



City of Danville

427 Patton Street, Suite 208

Danville VA, 24541

Phone: (434) 799-5260

Commission of Architectural Review

July 23, 2020

3:30 P.M.

FOURTH FLOOR CONFERENCE ROOM

AGENDA

- I. WELCOME AND CALL TO ORDER
- II. ROLL CALL
- III. ELECTION OF OFFICERS
- IV. NEW BUSINESS

Request PLCAR20200000146 filed by, Mike Spangler, requesting a Certificate of Appropriateness to install a 6' dog-ear style wood privacy fence along the rear property line at 165 Holbrook Avenue. This was approved in 2016, but never undertaken.

- V. APPROVAL OF MINUTES FROM JUNE 30, 2020
- VII. ADJOURNMENT



City of Danville
427 Patton Street, Suite 208
Danville VA, 24541
Phone: (434) 799-5260

Commission of Architectural Review

MEETING OF JULY 23, 2020

SUBJECT

**165 Holbrook Avenue
VDHR # 108-0056-0076**

APPLICANT'S REQUEST

Request PLCAR20200000146 filed by, Mike Spangler, requesting a Certificate of Appropriateness to install a 6' dog-ear style wood privacy fence along the rear property line at 165 Holbrook Avenue. This was approved in 2016, but never undertaken.

STAFF EVALUATION

According to Zoning Code, the "rear property line" as identified by the applicant is in actuality a front yard due its location adjacent to an open public alley. The Guidelines state in Section 6 Item B pages 2-4 "[f]encing should not exceed 30-48" in front yards, and 6' in side and rear yards.[s]olid fencing is not permitted in front yards, but is permitted in side yards behind the façade of the main building and in rear yards." Based on this information Staff believes that this request does not meet the Guidelines. The Commission must review the request to determine if it will or will not have an adverse effect on the structure or the District. While reviewing this request, Staff believes it is important to point out that the Guidelines state that "[i]f one side has supports showing, this must face the owner building the fence".

The Zoning Code does not permit fences above 48" in a front yard, and the alley is classified as a front yard. The CAR can waive this requirement. That is what was done in 2016.

DANVILLE

COMMISSION OF ARCHITECTURAL REVIEW

POST OFFICE BOX 8300

DANVILLE, VIRGINIA

(434) 799-5260

CERTIFICATE OF APPROPRIATENESS APPLICATION

Article 3.R.C.1.

No zoning, site plan, subdivision plat, or building permit shall be issued for the erection, reconstruction, exterior alteration, restoration, rehabilitation, razing, relocation or demolition of any building, structure, signs, fences, walls, light fixtures, accessory buildings, pavements, grading, site improvements, significant landscaping features or other appurtenant element in an HP-O District unless and until such building or site element has been approved by the issuance of a Certificate of Appropriateness by the Commission of Architectural Review for the City.

INFORMATION TO BE PROVIDED BY PLANNING DIVISION

Application Number: _____

CAR Date: _____

Date submitted: _____

Received by: _____

Tax Map Number: _____

Zoning Map Number: _____

Architectural Inventory Rating: _____

Zoning District: _____

Additional Zoning Information: _____

All buildings, structures or improvements located in the Old Westend Historic District and visible from a public right-of-way shall not be located, constructed, reconstructed, altered, or repaired unless a Certificate of Appropriateness has been issued by the Commission

of Architectural Review. The Commission meets once a month on the fourth Thursday of the month at 3:30 P.M. in the fourth floor City Council Conference Room located in the Municipal Building. All questions or applications should be submitted to the Planning Division, located on the second floor of the Municipal Building, 427 Patton Street, Room 207, Danville, VA 24541; (434)-799-5260. As of July 1, 2018 a \$26.00 fee will be required for each application submitted for review.

INFORMATION TO BE PROVIDED BY APPLICANT

Important-Please read before completing application

- a) All questions on this application must be fully answered
- b) The application must be signed by the property owners or representative with written authorization by the owner
- c) A drawing, photo, plan or sketch of proposed project with dimensions

Have you read and understand the Design Guidelines for the Historic Overlay District of Danville, Virginia? YES

Are you aware of the federal/state tax credits and Real Estate Abatement program available for potential reimbursement/credit of money used during substantial rehabilitation projects? YES

Would you like more information about these programs? No

Which one(s)?

