

RALEIGH HISTORIC DEVELOPMENT COMMISSION
CERTIFICATE OF APPROPRIATENESS COMMITTEE
Minutes of the Meeting
Thursday, February 27, 2020

CALL TO ORDER

Chair Laurie Jackson called the Certificate of Appropriateness (COA) Committee meeting to order at 5:03. Mr. Rasberry stated that the Chair, Nick Fountain, was excused and that Ms. Laurie Jackson would be standing in as Chair for the hearing.

ROLL CALL

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

Present: Laurie Jackson, Jimmy Thiem, Travis Bailey, Jeannine McAuliffe

Alternate Present: Ian Dunn

Excused Absence: Nick Fountain

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

Approval of the Agenda

Mr. Thiem made a motion to approve the agenda as submitted. Mr. Bailey seconded the motion; passed 5/0.

Approval of the January 23, 2020 Minutes

Mr. Thiem moved to waive the reading of the minutes for the hearing and to adopt said minutes as submitted. Mr. Bailey 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. Ms. Jackson administered the affirmation.

Visitor's/Applicant's Name and Address	Affirmed
Ashley Morris, 306 Pace Street, 27604	Yes
Emma Liles, 222 W Hargett Street, 27602	Yes
Benjamin Mount, 222 W Hargett Street, 27602	Yes
Mike Poupard, 5711 Six Forks Road, Suite 103, 27609	Yes
Ashley Cameron, 5 W Hargett Street, 27613	Yes
Isabella Banner, 1919 Trexler Ct, 27606	No
Nissan Patel, 206 Linden Avenue, 27601	Yes
Laura Fasolak, 206 Linden Avenue, 27601	Yes
Chris Crew, 306 Elm Street 27601	No
Margaret Maloney, 409 N Bloodworth Street, 27604	Yes
Daymon Asbury, 713 Hinsdale Drive, 27605	Yes
Myriam Asbury, 713 Hinsdale Drive, 27605	Yes
James McKenzie, 519 E Jones Street, 27601	Yes

Will Alphin, 218 E Davie Street,	Yes
Brian Starkey, 702 N Bloodworth Street, 27604	Yes
Andrew Whelan, 316 S Boylan Avenue, 27603	Yes
Jeff Shepherd, 308 S Boylan Avenue, 27603	Yes
Sara Shepherd, 308 S Boylan Avenue, 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-0007-2020 for which the Summary Proceedings is made part of these minutes.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – SUMMARY PROCEEDING

COA-0007-2020 605 E LANE STREET

Applicant: BEN CLAY AND SIRIMA YAEMSIRI

Received: 1/14/20

Meeting Date(s):

Submission date + 90 days: 04/13/20

1) 2/27/20 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: General HOD

Nature of Project: Construct screened porch; remove deck

Conflict of Interest: None noted.

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; remove deck
3.2	Additions	Construct screened porch

STAFF REPORT

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

- A. Constructing a screened porch and removing a deck are not incongruous in concept according to *Guidelines* 1.3.1, 1.3.2, 1.3.6, 1.3.7, 1.3.8, 3.2.1, 3.2.2, 3.2.3, 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 suggested 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 Craftsman frame two-story, ca. 1923: "The house has a side-gabled saddle roof with deep eaves, and with triangular knee braces under the gable eaves and exposed rafter tails under the horizontal eaves. There is a shed-roofed dormer on the front, which probably originally had triangular knee braces. It has three windows, each with six panes. The front porch has hipped roof supported by four heavy square-section posts with a square section balustrade...There is a small two-story gabled projection on the rear."
 - 2* The application proposes construction of a screened porch at the rear of the existing house. An existing deck is proposed to be removed.
 - 3* The existing deck is approximately 15'x11'. It is located to the west and north of the rear addition. The proposed screen porch is located in the footprint of the existing deck. It is proposed to be the same size and dimension as the existing deck.
 - 4* **Built area to open space analysis:** According to the application, the lot totals 5,512 SF with an existing built area of 1,662 SF. The existing built area to open space is 30.1%. The proposed addition adds 281 SF for a total proposed built area of 1,943 SF. The proposed built area is 35.2%, this results in an increase of 5.1%.

- 5* The Design Guidelines refer to not substantially increasing the **original** built area to open space. The application uses the word existing, but the numbers reflect the original built area.
- 6* **Built mass to open space analysis:** According to the application, the lot totals 5,512 SF with an existing built mass of 1,462 SF. The existing built mass to open space is 26.5%. The proposed addition adds 281 SF for a total proposed built mass of 1,743 SF. The proposed built area is 31.6%, this results in an increase of 5.1%.
- 7* The Design Guidelines refer to not substantially increasing the **original** built mass to open space. The application uses the word existing, but the numbers reflect the original built mass.
- 8* The proposed screen porch roof is a gable form that references the gable on the existing rear addition and the east and west gables of the main roof. The stairs accessing the rear yard are not included under the porch roof. The roof covering is proposed to match the existing shingles. An eave construction drawing was provided.
- 9* The proposed porch is designed to be structurally self-supporting. The proposed brick piers will be painted to match the existing foundation and will be framed with treated lumber and painted to match the house.
- 10* No screening is proposed for the structure underneath the porch as is currently under the deck. The committee has found the lack of screening to be congruous with the character of Oakwood when the height is such that people can walk underneath
- 11* According to the provided section, the screening for the porch is to be on the inside of the pickets and railings as has been found to be congruous for other screened porches in Oakwood. A detailed drawing was provided.
- 12* A tree survey identifying trees greater than 8" DBH on the property was provided. A tree protection plan prepared by an arborist that identifies locations for materials storage and site access as well as fencing was provided. The application states that no trees will be disturbed as a result of the project.
- 13* Gutters and downspouts are indicated on the floor plan but are not shown on elevations. Materials are proposed to match existing.
- 14* Exterior lighting was not shown, nor were specifications provided.

Staff suggests that the committee approve the application with the following conditions:

1. That the 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 installation or construction:
 - a. Gutters and downspouts, if any.
 - b. Exterior lighting including location on the building, if any.

Decision on the Application

There were no objections to approval without an evidentiary hearing.

Ms. made a motion that to approve the application, adopting the staff report as the written record of the summary proceeding on COA-0007-2020. Mr. Bailey seconded the motion; passed 5/0.

Committee members voting: Bailey, Dunn, Jackson, McAuliffe, Thiem.

Certificate Expiration Date: 08/27/20.

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

EVIDENTIARY HEARINGS

Chair Jackson 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-0160-2019, COA-0167-2019, COA-0168-2019, COA-0162-2019, COA-0171-2019, COA-0003-2020, COA-0004-2020, COA-0005-2020, COA-0006-2020, COA-0008-2020, COA-0009-2020, and COA-0010-2020.

Due to the similar nature and location on the same parcel, cases COA-0160-2019, COA-0167-2019, and COA-0168-2019 were reviewed as one case. The three cases each have an individual Certified Record; however, the discussion for each is identical. Cases COA-0167-2019 and COA-0168-2019 were approved with the Findings of Fact to be approved and adopted as part of these minutes.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0160-2019 501 E LANE STREET A

Applicant: MICHAEL POUPARD FOR GRAYSON HOMES LLC

Received: 12/03/2019

Meeting Date(s):

Submission date + 90 days: 03/02/2020

1) 01/23/2020 2) **2/27/2020** 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: General HOD

Nature of Project: Construct new house; install driveway; install patio

DRAC: An application was reviewed by the Design Review Advisory Committee at its January 6, 2020 meeting. Members in attendance were Dan Becker, Sarah David, Jenny Harper and David Maurer; also present were Mike Poupard, applicant, David Kenoyer, and Collette Kinane and Tania Tully, staff.

Amendments: The following amended materials were provided: updated elevation and floorplan drawings; updated site plan; updated written description; window specifications; and updated built area calculations.

Conflict of Interest: None noted.

Staff Notes:

- The demolition of the church formerly on the site was approved with 041-18-CA. The case is available for review.
- The subdivision of 501 E Lane Street has been approved by City Council through case S-48-18. New addresses for each parcel have not been provided.
- Due to a recent interpretation of State law by the City Attorney, a COA is not required for changes within the City right-of-way

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; install driveway; install patio
1.5	Walkways, Driveways, and Off-street Parking	Install driveway
3.3	New Construction	Construct new house

PUBLIC TESTIMONY

Staff Introduction: Collette Kinane [affirmed] reviewed the case and provided photographs and information on the property. Ms. Kinane asked the committee if they wanted to consider this application, along with COA-167-2019 and COA-168-2019, as one case or treat them separately. She reminded the committee that the three proposed applications occupied one site that had been subdivided. Ms. Kinane told the committee that pending receipt of evidence showing that the height and setback of the building are congruous with the setbacks and heights of any typical well-related nearby buildings, staff suggests that the Committee approve the application with conditions.

Ms. Jackson, acting as chair in lieu of Mr. Fountain, asked the committee how to proceed with discussion. With no objections, the committee decided to look at the cases as one.

Support: Mike Poupard [affirmed], the builder for the project, presented the application to the committee. Mr. Poupard provided information at the meeting to show the setbacks of congruous buildings in the area. All comparable properties shown in this new material were two story structures within a block and half of the proposed site.

Opposition:

There was no one present to speak in opposition to the application.

Responses and Questions:

Ms. Jackson asked Mr. Poupard to clarify whether all the comparable properties were within a block and a half of the three proposed new houses. Mr. Poupard replied yes.

Ms. Jackson asked the committee whether they had any additional questions about the application more generally.

Mr. Thiem posed a question regarding the issue of setbacks. He wanted to clarify from his reading of page two of the sit report and language about “well related nearby buildings” which comparable properties the committee could consider. He asked if that meant the properties could be around the corners of the block. Ms. Kinane replied yes. Mr. Thiem thanked her for the clarification.

Ms. Jackson asked if there were additional questions.

Ms. McAuliffe asked a question about the heights of the comparable properties. Mr. Poupard said it was a little difficult to get the exact heights, that would require to get a surveyor to visit the site. He said his proposed houses were similar in height to those seen in the comparable properties, with nine-foot ceilings and similar roof pitches. He added that the lots were fairly well leveled and that there would not be many steps moving from the lot up to the house. He said that compared to others, these three would not be exceedingly tall. Ms. McAuliffe thanked him for the answer.

Mr. Thiem asked a question for staff. He said that staff’s report says pending receipt of height and setbacks to well related buildings. He said he saw that setback information was provided, but none on height. He commented that it looked like the committee was lacking additional information that staff recommended they have. He wanted clarification on the situation and how they should proceed.

Ms. Jackson reminded the committee that the applicant said that without a surveyor shooting the height, it would be hard to get exact information. She said the applicant had provided photographs showing typical two-story homes.

Mr. Poupard added that if the committee compared the buildings plans and elevations they would be within a few feet of the numbers a surveyor would get if they went out and shot them.

Ms. Jackson asked staff if they had any guidance on how they should proceed based on the information that had been provided. Ms. Tully replied that it was up to the committee. She said

that based on the information that has been provided, staff is not concerned. They feel that the information provided is enough to support the application. Ms. Tully also reminded the committee that they had heard testimony from neighbors in Oakwood last month in support of the application.

Ms. Jackson said the properties presented a bit of a problem because they were deciding on whether these three homes were consistent not only with each other, but also with the other properties within a block and a half of the subject properties. Ms. Tully said that having the exact number is not the issue, a visual showing a one story or two story is enough information to suffice.

Mr. Poupard commented that this was also his understanding. He added that they were not asking for eighteen-foot roof pitches saying that what they are proposing to do is similar to nearby properties. He reminded the committee that the houses would not have a lot of steps up either because the lot was so level.

Ms. Tully said that all the photographs provided align with what was in the chart.

Mr. Bailey asked for clarification if they were making decisions on the applications all together.

Ms. Tully said it was up to them. If about setbacks and heights, then yes. If the committee had additional design concerns then it might be worth separating them.

Mr. Bailey said that he was concerned about the property on the end because its nearby properties were only one and a half stories.

Mr. Thiem commented that there were potential issues if someone builds taller ceilings than what the committee can see in the drawings. He said they had issues about related structures on block faces where new constructions are different from nearby properties because they are high on a hill or two story. He said it might have helped clarify the application for staff if they had photographs from the neighborhood showing examples of adjacent two and one and a half story properties so they could assess relatedness.

Ms. Tully said she did not know if that was addressed in the last hearing on these applications.

Mr. Poupard added that in this district you see a lot of two-story homes, a lot of one-story homes, and that at some point a two story will have to sit next to a one story. Mr. Thiem thanked him for his answer.

Ms. Jackson asked if anyone else would like to speak in support of the application. Any one in opposition?

With no objection from the Committee, Ms. Jackson closed the public testimony portion of the meeting.

COMMITTEE DISCUSSION

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

The height and setbacks seem that they are consistent with the context. It would be interesting to see them all built up in a row—how that looks. [McAuliffe]

Typically, “well-related buildings” refers to buildings that are contributing to the character of the historic district. [Tully]

So, we do not have to look at only two-story comps? [McAuliffe]

In previous discussions about house height relationships and thinking about the early covenants in neighborhoods over time that required one story houses, and at other times two story. I am in a place where I think it is appropriate. [Thiem]

To hear additional information, Ms. Jackson reopened the public testimony portion of the hearing.

PUBLIC TESTIMONY (2)

Mr. Poupard added that he felt that the comparable properties he showed were representative of that street. It was three good two story representative homes in a row.

After Mr. Poupard answered the committee's question, Ms. Jackson once again closed the public portion of the hearing.

COMMITTEE DISCUSSION (2)

Are there any architectural issues? [Thiem]

No... I did not see any. [McAuliffe & Jackson]

I think the staff report is thorough in the conditions. [Jackson]

I want to follow up on Ms. Tully's comment earlier about the condensed application for approval. If we do this as a set, does it ask staff to do a lot. It does not seem like there is enough information to consider. [Bailey]

This is a typical list for new constructions. [Tully]

Okay, this is my first new construction. [Bailey]

Do we need to move through these one at a time as separate applications? [Thiem]

Nothing in the guidelines says that. This is essentially a development tract. You are not legally required to take them separately. [Rasberry]

That was my issue since they are not identical properties. [Thiem]

Each has a set of conditions that run with the land. We need to be very clear in the record which conditions apply to each lot. It might be cleaner then to do this as three separate motions.

[Rasberry]

In the applications they are listed as A, B, and C, with no separate street numbers. [Thiem]

For simplicity's sake, might be best to keep as separate motions unless there are objections. [Jackson]

Since you are all talking logistics, fact 6A might need updating. [Tully]

And fact 3. [Kinane]

With no objection from the Committee, Ms. Jackson 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 suggested findings A. (inclusive of facts 1-34) to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Construction of a new house and installation of a driveway are not incongruous in concept according to *Guidelines* 1.3.2, 1.3.8, 1.3.12, 1.5.5, 1.5.6, 1.5.8, 3.3.1, 3.3.2, 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:

Siting

1* The property is located near the center of the Oakwood Historic District.

