break up the roofline from a design stand point? It could be attached or detached. Or a breezeway. [Fountain]
ADA could give us some cover. [Hinshaw]
ADA doesn't apply to private residences but section 2.11 in the Design Guidelines references accessibility. [Tully]

Mr. Fountain reopens the public portion of the meeting.

PUBLIC TESTIMONY (2)

Mr. Fountain asked if Ms. Tate thought the committee needed new drawings. Ms. McAuliffe said she thought she understood how that elevation worked, but that it read as an attached garage and larger than a single car garage. She said was hard not to take the motivations into account.

Mr. Hinshaw added that the proposed garage was also pushing the boundaries of the built area.

Mr. Fountain explained that the committee didn't want to say no but that they were troubled. He said he was leaning to defer so the committee could get an idea for the sense of separation

through material use. He explained that he would like for it to create the impression that it's not attached so they committee has some justification for its decision.

Mr. Hinshaw added that they might have some coverage with health and safety guidelines. Mr. Fountain replied that the committee can't assume that the current owners will always be there. Ms. McAuliffe commented that when they're making their ruling they could mention that though. Mr. Fountain agreed that they could.

Ms. Tate said she and the client would be open to other design solutions and asked if they could decide today. Ms. Tully and Mr. Fountain said no, that they need to see revised drawings. They cannot design by committee.

Ms. Tully asked Ms. Tate if she had any questions about what the committee was saying. Ms. Tate replied that she wasn't sure how she would find a solution.

Mr. Fountain asked for a motion.

DECISION ON THE APPLICATION

Mr. Hinshaw made a motion to defer the application. The motion was seconded by Mr. Bailey; passed 4/0.

Mr. Fountain told Ms. Tate that the ball is in their court when they want to return with revised drawings. He restated that the committee's main concern is with attached garages. He said they're worried about approving something that is, or looks like, an attached garage then more applications will come proposing attached garages from Boylan Heights. He said they couldn't approve the addition just because of the client's health. Mr. Fountain said they need to find a way to approve it but one they can defend. It needs to have the illusion that it's not attached and encouraged Ms. Tate to do what she can to conceal the connection.

Ms. Tate clarified that they wanted it to appear detached but be attached.

Mr. Fountain said challenges can bring creativity.

Ms. Tully interjected that the applicant could find a time to discuss options with staff.

Mr. Hinshaw concurred that they want to approve it, but if the application went for a vote today, it might not pass.

Committee members voting: Travis Bailey, Nick Fountain, Jeannine McAuliffe, John Hinshaw

Staff Contact: Collette Kinane, collette.kinane@raleighnc.gov

OTHER BUSINESS

1. Committee Discussion
    i. Meeting Post-Mortem

ADJOURNMENT

The meeting was adjourned at 6:04 p.m.

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

Minutes Submitted by:
Collette Kinane, Preservation Planner