

**RALEIGH HISTORIC DEVELOPMENT COMMISSION**  
**CERTIFICATE OF APPROPRIATENESS COMMITTEE**  
Minutes of the Meeting  
December 22, 2016

**CALL TO ORDER**

Chair Elizabeth Caliendo called the Certificate of Appropriateness (COA) Committee meeting to order at 4:01 p.m.

**ROLL CALL**

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

Present: Elizabeth Caliendo, Sarah David, Don Davis, John Hinshaw, Jimmy Thiem

Staff Present: Tania Tully, Melissa Robb, Martha Lauer; Teresa Young; Francis P. Raspberry, Jr., Attorney

**Approval of the November 28, 2016 Minutes**

Mr. Thiem moved to waive the reading of the minutes for the hearing and to adopt said minutes as submitted. Ms. David 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. Martha Lauer, Notary Public, administered the affirmation.

<b><u>Visitor's/Applicant's Name and Address</u></b>	<b><u>Affirmed</u></b>
Nathan Singerman, 912 Williamson 27608	Yes
Anne Singerman, 912 Williamson 27608	Yes
Erin Sterling Lewis, 1229 Courtland 27604	Yes
Andrew Rook, 4101 Huckleberry Dr 27602	Yes
Steve Schuster, 311 W Martin Street 27601	Yes
Sally Edmunds, 2711 Royster Street 27608	Yes
Heather Hillebrenner, 411 N East Street 27604	Yes
Will Hillebrenner, 411 N East Street 27604	Yes
Trish Meeks, 5198 Florence Street	Yes
David Maurer, 115.5 E Hargett Street 27601	Yes
Laurie Jackson, 115.5 E Hargett Street 27601	Yes
Kimberly Brackett-Jones 2009 Carroll Drive 27608	Yes
Jeannine McAuliffe, 4913 Liles Rd 27606	Yes
Anna Baglow, 1003 W South Street 27603	Yes
Karen Water, 2720 Knowles Street 27603	No

**REVIEW OF SUMMARY PROCEEDINGS/APPROVAL OF AGENDA**

Mr. Theim moved to approve the agenda as printed. Ms. David seconded the motion; passed 5/0.

**SUMMARY PROCEEDINGS**

There were no objections to the approval of the Summary Proceedings without a public hearing. The committee reviewed and approved the following cases 189-16-CA and 191-16-CA for which the Summary Proceeding is made part of these minutes.

DRAFT

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – SUMMARY PROCEEDING

189-16-CA      1100 FILMORE STREET  
Applicant:      BRANDY THOMPSON  
Received:      12/5/2016      Meeting Date(s):  
Submission date + 90 days: 3/5/2017      1) 12/22/2016    2)    3)

INTRODUCTION TO THE APPLICATION

Historic District: GLENWOOD-BROOKLYN HISTORIC DISTRICT

Zoning: HOD-S

Nature of Project: Change to COA 058-16-CA: construct 1-story rear addition; alter fence

Conflict of Interest: Ms. Caliendo recused herself from voting on the application.

Staff Notes:

- A rear addition was approved by the commission in 2016 (058-16-CA). Because of the elimination of the lower level garage, staff deemed the current proposal to be a substantial change from the original approval. Per Article XV of the RHDC’s Bylaws and Rules of Procedure the application must be forwarded to the commission for review. However, staff also finds the new proposal substantially in conformance with the *Guidelines* and not precedent setting and thus placed the case on the Summary Proceeding portion of the agenda.
- The Certified Record and drawings associated with the approved addition for COA 058-16-CA are attached; only facts related to the design changes are different from that case are included in the staff report.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
2.4	Fences and Walls	Alter fence
4.2	Additions to Historic Buildings	Construct 1-story rear addition

STAFF REPORT

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

- A. Alteration of fence; construction of 1-story rear addition is not incongruous in concept according to *Guidelines* 2.4.8, 4.2.1, 4.2.2, 4.2.4, 4.2.5, 4.2.6, 4.2.7, 4.2.8, 4.2.9, and the following suggested facts:
- 1\* The existing wood fence will be relocated on the south side to meet the new addition rather than the rear of the existing house. It is and will be installed utilizing good neighbor design with the structural members facing inwards.
  - 2\* There are no grade changes proposed.

- 3\* There are trees in the right-of-way that may be impacted by construction activities. A tree protection plan was provided.
- 4\* The rear addition approved in case 058-16-CA was 2-levels with a garage. The current application is for a single story with no garage. With the exception of the elimination of the lower level garage, the overall design of the addition is the same as the initial approval.
- 5\* The roof height on the front and rear elevations do not match those of the side elevations.
- 6\* At the intersection of the existing structure and the addition, the wall steps in 6" to help differentiate between the old and new. The addition is 1 foot lower than the historic house.
- 7\* The new addition is rectangular in form similar to the existing house; the gable roof form and pitches are the same as the historic house. The addition has cross gables that are now the same height at the gables on the historic bays.
- 8\* The amount of solids to voids in the exterior walls of the addition is similar to the historic house, and the proportions of the new windows have the same vertical proportions as the bulk of the windows on the historic house.
- 9\* Materials proposed are the same as approved under 058-16-CA.
- 10\* Detailed wall sections were included in the application.
- 11\* Based on the graphic scale, the length of the addition has been reduced by about 5 feet. The width remains the same. The result is a reduction in size by roughly 170 SF.

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

1. That the front and rear elevation drawings be revised to match the roof height of the side elevations and that the revisions be provided to and approved by staff prior to the issuance of the blue placard.
2. That details and specifications for the following be provided to and approved by staff prior to construction/installation:
  - a. Fence alteration;
  - b. Foundation brick size;
  - c. Siding reveal;
  - d. Window trim;
  - e. Doors;
  - f. Roofing material;
  - g. Windows specifications if different from those approved under COA 058-16-CA.

#### Decision on the Application

There were no objections to approval without an evidentiary hearing.

Mr. Davis moved to approve the application, adopting the staff report as the written record of the summary proceeding on 189-16-CA. Mr. Hinshaw seconded the motion; passed 4/0.

Committee members voting: David, Davis, Hinshaw, Thiem.  
Certificate expiration date: 6/22/17.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – SUMMARY PROCEEDING

191-16-CA      507 OAKWOOD AVENUE  
Applicant:      JUSTIN GRIFFIN  
Received:      12/5/2016      Meeting Date(s):  
Submission date + 90 days: 3/5/2017      1) 12/22/2016    2)    3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: HOD-G

Nature of Project: Change to COA 156-02-CA: remove rear addition; construct 2-story rear addition; remove tree

Amendments: A tree protection plan, door details, and window details were provided by the applicant and are attached.

Conflict of Interest: None noted.

Staff Notes:

- Unified Development Code section 10.2.15.E.1 provides that “An application for a certificate of appropriateness authorizing the demolition or destruction of a building, structure or site within any Historic Overlay District...may not be denied.... However, the authorization date of such a certificate may be delayed for a period of up to 365 days from the date of issuance.... If the Commission finds that the building, structure or site has no particular significance or value toward maintaining the character of the Historic Overlay District or Historic Landmark, it shall waive all or part of such period and authorize earlier demolition or removal.
- A rear addition was approved by the commission in 2002 (156-02-CA). Staff deemed the current proposal to be a substantial change from the 2002 approval. Per Article XV of the RHDC’s Bylaws and Rules of Procedure the application must be forwarded to the commission for review. However, staff also finds the new proposal substantially in conformance with the *Guidelines* and not precedent setting and thus placed the case on the Summary Proceeding portion of the agenda.
- The Certified Record and drawings associated with the approved addition for COA 156-02-CA are attached; only facts related to the design changes are different from that case are included in the staff report.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
2.3	Site Features and Plantings	Remove tree
2.4	Fences and Walls	
4.2	Additions to Historic Buildings	Remove rear addition; construct 2-story rear addition

## STAFF REPORT

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

- A. Removal of rear addition; construction of 2-story rear addition is not incongruous in concept according to *Guidelines* 4.2.1, 4.2.2, 4.2.3, 4.2.4, 4.2.6, 4.2.7 and the following suggested facts:
- 1\* The written description of the proposed addition makes it clear what was approved in 2002 and what has been changed.
  - 2\* The addition is located on the rear façade of the building.
  - 3\* The addition is made discernable from the original house through the use of insets at the corners of the house, and the arrangement of the new porch.
  - 4\* The 2<sup>nd</sup> level is larger in plan than the 1st level to create a ground level porch on the north and west sides of the addition.
  - 5\* The new addition does not extend beyond the side of the historic house.
  - 6\* The addition has a simple standing seam metal hipped roof that is 1 foot lower than the historic house. Some details of the roofing metal are provided; it is unclear if the pans between the seam will be flat.
  - 7\* The footprint of the 2002 addition is about 445 SF; that of the proposed new addition is approximately 420 SF. This is a reduction in the built mass approved in 2002.
  - 8\* Details and materials of the addition are to match the existing house. Detailed descriptions and drawings were included in the application.
  - 9\* Windows and doors are proportioned and placed in locations characteristic of the existing house. Windows will be 1/1 wood DHS window units, to provide an additional subtle cue to make the addition discernable from the original. Details and specifications of the windows and doors were included in the amended application.
- B. Removal of tree; is not incongruous in concept according to *Guidelines* 2.3.3, 2.3.5, 2.3.7 and the following suggested facts:
- 1\* The tree proposed for removal is a deciduous tree; the species is unknown.
  - 2\* A replacement tree is not proposed.
  - 3\* The trunk of the tree proposed for removal will be within 8 feet of the new addition.
  - 4\* Information regarding the health of the tree is not provided nor is a statement of the likelihood of the tree to survive construction.
  - 5\* There is a tree near the northeast corner on an adjacent property. The amended application notes the location of a tree protection fence; information regarding the treatment of roots was not provided.
- C. Construction of new retaining wall; alteration of fence is not incongruous in concept according to *Guidelines* 2.4.1, 2.4.8, and the following suggested facts:
- 1\* Three existing gates and adjacent sections of wood fencing will be relocated with new 42" high wood fences and gates that match the existing.

- 2\* It is unclear if the new fences and gates will be installed using neighbor friendly design with the structural members facing inwards to the rear yard.
- 3\* A new brick site wall is proposed to replace the one being removed.
- 4\* Retaining walls that address site drainage are common rear yard features; precise details of the new wall were not provided.

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

1. That details and specifications for the following be provided to and approved by staff prior to construction or installation:
  - a. Paint colors if changed from the 2002 approval
  - b. Porch pavers;
  - c. Foundation brick;
  - d. Metal roof.
2. That the new fences and gates be constructed utilizing neighbor friendly design with the structural members facing inwards to the rear yard.
3. That a new tree of similar species be planted on the property during the next tree planting season after completion of the addition or a donation of the value of one tree be made to the NeighborWoods tree planting program.
4. That there be a 365-day delay for the removal of the tree unless one of the following is provided to and approved by staff:
  - a. Report from an arborist certified by the International Society of Arboriculture that the tree is dead, diseased, or dangerous; or
  - b. Report from an arborist certified by the International Society of Arboriculture that the tree is unlikely to survive construction of the addition.
5. That the footings be hand excavated and that roots of the protected tree encountered during construction be cut cleanly with a proper tool.

#### Decision on the Application

There were no objections to approval without an evidentiary hearing.

Ms. David moved to approve the amended application, adopting the staff report as the written record of the summary proceeding on 191-16-CA. Mr. Hinshaw seconded the motion; passed 5/0.

Committee members voting: Caliendo, David, Davis, Hinshaw, Thiem.

Certificate expiration date: 6/22/17.

**PUBLIC HEARINGS**

Chair Caliendo introduced the public hearing portion of the meeting. The committee heard the following cases in the following order for which the Certified Records are made part of these minutes: 131-16-CA, 173-16-CA, 176-16-CA, 165-16-CA, 188-16-CA, and 190-16-CA.

DRAFT

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

131-16-CA      912 WILLIAMSON DRIVE  
Applicant:      ERIN STERLING LEWIS, AIA  
Received:      8/8/2016      Meeting Date(s):  
Submission date + 90 days: 11/6/2016      1) 8/25/2016      2) 11/28/2016      3) 12/22/2016

INTRODUCTION TO THE APPLICATION

Historic District: LANDMARK HISTORIC DISTRICT

Raleigh Historic Landmark: PHILIP ROTHSTEIN HOUSE

Nature of Project: Remove west portion of rear retaining wall; remove concrete parking pad and attached retaining wall, stairs and sidewalk; remove trees; construct multi-level side/rear addition; construct new retaining walls; construct new patio and pool; install new garden area

Amendments: An amended proposal was provided and included in the commissioner packets. Additional revisions are attached.

DRAC: An application was reviewed by the Design Review Advisory Committee at its August 15, 2016 meeting. Members in attendance were Dan Becker, Jenny Harper, David Maurer, and Mary Ruffin Hanbury; also present were Erin Sterling Lewis, and Martha Lauer.

