152-17-CA

506 COLE STREET
GLENWOOD-BROOKLYN HISTORIC DISTRICT

Nature of Project: Construct new house with integrated front patio, porch, steps, and retaining wall; install driveway; demolish trees; alter landscape.

APPLICANT: MARK RIEDEMAN
APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – STAFF REPORT

152-17-CA  506 COLE STREET
Applicant:  MARK RIEDEMAN
Received:  9/14/2017
Submission date + 90 days:  12/13/2017
Meeting Date(s):  1) 10/26/2017  2) 11/28/2017  3)

INTRODUCTION TO THE APPLICATION

Historic District:  GLENWOOD-BROOKLYN HISTORIC DISTRICT
Zoning:  Streetside HOD
Nature of Project:  Construct new house with integrated front patio, porch, steps, and retaining wall; install driveway; demolish trees; alter landscape.
DRAC:  An application was reviewed by the Design Review Advisory Committee at its October 2 meeting. Members in attendance were Curtis Kasefang, Jenny Harper and David Maurer; also present were Mark Riedeman and Melissa Robb.
Amendments:  Additional documents were submitted at the October COA meeting. Drawings reflecting a revised design were provided by the applicant November 10. Notes relevant to the revised design are shown in bold.
Staff Notes:
• The Glenwood-Brooklyn Historic District is a Streetside HOD. For new construction, the entire building is subject to COA review; additions are subject to COA review when taller or wider than the primary building. Additionally, changes within the first 25% of the yard are regulated.
• This lot is in a configuration not specifically anticipated by the code. For this COA the lot is assumed to be vacant except for the non-historic (former) addition that was not requested to be demolished. Proposed changes shown beyond the rear wall of the new house were not reviewed (corridor connector and non-historic (former) addition).
• 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.”
• The applicant received approval for a previous COA application (070-17-CA) at the May 25, 2017, COA Committee meeting for the demolition of the primary residence. Conditions remain to be met for this COA.
• COAs mentioned are available for review.
• The applicant provided a letter to the committee regarding this case, the prior cases, and the process in general. A response to the letter is outside the scope of the staff report; the committee will address this separately at the hearing.
**APPLICABLE SECTIONS OF GUIDELINES** and DESCRIPTION OF PROJECT

<table>
<thead>
<tr>
<th>Sections</th>
<th>Topic</th>
<th>Description of Work</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.3</td>
<td>Site Features and Plantings</td>
<td>Install driveway; demolish trees; alter landscape</td>
</tr>
<tr>
<td>1.4</td>
<td>Fences and Walls</td>
<td>Install retaining wall</td>
</tr>
<tr>
<td>1.5</td>
<td>Walkways, Driveways and Off-street Parking</td>
<td>Install driveway</td>
</tr>
<tr>
<td>3.3</td>
<td>New Construction</td>
<td>Construct new house with integrated front patio, porch, steps, and retaining wall</td>
</tr>
</tbody>
</table>

**STAFF REPORT**

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

A. Construction of a new house is not incongruous in concept according to Guidelines sections 3.3.1, 3.3.2, 3.3.3, 3.3.4, 3.3.5, 3.3.6, 3.3.7, 3.3.8, 3.3.9, 3.3.10, 3.3.11, 3.3.12; however, the design of the front porch area may be incongruous according to Guidelines sections 3.3.8, 3.3.9; and the following suggested facts:

1* From the Special Character Essay for the Glenwood-Brooklyn Historic District: “The characteristic Craftsman house type, nationwide as well as in the district, was the bungalow, a snugly proportioned house of one or one and a half stories. Almost all Craftsman bungalows have front porches, and most of these are engaged (incorporated) under the house roof. Other common Craftsman bungalow features include large dormers that expanded upstairs living space, porch supports with wood posts (usually tapered and sometimes clustered) on brick pedestals, wood-shingle sheathing in gables and on dormers, gable brackets (usually triangular in form, sometimes appearing like purlin ends), and double-hung windows with upper sash composed of three or more vertical panes. Unlike earlier houses in the district, Craftsman bungalows usually dispensed with rear wings by incorporating the kitchen and dining room into the house envelope.”

2* The applicant describes the proposed design as a 1 ½ story bungalow.

3* The subject lot is flanked by 2-story houses; 508 Cole Street, to the west, is noncontributing to the district, and 502 Cole Street, to the east, is contributing.

4* There are three important elements of a house that are relevant to setbacks and uniformity in the historic district: the front wall, the porch, and the roof eave. No detailed site plan was submitted, but the front wall of the first level of the house appears to be in line with the adjacent houses. The design of this house makes determining the setback challenging: the
front porch, front wall of the main level and front wall of the second level are all in different planes. Photographs of the streetscape were not provided.

5* A site plan that includes the adjacent houses provides the setbacks of the front walls and porches. The front of the porch of the proposed new house is within inches of the setbacks of the porches of the adjacent houses. The front wall of the second level is setback the same as the front wall of 502 Cole Street and similar to 508 Cole Street. The wall of the main level is set back an additional 5 feet under the porch roof.

6* The amended application illustrates the setbacks of all of the houses on the south side of Cole Street.

7* See B. below for a discussion of the trees.

8* The proposed new house height is lower than the adjacent houses.

9* The floor level of the primary floor appears to be at the same level as 508 Cole Street and slightly higher than 502 Cole Street.

10* The form of the proposed house is roughly a hipped roof rectangle with a multi-faceted hip roofed second level.

11* The roof over the first level of the house is a modified hip roof with asphalt shingles. The roof over the second level of the house is an irregular hipped roof.

12* The roof design includes an opening in the front half of the hipped roof that cuts diagonally into the roof and extends vertically through the house as a light well. Staff is unaware of any examples of a cutout roof in the historic district.

13* The applicant testified the roof forming the light well would not be visible from the street.

