

COMMISSION OF ARCHITECTURAL REVIEW

January 25, 2018

Members Present

Jeffrey Bond
Robert Stowe
Robert Weir
Michael Nicholas
Sean Davis

Members Absent

Susan Stilwell
Robin Crews

Staff

Ken Gillie
Lisa Jones
Alan Spencer

Mr. Nicholas called the meeting to order at 3:30pm.

ELECTIONS OF OFFICERS

Mr. Nicholas turned the meeting over to Mr. Spencer for the Election of Officers.

Mr. Spencer called for nominations for Chairman.

Mr. Weir nominated Mr. Nicholas for Chairman. The nominations were approved by a 4-0 vote (Mr. Nicholas abstained from the vote).

Mr. Spencer called for nominations for Vice-Chairman.

Mr. Nicholas nominated Mrs. Crews for Vice-Chairman. The nominations were approved by a 5-0 vote.

Mr. Spencer called for nominations for Secretary.

Mr. Davis nominated Mr. Weir for Secretary. The nominations were approved by a 4-0 vote (Mr. Weir abstained from the vote).

ITEMS FOR PUBLIC HEARING

1. *Request a Certificate of Appropriateness at 254 Jefferson Avenue to demolish and reconstruct the existing front porch and stair tread. The front porch is to remain in the same footprint, but the proposed design alters the style and materials (see attached photo). The existing porch has a flat metal roof, t & g decking and synthetic stair treads. Below are the items to be altered as Staff understands the project.*

A. *Alter the pitch of the roof. The house currently has a flat metal roof. The applicant is requesting to add a pitch to the roof and cover in metal that matches*

existing. The roof design proposed is similar to those present on either side of the subject property at 241 and 249 Jefferson Avenue.

B. Replace the existing wood soffit on the porch with vinyl soffit.

C. Add a handrail to the stairs. There is currently no handrail. The proposed handrail and pickets appear to be simple in design with square standard pickets requested.

D. Replace the existing stair tread with wooden treads. The previous owner(s) replaced the wooden treads with synthetic material without a COA, the applicant would like to return them to wood to abate the violation.

E. Alter the decorative roof elements on the front porch to mimic that of the front the adjacent property at 249 Jefferson Avenue.

F. Build two (2) four (4) foot columns at the landing of the steps with the intent of placing statues on each. The construction of the columns is within the purview of the Commission, not the statues.

G. Install conventional gutters on the front porch. These are to be white in color and constructed of aluminum.

H. Install aluminum gutters on the main house. The gutters requested are the same proposed for the front porch.

Mr. Nicholas opened the Public Hearing.

Present to speak on behalf of this request was Mr. Kadeem Johnson, owner of the house and Darius Thomas, General Contractor.

Mr. Nicholas stated tell us what you want to do.

Mr. Thomas I have pictures here of everything. The first picture shows the damage of the front porch and how bad it is. All of that has rotted and the fact that it is standing is beyond me. It's literally one pillar that is partially rotted. We are requesting to do a complete tear down and rebuild with as much existing material as possible. When we rebuild it, add a pitch to where rain is allowed to come off the porch. Then add aluminum gutters to where the damage can be sustained. There is also a few more things like adding columns up the stairs. The house that is next to it has a top decorative design and we would like to do the same.

Mr. Nicholas stated let me do a little out of order than what we normally do here. Staff you guys have said that the design as a whole does not meet the guidelines and I can understand why. The applicants have broken it down by a,b,c,d all the way through h. Is there anyone of those sub items staff believes meets the guidelines?

Mr. Gillie stated alter the pitch of the roof we don't disagree with to get water to flow off. It is flat metal and changing the pitch and covering with the metal that matches we are not opposed to that.

Mr. Nicholas stated so (A) meets the guidelines.

Mr. Gillie stated correct. The vinyl soffit no. We do not feel the handrail to be standard pickets. The historic district usually is site specific we feel we are not opposed to pickets or anything else. We just feel the design should be for the house. The synthetic material should be removed and wood is acceptable to use. Therefore, we do not have a problem with (D).The mimic of the adjacent it should be specific to this property. The columns, that should be something that commission decides upon. Items A and D staff agrees it meets the guidelines.

Mr. Bond stated what would the new pitch for the roof be like. Therefore, we will have some clear definition on that.

Mr. Thomas stated based off the window where it is now there is not room for much of a pitch. We just want to add some kind of pitch to where it compensates where the water can run off. The roofing that is there now is rusted from water just sitting there. We are just looking for once it is torn down to what we can do at this time. We cannot stand up there because it is not stable.