Conflict of Interest: None noted.

Staff Notes:

- Unified Development Code section 10.2.15.E.1 provides that “An application for a certificate of appropriateness authorizing the demolition or destruction of a building, structure or site within any Historic Overlay District...may not be denied.... However, the authorization date of such a certificate may be delayed for a period of up to 365 days from the date of issuance.... If the Commission finds that the building, structure or site has no particular significance or value toward maintaining the character of the Historic Overlay District or Historic Landmark, it shall waive all or part of such period and authorize earlier demolition or removal.
- The applicant is requesting approval of the overall design and form of the addition with the materials to be submitted for approval under a separate COA application.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
2.3	Site Features and Plantings	remove trees; alter rear yard; install patio and pool; install garden area
2.4	Fences and Walls	remove retaining walls; construct retaining walls
2.5	Walkways, Driveways, and Offstreet Parking	remove stairs and sidewalk; remove concrete parking pad
4.2	Additions to Historic Buildings	Construct addition

## STAFF REPORT

Based on the information contained in the amended application, testimony and other evidence presented at the prior hearings, and staff's evaluation:

- A. Removal of trees **may be** incongruous according to *Guidelines* 2.3.1, 2.3.5, and the following suggested facts:
- 1\* The landmark ordinance states: "Those elements of the property that are integral to its historical, prehistorical, architectural, archaeological and/or cultural significance, or any combination thereof are as follows: ... paths; sloping topography; entry drive; stone retaining wall; trees ..."
  - 2\* The landscape report states that "Towering pines and oaks protect the home from the sun's blaze in summer, while the sun passively warms the home in winter. Bountiful gardens in the rear of the property provide another visual surprise..."
  - 3\* The landmark report contains more description of the building than the site.
  - 4\* There are 9 trees proposed for removal in the rear yard to accommodate the proposed new work. Three are pines, three are white oaks, one is a tulip poplar, and one is a Japanese maple.
  - 5\* New trees are proposed to be planted east of the addition. The general location of the new trees is shown; species are not provided.
  - 6\* Trees not proposed for removal are stated to be protected. A tree protection plan was not provided.
- B. Construction of a multi-level side addition, construction of retaining wall; removal of concrete pad is not incongruous in concept according to *Guidelines* 2.3.6, 2.3.7, 2.4.8, 2.5.1, 2.5.5, 2.5.6, 2.5.9, 4.2.1, 4.2.2, 4.2.4, 4.2.6, 4.2.5, 4.2.7, 4.2.9; however, lowering the grade at the addition and driveway **may be** incongruous according to *Guidelines* 2.3.11, 4.2.2, and the size of the addition **may be** incongruous according to *Guidelines* 4.2.6, 4.2.8, and the following suggested facts:
- 1\* The landmark ordinance states: "Those elements of the property that are integral to its historical, prehistorical, architectural, archaeological and/or cultural significance, or any combination thereof are as follows: The one-story residence; east, south, and west decks; concrete and steel pan stairs; rear porch and patio; paths; sloping topography; entry drive; stone retaining wall; trees; approximately 1.09 acre area of the original parcel."
  - 2\* The 1958-59 Rothstein House was designated a Raleigh Historic Landmark in 2004. From the landmark designation report:
    - a. [The house] "is a prime example of International Style architecture"
    - b. "...the house's most spectacular effect is its Miesian floating appearance."
    - c. "...the house is sited on a slope facing south astride a one-acre lot, its eighty-foot length seeming to span the lot's width, yielding an imposing presence on the slope."
    - d. "To reinforce the facade's strong horizontal lines, the roof's soffit and fascia are wide and its overhang is three feet. The deck, which wraps the house on the south, east, and west, is another important horizontal line."

- e. "Like the front facade, the rear, north-facing facade has identical and equally strong vertical and horizontal lines..."
  - f. "The vertical lines of the body of the house are emphasized by grey painted tongue and groove wood sheathing punctuated by four bays of single pane windows and doors."
  - g. "Grounding the floating form to earth is its base-a brick masonry foundation, which one may glimpse under the decking and which suggests a lower level..."
- 3\* Plans and photos from the house's 1960 appearance in Architectural Record are in the landmark designation report.
  - 4\* The addition is proposed on the west (left) side and north (rear) sides of the house and is connected to the historic house with an 8 ½' long hyphen. Minimal historic fabric is impacted.
  - 5\* The approximately 6.25' wide hyphen connects to the house under the historic eave at the level of the deck. That portion of the deck may be removed. Details and specifications for this connection were not provided.
  - 6\* Currently, the driveway slopes up at the split from the circular driveway to a concrete pad that sits a few feet below the finished floor of the house. This is a rise of approximately 7 feet.
  - 7\* The addition is proposed in the general location of the concrete pad. The proposed addition will excavate approximately 8' to accommodate the lower level. This will also lower the driveway approximately 6 feet.
  - 8\* Retaining walls, maximum height approximately 8', are proposed along either side of the depressed driveway. They will terminate prior to the circular drive. Detailed information is not provided.
  - 9\* The addition is ell shaped in footprint with the portion on the west side of the historic house oriented perpendicular to the historic house.
  - 10\* The rear end of the ell is an open porch area not uncommon in mid-century houses.
  - 11\* At the garage entry the new wall is between 6 and 8.5 feet tall.
  - 12\* The historic house is 80' wide by 30 feet deep. The proposed addition is 23½' wide by x 92' deep with a 38' wide by 23½' deep ell.
  - 13\* At its peak the addition is the same height as the historic house. This peak is 57' back from the front facade of the house.
  - 14\* Sightline drawings were provided that show the potential visual impact of the addition from the front of the house. Similar studies from oblique angles were not provided.
  - 15\* The main level of the addition is at the level of the historic house and sits on top of a recessed basement level. The garage door is inset approximately 7' from the front plane of the addition.
  - 16\* The addition is proposed to have a very shallow overhang on all sides. The historic house has 3' deep overhangs
  - 17\* As drawn, the front plane of the addition sits back approximately 7 ½' from the front wall of the historic house. The front wall of the addition is inset 2' from the front plane. A photo of a similar scenario with deeper inset, from another project by the applicant is attached.
  - 18\* Windows on the addition are similar in proportion as those on the historic house.

- 19\* A roof plan is provided. The slope of the addition roof is the same as the historic house (12/1). The roof form is an asymmetrical low pitched gable.
- 20\* Materials are not proposed at this time. As drawn the body of the addition is proposed to have vertical siding as the primary sheathing and vertical windows.
- 21\* Testimony by the applicant at the August 2016 hearing includes:
- a. The addition has a light touch to the historic house.
  - b. It is located on the least character-defining side of the house.
  - c. The finished floor of the main level of the addition will align with the finished floor of the historic house.
  - d. The addition also floats above the grade.
  - e. The tallest part of the addition is at the rear in the courtyard.
  - f. There is a 30' drop from the house to the street.
  - g. The Fadum House is a modern landmark with a COA approved addition. Ms. Lewis compared that addition to their proposal.
  - h. The form is similar.
- C. Installation of a pool; construction of patio; installation of garden; removal of retaining wall; construction of retaining wall **may be** incongruous according to *Guidelines* 2.3.1, 2.3.2, 2.3.3, 2.3.9, 2.3.11, 2.4.1, 2.4.8, and the following suggested facts:
- 1\* *Guidelines* page 12 states: "When developing a landscape plan, the property owner should consider the special characteristics of the specific site... Selecting wisely from the existing vocabulary of distinctive site features to define circulation, create site spaces, or otherwise articulate and develop sites... is central to preserving the...character." and "The introduction of an intrusive contemporary site feature or item of equipment, such as a parking lot, a swimming pool, freestanding mechanical equipment, or a satellite dish, must be carefully reviewed to determine if it will compromise the historic character of the site and the district."
- 2\* There are other trees on the property proposed to remain; a tree protection plan is not provided.
- 3\* The application states that the rear landscape is not as significant as the front yard trees and landscape based on the following statements in the landmark designation report.
- a. "Bountiful gardens in the rear of the property provide another visual surprise..."
  - b. "Originally, a concrete patio, accessed from the family room, linked the house to the garden."
  - c. "...precisely the horizontal and vertical forms of the original house plans, the builder incorporated the foot-high brick masonry wall which separated patio from garden..."
- 4\* Other excerpts from the landscape report on the landscape include the following:
- a. "Towering pines and oaks protect the home from the sun's blaze in summer, while the sun passively warms the home in winter. Bountiful gardens in the rear of the property provide another visual surprise..."
  - b. "...while the grounds visible from the street feature azaleas, dogwoods, a live oak, and a Thread-leaf Japanese Maple."

- c. "In 2001... a porch at the rear of the house in the patio area..." [was added]
- 5\* Testimony by the applicant at the August 2016 hearing includes:
  - a. There are no historic gardens in the location of the addition.
  - b. Outside spaces are important.
  - c. The existing rear retaining wall is 2 to 2½ feet above grade. It gets moved back and becomes 4 to 4½ feet above grade.
- 6\* The bulk of the current rear yard maintains the natural slope; the proposed new garden cuts into the grade resulting in a 5 to 6 foot tall retaining wall.
- 7\* Pools are not uncommon rear yard features during the period of significance for the house.

Staff suggests that there be discussion on the following items prior to rendering a decision:

1. Significance of the rear yard trees and landscaping.
2. Grading for the new garden area.
3. Size of the addition.
4. Materials.

Should the committee choose to approve the application, staff offers the following suggested conditions:

1. That the 365-day demolition delay for removal of the trees be waived.
2. That details and specifications for the following be provided to and approved by staff prior to the issuance of the blue placard:
  - a. Tree protection plan;
  - b. Windows;
  - c. Wall sections;
  - d. Pool;
  - e. Retaining walls;
3. That replacement trees be similar species to those removed.
4. That details and specifications for the following be provided to and approved by staff prior to construction/installation:
  - a. Replacement trees species;
  - b. Exterior lighting;
  - c. Garage doors;
  - d. Rear patio;
  - e. Rear garden.

#### PUBLIC TESTIMONY

Staff Introduction: Tania Tully [affirmed] showed the location of the property on the map and noted highlights from the staff report. Ms. Tully stated the amended documents in the staff packet provided additional changes as well. Ms. Tully added that the addition is now proposed to be the same height as the historic house and there was additional clarification regarding the grade changes and what various parts of the addition will look like. Ms. Tully said staff

recommended waiving the delay for tree material, grading of the new garden and the size of the addition and materials.

Support:

Ms. Erin Sterling Lewis [affirmed] was present to speak in support of the application. Ms. Lewis went over some of the changes in the application but did not wish to repeat a lot of the information that was already gone over. Ms. Lewis gave an overview of different pictures of the property for the committee and highlighted in the original landmark designation report that the yard was not a highlighted feature. Ms. Lewis noted that the proposed site plan has been edited to change the language to state project area instead of area of disturbance. Ms. Lewis presented a roof plan as well and additional corrected information on the site plan. Ms. Lewis stated that the exterior of the house was fully measured and everything was corrected.

Opposition:

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

Responses and Questions:

Mr. Thiem asked about the area to be disturbed on the site plan. Ms. Lewis indicated the full project area and stated more land is likely to be disturbed but the full size is unknown until construction begins. Mr. Thiem also asked about the impacted area of construction on the site plan as it was not shown. Ms. Lewis responded nothing will be impacting the foundation or the house.

Ms. Tully inquired about the front wall of the addition being inset but that was no longer true. Ms. Lewis confirmed this. Ms. Lauer inquired about if property will be set aside for natural planning closest to the garden area. Ms. Lewis indicated they had hoped to keep this. There was discussion about making this area the tree protection area. Ms. Lewis indicated they wanted to keep the wall short so that it goes into a natural grade there.

Ms. Caliendo asked if the size of the addition is 3000 square feet. Ms. Lewis stated this was the footprint of the heated space and outdoor space. Ms. Caliendo asked if this does not include the basement. Ms. Lewis confirmed it did not.

Mr. Davis asked if the gardens in the back were a feature of the house. Ms. Lewis responded she would not say that as in reading the landmark designation report it is listed as a surprising feature. Ms. Lewis stated half of the yard will maintain the natural wooded experience.

Ms. Caliendo asked how high the wall was around the garden area. Ms. Lewis responded it was about 6ft and then slopes off.

Mr. Hinshaw asked how large was the total lot. Ms. Lewis responded 1.03 acres.

At Ms. Caliendo's suggestion Ms. David moved that the public testimony portion of the hearing be closed. Mr. Davis seconded; motion carried 5/0.

### Committee Discussion

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

Rear yard landscape? [Caliendo]

Most of what she says in the notes is not incongruous except 4.2 which is subjective issues. It does not overpower the existing building or significantly change the mass open space. In this case it's a very large lot and the L shape does not visually overpower the original building.