14* The front wall of the second level is almost entirely glass; there is only one side window. The main level is largely vertically proportioned single light glass windows.

15* The amended application visually compared the fenestration of the proposed house with several in the historic district.

16* A photograph of a house on N Boylan Avenue (address unknown) was provided at the October hearing as an example of a house with side access to the front porches along with 503, 507, and 508 Cole Street. All of the Cole Street examples have side entrances to the porches supplementing the primary front walk and steps.
From the Special Character Essay for the Glenwood-Brooklyn Historic District: “Front porches are common, creating a transition zone from public to private space. Lots that contain parking and/or a garage generally have a drive perpendicular to the street with a garage in the rear of the lot.”

The proposal includes a front porch that is at the same level as the main level of the house that is accessed via a stair that leads directly from the driveway.

The house roof rests on four **steel columns connected by a steel vertical picket railing**. The floor of the main level porch is recessed about 3 feet from the railing on the west and south sides. The main level porch is enclosed on the west and south sides by an incorporated wood bench.

The area under the main level porch is open to the basement level of the house. Staff is unaware of a similar configuration in the historic district.

Stone and masonry retaining walls are not uncommon in the Glenwood-Brooklyn Historic District.

A detailed drawing of the eave design was provided. The eave is a simply detailed sloped soffit reminiscent, but not duplicative of a historic eave.

Materials of the new house are proposed to be standing seam copper roofing, asphalt shingles, single light aluminum clad wood windows, wood siding, roman brick, glass, **painted steel columns and railing**, stucco, and glass garage door. The materials palette on the amended application shows 13 material finishes, including three types of brick. Details and specifications were not provided.

The main level is shown clad in brick and the second level in wood siding. It is not unusual for the two levels of a house to be of different materials.

The lower level foundation walls **on the east and west are** a mix of stucco and glass.

Built mass to open space analysis: According to Wake County Real Estate data, the lot is 7,405 SF. Drawings show that the footprint of the house and garage can be estimated at 2,398 SF. The proportion of built mass to open space is approximately 33%. Information on the built mass of surrounding contributing buildings was not provided.

B. The installation of a driveway demolition of trees; alteration of landscape are not incongruous in concept according to Guidelines sections 1.3.1, 1.3.2, 1.3.3, 1.3.5, 1.3.6, 1.3.7,
1.3.8, 1.3.9, 1.3.13, 3.3.2, 3.3.3, 3.3.4, 3.3.5, 3.3.6: however, the removal of healthy trees that contribute to the character of the district is incongruous according to Guidelines sections 1.3.1, 1.3.5, 1.3.6, and the following suggested facts:

1* A written description of existing trees was provided along with a site plan identifying one 12” dbh Mimosa Tree and one 16” dbh Redbud tree. The Mimosa is proposed for removal, the Redbud in the right-of-way is to be retained. No replacement tree was specified.

2* Aerial views of the property show a dense tree canopy, although it is unknown how much of the canopy is from a tree that was removed after Hurricane Matthew in 2016. See staff evidence for an aerial view from Bing maps.

3* The 20’ tall evergreen hedge is proposed to remain.

4* The written description states that a large holly bush in the southeast corner of the lot will be relocated to the northwest corner of the property.

5* No tree protection plan was provided, although the applicant stated that “All trees and landscaping designated for protection will be cordoned off appropriately throughout construction.”

6* A site plan was provided that includes the full extent of the site elements such as the driveway, walkways and sidewalks.

7* Built area to open space analysis: According to Wake County Real Estate data, the lot is 7,405 SF. Drawings show that the footprint of the house and garage can be estimated at 2,398 SF, and the walkways, rear steps and patio/driveway are estimated to be 1,195 SF, for a total of 3,593 SF of built area. The proportion of built area to open space is approximately 49%.

8* A new driveway is proposed to run along the east side of the house. There is an existing curb cut on the right front of the property, although it is unclear from the drawings if it will be used.

9* The driveway is proposed to be paved in salvaged brick or pea gravel. A photograph of the brick was provided; details on the pea gravel were not. Gravel drives in the historic districts have been approved when gray in color and with faceted stones.

10* It appears that the front walkway will be removed. From Design Guidelines section 1.5 Walkways, Driveways, and Off-street Parking, page 26: “In Raleigh’s pre-World War II
neighborhoods, front walks usually led directly to the front porch from the sidewalk... With the introduction of carports in the postwar era, walkways to the front door typically led from the driveway to the front entry.”

11* Glenwood-Brooklyn is a pre-World War II neighborhood with a period of significance running from 1907 to 1940.

Staff makes no recommendation.

If the committee chooses to approve the application, staff suggests the following conditions of approval:

1. That conditions 2 and 3 of the demolition COA 070-17-CA remain in effect.
2. That the tree protection plan be revised to include the street tree.
3. That the tree protection be in place prior to construction.
4. That details and specifications for the following be provided to and approved by staff prior to the issuance of the blue placard:
   a. Revised tree protection plan;
   b. Window sections.
5. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
   a. Driveway material;
   b. Doors;
   c. Replacement tree species and location.
I am not a theoretical human being.

I’m an actual person.

And I am actually suffering. And your callous indifference to that suffering is disgusting and you should be ashamed of yourselves.

People are most fairly judged in a society by how they treat others. Particularly those in need, and particularly those whose lives they can most affect. Do they show compassion and humanity or indifference and authority?

Each of the members of this committee has repeatedly refused to give waiver to even the tiniest bit of authority in order to alleviate the suffering a person, a real person. Me. Is it because I’m not your neighbor or relative? If I was, would you look me in the eyes every day and say that my suffering is worth the good that you’re doing? And what is that good? What is the greater good that you’re weighing my hardship against? Will property values suddenly plummet if I convert a sealed-off attic into livable space? Will people suddenly begin tearing down every old home for miles around because you let me rebuild mine after a disaster? What are you protecting Raleigh from in this instance that’s so important you can’t find a way to make any exception to your authority in the name of humanity? Or are you really just protecting your authority? What is your worst case scenario? I believe I have a right to know. And if you can’t tell me, then shame on you.

