



Meeting Minutes - Final
Commission of Architectural Review

Tuesday, June 26, 2018

3:30 PM

5th Floor Conference Room of City Hall

Call to Order

Joseph Yates, the Chairman, called the June 26th meeting of the Commission of Architectural Review to order at 3:30 pm.

Roll Call

Present -- 7 - * David C. Cooley, * Gerald Jason Hendricks, * James W. Klaus, * Joseph Yates,
* Neville C. Johnson Jr., * Carey L. Jones and * Ashleigh N. Brewer
Absent -- 2 - * Sanford Bond and * Andrew Ray McRoberts

Approval of Minutes

April 10, 2018 (Quarterly Meeting)

The April quarterly minutes will be approved at the next meeting.

April 24, 2018

A motion was made by Johnson, Jr., seconded by Hendricks, that the April minutes be approved. The motion carried by the following vote:

Aye -- 5 - David C. Cooley, Gerald Jason Hendricks, Neville C. Johnson Jr., Carey L. Jones and Ashleigh N. Brewer

Abstain -- 2 - James W. Klaus and Joseph Yates

May 22, 2018

A motion was made by Johnson, Jr., seconded by Klaus, that the May minutes be approved. The motion carried by the following vote:

Aye -- 5 - Gerald Jason Hendricks, James W. Klaus, Neville C. Johnson Jr., Carey L. Jones and Ashleigh N. Brewer

Abstain -- 2 - David C. Cooley and Joseph Yates

Other Business

Secretary's Report

Ms. Jeffries announced that the July Quarterly meeting scheduled for July 10th would address sign guidelines and administrative approvals. Mr. Hendricks suggested that the July Quarterly meeting be held at his office at 2100 Cary Street, and the Commission approved the meeting location.

Mr. Cooley expressed concern that DHR repeatedly fails to approve the Commission's decisions regarding the placement of wood siding. Mr. Yates confirmed, however, that regardless of whether DHR overrules Commission decisions, the Commission will continue to make decisions that remain consistent with the Commission's guidelines.

Ms. Jeffries further announced that the Commission will hold elections for a new Chair and Vice Chair at the current meeting.

Ms. Chen announced that Ms. Jeffries would remain the Acting Secretary of the Commission of Architectural Review at the July Quarterly Meeting and remain until Carey Jones assumes the position as Commission secretary. Ms. Chen further announced that the Commission will need to find new commissioners to replace Ms. Jones, Mr. McRoberts, and Mr. Yates, as the latter are completing their terms on the Commission.

Commission Elections

A motion was made by Joseph Yates, seconded by Neville Johnson, to nominate James Klaus to the position of Chair. The motion was approved unanimously.

A motion was made by Neville Johnson, seconded by Joseph Yates, to nominate Jason Hendricks to the position of Vice-Chair. The motion was approved unanimously.

Administrative Approvals

Ms. Jeffries announced that the staff approved several signs and approved storefront window replacement at 823 North 24th Street.

Enforcement Report

Ms. Jeffries noted a citation for a front porch railing alteration and further noted another violation of railing guidelines.

Other Committee Reports

James Klaus mentioned the Commission's focus on the final review of the Monroe Park Signage and the park's signage content along with the construction of a new community center in South Side.

*****Please Note*****

Public comment on cases brought before the CAR will be heard after the applicant's explanatory remarks of the case and before CAR deliberation. Applicants and individuals wishing to comment on specific aspects of a given case are asked to briefly address issues related to the application.

CONSENT AGENDA

Chairman Joseph Yates announced the presence of three items: COA-036242-2018, 5-9 & 13-27 West Broad Street; COA-036232-2018, 2010 Monument Avenue; and COA-036770-2018, 605 North 21st Street on the consent agenda.