[Hinshaw]

Significance of the rear yard and landscaping in the rear yard? There are a lot of walkways that look planned and naturalistic but looks potentially naturalistic. [David]

Landmark report there is a couple of lines about the landscape but it really is all about the house. [Caliendo]

Backyard offers a visual surprise and this was designated in 2005. The backyard landscape has changed significantly since then. [Hinshaw]

Guideline 2.3.11 talks about how it is not appropriate to change a site significantly. That backyard grade seems pretty substantial alteration of the grade if you took out the garden area.

It is taking over more than half of the back yard through grading. [Caliendo]

For that guideline you look at it before and looking at the yard changes not the grade changes.

You just have a sloped front yard that is in the way I have heard that section being discussed.

Grade change having to do with the garden and the patio, landscape features vs. landscaping.

[Tully]

Finding the language of the report if you look at what is referenced I find it significant and I understand the house is more highly referenced but we always look at the landscape as part of the context. Integrating it and tying it into the house I struggle around as how much we worry about the house when we have taken half of the yard with trees in it. The extent of the area being shown is a substantial increase in area built. The new garden space is only impacting two trees but when I saw the outline I noticed one of the trees was on the edge of that and those trees and white oak trees are extremely sensitive to development. This new garden space it is unclear of the design and I think it is appropriate to come back to us for review. [Thiem]

We could approve the house in form and defer the garden area. [Caliendo]

Specific of how things are constructed and not talk about the methodology but there is a lack of clarity about how much is going to be impacted. Can we support this new garden area not being disturbed the northwest portion of the site is going to be completely changed. [Thiem]

I agree with that. The side of the addition. [Caliendo]

The orientation of the L makes sure it does not overpower the existing building given its narrow frontage. I think the addition on the west side if you look at the elevation it frames the original house very nicely. [Hinshaw]

It does sit into the grade even though it's a larger square footage. [Caliendo]

This does not frequent the Boylan or Oakwood neighborhoods but those are smaller and versus the built space. [Hinshaw]

Minimizing the impact of the size of the street with the height of the roof peak getting closer to the existing is an improvement. The footprint size is huge, visually it is not bad but the raw numbers are huge. That is concerning. [David]

The visual impact is not bad. [Caliendo]

It does not from the street which is good but the back yard you can see. [Davis]

Come back with proposal for exterior materials. [Caliendo]

I would like to see the exterior materials and some sort of plan going forward of how the trees will be taken care of. [Thiem]

There is a way to go about that level of thinking. How are you separating the building materials and then the form? [Tully]

Phasing can be difficult. I'm not comfortable. Moore Square difficult because you had to think about the buildings were really going to look like. We were pushed to deal with materials when we already approved its existence. I understand applicants and their concern about having to keep coming back and not getting approved. [David]

I am comfortable with the materials as they are not going to change the form. I am comfortable separating it into two. [Caliendo]

I am as well. [Davis]

Details and specifications listed in the pool are then under the section with the rear garden and patio. Put it this way, the architecture and then we are going to go look at the landscape as a whole group all of that together. [Thiem]

Outside of the pool? [Tully]

What I am looking for is to have the plan for the rear back area which includes the pool, patio and garden space and come back as one unified plan for everything. That is my request that it is brought back to the committee for review. [Thiem]

Defer the whole building? [Hinshaw]

No, just the disturbed area the rest of the landscape and significant phasing piece that needs to come back to us. If it's going to phase that somehow a plan is provided prior to the blue placard that shows the actual area and tree protection plan. My concern is what we saw designated and putting new trees showing existing trees and I saw a projected disturbed area going into those trees. [Thiem]

That was very rough. [Tully]

That was my concern. [Thiem]

Do you want a plan with an area of disturbance and a tree protection plan together? Do you want the yard portion in a separate application like the materials? [Tully]

Yard area is confusing, the new garden space they might need to modify grades and come back with a final plan of the patio and then go ahead with the building materials and details for those. [Thiem]

So approve the removal of the 7 tree and 2 trees just north and those trees have the delay. They were identified as Japanese Maple and White Oak. [Tully]

Applicant said they were looking into the grading and pulling it in so it is more natural. [Caliendo]

2 of trees to the north of the screened porch do not need to be removed to construct the condition, fact A7. [Tully]

Remove 2.3.11 up and fact 16/17. [Thiem]

### Findings of Fact and Conclusions of Law

Mr. Thiem moved that based upon the facts presented in the application and the evidentiary hearing, the committee finds staff suggested findings A. (inclusive of facts 1-6), B. (inclusive of facts 1-15, 18-21), C. (inclusive of facts 1-7) to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Removal of trees **is not** incongruous according to *Guidelines* 2.3.1, 2.3.5, and the following facts:
- 1\* The landmark ordinance states: "Those elements of the property that are integral to its historical, prehistorical, architectural, archaeological and/or cultural significance, or any combination thereof are as follows: ... paths; sloping topography; entry drive; stone retaining wall; trees ..."
  - 2\* The landscape report states that "Towering pines and oaks protect the home from the sun's blaze in summer, while the sun passively warms the home in winter. Bountiful gardens in the rear of the property provide another visual surprise..."
  - 3\* The landmark report contains more description of the building than the site.
  - 4\* There are 9 trees proposed for removal in the rear yard to accommodate the proposed new work. Three are pines, three are white oaks, one is a tulip poplar, and one is a Japanese maple.
  - 5\* New trees are proposed to be planted east of the addition. The general location of the new trees is shown; species are not provided.
  - 6\* Trees not proposed for removal are stated to be protected. A tree protection plan was not provided.
  - 7\* Two of the trees proposed for removal are not in the footprint of the addition or pool.
- B. Construction of a multi-level side addition, construction of retaining wall; removal of concrete pad; lowering the grade at the addition and driveway is not incongruous in concept according to *Guidelines* 2.3.6, 2.3.7, 2.3.11, 2.4.8, 2.5.1, 2.5.5, 2.5.6, 2.5.9, 4.2.1, 4.2.2, 4.2.4, 4.2.6, 4.2.5, 4.2.7, 4.2.8, 4.2.9, and the following facts:
- 1\* The landmark ordinance states: "Those elements of the property that are integral to its historical, prehistorical, architectural, archaeological and/or cultural significance, or any combination thereof are as follows: The one-story residence; east, south, and west decks; concrete and steel pan stairs; rear porch and patio; paths; sloping topography; entry drive; stone retaining wall; trees; approximately 1.09 acre area of the original parcel."
  - 2\* The 1958-59 Rothstein House was designated a Raleigh Historic Landmark in 2004. From the landmark designation report:
    - a. [The house] "is a prime example of International Style architecture "
    - b. "...the house's most spectacular effect is its Miesian floating appearance."
    - c. "...the house is sited on a slope facing south astride a one-acre lot, its eighty-foot length seeming to span the lot's width, yielding an imposing presence on the slope."

- d. "To reinforce the facade's strong horizontal lines, the roof's soffit and fascia are wide and its overhang is three feet. The deck, which wraps the house on the south, east, and west, is another important horizontal line."
  - e. "Like the front facade, the rear, north-facing facade has identical and equally strong vertical and horizontal lines..."
  - f. "The vertical lines of the body of the house are emphasized by grey painted tongue and groove wood sheathing punctuated by four bays of single pane windows and doors."
  - g. "Grounding the floating form to earth is its base-a brick masonry foundation, which one may glimpse under the decking and which suggests a lower level..."
- 3\* Plans and photos from the house's 1960 appearance in Architectural Record are in the landmark designation report.
  - 4\* The addition is proposed on the west (left) side and north (rear) sides of the house and is connected to the historic house with an 8 ½' long hyphen. Minimal historic fabric is impacted.
  - 5\* The approximately 6.25' wide hyphen connects to the house under the historic eave at the level of the deck. That portion of the deck may be removed. Details and specifications for this connection were not provided.
  - 6\* Currently, the driveway slopes up at the split from the circular driveway to a concrete pad that sits a few feet below the finished floor of the house. This is a rise of approximately 7 feet.
  - 7\* The addition is proposed in the general location of the concrete pad. The proposed addition will excavate approximately 8' to accommodate the lower level. This will also lower the driveway approximately 6 feet.
  - 8\* Retaining walls, maximum height approximately 8', are proposed along either side of the depressed driveway. They will terminate prior to the circular drive. Detailed information is not provided.
  - 9\* The addition is ell shaped in footprint with the portion on the west side of the historic house oriented perpendicular to the historic house.
  - 10\* The rear end of the ell is an open porch area not uncommon in mid-century houses.
  - 11\* At the garage entry the new wall is between 6 and 8.5 feet tall.
  - 12\* The historic house is 80' wide by 30 feet deep. The proposed addition is 23½' wide by x 92' deep with a 38' wide by 23½' deep ell.
  - 13\* At its peak the addition is the same height as the historic house. This peak is 57' back from the front facade of the house.
  - 14\* Sightline drawings were provided that show the potential visual impact of the addition from the front of the house. Similar studies from oblique angles were not provided.
  - 15\* The main level of the addition is at the level of the historic house and sits on top of a recessed basement level. The garage door is inset approximately 7' from the front plane of the addition.
  - 16\* Except for the south side of the ell, the addition is proposed to have a very shallow overhang on all sides. The historic house has 3' deep overhangs
  - 17\* As drawn, the front plane of the addition sits back approximately 7 ½' from the front wall of the historic house.

- 18\* Windows on the addition are similar in proportion as those on the historic house.
- 19\* A roof plan is provided. The slope of the addition roof is the same as the historic house (12/1). The roof form is an asymmetrical low pitched gable.
- 20\* Materials are not proposed at this time. As drawn the body of the addition is proposed to have vertical siding as the primary sheathing and vertical windows.
- 21\* Testimony by the applicant at the August 2016 hearing includes:
- a. The addition has a light touch to the historic house.
  - b. It is located on the least character-defining side of the house.
  - c. The finished floor of the main level of the addition will align with the finished floor of the historic house.
  - d. The addition also floats above the grade.
  - e. The tallest part of the addition is at the rear in the courtyard.
  - f. There is a 30' drop from the house to the street.
  - g. The Fadum House is a modern landmark with a COA approved addition. Ms. Lewis compared that addition to their proposal.
  - h. The form is similar.
- C. Installation of a pool; construction of patio; removal of retaining wall; construction of retaining wall is not incongruous in concept according to *Guidelines* 2.3.1, 2.3.2, 2.3.3, 2.3.9, 2.3.11, 2.4.1, 2.4.8, and the following facts:
- 1\* *Guidelines* page 12 states: "When developing a landscape plan, the property owner should consider the special characteristics of the specific site... Selecting wisely from the existing vocabulary of distinctive site features to define circulation, create site spaces, or otherwise articulate and develop sites... is central to preserving the...character." and "The introduction of an intrusive contemporary site feature or item of equipment, such as a parking lot, a swimming pool, freestanding mechanical equipment, or a satellite dish, must be carefully reviewed to determine if it will compromise the historic character of the site and the district."
- 2\* There are other trees on the property proposed to remain; a tree protection plan is not provided.
- 3\* The application states that the rear landscape is not as significant as the front yard trees and landscape based on the following statements in the landmark designation report.
- a. "Bountiful gardens in the rear of the property provide another visual surprise..."
  - b. "Originally, a concrete patio, accessed from the family room, linked the house to the garden. "
  - c. "...precisely the horizontal and vertical forms of the original house plans, the builder incorporated the foot-high brick masonry wall which separated patio from garden...."
- 4\* Other excerpts from the landscape report on the landscape include the following:
- a. "Towering pines and oaks protect the home from the sun's blaze in summer, while the sun passively warms the home in winter. Bountiful gardens in the rear of the property provide another visual surprise..."

- b. "...while the grounds visible from the street feature azaleas, dogwoods, a live oak, and a Thread-leaf Japanese Maple."
  - c. "In 2001... a porch at the rear of the house in the patio area..." [was added]
- 5\* Testimony by the applicant at the August 2016 hearing includes:
- a. There are no historic gardens in the location of the addition.
  - b. Outside spaces are important.
  - c. The existing rear retaining wall is 2 to 2½ feet above grade. It gets moved back and becomes 4 to 4½ feet above grade.
- 6\* The bulk of the current rear yard maintains the natural slope; the proposed new garden cuts into the grade resulting in a 5 to 6 foot tall retaining wall.
- 7\* Pools are not uncommon rear yard features during the period of significance for the house.

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

### Decision on the Application

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

That the installation of garden and associated grading be deferred.

1. That the 365-day demolition delay for removal of the trees be waived except for the two on the proposed new garden area.
2. That details and specifications for the following be provided to and approved by staff prior to the issuance of the blue placard:
  - a. Tree protection plan;
  - b. Windows;
  - c. Wall sections;
  - d. Pool;
  - e. Patio paving;
  - f. Retaining walls;
3. That material specifications be provided to and approved by the commission prior to installation.
4. That the species and location of replacement trees be brought back to the commission for approval as part of the landscape plan.
5. That details and specifications for the following be provided to and approved by staff prior to construction/installation:
  - a. Exterior lighting;
  - b. Garage doors;
  - c. Rear patio;
  - d. Rear garden.