If you can clearly define what it means to be, quote: “incongruous with the special character of the district” you should be able to clearly define what “hardship” and “suffering” mean. If you can’t, then what is wrong with you? Because doing so might impose some boundaries on your future authority? Because it would limit your ability to tell other people how they should be living their lives and building their homes? What obviously matters to you is not the people who live in the houses, but the conformity of those houses. Shame on you.

Now that you’ve been given the authority to enforce your tastes and preferences, you have done so without so much as an ounce of compassion. Your attitude and your choices seem to be that if you can find any reason to say no, you WILL say no. But if you find any reason to say yes, you will look harder for reasons to say no. Your default response is heartlessness. Shame on you.

And the delays.... You make me delay recovering from this disaster for over a year? I don’t have a home I can safely and comfortably live in for a year, and that’s OK with you? My insurance company has stopped paying my rent because they say it shouldn’t be taking this long. And yet you insist I shouldn’t be able to live safely and comfortably in my own home again. For what? Not to save the house. Or at least not if that would require any effort on your part. Is it to try to teach me some kind of lesson about respecting the historic value of the house that collapsed around me? Or are you imposing punishment simply because you can? What justification do you have that includes an ounce of compassion? Shame on you.

And because I won’t be the last one to come before you to try to plead hardship in the face of callous bureaucracy, I am asking for a full and thorough response from this committee’s to all questions and contentions below. No one should have to suffer this level of absurdity in the future if I can help to avoid it by clearing some things up. Shame on you.
I am requesting the immediate issuance of a Certificate of Appropriate based on any and all of the following:

1. This committee has applied an unreasonably restrictive threshold for hardship.
   a. UDO 10A, 5.4.1.C.2: A Certificate of Appropriateness...shall be issued or denied, subject to such reasonable conditions...as set forth elsewhere in this UDO.
   b. UDO 10A, 5.4.1.H.3: Issuance of a Certificate of Appropriateness shall not be prohibited in situations where...compliance with the historic development standards would cause an unusual and unnecessary hardship on the property owner.
   c. Because of their fear of setting a precedent that this committee might be bound by in the future, it has determined that none of the following circumstances, either individually or collectively are to be considered “unusual or unnecessary hardship” under Section 5.4.2.H.3 of the UDO and are “reasonable conditions” for rejecting or delaying any application for a COA under section 5.4.1.C.2.
      i. Significant structural damage to the residence as a result of a hurricane and through no fault of the property owner.
      ii. Significant damage that was a result of an event classified as a national and state-wide emergency and disaster.
      iii. Damage to the residence in excess of 50% of the area of the structure.
      iv. Repair/replacement costs in excess of $400,000.
      v. Repair/replacement costs in excess of 80% of the appraised value of the structure.
      vi. Damage to the structure significant enough to classify the structure as “Unfit for human habitation” under the definition in the UDO.
      vii. Delays in approval in excess of a year after the hurricane.
      viii. Damage to the residence resulting in complete loss of power, plumbing, HVAC, insulation, secure shelter and protection from the elements.
      ix. Property owner’s inability to earn leasing income for over a year on the second unit of the two-family residence due to the hurricane damage.
      x. Property owner’s inability to properly secure the structure and property due to damage.
      xi. Significant and increasing mold growth and water damage during the delay periods.
      xii. Significant loss of salvageable building materials exposed to weathering during the delay periods.
      xiii. A year of my life.
   d. The committee failed to abide by a reasonable interpretation of hardship as stated in:
      i. § 160A-400.14.(b): Such ordinance shall provide appropriate safeguards to protect property owners from undue economic hardship.
      ii. § 160A-400.14.(c): [A COA] may be denied except where the commission finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial.
      iii. This committee provided no safeguards and chooses to just ignore the provisions they don’t want to abide by without explanation. How does the committee justify that is is in accordance with these statutes? What safeguards were put in place?
   e. Refusal to acknowledge any of the prior criteria as “unusual or unnecessary hardship” or to consider those “reasonable conditions” is cruel and not even closely in line with a common sense understanding of “hardship” or “reasonable”.
   f. Hardship means hardship
      i. UDO: 12.1.1.A: “All words and terms used have their commonly accepted and ordinary meaning unless they are specifically defined in this UDO or the context in which they are used clearly indicates to the contrary.”
2. This committee has rigorously enforced their interpretation of what is considered to be guidelines, while failing to abide by the provisions of NC Law designed to protect property owners from unnecessary hardship imposed by excessive bureaucracy.
   a. The committee has ignored repeated requests to take the property owner’s circumstances and hardship into account.
   b. And yet, the committee has exercised the full extent of its authority when determining any subjective criteria under their purview.
   c. You’ve been less helpful and empathetic than if you threw paper towels at a hurricane victim.

3. The committee failed to consider the special conditions of the structure when denying the application for an addition.
   a. In denying the application for an addition, the committee failed to consider the damage to the front half of the dwelling as a “special condition” as required by Section 5.4.2.H.3 and stated that an addition could not be added to the front, heavily damaged portion of the building, and instead, would need to be added to the rear, undamaged portion of the building.
   b. The significant damage to the front of the structure more than qualifies as a “special condition” affecting the structure (but not affecting the whole district) and the committee’s refusal to take the hurricane damage into account was unnecessarily punitive and restrictive.
   c. The amount of damage to the front of the structure should have provided more than “reasonable conditions” to allow for the addition to be added only to the damaged portion of the structure and not have to be situated to the rear 50% of the structure.
   d. Does the committee not consider the significant damage to the front portion of the structure to quality as “special conditions?” If not, what does qualify?