- 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 proposed sidewalk along E Lane Street is 15.2’. The proposed setback from the sidewalk along N East Street is approximately 22.4’. A chart of setback distance for a few adjacent properties was included on the plot plan. The neighboring setbacks range from 14.9’ to 20.4’, with those in the 500-block ranging from 19.3’ to 20.4’.
- 4* The new house is oriented to face Lane Street and appears to maintain a similar spacing between buildings as between those to the east. The siting of the house was governed by the location of a wide drainage easement to the west and north.
- 5* A visual of how the new house is sited in comparison to the neighboring properties is not included.
- 6* The setback chart does not include the well-related nearby buildings as defined in the Unified Development Ordinance (see fact *2). An updated setback chart was provided at the hearing.
- 7* The design of the proposed house does not address the street front along N East Street, as a corner house would historically. However, the applicant did provide photographs of three properties within the historic district that address the corner in a similar manner. 413-415 E Lane Street and 500 Polk Street are contributing properties. The photo provided of 500 N Boundary Street (incorrectly labeled as 536 N East) is a non-contributing property constructed in 2006 (175-05-CA).
- 8* Built mass to open space analysis: According to the applicant, the lot is 6,176 SF (0.142 acre). The footprint of the house will total approximately 2,263 SF; this includes the porches. The proportion of built mass to open space is proposed to be 36.6%.
- 9* A page in the application labeled “Built Area and Built Mass Comparison” shows neighboring built mass percentages ranging from 23.7% to 35.9%.
- 10* Built area to open space analysis: According to the applicant, the lot is 6,176 SF (0.142 acre). The proposed built area will total approximately 2,752 SF; this includes the porches, patio, and driveway. The proportion of built area to open space is proposed to be 44.6%.
- 11* The built area percentage for nearby properties ranges from 27.2% to 62.5%.

Form and Design

- 12* 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 Lane St are a mix of 1-story, 1 ½-story and 2-story designs.
- 13* Unified Development Ordinance 5.4.1.F.1. states that “Buildings and structures shall be congruous with the height of typical well-related nearby buildings and structures in the overlay district...as set forth in the historic development standards below or as defined in the designation documents or nomination.”
- 14* 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.”

- 15* Some analysis of the proposed structure’s congruity with the character of Oakwood or well-related nearby properties was provided. Evidence of the heights of well-related nearby buildings was provided at the hearing.
- 16* Three roof forms are found on the proposed design, each commonly found in Oakwood: hip, shed and gable. The roof structures over the two-story portion and the front porch are hips. A cross gable over the one-story portion in the rear intersects the main roof. The side porch is covered by a shed roof.
- 17* The hip roof over the front porch is supported by brackets appended to the east and west faces of the square supporting columns.

Materials and Details

- 18* Composition shingle roofing is proposed. Complete specifications and color were not provided.
- 19* The house is proposed to be clad with smooth fiber cement lap siding in both 4” and 7” exposures. Trim is proposed to be smooth fiber cement or smooth composite.
- 20* Painted brick veneer is proposed for the foundation on the front porch. Neither specifications nor samples were provided.
- 21* The porch ceiling is proposed to be tongue-and-groove pine. The porch floor is proposed to be concrete or wood tongue-and-groove. The porch railing appears as a thin rail attached to the columns with no pickets. Details were not provided
- 22* The front facade of the house consists of evenly-spaced 3-over-1 windows on the second floor. Two six pane window false door units are located in the bays on either side of the front door. Proposed trim is traditional with flat casing on three sides and a sill at the bottom.
- 23* Windows appear to be primarily vertically-oriented units of four sizes. The window material is noted as aluminum-clad wood. Specifications were provided; however, the visual appearance of the aluminum cladding is unclear. The committee has found aluminum clad windows to be congruous when the finish is smooth painted rather than an anodized finish and when the seams are flush, not pronounced, and not significantly more visible than the seams on an all wood window.
- 24* The front door is proposed to be a 3/4-lite unit, while the east elevation includes a bank of four doors that appear to be oversize variants of the window style. A similar door in a narrower scale is also located on the north façade. It is unclear if the doors are full-lite. Door specifications were not provided.
- 25* A covered porch is proposed at the rear of the east side of the house. The location is typical of those found in the district. Detail drawings were not provided.
- 26* Eave and soffit construction details were not provided.
- 27* The application states that materials will be painted. Paint samples were not provided.
- 28* Exterior lighting was not shown on the drawings, nor were specifications provided.
- 29* Downspout locations are indicated on the elevation drawings. Gutters and downspout specifications were not provided.

Site and Setting

- 30* 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.”

- 31* A new concrete strip, single-car-width driveway and curb cut are proposed to be installed behind the house with access from N East Street. This is a traditional location and a traditional style for a driveway on a corner property.
- 32* No landscaping information on the property was provided.
- 33* HVAC equipment is proposed for the east side of the structure. This is a typical location for mechanical equipment. Screening details were not provided.
- 34* A concrete walkway from the front sidewalk to the front porch is proposed. This is a traditional location.

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

Decision on the Application

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

1. That prior to the issuance of the blue placard the following be provided to and approved by staff:
 - a. Soffit construction;
 - b. Window specifications confirming that the aluminum clad windows have a smooth painted finish and that the seams are flush, not pronounced;
2. That detailed drawings and/or specifications for the following be provided to and approved by staff prior to installation or construction:
 - a. Roof color;
 - b. Trim at windows, doors and transitions between materials;
 - c. Brick specifications/sample for the color, size and bond pattern;
 - d. Paint and stain color swatches from paint manufacturer;
 - e. Doors, showing both section and elevation views, muntin profiles and material descriptions;
 - f. Porch railings and column details, showing both elevation and section views;
 - g. Exterior lighting including locations on the building;
 - h. Finish specifications for the gutters and downspouts, and location on the building shown on elevation drawings;
 - i. House numbers, electric panel location, and all other exterior elements not included in the application
 - j. HVAC screening;
 - k. Landscaping plan (anything more than foundation plantings or trees should be submitted as a new COA application).

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

Committee members voting: Jackson, Dunn, McAuliffe, Bailey, Thiem

Certificate Expiration Date: 08/27/2020

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

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0167-2019 501 E LANE STREET B

Applicant: MICHAEL POUPARD FOR GRAYSON HOMES LLC

Received: 12/03/2019

Meeting Date(s):

Submission date + 90 days: 03/02/2020

1) 01/23/2020 2) **2/27/2020** 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: General HOD

Nature of Project: Construct new house; install driveway; install patio

DRAC: An application was reviewed by the Design Review Advisory Committee at its January 6, 2020 meeting. Members in attendance were Dan Becker, Sarah David, Jenny Harper and David Maurer; also present were Mike Poupard, applicant, David Kenoyer, and Collette Kinane and Tania Tully, staff.

Amendments: The following amended materials were provided after the 01/23/20 hearing: updated elevation and floorplan drawings; updated site plan; updated written description; window specifications; and updated built area calculations.

Conflict of Interest: None noted.

Staff Notes:

- The demolition of the church formerly on the site was approved with 041-18-CA. The case is available for review.
- The subdivision of 501 E Lane Street has been approved by City Council through case S-48-18. New addresses for each parcel have not been provided.
- Due to a recent interpretation of State law by the City Attorney, a COA is not required for changes within the City right-of-way

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

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1.3	Site Features and Plantings	Construct new house; install driveway; install patio
1.5	Walkways, Driveways, and Off-street Parking	Install driveway
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PUBLIC TESTIMONY

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Ms. Jackson, acting as chair in lieu of Mr. Fountain, asked the committee how to proceed with discussion. With no objections, the committee decided to look at the cases as one.

Support: Mike Poupard [affirmed], the builder for the project, presented the application to the committee. Mr. Poupard provided information at the meeting to show the setbacks of congruous buildings in the area. All comparable properties shown in this new material were two story structures within a block and half of the proposed site.

Opposition:

There was no one present to speak in opposition to the application.

Responses and Questions:

Ms. Jackson asked Mr. Poupard to clarify whether all the comparable properties were within a block and a half of the three proposed new houses. Mr. Poupard replied yes.

Ms. Jackson asked the committee whether they had any additional questions about the application more generally.

Mr. Thiem posed a question regarding the issue of setbacks. He wanted to clarify from his reading of page two of the sit report and language about “well related nearby buildings” which comparable properties the committee could consider. He asked if that meant the properties could be around the corners of the block. Ms. Kinane replied yes. Mr. Thiem thanked her for the clarification.

Ms. Jackson asked if there were additional questions.

Ms. McAuliffe asked a question about the heights of the comparable properties. Mr. Poupard said it was a little difficult to get the exact heights, that would require to get a surveyor to visit the site. He said his proposed houses were similar in height to those seen in the comparable properties, with nine-foot ceilings and similar roof pitches. He added that the lots were fairly well leveled and that there would not be many steps moving from the lot up to the house. He said that compared to others, these three would not be exceedingly tall. Ms. McAuliffe thanked him for the answer.

Mr. Thiem asked a question for staff. He said that staff’s report says pending receipt of height and setbacks to well related buildings. He said he saw that setback information was provided, but none on height. He commented that it looked like the committee was lacking additional information that staff recommended they have. He wanted clarification on the situation and how they should proceed.

Ms. Jackson reminded the committee that the applicant said that without a surveyor shooting the height, it would be hard to get exact information. She said the applicant had provided photographs showing typical two-story homes.

Mr. Poupard added that if the committee compared the buildings plans and elevations they would be within a few feet of the numbers a surveyor would get if they went out and shot them.

Ms. Jackson asked staff if they had any guidance on how they should proceed based on the information that had been provided. Ms. Tully replied that it was up to the committee. She said

that based on the information that has been provided, staff is not concerned. They feel that the information provided is enough to support the application. Ms. Tully also reminded the committee that they had heard testimony from neighbors in Oakwood last month in support of the application.

Ms. Jackson said the properties presented a bit of a problem because they were deciding on whether these three homes were consistent not only with each other, but also with the other properties within a block and a half of the subject properties. Ms. Tully said that having the exact number is not the issue, a visual showing a one story or two story is enough information to suffice.

Mr. Poupard commented that this was also his understanding. He added that they were not asking for eighteen-foot roof pitches saying that what they are proposing to do is similar to nearby properties. He reminded the committee that the houses would not have a lot of steps up either because the lot was so level.

Ms. Tully said that all the photographs provided align with what was in the chart.

Mr. Bailey asked for clarification if they were making decisions on the applications all together.

Ms. Tully said it was up to them. If about setbacks and heights, then yes. If the committee had additional design concerns then it might be worth separating them.

Mr. Bailey said that he was concerned about the property on the end because its nearby properties were only one and a half stories.

Mr. Thiem commented that there were potential issues if someone builds taller ceilings than what the committee can see in the drawings. He said they had issues about related structures on block faces where new constructions are different from nearby properties because they are high on a hill or two story. He said it might have helped clarify the application for staff if they had photographs from the neighborhood showing examples of adjacent two and one and a half story properties so they could assess relatedness.

Ms. Tully said she did not know if that was addressed in the last hearing on these applications.

Mr. Poupard added that in this district you see a lot of two-story homes, a lot of one-story homes, and that at some point a two story will have to sit next to a one story. Mr. Thiem thanked him for his answer.

Ms. Jackson asked if anyone else would like to speak in support of the application. Any one in opposition?

With no objection from the Committee, Ms. Jackson closed the public testimony portion of the meeting.

COMMITTEE DISCUSSION

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

The height and setbacks seem that they are consistent with the context. It would be interesting to see them all built up in a row—how that looks. [McAuliffe]

Typically, “well-related buildings” refers to buildings that are contributing to the character of the historic district. [Tully]

So, we do not have to look at only two-story comps? [McAuliffe]

In previous discussions about house height relationships and thinking about the early covenants in neighborhoods over time that required one story houses, and at other times two story. I am in a place where I think it is appropriate. [Thiem]

To hear additional information, Ms. Jackson reopened the public testimony portion of the hearing.

PUBLIC TESTIMONY (2)

Mr. Poupard added that he felt that the comparable properties he showed were representative of that street. It was three good two story representative homes in a row.

After Mr. Poupard answered the committee's question, Ms. Jackson once again closed the public portion of the hearing.

COMMITTEE DISCUSSION (2)

Are there any architectural issues? [Thiem]

No... I did not see any. [McAuliffe & Jackson]

I think the staff report is thorough in the conditions. [Jackson]

I want to follow up on Ms. Tully's comment earlier about the condensed application for approval. If we do this as a set, does it ask staff to do a lot. It does not seem like there is enough information to consider. [Bailey]

This is a typical list for new constructions. [Tully]

Okay, this is my first new construction. [Bailey]

Do we need to move through these one at a time as separate applications? [Thiem]

Nothing in the guidelines says that. This is essentially a development tract. You are not legally required to take them separately. [Rasberry]

That was my issue since they are not identical properties. [Thiem]

Each has a set of conditions that run with the land. We need to be very clear in the record which conditions apply to each lot. It might be cleaner then to do this as three separate motions.

[Rasberry]

In the applications they are listed as A, B, and C, with no separate street numbers. [Thiem]

For simplicity's sake, might be best to keep as separate motions unless there are objections. [Jackson]

Since you are all talking logistics, fact 6A might need updating. [Tully]

And fact 3. [Kinane]

With no objection from the Committee, Ms. Jackson closed the committee discussion portion of the meeting.

Decision on the Application

Mr. Rasberry advised that, as staff's proposed findings related to applications A, B, and C were generally in accord with height and setback, it is perfectly alright to make a single motion on the decision for two remaining cases. This is an unusual case and will avoid repetitive motions. They could choose to make a decision on the cases now and have staff bring the findings and conclusions back for approval at the next meeting.

Mr. Thiem made a motion that the amended application be approved with conditions and that the findings and conclusions are to be adopted at the next meeting. The conditions are as follows:

1. That prior to the issuance of the blue placard the following be provided to and approved by staff:
 - a. Window specifications confirming that the aluminum clad windows have a smooth painted finish and that the seams are flush, not pronounced;
 - b. East entry construction details;
 - c. Soffit construction;
2. 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. Bracket details;
 - c. Trim at windows, doors and transitions between materials;
 - d. Brick specifications/sample for the color, size and bond pattern;
 - e. Paint and stain color swatches from paint manufacturer;
 - f. Doors, showing both section and elevation views, muntin profiles and material descriptions;
 - g. Porch railings showing both elevation and section views;
 - h. Exterior lighting including locations on the building;
 - i. Finish specifications for the gutters and downspouts, and location on the building shown on elevation drawings;
 - j. House numbers, electric panel location, and all other exterior elements not included in the application
 - k. HVAC screening
 - l. Landscaping plan (anything more than foundation plantings or trees should be submitted as a new COA application).

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

Committee members voting: Jackson, Dunn, McAuliffe, Bailey, Thiem

Certificate Expiration Date: 08/27/2020

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

CERTIFICATE OF APPROPRIATENESS
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION

COA-0167-2019 501 E LANE STREET B

Applicant: MICHAEL POUPARD FOR GRAYSON HOMES LLC

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: General HOD

Nature of Project: Construct new house; install driveway; install patio

Amendments: The following amended materials were provided after the 01/23/20 hearing: updated elevation and floorplan drawings; updated site plan; updated written description; window specifications; and updated built area calculations.

Conflict of Interest: None noted.

FINDINGS OF FACT

Based upon information contained in the amended Application, evidence received at the evidentiary hearing, including testimony and supporting materials offered by the witnesses, and staff suggested findings, the Committee makes the following Findings of Fact:

Siting

- 1* The property is located near the center of the Oakwood Historic District.
- 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 proposed sidewalk to the front wall of the house is approximately 17.5'. A chart of setback distance for a few adjacent properties was included on the plot plan. The neighboring setbacks range from 14.9' to 20.4', with those in the 500-block ranging from 19.3' to 20.4'. An updated setback chart was provided at the hearing.
- 4* The new house is oriented to face Lane Street and appears to maintain a similar spacing between buildings as between those to the east. The siting of the house was governed by the location of a wide drainage easement to the north.
- 5* A visual of how the new house is sited in comparison to the neighboring properties is not included.
- 6* Built mass to open space analysis: According to the applicant, the lot is 5,177 SF (0.119 acre). The footprint of the house will total approximately 1,831 SF; this includes the porches. The proportion of built mass to open space is proposed to be 35.4%.
- 7* A page in the application labeled "Built Area and Built Mass Comparison" shows neighboring built mass percentages ranging from 23.7% to 35.9%.
- 8* Built area to open space analysis: According to the applicant, the lot is 5,177 SF (0.119 acre). The proposed built area will total approximately 2,266 SF; this includes the porches, patio, and driveway. The proportion of built area to open space is proposed to be 43.8%.
- 9* The built area percentage for nearby properties ranges from 27.2% to 62.5%.