Ms. David agreed to the changes. The amended motion passed 5/0

Committee members voting: Caliendo, David, Davis, Hinshaw, Thiem.

Certificate expiration date: 6/22/17.

**DRAFT**

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

173-16-CA      101 S BLOUNT STREET  
Applicant:      STEVE SCHUSTER, FAIA FOR CLEARSCAPES  
Received:      11/7/2016      Meeting Date(s):  
Submission date + 90 days: 2/5/2017      1) 11/28/2016    2) 12/22/2016    3)

INTRODUCTION TO THE APPLICATION

Historic District: MOORE SQUARE HISTORIC DISTRICT

Raleigh Historic Landmark:

Zoning: HOD-G

Nature of Project: Demolish building; remove paving; construct 6' tall wood horizontal picket fence; construct 8' tall wood vertical picket fence; extend 12'4" tall painted block wall; install stained concrete patio; install synthetic grass; add plantings; repair/alter wall of adjacent building; install sidewalk graphics.

Amendments: It was clarified by the applicant that the mural is not part of this application. Additional documents were provided in the commissioner packets.

Conflict of Interest: Ms. Caliendo was recused from the November hearing. Ms. David made a motion to recuse Ms. Caliendo from the December hearing; Mr. Hinshaw seconded; motion carried 4/0.

Staff Notes:

- Demolition of the building and pavement and repairs to the brick party wall were approved at the November 28, hearing.
- The fence is outside of the HOD and decisions made regarding its appearance are advisory in nature and non-binding.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
2.3	Site Features and Plantings	Install stained concrete patio; install synthetic grass; add plantings
2.4	Fences and Walls	Construct 6' and 8' fences; extend painted block wall; repair/alter wall of adjacent building
2.5	Walkways, Driveways and Offstreet Parking	Remove paving; install sidewalk graphics
5.2	Demolition	Demolish building

## STAFF REPORT

Based on the information contained in the amended application, prior testimony and evidence received, and staff's evaluation:

- A. The installation of a courtyard consisting of paved and planted areas, an earthen berm, and seating elements is not incongruous in concept with *Guidelines* 2.3.6, 2.3.7, 2.3.11; however, the installation of synthetic grass is incongruous according to *Guidelines* 2.3.4 and the following suggested facts:
- 1\* There are no corner lot park areas in the Moore Square district. The courtyard replaces a concrete parking lot.
  - 2\* A landscaped public space, Moore Square, is at the heart of the Moore Square District.
  - 3\* There are additionally other pedestrian areas within the district that feature a finer scale that enhances the built environment for pedestrian use, such as 136 E. Morgan Street and adjacent to Marbles Museum on Hargett Street.
  - 4\* No historic fabric is being altered.
  - 5\* No evidence is provided to support the use of synthetic grass.
- B. Installation of a concrete retaining wall along the Morgan Street edge of the proposed courtyard and a concrete block wall at the southwest corner of the courtyard are not incongruous in concept with the *Guidelines* section 2.4.8 and the following suggested facts:
- 1\* The retaining wall is specified as concrete and no more than 16" in height. This is a common material and height for retaining walls in Raleigh's historic districts.
  - 2\* The block wall will replace a fraction of the south wall of 101 S. Blount Street that currently helps enclose and screen the cooling towers for the museum.
  - 3\* More details, including exact appearance and configuration of both walls, are not included.
- C. The proposed furnishings and planting areas are not incongruous in concept according to *Guidelines* sections 2.3.6, 2.3.7, 2.3.9, 2.3.11, and the following suggested facts:
- 1\* The furnishings in the proposed courtyard do not attempt a false historical appearance.
  - 2\* Details of the furnishings materials and size are provided. They are to be simple concrete rectangles with chamfered edges.
  - 3\* A specific planting plan utilizing plants typical for Raleigh was provided.
  - 4\* The courtyard is intended to be an interim development pending expansion of the museum.
- D. Installation of concrete pavers, including two gray-tinted shades, is not incongruous in concept according to *Guidelines* section 2.3.11 and 2.4.5, and the following suggested facts:
- 1\* The *Guidelines* do not specifically address the installation of courtyard or patio paving.
  - 2\* The proposed pavers are concrete, historically used throughout the district in sidewalks.
  - 3\* Photographic examples of the use of stained concrete in Market and Exchange Plazas are provided to show what the concrete would look like.

- 4\* The use of tinted pavers unifies this parcel with the rest of the museum campus. The tint is shades of gray, a neutral, muted tone similar to hardscape colors found throughout the historic district.
  - 5\* The newly installed paved area replaces current concrete paving and does not increase the overall paved areas onsite.
  - 6\* Along the west and northwest property lines the joint pattern in the courtyard matches the public sidewalk. The use of darker stained concrete will distinguish the line of the property and strengthen the missing blockface.
- E. Installation of fencing and block screen wall along the east edge of the proposed courtyard is not incongruous in concept according to *Guidelines* 2.3.9, 2.4.8, 2.4.10, 2.4.11; however the material and design **may be** incongruous according to *Guidelines* 2.4.7, and the following suggested facts:
- 1\* The wall and fencing are outside of the HOD boundary; these comments are advisory in nature only.
  - 2\* The block wall is to screen a chiller.
  - 3\* The purpose of the fencing is to obscure the museum's service court, which is currently screened on its north side by the building at 101 S. Blount Street.
  - 4\* The proposed fencing is of wood, a traditional material for fencing in residential rather than commercial-character districts.
  - 5\* Horizontally oriented fencing has not been approved by the commission.
  - 6\* The proposed fencing will not be installed along the property lines that edge the street.
  - 7\* The proposed fencing appears from the renderings to be a "good neighbor" fence, with a finished side facing outward.
  - 8\* Details of the fencing dimensions, beyond overall height, have not been supplied.

Staff suggests that the committee take the following actions:

That the use of synthetic grass be denied.

That the remainder of the amended application be approved with the following conditions:

1. That details and specifications for the following be provided to and approved by staff prior to construction /installation:
  - a. Concrete wall.

#### PUBLIC TESTIMONY

Staff Introduction: Tania Tully [affirmed] showed the location of the property on the map and noted highlights from the staff report. Ms. Tully stated that the mural is not part of the application. The applicant provided additional clarifying documents. Ms. Tully stated staff recommended approval with denying the synthetic grass portion and approving with conditions.

Support:

Mr. Steve Schuster [affirmed] was present to speak in support of the application. Mr. Schuster stated the concrete paving issues have been resolved and they have brought additional information of a new veneer that will match. Mr. Schuster added they are trying to find a material that is kid friendly and low maintenance that is not concrete and the opportunities for this are limited.

Ms. Sally Edwards [affirmed] from Marbles passed around an example of the synthetic grass to the committee. Mr. Schuster added they looked at different materials but could not find anything suitable.

Opposition:

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

Responses and Questions:

Mr. Hinshaw inquired as to how much sunlight the corner got. Mr. Schuster replied it got full sunlight for most of the day except for part but he had no confidence it would not be walked off. Mr. Thiem added there are other materials that could be used that are flexible and relative to fall protection. Mr. Schuster replied it was a challenge to find something that would conform to the topography as there is a mound there. Ms. Edwards added that this is a prominent corner they wished to make appealing for people of all ages.

At Ms. David's suggestion Mr. Hinshaw moved that the public testimony portion of the hearing be closed. Mr. Thiem seconded; motion carried 4/0.

Committee Discussion

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

Have we ever approved fake grass? [Hinshaw]

We approved synthetic grass at the Merrimon-Wynne. They tried several years with resodding and with dirt and it was so compacted. They also had soil studies done and it was under a very specific set of circumstances. [David]

We keep getting requests for artificial turf and I do not think they fit in with the historical districts. [Davis]

I do not have a problem with it if there are circumstances for setting precedence. [Hinshaw]

You had a very specific set of circumstances at the Merrimon -Wynne and it being residential versus commercial. It would not necessarily set a precedence that would be used as an example. [Tully]

Does use impact the part we are dealing with? [Thiem]

Not really. [Tully]

Kids play on grass and this could be here permanently we have no guarantee that it is temporary. If this was something wanting to be plastic on a building that is different. This is a balance. I have been in development with sites that were parking lots and then grass was

grown. This deserves much more intense discussion. I am not prepared to use artificial turf.  
[Thiem]

I agree. [Davis]

I am ambivalent. [Hinshaw]

It is outside of your jurisdiction. [Tully]

Daycare centers and playground areas use different kind of materials and grass never came up that couldn't hold up to the traffic. [Hinshaw]

### Findings of Fact and Conclusions of Law

Ms. David moved that based upon the facts presented in the application and the evidentiary hearing, the committee finds staff suggested finding A. (inclusive of facts 1-5), B. (inclusive of facts 1-3), C. (inclusive of facts 1-4), D. (inclusive of facts 1-6) to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. The installation of a courtyard consisting of paved and planted areas, an earthen berm, and seating elements is not incongruous in concept with *Guidelines* 2.3.6, 2.3.7, 2.3.11; however, the installation of synthetic grass is incongruous according to *Guidelines* 2.3.4 and the following facts:
- 1\* There are no corner lot park areas in the Moore Square district. The courtyard replaces a concrete parking lot.
  - 2\* A landscaped public space, Moore Square, is at the heart of the Moore Square District.
  - 3\* There are additionally other pedestrian areas within the district that feature a finer scale that enhances the built environment for pedestrian use, such as 136 E. Morgan Street and adjacent to Marbles Museum on Hargett Street.
  - 4\* No historic fabric is being altered.
  - 5\* No evidence is provided to support the use of synthetic grass.
- B. Installation of a concrete retaining wall along the Morgan Street edge of the proposed courtyard and a concrete block wall at the southwest corner of the courtyard are not incongruous in concept with the *Guidelines* section 2.4.8 and the following facts:
- 1\* The retaining wall is specified as concrete and no more than 16" in height. This is a common material and height for retaining walls in Raleigh's historic districts.
  - 2\* The block wall will replace a fraction of the south wall of 101 S. Blount Street that currently helps enclose and screen the cooling towers for the museum.
  - 3\* More details, including exact appearance and configuration of both walls, are not included.
- C. The proposed furnishings and planting areas are not incongruous in concept according to *Guidelines* sections 2.3.6, 2.3.7, 2.3.9, 2.3.11, and the following facts:
- 1\* The furnishings in the proposed courtyard do not attempt a false historical appearance.
  - 2\* Details of the furnishings materials and size are provided. They are to be simple concrete rectangles with chamfered edges.
  - 3\* A specific planting plan utilizing plants typical for Raleigh was provided.

4\* The courtyard is intended to be an interim development pending expansion of the museum.

D. Installation of concrete pavers, including two gray-tinted shades, is not incongruous in concept according to *Guidelines* section 2.3.11 and 2.4.5, and the following facts:

- 1\* The *Guidelines* do not specifically address the installation of courtyard or patio paving.
- 2\* The proposed pavers are concrete, historically used throughout the district in sidewalks.
- 3\* Photographic examples of the use of stained concrete in Market and Exchange Plazas are provided to show what the concrete would look like.
- 4\* The use of tinted pavers unifies this parcel with the rest of the museum campus. The tint is shades of gray, a neutral, muted tone similar to hardscape colors found throughout the historic district.
- 5\* The newly installed paved area replaces current concrete paving and does not increase the overall paved areas onsite.
- 6\* Along the west and northwest property lines the joint pattern in the courtyard matches the public sidewalk. The use of darker stained concrete will distinguish the line of the property and strengthen the missing blockface.

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

#### Decision on the Application

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

6. That details and specifications for the following be provided to and approved by staff prior to construction /installation:
  - a. Concrete wall.
7. That the synthetic grass not be installed.

Mr. Thiem agreed to the changes. The amended motion passed 4/0.

Committee members voting: David, Davis, Hinshaw, Thiem.

Certificate expiration date: 6/22/17.

Mr. Hinshaw voted to allow the applicant to bypass the petition request portion of the Reconsideration Request procedure. Ms. David seconded; passed 4/0.