The Chairman invited the Commission to recommend projects that they would like to move from the regular agenda to the consent agenda.

a) Mr. Yates made a motion to move the third item, COA-036770-2018, 605 North 21st

Street to the regular agenda. He expressed the concern that the proposed changes at the proposed construction site conflict with photographic evidence depicting how the front porch should appear. Mr. Klaus seconded the motion. The Commission approved moving the item.

Neville Johnson made a motion to accept the consent agenda as amended. Mr. Klaus seconded the motion. The motion was approved unanimously.

The Chairman asked if there was any public comment concerning any of the items on the consent agenda. David Harris expressed approval of the proposed changes at 2010 Monument Avenue.

A motion was made by Johnson, Jr., seconded by Klaus, that the Consent Agenda be approved. The motion carried by the following vote:

Aye -- 7 - David C. Cooley, Gerald Jason Hendricks, James W. Klaus, Joseph Yates, Neville C. Johnson Jr., Carey L. Jones and Ashleigh N. Brewer

- 1 [COA-036242-2018](#) 5-9 & 13-27 West Broad Street - Rehabilitate existing storefronts and exterior including painting, installing storefront tile, replacing doors, and repainting historic signage.

Attachments: [Application and Plans](#)
[Site Map](#)
[Staff Report](#)

This Application for a Certificate of Appropriateness was approved on the Consent Agenda.

- 2 [COA-036232-2018](#) 2010 Monument Avenue - Construct a brick and parged block wall in the rear.

Attachments: [Application and Plans](#)
[Site Map](#)
[Staff Report](#)

This Application for a Certificate of Appropriateness was approved on the Consent Agenda.

REGULAR AGENDA

- 3 [COA-036770-2018](#) 605 North 21st Street - Replace front porch decking, railing and columns.

Attachments: [Application and Plans](#)
[Site Map](#)
[Staff Report](#)

The applicant, Sarah Blackburn, offered to answer any questions that the Commission would have. Mr. Klaus asked the applicant if she knew what the original size or shape of the columns on her property should be. The applicant admitted that she was uncertain but noted that historic homes surrounding the property have square columns on their front porches.

The Chairman asked if there was any public comment. There being none, he commenced Commission discussion. Chairman Yates expressed concern with conjectural restoration of the porch when photographic evidence exists. He emphasized that the Commission would protect the integrity of the house if the construction would conform to the image presented in the photographic documentation. Mr. Cooley stated that the eight inch square porch posts that staff proposed are far too large and, rather, expressed support for six inch porch posts that would be more consistent with the image presented in photographic documentation of the house. Mr. Hendricks agreed that the eight inch square porch posts would be far too large and, also, expressed support for six inch porch posts and evenly spaced columns.

A motion was made by Yates, seconded by Cooley, that this Application for a Certificate of Appropriateness be approved as submitted for the reasons cited in the staff report provided that the following conditions are met: the front porch columns and railing match the 1990 photograph to include turned 6" posts, evenly spaced columns, and a newel post. The motion carried by the following vote:

- 4 [COA-036785-2018](#) 600 North 28th Street - Construct a new single family dwelling on a vacant lot.

Attachments: [Application and Plans](#)

[Site Map](#)

[Staff Report](#)

The applicant, Charlie Field, stated that the square windows on the North wall are trivial and difficult to see. He noted that a basement window was going to be moved to the North wall of the house.

The Chairman asked if there was any public comment. There being none, he commenced Commission discussion. Mr. Klaus expressed approval of how the applicants addressed staff concerns and agreed with Mr. Cooley that the windows on the North Wall would be difficult to notice.