Form and Design

- 10* The applicant proposes constructing a two-story house. The neighboring houses on E Lane St are a mix of 1-story, 1 ½-story and 2-story designs.
- 11* Unified Development Ordinance 5.4.1.F.1. states that “Buildings and structures shall be congruous with the height of typical well-related nearby buildings and structures in the overlay district...as set forth in the historic development standards below or as defined in the designation documents or nomination.”
- 12* 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.”
- 13* Some analysis of the proposed structure’s congruity with the character of Oakwood or well-related nearby properties was provided. Evidence of the heights of well-related nearby buildings was provided at the hearing.
- 14* Two roof forms are found on the proposed design, both commonly found in Oakwood: hip and gable. The predominant roof structure is a pyramidal hip with a projecting gable framing above the front porch. The front and side porches are covered by low-slope hip roofs.

Materials and Details

- 15* Below the eaves along the front, east, and west façade are decorative brackets in pairs. Specifications were not provided for the brackets.
- 16* The hip roof over the front porch is supported by four columns. Detailed drawings for porch construction or column specifications were not provided.
- 17* Composition shingle roofing is proposed. Complete specifications and color were not provided.
- 18* The house is proposed to be clad with smooth fiber cement lap siding with a 5” exposure and 4” corner board trim. The trim is proposed to be smooth fiber cement or smooth composite.
- 19* Brick veneer is proposed for the foundation. Neither specifications nor samples were provided.
- 20* The porch ceiling is proposed to be tongue-and-groove pine. The porch floor is proposed to be concrete or wood tongue-and-groove. The porch railing appears as a thin rail with narrow pickets. Details were not provided.
- 21* Windows appear to be primarily vertically-oriented units of three sizes. Proposed trim is traditional with flat casing on three sides and a sill at the bottom. The window material is noted as aluminum-clad wood. Specifications were provided; however, the visual appearance of the aluminum cladding is unclear. The committee has found aluminum clad windows to be congruous when the finish is smooth painted rather than an anodized finish and when the seams are flush, not pronounced, and not significantly more visible than the seams on an all wood window.
- 22* The front door is proposed to be a two-pane ¾-lite unit, while the east elevation includes a bank of four doors that appear to be oversize variants of the window style. It is unclear if the doors on the east façade are full-lite. Door specifications were not provided.
- 23* An opening is shown on the east façade elevation that appears to be an open entryway leading to a side entry. The design details of this entryway are unclear.

- 24* A covered porch is proposed at the rear of the east side of the house. The location is typical of those found in the district. A metal roof is proposed. Detail drawings were not provided.
- 25* Eave and soffit construction details were not provided.
- 26* The application states that materials will be painted. Paint samples were not provided.
- 27* Exterior lighting was not shown on the drawings, nor were specifications provided.
- 28* Downspout locations are indicated on the elevation drawings. Gutters and downspout specifications were not provided.

Site and Setting

- 29* 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.”
- 30* A new concrete, single-car-width strip driveway and curb cut are proposed to be installed adjacent to the east façade of the house. This is a traditional location and design for a driveway in the historic district.
- 31* No landscaping information on the property was provided.
- 32* HVAC equipment is proposed for the east side of the structure. This is a typical location for mechanical equipment. Screening details were not provided.
- 33* A concrete walkway from the front sidewalk to the front porch is proposed. This is a traditional location.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Committee makes the following Conclusions of Law:

1. The construction of a new house, installation of a driveway, and installation of a patio are not incongruous in concept according to *Guidelines* sections 1.3.2, 1.3.8, 1.3.12, 1.5.5, 1.5.6, 1.5.8, 3.3.1, 3.3.2, 3.3.6, 3.3.7, 3.3.8, 3.3.9, 3.3.10, 3.3.11, 3.3.12.
2. The Committee is hearing this case under the authority of Section 5.4.B.2. of the Raleigh Unified Development Ordinance (UDO).
3. The sole issue for the Committee’s determination in this matter is whether the proposed work is not incongruous with the special character of the Historic Overlay District in light of the applicable *Guidelines* and other applicable provisions of the UDO.

DECISION

Based upon the forgoing, the Committee Finds, Concludes, and Rules that COA Application COA-0167-2020 be Approved as Amended with Conditions as stated below.

1. That prior to the issuance of the blue placard the following be provided to and approved by staff:
 - a. Window specifications confirming that the aluminum clad windows have a smooth painted finish and that the seams are flush, not pronounced;
 - b. East entry construction details;
 - c. Soffit construction;

2. 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. Bracket details;
 - c. Trim at windows, doors and transitions between materials;
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 - j. House numbers, electric panel location, and all other exterior elements not included in the application
 - k. HVAC screening
 - l. Landscaping plan (anything more than foundation plantings or trees should be submitted as a new COA application).

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – STAFF REPORT

COA-0168-2019 501 E LANE STREET C

Applicant: MICHAEL POUPARD FOR GRAYSON HOMES LLC

Received: 12/03/2019

Meeting Date(s):

Submission date + 90 days: 03/02/2020

1) 01/23/2020 2) 2/27/2020 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: General HOD

Nature of Project: Construct new house; install driveway; install patio

DRAC: An application was reviewed by the Design Review Advisory Committee at its January 6, 2020 meeting. Members in attendance were Dan Becker, Sarah David, Jenny Harper and David Maurer; also present were Mike Poupard, applicant, David Kenoyer, and Collette Kinane and Tania Tully, staff.

Amendments: The following amended materials were provided after the 01/23/20 hearing: updated elevation and floorplan drawings; updated site plan; updated written description; window specifications; and updated built area calculations.

Conflict of Interest: None noted.

Staff Notes:

- The demolition of the church formerly on the site was approved with 041-18-CA. The case is available for review.
- The subdivision of 501 E Lane Street has been approved by City Council through case S-48-18. New addresses for each parcel have not been provided.
- Due to a recent interpretation of State law by the City Attorney, a COA is not required for changes within the City right-of-way

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; install driveway; install patio
1.5	Walkways, Driveways, and Off-street Parking	Install driveway
3.3	New Construction	Construct new house

PUBLIC TESTIMONY

Staff Introduction: Collette Kinane [affirmed] reviewed the case and provided photographs and information on the property. Ms. Kinane asked the committee if they wanted to consider this application, along with COA-167-2019 and COA-168-2019, as one case or treat them separately. She reminded the committee that the three proposed applications occupied one site that had been subdivided. Ms. Kinane told the committee that pending receipt of evidence showing that the height and setback of the building are congruous with the setbacks and heights of any typical well-related nearby buildings, staff suggests that the Committee approve the application with conditions.

Ms. Jackson, acting as chair in lieu of Mr. Fountain, asked the committee how to proceed with discussion. With no objections, the committee decided to look at the cases as one.

Support: Mike Poupard [affirmed], the builder for the project, presented the application to the committee. Mr. Poupard provided information at the meeting to show the setbacks of congruous buildings in the area. All comparable properties shown in this new material were two story structures within a block and half of the proposed site.

Opposition:

There was no one present to speak in opposition to the application.

Responses and Questions:

Ms. Jackson asked Mr. Poupard to clarify whether all the comparable properties were within a block and a half of the three proposed new houses. Mr. Poupard replied yes.

Ms. Jackson asked the committee whether they had any additional questions about the application more generally.

Mr. Thiem posed a question regarding the issue of setbacks. He wanted to clarify from his reading of page two of the sit report and language about “well related nearby buildings” which comparable properties the committee could consider. He asked if that meant the properties could be around the corners of the block. Ms. Kinane replied yes. Mr. Thiem thanked her for the clarification.

Ms. Jackson asked if there were additional questions.

Ms. McAuliffe asked a question about the heights of the comparable properties. Mr. Poupard said it was a little difficult to get the exact heights, that would require to get a surveyor to visit the site. He said his proposed houses were similar in height to those seen in the comparable properties, with nine-foot ceilings and similar roof pitches. He added that the lots were fairly well leveled and that there would not be many steps moving from the lot up to the house. He said that compared to others, these three would not be exceedingly tall. Ms. McAuliffe thanked him for the answer.

Mr. Thiem asked a question for staff. He said that staff’s report says pending receipt of height and setbacks to well related buildings. He said he saw that setback information was provided, but none on height. He commented that it looked like the committee was lacking additional information that staff recommended they have. He wanted clarification on the situation and how they should proceed.

Ms. Jackson reminded the committee that the applicant said that without a surveyor shooting the height, it would be hard to get exact information. She said the applicant had provided photographs showing typical two-story homes.

Mr. Poupard added that if the committee compared the buildings plans and elevations they would be within a few feet of the numbers a surveyor would get if they went out and shot them.

Ms. Jackson asked staff if they had any guidance on how they should proceed based on the information that had been provided. Ms. Tully replied that it was up to the committee. She said

that based on the information that has been provided, staff is not concerned. They feel that the information provided is enough to support the application. Ms. Tully also reminded the committee that they had heard testimony from neighbors in Oakwood last month in support of the application.

Ms. Jackson said the properties presented a bit of a problem because they were deciding on whether these three homes were consistent not only with each other, but also with the other properties within a block and a half of the subject properties. Ms. Tully said that having the exact number is not the issue, a visual showing a one story or two story is enough information to suffice.

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Ms. Tully said that all the photographs provided align with what was in the chart.

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Mr. Poupard added that in this district you see a lot of two-story homes, a lot of one-story homes, and that at some point a two story will have to sit next to a one story. Mr. Thiem thanked him for his answer.

Ms. Jackson asked if anyone else would like to speak in support of the application. Any one in opposition?

With no objection from the Committee, Ms. Jackson closed the public testimony portion of the meeting.

COMMITTEE DISCUSSION

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

The height and setbacks seem that they are consistent with the context. It would be interesting to see them all built up in a row—how that looks. [McAuliffe]

Typically, “well-related buildings” refers to buildings that are contributing to the character of the historic district. [Tully]

So, we do not have to look at only two-story comps? [McAuliffe]

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To hear additional information, Ms. Jackson reopened the public testimony portion of the hearing.

PUBLIC TESTIMONY (2)

Mr. Poupard added that he felt that the comparable properties he showed were representative of that street. It was three good two story representative homes in a row.

After Mr. Poupard answered the committee's question, Ms. Jackson once again closed the public portion of the hearing.

COMMITTEE DISCUSSION (2)

Are there any architectural issues? [Thiem]

No... I did not see any. [McAuliffe & Jackson]

I think the staff report is thorough in the conditions. [Jackson]

I want to follow up on Ms. Tully's comment earlier about the condensed application for approval. If we do this as a set, does it ask staff to do a lot. It does not seem like there is enough information to consider. [Bailey]

This is a typical list for new constructions. [Tully]

Okay, this is my first new construction. [Bailey]

Do we need to move through these one at a time as separate applications? [Thiem]

Nothing in the guidelines says that. This is essentially a development tract. You are not legally required to take them separately. [Raspberry]

That was my issue since they are not identical properties. [Thiem]

Each has a set of conditions that run with the land. We need to be very clear in the record which conditions apply to each lot. It might be cleaner then to do this as three separate motions.

[Raspberry]

In the applications they are listed as A, B, and C, with no separate street numbers. [Thiem]

For simplicity's sake, might be best to keep as separate motions unless there are objections. [Jackson]

Since you are all talking logistics, fact 6A might need updating. [Tully]

And fact 3. [Kinane]

With no objection from the Committee, Ms. Jackson closed the committee discussion portion of the meeting.

Decision on the Application

Mr. Raspberry advised that, as staff's proposed findings related to applications A, B, and C were generally in accord with height and setback, it is perfectly alright to make a single motion on the decision for two remaining cases. This is an unusual case and will avoid repetitive motions. They could choose to make a decision on the cases now and have staff bring the findings and conclusions back for approval at the next meeting.

Mr. Thiem made a motion that the amended application be approved with conditions and that the findings and conclusions are to be adopted at the next meeting. The conditions are as follows:

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 - j. HVAC screening
 - k. Landscaping plan (anything more than foundation plantings or trees should be submitted as a new COA application).

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

Committee members voting: Jackson, Dunn, McAuliffe, Bailey, Thiem.

Certificate Expiration Date: 08/27/2020

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

CERTIFICATE OF APPROPRIATENESS
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION

COA-0168-2019 501 E LANE STREET C

Applicant: MICHAEL POUPARD FOR GRAYSON HOMES LLC

Historic District: OAKWOOD HISTORIC DISTRICT

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Nature of Project: Construct new house; install driveway; install patio

Amendments: The following amended materials were provided after the 01/23/20 hearing: updated elevation and floorplan drawings; updated site plan; updated written description; window specifications; and updated built area calculations.

Conflict of Interest: None noted.

FINDINGS OF FACT

Based upon information contained in the amended Application, evidence received at the evidentiary hearing, including testimony and supporting materials offered by the witnesses, and staff suggested findings, the Committee makes the following Findings of Fact:

Siting

- 1* The property is located near the center of the Oakwood Historic District.
- 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 proposed sidewalk to the front wall of the house is approximately 16.3'. A chart of setback distance for a few adjacent properties was included on the plot plan. The neighboring setbacks range from 14.9' to 20.4'. The neighboring setbacks range from 14.9' to 20.4', with those in the 500-block ranging from 19.3' to 20.4'.
- 4* The new house is oriented to face Lane Street and appears to maintain a similar spacing between buildings as between those to the east. The siting of the house was governed by the location of a wide drainage easement to the north.
- 5* A visual of how the new house is sited in comparison to the neighboring properties is not included.
- 6* The setback chart does not include the well-related nearby buildings as defined in the Unified Development Ordinance (see fact *2). An updated setback chart was provided at the hearing.
- 7* Built mass to open space analysis: According to the applicant, the lot is 5,301 SF (0.122 acre). The footprint of the house will total approximately 1,817 SF; this includes the porches. The proportion of built mass to open space is proposed to be 34.3%.
- 8* A page in the application labeled "Built Area and Built Mass Comparison" shows neighboring built mass percentages ranging from 23.7% to 35.9%.

- 9* Built area to open space analysis: According to the applicant, the lot is 5,301 SF (0.122 acre). The proposed built area will total approximately 2,126 SF; this includes the porches, patio, and driveway. The proportion of built area to open space is proposed to be 40.1%.
- 10* The built area percentage for nearby properties ranges from 27.2% to 62.5%.

Form and Design

- 11* The applicant proposes constructing a two-story house. The neighboring houses on E Lane St are a mix of 1-story, 1 ½-story and 2-story designs.
- 12* Unified Development Ordinance 5.4.1.F.1. states that “Buildings and structures shall be congruous with the height of typical well-related nearby buildings and structures in the overlay district...as set forth in the historic development standards below or as defined in the designation documents or nomination.”
- 13* 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.”
- 14* Some analysis of the proposed structure’s congruity with the character of Oakwood or well-related nearby properties was provided. Evidence of the heights of well-related nearby buildings was provided at the hearing.
- 15* Several forms are found on the proposed design: gable, reverse saltbox, shed, and hip. This combination is atypical in Oakwood. The predominant roof structure is a reverse saltbox with a projecting shed dormer creating the second story above the front porch. The front porch has a shed roof. The rear porch is covered by low-slope hip roof.