4. This committee delayed the property owner’s ability to apply for a COA by cancelling their April 2017 meeting and failing to hold required monthly meetings in order to implement a minor application scheduling change. Taking a month off from meeting is in violation of the UDO and their own bylaws.
   a. UDO 10.1.4.A.3.b: “...the time and place of its regular meetings, which shall at least be held monthly.”
   b. RHDC Bylaws Article 12, Section 1: “The Commission shall hold regularly scheduled meetings at intervals not less than once per month.”
   c. No exception for rescheduling in the bylaws unless it’s a holiday: “unless the regular meeting date is changed because of a holiday”
   d. “Applications need to be turned in farther ahead of time” is not a holiday.
   e. In failing to abide by the UDO 10.1.4.A.3.b its own bylaws, the committee caused unnecessary and illegal delays in the application process

5. Staff failed to assist the homeowner’s request for assistance during the application process
   a. Staff suggested during a March 8th site visit that I should review previously similar additions which the committee has reviewed, which would be provided should I email such a request. As stated by staff member Tania Tully.
b. On March 9th, an email was sent as directed by staff requesting said information. “And finally, if you would be so kind as to pass along the minutes of any meetings with discussions of proposed additions that may provide insight into the committee’s interpretation of those guidelines, I would sincerely appreciate it.”

No such information was provided by Tania Tully or Melissa Robb.

d. RHDC Bylaws Article 8, Section 5: Staff shall provide assistance… including “assisting owners in filing applications for certificates of appropriateness” which they failed to do in this case.

6. Staff incompetence in preparation for the May 25th meeting prevented the property owner from taking part in public discussion of his application.

a. Meeting facilities failed to provide functioning audio equipment necessary for applicants to participate, which staff was aware of ahead of time but did not resolve.

b. Staff prepared documentation and presentation materials with the WRONG ADDRESS on them.

c. Due to the staff’s failure to provide working facilities and accurate documentation, the applicant was unable to participate in the committee’s discussion of the application when the delay when finalized.

7. This committee failed to abide by its obligations during the demolition postponement period

a. The committee enforced the 365-day postponement period and failed to act during that time. The committee made clear during deliberations that it would not set a precedent of reducing the 365 day period because of hardship. If they defined it, they’d have to stick to the definition.

b. The committee is obligated to explore alternatives during the delay period as is clear by the following:

c. When committee action is required that action must be done so within 180 days.

i. § 160A-400.9.(d) All applications for certificates of appropriateness shall be reviewed and acted upon within a reasonable time, not to exceed 180 days from the date the application.

d. Delay period shall be reduced if “the owner would suffer extreme hardship” (See contention #1)

i. § 160A-400.14.(a) The maximum period of delay authorized by this section shall be reduced by the commission where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay.

e. During the delay period, the committee has an obligation to act.

i. § 160A-400.14.(a): During such period the preservation commission shall negotiate with the owner and with any other parties in an effort to find a means of preserving the building or site. If the preservation commission finds that a building or site within a district has no special significance or value toward maintaining the character of the district, it shall waive all or part of such period and authorize earlier demolition, or removal.

f. According to the UDO as well, during the postponement period, the committee has an obligation to act:

i. UDO 10.1.4.B.12: Take steps, during the period of postponement of demolition of any Historic Landmark or property within a Historic Overlay District, to ascertain what the City Council can or may do to preserve such property, including consultation with private civic groups, interested private citizens and other public boards or agencies and including investigation of potential acquisition by the City Council when the preservation of a given historic property is clearly in the interest of the general welfare of the community and such property is of certain historic and architectural significance.
ii. As the committee members agreed during the October 26th meeting, the committee took no steps, consulted with no one, and investigated nothing.

iii. The committee appears only interested in the “Review” but not the “Act upon” part of their responsibilities under UDO: 10.1.4.B.16 “Review and act upon proposals for restoration, alteration, reconstruction, relocation, demolition...”

iv. No action was taken after their decision and during the postponement period.

g. Clear responsibility on the committee to act during the delay period:
   i. Design Guidelines 4.2 “The purpose of this delay period is to give the commission adequate time to explore every alternative to the destruction of the historic resource.”
   h. And this committee is supposed to take that seriously: Guidelines, 4.2: “use of the delay time is extremely important in reviewing all possibilities for saving a threatened structure.”
   i. Again, the committee and staff did nothing.
   j. None of those laws or guidelines state that it’s the applicant who must act to pursue alternatives to their own application. In fact, that is expressly forbidden as noted below.