Property Location: 1165 HOLBROOK AVE DANVILLE VA 24541

Name of Applicant: MIKE SPANGLER

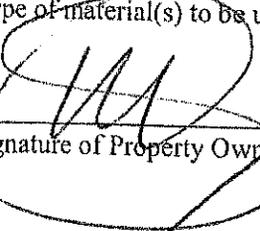
Applicant's Address: 1165 HOLBROOK AVE DANVILLE VA 24541

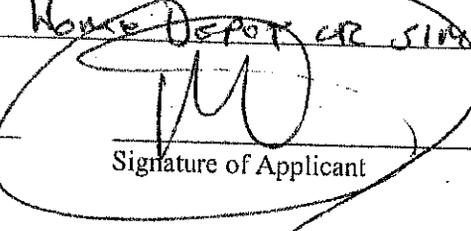
Applicant's Phone Number: 336 459 2849 Email Address: Handyman4545@gmail.com

Work Proposed (please circle one): Alteration/addition/rehabilitation/new construction/sign

INSTALLING NEW, STANDARD 6' HIGH, DOG EAR, PRIVACY FENCE
ACROSS ALLEYWAY PROPERTY LINE & PARTIALLY BETWEEN BOTH
NEIGHBORS YARDS AS APPROVED BY CAR 2/25/2016

Type of material(s) to be used: STANDARD HOME DEPOT OR SIMILAR


Signature of Property Owner (if not applicant)


Signature of Applicant

COMMISSION OF ARCHITECTURAL REVIEW

February 25, 2016

Members Present

Michael Nicholas
Robert Stowe (arrived at 3:31)
Robert Weir
Sean Davis
Robin Crews

Members Absent

Jeffrey Bond
Susan Stilwell

Staff

Renee Burton
Alan Spencer
Anna Levi
Tracie Lancaster

Chairman Nicholas called the meeting to order at 3:30 p.m.

ITEMS FOR PUBLIC HEARING

1. *Request for a Certificate of Appropriateness, PLCAR2016000017, filed by Mike Spangler to complete the following at 165 Holbrook Avenue:*

a) Remove multi-unit staircases and enclosures on rear of structure

Mr. Nicholas opened the Public Hearing.

Mr. Stowe entered at 3:31pm.

Present on behalf of the request was Mike Spangler, the applicant.

Mr. Spangler stated the first part of this procedure basically is the demolition of the stuff that was added to the rear of the house. In order, to accommodate the necessities back when the house was quadded from single family to fourplex. Removal of the structure is limited to only the siding that was placed on one of the stairwells when they were installed; which doesn't incidentally pass code. The stair system is not code compliant. It was very obvious that it was added after the house was constructed. I plan to retain all the roofing structure, all the porch and deck structure and all of the supporting members. Also, the actual railing that is supposed to go on there will go back on as well. I'm not sure if you all will require me to get it to today's codes, which are different than what they had back then. But I don't have a problem either way. All I'm interested in doing is removing the rear staircase since I have access from the inside of the house now and don't need it. Also, removing the access siding that was added to protect the climbers that were using the stair system themselves.

Mr. Nicholas closed the Public hearing.

I think its 196 Holbrook across the rear of their yard plus down the side of their yard. There are two other homes on the opposite side of Holbrook that also have the same fence system. It's not going to be painted; it's not going to be adjusted in any manner. It's just straight fence line that will have a gate that will come through it and all the side structure will have components that will be on my side of the fence line opposed to the outside and alleyway.

Mr. Nicholas stated is this going to match the neighbor's fence?

Mr. Spangler stated it will not match the neighbor's fence. This is going to be a dog-ear fence that is approximately three and a half inch wide board with a dog-ear top on it.

Mr. Nicholas stated what about the color?

Mr. Spangler stated it would be standard wood. If it gets finished it will be a clear finish that will go on to protect the wood finish. It will not be painted.

Mr. Nicholas stated same height?

Mr. Spangler stated the height is six foot on the fence height.

Mr. Nicholas stated my question is, is that the same height as the neighbor's fence?

Mr. Spangler stated oh yes it is. It will be the same height as the neighbor's fence.