Materials and Details

- 16* Below the eaves along the front porch are decorative brackets in pairs. Specifications were not provided for the brackets.
- 17* The front porch is supported by four sets paired columns. Detailed drawings for porch construction or column specifications were not provided.
- 18* Composition shingle roofing is proposed. Complete specifications and color were not provided.
- 19* The house is proposed to be clad with smooth fiber cement lap siding with a 5” exposure and 6” shake siding on the front dormer. Material specifications were not provided. Trim is proposed to be smooth fiber cement or smooth composite.
- 20* Parged stucco is proposed for the foundation. Specifications were not provided.
- 21* The porch ceiling is proposed to be tongue-and-groove pine.
- 22* The porch floor is proposed to be concrete or wood tongue-and-groove. Details were not provided.
- 23* Windows appear to be primarily vertically-oriented units of three sizes. The window material is noted as aluminum-clad wood. Specifications were provided; however, the visual appearance of the aluminum cladding is unclear. The committee has found aluminum clad windows to be congruous when the finish is smooth painted rather than an anodized finish and when the seams are flush, not pronounced, and not significantly more visible than the seams on an all wood window.

- 24* The front door is proposed to be a three-pane 3/4-paneled unit, while the north elevation includes a bank of four doors that appear to be oversize variants of the window style. It is unclear if the doors on the north façade are full-lite. Door specifications were not provided.
- 25* An opening is shown on the east façade elevation that appears to be an open entryway leading to a side entry. The design details of this entryway are unclear.
- 26* A covered porch is proposed at the rear the house. The location is typical of those found in the district. Detail drawings were not provided.
- 27* Eave and soffit construction details were not provided.
- 28* The application states that materials will be painted. Paint samples were not provided.
- 29* Exterior lighting was not shown on the drawings, nor were specifications provided.
- 30* Downspout locations are indicated on the elevation drawings. Gutters and downspout specifications were not provided.

Site and Setting

- 31* 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.”
- 32* A new concrete, single-car-width strip driveway and curb cut are proposed to be installed adjacent to the east façade of the house. This is a traditional location and a traditional style for a driveway on a corner property.
- 33* No landscaping information on the property was provided.
- 34* HVAC equipment is proposed for the east side of the structure. This is a typical location for mechanical equipment. Screening details were not provided.
- 35* A concrete walkway from the front sidewalk to the front porch is proposed. This is a traditional location.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Committee makes the following Conclusions of Law:

1. The construction of a new house, installation of a driveway, and installation of a patio are not incongruous in concept according to *Guidelines* sections 1.3.2, 1.3.8, 1.3.12, 1.5.5, 1.5.6, 1.5.8, 3.3.1, 3.3.2, 3.3.6, 3.3.7, 3.3.8, 3.3.9, 3.3.10, 3.3.11, 3.3.12.
2. The Committee is hearing this case under the authority of Section 5.4.B.2. of the Raleigh Unified Development Ordinance (UDO).
3. The sole issue for the Committee’s determination in this matter is whether the proposed work is not incongruous with the special character of the Historic Overlay District in light of the applicable *Guidelines* and other applicable provisions of the UDO.

DECISION

Based upon the forgoing, the Committee Finds, Concludes, and Rules that COA Application COA-0168-2020 be Approved as Amended with Conditions as stated below.

1. That prior to the issuance of the blue placard the following be provided to and approved by staff:

- a. Window specifications confirming that the aluminum clad windows have a smooth painted finish and that the seams are flush, not pronounced;
 - b. Soffit construction;
 - c. East entry construction details;
2. 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 tail details;
 - c. Trim at windows, doors and transitions between materials;
 - d. Paint and stain color swatches from paint manufacturer;
 - e. Doors, showing both section and elevation views, muntin profiles and material descriptions;
 - f. Porch railings showing both elevation and section views;
 - g. Exterior lighting including locations on the building;
 - h. Finish specifications for the gutters and downspouts, and location on the building shown on elevation drawings;
 - i. House numbers, electric panel location, and all other exterior elements not included in the application
 - j. HVAC screening
 - k. Landscaping plan (anything more than foundation plantings or trees should be submitted as a new COA application).

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0162-2019 1001 PARKER STREET

Applicant: EMMA LILES FOR CITY OF RALEIGH PARKS AND RECREATION

Received: 12/04/2019

Meeting Date(s):

Submission date + 90 days: 03/03/2020

1) 2/27/2020 2) 3)

INTRODUCTION TO THE APPLICATION

Raleigh Historic Landmark: LATTA HOUSE AND UNIVERSITY SITE

Historic District: OBERLIN VILLAGE HISTORIC DISTRICT

Zoning: General HOD

Nature of Project: Park master plan for alterations including installing new planting beds; new walking path; site interpretive elements; pavilion; patio; tree removals

Conflict of Interest: None noted.

Staff Notes:

- COAs mentioned are available for review.
- The final design of the proposed pavilion, patio, site interpretation, and signage will be submitted as subsequent COA applications.
- Raleigh City Code Section 10.2.15.E.1. states that “An application for a certificate of appropriateness authorizing the demolition or destruction of a building, structure or site within any Historic Overlay District or Historic Landmark may not be denied...However, the authorization date of such a certificate may be delayed for a period of up to 365 days from the date of issuance...If the Commission finds that the building, structure or site has no particular significance or value toward maintaining the character of the Historic Overlay District or Historic Landmark, it shall waive all or part of such period and authorize earlier demolition or removal.”

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<i>Sections</i>	<i>Topic</i>	<i>Description of Work</i>
1.2	Archaeological Sites & Resources	Park master plan for alterations: including installing new planting beds; walking path; site interpretive elements; pavilion; patio; tree removals
1.3	Site Features and Plantings	Park master plan for alterations: including installing new planting beds; walking path; site interpretive elements; pavilion; patio; tree removals
1.5	Walkways, Driveways, & Off-Street Parking	Install pathway
1.6	Garages and accessory Structures	New Pavilion
1.8	Signage	Install site interpretive elements

PUBLIC TESTIMONY

Staff Introduction: Collette Kinane [affirmed] reviewed the case and provided photographs of the site's existing conditions and views of the proposed master plan. Ms. Kinane explained that the property is a historic site. She added that staff neglected to add a fact noting that a deed restriction on the property requires that 75% of the site should have tree canopy coverage. Ms. Kinane explained that staff suggests the following: that the general footprint and location of the new building be approved; that the proposed demolition and removal of existing non-historic features be approved; that the general layout of the proposed new landscaping and hardscaping be approved; and that the remainder of application be approved with the following conditions:

Ms. Jackson clarified information about the tree coverage and deed restriction.

Support: Benjamin Mount and Emma Liles [both affirmed] appeared in support of the application and to answer any questions from the committee. Mr. Mount spoke first and explained his role as the senior associate city attorney for parks and was present to make sure information about the landmark ordinance, historic landmark report, Oberlin Village character essay, and pertinent sections of the Design Guidelines got into the record. He said he would then turn the conversation over to the subject specialist, Ms. Liles.

Ms. Liles introduced herself and asked the Committee if they had any questions.

Opposition:

There was no one present to speak in opposition to the application.

Responses and Questions:

Ms. Jackson asked Ms. Liles if she had any additional information to share with the committee. She said no. Ms. Tully added that staff advised applicants to prepare for questions since the committee had the pertinent information so the meeting could truck along.

Mr. Thiem said that compared to other plans and applications the committee receives, he was not sure what they proposed to build on the site, adding that staff said the applicant was only planning on doing some of the work.

Ms. Liles replied that they were looking to get the master plan approved, then it would move on to City Council next week. After that, if approved, they would return to this committee with schematics and specifics for phase one of the master plan at a later date.

Mr. Thiem said that Ms. Liles' answer clarified his question—that the applicant was not seeking construction-level approval at this time. He added that when they came back the committee would want a survey showing CRZ and how they planned to protect the trees during the construction process.

Ms. Jackson asked if those questions clarified the application for everyone, restating that it would need master plan approval here, then move to City Council, then return to the COA committee at a later date.

Ms. Jackson asked if anyone else would like to speak.

With no objection from the Committee, Ms. Jackson closed the public testimony portion of the meeting.

COMMITTEE DISCUSSION

With no comments or discussion from committee members, Ms. Jackson closed the committee discussion 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 in the evidentiary hearing, the Committee finds staff suggested findings A. (inclusive of facts 1-15) to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Implementing Park master plan for alterations: including installing new planting beds; walking path; site interpretive elements; pavilion; patio; removal of non-historic features; tree removals is not incongruous in concept according to *Guidelines* sections 1.2.1, 1.2.2, 1.2.5, 1.2.6, 1.2.7, 1.3.1, 1.3.3, 1.3.5, 1.3.9, 1.3.13, 1.3.14, 1.5.5, 1.5.6, 1.5.9, 1.5.11, 1.6.6, 1.6.10, 1.6.11, 1.8.2, 1.8.5, 1.8.7, 1.8.9; and the following facts:
- 1* The Latta House and University Site was designated as a Raleigh Historic Landmark in 2010.
 - 2* Ordinance No. (2010) 759 designating the site as a Landmark states that the site has “historical significance for its association with African American educator Reverend M.L. Latta, Latta University, and early education for Raleigh’s African American community. The university also played an important role in the historic community of Oberlin. The site has archaeological significance for the intact subsurface deposits dating to the historically significant occupation of the property by the Reverend M.L. Latta and Latta University (c. 1892 to 1930). Significant elements of the site include known and suspected archaeological deposits dating from the late nineteenth to early twentieth century, some of which are identified in the Raleigh Historic Landmark Designation Report. Known archaeological deposits include evidence of the Latta House, the Manual Training Department, a midden heap, and a well. Significant elements of the historic setting including remaining trees, lawns, and planting beds.”
 - 3* The parcel is currently a tree covered lot with a central open lawn, informal pathways and some extant planting beds. The parcel is fronted by Parker Street to the east and Tower Street to the west.
 - 4* Photographs and a detailed description of the existing conditions were provided in the application.
 - 5* The proposed master plan includes a 6-8’ wide pathway that provides circulation around the site. A 4’ wide connector path provides north to south access near the midpoint of the park. Materials were not specified.
 - 6* The topography of the site may be modified minimally for the purpose of accessibility along the proposed path.
 - 7* Historic signage and historic interpretation are proposed at regular intervals along the pathway. The final design of the interpretive elements and signage will be a subsequent COA.

- 8* The existing entryway on Parker Street is proposed to be altered with ornamental planting beds on either side of the entryway. This is a traditional location for planting beds. A trash and recycling receptacle are also proposed for the entryway. Specifications were not provided.
- 9* A new secondary entry location is proposed on Tower Street. The design of the entry will be similar to the entry on Parker, but less prominent.
- 10* An outdoor patio is proposed in the southwest quadrant of the park, roughly near the existing non-historic stone grill. The final design of the patio will be a subsequent COA.
- 11* A tree survey and health assessment prepared by City arborists were provided. The assessment included identification of trees that are believed to be original to the site. The survey recommends that invasive species and “small weedy trees” be removed from the site. It is unclear if any of the trees recommended for removal are greater than 8” DBH.
- 12* New plantings will be limited to native species including oaks, redwoods, and dogwoods that would have been found on the site during the period of the Latta University. Exact species and planting locations were not provided.
- 13* The new pavilion will be in the southeast quadrant of the park, outside of the circular inner path and tucked within the tree area so as to not impede the open central core of the park.
- 14* The new building will be small in scale so as not to detract from the trees and grassy spaces. The application illustrates that the pavilion will be a maximum of 40' x 30'.
- 15* A design for the pavilion was not provided.
- 16* Per deed restrictions, the property must retain 75% tree canopy coverage.

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

Decision on the Application

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

1. That there be no demolition delay for the removal of the trees.
2. That archaeological guidance be received from the Office of State Archaeology and submitted to RHDC staff prior to plan implementation.
3. That new COA application(s) be filed for the new landscape and hardscape features; design and materials of the new architectural elements including pavilion, signage, and other miscellaneous features.

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

Committee members voting: Jackson, Dunn, McAuliffe, Bailey, Thiem

Certificate Expiration Date: 08/27/2020

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

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0171-2019 519 E JONES STREET

Applicant: JAMES MCKENZIE

Received: 12/18/19

Meeting Date(s):

Submission date + 90 days: 03/17/20

1) 2/27/20 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: General HOD

Nature of Project: Remove built-in gutter; install gutter; remove window

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<i>Sections</i>	<i>Topic</i>	<i>Description of Work</i>
2.5	Roofs	Remove built-in gutter; install gutter
2.7	Windows and Doors	Remove window

PUBLIC TESTIMONY

Staff Introduction: Collette Kinane [affirmed] reviewed the case and provided photographs of the property, highlighting the gutter in question. Ms. Kinane also reviewed elevations and photographs of the window that the applicants propose to remove. She informed the committee that they should discuss Design Guideline 2.5.9 before making their determination. Pending the results of that discussion, staff suggests that the committee approve the application with conditions.

Support: James McKenzie [affirmed], the property owner, appeared in support of the application and to answer any of the committee's questions.

Opposition:

There was no one present to speak in opposition to the application.

Responses and Questions:

Ms. Jackson asked the committee if they had any questions for the applicant.

Mr. Dunn asked why repairs to the existing gutter were difficult. Mr. McKenzie replied that when they repaired the roof in 2009 and replaced the bitumen covering, the opening was enlarged in an attempt to provide better drainage. He added that even after some repair work last year, they experienced a lot of spillover that has rotted the wood and is damaging the siding of the property.

Ms. Jackson clarified that there had been an attempt to repair the gutter system but it was not successful? Mr. McKenzie replied yes, it had not been successful.

Ms. Jackson asked if there were any other questions.

With no objection from the Committee, Ms. Jackson closed the public testimony portion of the meeting.

COMMITTEE DISCUSSION

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

Let's discuss 2.5.9. The guidelines say it is not appropriate to replace built in gutters with exposed gutters. I think the location of the gutter—the segment proposed for removal—matters since it is in the rear of the building. That is not the most important or visible. Other thoughts? [Jackson]

I agree with staff's comments and their judgement that removing the gutter would not impact the historic character of the building. [McAuliffe]

Especially since it's damaging the house. [Dunn]

And efforts have been made. [Jackson]

And from what I am seeing in the report, this gutter is attached to an addition that is not original to the property, added some point prior to 1914, so after the original construction. [Thiem]

Yes, correct. [Kinane]

There is evidence to support approving this. [Jackson]

With no objection from the Committee, Ms. Jackson 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 suggested findings A. (inclusive of facts 1-8) and B. (inclusive of facts 1-5), to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Installing gutters are not incongruous in concept according to *Guidelines* 2.5.4, 2.5.7, 2.5.8; the removal of a built-in gutter is not incongruous according to *Guidelines* 2.5.9; 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 Victorian frame two-story, ca. 1869: "It has a hipped roof with built-in gutters, and a wide fascia under the eaves. The roof was formerly sheathed in either slate or standing-seam metal. The front porch has a hipped roof supported by coupled and tripled slender square-section posts, with elaborate sawnwork ornament at the top of the posts and a similar sawnwork balustrade; this sawnwork is a speculative recreation of the original. The partially-glazed front door has a transom and sidelights, reproductions of the originals. There are two sets of French doors with transoms opening onto the front porch...Most windows are six-over-six.

On the western part of the rear is a hipped-roofed two-story wing, probably original. There is a one-story section beside this wing, either original or added prior to 1881. A one-story projection was added on the east side of the house prior to 1881. A separate one-story hipped-roofed kitchen was built behind the house in the 1880s. It may have been originally connected to the house by an open porch. It was connected to the house by a room prior to 1914. In c.1948, George Norwood's widow Mamie divided the house into four apartments, and lived in one herself. After she died in 1952, her daughter Mary Elizabeth reconfigured the house as five apartments...The front door was turned into a window, and the windows on the porch were turned into the front doors of two apartments; four small additional windows were cut into the front of the first story. Exterior stairs were added to access the two second-story apartments, and the kitchen became the fifth apartment. The projection on the right side was expanded to two stories. The decorative sawnwork on the front porch was lost...In 2003 the house was restored to a single unit by Michael Clay. The extra windows were removed from the façade, the front door was restored to the center, and the added front doors were replaced with pairs of French doors. The sawnwork ornamentation and balustrade were added as speculative reproductions of the original."