8. The committee’s contention (as stated by Don Davis at the Oct. 26th meeting) that the purpose of the postponement period is to provide the applicant the opportunity to find alternatives to their own application is in violation of both the language and intent of North Carolina Law §160A-400, the UDO, and this committee’s own bylaws.
   a. During the October 26th meeting, this committee stated that the purpose of the postponement period is to provide the homeowner with time to find alternatives to their own application.
   b. Requiring applicants to provide alternatives to their own applications violates the property owner’s protections against unreasonable requirements and defies common sense. The purpose is not to teach property owners some kind of lesson.
   c. Requiring applicants to provide alternatives to their own applications would require property owners to pay additional fees on top of their initial application fees, forcing unnecessary expenses and fees to support this committee.
   d. The committee’s position is in direct contradiction to the language of the law, as indicated above where it is clearly the committee’s responsibility to act and not the applicant’s.
   e. Can this committee clarify the explicit purpose of the delay period and what the committee’s (and staff’s) responsibilities are during that time vs. what the applicant’s responsibilities are?
   f. Design Guidelines 4.1 “The purpose of this delay period is to give the commission adequate time to explore every alternative to the destruction of the historic resource.”
   g. If the purpose, as was stated by Mr. Davis, is to give the applicant time to provide alternative proposals, that is explicitly disallowed under this committee’s own bylaws unless a specific exception is made and approved. Therefore the applicant is specifically prohibited from acting as committee member Davis indicated.
      i. RHDC Bylaws, Article 13, Section A: “Multiple requests for alternate certificates of appropriateness for the same property, whether in separate applications or combined in one application, shall not be considered”
      ii. Applicants are not allowed to submit one request for demolition, and a second request for an alternative design. Nor is staff allowed to accept such an application.
   h. Can the committee provide details as to the steps, meetings, and milestones necessary in order to achieve the committee’s stated goals during the postponement period?
9. Committee members have failed to act in their professional capacity as experts.
   a. Despite the overwhelming opinion of the committee that they “loved” the design of the addition proposed, it was rejected based on an overly strict reading of what are supposed to be considered guidelines.
   b. RHDC Bylaws Section 7: “conscientious performance of the duties required of members shall be a prerequisite to continuing membership on the Commission”
   c. If the overriding requirement is and always will be the wording of the guidelines and limited existing evidence, why have architects and landscapers and not just lawyers?
   d. Sarah David on the original proposed addition: “I loved the design, but it was unapprovable under the guidelines.” What’s the point of having an architectural historian on the committee if all that really matters is what’s “approvable under the guidelines?”

10. The committee’s interpretation of the guidelines as permitting only architectural elements which can already be found within the 228 contributing houses in the district is excessively restrictive.
   a. Such a strict interpretation of just the restrictive portions of the guidelines while ignoring their intent fails to allow for advances in architectural understanding of the past roughly 100 years.
   b. By requiring addition massing and blocking on the southern face of the building (the one where the sun shines in), the health and wellness benefits of sunlight and ventilation would be negated in favor of an outdated, hundred-year-old understanding of architectural best practices.
   c. Design Guidelines (Introduction):
      i. “Change is an important element in the city’s evolution, indicating healthy, vital neighborhoods and reflecting the pride of residents in their community.”
      ii. “Landmarks and historic districts are not designated to prevent changes.”
      iii. “The UDO provides a process that ensures property changes are within the spirit and the character of the historic district”
      iv. Guidelines 3.3 “New construction within a historic district can enhance the existing district character if the proposed design and its siting reflect an understanding of and a compatibility with the special character of the district setting and buildings.”
      v. “The introduction of compatible but contemporary new construction can add depth and contribute interest to the district.”
      vi. “To preserve a district’s historic character, new buildings must be visually distinguishable from historic buildings. New buildings should take design cues from, but not copy, historic buildings.”
      vii. Those are obviously general guidelines showing the broad range of things that this committee can but failed to consider. Were the burden of proof placed on the committee, could it prove that either the proposed addition or new residence is NOT in the character of the neighborhood? How? Try to prove to me somehow that it’s not.
      viii. From the Special Character Essay about the district that the committee did not consider:
         1. “The district is architecturally significant for the range of early 20th-century house types, methods of construction, and styles.”
         2. The district also contains a fair number of stylistic hybrids—buildings that incorporate features from more than one style and mixing elements of the Colonial Revival, Craftsman and/or Victorian styles.
   d. The variations described in the Guidelines and inventory of contributing houses make it clear that what makes the character of my district “special” is not some weird obsession with architectural conformity enforced by this committee.
11. The committee has been inconsistent in its interpretation of the guidelines
   a. Permitting solar panels, modern lighting features, Wi-fi and networking equipment that is not
      found on contributing buildings but only allows for residential architectural elements that are.
   b. Somehow, those modern ideas are permitted, but other modern elements and features
      providing additional light and ventilation to the residence are not.
   c. Modern design elements are found on other houses in the district and despite the committee’s
      ignoring of them by classifying them as “non-contributing.” Those houses are just as much a
      part of the neighborhood as are the people in them. Just because you pretend they don’t count
      as part of the neighborhood doesn’t mean they don’t count.
   d. The guidelines point to the range of styles as a character defining feature but the committee
      allows for no variations and a very restrictive understanding of the “special character” of my
      neighborhood.

12. The committee and its members are aware of the ongoing harm and suffering they are causing, and yet
    continue to do so.
   a. The committee delayed the process even further at the October 26th meeting by refusing to
      issue a ruling despite the request to do so by the applicant.
   b. The applicant stated a clear desire for a final ruling from the committee in order to relieve the
      hardship of additional delays and allow the appeal process to begin immediately and stop this
      committee’s unreasonable delays.
   c. The applicant provided all materials requested in the staff report in order to be able to render a
      decision at the time of the meeting.
   d. Staff confirmed that all requested materials had been submitted.
   e. The committee then asked staff if the applicant would be able to file an appeal if they were to
      delay their decision. Staff confirmed that a delay instead of a decision would indeed extend the
      process further with no recourse for appeal available to the applicant.
   f. The committee then chose to delay the application further so the applicant could not appeal the
      process and forestall the delays.
   g. Upon leaving the Oct. 26th meeting, committee member Nick Fountain acknowledged to me: “I
      know you’ve been put through the ringer on this one.”
      i. The purpose of the UDO is not to to put Raleigh’s property owners “through the ringer”
         when they’re trying to recover from a disaster.
      ii. Does this committee feel that putting property owners “through the ringer” is an
          acceptable outcome of their bureaucratic processes?
   h. Is it beyond the committee’s understanding of compassion to just say, “Hey, this guy’s been
      through enough. Let him get on with his life.” Or is preserving your authority and punishing
      those who challenge it the most important thing?
x1605 Riedeman Residence
09 90 00  Materials Diagram
2017 - 11/12
preliminary, for COA Review

Roman Brick
Project Siding
Original Siding (#117)

Standing Seam Copper
Ipe Cornice & Merindi Bench
Asphalt Shingles
Possible Accent (eave)
Painted Steel
Painted Wood
Aluminum Clad Windows
Ipe Shiplap (but thicker)
Brick (Walnut)
Stucco (Natural)
Brick (Salvaged)

Roof Slope of Original
Picket Spacing of Original
Riedeman Residence & Flat

506 Cole Street, Raleigh, North Carolina

2017

2017

11/12

CFH

Riedeman Home Improvement Corporation

All rights reserved. Unauthorized use prohibited by law.