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## STAFF REPORT

Based on the information contained in the amended application, prior meeting testimony and other evidence, and staff's evaluation:

- A. Demolition of rear porch is not incongruous according to *Guidelines* 4.2.1, and the following suggested facts:
- 1\* The porch has been altered from its original open appearance by enclosure of the walls. The date of this enclosure is not known, but it is an alteration and not original construction.
- B. Construction of rear addition is not incongruous in concept according to *Guidelines* 4.2.1, 4.2.2, 4.2.5, 4.2.6, 4.2.7, 4.2.8, and 4.2.9 and the following suggested facts:
- 1\* The addition is on the rear elevation.
  - 2\* The addition employs hipped and gabled roof forms, both used in the original construction.
  - 3\* The addition will use like materials to existing for siding, windows, roofing, and porch details, including wood weatherboard siding; wood double-hung windows with true divided lights; and slate roofing. Details and specifications were not provided.
  - 4\* The addition will be slightly inset from the corner on the north side to help differentiate the new addition from the original corner of the building.
  - 5\* The screened porch at the rear is similar to, but not duplicative of the front porch.
  - 6\* The lot is 3,485 SF, the house with porch is 1,422 SF; the proposed rear addition adds approximately 230 SF of built mass. The current built mass is approximately 41% and the proposed is 47%.
- C. Construction of second-story addition is not incongruous in concept according to *Guidelines* 4.2.1, 4.2.2, 4.2.5, 4.2.6, 4.2.7, 4.2.8, 4.2.9; however the position of the addition may be incongruous according to *Guidelines* 4.2.1, and the following suggested facts:
- 1\* 411 N East Street is a 1-story c.1910 Neoclassical Revival frame cottage with a hipped roof sheathed in slate shingles and gabled dormer on the front. The front porch has a hipped roof with built-in gutters and the chimney is stuccoed with a battered top. [Inventory Of Structures In The Oakwood National Register Historic Districts, by Matthew Brown, Historian, Society for the Preservation of Historic Oakwood, 2004-2015]
  - 2\* The addition is set just behind the existing chimney that is at the peak of the pyramidal roof. The position of the addition obscures the pyramidal form of the historic roof.
  - 3\* The mass of the addition is relatively low, helped in part by a hipped roofline. The pitch of the addition roof is less steep than the historic house and the eave detail is simpler.
  - 4\* While the placement and lower profile of the addition helps minimize its visibility from the street, it will be visible. The new addition will be slightly lower than the top of the chimney.
  - 5\* As at the rear additions, the second story addition will use like materials to existing for siding, windows, and roofing, including wood weatherboard siding; wood double-hung windows with true divided lights; and slate roofing. Details and specifications were not provided.

- 6\* The second-story addition is also compatible in its relationship of solids to voids, but employs paired windows to help differentiate from original construction.
- 7\* A similar addition was approved in June 2016 at 707 N East Street (COA 071-16-CA). It is a c.1923 1-story Craftsman frame bungalow with a hipped roof and centered front porch with gable-on-hip roof. [Inventory Of Structures In The Oakwood National Register Historic Districts, by Matthew Brown, Historian, Society for the Preservation of Historic Oakwood, 2004-2015] The addition was approved based in part on the following facts:
- a. There is very little room on the site for a rear 1-story addition.
  - b. The addition is located over the rear ~40% of the existing building footprint, a location away from the front character-defining façade.
  - c. Site topography will minimize the perceptual impact of the second floor addition when viewed from the street. The house sits up an embankment from the sidewalk, and the finished first floor sits on a high foundation, a result of the sloping topography of the overall parcel. This will combine with the rearward location of the addition to reduce sightlines to the addition.
  - d. The existing house has a primary hip roof. The front porch has a modified hip with gabled eyebrow. The addition has a low hip roof.
  - e. The lower pitch of the addition's roof relative to the existing roof helps minimize the height, while the hip-roof profile evokes the existing hip roof. It is not uncommon to find different pitches for hip roofs on separate elements of one building; for example, many hip roof porches and other kinds of projecting wings such as sun rooms in the historic district have a lower pitch than the main roof.
- D. The proposed removal of a fig tree in the rear yard is not incongruous with *Guidelines* section 2.3.6. and the following suggested facts:
- 1\* The fig tree is not a mature shade tree and is not a significant part of the landscape in the rear yard.
- E. Extension of the brick walk is not incongruous with *Guidelines* section 2.1.8, 2.5.5, and the following suggested facts:
- 1\* Wake County iMaps shows that this area is beyond the front parcel line of the property.
  - 2\* While other properties in Oakwood do have front walks that continue past the sidewalk to the edge of the street, it is more common for a front walk to terminate at the dwelling side of the sidewalk.
  - 3\* The additional section of front walk will be compatible with the existing front walk in terms of material, dimensions, and appearance. Detailed drawings were not provided.

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

1. That the 365-day delay be applied for removal of the tree and that a replacement tree be planted.

2. That the addition be revised so that the 2<sup>nd</sup> level does not obscure the pyramidal form of the historic roof and that the revised drawings be provided to and approved by the commission prior to issuance of the blue placard.
3. That details and specifications for the following be provided to and approved by staff prior to construction/installation:
  - a. New windows;
  - b. Window and door trim;
  - c. Siding reveal;
  - d. Roofing.

### PUBLIC TESTIMONY

Staff Introduction: Tania Tully [affirmed] showed the location of the property on the map and noted highlights from the staff report. Ms. Tully reminded the committee that this was a much revised addition and there were more items to consider and attached to the staff report are the same items. Ms. Tully stated staff recommended to waive delay of the tree removal and require a replacement tree. The new addition was moved further back and approve with conditions.

Support:

Mr. Will Hillebrenner [affirmed] was present to speak in support of the application. Mr. Hillebrenner stated he did not necessarily see the pyramidal form of the roof as historic.

Opposition:

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

Responses and Questions:

Ms. Tully responded that the design could be revised so that it does not obscure the roof. Mr. Hillebrenner stated the addition will just show it in its view and in the south side there is no break and the pyramid hip continues all the way back to the gable to the house and there is nothing that will be obscure. Ms. Tully responded that if you look at the continuation of the roof line the fact that it is a pyramidal roof is gone and the way it's designed currently you cannot tell it is a pyramidal roof. Mr. Hillebrenner responded that on the south side it is continuous but on the north side it breaks. It could be fixed and be broken into the soffit and fascia area but from an engineering standpoint if this is done you are making the back and front slope of the roof face each other which would not be good.

Mr. Thiem noted that as he was looking at the rear west elevation and he noted there looks like an incomplete end of the roof that was not fully detailed. Ms. Tully noted it depends on how that applies to the proposed addition, such as the proportion of the windows.

Mr. Hinshaw asked if staff can approve the roof without applicant coming back to the committee. Ms. Tully answered if it is not a major design change the staff is alright with approving.

At Ms. Caliendo's suggestion Mr. Davis moved that the public testimony portion of the hearing be closed. Mr. Hinshaw seconded; motion carried 5/0.

#### Committee Discussion

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

There is a similar type of addition at 707 N East Street and that addition is up on a slope. A more visible addition is another thing to highlight that change and make it stand out. This is a mirror image twin and there are at least 3 pairs of houses on that block that someone built as mirror twins of each other. This addition will be more visible than 707. [David]

Mr. Hinshaw made a motion to reopen the public testimony portion of the hearing; Mr. Davis seconded; motion carried 5/0.

#### PUBLIC TESTIMONY (2)

Mr. Hillebrenner stated in response to the significant topography difference, his addition is narrower and it is not sitting on top of the second floor it is on a first floor wall. Mr. Hillebrenner added that he did a comparison with 707 and if you look at it from the same angle it is less visible. Ms. Tully stated there is an electronic file of this.

Mr. Davis made a motion to close the public testimony portion of the hearing; Mr. Hinshaw seconded; motion carried 5/0.

#### Committee Discussion (2)

There was no additional committee discussion.

#### Findings of Fact and Conclusions of Law

Mr. Davis moved that based upon the facts presented in the application and the evidentiary hearing, the committee finds staff suggested findings A. (inclusive of facts 1), B. (inclusive of facts 1-6), C. (inclusive of facts 1-7), D. (inclusive of facts 1), E. (inclusive of facts 1-3) to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Demolition of rear porch is not incongruous according to *Guidelines* 4.2.1, and the following facts:
  - 1\* The porch has been altered from its original open appearance by enclosure of the walls. The date of this enclosure is not known, but it is an alteration and not original construction.
  
- B. Construction of rear addition is not incongruous in concept according to *Guidelines* 4.2.1, 4.2.2, 4.2.5, 4.2.6, 4.2.7, 4.2.8, and 4.2.9 and the following facts:
  - 1\* The addition is on the rear elevation.
  - 2\* The addition employs hipped and gabled roof forms, both used in the original construction.

- 3\* The addition will use like materials to existing for siding, windows, roofing, and porch details, including wood weatherboard siding; wood double-hung windows with true divided lights; and slate roofing. Details and specifications were not provided.
  - 4\* The addition will be slightly inset from the corner on the north side to help differentiate the new addition from the original corner of the building.
  - 5\* The screened porch at the rear is similar to, but not duplicative of the front porch.
  - 6\* The lot is 3,485 SF, the house with porch is 1,422 SF; the proposed rear addition adds approximately 230 SF of built mass. The current built mass is approximately 41% and the proposed is 47%.
- C. Construction of second-story addition is not incongruous in concept according to *Guidelines* 4.2.1, 4.2.2, 4.2.5, 4.2.6, 4.2.7, 4.2.8, 4.2.9; and the following facts:
- 1\* 411 N East Street is a 1-story c.1910 Neoclassical Revival frame cottage with a hipped roof sheathed in slate shingles and gabled dormer on the front. The front porch has a hipped roof with built-in gutters and the chimney is stuccoed with a battered top. [Inventory Of Structures In The Oakwood National Register Historic Districts, by Matthew Brown, Historian, Society for the Preservation of Historic Oakwood, 2004-2015]
  - 2\* The addition is set just behind the existing chimney that is at the peak of the pyramidal roof. The position and extrusion of the eave and soffit of the addition obscures the pyramidal form of the historic roof.
  - 3\* The mass of the addition is relatively low, helped in part by a hipped roofline. The pitch of the addition roof is less steep than the historic house and the eave detail is simpler.
  - 4\* While the placement and lower profile of the addition helps minimize its visibility from the street, it will be visible. The new addition will be slightly lower than the top of the chimney.
  - 5\* As at the rear additions, the second story addition will use like materials to existing for siding, windows, and roofing, including wood weatherboard siding; wood double-hung windows with true divided lights; and slate roofing. Details and specifications were not provided.
  - 6\* The second-story addition is also compatible in its relationship of solids to voids, but employs paired windows to help differentiate from original construction.
  - 7\* A similar addition was approved in June 2016 at 707 N East Street (COA 071-16-CA). It is a c.1923 1-story Craftsman frame bungalow with a hipped roof and centered front porch with gable-on-hip roof. [Inventory Of Structures In The Oakwood National Register Historic Districts, by Matthew Brown, Historian, Society for the Preservation of Historic Oakwood, 2004-2015] The addition was approved based in part on the following facts:
    - a. There is very little room on the site for a rear 1-story addition.
    - b. The addition is located over the rear ~40% of the existing building footprint, a location away from the front character-defining façade.
    - c. Site topography will minimize the perceptual impact of the second floor addition when viewed from the street. The house sits up an embankment from the sidewalk, and the finished first floor sits on a high foundation, a result of the sloping topography of the overall parcel. This will combine with the rearward location of the addition to reduce sightlines to the addition.

- d. The existing house has a primary hip roof. The front porch has a modified hip with gabled eyebrow. The addition has a low hip roof.
  - e. The lower pitch of the addition's roof relative to the existing roof helps minimize the height, while the hip-roof profile evokes the existing hip roof. It is not uncommon to find different pitches for hip roofs on separate elements of one building; for example, many hip roof porches and other kinds of projecting wings such as sun rooms in the historic district have a lower pitch than the main roof.
- 8\* The topography of 411 East Street is different from 707 North East Street.
- 9\* 411 N East Street is one of a pair of houses.
- D. The proposed removal of a fig tree in the rear yard is not incongruous with *Guidelines* section 2.3.6. and the following facts:
- 1\* The fig tree is not a mature shade tree and is not a significant part of the landscape in the rear yard.
- E. Extension of the brick walk is not incongruous with *Guidelines* section 2.1.8, 2.5.5, and the following facts:
- 1\* Wake County iMaps shows that this area is beyond the front parcel line of the property.
  - 2\* While other properties in Oakwood do have front walks that continue past the sidewalk to the edge of the street, it is more common for a front walk to terminate at the dwelling side of the sidewalk.
  - 3\* The additional section of front walk will be compatible with the existing front walk in terms of material, dimensions, and appearance. Detailed drawings were not provided.

The motion was seconded by Mr. Hinshaw; passed 4/1 (Ms. David opposed)

#### Decision on the Application

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

1. That the 365-day delay be waived for removal of the tree and that a replacement tree be planted.
2. That the additions be revised so that they do not obscure the pyramidal form of the historic roof and that the revised drawings be provided to and approved by the commission prior to issuance of the blue placard.
3. That details and specifications for the following be provided to and approved by staff prior to construction/installation:
  - a. New windows;
  - b. Window and door trim;
  - c. Siding reveal;
  - d. Roofing.

The motion was seconded by Mr. Thiem; passed 3/2 (Ms. Caliendo, Ms. David opposed).

