APPLICANT: TRIANGLE GREEN PROPERTIES

Nature of Project: Install vinyl siding; remove and install porch columns and railings; replace windows and doors; install fence; install utility panel box; parge foundation. [After-the-Fact]
July 29, 2016

Tania Georgiou Tully, Planner II
Historic Preservation
Urban Design Center
220 Fayetteville Street,
Briggs Building, Suite 200
Raleigh, NC 27601

Re: Amendment of COA Application Pending for 212 E. Lenoir Street

Dear Ms. Tully,

Please accept this letter as an Amendment to the Certificate of Appropriateness Application we previously submitted for this property. We have sent photos of the property in a separate email.

We are seeking approval of:

- a wood picket fence in a style similar to the existing vinyl fence shown in the photographs;
- the covering of the electrical panel
- safety railings on the front steps
- replacement windows

We can confirm that:

- the windows we put in were placed into the existing window openings (we are looking for the manufacturers specifications and will supplement this letter).
- the siding, the back fence, and the rear satellite dish are as we found them
- the vinyl picket fence will be removed
- the step stone footpath in the front will be removed and replaced with a gravel path.
- we have made no other structural changes

Thank you for your Consideration of this letter along with our prior application. Please let us know what additional information we can provide.

Sincerely

Eric R. Green
Managing Member
Ms. Tully,

We bought the windows at Lowes and we will check through our records and on-line to see if we can recognize them. Just curious -- why are the manufacturer specs important?

We did put in very small bushes along the line where the fence was -- I hope that's OK. We are concerned about creating a barrier because passersby tend to walk across the yard for some reason.

Thanks for letting me know about the hearing!

Eric Green

On Thursday, September 1, 2016 4:58 PM, “Tully, Tania” <Tania.Tully@raleighnc.gov> wrote:

Mr. Green –

Yes. You received an agenda because of a COA next door. You item was on the agenda as “Deferred – not being heard.” Have you found any information on the window manufacturer and/or model yet?

Best,
Tania

Tania Georgiou Tully, Planner II
Historic Preservation
Urban Design Center
919.996.2674
919.516.2684 (fax)
tania.tully@raleighnc.gov

COA process information is available here.

Thanks Ms. Tully,

I look forward to hearing from you. We have removed the vinyl fence and the pavers footpath.

We did get a notice that this property was on the agenda at the August meeting (we got the notice after the hearing date). I presume that was a status update since we were obviously in the middle of discussions.

Thanks so much,
Dear Ms. Tully,

Here are the pictures I have for 212 E. Lenoir St. I recall you taking some as well. I am completing a new COA application and please consider these as part of it.

Thank you,

Eric Green
Triangle Green Properties, LLC
973-945-0883  973-945-0883

Show original message
On Thursday, July 28, 2016 9:20 PM, "Green, Eric" <Eric.Green@inventivhealth.com> wrote:
Raleigh Historic Development Commission – Certificate of Appropriateness (COA) Application

**Minor Work (staff review) – 1 copy**
- Major Work (COA Committee review) – 13 copies
- Most Major Work Applications
- Additions Greater than 25% of Building Square Footage
- New Buildings
- Demo of Contributing Historic Resource
- Post Approval Re-review or Conditions of Approval

- If completing by hand, please use BLACK INK. Do not use blue, red, any other color, or pencil as these do not photocopy.

<table>
<thead>
<tr>
<th>Property Street Address</th>
<th>Property Address</th>
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<tbody>
<tr>
<td>212 E. Lenoir St.</td>
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Historic District: Prince Hall

<table>
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<tr>
<th>Historic Property/Landmark name (if applicable)</th>
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<tr>
<td>Triangle Green Properties, LLC</td>
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Lot size (width in feet) (depth in feet)

For applications that require review by the COA Committee (Major Work), provide addressed, stamped envelopes to owners of all properties within 100 feet (i.e. both sides, in front (across the street), and behind the property) not including the width of public streets or alleys:

1 understand that all applications that require review by the commission’s Certificate of Appropriateness Committee must be submitted by 4:00 p.m. on the application deadline; otherwise, consideration will be delayed until the following committee meeting. An incomplete application will not be accepted.
Minor Work Approval (office use only)

Upon being signed and dated below by the Planning Director or designee, this application becomes the Minor Work Certificate of Appropriateness. It is valid until ____________. Please post the enclosed placard form of the certificate as indicated at the bottom of the card. Issuance of a Minor Work Certificate shall not relieve the applicant, contractor, tenant, or property owner from obtaining any other permit required by City Code or any aw.

Minor work projects not approved by staff will be forwarded to the Certificate of Appropriateness Committee for review at the next scheduled meeting.

Signature __________________________ Date ____________

Type of Work

100, 57, 71, 37

35

Project Categories (check all that apply):

- Exterior Alteration
- Addition
- New Construction
- Demolition

Will you be applying for state or federal rehabilitation tax credits for this project?