Riedeman Residence & Flat

506 Cole Street, Raleigh, North Carolina

2017

2017

11/12

CFH

Riedeman Home Improvement Corporation

All rights reserved. Unauthorized use prohibited by law.
Standing Seam Copper Roofing

B10300 Cedar shake Chinking
B10290 Cedar shake, garapa
B10280 Cedar shake, ipe
B10270 Cedar shake, ipe
B10260 Cedar shake, ipe
B10250 Cedar shake, ipe

A10300 Asphalt shingles

B10300 Cedar shake Chinking
B10290 Cedar shake, garapa
B10280 Cedar shake, ipe
B10270 Cedar shake, ipe
B10260 Cedar shake, ipe
B10250 Cedar shake, ipe

CFH date checked
CFH drawn

preliminary, for COA Review
2017 - 11/12

© 2017

Riedeman Residence & Flat

28'-9"
7'-6"
3'-6"
8"
8'-0"
8"
8'-0"
32'-8"
8'-0"

Between columns
5'-0"

Roman Brick, Unset
Roman Brick, Unset

Steel Railing, Screen (Pickets)
Steel Railing, Screen (Pickets)
Steel Railing, Screen (Pickets)
Steel Railing, Screen (Pickets)
Steel Railing, Screen (Pickets)
Steel Railing, Screen (Pickets)

Steel Column, Picketed
Steel Column, Picketed

Meridi Marine Plywood Wall
Meridi Marine Plywood Wall

Steel Railing, Screen (Pickets)
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506 & 506a Cole Street, Fieldeman Residence & Flat, Response to COA Staff comments, 2017-10-26

A. 1-7 TREES and LANDSCAPING: Removal of trees noted on site plan, including 20'' oak along west property line towards rear of property, 16'' redbud at street (also pending Raleigh arborist review), near-dead 12'' crepe myrtle near middle of west property line, and 14'' Mimosa on west side of front yard. Also noted are removal of row of neglected shrubs and < 8'' trees along east property line (also pending neighbor's approval). In our opinion, these trees were not intentionally planted and do not contribute to the character of the neighborhood. That said, given the storm loss of the 48'' oak, a replacement hardwood has been noted towards the end of the driveway, as a replacement. Front yard landscaping, including Japanese Maple and 20' tall evergreen hedge, will be protected and expanded/infilled, where walkway and steps are removed. Tree protection, construction, and silt fencing noted on site plan.

Crepe myrtle, redbud, and oak to remove to remove.

East property line to clear.

Japanese maple, hedge, and garden to remain and infill gaps.
A. 8-12 DRIVEWAY, BUILT/OPEN SPACE, WALKWAY, and STEPS. Driveway noted on site plan. Built area to open space analysis noted on site plan. New house footprint closely follows original, with the exception of slight elongation of the "addition" in order to provide better shape/form to the resulting open spaces (parking/driveway/entry court and backyard). The driveway may be of salvaged brick (arranged with horizontal gaps for permeability, traction, and plantings) or pea gravel, similar to the original. Walkway will be removed in order to consolidate vehicular and pedestrian paths and reinforce actual usability patterns of neighborhood and best stair practices (for then and now) for safe, comfortable ascent.

Side steps used across the street, contributing properties 503, 507, and 508 Cole.

Frederic Law Olmstead treads as published by Ernest Irving Reese in January 1918
B. NEW HOUSE DESIGN. Street Elevation, section, oblique view, and material/detail notes have been revised/upated to show how the proposed design respects and is congruous with the original contributing bungalow and the district.

a) Siting/footprint maintains the original house being snug to the west property line and keeping the driveway to the east. The “addition” has been slightly elongated from the original to provide better shape/form the resultant outdoor spaces – the driveway court and back yard. The front porch setback is the same as the original house, so the front yard maintains the prevailing street setback.

b) Massing maintains the original engaged porch, though slightly deepened and set back to provide better shelter and seasonal control and access to sunlight and summer breezes. Retaining wall referenced by staff, maintains the original house foundation height and is not dissimilar in height the stone retaining wall of the contributing property (immediate neighbor to the east/right side). Upper half-story maintains setback of immediate neighboring two-story houses and conforms to large heavily glazed dormer-like examples in the district. Porch and floor heights are similar to the adjacent properties. Overall height of house is less than the adjacent properties, but taller than the original.

c) Roof pitch matches original house. Tan asphalt roofing of main level matches original house. Copper roofing of upper level matches dormers and porch roofs found in district.

d) Siding maintains 2-1/4” exposure/spacing of original type #117 but, as a custom milled ship-lap with rounded base and top slope to match roof slope, in more congruous with the arts and crafts origins of contributing district houses.

e) Windows size and vertical proportions reflect the roughly 30” x 60” original house windows. Windows are single light and more numerous on the south elevation, for improved natural light and ventilation. Upper windows are scaled and/or skewed to be in proportion with the reduced nature of the upper story, but are perceived as the same when seen from the ground.

f) Garage is single bay and set toward the rear of the property and has a 4-panel door, not dissimilar in glazing and proportion to historic fire station (the sole nationally registered historic property in the district).

g) In general, the detailing and materials are similar or subtly transformed (through elongation, opening, less or more wrought, more natural, more crafted, etc.) versions of the original contributing dwelling, thus the proposed house is inherently harmonious or congruent to the characteristics homes in the district. With the exception of non-lead paint and aluminum clad windows, design decisions have been made as if this house was being built using best practices of 1925.