- 2* The application proposes the alteration of a built-in gutter located on a one-story addition on the west side of the house.
 - 3* The location of the gutter is set back from the main mass of the house and is not visible from the street.
 - 4* The application states that several previous attempt to repair the built-in gutter have failed. No professional assessment was provided.
 - 5* The history of the house provided in the "Inventory," as noted above, speculates that the one-story addition was constructed at some point prior to 1914.
 - 6* The application proposes altering the gutter system on the west façade to match the existing spill-over gutter located on the east façade.
 - 7* Except for the spill-over gutter, the east side of the addition is structurally symmetrical to the west side.
 - 8* All gutters on the house are built-in gutters, except for the spill-over gutter located on the east side.
- B. Removing a window is not incongruous in concept according to *Guidelines 2.7.1, 2.7.11*; and the following facts:
- 1* The application proposes the removal of a window location on the second floor of a two-story addition on the east façade.
 - 2* The addition was constructed at some point after 1952, per the "Inventory of Structures in The Oakwood National Register Historic Districts".
 - 3* The window is on a non-character defining facade.
 - 4* The application does not state that the new siding will be woven into the existing siding so as to avoid the appearance of matching vertical seams.
 - 5* The removal of existing windows, sash, opening, or trim from non-character defining facades is classified as a minor work COA and is included here for administrative efficiency.

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

Decision on the Application

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

1. That where the window is removed that the new siding be woven in to the existing siding so as to avoid the appearance of matching vertical seams.

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

Committee members voting: Jackson, Dunn, McAuliffe, Bailey, Thiem.

Certificate Expiration Date: 08/27/2020

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

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0003-2020 713 HINSDALE STREET

Applicant: DAYMON AND MYRIAM ASBURY FOR ASBURY REMODELING & CONSTRUCTION, LLC

Received: 1/14/2020

Meeting Date(s):

Submission date + 90 days: 4/13/2020

1) 2/27/2020 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: GLENWOOD-BROOKLYN HISTORIC DISTRICT

Zoning: STREETSIDE HOD

Nature of Project: Construct rear addition; alter window and opening; remove vinyl siding; remove tree

DRAC: An application was reviewed by the Design Review Advisory Committee at its February 3, 2020, meeting. Members in attendance were Dan Becker and Don Davis; also present was Myriam Asbury, applicant; Tania Tully, Erin Morton, and Collette Kinane, staff.

Conflict of Interest: None noted.

Staff Notes:

- The Glenwood-Brooklyn Historic District is a Streetside HOD. This means that only part of the entire property subject to the COA process.
- Streetside HODs are "...established to provide for protection of the traditional development patterns of an area and to preserve historic resources found in it. The focus is on maintaining that character and on preserving those key character-defining features of individual historic resources within the district as viewed from the street right-of-way, excluding alleys..." (Section 5.4.2.A.1. of the Unified Development Ordinance)
- Section 5.4.2.B. of the Unified Development Ordinance governs the applicability of the COA process in Streetside HODs. Changes within the first 50% of the depth of any existing principal building from the facade adjacent to a public right-of-way requires a COA. For the sake of this measurement, the house runs from the front wall (not the front of the front porch) to the rear wall (also not including porches).
- As a corner lot, the 50% is measured from both streets.
- Those items shown on the plans or mentioned in the written description that are not subject to COA review are:
 - Removal of the utility chimney
 - Removal of the deck
 - Removal of the existing rear addition
- COAs mentioned are available for review
- The non-historic 1/1 windows were removed and replaced with vinyl 6/6 windows sometime after July 2018, per Google Streetview imagery.

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 addition; remove tree
2.6	Exterior Walls	Remove vinyl siding

2.7	Windows and Doors	Construct addition; alter window and opening
3.2	Additions	Construct addition

PUBLIC TESTIMONY

Staff Introduction: Collette Kinane [affirmed] reviewed the case and provided photographs of the property. Ms. Kinane explained that staff suggests that the committee discuss the use of vinyl siding on the addition and installation of vinyl windows. Pending the result of that discussion, staff suggests that the committee approve the application with conditions.

Support: Daymon Asbury and Myriam Asbury [affirmed] presented their application to the committee. Mr. Asbury and Ms. Asbury identified themselves as the owners of the property.

Opposition:

There was no one present to speak in opposition to the application.

Responses and Questions:

Mr. Thiem said he had a question for staff that may result in a question for the applicant. He asked whether in this district, and for a corner lot, the 50% measured from both streets and whether the committee was just supposed to assess the architecture or were they to consider the site as well. Ms. Kinane responded that for this site, they were to consider the space up to the front wall of each side---from street to wall.

Mr. Thiem commented that it appeared to him that the length of the addition will be impacting a very large tree in the side of the yard. It might be in the right of way, but he questioned whether committee members were supposed to address those trees. Ms. Tully explained that if they were to draw a line from the side of the house---that was the area under regulation. Mr. Thiem said if someone looked down the said of the house, it might get within feet of that tree so it would have an impact. He said a site plan might address that. Ms. Kinane said they had addressed that in fact three.

Mr. Thiem added that the committee would ask for a replacement and questioned whether they would delay the removal of the tree. He then acknowledged that a site plan was not provided so the committee cannot make a decision without knowing the impact. He said he would be fine with this going to committee since he thought he had a solution.

Ms. Asbury replied that she was happy to plant as many trees as the committee would like. The engineer they spoke with thinks the root system of the tree in question would run into the proposed addition. Ms. Jackson asked for clarification on whether the structural engineer said that. Ms. Asbury said yes.

Mr. Dunn asked the applicants to speak a bit more about the vinyl siding and wanted to know what was underneath. Ms. Asbury replied that they were excited to see if wood plank siding was under there. They would like to preserve the house but they need that 300 square foot addition because for their family, the one bathroom is too small. She added that their preference would be to remove the white vinyl and use the wood siding and find something similar, but distinct, for addition, but if the wood was in bad condition, they would find something suitable.

She continued to explain that they would not know the condition of the wood until the vinyl siding is taken down.

Ms. Jackson asked if they would need to remove more than the back. Ms. Asbury answered that Mr. Asbury is a general contractor, explaining that they would be doing the work themselves. She said it would be possible to take down a few sides and fill in a few rotted sides, but if more of the wood was rotted it would become pricey.

Ms. McAuliffe asked a question about the tree. She said the committee wanted to preserve mature tree canopies so she was not sure if they had enough information to assess that now. She asked if they had looked at alternative construction methods.

Mr. Asbury said it was a continuous footer. Ms. McAuliffe said that was what she was getting at. She asked if it had to be or if pier footers or hand would work. Mr. Asbury explained that North Carolina code was moving away from pier footers. He said from an engineering standpoint they could not mix, it would have to be all of one method or the other.

Mr. Thiem asked whether they knew if the tree was on their property. Mr. Asbury said yes, it was on their property. Mr. Thiem replied thank you.

Ms. Jackson asked if there were any other questions or if anyone else would like to be heard.

With no objection from the Committee, Ms. Jackson closed the public testimony portion of the meeting.

COMMITTEE DISCUSSION

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

The proximity of the tree to the addition is pushing the issue. My concern is with being consistent about having enough information to discuss the removal. We do not have any information to say the tree is unhealthy. A 365 demolition delay would not be worth it. I just want us to be consistent. Maybe staff can make a comment about what would be appropriate. [Thiem]

When it comes to additions, we have not required an arborist's report. If there were no addition involved, that is when the arborist would come into play. I think having a dimensioned site plan would be necessary, especially for an addition. [Kinane]

You can add that as a condition. [Tully]

If we were not discussing the tree would we need a site plan? [Thiem]

There is a loose site plan submitted with iMaps. You can turn layers on and off to get the dimensions of the lot line. That might provide some additional information. [Jackson]

Can staff clarify our jurisdiction, does the 50% go back from the whole house? [McAuliffe]

With a streetside overlay, you consider what is visible from the street. [Tully]

Have we approved vinyl on an addition in a streetside? [Bailey]

Vinyl never, regardless of district. Fiber cement often approved on additions. [Tully]

So to clarify, if there is wood under the vinyl, they will keep the vinyl off? [McAuliffe]

If they leave the vinyl on the existing house, they want vinyl on the addition. Question for the committee is whether vinyl would be okay if the wood underneath is bad. [Tully]

Has that ever been done? [Dunn]

No, but this is a new case. Something to think about. Even if they choose not to remove the vinyl siding, someone in the future could. In that case having fiber cement siding would be more in character than wood. [Tully]

Did we approve an addition with vinyl windows last month? [Jackson]
To a non-contributing property, on an addition. Oberlin Village has a very different period of significance, up to the 1970s. Vinyl windows were congruous. [Tully]
Sounds like they might put vinyl back on if the wood siding cannot be salvaged. [McAuliffe]
Yes, they're seeing what is underneath then making that judgement call. [Tully, McAuliffe, Dunn]
[To applicants] If they say something wrong, you can jump in. [Tully]
No, you hit the nail on the head. [Asbury]
It would be easier if we knew what condition the siding was in. [Jackson]
No matter what the siding is, is vinyl congruous with the historic district? [Tully]
No. [Thiem]
About additions in general. They are designed to be structurally self-supporting. To show the history of construction, from original to new, it gives me pause I do not see the corner boards in the images. [McAuliffe]
Siding differentiation can do this. [Dunn]
If you decide that the addition has to be fiber cement, applicant can choose to adjust the placement of the windows. Staff could handle that at their level. [Tully]
Do we need to add anything about paint color? [Bailey]
No, no color considerations in streetside. [Kinane]

To gather additional information from the applicants, Ms. Jackson reopened the public portion of the hearing.

PUBLIC TESTIMONY (2)

Ms. Asbury asked if corner board demarcation is something they were required to do. Ms. Jackson said it was a typical requirement but she was not sure if that feature made it into the elevations that were provided in the application. Ms. Asbury explained that it was not their desire, but they would add that if the committee wanted.

Ms. Tully added that it was usually used as a condition when there was not change in material to otherwise demarcate the change.

Mr. Thiem said an additional issue was that it looked like that demarcation was running through a window. Ms. McAuliffe asked if that could be a condition. She explained that the corner board tells people the history of the house and that a window half in and half out would not tell the same story. Ms. Tully added that if the committee believed that the location of the window made it out of character with the district, it is not congruous.

Ms. McAuliffe asked Mr. and Ms. Asbury if that made sense. That a window and demarcation does not work the same way as other precedents in the neighborhood. Both Asburys nodded. Ms. McAuliffe further added that it was more typical to see the window on one side or the other. Ms. Asbury clarified that they wanted the window shifted to one side or the other. Ms. McAuliffe replied yes.

Mr. Dunn added that vinyl siding would not be approved.

After the committee's questions had been answered, Ms. Jackson closed the public portion of the hearing once again.

With no objection from the committee and with no further internal committee discussion needed, Ms. Jackson 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 suggested findings A. (inclusive of facts 1-16) and B. (inclusive of facts 1-5), to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Constructing an addition and removing a tree are not incongruous in concept according to *Guidelines* sections 1.3.1, 1.3.2, 1.3.6, 1.3.7, 1.3.8, 3.2.1, 3.2.2, 3.2.6, 3.2.7, 3.2.8, 3.2.9, 3.2.10, 3.2.11, 3.2.12; however, the use of vinyl windows and siding is incongruous according to *Guidelines* sections 2.7.9, 2.7.13, 3.2.9 and the following facts:
- 1* The Glenwood-Brooklyn Historic Overlay District report describes 713 Hinsdale Street as a ca. 1923 "one-story frame house with vinyl siding and an asphalt-shingled gable roof. The porch has tapered wood posts. Other features include a foundation of brick piers with brick infill, a rear wing, modern 1/1 windows."
 - 2* The house sits at the northeast corner of Hinsdale and Gaston streets.
 - 3* The application states that one tree is proposed to be removed due to its proximity to the proposed addition and the potential impact to its root system. An accurate site plan was not provided.
 - 4* The application proposes an addition on the rear, non-character-defining facade of the house.
 - 5* An existing small rear addition and a rear deck are proposed to be removed to accommodate the new addition that would extend the length of the house as seen from Gaston Street by 10'3". The proposed addition is at the same level as the historic house.
 - 6* The new addition is rectangular in form similar to the existing house with a gable roof form. The addition alters the existing rear hip roof form and raises the existing ridge line of the hip.
 - 7* As shown in the side elevations, the roof ridge of the addition will be lower in height than the roof ridge height of the historic house. The elevations were not dimensioned, nor was a graphic scale provided.
 - 8* The historic house is clad in 8" vinyl siding. The application states that the wood siding that exists underneath the vinyl siding will be evaluated when the rear wall of the house is removed. If the wood is in good condition, the application proposes to install fiber cement siding on the addition. If the wood is in poor condition or does not exist, the application requests to install vinyl siding on the addition. The Commission has not previously found vinyl siding to be congruous in any circumstance.
 - 9* The eaves, soffits, and overhangs are proposed to be similar to the existing. Detailed drawings were not provided.
 - 10* The proposed addition will be structurally self-supporting with a painted CMU foundation to match the existing painted brick.
 - 11* The application states that the existing windows are all vinyl. The existing window appear to have between-the-glass grilles. The Committee has not previously found this treatment of window grilles to be congruous in any case.
 - 12* Four styles of windows are proposed on the addition:

- a. On the right/east façade, a six-over-six window is proposed to match the existing windows on that façade. Specifications were not provided.
- b. On the rear/south facade, a four-pane transom window is proposed at the rear corner of the property closest to the street. The Committee has not found the installation of these windows to be congruous on character defining facades. One four-over-four window is proposed adjacent to the transom window. This is the only occurrence of both proposed window styles on the structure.
- c. On the left/west façade, two horizontally oriented six-over-six windows are proposed. The windows of different proportion than the windows on the historic house. This is the only occurrence of that proposed window style on the structure.

A product page was included; however, window specifications were not.

13* The elevation drawings appear to indicate that the proposed window trim is to have flat casing on three sides, with a sill at the bottom. Detailed drawings were not provided.

14* The application included photographs of a few corner properties in Glenwood-Brooklyn.

15* Exterior lighting was not shown on the drawings, nor were specifications provided.

16* Gutters and downspouts were not shown on the drawings, nor were specifications provided.

B. Altering a window is not incongruous in concept according to *Guidelines* sections 2.7.1, 2.7.9, 2.7.11; however, the alteration of a historic window opening is incongruous according to *Guidelines* sections 2.7.1, 2.7.11, and the following facts:

1* The application proposes the alteration of a window within the first 50% of the house on the east/left façade.

2* The existing window is a six-over-six vinyl window.

3* The historic nature of the window opening is not described; however, it is likely original to the construction of that addition.

4* From *Design Guidelines* section 2.7, Windows and Doors, in the Things to Consider as You Plan section: "Changing existing window and door openings, closing existing openings, or adding new openings on a historic building should be carefully considered and undertaken only for compelling reasons. Changes to original openings in a character-defining facade should never be considered. For less significant facades, the pattern of proposed openings should be characteristic of and complementary to the historic building and the historic district context."

5* The applicants propose replacing the existing window with a modern pair of six-over-six vinyl windows without a historic mull separation.

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

Decision on the Application

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

1. That the siding of the addition not be vinyl; that it be either wood or smooth faced fiber cement.
2. That the window opening not be altered.
3. That vinyl windows not be installed in the addition.

4. That details and specifications for the following be provided to and approved by staff prior to issuance of the blue placard:
 - a. Eave detail drawing;
 - b. Window specifications;
 - c. Dimensioned site plan showing the tree to be removed, existing house, addition, and property lines;
5. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
 - a. Specifications for the gutters and downspouts, and location on the building;
 - b. Manufacturer's specifications for exterior lighting, and location on the building, if any.
6. That new windows be fully located in either the addition or existing house, not straddling between the two.