Mr. Nicholas closed the Public Hearing.

Mr. Nicholas stated staff regarding your recommendation, explain to me exactly how this is a front yard.

Mrs. Burton stated because the alley is a public way.

Mr. Nicholas stated what is the yard on Holbrook?

Mrs. Burton stated the same.

Mr. Nicholas stated where is his backyard?

Mrs. Burton stated he does not have a back yard just two fronts and two sides.

Mr. Spangler stated the problem we have is this is a closed alley for just only the residents that live on the street. There is not opening on the other end of it that's the Museum, it's blocked off. If you go into that alley you must turn around and come back out of that alley; which means backing into someone's yard or backing back down the alley. Or you must pass through someone's yard to get back out on the road.

Mr. Weir stated I have a question pertaining to this letter we received from the last meeting. There was a question that Marcy Keigler had.

Mr. Spangler stated yeah, Marcy is co-owner of the property. She has assumed that those stairs should be left in there so the new buyer who moves in can use that unit above for rental income. It was explained to her that it cannot be used for rental income because the building department will not allow that to take place. It has already been turned back into single family. That was pretty much the end of the argument.

Mr. Nicholas stated we are in the situation where we have two owners of a house that are opposed to each other on the request. There are two owners of the house. The applicant is one of the owners of the house and he wants the changes. The other owner of the house does not want these changes as you can see here. Last time we had nobody appear. So we agreed to continue it to this meeting. I asked staff to email and notify both owners for them to come up here and do this. For us to have the ability to decide if the application has to be signed by a property owner. Has the other owner been notified?

Mrs. Burton stated yes and she was unable to attend.

Mr. Nicholas stated has she sent anything else for us to consider?

Mrs. Burton stated no.

Mr. Nicholas stated you can factor that letter into your decision however you see fit.

Mrs. Crews made a motion that the request meets the guidelines citing staff's recommendation. Mr. Weir seconded the motion. The motion was approved by a 5-0 vote.

- b) Install a 6' dog-ear style wood privacy fence along the rear property line

Mr. Nicholas opened the Public Hearing.

Mr. Spangler stated Part B is basically a security request. I have had three thefts on the property and they have been brazen enough to come through the alleyway. Then through a neighbor's yard to get onto my rear porch to remove things. The neighbor doesn't have this problem at this point because they have a fence installed across the back alleyway. I don't know if it was approved by you all or not but they are compliant with the Architectural Review on everything that they do. Subsequently, what I am asking for is essentially the same thing the only difference is I'm asking for a dog-ear fence. Which is standard design at any Lowes or Home Depot they never change they are always the same. The fence line itself exists on the house about four houses down.

Mr. Nicholas stated the problem is if any member of the public can get to it. It's a public alley.

Mr. Davis stated actually, I have personally had to face this. When you are going up the road to the building where the museum is, technically the alley way veers off to the left and goes out right beside the building.

Mr. Nicholas stated if this was a back yard under the zoning code would this fence be compliant with the code?

Mrs. Burton stated yes sir.

Mr. Nicholas stated what do you mean by if one side has supports showing, this must face the owner building the fence?

Mrs. Burton stated the actual bracing members of the fence. The structural members the post are required to be in the interior.

Mrs. Crews stated Mr. Spangler said he will be complying with that request.

Mr. Spangler stated yeah they will be on the inside.

Mr. Davis stated is there any of the other neighbors who did this? The attorney across the street who wanted to put a driveway in his backyard. He actually had to go to the Zoning to be allowed to put a driveway in his backyard and call it a backyard.

Mrs. Burton stated I remember we had to do the driveway and he has some fencing back there.

Mr. Davis stated yeah, it was fencing back there so he had to go before the Zoning. On the Chestnut side there is an alleyway back there that some people had to go before Zoning. So is this something that should really go before Zoning? I completely understand a privacy fence going up.

Mrs. Burton said all of those occurred under the old guidelines. So based on the current guidelines you guys have the ability to state that, that extra height can be allowed in this area. By standard on a front yard it is four feet. Given the situation he is asking for six feet and you guys have the ability to approve his request.

Mr. Davis stated now will that allow him to not have the Zoning come and cause him problems?