A motion was made by Klaus, seconded by Hendricks, that this Application for a Certificate of Appropriateness be approved for the reasons cited in the staff report provided that the following conditions are met: dimension strings to locate the horizontal placement of windows be submitted for administrative review; the height of the foundation at each corner of the structure along 28th Street be provided for administrative review; the railing on the proposed rear stairs be Richmond rail, painted or stained a neutral color to complement the main structure; the locations of the mechanical equipment and electric meter be submitted for administrative review and approval; and any proposed relocation of the basement window be submitted to staff for administrative review and approval.. The motion carried by the following vote:

Aye -- 7 - David C. Cooley, Gerald Jason Hendricks, James W. Klaus, Joseph Yates, Neville C. Johnson Jr., Carey L. Jones and Ashleigh N. Brewer

- 5 [COA-034571-2018](#) 3422 East Broad Street - Alter two window openings and add an opening in the rear.

Attachments: [Application and Plans](#)[Site Map](#)[Staff Report](#)

The applicant, Shawna Mullen Smith, introduced herself and stated that she has no intention of undermining the Commission's process. She apologized for making modifications to her home without the Commission's approval and expressed hope that the Commission would appreciate her justification for the modifications. She noted that neither she nor her contractor had a record of staff conditions. She further emphasized that the claim in the staff report alleging that a door in her home had been replaced with a window was false. She admitted that she had replaced an old window but insisted that the door still remains in place, and she further mentioned having a photograph that shows the window and the door side by side. She claimed that the replacement of the old window is only visible to her neighbor to the East and noted that this neighbor provided an email supporting changes to her home.

Mrs. Smith explained that she ceased work on her home as soon as she noticed that she would need to file an application with the Commission of Architectural Review and obtain permission from the Commission. She noted that she met with staff and began to work on her application. After her parents paid her a surprise visit from Ireland and remained for three weeks, she decided to install the windows to prevent her parents from needing to continue their vacation in a boarded up house, considering that she could fill out the CAR application afterwards. She admitted to this mistake and to receiving a notice of violation after the window installation.

Mrs. Smith further claimed that she chose to install casement windows for safety purposes, alleging that the old windows were falling apart, this, also, being the professional opinion of her contractor. She admitted to already disposing of most of the old windows before she took any pictures of them or starting the CAR application process. She alleged that the windows were not only insecure and dangerous but claimed that the window sill was only 15 inches from the kitchen floor and from the bedroom floor of the upper window to the toddler's room. Claiming that the windows were shaky with the wood being rotten, she stated that if someone leaned on the window in the wrong way, her child could be harmed. Mrs. Smith confirmed that she decided to have the window sill higher for safety. Mrs. Smith further stated that in order to maintain the same approximate size, she had windows installed that were wider and shorter.

Mrs. Smith further explained that stylistic preferences motivated her selection of casement windows. Casement windows, according to her, matched the window of the basement, further claiming that there are already seven casement windows in the house. She further insisted that the wider casement windows look better in the house, referencing other architectural elements in the house. Claiming that nothing that can be seen on the back wall is original to the house, she and the neighbors believe that the new windows enhance the appearance of the house. Mrs. Smith expressed her conviction that despite changes to the windows, the changes would be minimally visible to the public.

Mrs. Smith concluded that the modifications that she made to her home are consistent with the block and the history of her house, noting that the new windows that she installed are weather proof, energy efficient, and operable. She further asserted that she loves her neighborhood and asked for the Commission's flexibility.

Mr. Klaus asked the applicant if the dates provided in the staff report concerning meetings with staff and applicant activity are consistent with the applicant's knowledge of the events. Mrs. Smith agreed that the dates provided in the staff report are consistent with her knowledge of the events.

The Chairman asked if there was any public comment. There being none, he commenced Commission discussion. Ms. Pitts announced that she could help answer any questions that Ms. Jeffries may be unable to answer, reminding the Commission that she worked on the project during times when Ms. Jeffries could not. Mr. Johnson stated that it appears very clear that the permit was issued with very straightforward guidelines and noted that the applicant made changes after the permits were issued and even after staff brought it to the applicant's attention. Mr. Klaus further stated that the biggest problem for him is the size, shape, and placement of the windows. Mr. Klaus suggested that if the applicant had come to the Commission and asked for permission to replace windows that resembled exactly what had been there before, the Commission would have probably approved them. The situation is as cut and dry as can be in his opinion, and he noted that the external changes are extremely visible.