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

Committee members voting: Jackson, Dunn, McAuliffe, Bailey, Thiem

Certificate Expiration Date: 8/27/2020

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

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0004-2020 206 LINDEN AVENUE

Applicant: NISSAN PATEL AND LAURA FASOLAK

Received: 1/14/2020

Meeting Date(s):

Submission date + 90 days: 4/13/2020

1) 2/27/2020 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: GENERAL HOD

Nature of Project: Construct addition; replace windows; remove deck; remove shed

DRAC: An application was reviewed by the Design Review Advisory Committee at its January 6, 2020, meeting. Members in attendance were Dan Becker, David Maurer, Sarah David, and Jenny Harper; also present were Nissan Patel and Laura Fasolak, applicants; Ashley Morris, architect; Tania Tully and Collette Kinane, staff.

Conflict of Interest: None noted.

Staff Notes:

- COAs mentioned are available for review

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<i>Sections</i>	<i>Topic</i>	<i>Description of Work</i>
1.3	Site Features and Plantings	Construct addition; remove shed
1.6	Garages & Accessory Structures	Remove shed
2.7	Windows and Doors	Construct addition; replace windows
3.2	Additions	Construct addition

PUBLIC TESTIMONY

Staff Introduction: Collette Kinane [affirmed] reviewed the case and provided photographs of the property, including views of the rear shed under consideration. Staff suggests that the committee approve the application with conditions.

Support:

Ashley Morris [affirmed] presented their application to the committee. Nissan Patel and Laura Fasolak, the property owners, were also present in support of the application.

Ms. Jackson, acting as chair, welcomed the applicants and asked if they had any additional information they would like to share with the committee.

Ms. Morris asked that she would be happy to answer any questions.

Opposition:

There was no one present to speak in opposition to the application.

Responses and Questions:

Ms. Jackson asked the committee if they had any questions. She then asked the applicants if they had a chance to review staff comments and proposed conditions.

Ms. Morris replied yes.

Ms. Jackson asked if anyone else had a question.

With no objection from the Committee, Ms. Jackson closed the public testimony portion of the meeting.

COMMITTEE DISCUSSION

With no questions or comments from the committee, Ms. Jackson closed the internal discussion 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 in the evidentiary hearing, the Committee finds staff suggested findings A. (inclusive of facts 1-22) and B. (inclusive of facts 1-3), to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Constructing an addition, replacing windows, and removing a deck are not incongruous in concept according to *Guidelines* sections 1.3.1, 1.3.2, 1.3.6, 1.3.7, 1.3.8, 2.7.7, 2.7.11, 2.7.13, 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 pages from the "Inventory of Structures in The Oakwood National Register Historic Districts" Raleigh, North Carolina By Matthew Brown, Historian, Society for the Preservation of Historic Oakwood Researched and written from 2004 to 2015. That document describes the house as a Queen Anne triple-A frame cottage, c.1906, with "a steeply-pitched side-gabled saddle roof... The front porch has a hipped roof supported by four turned posts with brackets and a non-original square-section balustrade... The transom is original. The original windows were two-over-two. These were replaced with metal windows in c.1991."
 - 2* The subject property is within the Linden Avenue amendment boundaries of Oakwood Historic Districts listed in the National Register in 1987. That nomination form classifies the building as contributing.
 - 3* The application states that no trees are proposed to be removed. A tree protection plan prepared by a certified arborist was provided showing tree sizes, species, critical root zones, site access, fencing, and storage areas.
 - 4* The proposed addition is at the rear of the house and at the same level as the historic house.
 - 5* The proposed addition includes shed and gable roof forms. The addition extends the rear gable. A north-south cross gable frames the east side of the non-historic previous addition. At the rear of the proposed addition, a shed roof projects over the screened porch.
 - 6* As shown in the side elevations, the roof ridge of the addition will be lower in height than the roof ridge height of the historic house. The elevations were not dimensioned.

- 7* The addition is proposed to be clad in wood siding to match the existing wood siding – the application notes that this is guessed to be 4.5” reveal wood siding - while the roofing is to be architectural shingles.
- 8* The eaves, soffits, and overhangs are proposed to be similar to the existing. Detailed drawings were not provided.
- 9* Paint is proposed to match the existing house.
- 10* The foundation of the addition will be painted brick to match the existing.
- 11* A four-wide full lite French door with a fixed window on either side is proposed for the rear on the interior of the screen porch. Specifications were provided.
- 12* The application states that none of the existing windows are original to the house. Many are aluminum. While some of the existing windows are wood, photographs were provided to illustrate alterations to the trim that were made when the windows were replaced.
- 13* Seven styles of windows are proposed.
- a. On the historic house, wood two-over-two double-hung windows are proposed to replace the current aluminum windows. The elevations show windows of a comparable size to the style of the house, but the application notes that the actual window size will be determined when the framing is uncovered during the project. The applicant intends to install windows that fit the original opening, if possible. On the north façade, windows are proposed that are proportional to what would have been installed historically if that part of the house were original. The windows will be installed as single units. Two smaller wood casement windows are proposed on the north facade, appearing to be the same dimensions as the top portion of the double-hung windows. Specifications were provided.
 - b. On the proposed addition, three sizes of vertical casement windows are proposed. The windows are similar proportionally to the windows on the historic house. A triple window is proposed on the rear façade. The proposed windows have no grilles and a higher head height to distinguish the addition from the historic house.
- 14* The proposed window trim is to have flat casing on three sides, with a sill at the bottom.
- 15* A screened porch is proposed for the rear façade. The proposed porch is to be framed with treated lumber and painted to match the house. The underside of the porch will be screened.
- 16* The screening for the porch is to be on the inside of the pickets and railings as has been found to be congruous for other screened porches in Oakwood. A detailed drawing was not provided.
- 17* Built mass to open space analysis: According to the applicant, the lot is 5,515 SF. The original built mass including the footprint of the house and a historic shed that is no longer extant is 1,657 SF. The original proportion of built mass to open space was 30%. The footprint of the proposed built area is 2,452 SF. The proportion of built mass to open space is proposed to be 44%.
- 18* The application includes analysis of the existing built area to open space ratios of properties in the immediate neighborhood showing a range of 22% to 47%.
- 19* The application included a site plan and elevation drawings for a property that requested a similar sized addition (091-18-CA).

- 20* An existing deck is proposed to be removed to accommodate the addition. The deck was approved in 2010 (133-10-CA).
- 21* Exterior lighting was not shown on the drawings, nor were specifications provided.
- 22* Gutters and downspouts were not shown on the drawings, nor were specifications provided.

B. Removing a shed not incongruous in concept according to *Guidelines* sections 1.6.1, 1.6.2, 1.3.6, and the following facts:

- 1* The application includes the removal of a shed in the rear yard.
- 2* The shed is not historic and was constructed in 2015 (174-15-MW).
- 3* Removal of accessory structures that are not architecturally or historically significant with total area less than 144 sq. ft is considered a minor work COA and is included here for administrative efficiency.

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

Decision on the Application

Mr. Thiem made a 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 details and specifications for the following be provided to and approved by staff prior to issuance of the blue placard:
 - a. Eave/soffit details;
 - b. Screened porch construction detail;
3. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
 - a. Should the original window framing remain intact and alter the size of the specified windows in the application, provide new specifications to staff
 - b. Manufacturer's specifications for exterior lighting, and location on the building;
 - c. Specifications for the gutters and downspouts, and location on the building.

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

Committee members voting: Jackson, Dunn, McAuliffe, Bailey, Thiem

Certificate Expiration Date: 8/27/2020

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

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0005-2020 409 N BLOODWORTH STREET
Applicant: MARGARET MALONEY
Received: 1/14/2020 Meeting Date(s):
Submission date + 90 days: 4/13/2020 1) 2/27/2020 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: GENERAL HOD
Nature of Project: Construct addition; enclose second-story deck; alter windows; install fence;
remove shed
Conflict of Interest: None noted.
Staff Notes:

- COAs mentioned are available for review.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<i>Sections</i>	<i>Topic</i>	<i>Description of Work</i>
1.3	Site Features and Plantings	Construct addition; install fence
1.4	Fences & Walls	Install fence
1.6	Garages & Accessory Structures	Remove shed
2.7	Windows & Doors	Alter windows
3.2	Additions	Construct addition; enclose second-story deck

PUBLIC TESTIMONY

Staff Introduction: Collette Kinane [affirmed] reviewed the case and provided photographs and elevations of the property. Staff suggests that the committee approve the application with conditions.

Support:

Ashley Morris [affirmed], architect, and Margaret Maloney [affirmed], the property owner, appeared in support of the application and to answer any questions from the committee.

Opposition:

There was no one present to speak in opposition to the application.

Responses and Questions:

Ms. Jackson, acting as chair in lieu of Mr. Fountain, asked the committee if they had any questions for the applicants. She commented on the thoroughness of the application.

With no objection from the Committee, Ms. Jackson closed the public testimony portion of the meeting.

COMMITTEE DISCUSSION

With no questions or comments from the committee, Ms. Jackson closed the internal 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 suggested findings A. (inclusive of facts 1-18), B. (inclusive of facts 1-6), and C. (inclusive of facts 1-4), to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Constructing an addition; enclosing a second-story deck; and altering windows are not incongruous in concept according to *Guidelines* 1.3.1, 1.3.6, 1.3.7, 1.3.8, 2.7.1, 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 the property was constructed circa 1922 and is contributing to the historic district. It is described as a: "Neoclassical Revival frame foursquare... The main section of the house has a hipped, almost pyramidal roof. The eaves are very deep, showing the influence of the Prairie style. The front porch has a hipped roof supported by four Tuscan columns with a square-section balustrade. The partially-glazed front door has sidelights. The parlor has a triple window. Most windows are six-over-one. There is an exposed chimney on the right side of the house. There is an original hipped-roofed projection on the northern part of the rear."
 - 2* A tree protection plan prepared by an ISA-certified arborist was provided showing the locations, DBH, species and critical root zones of trees on the property as well as fencing, site access, and material laydown area.
 - 3* The application proposes a one-story rear screened porch addition and enclosure of an existing second-story deck. This is a traditional location to add to a house in the historic district.
 - 4* The proposed rear addition will be constructed in the footprint of an existing low deck. The deck was approved in 2016 (085-16-MW).
 - 5* The existing second-story deck was expanded in 2016 (130-16-CA).
 - 6* The proposed roof form widens the existing rear hip and has a roof ridge that is lower than the existing roof ridge. The new roofline maintains the form of the hip on the main historic house. A one-story gable covers the rear porch addition.
 - 7* The roofing is proposed to be architectural asphalt shingles; specifications were not provided.
 - 8* An eave and soffit detail drawing of the proposed 16" eave was provided.
 - 9* The addition is proposed to be clad in wood siding with a 4½" reveal, with 4½" trim and 5" corner board to match the existing house.
 - 10* The existing house features primarily six-over-one double-hung windows. One eight-over-one window is located on the front façade. A non-historic horizontal transom window on the north façade is proposed to be removed.

- 11* The proposed new wood six-over-one double-hung windows on the addition appear to match the proportions of the windows located on the existing rear addition. Specifications and section drawings were provided. The text and specifications note that six-over-one windows will be installed; however, the north and west elevation drawings show one-over-one windows in the addition.
- 12* A new full-lite door is proposed on the rear façade. Specifications and section drawings were provided.
- 13* The proposed rear screened porch is designed to be structurally self-supporting. The proposed brick piers will be painted to match the existing foundation.
- 14* The screened porch is to be framed with treated lumber, have no railing, and be painted to match the house.
- 15* Built mass to open space analysis: According to the applicant, the lot is 5,004 SF. The original built mass was 1,714 SF, with a ratio of built mass to open space of 34%. The proposed built mass is 1,707 SF, with a ratio of built mass to open space of 34%.
- 16* Built area to open space analysis: The addition is constructed in the footprint of an existing deck. There is no proposed change to built area.
- 17* Gutters and downspouts were noted as matching the existing; however, they were not shown on the elevations.
- 18* Exterior lighting, if any, was not shown on the drawings, nor were specifications provided.

B. Installing a 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 facts:

- 1* *Location:* The applicant proposes installing a fence along the front (east) and side (north) property lines from the south east corner of the house along the driveway and sidewalk to the middle of the rear yard on the east property line. Additional fencing is proposed along the south west corner of the house along the driveway to the west and terminating at the neighbor's fence.
- 2* *Material:* The proposed fence is black wrought iron or aluminum; metal is a traditional fencing material.
- 3* *Height:* The site plan indicates that the proposed fence height is 48"; however, the fence detail drawing shows a 42" fence.
- 4* *Configuration:* The proposed fence location is characteristic of the district.
- 5* *Design:* The proposed fence is a pressed spear style picket. The design is traditional and simple. Traditionally, fences were constructed with neighbor friendly design, with structural members facing inward; the example fence design has the same appearance on each side. A detail drawing was provided.
- 6* Two gates are shown on the plan: one single gate in the north side yard and one double gate at the end of the front walk. No details were provided on the design or dimensions of the gates.

C. Removing a shed not incongruous in concept according to *Guidelines* sections 1.6.1, 1.6.2, 1.3.6, and the following facts:

- 1* The application includes the removal of a shed in the rear yard.
- 2* Some of the proposed site plan drawings show that the shed will remain, while the shed does not appear on others. The tree protection plan notes that the shed will be removed by hand.

- 3* The shed was previously approved to be removed in 2015 (053-15-MW).
- 4* Removal of accessory structures that are not architecturally or historically significant with total area less than 144 sq. ft is considered a minor work COA and is included here for administrative efficiency.

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

Decision on the Application

Mr. Bailey made a motion that the amended 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 issuance of the blue placard:
 - a. Updated north and east elevation drawings showing the correct window style to be installed;
3. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
 - a. Roofing, if changing existing color;
 - b. Paint and stain color samples from the manufacturer if different than what's on the existing house;
 - c. Gutters and downspouts location on the building;
 - d. Final fence and gate design and dimensions;
 - e. Exterior lighting including location on the building, if any.

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

Committee members voting: Jackson, Dunn, McAuliffe, Bailey, Thiem

Certificate Expiration Date: 8/27/2020

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

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0006-2020 424 E JONES STREET
Applicant: KATE AND JOHN MORAN
Received: 1/14/2020 Meeting Date(s):
Submission date + 90 days: 4/13/2020 1) 2/27/2020 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: GENERAL HOD

Nature of Project: Construct second-story addition; install gutters; install ridge vents; expand shed addition; construct second-story screened porch

Conflict of Interest: None noted.

Staff Notes:

- COAs mentioned are available for review.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<i>Sections</i>	<i>Topic</i>	<i>Description of Work</i>
1.3	Site Features and Plantings	Expand shed addition
2.5	Roofs	Construct second-story addition; install gutters; install ridge vents
3.2	Additions	Construct second-story addition; expand shed; construct second-story screened porch; expand shed addition

PUBLIC TESTIMONY

Staff Introduction: Collette Kinane [affirmed] reviewed the case and provided photographs and elevations of the property. Staff suggests that the committee approve the application with conditions.

Support: Ashley Morris [affirmed], architect for the project, was present in support of the application and to answer any questions from the committee.

Opposition:

There was no one present to speak in opposition to the application.

Responses and Questions:

Ms. Jackson, acting as chair, asked the committee if they had any questions for the applicant. No questions were posed.

With no objection from the Committee, Ms. Jackson closed the public testimony portion of the meeting.