Mr. Nicholas stated correct if we approve it there is no zoning violation.

Mrs. Burton stated we will work together with where the location is and the set back from the alley to make sure all of that is taking care of.

Mr. Nicholas stated seems to me this is a technical violation of the guidelines but I don't think it has a detrimental effect.

Mrs. Crews made a motion that item b does not meet the guidelines. Mr. Weir seconds the motion. The motion was approved by a 5-0 vote.

Mrs. Crews made a motion that this isn't aesthetically detrimental to the neighborhood or property and with the one side facing the owner and approving it as submitted. Mr. Weir seconded the motion. The motion was approved by a 5-0 vote.

c) Replace existing round metal gutter at rear of house with aluminum gutter to match existing gutter system on the remainder of the house.

Mr. Spangler stated I would like to withdraw part c. I understand the idea behind the half round gutter system and the round downspouts. I don't have an issue with it I can do the repair and replace them with identical material so I'm just going to go ahead and remove part c.

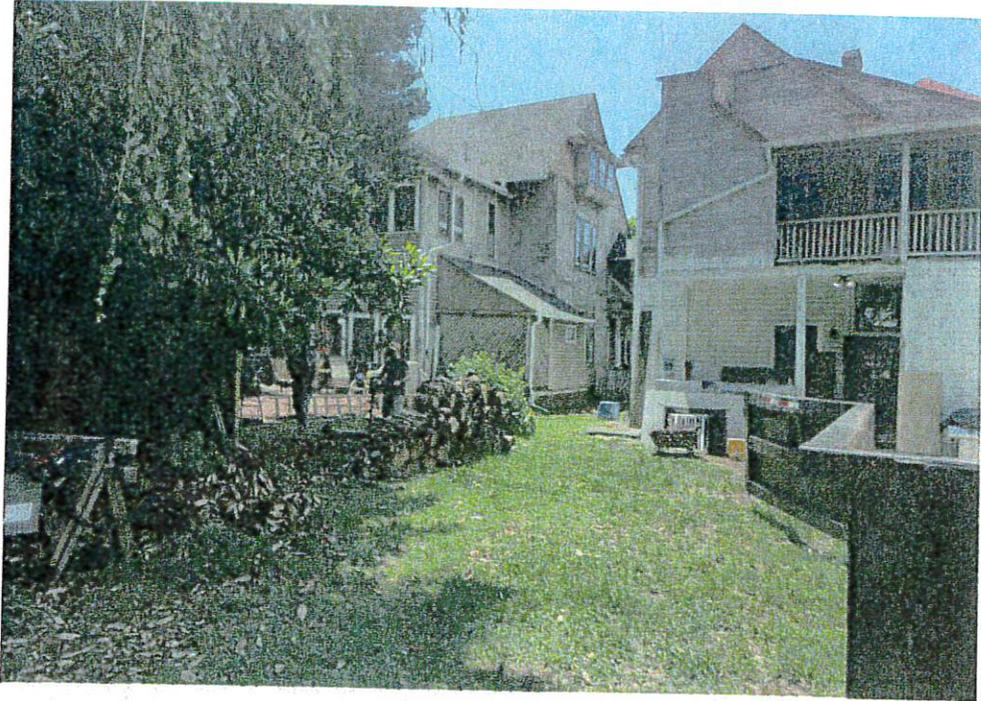
Mr. Nicholas stated okay part c is withdrawn from the request of the applicant.

APPROVAL OF THE MINUTES

Mr. Weir made a motion to approve the January 28, 2016 minutes with a correction on page two. Mr. Stowe seconded the motion. The motion was approved by a unanimous vote.