The applicant, Adam Smith, interjected Commission discussion to state that there are seven casement windows in his home and that the windows take up the same amount of square footage on the house as the previous windows. He further noted that he kept the header exactly the same on the windows. He admitted that he was heavily into the construction process before he went through the process with the Commission. Mr. Hendricks asked the applicant if the casement windows on the basement are original existing wood casement windows or replacements. Mr. Smith stated that the windows are wood frame windows and is uncertain if the windows are original; however, he perceived that side windows in the basement are replacement windows.

Ms. Brewer asked the applicants if they had a permit when they took the windows out. Mrs. Smith admitted that she believed that the contractors were taking care of permits until she discovered that they were not. Ms. Chen noted that the issue date on the permit is January 17th, 2018, and the February 1st photograph showed the historic windows still in place.

Chairman Yates affirmed that he can appreciate the position that the applicants were in, but he emphasized that the guidelines concerning window changes are very clear. He explained that often times, in the historic homes, the size and style of windows on one part of the home varies from the size and style of windows on another part of the home. The windows on the applicant's home are very typical of windows during the historic period in which the home was constructed. If the Commission allowed the applicants to keep the windows that they installed, then, the Commission would be undermining its purpose. Mr. Klaus confirmed that the Commission is very sympathetic but reaffirmed that applicants had knowledge of the Commission's position before they proceeded with the window installation.

A motion was made by Klaus, seconded by Cooley, that this Application for a Certificate of Appropriateness be denied. The motion carried by the following vote:

Aye -- 7 - David C. Cooley, Gerald Jason Hendricks, James W. Klaus, Joseph Yates, Neville C. Johnson Jr., Carey L. Jones and Ashleigh N. Brewer

6 [COA-034564-2018](#) 717 North 27th Street - Replace windows and siding on a single family home.

Attachments: [Application and Plans](#)[Site Map](#)[Staff Report \(5/22/2018\)](#)[Staff Report \(6/26/2018\)](#)

The applicant, Steven Overguard, stated that he agrees to fully comply with staff conditions.

The Chairman asked if there was any public comment. There being none, he commenced Commission discussion. The Chairman asked the applicants to coordinate with staff to ensure that there would be no missteps.

A motion was made by Yates, seconded by Cooley, that this Application for a Certificate of Appropriateness be approved for the reasons cited in the staff report provided that the following conditions are met: paint colors be submitted to staff for administrative review and approval; if any original siding in good condition remains on the structure that it be consolidated on the façade and the fiber cement siding be installed only on the side and rear and be smooth and without a bead; the replacement windows fit the original opening, be wood or aluminum clad wood with simulated divided lites with interior and exterior muntins and a spacer bar between the glass; and the window and door openings on the rear of the structure be restored to the sizes and locations shown in the photograph dated 3/21/2017, the design to be administratively approved by staff; and Windows 3, 9 and 10 as shown on the window survey be one-over-one. The motion carried by the following vote:

Aye -- 7 - David C. Cooley, Gerald Jason Hendricks, James W. Klaus, Joseph Yates, Neville C. Johnson Jr., Carey L. Jones and Ashleigh N. Brewer

- 8 [COA-036233-2018](#) 2625 Monument Avenue - Install metal handrails on existing brick front steps.

Attachments: [Application and Plans](#)[Site Map](#)

This Application for a Certificate of Appropriateness was withdrawn by the applicant.

- 10 [COA-036152-2018](#) 3629 East Broad Street - Construct a new single family dwelling.

Attachments: [Application and Plans](#)[Site Map](#)[Staff Report](#)

Chairman Yates asked Ms. Chen if the Commission is exceeding its authority if it approves the construction, since it may not be buildable in the eyes of the City. Ms. Chen affirmed that the Commission can approve the design even if it would have to be modified but agreed that the Commission cannot approve any construction that zoning regulations would not permit.