Attachments:

Perspective rendering from driveway with materials and color examples.

Site plan with landscaping notes.

Detail drawing showing typical eave as well as a porch section.
Fenestration Comparison to 1308 Glenwood

152-17 CA
provided at hearing
10.26.17

(A)
Fenestration Comparison #2

152-17-CA provided
© hearing
10.26.17
Fenestration Comparison to 1110 Glenwood
Fenestration Comparison to 509 Cole St.

Provided at hearing 152-17 CA 0.26.17
Raleigh Historic Development Commission –
Certificate of Appropriateness (COA) Application

DEVELOPMENT SERVICES DEPARTMENT

☐ Minor Work (staff review) – 1 copy
☑ Major Work (COA Committee review) – 10 copies
  ☐ Additions Greater than 25% of Building Square Footage
  ☐ New Buildings
  ☐ Demo of Contributing Historic Resource
  ☐ All Other

☐ Post Approval Re-review of Conditions of Approval

For Office Use Only

Transaction # 529271
File # 152-17-CA
Fee 294.00
Amount Paid 294.00
Received Date 9-14-17
Received By

Property Street Address 506 Cole Street, Raleigh, NC, 27605

Historic District Glenwood-Brooklyn

Historic Property/Landmark name (if applicable)

Owner's Name Mark Riedeman

Lot size 7500 sq ft (width in feet) 50' wide (depth in feet) 150' deep

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 (Label Creator).

<table>
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<tr>
<th>Property Address</th>
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WWWW.raleighnc.gov  REVISION 08.29.16
I 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.

Type or print the following:

Applicant Mark Riedeman
Mailing Address 506 Cole St
City Raleigh State NC Zip Code 27605
Date 9/14/17 Daytime Phone (919) 332-3063
Email Address MARKQ RIEDEMAN.COM

Applicant Signature

Will you be applying for rehabilitation tax credits for this project?  □ Yes  □ No

Did you consult with staff prior to filing the application?  □ Yes  □ No

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

<table>
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<tr>
<th>Section/Page</th>
<th>Topic</th>
<th>Brief Description of Work (attach additional sheets as needed)</th>
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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 law. Minor Works are subject to an appeals period of 30 days from the date of approval.

Signature (City of Raleigh) _______________ Date _______________

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<th>TO BE COMPLETED BY APPLICANT</th>
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Attach 8-1/2" x 11" or 11" x 17" sheets with written descriptions and drawings, photographs, and other graphic information necessary to completely describe the project. Use the checklist below to be sure your application is complete.

**Minor Work (staff review) – 1 copy**

**Major Work (COA Committee review) – 10 copies**

1. **Written description.** Describe clearly and in detail the nature of your project. Include exact dimensions or materials to be used (e.g. width of siding, window trim, etc.)
   - 

2. **Description of materials (Provide samples, if appropriate)**
   - 

3. **Photographs of existing conditions are required. Minimum image size 4" x 6" as printed. Maximum 2 images per page.**
   - 

4. **Paint Schedule** (if applicable)
   - 

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.
   - 

6. **Drawings showing existing and proposed work**
   - Plan drawings
   - Elevation drawings showing the façade(s)
   - Dimensions shown on drawings and/or graphic scale (required)
   - 11" x 17" or 8-1/2" x 11" reductions of full-size drawings. If reduced size is so small as to be illegible, make 11" x 17" or 8-1/2" x 11" snap shots of individual drawings from the big sheet.
   - 

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). Use the Label Creator to determine the addresses.**
   - 

8. **Fee (See Development Fee Schedule)**
   - 

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 PAGE 3 OF 3  WWW.RALEIGHNC.GOV  REVISION 08.29.16
Written Description

1. Construction of 1-1/2 story bungalow (duplex, house above rental flat) to replace one story 1925 bungalow to be demolished per previous COAC approval. Please see attached drawings.
3.3 New Construction of Primary Buildings: Guidelines
506 Cole St. 10/5/17

.1 Site new construction to be congruous with surrounding historic buildings that contribute to the special character of the historic district in terms of setback, orientation, spacing, and distance from adjacent historic buildings.
The proposed setback, orientation, spacing and distance of the proposed house is within the boundaries of the setbacks of the contributing historic buildings both on the street and in the neighborhood.

.2 Design new construction so that the overall character of the site, site topography, character-defining site features, trees, and significant district vistas and views are retained.
The site, site topography, character-defining site features and significant district vistas and views will all be retained. The significantly defining trees and landscaping elements will be either retained or replaced as follows:
1. The tree of most significance (now that the 200 year old oak has fallen) is the old Weeping Japanese Maple in SW corner of the front yard. It will be kept and improved by #2.
2. Mimosa tree threatening Japanese Maple will be removed. The thing grows and spreads like a weed.
3. The small garden and large hedges in the front of the house will remain primarily as is, except #4.
4. The large holly bush on the SE corner of the lot will be relocated to the NW corner of the lot. It should continue to get a similar daylight schedule and have more room to spread out.
5. What’s left of the Crepe Myrtle that was mostly destroyed by the falling oak on the East side of the lot will be removed.
6. The oak tree in the middle of the W side of the lot, hanging over the neighbor’s yard will be removed. In addition to threatening the neighbor’s yard, the roots will be in danger of compaction during construction and it’s the same type and was next to the root-diseased one that crushed the house.
7. The oak tree in the NE corner of the lot will remain.
8. With the exception of the large Crepe Myrtle about ½ of the way down the E side of the lot which will be preserved, the assortment of various small trees on the SE ¼ of the lot will be replaced with more deliberate natural landscaping designed for privacy and in conjunction with the neighbor to the east.
9. All trees and landscaping designated for protection will be cordoned off appropriately throughout construction.