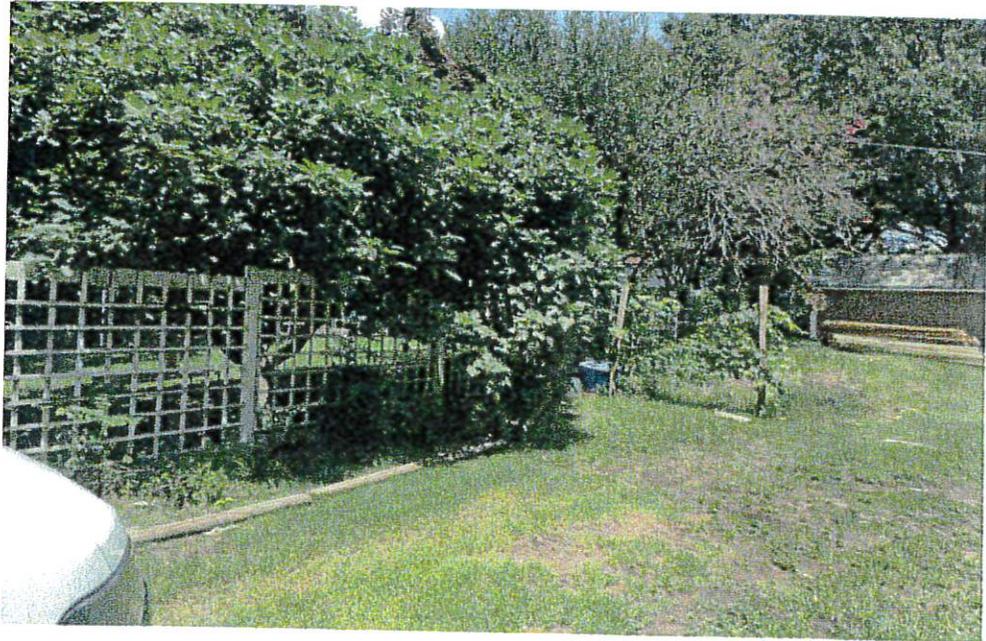
OTHER BUSINESS

Mrs. Burton stated we have a couple of things. One, to let you guys know that the state highway marker at the museum, (that is for the last capital of the confederacy) which is currently right along Main Street, will be removed for refurbishment on March 4th. There will be a press release and documentation on site to let everyone know where it has gone. It should be no more than a week. The press release is saying the 14th so it should be back and reinstalled by the 14th. We are painting the post, the marker has been there since 1939 and it has not been touched. So, it's in dire need of some care, right now we are trying to figure out how to remove the bolts because they are so rusted. So if you hear anything about this please pass along the word on where it has gone. Also, I wanted to make a quick note on attendance if you are not going to be here, which this doesn't necessarily apply to the ones here, please, let me know in advance. Loyal Street Baptist Church also has a marker that sits right behind the Court House they have just put in an application that will be heard at the State Review Board meeting in June. They are going to do some work on that marker. The marker language is 48 words which is really short and it doesn't meet current criteria for a state highway



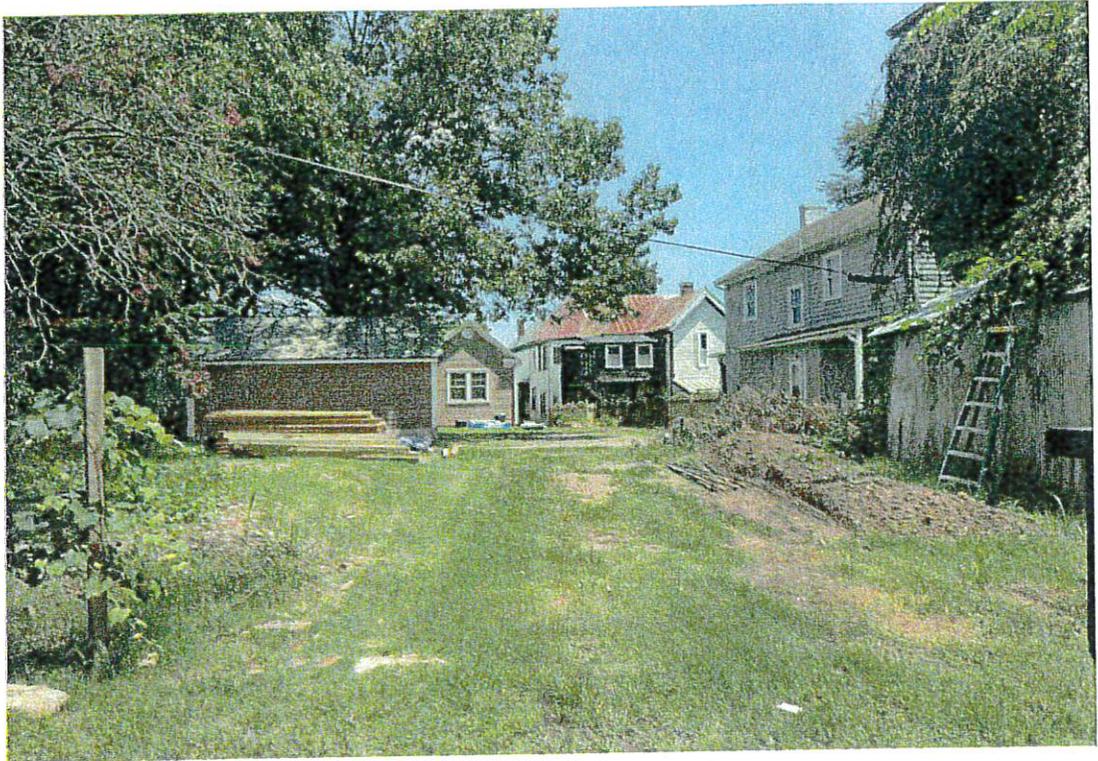
Right side (facing front)