Mr. Davis stated so you are limiting your pitch to the bottom of the window.

Mr. Thomas stated yes.

Mr. Nicholas closed the Public Hearing

Mr. Weir made a motion to approve the application A and D as it does meet the guidelines. Mr. Bond seconded the motion. The motion was approved by a 5-0 vote.

Mr. Nicholas stated Item A and D are approved.

Mr. Nicolas opened the Public Hearing.

Mr. Davis stated I think we should get rid of item B because of the vinyl.

Mr. Nicolas stated gentlemen you say you want to replace the existing wood soffit on the porch with vinyl soffit.

Mr. Thomas stated yes there is wood there now and I am trying to find a like product. I have been looking already and finding something that matches exactly is like pulling teeth. Therefore, I was just thinking maybe vinyl siding since it is underneath and nobody can really tell unless they go in the house or on the porch.

Mr. Nicholas stated can you see it from the street.

Mr. Thomas stated no. It depends on pretty much how close you are to the house. You would have to come up to the house.

Mr. Nicholas stated the rule is if it is visible from a public right away, we have jurisdiction over it. If you cannot see it from a public right away, any public right away we do not have any authority to say yes or no.

Mr. Johnson stated that picture right there that he is holding in his hand is from the street.

Mr. Davis stated are you talking about the actual ceiling on the porch.

Mr. Thomas stated yes.

Mr. Davis stated because the soffit wrapping around

Mr. Thomas stated not the soffit under the edge of the house just under the porch. The porch is going to have to be rebuilt because it is not structural sound. I doubt when it comes to trying to tear down where it can be reusable, it won't happen because of how much rot is there.

Mr. Nicholas stated I will not speak for anyone else on the board but I can tell you that vinyl is a no go generally in the historic district. We can make exceptions but it's rarely that we do. That being said we could only tell you what to do if we can see that part of the house from a public right away.

Mr. Thomas stated what would you recommend beside vinyl siding.

Mr. Nicholas stated again we could only tell you what to do if we can see that part of the house from a public right away.

Mr. Thomas stated so what would you recommend besides vinyl soffit? So would the 4 by 8 sheets that look similar work? Are you looking for a particular plank to go there?

Mr. Nicholas stated we could not tell you what to do. We can only say yes or no to the request that you bring. There are five of us here today and three of us will control but I doubt that vinyl is going to pass.

Mr. Davis stated if you are looking for wood, Jeremy Nicholas, owner of Old Oak Hardwood. He is able to make tongue and groove. There is a place called Hardware Store in Gibsonville, North Carolina, they have a wide variety of woods. They are not too expensive, a little more than vinyl siding. I cannot tell you to use those but those are two avenues that I would suggest looking in to.

Mr. Thomas stated would you be opposed to like building the new porch with a pitch roof with no soffit. Does it have to be there since it was there previously?

Mr. Nicholas stated you are not required. If you are going to build like with like, that is you are going to take what's down, and put it back the way it was and the same material. Then you do not need our approval. Take for example, you are going to replace metal roof with metal so you do not need our approval for that. What you need approval for is that you want to add a pitch to the roof. Where it was a flat roof. Where the soffits are, right now you can rebuild it just the way it is now without our permission.

Mr. Thomas stated since the pitch was approved can we build it to where there is no soffit.

Mr. Nicholas stated maybe because you have to come back with another application. The only thing that we can say either yes or no to what you have applied for.

Mr. Paul Liepe stated I went by the house on the way to the meeting and my observation was that I could see the ceiling on the porch from the sidewalk. I do believe it is in Commission's jurisdiction. Of course, as you know from experiences I am opposed to vinyl.

Mr. Nicholas closed the Public Hearing.

Mr. Stowe made a motion to deny the application Item B as it does not meet the guidelines. Mr. Bond seconded the motion. The motion was approved by a 5-0 vote.

Mr. Bond made a motion that the vinyl soffit would have an adverse effect on the community. Mr. Stowe seconded the motion. The motion was approved by a 5-0 vote.

Mr. Nicholas opened the Public Hearing.

Mr. Nicholas stated item C Add a handrail to the stairs. There is currently no handrail. The proposed handrail and pickets appear to be simple in design with square standard pickets requested. Do you have a picture of what you want to do with the handrail?

Mr. Thomas stated pretty much just update to standard handrails. When the house was purchased, there was none there. There is composite decking steps that were there so we already know that is being redesigned with the porch. We are looking for approval to just to put updated pickets. To get some kind of historic pickets, we do not know where to even start looking. There is no one left in Danville that could redo the pickets.