Committee members voting: Caliendo, David, Davis, Hinshaw, Thiem.

Certificate expiration date: 6/22/17.

DRAFT

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

165-16-CA      421 N BLOUNT STREET  
Applicant:      MAURER ARCHITECTURE  
Received:      12/5/2016      Meeting Date(s):  
Submission date + 90 days: 3/5/2017      1) 12/22/2016    2)    3)

INTRODUCTION TO THE APPLICATION

Historic District: BLOUNT STREET HISTORIC DISTRICT

Zoning: HOD-G

Nature of Project: Demolish accessory building; remove trees; remove chain link fence; remove storm windows, gutters, downspouts; remove HVAC/electrical equipment; remove front porch; remove side steps; construct rear addition; alter windows; construct new front porch and bays; construct porches; construct access ramp; replace roof covering; add and alter 2<sup>nd</sup> level balustrades; alter parking area; add new walks; install new landscaping; install new HVAC equipment and other utility features; install site lighting; change exterior paint colors; construct brick piers and metal fence.

Amendments: The attached amended application revised the elevation labels, added a tree report, and included fence specifications.

Conflict of Interest: None noted.

Staff Notes:

- A letter from the NC State Property Office Director states that they have given permission for the applicant to submit a COA application for review by the RHDC.
- 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.
- The applicant is working closely with the State Historic Preservation Office (SHPO) to ensure compliance with the Secretary of the Interior’s Standards for Rehabilitation.
- The “Special Character of Blount Street Historic District” description in the *Design Guidelines for Raleigh Historic Districts* states:

Setbacks vary considerably, from isolated houses centered on generous lots to others set close to each other and to the street. However, there are enough large lot properties to render Blount Street unique in establishing a more open spatial quality and character; the city’s other primarily residential historic districts impart a much more compact feeling. Because many properties in the Blount Street district are in office usage under the same ownership, the district’s side and rear yards are not segmented by

privacy fences to the extent of the other residential districts, which also contributes to the feeling of spatial openness. Even though the Executive Mansion grounds are encircled by a high fence, the design of the fence with its simple wrought iron panels is transparent enough that it provides the necessary security without markedly detracting from the sense of open space in the district.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
2.3	Site Features and Plantings	Remove trees; install new landscaping
2.4	Fences and Walls	Remove chain link fence; construct brick piers and metal fence
2.5	Walkways, Driveways, and Offstreet Parking	Alter parking area; add new walks
2.7	Lighting	Install site lighting
3.4	Paint and Paint Color	Change exterior paint colors
3.5	Roofs	Remove gutters and downspouts; replace roof covering
3.7	Windows and Doors	Remove storm windows; alter windows
3.6	Exterior Walls	Construct new front bays
3.8	Entrances, Porches and Balconies	Remove front porch; remove side steps; construct new front, back and side porches; add and alter 2 <sup>nd</sup> level balustrades
3.10	Utilities and Energy Retrofit	Remove HVAC/electrical equipment; install new HVAC equipment and other utility features
3.11	Accessibility, Health and Safety Considerations	Construct access ramp
4.2	Additions to Historic Buildings	Construct rear addition
5.2	Demolition	Demolish accessory building

STAFF REPORT

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

- A. Removal of front porch; construction of new front porch; construction of front bays is not incongruous in concept according to *Guidelines* 3.6.7, 3.8.1, 3.8.6, 3.8.9, and the following suggested facts:
  - 1\* The porch proposed for removal was constructed in the 1930s after removal of an earlier one-story porch and front bays.
  - 2\* The application states that the NC SHPO determined that the current porch configuration was constructed after the period of significance for the district.

- 3\* The HOD report boundaries are described as being “an area of Raleigh that developed during the second half of the Nineteenth Century and the early part of the Twentieth Century.”
  - 4\* Two new canted bays will be constructed on either side of the new porch.
  - 5\* Construction details will be based on findings during demolition of the east wall, as well as the existing details on the north side porch and box bay.
  - 6\* Additional documentation was provided for the historic canted bay and porch configuration.
- B. Removal of side steps; construction of new back and side porches; construction of access ramp ; addition and alteration of 2<sup>nd</sup> level balustrades is not incongruous in concept according to *Guidelines* 3.8.1, 3.8.6, 3.8.9,, and the following suggested facts:
- 1\* New balustrades will match the existing.
  - 2\* The masonry steps at the south entry and the north side porch are non-original.
  - 3\* New un-covered porches are proposed on the south and north facades; they will have wood steps and ramps. Details were not provided.
  - 4\* A new, wood handicap ramp will be constructed on the north side of the building to provide access to the new north porch, and a new brick walkway will be constructed to provide access to the new south porch.
  - 5\* The location does not damage historic fabric
  - 6\* Details and specification of the new ramp were not provided.
- C. Removal of trees; installation of new landscaping; installation of site lighting is not incongruous in concept according to *Guidelines* 2.3.2, 2.3.5, 2.7.4, and the following suggested facts:
- 1\* Five trees are proposed for removal and a tree protection plan is provided for the remaining trees on site.
  - 2\* Two oak trees (24" & 34") are diseased/dying, two pecan trees (17" & 24") are stunted and leaning over the sidewalk and street, and one magnolia tree (18") is in the area where the new parking area will be located. A letter from registered landscape architect states that the trees are unhealthy, in conflict with the site access, and potentially a threat to the public's safety
  - 3\* Three new trees will be planted and landscaping will be added throughout the property.
  - 4\* One pecan tree is proposed for the front yard and two black gun trees in the rear.
  - 5\* Details and specifications were not provided for the installation of site lighting.
- D. Removal of chain link fence is not incongruous according to *Guidelines* 2.4.10; however, construction of brick piers and metal fence **may be** incongruous according to *Guidelines* 2.4.7, 2.4.8 and the following suggested facts:
- 1\* Chain link is a prohibited item.
  - 2\* As rehabilitated the house will return to its 1879 Victorian Italianate style.
  - 3\* The Single stretch of fence that

- 4\* Four, 12" brick columns of uncertain height are proposed along the east property line, with a metal fencing infill. A detailed drawing was not provided.
  - 5\* Property lines are more commonly demarcated with very low stone or concrete borders rather than fencing.
  - 6\* Specifications for the proposed metal fence were provided. It will be 36" tall.
  - 7\* A wrought iron gate between brick support piers was approved at the Merrimon-Wynn House with a maximum height of 42 inches (147-13-CA).
  - 8\* Photographic examples of other brick columns and metal fences found throughout the district were provided.
- E. Alteration of parking area; addition of new walks; **may be** incongruous according to *Guidelines* 2.5.5, 2.5.6, 3.11.2, 3.11.3, and the following suggested facts:
- 1\* The new asphalt parking area will be placed in the same location as the existing parking area markers.
  - 2\* An existing conditions site plan is not provided.
  - 3\* The current surface area of the parking lot is unclear; the built area was not calculated.
  - 4\* The existing brick front walk is proposed to be repaired/restored with a change in footprint. An approximately 8'-0" x 8'-0" brick rectangle is proposed.
  - 5\* Examples of historic and recently approved decorative brickwork found throughout the district have been included.
- F. Removal of gutters and downspouts; replacement of roof covering, changing of exterior paint colors is not incongruous in concept according to *Guidelines* 3.4.3, 3.5.5, 3.5.8, and the following suggested facts:
- 1\* New half-round gutters and downspouts will be installed after the existing non-historic gutters and downspouts are removed.
  - 2\* The new half-round form is more appropriate to the period of significance than the existing gutter form.
  - 3\* The existing asphalt shingle roof will be removed and replaced with a new roof to match.
  - 4\* The building will be repainted in a different color.
  - 5\* Details and specifications were not provided.
- G. Removal of storm windows; installation of storm windows; alteration of windows is not incongruous in concept according to *Guidelines* 3.7.1, 3.7.6, 3.7.7, 3.7.10, and the following suggested facts:
- 1\* In addition to windows located at the new bays/porch and rear addition five existing wood, double-hung windows will be removed/altered. All others will remain.
  - 2\* The 5 windows on the north, south and west elevations proposed for removal are primarily smaller disproportionate windows in what are now bathrooms. The new windows will match the size, material and proportion of the adjacent remaining windows.
  - 3\* Except for the muntin profile, specifications and details for the new wood windows were provided.

- 4\* New storm windows are proposed; specifications were not provided. Installation of new compatible storm windows is typically approvable by staff as a Minor Work, and is included here for administrative efficiency.
- H. Removal of HVAC/electrical equipment; installation of new HVAC equipment and other utility features is not incongruous in concept according to *Guidelines* 3.10.3, 3.10.8, and the following suggested facts:
- 1\* These types of items are typically approvable by staff as Minor Works and is included here for administrative efficiency.
  - 2\* Existing HVAC and electrical equipment will be removed from the exterior of the building. Replacement materials and locations were not provided.
  - 3\* Specifications for other utility alterations were not provided.
- I. Construction of rear addition; is not incongruous in concept according to *Guidelines* 4.2.1, 4.2.2, 4.2.5, 4.2.6, 4.2.7, and the following suggested facts:
- 1\* A 189 SF 1-story hip roofed addition is proposed on the west façade.
  - 2\* The new addition is proposed to include vertical wood siding and aluminum clad wood windows.
  - 3\* The commission has approved the use of aluminum clad wood windows on new additions, however the Pella presented in 2013 was not approved due to highly visible overlapping metal seams.
  - 4\* The addition is inset 10" from the northwest corner of the building
  - 5\* Additional details were not provided.
- J. Demolition of accessory building is not incongruous in concept according to *Guidelines* 5.2.1, 5.2.4, and the following suggested facts:
- 1\* The building proposed for demolition is a non-historic concrete block building.
  - 2\* A site plan shows the installation of parking and landscaping materials to replace the non-historic building.
- K. Installation of synthetic grass; is incongruous according to *Guidelines* 2.3.4, and the following suggested facts:
- 1\* Artificial turf is proposed for the eastern portion of the site, approximately 2,000 SF.
  - 2\* Specifications are included, see site plan prepared by registered landscape architect for additional details.
  - 3\* No evidence has been provided by the applicant that this material is appropriate for this site.

Staff suggests that there be discussion on the following items prior to rendering a decision:

1. Installation of fence and brick piers with regards to the district's sense of openness.
2. Installation of synthetic grass.
3. Parking lot installation.

Should the committee choose to approve the application, staff offers the following suggested conditions:

1. That the 365-day demolition delay be waived for removal of the trees and accessory building.
2. That synthetic grass not be installed.
3. That that either new trees be planted or a donation to NeighborWoods be made for each tree removed.
4. That details and specifications for the following be provided to and approved by staff prior to the issuance of the blue placard:
  - a. New front porch and bays;
  - b. The completed design of the new enclosed addition on the rear of the building;
  - c. Details of the proposed uncovered porches on the north and south facades;
  - d. Details of the proposed access ramp.
5. That details and specifications for the following be provided to and approved by staff prior to construction/installation:
  - a. Choice of new paint colors;
  - b. Roofing material;
  - c. Gutters and downspouts;
  - d. New storm windows;
  - e. Location, size, and screening of the new HVAC units
  - f. Location and size of electrical equipment;
  - g. Locations and sized of other exterior utility features such as vents and meters;
  - h. Muntin profile of windows;
  - i. Aluminum clad wood windows;
  - j. Site lighting.
6. That any changes not specifically mentioned in the application be submitted as a new COA application.

#### PUBLIC TESTIMONY

Staff Introduction: Tania Tully [affirmed] showed the location of the property on the map and noted highlights from the staff report. Ms. Tully stated that the building was owned by the state but the applicants had a letter that allowed them to file. The biggest change is a visual change to a non-contributing porch and a replacement with some window bays and a porch that is based on historic evidence. Ms. Tully stated there will be minor alterations to the side with an addition of a ramp in the rear. The parking lot in the rear was unclear from the application how the rear yard will be used.

#### Support:

Mr. David Maurer [affirmed] was present to speak in support of the application. Mr. Maurer stated he was fine with all the conditions and they are working with the state historic

preservation office with this project as part of a grant project. The interior demolition of the first floor bays revealed they were bay windows.

Mr. Maurer stated the concerns with the fence along the front is that they wished to mimic the Merrimon-Wynne with posts on the corner to prevent people from walking and he wanted to amend the application to extend the fence down to the north side of the house or those details can be worked out with staff. The parking lot in the back there were bumpers behind the house that go the full length of the property but the gravel lot has not been used in several years.

Opposition:

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

Responses and Questions:

Mr. Maurer withdrew the fence amendment and stated they were willing to go to 42 inches to appease the committee.

Mr. Davis inquired about why there was a need for artificial turf. Mr. Maurer stated for maintenance issues.

Ms. David asked when the period of significance was for the house. Ms. Tully responded she could not find a number but after reading a zoning document it was the early 20<sup>th</sup> century. Ms. David asked if it was before 1949. Mr. Maurer stated the back 2/3 of the house and front porch were all done before 1938 so he considered the period of significance as prior to that. Ms. Tully added that the second half of the house was built in the 19<sup>th</sup> century and the other half the early 20<sup>th</sup> century.