COMMITTEE DISCUSSION

With no questions or comments from the committee, Ms. Jackson closed the internal discussion 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 in the evidentiary hearing, the Committee finds staff suggested findings A. (inclusive of facts 1-16) to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Constructing a second-story addition, constructing a second-story screened porch; installing gutters, and expanding a shed addition are not incongruous in concept according to *Guidelines* 1.3.1, 1.3.6, 1.3.7, 1.3.8, 2.5.1, 2.5.8, 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 the property was constructed circa 1906 and is contributing to the historic district. It is described as a: "Queen Anne frame two-story...a steeply-pitched gable-on-hip roof which was originally clad in wooden shingles. There is a shallow gabled projection on rightward part of the front. There is a double arched attic window in the projecting gable, and a lunette attic vent in the top gable. The partially-glazed front porch has a hipped roof supported by five turned post with brackets and a turned balustrade. The partially glazed front porch door has a transom. Most windows are one-over-one. There is a one-story hipped-roofed ell in the rear, with a small bumpout on its east side."
 - 2* A tree protection plan prepared by an ISA-certified arborist was provided showing the locations, DBH, species and critical root zones of trees on the property. Only one is of a regulated size. It also notes a material storage lay down area.
 - 3* The application proposes converting the existing 1½-story rear addition to a full 2-story rear addition. This is a traditional location to add to a house in the historic district.
 - 4* The proposed roof ridge is set a few inches lower than the existing roof ridge and is inset from the sides to the historic roof form is maintained.
 - 5* The existing roof is a clipped pyramidal hip form with a projecting front gable. The existing rear addition is a hip with a projecting shed dormer on the east façade. The proposed roof is a hipped form with a projecting gable over the rear second-story porch.
 - 6* The proposed addition includes expanding the existing rear attached shed and constructing a second-floor screened porch.
 - 7* The proposed rear screened porch structural members and trim are to be painted wood. A detailed section drawing of the screened porch construction was provided.
 - 8* Built area to open space analysis: According to the applicant, the lot is 3,885 SF. The original built area was 1,533 SF, with a ratio of built area to open space of 40%. This includes a historic shed that is no longer extant. The proposed built area is 1,493 SF. The proportion of built area to open space is proposed to be 38.4%.
 - 9* Built mass to open space analysis: According to the applicant, the lot is 3,885 SF. The original built mass was 1,533 SF, with a ratio of built mass to open space of 40%. This

includes a historic shed that is no longer extant. The proposed built mass is 1,493 SF, with a ratio of built mass to open space of 38.4%.

- 10* The existing house features both one-over-one and four-over-four double-hung windows. The proposed new wood one-over-one double-hung windows match the proportions of other windows on the house. One square window is proposed for the rear façade. Specifications and section drawings were provided.
- 11* The roofing is proposed to be architectural asphalt shingles; specifications were not provided.
- 12* An eave and soffit detail drawing of the proposed 16" eave was provided.
- 13* The addition is proposed to be clad in wood siding with a 4½" reveal, with 4½" trim and 5" corner board to match the existing house.
- 14* The screening for the porch is to be on the inside of the pickets and railings as has been found to be congruous for other screened porches in Oakwood. A detailed drawing was provided.
- 15* Gutters and downspouts were not shown on the elevations. Specifications were not provided.
- 16* Exterior lighting, if any, was not shown on the drawings, nor were specifications provided.

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

Decision on the Application

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

- 1. That the 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 installation or construction:
 - a. Paint and stain color samples from the manufacturer;
 - b. Ridge vents, if any
 - c. Exterior lighting including location on the building, if any;
 - d. Gutters and downspouts location on the building and specifications.

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

Committee members voting: Jackson, Dunn, McAuliffe, Bailey, Thiem

Certificate Expiration Date: 8/27/2020

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

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0008-2020 1014 DOROTHEA DRIVE

Applicant: ASHLEY CAMERON

Received: 1/14/20

Meeting Date(s):

Submission date + 90 days: 4/13/2020

1) 2/27/2020 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: BOYLAN HEIGHTS HISTORIC DISTRICT

Zoning: HOD-G

Nature of Project: Construct addition; alter windows

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 & Plantings	Construct addition
2.6	Exterior Walls	Alter windows
2.7	Windows and Doors	Alter windows
3.2	Additions to Historic Buildings	Construct addition

PUBLIC TESTIMONY

Staff Introduction: Collette Kinane [affirmed] reviewed the case and provided photographs and elevations of the property. Staff suggests that the committee approve the application with conditions.

Support: Ashley Cameron [affirmed], project architect, was present in support of the application and to answer any questions from the committee.

Opposition:

There was no one present to speak in opposition to the application.

Responses and Questions:

Ms. Jackson, acting as chair, asked the committee if they had any questions for the applicant.

Mr. Thiem said that it seemed like there was an inconsistency with the elevations. He said it appeared that the grade will come up towards the property. Ms. Cameron replied yes, to almost the height of the existing property.

Mr. Thiem asked if they proposed getting rid of the retaining wall. He also inquired whether the grade would be above the finished floor. Ms. Cameron replied that they would build a new retaining wall, roughly three feet from the building and a pathway.

Mr. Thiem followed that the drawings provided in the application do not reflect that. It looks to be about 16 inches above the finished floor. He said he would want to see modified drawings

for the grading in the back and for the new retaining wall, including information like materials, placement, and height. Ms. Cameron stated that she understood. Ms. McAuliffe asked how the committee should interpret the north and south elevations. She wanted to know whether they extruded the roof or whether there was a line. Ms. Cameron replied that there was no line, it would be a continuous roof. Ms. Jackson asked if the applicants had reviewed staff comments. Ms. Cameron replied yes. Ms. Jackson asked if any other committee members had questions. With no objection from the Committee, Ms. Jackson closed the public testimony portion of the meeting.

COMMITTEE DISCUSSION

With no questions or comments from the committee, Ms. Jackson closed the internal discussion 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 in the evidentiary hearing, the Committee finds staff suggested findings A. (inclusive of facts 1-13) and B. (inclusive of facts 1-4), to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Constructing an addition is not incongruous in concept according to *Guidelines* 1.3.1, 1.3.2, 1.3.6, 1.3.7, 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 structure is described in the Boylan Heights National Register nomination as a c. 1924 "one-story Bungalow; gable faces street; engaged porch."
 - 2* The applicant proposes removing a cinderblock addition and constructing a new addition of 401 SF to the rear. The addition will be clad in wood siding that matches the width and profile of the existing wood siding and will have matching corner boards.
 - 3* The proposed addition spans the width of the rear of the structure and is inset 6" from the east and west walls of the historic house. The roof form of the addition is an extension of the existing gable of the historic house. This is a traditional way of adding onto a house.
 - 4* The addition will be discernible from the existing structure by maintaining the corner boards on the north and south facades. Additionally, a previous addition on the north façade is clad in siding with a smaller reveal, this serves as a buffer between the historic house and the proposed addition.
 - 5* The ridgeline of the addition maintains that of the main body of the house. An asphalt shingle roof is proposed to match the roof on the existing structure.
 - 6* The windows on the addition are drawn to show flat trim on three sides and a sill on the bottom as is traditional. Window specifications for the 3-over-1 windows were not provided.
 - 7* The existing windows on the historic house are three-over-one double-hung windows. The proposed windows on the addition match the existing style.
 - 8* The north west corner of the addition includes a screened porch. A note on the elevation drawings states that the screening for the porch is to be on the inside of the framing and rails as has been found to be congruous for other screened porches in Boylan Heights.

- 9* Built mass to open space analysis: According to the applicant, the lot is 7,339 SF. The original footprint of the house is 1,096 SF. The original proportion of built mass to open space was 14%. The footprint of the proposed built mass is 1,497 SF. The proportion of built mass to open space is proposed to be 34.8%.
 - 10* The proposed addition will increase the **original** built mass by 20%.
 - 11* The application included three photographs of properties that received a COA for a similar project.
 - 12* The application includes a statement from an arborist certified by the International Society of Arboriculture (ISA) that includes instructions as to how tree protection could be implemented, but does not include a tree protection plan or a drawing noting the locations of identified trees.
 - 13* A plan identifying trees on the subject property and the root zones of trees on adjacent properties was not provided.
 - 14* The submitted building elevations show the grade at the rear of the house to be at finished floor height. Testimony explained that the new grade will remain the same as existing and a new retaining wall will be installed.
- B. Altering windows is not incongruous in concept according to *Guidelines* 2.6.8, 2.7.2, 2.7.11, and the following facts:
- 1* Two non-original metal windows are proposed to be replaced with a paired double-hung window.
 - 2* The existing windows are single square units with louvered glass and are slightly smaller than an upper sash.
 - 3* The proposed double-hung windows are to be relocated from an interior wall of the house that would have originally been the rear façade. The windows are wood and match the style of the existing windows.
 - 4* A paired unit exists on the front façade.

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

Decision on the Application

Mr. Thiem 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 issuance of the blue placard:
 - a. Eave/soffit details;
 - b. Window specifications including sections and muntin profiles
 - c. A site plan noting the locations and critical root zones of trees greater than 8" DBH on this property as well as the critical root zones from trees on adjacent properties.
 - d. An illustrated tree protection plan prepared by an ISA certified arborist that addresses the critical root zones and provides staging areas for construction materials.
 - e. Revised elevation drawings showing the retaining wall location and proper grade relationship.

- f. Details for new retaining wall, including location and materials.
- 3. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
 - g. HVAC dimensions and associated screening.

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

Committee members voting: Jackson, Dunn, McAuliffe, Bailey, Thiem

Certificate Expiration Date: 8/27/2020

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

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0009-2020 906 W LENOIR STREET

Applicant: JEANNINE MCAULIFFE WITH REDESIGN.BUILD OF NC

Received: 1/15/20

Meeting Date(s):

Submission date + 90 days: 04/14/20

1) 2/27/2020 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: BOYLAN HEIGHTS HISTORIC DISTRICT

Zoning: HOD-G

Nature of Project: Construct accessory structure; alter fence; construct deck

Conflict of Interest: Ms. McAuliffe asked to recuse herself due to her involvement in the application process on behalf of the homeowners. The committee accepted her recusal.

Staff Notes:

- COAs mentioned are available for review.
- Unified Development Ordinance Section 5.4.2.H.3. states: The issuance of a Certificate of Appropriateness shall not be prohibited in situations where, owing to special conditions affecting the structure (such as topography, availability of materials, and lot size) but not affecting the -HOD-G ... generally, compliance with the historic development standards would cause an unusual and unnecessary hardship on the property owner beyond that which other property owners in the -HOD-G ... would meet.

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 accessory structure
1.4	Fences and Walls	Alter fence
1.5	Decks	Construct deck
1.6	Garages and Accessory Structures	Construct accessory structure

PUBLIC TESTIMONY

Staff Introduction: Collette Kinane [affirmed] reviewed the case and provided photographs and elevations of the property. She provided photographs of the side yard and alley and the proposed location of the accessory structure. Ms. Kinane explained that staff recommends that the committee discuss the location of the shed. Should the committee choose to render a decision, staff suggests that the committee approve the application with conditions.

Support: Will Alphin [affirmed] was present in support of the application. He said he would like to submit one additional sheet for the committee to review. Mr. Alphin explained that the handout highlighted all accessory structures marked on a Sanborn map in the neighborhood. He added that he thought it provided evidence that accessory buildings were quite common in the area at the time the Sanborn map was made.

Opposition:

There was no one present to speak in opposition to the application.

Responses and Questions:

Mr. Dunn asked if it was the 1950 map. Mr. Alphin said he thought it was earlier than that. Ms. Tully responded that it was in fact the 1950 Sanborn. Ms. Jackson said that date information was very helpful.

Mr. Thiem asked, out of curiosity, what the concrete dome with pebbles was on the property. Mr. Alphin said the homeowners have nicknamed it the "grotto," but they do not know what purpose it originally served. Mr. Thiem added that it was pretty small. Mr. Alphin followed that it was made by the previous homeowners and that it has no current function. Mr. Thiem clarified that it was not for stormwater retention then. Mr. Alphin replied no.

Ms. Jackson asked if the applicant had a chance to review staff's feedback. Mr. Alphin replied yes, they appreciated that staff noted the unnecessary burden portion of the UDO and that they had tried to locate the structure as close to the alley as possible.

Mr. Dunn asked the applicant to speak more about why the structure was proposed to be positioned there. Mr. Alphin responded that they had modeled it a few ways and that they wanted the eave height to match but be more modest. He explained that it was going to function as an artist's studio, so they wanted a northern orientation.

Mr. Dunn said he was concerned about water funneling down into one spot. Mr. Alphin said they could take care of that with some grading.

Ms. Jackson asked if anyone else would like to speak.

With no objection from the Committee, Ms. Jackson closed the public testimony portion of the meeting.

COMMITTEE DISCUSSION

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

It's interesting, with the photographs of the backyard and the alley, you get a sense of that alley and all the accessory buildings visible from the street. A whole alleyway full of structures --- like a whole little street. It's very relatable to the neighborhood and I think it was a very appropriate solution to the problem as far as I'm concerned. [Thiem]

I agree. The Sanborn map goes a long way to show that and the prevalence of accessory structures and their placement. [Jackson]

With no objection from the Committee, Ms. Jackson closed the committee discussion 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 in the evidentiary hearing, the Committee finds staff suggested findings A. (inclusive of facts 1-16) to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. The construction of an accessory structure and a deck and the alteration of a fence are not incongruous in concept according to *Guidelines* section 1.3.2, 1.3.7, 1.3.8, 1.3.9, 1.3.12, 1.4.1, 1.4.8, 1.4.10, 1.4.11, 1.6.6, 1.6.7, 1.6.8, 1.6.10, 1.6.11, 1.6.12, locating an accessory structure in the side yard is not incongruous according to *Guidelines* section 1.3.9, 1.6.6, 1.6.11; and the following facts:
- 1* The proposed shed is sited along the alley. The proposed location is sited traditionally along the alley; however, due to the atypical siting of the house, the proposed location is in the side yard, set back approximately 6' from the line of the front wall of the house.
 - 2* The proposed accessory structure is located about 12' from the west façade of the primary structure. This places the shed 3' from the rear property line.
 - 3* The proposed shed is 12' x 17.5'. The accessory structure is connected to the primary structure by a wood deck. The proposed deck is an irregular rectangle, approximately the same dimensions as the proposed shed.
 - 4* The proposed shed is a one-story frame structure with wood lap siding and two smooth fiber cement accent panels that wrap the northeast and southwest corners.
 - 5* The roof form is a shed that mimics the pitch of a shed roof on the primary structure. Standing seam metal is proposed; specifications were not provided.
 - 6* The shed is deferential in scale to the historic house.
 - 7* The proposed windows are similar in size and appearance to windows on the primary structure and are to be aluminum clad. Specifications were provided, trim details were not.
 - 8* The proposed doors facing the alley are paired solid wood doors. Paired wood doors are also proposed for the north east façade facing the house, one door is proposed to be half-lite, similar in appearance to the existing side door of the house. Specifications were provided.
 - 9* Built area to open space analysis: The lot is 3,842 SF. The original built area is 1,150 SF; the new built area will be 1,561 SF. The proportion of built area to open space is currently 30% and will increase to 41%. The existing structure was originally the second dwelling unit located on a larger parcel with 510 Cutler Street. The original parcel was 8,732 SF with a built area of 2,643 SF, or 30%. The date of subdivision is unknown.
 - 10* Built mass to open space analysis: The lot is 3,842 SF. The original built mass is 1,003 SF; the new built mass will be 1,213 SF. The proportion of built mass to open space is currently 26% and will increase to 32%. The historic structure was originally the second dwelling unit located on a larger parcel with 510 Cutler Street. The original parcel was 8,732 SF with a built mass of 2,624 SF, or 30%. The date of subdivision is unknown.
 - 11* The shed will be painted to match the existing structure. Paint samples were not provided.
 - 12* The application included 15 photographs and addresses of accessory structures located in the neighborhood. Location and size of the examples as well as other points are noted for each. The historic status or if a COA was obtained is not noted.
 - 13* Precedent examples for several design features were noted on the elevation drawings.
 - 14* The siting of the proposed shed and deck includes the relocation of a portion of the existing fence to the northwest. The proposed alteration is a traditional location for a fence.
 - 15* There is a large tree immediately adjacent the shed. A tree protection plan was provided.
 - 16* No specifications were provided as to exterior lighting, if any.
 - 17* Supplemental information, including a 1950 Sanborn map, was provided.