The applicant, Enoch Pou, stated that he is responding to the staff report. He noted that there is no alley access. Chairman Yates asked the applicant whether moving the house

to the east would give an opportunity for a driveway between 3629 East Broad and the proposed house. Mr. Pou explained that moving the house to the east would violate side yard setbacks and would mandate that the house be much smaller. Mr. Pou further affirmed that he designed the house to be in conformity with zoning requirements for the front and the side yard setback. Mr. Hendricks asked if the applicant would be open to reducing the house's side deck by three feet. Mr. Pou objected to this option. Ms. Jones asked if the applicant would be more open to making the deck narrower. Mr. Pou insisted that making the deck narrower wouldn't solve the problem.

Mr. Hendricks confirmed that the Commission is not favorable of parking in the front of the property. Ms. Brewer asserted that the applicant doesn't wish to remove any square footage from the house to ensure that the house remains marketable but asked how marketable the house would be if there is no parking to the house. Mr. Pou assured her that the house would still have a buyer, because the location is sufficiently attractive.

The Chairman asked if there was any public comment. There being none, he commenced Commission discussion. Mr. Klaus stated that the guidelines are clear that parking lots can detract from historic structures and district streetscapes; the Commission is authorized to require that the placement and screening of these paved areas be designed in such a way so as to have a minimal impact on their surroundings. Further suggesting that even though parking in the rear of the proposed construction is not an option, there is a possibility of parking in between the proposed construction and the adjacent structure. Chairman Yates clarified that under no circumstances is the Commission approving parking in the front of the structure; he further stated that he still has reservations about the Commission voting on a property that isn't even a legal lot. Mr. Cooley added that he had no issue with the windows.

A motion was made by Johnson, Jr., seconded by Brewer, that this Application for a Certificate of Appropriateness be approved for the reasons cited in the staff report provided that the following conditions are met: the parking area not be located in front of the structure and parking be limited to the side or rear of the structure; the front porch steps be relocated from the side to the front of the porch to be more consistent with forms found in the district; and the front porch and face of the structure align with the adjacent structure. The motion carried by the following vote:

Aye -- 7 - David C. Cooley, Gerald Jason Hendricks, James W. Klaus, Joseph Yates, Neville C. Johnson Jr., Carey L. Jones and Ashleigh N. Brewer

- 11 [COA-036774-2018](#) 3408 East Broad Street - Construct a new single family dwelling on a vacant lot.

Attachments: [Application and Plans \(6/26/2018\)](#)

[Site Map](#)

[Staff Report \(6/26/2018\)](#)

[Application and Plans \(7/24/2018\)](#)

[Staff Report \(7/24/2018\)](#)

The applicant, Alex Pardue, stated that the front façade would consist of brick. She then began to express her enthusiasm for constructing a home within the historic district. Ms. Pardue admitted, however, to being disheartened by recent staff comments regarding the proposed third floor of the home. She mentioned that she had discussed the third floor building form concept months ago with staff and claimed that staff encouraged her to submit the proposal. The feedback from staff led her to believe that the general existence

of the third floor was favorable enough to the Commission. She noted making changes to the railing and moved an enclosed portion back four feet to satisfy the Commission's standards; she expressed hope that the Commission would keep the changes that she agreed to make in mind when rendering a decision. She further affirmed her intention to honor the historic integrity of the area.

After viewing staff's recent feedback, she decided that she was quite open to removing the dental trim on the third floor cornice, separating the three windows on the first floor to more appropriately match the symmetry of the second and third floor, removing a window that she had originally proposed on the second floor, using brick piers and wooden lattice work on the front porch, and using a darker siding.