- Yes
- No

Design Guidelines Please cite the applicable sections of the design guidelines (www.rhdc.org).

<table>
<thead>
<tr>
<th>Section/Page</th>
<th>Topic</th>
<th>Brief Description of Work</th>
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<tbody>
<tr>
<td>3.6</td>
<td>Exterior Wains</td>
<td>Replace existing siding w/like</td>
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<tr>
<td>3.7</td>
<td>Windows &amp; Doors</td>
<td>Replace existing windows w/like</td>
</tr>
<tr>
<td>2.4</td>
<td>Post Fences</td>
<td>Install 3' high front fence, picket fence</td>
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<tr>
<td>3.8</td>
<td>Porches &amp; Balconies</td>
<td>Repair existing arch to maintain appearance</td>
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<td>3.10</td>
<td>Architectural Utilities</td>
<td>Add utility flue cover for safety</td>
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<td>Minor Work (staff review) – 1 copy</td>
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<td>Major Work (COA Committee review) – 13 copies</td>
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<tr>
<td>1. Written description. Describe clearly and in detail the nature of your project. Include exact dimensions for materials to be used (e.g. width of siding, window trim, etc.).</td>
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<td>2. Description of materials (Provide samples, if appropriate)</td>
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<td>3. Photographs of existing conditions are required.</td>
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<td>4. Paint Schedule (if applicable)</td>
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<td>5. Plot plan (if applicable). A plot plan showing relationship of buildings, additions, sidewalks, drives, trees, property lines, etc., must be provided if your project includes any addition, demolition, fences/walls, or other landscape work. Show accurate measurements. You may also use a copy of the survey you received when you bought your property. Revise the copy as needed to show existing conditions and your proposed work.</td>
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<td>6. Drawings showing proposed work</td>
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<tr>
<td>- Plan drawings</td>
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<td>- Elevation drawings showing the new façade(s).</td>
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<td>- Dimensions shown on drawings and/or graphic scale.</td>
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<tr>
<td>- 8-1/2” x 11” reductions of full-size drawings. If reduced size is so small as to be illegible, make 8-1/2” x 11” snap shots of individual drawings on the big sheet.</td>
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<td>7. Stamped envelopes addressed to all property owners within 100 feet of property not counting the width of public streets and alleys. (Required for Major Work)</td>
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<td>8. Fee (See Development Fee Schedule)</td>
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**Application for Certificate of Appropriateness**

No Additions to Property
No Change of Elevations or Footprint
Added 3½ vinyl picket fence 4-2½ x 1½ white box cover
All other work was repair of existing structures with like materials
No Added Concrete
No Change of Colors

**Revision:** 10.21.13
Dear Mr. Green:

Thank you for submitting your after-the-fact Certificate of Appropriateness (COA) Application for exterior changes to the house at 212 E. Lenoir Street in the Prince Hall Historic Overlay District. Prince Hall was designated a historic district on May 1, 2012. You acquired the property on May 23, 2013.

You have filed your application as a “minor work” application. You indicate in the application that the work replaced existing siding and windows “with like”; that the existing front porch was repaired “to maintain appearance”; that there was “no change to elevations...”; that a 3-foot vinyl picket fence was added; and “all other work was repair of existing structures with like materials.”

It appears from Wake County property records that this is your first property interest in a Raleigh Historic Overlay District. You may not be familiar with the historic development standards in the City of Raleigh Unified Development Ordinance (UDO) zoning code that govern exterior changes in the historic district, or with the definition of “in-kind” or “in like kind” repair. It is more than the simple appearance of the work at a distance. The code (section 5.4.1.C.3.a) essentially defines in-kind as:

The ordinary maintenance or repair of any features that do not involve a change in:

i. Design;
ii. Material;
iii. Color; or
iv. Outer appearance.

Staff does not believe the work performed on the property meets the definition of ordinary maintenance or repair. Photographic records and field inspection show clearly that there have been changes to the house in all four areas of design, material, color, and outer appearance.

Based then on our evaluation of the work in conjunction with the development standards (Design Guidelines for Raleigh Historic Districts), staff cannot approve the application and will have to refer it to the Certificate of Appropriateness Committee of the Raleigh Historic Development Commission for review in a quasi-judicial evidentiary hearing. This is a very formal hearing procedure conducted with sworn or affirmed testimony as to the facts of the case relative to the development standards. The standards are consistent that vinyl as a modern material is not appropriate to introduce for siding and fences in the historic district. Other aspects of the work are also at odds with the standards. The clear outcome of such a hearing upon review of photographic and other evidence would be denial of the application and a requirement to remove the non-conforming work under the oversight of the City’s zoning enforcement staff.

I would like to schedule a meeting with you where we can figure out together the best path forward to resolve these current non-conformities with the City Code. Please contact me by May 20 with a couple of convenient times for you to meet. We will need to have some understanding before the committee meets to avoid a more public discussion.

Best,
Tania Georgiou Tully, Planner II
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tania.tully@raleighnc.gov

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