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

Decision on the Application

Mr. Thiem made a 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 details and specifications for the following be provided to and approved by staff prior to issuance of the blue placard for the addition:
 - a. Window trim details;
3. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
 - a. Paint color;
 - b. Manufacturer's specifications for exterior lighting, and location on building, if any.

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

At the conclusion of the vote, Mr. Thiem moved to let Ms. McAuliffe return from her recusal. The motion was approved, and Ms. McAuliffe rejoined the other committee members in her seat.

Committee members voting: Jackson, Dunn, Bailey, Thiem

Certificate Expiration Date: 8/27/2020

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

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0010-2020 308 S BOYLAN AVENUE

Applicant: BRIAN STARKEY FOR TIMMONS

Received: 1/15/20

Meeting Date(s):

Submission date + 90 days: 04/14/20

1) 02/27/2020 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: BOYLAN HEIGHTS HISTORIC DISTRICT

Raleigh Historic Landmark: MONTFORT HALL

Zoning: HOD-G

Nature of Project: Master landscape plan: including removal of 20 trees, planting new trees and shrubs; installation of new planting beds, alter and add walkways, alter approved parking areas, install refuse area; install patios; remove chain-link fence, install fence, install signage

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.”
- Due to a recent interpretation of State law by the City Attorney, a COA is not required for changes within the City right-of-way.
- This COA applications is the third filed for this project and will supersede some previously approved landscape features:
 - COA-0013-2019: Reopen alley access; install curb cut; remove 11 trees; replace trees; remove portion of fence; alter driveway; construct parking area; install metal roof. The submission of a Master Landscape Plan was a condition of approval.
 - COA-0033-2019: Construct rear addition; install wheelchair lift; alter balcony railing; install new balconies; replace columns
- COA cases mentioned are available for review.

Conflict of Interest: Ms. Jackson asked to recuse herself due to her work on other projects on the property and indicated that Ms. McAuliffe would take over in her duties as chair. The committee excused Ms. Jackson from the hearing.

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	Master landscape plan: including removal of 20 trees, planting new trees and shrubs; installation of new planting beds, alter and add walkways, alter

		approved parking areas, install refuse area; install patios
1.4	Fences and Walls	Remove chain-link fence; install fence
1.5	Walkways, Driveways, & Off-street Parking	Install walkway, alter parking areas
1.8	Signage	Install signage

PUBLIC TESTIMONY

Staff Introduction: Collette Kinane [affirmed] reviewed the case and provided photographs of the property, reminding the committee that it was a Raleigh Historic Landmark in addition to being located in Boylan Heights. She stated that staff suggested that the committee discuss the tree removals, the tree demolition delay, and the parking paving material. Ms. Kinane said that pending the results of that discussion staff suggests that the committee approve the application with conditions.

Support: Brian Starkey [affirmed], the landscape architect for the project, presented their application to the committee. He informed the committee that he had a brief presentation to show if they would indulge the applicants.

Before Mr. Starkey began, Mr. Rasberry asked if he understood he was appearing as a fact witness and not a legal representative. Mr. Starkey said yes, he understood.

Mr. Starkey began his presentation giving background on the property and the progress that had been made in its redevelopment thus far, including a zoning change. He added that under the UDO, the property is treated as a commercial business in a residential neighborhood, but they feel that this property is atypical and it does not need to be hidden like other similarly zoned properties. His presentation continued with a tree protection plan, stormwater plan, and a discussion of the parking area and their preference for permeable pavers. He explained that they needed to remove twenty additional trees, mostly cedars of poor health, in order to run the stormwater drainage from the property to the city’s rainwater pipe. Mr. Starkey also showed photographs of potential flowers and plantings.

During his presentation, Mr. Starkey highlighted a comparable property – the Barracks – in Tarboro from the same architect and from the same time period.

Mr. Starkey pointed out other features of the masterplan including the placement of foundation plantings, a fire pit pad in the south area, and another space to accommodate a temporary wedding alter. Locations were given for trash containers, fences, and signs. He explained that with regard to plant selections, they needed some flexibility depending on the timing and availability of plants, but would keep them native and appropriate to the time period and area. Mr. Starkey said that in closing, the applicants felt that they were in compliance with the RHDC guidelines. They were willing to take any questions.

Opposition:

There was no one present to speak in opposition to the application.

Responses and Questions:

Ms. McAuliffe commented that a couple of those slides were new. Mr. Starkey replied yes. Ms. McAuliffe said she appreciated that but wanted to be clear what was new.

Mr. Thiem thanked the applicant for the presentation. He asked if the TPP shown was the newest version. Mr. Starkey said yes and clicked the remote to find the presentation slides.

Mr. Thiem stated that when he visited the site, there were two substantial crepe myrtles and told the applicant that he would like to see those on the plan and to make sure they were protected. He added that they were really important trees and part of the original alignment of the plantings. Mr. Starkey replied that they could not find out anything about the original plantings of Montfort Hall in their research.

Mr. Thiem asked why the applicant was asking to remove certain trees. Mr. Starkey explained that they need to extend the stormwater pipe to tie into the infrastructure on Montfort Street. He explained that a rain garden would be big and intrusive and not part of the historical landscape. Mr. Thiem clarified that basically everything along that property line will be removed. Mr. Starkey replied yes. Mr. Thiem asked why the applicant did not include a list of the trees to be removed. Mr. Starkey indicated where the twenty trees were listed.

Mr. Thiem said that normally when the COA reviews trees that are asking to be removed it is because they are unhealthy. He informed the applicant that the committee usually asks for a one to one replacement, but that it did not seem to be the case here. Mr. Thiem commented that the applicant was not proposing many shade trees on the south side, but were proposing a lot of flowering trees.

Mr. Thiem added that he would like to see more shade trees and less flowering trees on that side. He said he had one more question as well. He asked whether this was an approved master plan or if the intention was to come back later to seek approval for specific plantings.

Mr. Starkey replied that it was not his understanding that he would need to come back for that. Ms. Tully said that the information is all here. Mr. Starkey explained that the issue was that the code treats the property like a convenience store, trying to hide it, but the owners are actually trying to open it up.

Mr. Thiem asked staff if the COA usually asks for specific, located plants. Mr. Starkey interjected that except for the groundcover, they wanted some flexibility.

Mr. Thiem added that usually the committee would like the type of document a contractor would get with specifics and locations. Ms. Tully said, looking at page ten of the application where they discuss plantings, that they show the beds and shrubs, but that Mr. Thiem was correct and that they did not list the specific types.

Mr. Thiem asked how they could deal with this. Ms. Tully responded that there were a couple of ways. It could be brought to staff for approval, or it outside their bounds, can come back to the committee for review.

Mr. Thiem restated that they were close to approving it, but added that normally they get more specifics.

Ms. McAuliffe asked if that sounded alright to the applicant---that they would approve a master plan then they would work with staff on specifics. Mr. Starkey said yes, it was a misunderstanding and that he did not realize they needed that level of detail.

Ms. McAuliffe asked if there were any other questions.

Andrew Whelan approached the podium and was affirmed. He identified himself as the neighbor to the south of the property. He commented that he understood the reason for the one to one replacement on the trees, but he had substantial shade trees by his lot line. He said that

adding more would make their house quite dark. Mr. Whelan said he supported the flowering trees and the current design of the master plan.

With no objection from the Committee, Ms. McAuliffe closed the public testimony portion of the meeting.

COMMITTEE DISCUSSION

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

We have had no discussion on the parking lot. We had originally discussed gravel. We are trying to find a balance between the original use as a residence and its new commercial use. [Thiem]

A parking pad has been approved with concrete pavers in Boylan. [Kinane]

We also have an issue with the location of signage. We have dealt with one before where the sign was affixed to the house. [Thiem]

That is why staff suggested the signage be filed as a separate COA. [Tully]

And to go back to the tree issue. I could make some arguments for not keeping the cedars, beyond the stormwater. They are past their prime and no longer congruous with the historic area. We are not concerned about visibility. This is not a Hardee's---people do not need to drive by it and see the house. I would like to add some conditions about shade trees. Other than that, I think the plan is very responsive to the context of the other house. [Thiem]

With no objection from the Committee, Ms. McAuliffe 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 suggested findings A. (inclusive of facts 1-19) and B. (inclusive of facts 1-6), to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Implementing a Master landscape plan: including removal of 20 trees, planting new trees and shrubs; installation of new planting beds, alter and add walkways, alter approved parking areas, install refuse area; install patios, and install signage is not incongruous in concept according to *Guidelines* 1.3.1, 1.3.9, 1.5.1, 1.5.4, 1.5.6, 1.5.7, 1.5.10, 1.8.4, 1.8.7, 1.8.8; however, the removal of healthy trees is incongruous according to *Guidelines* 1.3.1, 1.3.5, 1.3.7, 1.5.9, 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* The application included a photograph of the front garden at The Barracks, a property in Tarboro, NC designed by the same architect.

- 3* The application mentions and includes a landscape plan approved through the City's Administrative Site Review (ASR) process. That plan did not receive approval through the COA process. Page 10 of the application is the proposal for this COA application.
- 4* The application proposes the removal of 20 trees. The trees range in size from 8" DBH to 28" DBH. Thirteen trees are Cedar, 5 are Pine, 1 is a Pear, and 1 is an Oak. No assessment was provided on the health of the trees.
- 5* Fifteen (15) trees were approved for removal for installation of the parking area in COA-0013-2019.
- 6* Sixteen of the trees proposed for removal are located on the north property line where stormwater utilities are proposed to be installed.
- 7* The application provides a description of the property and states that the building should not be screened from view.
- 8* The application proposes the planting of 36 new trees: 13 shade trees and 20 under story trees. The proposed planting calculations on the proposed landscape master plan do not align with the number of plantings shown on the plan.
- 9* The proposed landscape includes undulating, organic-form planting beds located along the north, east, and south property lines with an open lawn located on either side of the front walk.
- 10* A circular, brick roundabout is proposed in the front walk about one-third away from the front of the house. This feature is similar in design to the front walk of The Barracks.
- 11* A chart of proposed plant and tree selections with species and mature height was provided. The plan indicates the locations of shade trees understory trees, and shrubs.
- 12* A one-space parking area is proposed at the rear of the house adjacent the alley. This location is an alteration to the previously approved parking area off the alley. It is located closer to the rear property line.
- 13* The application states that permeable pavers are proposed for the parking areas. Specifications were not provided. Screening details were not provided.
- 14* Full brick parking areas are atypical in Boylan Heights.
- 15* The main parking area was approved in COA-0013-2019 with a gravel surface. This
- 16* The new landscape plan retains the screening for the parking area and proposes to change the surface to permeable pavers. Specifications were not provided.
- 17* A refuse area is proposed between the alley and the rear parking area. No details were provided on the design and screening of this area.
- 18* Two patios are proposed:
 - a. A circular pad located in the front yard on the south side of the property. It is proposed to be constructed of stone cobbles found on the property. The written description notes this pad will be 6' in diameter; while the drawing indicates that the pad is 12'.
 - b. An 8'x8' square pad is located in the front yard on the north side of the property. This pad will be constructed of the same brick pavers as the walkways.
- 19* Two locations are identified for signage. The application notes that the signage would be mounted to the fence. Photograph examples of signage appearance and material was provided. There is insufficient information to make a recommendation.
- 20* Two large crepe myrtles along front walk should be protected.

- B. Removing a chain-link fence and installing a fence are not incongruous in concept according to *Guidelines* 1.4.8, 1.4.10, 1.4.11; and the following facts:
- 1* *Location*: The applicant proposes removing the existing chain-link fencing on the west and north property lines and installing a board fence along the west property line. No change in fence location is proposed.
 - 2* *Material*: Wood is a traditional fencing material.
 - 3* *Height*: The proposed new fence height was not noted.
 - 4* *Configuration*: The proposed fence configuration is unclear. The application notes that a board fence will be installed along the west property line. A site plan noting location was not provided. The committee has regularly found that 6'-tall wood privacy fences are congruous with the character of the historic districts when installed in rear and side yards (except for corner lots).
 - 5* *Design*: The existing fencing is chain-link. The proposed design of the wood fence was not included. Traditionally, fences were constructed with neighbor friendly design, with structural members facing inward.
 - 6* The application also notes that the existing metal fencing along Boylan Avenue may be replaced and will not exceed the height of the existing fence. Sample design and materials were provided.

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

COMMITTEE DISCUSSION (2)

Following the initial motion, the committee returned to a brief internal discussion.

Let's go back to your question – Jeannine. [Thiem]

The removal of healthy trees? [Bailey]

This might be for staff. We are talking about removing trees with no information about the tree being unhealthy. The stormwater issues is the reason for the removal. [Thiem]

You can still say it is incongruous but you do not have to add a delay. [Tully]

Okay, but I would like to add fact about crepe myrtles needing protection. [Thiem]

I would like your clarification on the parking area, on whether it is incongruous. [Tully]

Difficult because we are not supposed to consider use---only to care about it being a historic structure but we have made concessions in the past. [Thiem]

[to Raspberry] What should we do about the language for the signage. [Tully]

The witness offered testimony about what the signage will look like, you could have staff evaluate it and if it goes beyond that, it can come back to committee. [Raspberry]

So if it does not fit the Design Guidelines or if it appears incongruous, they can file a new COA. [Tully]

What about that example on Blount and Morgan? [Thiem]

We can say that based on the evidence provided, it is not incongruous with guidelines, but might have to come back to staff for a minor COA. [Bailey]

Staff does not feel comfortable making that decision---it is a precedent setting decision in Boylan Heights. [Tully]

The internal committee discussion ended again, and a second motion was made on the application.

Decision on the Application

Following discussion on an initial motion made by Mr. Bailey and seconded by Mr. Thiem, the public comment portion was reopened to allow Mr. Starkey to clarify a few points about the fence, signage, and crepe myrtles. Mr. Starkey inquired about what the measurements are for crepe myrtles that prompt protections. Mr. Thiem told the applicant to measure the tree and discuss it with staff.

Mr. Bailey made an amended motion that the application be approved with the following conditions:

1. That the previously approved tree protection plan remain in place for the duration of building and parking lot construction.
2. There not be a delay for the removal of the trees.
3. That replacement trees be 2.5" in caliper.
4. That details and specifications for the following be provided to and approved by staff prior to issuance of the blue placard:
 - a. Parking area materials and details;
 - b. Refuse area design and screening;
5. That details and specifications for the following be provided to and approved by staff prior to construction or installation:
 - a. Patio design details;
 - b. Wood fence design, height, and specifications;
 - c. Exterior lighting, if any;
 - d. Fence design and location;
 - e. Final planting plan and details.
6. That signage be submitted in a future COA application.
7. That three 3.5"-caliper shade trees be planted near the southern property line in front yard area in lieu of 3 proposed flowering trees.

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

Committee members voting: Dunn, McAuliffe, Bailey, Thiem

Certificate Expiration Date: 08/27/2020

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

OTHER BUSINESS

1. Committee Discussion
 - i. Meeting Post-Mortem

Mr. Thiem stated that, on site visits, he always informs the owner that he's on the property. He has found that the homeowner is always surprised. It feels unwelcome. How can we better inform the property owners that we'll be conducting site visits?

Mr. Bailey stated that he agreed. At a recent neighborhood meeting, there was a discussion about the COA process.

Ms. Kinane stated that a note about site visits is included in both the initial staff comments email and the email with the staff report and agenda.

Mr. Thiem asked to make the notice more prominent.

ADJOURNMENT

The meeting was adjourned at 8:16 p.m.

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

Minutes Submitted by:
Collette Kinane, Preservation Planner