Mr. Bond stated so the pickets going back on the porch are they going to match what is there.

Mr. Thomas stated yes that is what we want. The handrails on the steps and on the porch to match.

Mr. Bond stated are they going to match what is there.

Mr. Thomas stated there is none there.

Mr. Bond stated this photo is from 2012.

Mr. Nicholas stated who took the picture that was in our packet.

Mr. Gillie stated that is probably the city assessment from the website.

Mr. Nicholas stated could you come up here please and look at this picture. Is this what you are looking to do?

Mr. Thomas stated something like that.

Mr. Nicholas stated what material do you want to use.

Mr. Thomas stated I am fine with wood. Can I show you what is on my phone?

Mr. Nicholas stated sure.

Mr. Thomas stated it would be more like these and we can purchase these at Lowes.

Mr. Nicholas stated you have two options when it comes to this request. You can ask us to consider it today. Which means someone here is going to have to make a motion and that is going to limit you. It will either be as shown in the 2012 picture using wood or some other specific design. You can ask us to pass it until next month and you can come up with a specific this is what we want to do.

Mr. Thomas stated those spindles are the main thing. I want you to consider the 2012 picture with this spindle that I just showed you.

Mr. Nicholas stated I am not saying that it is going to pass today. We can consider it or you can get a more detailed design you can come back next month.

Mr. Thomas stated this is probably as much detailed as it is going to get.

Mr. Bond stated I think we are talking about two different things so one is the existing handrail and what the former handrail was. The other is the motion of the request to add handrail to the stairs.

Mr. Thomas stated either way those pickets will still be preferable for the handrails on the stairs as well.

Mr. Bond stated I guess what we will discuss and decide on is the handrail for the stairs. We do not need to decide for the handrail on the porch. If he is going back with wood.

Mr. Nicholas stated you did not request the stairs.

Mr. Liepe stated again after looking at the house this afternoon, the existing handrails are missing. Since that is not part of the application, I think that our assumption is that they are going to be restored and put back exactly how they were.

Mr. Nicholas stated we are only talking about the handrail on the stairs.

Mr. Liepe stated I understand but my point is that the handrail and pickets on the stairs should match those on the porch in my opinion, in order for this item to be approved. The handrail on the porch is missing. Therefore, I do not know how you resolve that problem. Do you have it in storage?

Mr. Johnson stated no it was not there when we purchased the house.

Mr. Liepe stated there is also an issue in the same general area, that the house has a side porch that is visible from the public right away. Which at one time had the same décor elements as the front porch. According to the rules, the handrail and pickets go back the same way as they were or you have to come here for approval to change. In addition, at the same time I am concerned about the post, which you are not mentioning in the application.

Mr. Thomas stated we are going to use the same one.

Mr. Liepe stated I do not know how you consider the handrail for the stairs without looking at the issue more generally, at least I could not.

Mr. Bond stated I think the question is, do we allow handrail on the stairs since it does not have one.

Mr. Liepe stated in my opinion, you should allow handrail on the stairs that match the original balustrade with the assumption since it is not in the application, that balaster will be restored.

Mr. Nicholas stated we do not require restoration. We do not have the authority to order a restoration.

Mr. Liepe stated I do not know how that will fly with code officials.

Mr. Nicholas stated fair but that is not our jurisdiction. If they rebuild balustrade that will have to comply with current height requirements.

Mr. Liepe stated I'm also concerned about current code height, which would have a negative impact on the look of the building.

Mr. Gillie stated if they are rebuilding them in historic property, there are some exemptions so they could go with 28 inch.

Mr. Johnson stated who are you.

Mr. Nicholas stated members of the public are allowed to come in and comment.

Mr. Johnson stated I understand but I feel like at the end of the day I am buying this house for my family and me. I have three kids, two dogs and my hobby is to fish. I am not trying to do anything out of the ordinary with this porch. I am trying to get this house up so my family can live there. Like everything that they are discussing you coming up like you are going to help with the decision.

Mr. Nicholas stated that is us.

Mr. Johnson stated its kind of disrespectful to a point where like everything that I request for my house is being dictated by him. Everything that he says, it is as if they are nodding their head. Like who really are you? Is he somebody important in the community for everyone to respect and acknowledge him. Like I'm not understanding this at all.

Mr. Nicholas stated nothing has been decided for number one. Number two the gentleman that you are referring to has no authority whatsoever. He can't vote or force anything and number three he comes to our meetings practically every month and there are many decisions that he agrees with and some he doesn't. He's not an issue. You bought a house in the historic district.