.3 Evaluate in advance and limit any disturbance to the site’s terrain during construction to minimize the possibility of destroying unknown archaeological resources.
Planning will be done in order to minimize any possible disturbance to unknown archaeological resources, and the risk for this property is very minimal, although I found a really old beer can once when I was digging.

.4 Protect large trees and other significant site features from immediate damage during construction and from delayed damage due to construction activities, such as loss of root area or compaction of the soil by equipment. It is especially critical to avoid compaction of the soil within the critical root zone.
All significant site features will be protected during construction and handled as described in #2.

.5 It is appropriate to implement a tree protection plan prior to the commencement of construction activities.
All significant site features will be protected prior to construction and handled as described in #2.

.6 Conform to the design guidelines found in Section 2 regarding site and setting in developing a proposed site plan.
All items referenced in Section 2 of the guidelines have been appropriately considered.

.7 Design new buildings to be congruous with surrounding buildings that contribute to the special character of the historic district in terms of height, form, size, scale, massing, proportion, architectural style, and roof shape. The height of new buildings should generally fall within 10 percent of well-related nearby buildings. The height of the new house is less than both of the adjacent houses as well as many other houses which contribute to the special character of the district. The form, size, scale, massing, proportion, style and roof shape are all proportionally and primarily relative to the prior house on the same lot. Design elements from other contributing houses in the district have also been included where appropriate.

.8 Design the proportion of the proposed new building's front facade to be compatible with the front facade proportion of surrounding historic buildings. The front facade of the building is compatible in shape, style and proportion to the prior house and to other compatible houses in the district.

.9 Design the spacing, placement, scale, orientation, proportion, and size of window and door openings in proposed new construction to be compatible with the surrounding buildings that contribute to the special character of the historic district. The window and door openings have been designed to match the sizing and shape of the previous house and the ratio of windows and openings to the solid massing is consistent with other contributing buildings in the district.

.10 Select materials and finishes for proposed new buildings that are compatible with historic materials and finishes found in the surrounding buildings that contribute to the special character of the historic district. Any materials from the prior house which can still be reused after a long degree of weathering will be used whenever possible. New materials for the siding, brick, roofing and accent finishes are all compatible with materials used on other contributing houses in the district.

.11 Design new buildings so that they are compatible with but discernible from contributing buildings in the district. The design of the house is essentially an upgraded version of the previous house on the same lot which was destroyed on 2016. The same roof lines, shapes and angles were used, and a similar site footprint were incorporated but modified to allow for better drainage of water and integration with the features of the site. In addition to being similar to, but discernable from the original house which inspired it, it incorporates elements of other contributing houses in the district.

.12 It is not appropriate to introduce new buildings whose proportion of built mass to open space on their site significantly varies from the surrounding buildings that contribute to the special character of the historic district. The proportion of built mass to open space on the site does not vary significantly from and is well within the range of ratios of the surrounding buildings which contribute to the special character of the district.
© 2017
Oxide Architecture
Riedeman Residence & Flat
506 Cole Street, Raleigh, North Carolina, 27605
217 Dexter Place; Raleigh, North Carolina 27605; (919) 832-2207
Elevation, East
301CFHCFH
date checked
drawn preliminary, for COA Review
2017 - 10/6
Existing house geometric.

Horizontal units for horizontal planes.

Finishing house geometry.

1/4" vertical units for horizontal planes.
1704553241
RIEDEMAN, MARK
506 COLE ST
RALEIGH NC 27605-1208

1704551199
SINES, LIESL ANN SINES, BRANDON LEE
512 COLE ST
RALEIGH NC 27605-1208

1704552073
MCDUFFIE, A CRAIG NOBLE LINDA J
509 COLE ST
RALEIGH NC 27605-1207

1704552159
JOHNSON, ANTHONY H JOHNSON,
KATHALEEN M
510 COLE ST
RALEIGH NC 27605-1208

1704552290
KISSEE, ROBERT DALE II KISSEE, EMILY
JULIA
506 COLE ST
RALEIGH NC 27605-1208

1704552394
GUPTON, WILLIAM C GUPTON, CHRISTINA R
514 COLE ST
RALEIGH NC 27605-1208

1704553024
SEBLEY, CHRISTOPHER HUGH SEBLEY,
JENNIFER LYNN
507 COLE ST
RALEIGH NC 27605-1207

1704553064
ADAMS, JOHN
505 COLE ST
RALEIGH NC 27605-1207

1704553292
PHIPPS, WILLIAM A PHIPPS, SARAH PEARCE
502 COLE ST
RALEIGH NC 27605-1208

1704553374
HUTZLER, PATRICIA M
8908 EAGLEBROOK CT
RALEIGH NC 27617-7540

1704554025
JOHNSON, ANNIE DRIVER HEIRS
ALAN JOHNSON
3005 BEANE DR
RALEIGH NC 27604-5803

1704554088
BROMMER, CHAD L
501 COLE ST
RALEIGH NC 27605-1207

1704554245
COBB, CARSON L JR & DEBRA T TRUSTEES
THE COBB LIVING
4209 MARVIN PL
RALEIGH NC 27608-5951

1704554294
SHACAN INVESTMENTS LLC
8108 TYLERTON DR
RALEIGH NC 27613-1575
17 ga. Standing Seam Copper Roofline

IPE Mahogany Wood Accents

Accent may be Blue Gator (UHDD-12), Tann Wood Stain

Porches, Wood and Porch Floor

Upper roof safari and porch ceilings

Renovation wood (siding, windows trim)

Black stained new brick may be dark red, warm

Existing brick used as pavers
Staff Evidence: 152-17-CA, 506 Cole St
Note the dense tree canopy on and around the property
Google street view of the property showing the density of plant material visible from the street
Note the existing curb cut in the lower portion of the photo