Mr. Thiem inquired about the trees on the site that were not identified correctly. He pointed out that the tree on the north side is a black locust not an oak tree and the 26 inch pin oak tree is a pecan tree.

Ms. David asked about adding a rectangle in the back Mr. Maurer stated they were looking for a brick to match. Mr. Thiem pointed out that this is a house with a parking lot in the rear that takes over the back yard which is very much incongruous with the house. Ms. Tully pointed out that the district is a mix of residential and commercial use.

Mr. Thiem asked about what appeared to be an alley running on the west side of the property. Mr. Maurer stated that it is beyond the property and they do not have access to it. Ms. Kimberly Brackett-Jones added that there were state parking lift gates when there was parking but a barrier of some kind will be erected so that area cannot be accessed. An access easement will then be placed onto North Street and three pylons will be removed so access can be granted that way.

Mr. Hinshaw asked about alternatives to the synthetic grass. Mr. Maurer stated they can work with staff on those.

At Ms. Caliendo's suggestion Mr. Hinshaw moved that the public testimony portion of the hearing be closed. Mr. Thiem seconded; motion carried 5/0.

### Committee Discussion

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

Fencing in the front and going across the front makes it more open. The applicant is willing to reduce the height. [Caliendo]

Synthetic grass was not approved. [Davis]

The parking lot? [Caliendo]

The existing parking lot now is not incongruous. [Davis]

### Findings of Fact and Conclusions of Law

Mr. Thiem moved that based upon the facts presented in the application and the evidentiary hearing, the committee finds staff suggested finding A. (inclusive of facts 1-6), B. (inclusive of facts 1-6), C. (inclusive of facts 1-5), D. (inclusive of facts 1-2, 5-8), E. (inclusive of facts 1-5), F. (inclusive of facts 1-5), G. (inclusive of facts 1-4), H. (inclusive of facts 1-3), I. (inclusive of facts 1-5), J. (inclusive of facts 1-2), K. (inclusive of facts 1-3) to be acceptable as findings of fact, with the modifications and additions as listed below:

A. Removal of front porch; construction of new front porch; construction of front bays is not incongruous in concept according to *Guidelines* 3.6.7, 3.8.1, 3.8.6, 3.8.9, and the following facts:

1\* The porch proposed for removal was constructed in the 1930s after removal of an earlier one-story porch and front bays.

2\* The application states that the NC SHPO determined that the current porch configuration was constructed after the period of significance for the district.

3\* The HOD report boundaries are described as being "an area of Raleigh that developed during the second half of the Nineteenth Century and the early part of the Twentieth Century."

4\* Two new canted bays will be constructed on either side of the new porch.

5\* Construction details will be based on findings during demolition of the east wall, as well as the existing details on the north side porch and box bay.

6\* Additional documentation was provided for the historic canted bay and porch configuration.

B. Removal of side steps; construction of new back and side porches; construction of access ramp ; addition and alteration of 2<sup>nd</sup> level balustrades is not incongruous in concept according to *Guidelines* 3.8.1, 3.8.6, 3.8.9,, and the following facts:

- 1\* New balustrades will match the existing.
- 2\* The masonry steps at the south entry and the north side porch are non-original.
- 3\* New un-covered porches are proposed on the south and north facades; they will have wood steps and ramps. Details were not provided.
- 4\* A new, wood handicap ramp will be constructed on the north side of the building to provide access to the new north porch, and a new brick walkway will be constructed to provide access to the new south porch.
- 5\* The location does not damage historic fabric
- 6\* Details and specification of the new ramp were not provided.

C. Removal of trees; installation of new landscaping; installation of site lighting is not incongruous in concept according to *Guidelines* 2.3.2, 2.3.5, 2.7.4, and the following facts:

- 1\* Five trees are proposed for removal and a tree protection plan is provided for the remaining trees on site.
- 2\* Two oak trees (24" & 34") are diseased/dying, two pecan trees (17" & 24") are stunted and leaning over the sidewalk and street, and one magnolia tree (18") is in the area where the new parking area will be located. A letter from registered landscape architect states that the trees are unhealthy, in conflict with the site access, and potentially a threat to the public's safety
- 3\* Three new trees will be planted and landscaping will be added throughout the property.
- 4\* One pecan tree is proposed for the front yard and two black gum trees in the rear.
- 5\* Details and specifications were not provided for the installation of site lighting.

D. Removal of chain link fence construction of brick piers and metal fence is not incongruous in concept according to *Guidelines* 2.4.7, 2.4.8, 2.4.10, and the following facts:

- 1\* Chain link is a prohibited item.
- 2\* As rehabilitated the house will return to its 1879 Victorian Italianate style.
- 3\* It is a single stretch of fence along the front that does not turn the corner.
- 4\* Four, 12" brick columns 4'6" in height are proposed along the east property line, with a metal fencing infill. A detailed drawing was not provided.
- 5\* Property lines are more commonly demarcated with very low stone or concrete borders rather than fencing.
- 6\* Specifications for the proposed metal fence were provided. It will be 36" tall.
- 7\* A wrought iron gate between brick support piers was approved at the Merrimon-Wynn House with a maximum height of 42 inches (147-13-CA).
- 8\* Photographic examples of other brick columns and metal fences found throughout the district were provided.

E. Alteration of parking area; addition of new walks **is not** incongruous in concept according to *Guidelines* 2.5.5, 2.5.6, 3.11.2, 3.11.3, and the following facts:

- 1\* The new asphalt parking area will be placed in the same location as the existing parking area markers.
- 2\* An existing conditions site plan is not provided.

- 3\* The current surface area of the parking lot is unclear; the built area was not calculated.
  - 4\* The existing brick front walk is proposed to be repaired/restored with a change in footprint. An approximately 8'-0" x 8'-0" brick rectangle is proposed.
  - 5\* Examples of historic and recently approved decorative brickwork found throughout the district have been included.
- F. Removal of gutters and downspouts; replacement of roof covering, changing of exterior paint colors is not incongruous in concept according to *Guidelines* 3.4.3, 3.5.5, 3.5.8, and the following facts:
- 1\* New half-round gutters and downspouts will be installed after the existing non-historic gutters and downspouts are removed.
  - 2\* The new half-round form is more appropriate to the period of significance than the existing gutter form.
  - 3\* The existing asphalt shingle roof will be removed and replaced with a new roof to match.
  - 4\* The building will be repainted in a different color.
  - 5\* Details and specifications were not provided.
- G. Removal of storm windows; installation of storm windows; alteration of windows is not incongruous in concept according to *Guidelines* 3.7.1, 3.7.6, 3.7.7, 3.7.10, and the following facts:
- 1\* In addition to windows located at the new bays/porch and rear addition five existing wood, double-hung windows will be removed/altered. All others will remain.
  - 2\* The 5 windows on the north, south and west elevations proposed for removal are primarily smaller disproportionate windows in what are now bathrooms. The new windows will match the size, material and proportion of the adjacent remaining windows.
  - 3\* Except for the muntin profile, specifications and details for the new wood windows were provided.
  - 4\* New storm windows are proposed; specifications were not provided. Installation of new compatible storm windows is typically approvable by staff as a Minor Work, and is included here for administrative efficiency.
- H. Removal of HVAC/electrical equipment; installation of new HVAC equipment and other utility features is not incongruous in concept according to *Guidelines* 3.10.3, 3.10.8, and the following facts:
- 1\* These types of items are typically approvable by staff as Minor Works and is included here for administrative efficiency.
  - 2\* Existing HVAC and electrical equipment will be removed from the exterior of the building. Replacement materials and locations were not provided.
  - 3\* Specifications for other utility alterations were not provided.
- I. Construction of rear addition; is not incongruous in concept according to *Guidelines* 4.2.1, 4.2.2, 4.2.5, 4.2.6, 4.2.7, and the following facts:
- 1\* A 189 SF 1-story hip roofed addition is proposed on the west façade.

- 2\* The new addition is proposed to include vertical wood siding and aluminum clad wood windows.
  - 3\* The commission has approved the use of aluminum clad wood windows on new additions, however the Pella presented in 2013 was not approved due to highly visible overlapping metal seams.
  - 4\* The addition is inset 10" from the northwest corner of the building
  - 5\* Additional details were not provided.
- J. Demolition of accessory building is not incongruous in concept according to *Guidelines* 5.2.1, 5.2.4, and the following facts:
- 1\* The building proposed for demolition is a non-historic concrete block building.
  - 2\* A site plan shows the installation of parking and landscaping materials to replace the non-historic building.
- K. Installation of synthetic grass; is incongruous according to *Guidelines* 2.3.4, and the following facts:
- 1\* Artificial turf is proposed for the eastern portion of the site, approximately 2,000 SF.
  - 2\* Specifications are included, see site plan prepared by registered landscape architect for additional details.
  - 3\* No evidence has been provided by the applicant that this material is appropriate for this site.

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

#### Decision on the Application

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

1. That the 365-day demolition delay be waived for removal of the trees and accessory building.
2. That synthetic grass not be installed.
3. That that either new trees be planted or a donation to NeighborWoods be made for each tree removed.
4. That details and specifications for the following be provided to and approved by staff prior to the issuance of the blue placard:
  - a. New front porch and bays;
  - b. The completed design of the new enclosed addition on the rear of the building;
  - c. Details of the proposed uncovered porches on the north and south facades;
  - d. Details of the proposed access ramp.
5. That details and specifications for the following be provided to and approved by staff prior to construction/installation:

- a. Choice of new paint colors;
  - b. Roofing material;
  - c. Gutters and downspouts;
  - d. New storm windows;
  - e. Location, size, and screening of the new HVAC units
  - f. Location and size of electrical equipment;
  - g. Locations and sized of other exterior utility features such as vents and meters;
  - h. Muntin profile of windows;
  - i. Aluminum clad wood windows;
  - j. Site lighting;
  - k. Parking and paving material.
6. That any changes not specifically mentioned in the application be submitted as a new COA application.
  7. That the height of the brick columns of the fence be a maximum of 42 inches tall.

Mr. Hinshaw agreed to the changes. The amended motion passed 5/0.

Committee members voting: Caliendo, David, Davis, Hinshaw, Thiem.

Certificate expiration date: 6/22/17.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

188-16-CA      1003 W SOUTH STREET  
Applicant:      JEANNINE MCAULIFFE, ALPHIN DESIGN BUILD  
Received:      11/19/2016      Meeting Date(s):  
Submission date + 90 days: 2/17/2017      1) 12/22/2016    2)    3)

INTRODUCTION TO THE APPLICATION

Historic District: BOYLAN HEIGHTS HISTORIC DISTRICT

Zoning: HOD-G

Nature of Project: Remove rear screened porch; construct new rear addition with screened porch; alter window; alter plantings

Amendments: A revised drawing reflecting a change in color of the screened porch railing is attached.

DRAC: A pre-application review of the proposal was made by the Design Review Advisory Committee at its November 14, 2016 meeting. Members in attendance were Curtis Kasefang, David Maurer, Dan Becker, and Mary Ruffin Hanbury; also present were Jeannine McAuliffe and Tania Tully.

Conflict of Interest: None noted.

Staff Notes:

- The electronic version of the application did not include the even pages of the application packet.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
2.3	Site Features and Plantings	Alter plantings
3.7	Windows and Doors	Alter window
4.2	Additions to Historic Buildings	Remove rear screened porch; Construct new rear addition with screened porch

STAFF REPORT

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

- A. Removal of rear screened porch; construction of new rear addition with screened porch; alteration of plantings is not incongruous in concept according to *Guidelines* 2.3.5, 2.3.7, 4.2.1, 4.2.2, 4.2.4, 4.2.5, 4.2.6, 4.2.7, 4.2.9, and the following suggested facts:
- 1\* The shrub at the southeast corner of the house is proposed to be removed and replaced with a new shrub in the rear yard.
  - 2\* There are two mature deciduous trees in the rear yard that could be impacted by construction activity; a tree protection plan was included in the application.