Mr. Johnson stated it was a mistake, because I did not know that.

Mr. Nicholas when you buy a house in the historic district, you are subject to the design guidelines.

Mr. Johnson stated which I understand and respect. Like what I'm not understanding, is like everything that I am requesting except the vinyl. I did not know about the vinyl, but everything else is like I'm trying to make it look exactly like it was. I'm not understanding why we can't rebuild it back exactly the way it was without your approval.

Mr. Nicholas stated because what has been represented to us by your contractor is you making changes.

Mr. Johnson stated like the porch. We have to tear it down its barely standing up.

Mr. Nicholas stated if you tear it down and rebuild it back exactly as it was with the exact same material, no change, then you don't need us.

Mr. Johnson stated some of that wood is back in slave times. So we can't get slave wood, so we have to go to a Lowes. Does anybody understand that?

Mr. Nicholas stated you can use wood, it just has to be the same design.

Mr. Johnson stated that is what we are trying to do. The pillars that he tried to bring up and restore them. We are not trying to do anything different. I just want to get my house up. Right, the American dream on your own home with your dog and your family. That is all I want to do and I am getting stopped in every direction. I do not understand this at all.

Mr. Nicholas stated you are 100 percent, correct if you rebuild it the same that it was using the same material.

Mr. Johnson stated likeness too. So same design and it can be different type of wood.

Mr. Nicholas stated we also could not dictate color. Therefore, if you want white, gray you don't need approval from us for that. We can only cover the general type of material and the design. So, if you want to put the porch back exactly the way it was designed using the same material and you are hundred percent correct you don't need us. Your contractor is representing that there are. Your contractor just presented to us that the balustrade are going to be a different design.

Mr. Johnson stated there are a couple of things. I have been waiting three months to do this porch and you just telling me now that I can do without you. Besides, like the pitch and I could have started on the porch already.

Mr. Nicholas stated I have a question for your contractor are the balustrade that you are going to put on there going to be different?

Mr. Thomas stated the design is going to be a little smaller.

Mr. Nicholas closed the Public Hearing.

Mr. Bond stated handrails have come up before, We have had discussions before on adding handrails to historic properties and I can't remember how we voted on those. Can you guys enlighten me?

Mr. Nicholas stated what I recall before is that we approved the handrails. It's the question of design and material. My opinion you should be able to put a handrail. The applicant has presented we have seen the material he wants to use and it is wood and also the design that he wants to use. So the question is, does that meet the guidelines.

Mr. Stowe made a motion to deny the application Item C as it does not meet the guidelines. Mr. Bond seconded the motion. The motion was approved by a 5-0 vote.

Mr. Bond made a motion that two by two decorative spindle does not have an adverse effect so you should be permitted to do it. Mr. Weir seconded the motion. The motion was approved by a 5-0 vote.

Mr. Nicholas opened the Public Hearing.

Mr. Nicholas stated Item E Alter the decorative roof elements on the front porch to mimic that of the front of the adjacent property at 249 Jefferson Avenue. Does E violate the guidelines?

Mr. Gillie stated the guidelines state that each property is suppose to be individual. So matching adjacent does not meet the guidelines.

Mr. Nicholas Closed the Public Hearing.

Mr. Stowe made a motion that Item E does not meet the guidelines. Mr. Weir seconded the motion. The motion was approved by a 5-0 vote.

Mr. Weir made a motion that Item E does not have an adverse effect on the community. Mr. Davis seconded the motion. The motion was approved by a 4-1 vote.

Mr. Nicholas opened the Public Hearing.

Mr. Nicholas stated Item F. Build two (2) four (4) foot columns at the landing of the steps with the intent of placing statues on each. The construction of the columns is within the purview of the Commission, not the statues.

Mr. Nicholas stated what materials do you wish to use?

Mr. Thomas stated brick. We want to match the brick in this picture.

Mr. Bond stated will it be attached to the house?

Mr. Thomas stated it will be free standing. There is a brick walk-way, so pretty much restore that walk way as well and attach it to the wall.

Mr. Bond stated do we have jurisdiction of landscape items.

Mr. Gillie stated no.

Mr. Nicholas stated if it is not attached to the house is it a landscape item.

Mr. Gillie stated the column would fall under you, but not landscaping.

Mr. Nicholas stated what about a bird bath?

Mr. Gillie stated birdbath is considered statuatory and that is exempt. It is a fine line in between the two.