Chairman Yates asked the applicant if she had spoken to Zoning about the side yard setbacks. Ms. Pardue confirmed that she had received an administrative variance from Zoning. Mr. Pardue added that he and his wife had maximized their ability to expand the width of the house, because they needed to prevent themselves from encroaching on the required side yard setbacks.

Chairman Yates stated that although the overall design of the home too literally resembles a Colonial Revival home, he would accept this construction if not for his greater concern with the home's third floor design. He insisted that the third floor design is foreign to the historic district and would be the equivalent of a combination of a Colonial Revival and California Contemporary home, adding that the third floor's irregularity would be visible from the adjacent park. The third floor balustrade, he emphasized, would also need to be less ornate to conform with traditional design standards, and he advised that the applicants should figure out some way to get the third floor fenestration to be a bit more regulated, make the front façade more compatible with the district, and ensure that the third floor would have more detail, order, and symmetry. Chairman Yates, additionally, clarified that he is not opposed to a third floor being added to the home if the appearance of the third floor is more compatible with other houses on the street.

The applicants stressed that they wish to have as much direction as possible to ensure that they can successfully revise their design, and Chairman Yates confirmed that he believes that there is a way for the applicants to work with staff to ensure that they can meet both their own goals and staff's goals.

A motion was made by Jones, seconded by Cooley, that this Application for a Certificate of Appropriateness be deferred to allow the applicant the opportunity to revise the design of the façade and third story in coordination with staff. The motion carried by the following vote:

Aye -- 6 - David C. Cooley, Gerald Jason Hendricks, James W. Klaus, Joseph Yates, Carey L. Jones and Ashleigh N. Brewer

Excused -- 1 - Neville C. Johnson Jr.

CONCEPTUAL REVIEW

- 12 [COA-036154-2018](#) 1901-1903 O Street - Construct a new duplex on a vacant lot.

Attachments: [Application and Plans](#)

[Site Map](#)

[Staff Report](#)

The applicant, Bertha Robinson, stated that she would like to take whatever recommendations the Commission has and facilitate those changes.

Mr. Cooley stated that the blank space between the window and the bottom of the cornice should remain the same and certainly not be any larger and further noted that the 4/4 windows that the applicant is designing are not typical to the district. He advised that that the applicant install 6 lite over 6 lite windows on the back of the house and 2 by 2 windows on the front of the house. Mr. Hendricks, on the other hand, reminded that the Commission usually recommends 18 to 24 inches at most between the head of the window and the cornice, insisting that the space would be very aesthetically unappealing if too large. He added that the applicant should align the corbels with the window edges.

This Application for a Certificate of Appropriateness was conceptually reviewed.

- 7 [COA-034556-2018](#) 411 Chimborazo Boulevard - Construct a new two story frame garage.

Attachments: [Application and Plans \(5/22/2018\)](#)

[Site Map](#)

[Staff Report \(5/22/2018\)](#)

[Application and Plans \(6/26/2018\)](#)

[Staff Report \(6/26/2018\)](#)

This Application for a Certificate of Appropriateness was deferred to allow the applicant the opportunity to be present and respond to the Commission's questions.

Aye -- 6 - David C. Cooley, Gerald Jason Hendricks, Joseph Yates, Neville C. Johnson Jr., Carey L. Jones and Ashleigh N. Brewer

Excused -- 1 - James W. Klaus

- 9 [COA-036126-2018](#) 2009 Venable Street - Rehabilitate a single family dwelling.

Attachments: [Application and Plans](#)

[Site Map](#)

[Staff Report](#)

This Application for a Certificate of Appropriateness was deferred to allow the applicant the opportunity to be present and respond to the Commission's questions.

Aye -- 6 - David C. Cooley, Gerald Jason Hendricks, Joseph Yates, Neville C. Johnson Jr., Carey L. Jones and Ashleigh N. Brewer

Excused -- 1 - James W. Klaus

Adjournment

Chairman Yates adjourned the meeting at 6:40 pm.