- 3\* The porch will be supported by piers rather than a continuous footer.
  - 4\* The rear porch proposed for removal is on the rear, non-character defining facade of the house; the associated stairs are of relatively recent construction.
  - 5\* The new addition and screened porch have a gable roof with the same pitch and proportions as the adjacent rear gable.
  - 6\* Materials for the new work is proposed to match the existing. Close-up photos of the materials being matched were included.
  - 7\* Due to the slope of the lot, the new work sits well above the grade at the rear yard. The area under the additions and stairs will be screened with wood lattice.
  - 8\* The porch screening is proposed to be installed on the outside of the porch railings. The commission has typically required the railings to be on the exterior of the screening so as to have a more traditional porch appearance.
  - 9\* Photos of 1025 W South Street and 422 Cutler Street were provided as examples of screened porches with the railings on the interior. The screened porch at 1025 W South Street was approved with COA 168-08-CA, but the detail of the screening on the exterior of the rail was not. The screened porch at 422 Cutler Street was approved with COA 172-99-CA, however the specificity of the screen location was not approved.
  - 10\* The lot is ~ 6,534 SF. The existing building footprint including porches is ~1,602 SF. The existing building mass is ~25% of the lot area. The addition increases footprint area by ~140 SF; the new built mass is ~27% of the total lot area.
- B. Alteration of window is not incongruous in concept according to *Guidelines 3.7.9*, and the following suggested facts:
- 1\* On the east facade a single 6/1 DHS is proposed to be removed and replaced with a pair of 6/1 DHS.
  - 2\* The window proposed to be replaced is on the rear of the east facade.
  - 3\* Some details and specifications for the new windows were included in the application; section drawings were not.

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

1. That section drawings of the windows, including the muntin profile, be provided to and approved by staff prior to issuance of the blue placard.
2. That the screening be on the interior of the railings.
3. That details and specifications for the following be provided to and approved by staff prior to construction:
  - a. Screened porch construction;
  - b. Railing sections.

## PUBLIC TESTIMONY

Staff Introduction: Tania Tully [affirmed] showed the location of the property on the map and noted highlights from the staff report. Ms. Tully stated the minor amendment of the color of the porch railing on the screen porch. She recommended approval with conditions.

### Support:

Ms. Jeannine McAuliffe [affirmed] was present to speak in support of the application. She asked about the screening of the porch.

### Opposition:

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

### Responses and Questions:

Ms. Tully stated that the screening is to go all the way around. Ms. McAuliffe stated it seemed impractical to have the screening on the inside of the porch given having small children and pets and if the committee could reconsider that condition.

Mr. Hinshaw noted that the application talked about using treated and not painted wood. Ms. McAuliffe stated it will be matched to the existing house on the exterior stairs up to the house.

Ms. Tully clarified the screening is that when you look at it there is an upper and a lower area, if you wanted to see the balustrades or not then the screening needs to delineate that.

At Ms. Caliendo's suggestion Mr. Thiem moved that the public testimony portion of the hearing be closed. Mr. Hinshaw seconded; motion carried 5/0.

## Committee Discussion

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

I agree with the railing. [Caliendo]

West South Street has an example that creates that division. [David]

## Findings of Fact and Conclusions of Law

Mr. Hinshaw moved that based upon the facts presented in the application and the evidentiary hearing, the committee finds staff suggested finding A. (inclusive of facts 1-10), A. (inclusive of facts 1-3) to be acceptable as findings of fact, with the modifications and additions as listed below:

- A. Removal of rear screened porch; construction of new rear addition with screened porch; alteration of plantings is not incongruous in concept according to *Guidelines* 2.3.5, 2.3.7, 4.2.1, 4.2.2, 4.2.4, 4.2.5, 4.2.6, 4.2.7, 4.2.9, and the following facts:
- 1\* The shrub at the southeast corner of the house is proposed to be removed and replaced with a new shrub in the rear yard.
  - 2\* There are two mature deciduous trees in the rear yard that could be impacted by construction activity; a tree protection plan was included in the application.
  - 3\* The porch will be supported by piers rather than a continuous footer.
  - 4\* The rear porch proposed for removal is on the rear, non-character defining facade of the house; the associated stairs are of relatively recent construction.
  - 5\* The new addition and screened porch have a gable roof with the same pitch and proportions as the adjacent rear gable.
  - 6\* Materials for the new work is proposed to match the existing. Close-up photos of the materials being matched were included.
  - 7\* Due to the slope of the lot, the new work sits well above the grade at the rear yard. The area under the additions and stairs will be screened with wood lattice.
  - 8\* The porch screening is proposed to be installed on the outside of the porch railings. The commission has typically required the railings to be on the exterior of the screening so as to have a more traditional porch appearance.
  - 9\* Photos of 1025 W South Street and 422 Cutler Street were provided as examples of screened porches with the railings on the interior. The screened porch at 1025 W South Street was approved with COA 168-08-CA, but the detail of the screening on the exterior of the rail was not. The screened porch at 422 Cutler Street was approved with COA 172-99-CA, however the specificity of the screen location was not approved.
  - 10\* The lot is ~ 6,534 SF. The existing building footprint including porches is ~1,602 SF. The existing building mass is ~25% of the lot area. The addition increases footprint area by ~140 SF; the new built mass is ~27% of the total lot area.
- B. Alteration of window is not incongruous in concept according to *Guidelines* 3.7.9, and the following facts:
- 1\* On the east facade a single 6/1 DHS is proposed to be removed and replaced with a pair of 6/1 DHS.
  - 2\* The window proposed to be replaced is on the rear of the east façade.
  - 3\* Some details and specifications for the new windows were included in the application; section drawings were not

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

### Decision on the Application

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

1. That section drawings of the windows, including the muntin profile, be provided to and approved by staff prior to issuance of the blue placard.
2. That the screening be detailed with a division between the top and bottom similar to the example shown at 1025 W South Street.
3. That details and specifications for the following be provided to and approved by staff prior to construction:
  - a. Screened porch construction;
  - b. Railing sections.

Mr. Davis agreed to the changes. The amended motion passed 5/0.

Committee members voting: Caliendo, David, Davis, Hinshaw, Thiem.

Certificate expiration date: 6/22/17.

DRAFT

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS –CERTIFIED RECORD

190-16-CA 519 FLORENCE STREET

Applicant: TRISH MEEKS

Received: 12/5/2016

Meeting Date(s):

Submission date + 90 days: 3/5/2017

1) 12/22/2016 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: BOYLAN HEIGHTS HISTORIC DISTRICT

Zoning: HOD-G

Nature of Project: Remove collapsed stone retaining wall; construct new concrete block retaining wall

Conflict of Interest: None noted.

Staff Notes:

- After-the-fact applications are reviewed as though the work has not been completed.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
2.4	Fences and Walls	Remove collapsed retaining wall; construct new concrete block retaining wall

STAFF REPORT

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

- A. Removal of collapsed retaining wall is not incongruous in concept according to *Guidelines* 2.4.5; however, construction of new wall with curved concrete block units is incongruous according to *Guidelines* 2.4.1, 2.4.2, 2.4.6, and the following suggested facts:
- 1\* At the south side of the property there is a sharp grade change.
  - 2\* The retaining wall supports earth that is adjacent to the foundation of the house.
  - 3\* It appears from the photos that at least one stone buttress had been added at a later date to support the stone wall. The mortar joints appear to be different than the grapevine joints of the wall.
  - 4\* In May 2016 a 12' long section of the wall collapsed. Photos were included of the collapse, the adjacent creek, and proximity of the house foundation.
  - 5\* The application states that a stone mason was unable to repair the wall due to the lean and method of construction. The application includes a signed and sealed drawing from a structural engineer that recommended replacement of the wall.
  - 6\* The removed and proposed walls are 6' tall on the south side and level with the grade of the yard to the north.

- 7\* The proposed new wall is 46' long with a 6' long ell constructed of curve faced concrete block.
- 8\* The new wall is much more visible in large part because of the loss of the mature vines on the old wall.
- 9\* The application includes photos of the same type of block used at the Lenoir Street Park (626 W Lenoir Street) and the Project Enlightenment parking lot (rear of 501 S Boylan Avenue). The Lenoir Street Park is not in the Boylan Heights HOD. The retaining wall at Project Enlightenment was approved with COA 145-01-CA as part of approval of the addition and parking lot. It was a new wall not replacing historic fabric and has a straight, not curved face.
- 10\* Mortarless CMU retaining walls have been approved in Boylan heights previously including at 610 S. Boylan Avenue (CAD-93-047) under an earlier set of Design Guidelines. It was a new wall not replacing historic fabric and has a straight, not curved face.
- 11\* Historic rockface concrete block walls are at 906 W South Street and 906 Dorothea Drive
- 12\* The commission recently denied the installation of concrete blocks with rusticated curved faces at 410 S Boylan Avenue (090-16-CA).
- 13\* The Boylan Heights Special Character Essay states that "Because of the gently-sloping hillside location of the district, a few masonry and stone retaining walls can be found within the district adjacent to walks and alleys or between houses."

Staff suggests that the committee approve removal of the remainder of the collapsed wall and deny rebuilding the wall with curve faced concrete block.

OR

That the committee defer the application to the February meeting and allow the applicant to amend the application with an alternate material for the new wall.

#### PUBLIC TESTIMONY

Staff Introduction: Tania Tully [affirmed] showed the location of the property on the map and noted highlights from the staff report. Ms. Tully showed pictures of the property and that on the right hand side there was an adjacent creek. The applicant provided evidence that the wall had collapsed and had to be rebuilt. Staff recommended approval of the removal of the collapsed wall and denial of the rebuilding of concrete wall or deferral until an alternative wall material is there. The curved surface of the wall was approved in 1993. The question is less of the removal of the retaining wall but more of what needs to go back.

#### Support:

Ms. Trish Meeks [affirmed] was present to speak in support of the application. Ms. Meeks stated she went through a lot of quotes and to replace the wall with stone was \$40,000 and that would be expensive. Ms. Meeks stated she considered she might have to put in some kind of fence but had to see where all of this went.

Opposition:

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

Responses and Questions:

Mr. Hinshaw pointed out the wall was quite large and obvious and asked if it could be veneered or parged. Ms. Tully stated that she did not know if the committee wished the applicants to come back. Ms. Lauer added that there are a lot of concrete walls in Boylan Heights and that stone is uncommon.

At Ms. Caliendo's suggestion Mr. Hinshaw moved that the public testimony portion of the hearing be closed. Mr. Davis seconded; motion carried 5/0.

Committee Discussion

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

Having denied the replacement of a concrete wall and approving this wall with this material, I am open for discussion on it. They could have a little short wall made then come back and repair it. [Hinshaw]

Would it be better to tear it down and replace the whole thing with what was there or stone veneer or parge over this. [David]

I am familiar with construction of segmental masonry block walls. They are mortarless and they have the ability to move technically but I have never seen them veneered. The challenge is to dress the front of the wall in stone is depending on the flexible material that is behind will compromise the front face draping like a jet textile construction is a challenge. [Thiem]

Investigate alternatives? [Hinshaw]

There is a wide range of material faces and colors for walls. [Thiem]

Mr. Thiem had a motion to reopen the public hearing testimony portion of the hearing; Mr. Davis seconded; motion carried 5/0.

PUBLIC TESTIMONY (2)

Ms. Meeks stated the original wall had no footings and she was told to make it structurally sound. The grading line on the property is going down and there were erosion problems. Ms. Meeks reinforced she wanted a structurally sound item but if there were stone veneer it would erode over time.

Mr. Hinshaw made a motion to close the public hearing portion of the meeting; Ms. David seconded; motion carried 5/0.

Committee Discussion (2)

Any action that is relevant that the committee has passed before serves as a precedent and can give some value to the issue you are considering. A condition exists not pursuant to a permit. [Raspberry]

If it does not meet the guidelines and does not meet the COA guidelines it is a zoning violation.  
[Tully]

The committee is bound that may or not be relevant or compelling in showing the character of neighborhood since there is such a substantial period of time the decision of the court serves as precedent. It is not just legal precedent it's just a legal decision. [Raspberry]

Install without a COA? [Thiem]

We have asked people to change them. [Tully]

These blocks are much less curvy than the one at project enlightenment. They do not appear to be as extreme. I really hate the thought to totally rebuild a whole new wall. [David]

I would suggest deferring until February for a couple of ideas. [Tully]

We can defer. [Caliendo]

Mr. Thiem made a motion that the application be deferred until the February meeting; Ms. David seconded; motion carried 5/0.

DRAFT

## OTHER BUSINESS

### 1. Change to Approved COA: 120-16-CA (416 E Edenton Street)

Ms. Tully stated the applicant wants to change what was approved for some of the windows and the porch floor. Drawings with revised window details were provided. The committee discussed the changes as the applicant was going with square window panes to match the rest of the house. Ms. David pointed out the shape was only changing to simple. Ms. Tully reminded the committee they should look at this as if this had been proposed with the application originally - would it have been approved. Ms. Tully also noted brick porches were also unusual. The committee agreed that the changes were so small it would be minor. Ms. David made a motion to approve the window change and porch change; Mr. Hinshaw seconded; motion carried 5/0.

### 2. Design Guidelines Update

### 3. Committee Discussion

- a. Staff provided notice that there had been a Notice of Intent to appeal case 164-16-CA.
- b. The committee decided on February 25 from 9-2 for COA training.
- c. Meeting Post-Mortem

## ADJOURNMENT

The meeting was adjourned at 8:00 p.m.

Elizabeth Caliendo, Chair  
Certificate of Appropriateness Committee,  
Raleigh Historic Development Commission

Minutes Submitted by:  
Tania Tully, Preservation Planner