6", dog ear privacy fence will extend uninterrupted from corner of red brick, 3 story multifamily (visible left of frame) approximately 40' to a point behind forward, front corner of residence and terminate in a gated panel attached to residence allowing access to rear yard.



Left Side (Facing Front)

6", dog ear privacy fence will extend uninterrupted from (aprx) midway of neighboring, 6' high existing fence line (visible left of frame) approximately 40' to the last existing neighboring fence post and terminate.

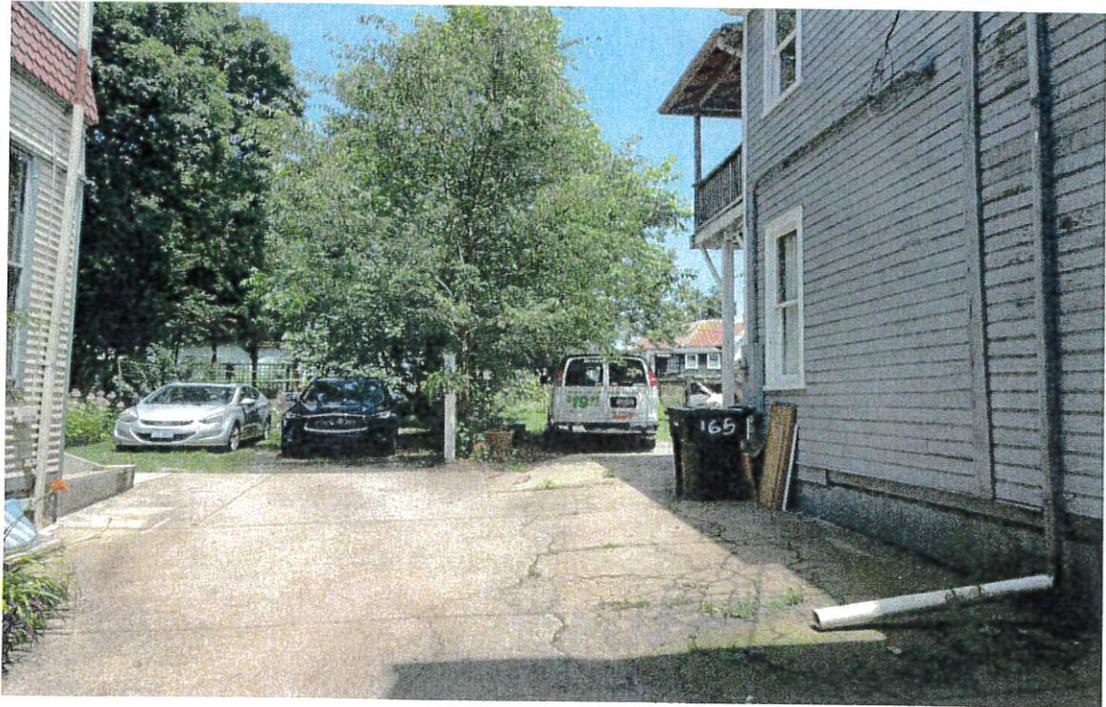


Rear (Allyway)

6", dog ear privacy fence will extend uninterrupted from the final fence post of neighboring, 6' high' existing fence line (extreme left of frame) approximately 50' alongside the existing ally way to the corner of the 3 story, red brick, multifamily building and terminate.