Mr. Nicholas closed the Public Hearing.

Mr. Weir made a motion to approve Item F that it meets the guidelines, as long as it meets the same height and materials, that was shown in the example. Mr. Davis seconded the motion. The motion was approved by a 5-0 vote.

Mr. Nicholas opened the Public Hearing.

Mr. Nicholas stated Item G install conventional gutters on the front porch. These are to be white in color and constructed of aluminum. We can't control the color. First question should they be conventional and second can they be aluminum.

Mr. Weir stated why don't we address G & H together they are for the same issue.

Mr. Nicholas stated that is fine.

Mr. Bond stated what kind of gutters does the main house have on it?

Mr. Thomas stated they are wood gutters.

Mr. Nicholas stated can you see them from a public right way.

Mr. Thomas stated if they are on the front porch then yes.

Mr. Nicholas the main house gutters that you want to install.

Mr. Thomas stated I think they might have gotten confused it is the gutters on the front porch because they do not have any gutters at all.

Mr. Nicholas stated let's talk about G. You are looking to use the same gutters that are on this house?

Mr. Thomas stated yes.

Mr. Nicholas closed the Public Hearing.

Mr. Stowe made a motion that Item G does not meet the guidelines. Mr. Weir seconded the motion. The motion was approved by a 5-0 vote.

Mr. Bond made a motion that Item G does not have an adverse effect on the Community. Mr. Weir seconded the motion. The motion was approved by a 5-0 vote.

Mr. Nicholas opened the Public Hearing.

Mr. Nicholas stated Item H install aluminum gutters on the main house. The gutters requested are the same proposed for the front porch.

Mr. Nicholas stated what we just approved for the front porch, you want to do for the main house?

Mr. Thomas stated yes. Because there are parts of the house where the soffit is wood and it has rotted through.

Mr. Nicholas stated is your intention to paint them so they will look contiguous?

Mr. Liepe stated it appears to me that the house has hidden gutters. I'm not sure where these new aluminum gutters will go on the exterior. Is it your intention to remove the hidden gutters that are there?

Mr. Nicholas stated are there hidden gutters and what are the state of repairs?

Mr. Thomas stated there are several places that you can tell that the gutters are not working. Instead of going back with hidden gutters, we are going back with aluminum gutters.

Mr. Nicholas stated exactly where on the house are you going to put the hidden gutters?

Mr. Thomas stated on each side where the hidden gutters were before.

Mr. Nicholas stated on the side of the house?

Mr. Thomas stated yes. You can not see them from the street you would have to walk up to the house.

Mr. Nicholas stated even if we were to deny it and you can't see it from the street, you could do it anyway. But let's say for the sake of your request that you can see it.

Mr. Bond stated what is on the house to the right?

Mr. Thomas stated aluminum gutters. He has metal roof and aluminum gutters all around the house.

Mr. Nicholas stated did you ask him that?

Mr. Thomas said no I can see them.

Mr. Davis I think my concern is not so much putting up the gutters it's the fact in the transitions from the roof.

Mr. Bond stated you will lose that crown molding that is up there.

Mr. Davis stated but the actual hidden gutter, that pitch is going to have to be altered. The transitions from the original roof, that is there now even if you are going to replace it.

Mr. Gillie stated so where it comes down now, the hidden gutter system you are going to change the pitch at that point so it will shut off into the gutters at that point right?

Mr. Thomas stated pretty much. Add wood where it extends off further and you can allow facing at the end of pieces of wood.

Mr. Gillie stated that is something else that would have to be, because that is a change and you can see from the side. When you are at the street looking down at it. The plan, that is going to be another change that is not listed on here.

Mr. Thomas stated but also too if you do it correctly you wouldn't know the difference. You can put the soffit back and put the gutters up and you wouldn't be able to tell that it was altered.

Mr. Gillie stated is it there now? Then it's got to come back.

Mr. Nicholas do you want us to make a decision on h today or do you want to pass it by? If it is denied, then you can't come back with the same request for a year. If you ask us to pass it by, then you don't have approval for it. You can come back as you please.

Mr. Thomas stated pass it by, for now.

Mr. Gillie stated if you withdraw it and come back, you have to pay again. If you have them hold it till next month it's a freebie.

Mr. Thomas stated pass it till next month.

Davis made a motion to pass item H till next meeting. Mr. Bond seconded the motion. The motion was approved by a 5-0 vote.

APPROVAL OF THE MINTUES

Mr. Bond made a motion to approve the October 26, 2017 minutes. The motion was approved by a unanimous vote.

Approved