Fencing will be along the left and approximately 4' from shown tire ruts and extend to the corner of the multifamily building, inside the property lines.



Left Side (Facing Front)

6", dog ear privacy fence will extend from neighboring, 6' high existing fence line post (visible center of frame), right approximately 20' to the rear corner of the house and terminate.

One, double entry gate will be installed for access.

Mike Spangler
165 Holbrook Ave
Danville, Va 24541
336-459-2849

2020-07-13

Ken:

I'm currently installing the fencing I applied for and was granted by the ARC back in 2016. I've included a copy of the minutes.

It's my understanding having contacted Beth last week, that the city requires no permit for this construction but obviously the CAR does. Having applied before the commission and granted authorization back in 2016, Beth has informed me today, that the variation expired and needs renewal and a fee of \$26 paid.

Attached is the COA variation app along with some additional pics of the proposed fence line. Nothing is changing from the original request but as you can see by the pics, it's been started and is now stalled awaiting renewal.

I have also dropped off a check for the \$26 fee.

Your prompt attention in the renewal of this variation would be greatly appreciated.

Regards,
M Spangler

COMMISSION OF ARCHITECTURAL REVIEW

June 30, 2020

Members Present

Michael Nicholas
Robert Stowe
Robert Weir
Robin Crews

Members Absent

Susan Stilwell
Jeffrey Bond

Staff

Ken Gillie
Lisa Jones
Clarke Whitfield

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

ELECTIONS OF OFFICERS

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

Mr. Whitfield called for nominations for Chairman.

Mr. Weir nominated Ms. Crews for Chairman. The nominations were approved by a 4-0 vote.

Mr. Whitfield called for nominations for Vice-Chairman.

Mr. Stowe nominated Mr. Nicholas for Vice-Chairman. The nominations were approved by a 4-0 vote.

Mr. Whitfield called for nominations for Secretary.

Mr. Stowe nominated Mr. Weir for Secretary. The nominations were approved by a 4-0 vote.

ITEMS FOR PUBLIC HEARING

Request a Certificate of Appropriateness for 1040 Main Street to do the following:

- 1. Request to remove wall sign on Main Street wall and replace with a 25 sq. ft. flat metal sign on face of mansard roof*
- 2. Install new 32 sq. ft. flat metal sign on Broad Street face of mansard roof.*
- 3. Replace plastic faces on existing ground sign.*

Mrs. Crews opened the Public Hearing.

Present to speak on behalf of this request was Ms. Renee Pickrel, Clinical Director for Southside Urology and Nephrology. Ms. Pickrel stated we have had the building there since 1959. It currently has a signage of Danville Urologic Clinic on the front of the building. We changed our name maybe ten years ago. Therefore, number one we would

like to change the signage so it would correspond with what we are called because we have a lot of issues with our patients being able to see the signs. This is the entrance of how it is going to look on Main Street and it's going to go on the roof itself. We have an old thin layer sign that is on the glass parts is covered by bushes and things like that. Then on Broad Street it is another entrance for us the door for dialysis and such. We were going to put a longer sign again so they can see the building. In the front, we currently have a sign out there now that is exactly like this one and it is plastic. It has all of our provider's names on it and people cannot see them. We are going to change the existing sign and of course have our Southside Urology and Nephrology name in there. The main two that we are making changes to is of course the two signs to the building itself. (See attached a copy of the signage)

Mrs. Crews closed the Public Hearing.

Mr. Nicholas made a motion to approve that it meets the guidelines as submitted. Mr. Stowe seconded the motion. The motion was approved by a 4-0- vote.

APPROVAL OF THE MINTUES

Mr. Nicholas made a motion to approve the December 12, 2019 minutes. The motion was approved by a unanimous vote.

OTHER BUSINESS

With no further business the meeting adjourned at 3:40 p.m.

Approved

BROAD ST

SOUTHSIDE UROLOGY & NEPHROLOGY

**SOUTHSIDE UROLOGY
& NEPHROLOGY**

MAAN ST



GROUND